

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**

FEDERAL D. GLOVER, *CHAIR*, 5TH DISTRICT
KAREN MITCHOFF, *VICE CHAIR*, 4TH DISTRICT
JOHN GIOIA, 1ST DISTRICT
CANDACE ANDERSEN, 2ND DISTRICT
DIANE BURGIS, 3RD 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 TWO (2) 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.

**PURSUANT TO THE BOARD OF SUPERVISORS RULES OF PROCEDURES (RULE
14), IF ANY MEETING IS WILLFULLY INTERRUPTED BY A GROUP OR GROUPS OF
PERSONS SO THAT THE ORDERLY CONDUCT OF THE MEETING BECOMES
INFEASIBLE AND ORDER CANNOT BE RESTORED BY THE REMOVAL OF
INDIVIDUALS WHO ARE WILLFULLY INTERRUPTING THE MEETING, THE
CHAIR MAY ORDER THE MEETING ROOM CLEARED, AS AUTHORIZED BY LAW
(GOV. CODE, § 54957.9), RECESS THE MEETING, OR ADJOURN THE MEETING.**

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

AGENDA
August 1, 2017

9:00 A.M. Convene, call to order and opening ceremonies.

Inspirational Thought- *"You get the best out of others when you give the best of yourself."*
~Harvey Firestone

CONSIDER CONSENT ITEMS (Items listed as C.1 through C.87 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.**

DISCUSSION ITEMS

- D.1** REVIEW 12 applications for the position of District Attorney and SELECT
applicants for further consideration; CONSIDER adoption of Resolution No.
2017/284 authorizing the County Administrator to seek and obtain criminal history
and other background information pertaining to the finalists for the District
Attorney position, and to request finalists to provide an economic disclosure

statement (FPPC Form 700). (David Twa, County Administrator)

D. 2 CONSIDER Consent Items previously removed.

D.3 CONSIDER authorizing the County Administrator or designee to execute contract renewals with the NonPERS Health/Medical Plans, Dental Plan, Vision Insurance, Life Insurance Plan carriers and the Computer Vision Care Program for the period January 1, 2018 - December 31, 2018. (Ann Elliott, Human Resources Manager)

D. 4 PUBLIC COMMENT (2 Minutes/Speaker)

D. 5 CONSIDER reports of Board members.

Closed Session

A. CONFERENCE WITH LABOR NEGOTIATORS

1. Agency Negotiators: David Twa, Richard Bolanos 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 Employees International Union Local 2015; 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.

ADJOURN

CONSENT ITEMS

Road and Transportation

C. 1 ADOPT Resolution No. 2017/259 approving and authorizing the Public Works Director, or designee, to submit a One Bay Area Grant Cycle 2 (OBAG 2) Application to the Contra Costa Transportation Authority for federal funding under the Local Streets and Roads Preservation (LSRP) Program for the Contra Costa County Local Streets and Roads Preservation Project for \$4,327,000, Byron, El Sobrante and San Pablo area. (89% Federal Funds under the LSRP Program, 11% Local Road Funds Match)

- C. 2** ADOPT Resolution No. 2017/260 approving and authorizing the Public Works Director, or designee, to submit a One Bay Area Grant Cycle 2 (OBAG 2) application to the Contra Costa Transportation Authority for federal funding under the Federal-Aid Secondary (FAS) Program for the Kirker Pass Road Open Grade Overlay Project for \$1,343,000, Concord area. (89% OBAG 2/FAS, 11% Local Road Funds Match)
- C. 3** ADOPT Traffic Resolution No. 2017/4459 to prohibit stopping, standing or parking at all times on a portion of Silver Avenue (Road No. 0565K), as recommended by the Public Works Director, North Richmond area. (No fiscal impact)
- C. 4** ADOPT Traffic Resolution No. 2017/4458 to prohibit stopping, standing or parking at all times on a portion of North Jade Street (Road No. 0565S), as recommended by the Public Works Director, North Richmond area. (No fiscal impact)
- C. 5** ADOPT Traffic Resolution No. 2017/4455 to prohibit vehicles over 40 feet in length on Pinehurst Road (Road No. 2631A), as recommended by the Public Works Director, Canyon area. (No fiscal impact)
- C. 6** CONTINUE the emergency action originally taken by the Board of Supervisors on March 7, 2017, pursuant to Public Contract Code Sections 22035 and 22050, to repair the Morgan Territory Road Slide Repair Project, as recommended by the Public Works Director, Clayton area. (100% Local Road Funds)
- C. 7** CONTINUE the emergency action originally taken by the Board of Supervisors on February 14, 2017, pursuant to Public Contract Code Sections 22035 and 22050, to repair the Alhambra Valley Road Washout Project, as recommended by the Public Works Director, Pinole area. (100% Local Road Funds)
- C. 8** ADOPT Resolution No. 2017/273 accepting as complete the contracted work performed by John Tse (dba CC & Company), for the Countywide Trash Capture Project, as recommended by the Public Works Director, Countywide. (100% Storm Water Utility Assessment 17 Funds)
- C. 9** AWARD and AUTHORIZE the Public Works Director, or designee, to execute a construction contract with Hess Concrete Construction Co., Inc. in the amount of \$150,000, for the 2017 On-Call Pipe Rehabilitation Services Contract(s) for Various Road, Flood Control, and Airport Maintenance Work, Countywide. (100% Local Road Funds)

Engineering Services

- C. 10** ADOPT Resolution No. 2017/269 approving the Stormwater Management Facilities Operation and Maintenance Agreement for minor subdivision MS12-0007, for a project being developed by Milton John Marin, Jr., and Sally Ann Marin, as recommended by the Public Works Director, Walnut Creek area. (No fiscal impact)
- C. 11** ADOPT Resolution No. 2017/270 accepting an Offer of Dedication for a Trail Easement for road agreement RA07-01234, for a project being developed by Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (No fiscal impact)
- C. 12** ADOPT Resolution No. 2017/271 accepting an Offer of Dedication for a Landscape Easement for subdivision SD16-09301, for a project being developed by Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (No fiscal impact)

Special Districts & County Airports

- C. 13** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute an Amendment to the Transportation Service Agreement for Operation of School Bus Route within County Service Area (CSA) T-1 with the Measure J Traffic Congestion Relief Agency (TRAFFIX), to authorize payment of TRAFFIX operational and overhead costs to run two school bus routes within CSA T-1, as recommended by the Public Works Director, Danville area. (100% County Service Area T-1 Funds)
- C. 14** APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Dianne Cole for a T-hangar at Buchanan Field Airport effective July 15, 2017 in the monthly amount of \$394.10 (100% Airport Enterprise Fund).
- C. 15** ADOPT Resolution No. 2017/278 to vacate and quitclaim a portion of a Grant of Easement in Drainage Area 128, and take related actions under the California Environmental Quality Act, as recommended by the Public Works Director, Concord area. (No fiscal impact)

Claims, Collections & Litigation

- C. 16** RECEIVE report concerning the final settlement of John Higgins vs. Contra Costa County; and AUTHORIZE payment from the Workers' Compensation Internal Service Fund in an amount not to exceed \$202,435.64. (100% Workers' Compensation Internal Service Fund)
- C. 17** DENY claims filed by Doris Calhoun, Kathie Doyle, The Keys Condominium Owners Association, LDI Trucking, Inc., Tuyen Nguyen, Gulshan Noman, Masood Noman, State Farm Ins., a subrogee of Sean Gabriel Fox, Rita Marie Willis, and John Woolery; and DENY late claim filed by Judith Gailliard.

Statutory Actions

- C. 18** APPROVE Board meeting minutes for June 2017, as on file with the Office of the Clerk of the Board.

Honors & Proclamations

- C. 19** ADOPT Resolution No. 2017/266 honoring the 57th annual Contra Costa Championship Swim Meet, as recommended by Supervisor Andersen.
- C. 20** ADOPT Resolution No. 2017/282 honoring Sun Valley Shopping Center on their 50th Anniversary, as recommended Supervisor Mitchoff.

Ordinances

- C. 21** INTRODUCE Ordinance No. 2017-18, amending Section 52-3.301 of the County Ordinance Code to provide for a time period within which a cardroom licensee must provide notice to the County of any changes to its cardroom license, WAIVE reading, and FIX August 8, 2017 for adoption. (No fiscal impact)
- C. 22** ADOPT Ordinance Code 2017-19 amending the County Ordinance Code to exclude from the merit system the new classification of Economic Development Manager-Exempt, as recommended by the Human Resources Director.
- C. 23** ADOPT Ordinance No. 2017-16, which would establish a permit program for specified non-franchised solid waste haulers, as recommended by the Health Services Director and the Conservation and Development Director. (100% Permit fees)

Appointments & Resignations

- C. 24** ADOPT Resolution 2017/225 to appoint Supervisor Federal D. Glover as the Board of Supervisors' representative, and Supervisor John Gioia as the Board's alternate representative, to the Marin Energy Authority (MCE) Board of Directors, to establish seat terms for the appointments, and to update the Master List of Board Member appointments for 2017, as recommended by Supervisor Glover.
- C. 25** ACCEPT the resignation of Iris Wong, DECLARE a vacancy in the District IV Seat on the Contra Costa Commission for Women; and DIRECT the Clerk of the Board to post the vacancy, as recommended by Supervisor Mitchoff.
- C. 26** REAPPOINT Nat Rojanasathira to the District V Representative seat on the Contra Costa County Fire Protection District's Fire Advisory Commission, as recommended by Supervisor Glover.
- C. 27** APPOINT Chantana Vornvilaipan to the District V Seat on the Contra Costa County In-Home Supportive Services Public Authority, as recommended by Supervisor Glover.
- C. 28** APPOINT Ylan Hunt to Appointed seat 7 on the El Sobrante Municipal Advisory Council, as recommended by Supervisor Gioia.
- C. 29** APPOINT James Mellander to the District 1 seat on the Merit Board, as recommended by Supervisor Gioia.
- C. 30** APPOINT Dennis Reigle to the District II seat on the Contra Costa County Merit Board, as recommended by Supervisor Andersen.
- C. 31** APPROVE the medical staff appointments and reappointments, additional privileges, advancements, and voluntary resignations as recommend by the Medical Staff Executive Committee and by the Health Services Director.

Appropriation Adjustments

- C. 32** Sheriff's Office (0255): APPROVE Appropriation and Revenue Adjustment No. 5002 increasing fiscal year 2016/17 revenue and appropriations in the Sheriff's Office (0255) in the amount of \$656,500 for the to reflect anticipated revenue and expenditures association with the purchase of Livescan equipment. (100% CAL-ID funds)
- C. 33** SLESF-Front Line Enforcement-City (0264): APPROVE Appropriations and Revenue Adjustment No. 5109 increasing fiscal year 2016/17 revenue and appropriations in the Supplemental Law Enforcement Services Fund (Fund No. 114300) in the amount of \$78,505 to reflect anticipated revenue and expenditures. (100% 2011 Realignment Funds)

- C. 34** Stormwater Utility A-12 Pittsburg (7512): APPROVE fiscal year 2016/17 Appropriation and Revenue Adjustment No.5105 and AUTHORIZE new revenue in Stormwater Utility A-12 Pittsburg, Fund 251200, for Stormwater Pollution Center fees in the amount of \$30,500, as recommended by the Public Works Director, Countywide.
- C. 35** Service Area R-4 Moraga (7751) and Service Area R-10 Rodeo (7770): APPROVE Fiscal Year 2016/17 Appropriation and Revenue Adjustment No. 5104 and AUTHORIZE new revenue in Special District CSA R-4 Moraga, Fund 275100, for property tax and assessment fees in the amount of \$809 and CSA R-10 Rodeo, Fund 276000, for miscellaneous revenue in the amount of \$260,210, as recommended by the Public Works Director, Countywide.

Personnel Actions

- C. 36** ADOPT Position Adjustment Resolution No. 22084 to add one Account Clerk - Advanced Level (represented) position and cancel one Accounting Technician (represented) position in the Public Works Department. (Cost Savings)
- C. 37** ADOPT Position Adjustment Resolution No. 22121 to add one Public Health Program Specialist I (represented) position, cancel one vacant Clerk – Senior Level (represented) position, and cancel one vacant Home Economist (represented) position in the Health Services Department. (Cost savings)
- C. 38** ADOPT Position Adjustment Resolution No. 22114 to add one EHS Division Manager (represented) position, one Social Worker Supervisor II (represented) position, six Social Worker II (represented) positions, two Social Services Program Assistant (represented) positions and one Senior Social Services Information Systems Analyst (represented) position in the Employment and Human Services Department. (100% Health Services - Whole Person Care grant)
- C. 39** ADOPT Position Adjustment Resolution No. 22122 to add one full-time Medical Staff Coordinator (represented) position and cancel one vacant Clerk - Experienced Level (represented) position in the Health Services Department. (100% Third Party revenues)
- C. 40** ADOPT Position Adjustment Resolution No. 22123 to increase the hours of one part-time Cook (represented) position from 24/40 to full-time in the Health Services Department. (Cost neutral)
- C. 41** ADOPT Position Adjustment Resolution No. 22124 to add one Administrative Aide position (represented) and cancel one vacant Administrative Analyst position (represented) in the Health Services Department. (Cost savings)

- C. 42 ADOPT Position Adjustment Resolution No. 22117 to add one Human Resources Manager-Exempt (unrepresented) position and cancel one Employee Benefits Manager-Exempt (unrepresented) in the Human Resources Department. (No Fiscal Impact)
- C. 43 ADOPT Position Adjustment Resolution No. 22118 to add one Deputy County Counsel-Standard-Exempt (unrepresented) position and cancel one Deputy County Counsel - Advanced (unrepresented) vacant position in the Office of the County Counsel. (Cost Savings)
- C. 44 ADOPT Position Adjustment Resolution No. 22125 to add one full-time Network Analyst II position (represented) and cancel one vacant full-time Network Administrator II position (represented) in the Health Services Department. (Cost neutral)

Grants & Contracts

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

- C. 45 APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute a contract with the California Agricultural Commissioners and Sealers Association to reimburse County an amount up to \$3,186, to provide pesticide use reporting activities for the period July 1, 2017 through December 31, 2017. (No County match)
- C. 46 APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to accept funding in an amount not to exceed \$248,000 and execute an agreement containing modified indemnification language with Contra Costa County Office of Education to provide funding for professional growth training in the Quality Matters program for the period July 1, 2017 through June 30, 2018. (No County match)
- C. 47 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with the United States Department of Housing and Urban Development to pay County an amount not to exceed \$296,528, for permanent supportive housing, case management and benefits enrollment assistance and services for the County's Homeless Destination Home Program, for the period December 1, 2017 through November 30, 2018. (25% County match)
- C. 48 APPROVE and AUTHORIZE the County Administrator, or designee, to execute a contract with the City of Richmond to permit the County Department of Information Technology to provide radio communications maintenance services to the Richmond Police Department at the rate of \$128 per hour plus the cost of any materials and equipment, for the period July 1, 2017 through June 30, 2018. (100% City cost reimbursement)

- C. 49** APPROVE and AUTHORIZE the Sheriff-Coroner, designee, to apply for and accept a California Department of Boating and Waterways Boating and Marine Safety and Operations Training Grant in an initial amount of \$13,750 for the training of marine patrol personnel for period of September 25, 2017 to the end of the grant funding. (100% State)

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

- C. 50** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Edward Lau, M.D., in an amount not to exceed \$266,240, to provide outpatient psychiatric services for children in East County, for the period September 1, 2017 through August 31, 2018. (50% Federal Medi-Cal; 50% Mental Health Realignment)
- C. 51** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Jee Hyun Guss, M.D., in an amount not to exceed \$274,400, to provide outpatient psychiatric services to adults in Central Contra Costa County, for the period September 1, 2017 through August 31, 2018. (100% Mental Health Realignment)
- C. 52** APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute five contract amendments: one each with Superior Mechanical Services, Inc., Robert Gurule (dba Water Heaters Express); and McHale's Environmental Insulation, Inc.; and two with Ambient Air, Inc., to extend the terms of each from July 31, 2017 through July 31, 2018 and increase the payment limits of each by \$150,000 to provide additional home weatherization services to low income residents in Contra Costa County through the Department's Weatherization Program. (100% State and Federal Weatherization Program funds)
- C. 53** APPROVE and AUTHORIZE the Animal Services Director, or designee, to execute a contract amendment with Beverley Penzien, DVM (dba Veterinary Medical Services), effective June 1, 2017 to increase the payment limit by \$40,001 to a new payment limit of \$140,000 for continued veterinarian medical services with no change in the term of September 1, 2016 through August 31, 2017. (37% User fees, 54% City revenues, 9% County)
- C. 54** APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute a contract and related indemnity agreement with the State of California, Employment Development Department, in an amount not to exceed \$4,947 to provide confidential employment and wage data to the County for the period May 1, 2017 through September 30, 2018. (100% East Bay Leadership Council grant)

- C. 55** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Thomas B. Hargrave, M.D., in an amount not to exceed \$250,000, for gastroenterology services at Contra Costa Regional Medical Center and Health Centers, for the period from September 1, 2017 through August 31, 2018. (100% Hospital Enterprise Fund I)
- C. 56** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract containing modified indemnification language with Helios Healthcare, LLC, in an amount not to exceed \$473,840, to provide sub-acute skilled nursing care services for seriously ill and neurobehavioral clients, for the period July 1, 2017 through June 30, 2018. (100% Mental Health Realignment)
- C. 57** APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Public Works Director, a purchase order with W.W. Grainger, Inc., in an amount not to exceed \$350,000 to provide parts, supplies, tools, and equipment for the period of August 1, 2017 through July 31, 2018, Countywide. (100% General Fund)
- C. 58** APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Public Works Director, a purchase order amendment with Walnut Creek Ford to increase the payment limit by \$90,000 to a new payment limit of \$185,000, for Ford parts and accessories, with no change to the original term of January 1, 2017 through December 31, 2017, Countywide. (100% Internal Service Fund-Fleet)
- C. 59** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract containing modified indemnification language with Nulinx International, Inc., in an amount not to exceed \$36,000 for the maintenance of a customized, internet-based server platform for federally-mandated family and child assessments, for the period May 1, 2017 through April 30, 2018. (100% Federal)
- C. 60** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Daniel Forkin, M.D., in an amount not to exceed \$145,600, to provide psychiatric care to mentally ill adults in West Contra Costa County, for the period October 1, 2017 through September 30, 2018. (100% Mental Health Realignment)
- C. 61** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Arati Pratap, M.D., in an amount not to exceed \$477,000 for gastroenterology services at Contra Costa Regional Medical Center and Health Centers, for the period September 15, 2017 through September 14, 2018. (100% Hospital Enterprise Fund I)

- C. 62** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Neil Sachs, M.D., in an amount not to exceed \$224,640, to provide outpatient psychiatric services to patients in West County, for the period October 1, 2017 through September 30, 2018. (100% Mental Health Realignment)
- C. 63** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Anka Behavioral Health, Inc., in an amount not to exceed \$990,080, to provide mental health services and support to adults with serious and persistent mental illness in Central Contra Costa County, for the period from July 1, 2017 through June 30, 2018, which includes a six-month automatic extension through December 31, 2018, in an amount not to exceed \$495,040. (70% Mental Health Services Act, 30% Federal Medi-Cal)
- C. 64** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with PRISM Services Group LLC (dba ClarusHealth Solutions), effective September 1, 2017, to increase the payment limit by \$100,000 to a new payment limit of \$210,000, to provide updates and enhancements with regard to Health Plan's automated provider network as mandated by the Department of Health Care Services, with no change in the original term of November 1, 2015 through October 31, 2018. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 65** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Mountain Valley Child and Family Services, Inc., effective December 1, 2016, to increase the payment limit by \$309,426 to a new payment limit of \$1,148,876, to continue providing additional residential day treatment, mental health and therapeutic behavioral services to Seriously Emotionally Disturbed adolescents and latency-age children, with no change in the original term of July 1, 2016 through June 30, 2017, and to increase the automatic extension payment limit by \$154,713 to a new payment limit of \$574,438, through December 31, 2017. (50% Federal Medi-Cal; 50% Mental Health Realignment)
- C. 66** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Barbara Swarzenski, M.D., in an amount not to exceed \$199,680, to provide outpatient psychiatric services to children and adolescents at the East County Mental Health Clinic, for the period from September 1, 2017 through August 30, 2018. (50% Federal Medi-Cal; 50% Mental Health Realignment)
- C. 67** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with East Bay Audiologists, in an amount not to exceed \$1,048,000, to provide audiology services at Contra Costa Regional Medical Center and Health Centers, for the period September 1, 2017 through August 31, 2019. (100% Hospital Enterprise Fund I)

- C. 68** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Children's Hospital & Research Center at Oakland, in an amount not to exceed \$13,000,000, to provide pediatric inpatient and outpatient healthcare services for Contra Costa Health Plan members, for the period from August 1, 2017 through December 31, 2018. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 69** APPROVE and AUTHORIZE the Director of Risk Management to execute a contract with Essential Staffing, Inc., in an amount not to exceed \$500,000 to provide workers' compensation staffing services for the period of July 1, 2017 through June 30, 2018. (100% Workers' Compensation Internal Service Fund)
- C. 70** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Department, a purchase order amendment with US Foods, Inc. to increase the payment limit by \$50,000 to a new total not to exceed \$149,000, for food for clients of Discovery House, with no change in the original term through September 30, 2017. (100% Substance Abuse Prevention Program and Treatment Block Grant)
- C. 71** APPROVE and AUTHORIZE the County Administrator, or designee, to execute a contract amendment with Burr Pilger Mayer Inc., effective July 31, 2017, to extend the term from August 1, 2017 through June 30, 2018 and increase the payment limit by \$31,000 to a new payment limit of \$198,580, for professional accounting services. (100% General Fund)
- C. 72** APPROVE clarification of Board action of July 18, 2017 (Item C.109), which authorized the Health Services Director to execute a contract with R.E.A.C.H. Project to provide substance use disorder prevention treatment services to Medi-Cal eligible County residents, to change the payment limit amount to \$185,380, with no change in the term of July 1, 2017 through June 30, 2018. (54% CalWORKS Alcohol and Other Drugs Services; 46% CalWORKS Mental Health)
- C. 73** APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Health Services Department, to execute a purchase order with Med One Capital, Inc. in an amount not to exceed \$136,000, to lease the Flex Lock with Temp Check to secure the medication refrigerators used in the pharmacy at Contra Costa Regional Medical Center for the period August 1, 2017 through July 31, 2022. (100% Hospital Enterprise Fund I)
- C. 74** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Department, a purchase order with Groupware Technology Inc., in an amount not to exceed \$1,322,389, and a letter agreement with Cisco Systems, Inc., for the purchase of computer hardware and support and maintenance for the period August 1, 2017 through July 31, 2020. (100% Hospital Enterprise Fund I)

- C. 75** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the County Librarian, a purchase order with Bibliotheca, LLC, in an amount not to exceed \$185,000, and a service and maintenance agreement for library book and media security software and equipment, for the period July 1, 2017 through June 30, 2018. (100% Library Fund)

Other Actions

- C. 76** AUTHORIZE the Chair of the Board of Supervisors to sign a letter to the Contra Costa Transportation Authority providing comments on the May 24, 2017 DRAFT "2017 Countywide Comprehensive Transportation Plan", as recommended by the Transportation, Water and Infrastructure Committee.
- C. 77** CONTINUE the emergency action originally taken by the Board of Supervisors on November 16, 1999, and most recently approved by the Board on July 11, 2017, regarding the issue of homelessness in Contra Costa County, as recommended by the Health Services Director. (No fiscal impact)
- C. 78** SET the special tax levy for police services Zones in County Service Area P-6 for Fiscal Year 2017-2018, as recommended by the Sheriff-Coroner. (100% Restricted Property Tax revenue)
- C. 79** SET the special tax levy for County Service Areas P-2 Zone A (Blackhawk), P-2 Zone B (Alamo) and P-5 (Round Hill) for fiscal year 2017/2018, as recommended by the Sheriff-Coroner. (100% Restricted Property Tax revenue)
- C. 80** REFER to the Board's Airports Committee the recruitment to fill a vacant At Large seat on the Aviation Advisory Committee, as recommended by the Internal Operations Committee.
- C. 81** AUTHORIZE the Chair of the Board of Supervisors to sign a letter of interest to The Solar Foundation in support of their application to the Solar Energy Innovation Network program of the U.S. Department of Energy and the National Renewable Energy Laboratory for funding to investigate how to remove institutional barriers to expanding deployment of solar energy, as recommended by the Conservation and Development Director. (Limited in-kind staff contribution; 50% General Fund allocation for Sustainability Coordinator/50% Land Development Fund)
- C. 82** ACCEPT the response to Civil Grand Jury Report No. 1705, entitled "Funding Flood Control Infrastructure" and DIRECT the Clerk of the Board to forward the response to the Superior Court no later than August 29, 2017, as recommended by the County Administrator.

- C. 83** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Holy Names University, to provide supervised field instruction in the County's Public Health Division and Contra Costa Regional Medical Center and Contra Costa Health Centers to nursing students, for the period November 1, 2017 through October 31, 2020. (Non-financial agreement)
- C. 84** APPROVE the response to Civil Grand Jury Report No. 1702, entitled "Emergency Mass Care and Shelter: Are We Ready?" and DIRECT the Clerk of the Board to forward the response to the Superior Court no later than August 9, 2017, as recommended by the County Administrator.
- C. 85** APPROVE the list of providers recommended by Contra Costa Health Plan's Medical Director and the Health Services Director, as required by the State Departments of Health Care Services and Managed Health Care, and the Centers for Medicare and Medicaid Services.
- C. 86** APPROVE response to Civil Grand Jury Report No. 1711, entitled "Alamo Parks Planning and Development" and DIRECT the Clerk of the Board to forward the response to the Superior Court following Board action, as recommended by Supervisor Andersen.
- C. 87** AUTHORIZE the County Administrator to seek legislation to modify the Health and Safety Code to change the Board of Directors for the West Contra Costa Healthcare District from an elected board of directors to a board of directors that is appointed by the Board of Supervisors. (100% West Contra Costa Healthcare District Funds)

GENERAL INFORMATION

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

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Clerk of the Board to a majority of the members of the Board of Supervisors less than 96 hours prior to that meeting are available for public inspection at 651 Pine Street, First Floor, Room 106, Martinez, CA 94553, during normal business hours.

All matters listed under CONSENT ITEMS are considered by the Board to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Board or a member of the public prior to the time the Board votes on the motion to adopt.

Persons who wish to speak on matters set for PUBLIC HEARINGS will be heard when the Chair calls for comments from those persons who are in support thereof or in opposition thereto. After persons have spoken, the hearing is closed and the matter is subject to discussion and action by the Board. Comments on matters listed on the agenda or otherwise within the purview of the Board of

Supervisors can be submitted to the office of the Clerk of the Board via mail: Board of Supervisors, 651 Pine Street Room 106, Martinez, CA 94553; by fax: 925-335-1913.

The County will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Clerk of the Board at least 24 hours before the meeting, at (925) 335-1900; TDD (925) 335-1915. An assistive listening device is available from the Clerk, Room 106.

Copies of recordings of all or portions of a Board meeting may be purchased from the Clerk of the Board. Please telephone the Office of the Clerk of the Board, (925) 335-1900, to make the necessary arrangements.

Forms are available to anyone desiring to submit an inspirational thought nomination for inclusion on the Board Agenda. Forms may be obtained at the Office of the County Administrator or Office of the Clerk of the Board, 651 Pine Street, Martinez, California.

Subscribe to receive to the weekly Board Agenda by calling the Office of the Clerk of the Board, (925) 335-1900 or using the County's on line subscription feature at the County's Internet Web Page, where agendas and supporting information may also be viewed:

www.co.contra-costa.ca.us

STANDING COMMITTEES

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

The **Family and Human Services Committee** (Supervisors John Gioia and Candace Andersen) meets on the fourth Monday of the month at 10:30 a.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

The **Finance Committee** (Supervisors Karen Mitchoff 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 **Hiring Outreach Oversight Committee** (Supervisors Federal D. Glover and Candace Andersen) meets on the first Monday of every other month at 1:00 p.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

The **Internal Operations Committee** (Supervisors Candace Andersen and Diane Burgis) meets on the second Monday of the month at 1:00 p.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

The **Legislation Committee** (Supervisors Diane Burgis 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 Federal D. Glover and John Gioia) meets on the

first Monday of the month at 10:30 a.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

The **Transportation, Water & Infrastructure Committee** (Supervisors Diane Burgis and Karen Mitchoff) meets on the second Monday of the month at 9:00 a.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

Airports Committee	August 23, 2017	1:30 p.m.	See above
Family & Human Services Committee	August 28, 2017	10:30 a.m.	See above
Finance Committee	August 16, 2017 Special Meeting	2:00 p.m.	See above
Hiring Outreach Oversight Committee	August 7, 2017 Cancelled Next Meeting TBD	TBD	See above
Internal Operations Committee	August 14, 2017 Cancelled Next Meeting September 11, 2017	1:00 p.m.	See above
Legislation Committee	August 14, 2017	10:30 a.m.	See above
Public Protection Committee	August 7, 2017 Cancelled September 4, 2017 Cancelled Next Meeting October 2, 2017	10:30 a.m.	See above
Transportation, Water & Infrastructure Committee	August 14, 2017	9:00 a.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
CCE Community Choice Energy
CCCFPD (ConFire) Contra Costa County Fire Protection District
CCHP Contra Costa Health Plan
CCTA Contra Costa Transportation Authority
CCRMC Contra Costa Regional Medical Center
CCWD Contra Costa Water District
CDBG Community Development Block Grant
CFDA Catalog of Federal Domestic Assistance
CEQA California Environmental Quality Act
CIO Chief Information Officer
COLA Cost of living adjustment
ConFire (CCCFPD) Contra Costa County Fire Protection District
CPA Certified Public Accountant
CPI Consumer Price Index
CSA County Service Area
CSAC California State Association of Counties
CTC California Transportation Commission
dba doing business as
DSRIP Delivery System Reform Incentive Program
EBMUD East Bay Municipal Utility District
ECCFPD East Contra Costa Fire Protection District
EIR Environmental Impact Report
EIS Environmental Impact Statement
EMCC Emergency Medical Care Committee
EMS Emergency Medical Services
EPSDT Early State Periodic Screening, Diagnosis and Treatment Program (Mental Health)
et al. et alii (and others)
FAA Federal Aviation Administration
FEMA Federal Emergency Management Agency
F&HS Family and Human Services Committee
First 5 First Five Children and Families Commission (Proposition 10)
FTE Full Time Equivalent
FY Fiscal Year
GHAD Geologic Hazard Abatement District

GIS Geographic Information System
HCD (State Dept of) Housing & Community Development
HHS (State Dept of) Health and Human Services
HIPAA Health Insurance Portability and Accountability Act
HIV Human Immunodeficiency 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
PACE Property Assessed Clean Energy
PARS Public Agencies Retirement Services
PEPRA Public Employees Pension Reform Act
Psy.D. Doctor of Psychology
RDA Redevelopment Agency
RFI Request For Information
RFP Request For Proposal
RFQ Request For Qualifications
RN Registered Nurse
SB Senate Bill
SBE Small Business Enterprise

SEIU Service Employees International Union
SUASI Super Urban Area Security Initiative
SWAT Southwest Area Transportation Committee
TRANSPAC Transportation Partnership & Cooperation (Central)
TRANSPLAN Transportation Planning Committee (East County)
TRE or **TTE** Trustee
TWIC Transportation, Water and Infrastructure Committee
UASI Urban Area Security Initiative
VA Department of Veterans Affairs
vs. versus (against)
WAN Wide Area Network
WBE Women Business Enterprise
WCCTAC West Contra Costa Transportation Advisory Committee



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: August 1, 2017

Subject: SELECTION OF FINALISTS FOR THE POSITION OF DISTRICT ATTORNEY

RECOMMENDATION(S):

1. REVIEW 12 applications for the position of District Attorney and SELECT applicants for further consideration.
2. ADOPT Resolution No. 2017/284 authorizing the County Administrator to conduct criminal and other background checks of finalists to be interviewed, and to request finalists to provide an economic disclosure statement (FPPC Form 700).
3. DIRECT the County Administrator to invite the finalists to participate in a moderated public forum to be held in the Board of Supervisors Chambers on the evening of Tuesday, August 15, 2017.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

With the resignation of Mark Peterson on June 14, there is a vacancy in the Office of the District Attorney. The office of district attorney is an elective county office. When a vacancy occurs in an elective county office, the county board of supervisors must appoint a successor to fill that vacancy. The person appointed to fill the vacancy will hold the office for the unexpired term. The current term of office for the district attorney will expire on January 7, 2019.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☒ 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: August 1, 2017

Contact: David Twa (925)
335-1080

, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: CAO, Human Resources Director

BACKGROUND: (CONT'D)

>

The Board of Supervisors, on June 23, 2017, determined a process and timeline to select an interim district attorney:

Issue press release and open four-week application period	June 23, 2017
Final filing deadline	5:00 p.m. on July 21, 2017
Staff screening of applications for eligibility	July 24-31, 2017
Board review of applications and selection of finalists to interview	August 1, 2017
Background checks on finalists	August 2 - September 7, 2017
Finalists Forum	August 15, 2017
Board interviews	September 12, 2017
Appointment and swearing in of District Attorney	September 19, 2017

The District Attorney, in addition to being the Public Prosecutor, also conducts Victim/Witness Assistance, Rape Crisis Services, Battered Women Alternatives, and Adult Pretrial Diversion Programs, and anti-truancy, cease fire and safe streets initiatives. The District Attorney manages a department consisting of approximately 205 employees of whom 103 are attorneys. The Department's operating budget for Fiscal Year 2017/18 is \$19.5 million. In addition to offices in Martinez, the County seat, branches are located in the cities of Concord and Richmond. The District Attorney attends the courts and conducts prosecutions for public offenses. Included in public offenses is the prosecution of all felonies, misdemeanors, juvenile criminal offenses and certain civil offenses including consumer fraud and violations of the Political Reform Act and the investigation of such offenses in order that they may be presented to the court in the interest of public protection. The District Attorney's Office also cooperates with State and other local agencies in the detection, suppression, and prevention of crime, and in the enforcement of regulatory laws as well as handling fugitive warrants, extradition, and writs.

Effective July 1, 2017, the salary of the District Attorney was increased to \$21,515 monthly (\$258,181 annually). In addition to a competitive salary, health and dental benefits, and a defined pension benefit, the appointed District Attorney is eligible for benefits which include: \$600 monthly auto allowance with use of personal vehicle; \$12,000 annual County contribution to deferred compensation plan; based on County hire date, eligibility for \$85 plus an additional \$150 per month County contribution upon qualifying employee contributions to deferred compensation plan; \$60,000 executive group term life insurance; \$700 annual executive professional development reimbursement; long-term disability insurance; reimbursement of State Bar membership dues; and participation in Social Security.

To qualify for appointment to the office of district attorney, the appointee must be at least 18 years of age, a citizen of California, a registered voter of this County at the time of appointment, and admitted to practice in the California Supreme Court. These requirements may not be waived. The County's job specification for the class of District Attorney is attached hereto for reference.

It has been the practice in this County to obtain criminal history information, under the authority of Penal Code section 11105 (b) (11), before filling a vacancy in an elected office. This allows the County to verify that the person selected is not disqualified from holding office by the Constitution or state statute. Adoption of Resolution No. 2017/284 will authorize the County Administrator to seek and obtain criminal history and other background

information pertaining to the finalists for the District Attorney position.

ATTACHMENTS

Resolution No. 2017/284

District Attorney Job Announcement

Candidate Applications for District Attorney

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

Adopted this Resolution on 08/01/2017 by the following vote:

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



Resolution No. 2017/284

IN THE MATTER OF OBTAINING CRIMINAL HISTORY AND OTHER BACKGROUND INFORMATION FOR FINALISTS FOR THE POSITION OF DISTRICT ATTORNEY

WHEREAS, the Board, as appointing authority for the position of District Attorney, finds that it is necessary to obtain criminal history and other background information about applicants for that position (which became vacant on June 14, 2017); and WHEREAS, such information is necessary to assist the Board in fulfilling its duties with respect to the appointment of the District Attorney, and to assure that applicants for the office are not disqualified from holding office by the Constitution or statutes of the State of California;

BE IT THEREFORE RESOLVED by the Board that:

1. The County Administrator is authorized pursuant to Penal Code section 11105(b)(10) to seek and obtain from the California Attorney General state summary criminal history information on the finalists for the position of District Attorney.
2. The County Administrator is authorized to require that applicants be fingerprinted for the purpose of obtaining criminal history records. Applicants may be required to bear the cost of the fingerprinting and the obtaining of criminal history information.
3. The County Administrator, and his designees, shall maintain custody and control of criminal history records obtained to carry out this resolution. The records shall be accessible only to the County Administrator, the County Counsel, the members of the Board of Supervisors, and their designees, to the person to whom the records pertain, or to a person authorized access in writing by the person to whom the records pertain. The County Administrator shall destroy records containing criminal history information received from the Attorney General and all copies after 30 days from the appointment of the District Attorney.
4. The County Administrator is authorized to seek and obtain information regarding the existence of civil actions and/or restraining orders and other background information pertaining to the finalists for the position of District Attorney.
5. The County Administrator is authorized to request of each finalist a current and completed economic disclosure statement (FPPC Form 700).

I hereby certify that this 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: David Twa (925) 335-1080

ATTESTED: August 1, 2017

, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: CAO, Human Resources Director



CONTRA COSTA COUNTY

HUMAN RESOURCES DEPARTMENT

651 Pine Street, 2nd Floor • Martinez, CA 94553
24-hour Job Hotline (925) 335-1700 • TTY or TDD (800) 735-2929
www.cccounty.us/hr

CLOSING DATE: July 21, 2017

DISTRICT ATTORNEY

Monthly Salary: \$21,515

THE POSITION

The Board of Supervisors of Contra Costa County is accepting applications to fill a vacancy in the elected office of District Attorney. The Board plans to make an appointment on September 12, 2017, or soon thereafter. The individual appointed will serve the remainder of the District Attorney's current term of office, which will expire on January 7, 2019. Beginning January 7, 2019, the Office will be filled by the individual elected to hold the position.

The District Attorney, in addition to being the Public Prosecutor, also conducts Victim/Witness Assistance, Rape Crisis Services, Battered Women Alternatives, and Adult Pretrial Diversion Programs, and anti-truancy, cease fire and safe streets initiatives. The District Attorney manages a department consisting of approximately 205 employees of whom 103 are attorneys. The Department's operating budget for Fiscal Year 2017/18 is \$19.5 million. In addition to offices in Martinez, the County seat, branches are located in the cities of Concord and Richmond.

The District Attorney attends the courts and conducts prosecutions for public offenses. Included in public offenses is the prosecution of all felonies, misdemeanors, juvenile criminal offenses and certain civil offenses including consumer fraud and violations of the Political Reform Act and the investigation of such offenses in order that they may be presented to the court in the interest of public protection. The District Attorney's Department utilizes and continues to implement a modern browser-based case management system to streamline daily tasks with automated workflows and collaboration features, and providing ad hoc management reporting tools.

The District Attorney's Department also cooperates with State and other local agencies in the detection, suppression, and prevention of crime, and in the enforcement of regulatory laws as well as handling fugitive warrants, extraditions and writs. The District Attorney is part of the County Executive Management Team which, under the leadership of the County Administrator, meets to address general County issues. The County government has an operating budget of \$3.5 billion and 9,500 employees. There are 25 operating departments including the County Counsel and Public Defender legal departments.

SALARY AND BENEFITS

As of July 1, 2017, the salary is \$21,515 monthly (\$258,180 annually). In addition to a competitive salary, health and dental benefits, and a defined pension benefit, the appointed District Attorney is eligible for benefits which include: \$600 monthly auto allowance with use of personal vehicle; \$12,000 annual County contribution to deferred compensation plan; based on County hire date and upon qualifying contributions, eligibility for \$85 plus an additional \$150 per month County contribution to a deferred compensation plan; \$60,000 executive group term life insurance; \$700 annual executive professional development reimbursement; long-term disability insurance; reimbursement of State Bar membership dues; and participation in Social Security.

MINIMUM QUALIFICATIONS

Age Requirement: At least 18 years of age.

Citizenship: A citizen of California.

Voter Status: A registered voter in Contra Costa County at the time of appointment.

Registration: Admitted to the practice of law before the California Supreme Court.

Desirable Qualifications: It is desirable that candidates be experienced in the practice of criminal law, have demonstrated organization and management ability, and possess good interpersonal communication skills.

SELECTION PROCESS

1. **Application Filing:** All applicants must apply on-line at www.cccounty.us/hr and submit the information as indicated on the job announcement by the final filing date.
2. **Application Evaluation:** The applications will be evaluated by the Board of Supervisors at a public session.
3. **Background Investigation:** The County Administrator will conduct a background investigation of the finalists that may include a review of each finalist's State Summary Criminal History Information and economic disclosure statement (FPPC Form 700), which may be available for review by the Board.
4. **Interview:** The finalists will be invited to participate in a moderated public forum on August 15, 2017 and interviewed by the Board of Supervisors in public session on September 12, 2017 in Martinez, California. Finalists invited for the forum and interviews will be reimbursed for any necessary and reasonable travel and lodging expense.

DATE OPENED: June 26, 2017

Exam Number: 2KA1-2017A

THE COUNTY OF CONTRA COSTA IS AN EQUAL OPPORTUNITY EMPLOYER AND VALUES DIVERSITY AT ALL LEVELS OF THE ORGANIZATION
It is the policy of Contra Costa County to consider all applicants for employment without regard to race, color, religion, sex, national origin, ethnicity, age, disability, sexual orientation, gender, gender identity, gender expression, marital status, ancestry, medical condition, genetic information, military or veteran status, or other protected category under the law.

BENEFITS & APPLICANT INFO

CONTRA COSTA COUNTY

Contra Costa County was incorporated in 1850 as one of the original 27 counties of the State of California. It is one of nine counties in the San Francisco-Oakland Bay Area and covers approximately 733 square miles. The County has one of the State's most heterogeneous populations, rich in ethnic, cultural and socioeconomic diversity. With a current population slightly in excess of 1,000,000, Contra Costa County is the ninth most populous county in California. The City of Martinez is the County seat of Contra Costa County and the location of the County's administrative offices.

Contra Costa County includes varied urban, suburban, industrial, agricultural and port areas and contains 19 incorporated cities. A large part of the County is served by the San Francisco Bay Area Rapid Transit District (BART) which has helped to enable significant residential and commercial development. Prestigious public and private academic institutions, including Stanford University, University of California at Berkeley, University of San Francisco, University of the Pacific, and various California State University campuses, are within driving distance from the County seat of Martinez.

Contra Costa County employs more than 9,000 individuals and provides a full range of services through 25 County Departments divided into service areas such as: Public Protection, General Government, Health and Human Services, Growth Management, Special Districts and Authorities. Our employees are what make Contra Costa County a great place to work and we invite your interest in joining our team!

EMPLOYMENT INFORMATION

WHO MAY APPLY: Applicants must clearly demonstrate that they meet the minimum requirements provided on the front of the job announcement by submitting a complete employment application by the final filing date. The job announcement may require that a supplemental questionnaire be filed along with the employment application. The job announcement may also require the presentation of an official college transcript or copy of a license. United States citizenship is not required unless specifically listed under the minimum qualifications. Individuals offered employment by Contra Costa County will be required to show documentation as proof of identity and eligibility to work in the United States as a condition of employment.

HOW TO APPLY: All applicants, including County employees, are to apply on-line at www.cccounty.us/hr and submit the required information as indicated on the job announcement. Resumes are encouraged but may not be substituted for the official application. It is the applicant's responsibility to meet final filing deadlines noted on the job announcement and late applications will be disqualified. If you do not have access to a personal computer, you can apply on-line at any of the 26 community libraries located throughout Contra Costa County. To access community library locations and hours of operation, or to reserve a computer with a library card, please contact the Contra Costa County Library at 1(800) 984-4636 or <http://libonline.ccclib.org/mainpageNew.htm>, or the Richmond Public Library at 1(510) 620-6561.

REASONABLE ACCOMMODATIONS: Contra Costa County is committed to providing reasonable accommodation to applicants as required by the Americans with Disabilities Act (ADA) and the Fair Employment and Housing Act (FEHA). Contra Costa County requires applicants to provide supporting documentation to substantiate a request for reasonable accommodation. In order to qualify for a reasonable accommodation, applicants must have a disability/medical condition pursuant to the ADA, FEHA or other applicable statute. Qualified individuals with disabilities who need a reasonable accommodation during the application or selection process may contact the Human Resources Department prior to the final filing date. The California Relay Service (CRS) is available for individuals with hearing and/or speech impairments. To relay a message from a Text Telephone (TTY) or Telecommunications Device for the Deaf (TDD), please call 711 or 1(800)735-2929.

VETERANS' PREFERENCE CREDITS: Veterans participating in open examinations who have received an honorable discharge and/or are disabled may be allowed an additional 5% of their total earned score (provided the exam is otherwise successfully completed). To obtain this credit, veterans must provide a DD214, which indicates honorable discharge, and if applicable, proof of disability, with each application before the final filing date.

SENIORITY CREDITS: Employees participating in promotional examinations for represented classifications may be allowed up to an additional 5% of their total earned score (provided the exam is otherwise successfully completed).

HIRING PROCEDURES: Appointment to positions in the Merit System shall be by competitive examination. The Human Resources Department is responsible for administering and coordinating recruitment, developing examinations, administering and scoring examinations, and generating eligible lists for use by hiring departments throughout the County.

PRE-EMPLOYMENT PROCESS: Candidates under final consideration for employment with the County may be required to undergo an employment background / reference check that may include, but is not limited to: employment history, confirmation of educational credentials and degrees, licenses including driver's license, registrations, certificates, and other credentials as part of the appointment process. Some positions, depending on the nature of the work, may require a criminal background investigation, including fingerprinting, a credit check, and a pre-employment physical exam, including a drug/alcohol test.

EMPLOYEE BENEFITS

BENEFITS: Contra Costa County offers a wide range of competitive benefit options to meet the needs of our diverse workforce and their families. These benefits include but are not limited to:

For your Health & Welfare Benefits:

- Medical – HMO & PPO Insurance
- Dental – PPO & DHMO Insurance
- Basic Life Insurance
- Supplemental Life Insurance (with optional dependent coverage)
- Health Care Spending Account
- Dependent Care Assistance Program
- Long Term Care Insurance
- Employee Assistance Program

For your Financial Future:

- Short-term Disability Insurance
- Long-Term Disability Insurance
- Retirement Plan – (Defined Benefit Pension Plan and Social Security)
- Deferred Compensation Plan
- Contra Costa Federal Credit Union

For your Work/Life Balance:

- Paid Holidays
- Vacation Accrual
- Sick Leave Accrual
- Management Paid Leave
- Employee Assistance Program
- Drug/Smoke Free Workplace

This information is intended to provide a general summary of benefits available to employees, is subject to change, and is not legally binding. Eligibility is determined by Contra Costa County and offerings may vary by Memoranda of Understanding (MOU) between the County and the employee organization/union representing the employee's job classification or Management Resolutions.

CONTRA COSTA COUNTY
HUMAN RESOURCES DEPARTMENT
651 Pine Street, 2nd Floor
Martinez, CA 94553-1292



2KA1-2017A - DISTRICT ATTORNEY

Contact Information -- Person ID: [REDACTED]

Name: Diana Becton Address: [REDACTED] El Sobrante, California [REDACTED] US
Home Phone: [REDACTED] Alternate Phone:
Email: ds4dreams@aol.com

Personal Information

Driver's License: Yes, California , [REDACTED] , Class C
Can you, after employment, submit proof of your legal right to work in the United States? Yes
What is your highest level of education? Master's Degree

Preferences

Preferred Salary: \$700.00 per hour; \$258,000.00 per year
Are you willing to relocate? I currently reside in Contra Costa County.
Types of positions you will accept: Regular , Temporary
Types of work you will accept: Full Time
Types of shifts you will accept: Day , Evening , Night , Weekends , On Call (as needed)

Objective

District attorney

Education

Graduate School

Pacific School of Religion
8/2013 - 5/2015
Berkeley, California

Did you graduate: Yes
College Major/Minor: Theology
Units Completed: 48 Quarter
Degree Received: Master's

Graduate School

Golden Gate university School of Law
9/1980 - 5/1984
San Francisco, California

Did you graduate: Yes
College Major/Minor: Law
Units Completed: 68 Semester
Degree Received: Master's

Work Experience

Judge

11/1995 - Present

Contra Costa Superior Court
cc-courts.org
725 Court Street
Martinez, California 94553
[REDACTED]

Hours worked per week: 40
Monthly Salary: \$15,000.00
of Employees Supervised: 3
Name of Supervisor: Jill Fanin - Presiding Judge
May we contact this employer? Yes

Duties

Interpret law, assess evidence, control hearings and trials.

Reason for Leaving

Accept a different position.

Certificates and Licenses

Type: Real Estate Broker
Number: 00657872
Issued by: Bureau of Real Estate

Skills

Office Skills

Typing:

Data Entry:

Additional Information

References

Professional

Jenkins, Martin

Associate Justice, 1st District Court of Appeal

[Redacted]

Professional

Glenn-Davis, Janeith

Deputy Chief BART (Ret.)

[Redacted]

Professional

McIntosh, Lesa

Attorney/EBMUD Board of Directors

[Redacted]

Resume

Text Resume

Attachments

Attachment	File Name	File Type	Created By
Redacted Application	Diana Becton_Redacted	Other	LaShonda Smith

Agency-Wide Questions

1. Q: Have you ever been rejected during a probationary period, forced to resign in lieu of termination, dismissed, fired, terminated, or had an employment contract terminated from any position for performance or for disciplinary reasons within the last ten (10) years?

A: No

2. Q: If answer is yes, please provide name and address of the employers, reason for each release and dates of employment. If answer is yes, it is not necessarily a bar to employment. Each case is given individual consideration, based on job relatedness.

A:

3. Q: Are you applying for Veterans' Preference Credit? In open examinations, Contra Costa County will add 5% to your earned examination score if you pass the examination AND qualify for Veterans' Preference Credit. In order to qualify for Veterans' Preference Credit, a person shall: (a) have (1) served in the United States Army, Navy, Marine Corps, Air Force, or Coast Guard in time of war, in any expedition of the Armed Forces of the United States, or continuously on active duty for more than 180 days, and (2) received an honorable discharge or certificate of honorable act of service; (b) or be a disabled veteran; (c) and present to the Director of Human Resources no later than the

closing date specified in the examination announcement, acceptable evidence of the required military service.

A: No

4. Q: Are you currently a Contra Costa County employee?

A: No

5. Q: If yes, please enter Employee Number.

A:

6. Q: If yes, enter Merit System job title:

A:

7. Q: Check the appropriate box that describes your high school education.

A: High School Diploma

8. Q: Where did you hear of this position?

A: Contra Costa County Website

9. Q: If your answer for question #8 was "Advertisement" or "Other," please tell us in which publication or website you saw the Advertisement, or how you heard of this position.

A:

10. Q: I authorize the employers and educational institutions identified in this employment application to release any information they have concerning my employment or education to the County of Contra Costa.

A: Yes

11. Q: May we contact your present employer?

A: Yes

12. Q: REGIONAL WORK LOCATION INTEREST - Check all that apply:

A: CENTRAL (Concord, Clayton, Lafayette, Martinez, Moraga, Orinda and Pleasant Hill)
WEST (Crockett, El Cerrito, El Sobrante, Hercules, Kensington, Pinole, Richmond, Rodeo and San Pablo)
EAST (Antioch, Bay Point, Brentwood, Oakley and Pittsburg)
SOUTH (Danville, San Ramon and Walnut Creek)

13. Q: Are you bilingual in Spanish? (Answering this question will require you to be tested in this language and if placed on the eligible list, your name may be referred out to departments whose position(s) requires bilingual proficiency as designated by the Appointing Authority)

A: No

14. Q: Please select languages (other than English) in which you are fluent in speaking? (Answering this question will require you to be tested in this language and if placed on the eligible list, your name may be referred out to departments whose position(s) requires bilingual proficiency as designated by the Appointing Authority)

A:

15. Q: If you select "other" please indicate the language you are fluent in speaking:

A:

Supplemental Questions

1. Q: A completed supplemental questionnaire is required for this position. Please answer the following questions below and submit your responses with your online application. DO NOT answer any of the questions by indicating, "see attached resume and/or application." Applications received without a completed supplemental questionnaire will be rejected. NOTE: Applicants who completed their education outside of the United

States must submit verification of degree/equivalency with their application. Finalists will participate in a moderated forum and be interviewed by the Board of Supervisors in public session. Final candidates' State Summary Criminal History information and economic disclosure statement (FPPC Form 700) may be made available for review by the Board.

A: n/a

2. Q: Are you a resident of, and registered voter in, Contra Costa County?

A: Yes

3. Q: Are you admitted to the practice of law before the Supreme Court of the State of California?

A: Yes

4. Q: Describe your experience in the practice of criminal law.

A: I have over 30 years of experience in the administration of justice and the practice of criminal law. For the past 21 years I have served as a judge of the Contra Costa Superior Court. During this time I have provided continuing education instruction, presided over cases, and participated in the appellate review of decisions in criminal cases.

My role as a judge requires knowledge of and sensitivity to the functions of everyone in the courtroom: prosecutors, defense counsel, witnesses, jurors, the defendant, the victim and the public. To effectively administer justice I must be respectful, courteous, and fair to everyone in the courtroom.

I interpret criminal laws, assess the strengths and weaknesses of evidence presented, and control how hearings and trials unfold in the courtroom. Most importantly, I serve as an impartial decision maker in the pursuit of justice.

I have presided over misdemeanor, felony, mental health, and juvenile cases. I have handled diverse criminal cases including, but not limited to violent crimes, such as criminal homicide, rape, aggravated assault, robbery, domestic violence, gangs, sexual assault, burglary, and arson. I have also presided over larceny/theft, motor vehicle theft, white-collar crimes, fraud, forgery, conspiracy, and mental health. I served in law and motion, presided over and managed jury trials and bench trials, and conducted both misdemeanor and felony plea bargains. My experience includes discovery motions, motions to suppress evidence, civil and criminal contempt, grand jury, preliminary hearings, motions in-limine, pre-trial motion rulings, pre-trial offers on misdemeanors and felonies (plea bargains), speedy trial motions, jury trials, post-trial motions, arraignments, sentencing, settlement, instruction of the jury, and presiding over hearings to ensure that victims receive adequate and fair restitution. I presided over a committee of court personnel and justice partners to review victim restitution procedures. In brief, my experience is broad and diverse, both in regard to the types of cases I presided over, and with regard to the types of court procedures.

I have also served as an appellate judge, both for the Contra Costa Superior Court, and as a judge pro tem for the First District Court of Appeal. My evaluation of appellate criminal cases has included traffic, misdemeanors, felony and juvenile cases. In this role I reviewed the findings and evidence from lower courts, to determine if there was sufficient evidence to support the determination made by the lower court, and to determine if the lower court correctly applied the law.

Prior to serving as a judge, I practiced law as an attorney for 9 years. In this role, I served on the criminal conflicts panel. I was responsible for both criminal and juvenile cases. I appeared at arraignments and bail hearings, analyzed cases, talked to witnesses to determine what happened, identified strengths and weaknesses, participated in plea bargaining and resolution, developed trial strategies, conducted jury selection, opening statements, questioned witnesses, prepared law and motion, and presented closing arguments.

5. Q: Describe your organizational and management experience.

A: My organizational and management experience spans over most of my professional career.

Presiding Judge of the Contra Costa Superior Court.

In 2009 I was elected Assistant Presiding Judge of the Contra Costa Superior Court, and I was elected Presiding Judge of the Contra Costa Superior Court in 2011. Contra Costa Superior Court has jurisdiction over the following types of cases: criminal, civil, family, probate, mental health, juvenile, small claims and traffic. The presiding judge is responsible, with the assistance of the court executive officer, for leading the court, establishing policies, and allocating resources in a manner that promotes access to justice for all members of the public, provides a forum for the fair administration and expeditious resolution of disputes, maximizes the use of judicial resources, increases efficiency in court operations, and enhances service to the public.

As Presiding Judge I was responsible for: (a) oversight of judicial officers; (b) providing general direction to and supervision of the court executive officer; (c) budget and fiscal management; (d) assigning judges to departments and designating supervising judges for divisions and branch courts; (e) serving as a liaison between the court and the Judicial Council; (f) apportioning the business of the court, including assigning and reassigning cases to departments; (g) calling meetings of the judges; (h) appointing standing and special committees of judges; (i) acting as the spokesperson for the court; (j) authorizing and directing expenditures from the Trial Court Operations Fund.

Over the years my management and organizational experience as a judge included Assistant Presiding Judge, Supervising Judge of the Civil Fast Track Division, and Supervising Judge of the Felony Criminal Calendar, which included the management of post preliminary hearing felony cases, pre-trial motions, plea negotiations, and probation violations. I also served as Presiding Judge and Supervising Judge of the Richmond Municipal Court (The Judge George Carroll Courthouse).

While serving as Presiding Judge, I led the court through one of the most difficult budgetary challenges in the court's recent history. Constant cuts to the courts funding on a statewide basis, forced the court to reduce staff by 27%. The court also implemented several methods in order to reduce the budget, and then we began the difficult process of considering measures that would have significant impact on the public.

The changes, although difficult, were discussed openly, with transparency, and through a collaborative process.

Our employees were informed and involved in the process, and allowed to share their thoughts and feelings. I identified leaders in the organization to help orchestrate the changes. I concentrated on effective delegation, and designated working teams representing different departments, and levels to discuss ideas about how to manage the change effectively. To assist in communications a short presentation was developed describing the future, and the impact of the changes, thus creating a process for open and transparent communication. Finally, I expanded the communication channels and maintained visibility with judges, staff, justice partners and legislators, as major decisions were considered. At every juncture we solicited ideas, comments, suggestions, input, thoughts and other feedback. We managed change during a very difficult and challenging time, in an open, fair, and transparent way.

I have gained the respect of my colleagues, as well as the public we serve. I have received many honors, including, Judge of the Year, from the Trial Lawyers Association. The National Bar Association, Judicial Counsel, recently selected me from a pool of jurist all over the country, to receive the Justice Thurgood Marshall Award. In 2012, I was the recipient of the California Women Lawyers' Rose Bird Award for excellence as a jurist. I have taught Judicial Education and served as a seminar leader at the Judicial College. I received recognition from Channel 7 for a Community Service Salute in 2012.

Starting in 1998, I served as Chair and Vice-Chair of the Strategic Planning Committee for the Contra Costa Superior Court. I managed the process to develop the courts inaugural Strategic Plan. This effort required the involvement of leaders from all aspects of the county to spend long hours in meetings, collaborating and brainstorming establishing the core values, the mission, and the vision for the court. We acquired

data, exchanged ideas and built consensus, in an atmosphere where every idea was respected and valued. Through this process the court adopted strategic goals, and measurable outcomes. The Strategic Plan, with periodic updates, still guides our court today.

President of the National Association of Women Judges.

In 2016, I was elected President of the National Association of Women Judges (NAWJ), the nation's leading voice for women in the judiciary.

As President of NAWJ, I am the principal executive officer of the organization, and I supervise and control all of the business and the affairs of the organization. I preside at all meetings of members and at all meetings of the Board of Directors. I appoint chairpersons, vice chairpersons and members of all committees. I am the spokesperson for the organization, and principally responsible for dealing with the public, including the media. I act as liaison with the Conference Committee for the Annual Meeting held during my tenure. I also chair the Midyear Meeting and Leadership Conference Committee.

NAWJ membership includes trial and appellate, administrative, tribal and military judges, on federal, state and tribal courts at every level of the judiciary throughout the country, and international tribunals, as well as attorneys, law clerks, law students and law professors committed to our mission. NAWJ founded the International Association of Women Judges (IAWJ), and we meet and interact with judges from all over the world. Prior to being elected president of NAWJ, I served as President-elect, Vice-President of Publications, and District Director.

Chair-Elect, State Bar Council on Access & Fairness (COAF).

I am Chair-elect of the State Bar Council on Access & Fairness (COAF). I preside over a 25-member council that serves as the State Bar Diversity "think tank" and consists of judges, lawyers and public members from diverse practice settings and constituencies. We create, focus upon, and implement initiatives that have an impact on all aspects of the pipeline that lead to careers in the legal profession, and the diversification of the legal system.

Alexander & Becton (Brown) Law Offices.

In private practice I was a partner/owner of the law firm. Our office staff included up to nine lawyers and a paralegal/secretary.

Law Office of Diana Becton

Prior to my appointment as a judge, I was the sole proprietor of a law practice in Richmond, California. I employed one lawyer. The practice focused on litigation in real estate, business, landlord tenant, personal injury and criminal cases.

City of Richmond, Housing Finance & Development Supervisor.

I served as Supervisor of Housing Finance & Development. I supervised four Housing Counselors whose responsibilities included counseling in the area of FHA mortgages, and Landlord Tenant law. The department also received and administered grants to assist with affordable housing opportunities in the City of Richmond.

Manager, Housing Finance Corporation

I completed an intensive management-training program where I was equipped with innovative management tools, and I learned the best practices for building a productive team through effective planning, coaching and decision-making. I served as the manager of a consumer finance office.

Access and Fairness Advisory Committee (PAF).

As Chair of the Women of Color Subcommittee, I supervised the development of a Statewide Mentoring Program for court staff and managers.

6. Q: What do you believe are the major issues or problems in the administration of criminal law and justice in Contra Costa County?

A: When the architects of our republic wrote the magnificent words of the constitution and the Declaration of Independence, they were signing a promissory note, to which every one of us falls heir. Every one of us is guaranteed the unalienable rights to life, liberty,

and the pursuit of happiness. Our justice system was designed with a promise: to treat all people equally.

There is a growing national consensus that America's criminal justice system has problems that need to be addressed in order all Americans to enjoy equal access to life, liberty, and the pursuit of happiness. We lead the world in the use of incarceration, and as we know the US has just 5% of the world's population, but 25% of its prison population. The use of mass incarceration is expensive, and has been proven to be ineffective for achieving the most important goal, which is public safety.

In Contra Costa County, we must focus on how to use our time and resources most productively. We all recognize the need to reduce violence and serious crime, and to maintain a relentless and intense focus on the prosecution of violent criminals. But we can't stop there. We must also look at the rate at which convicted offenders re-offend. In 2006, the bipartisan Commission on Safety and Abuse in America's Prisons, found that 52% of former prisoners were re-convicted. This high rate of recidivism is a problem that needs fixing. While prison can be used to punish criminals and isolate them from society, it is also important to pursue strategies that are proven to reduce recidivism because these strategies improve public safety.

In recent years, programs focused on rehabilitation, have proven a success in several states. Why not look to programs in other jurisdictions that show success in reducing recidivism. Eventually, most offenders are released from prison. If we can successfully rehabilitate offenders, then we have a more positive impact on the community, than if we focus on incarceration alone. Our attention must also focus on reducing racial disparities, and improving the investigation of misconduct, on behalf of all citizens, not just a select few.

Drug use is a contributing factor when it comes to recidivism. The bulk of crimes that we handle are nonviolent offenses. Therefore, we would do well to consider those programs that are proven to reduce criminal behavior for people with drug problems. We might do well to consider the expansion of programs such as the Law Enforcement Assisted Diversion (LEAD), a pilot program developed with the community to address low level drug crimes.

Pretrial detention is another area that needs our attention. Statistics from the California Sentencing Institute, indicate that bail reform is a significant problem, because we have a high percentage of offenders in our local jails who are un-sentenced.

Our justice system promises to treat all people equally. Yet that doesn't happen for many of the 450,000 Americans who sit in jail today awaiting trial because they cannot afford to pay bail. Whether someone stays in jail or not is far too often determined by wealth or social connections, even though just a few days behind bars can cost people their job, home, or custody of their children.

People awaiting trial account for 95 percent of the growth in the jail population from 2000 to 2014, and it costs roughly \$38 million every day to imprison these largely nonviolent defendants. That's about \$14 million dollars per year. Instead of focusing solely on bail schedules, Contra Costa could benefit from exploring practices that rely on detailed individualized hearings to determine whether a pretrial defendant may be suitable for release, and if so on what conditions.

We need to reexamine how we view and treat youth in the criminal justice system. With the annual cost of keeping a teen in juvenile detention topping \$100,000 in many states, there is an increased focus on community-based programs for youths who commit less serious crimes. The states that have pursued alternatives to lockup are seeing fewer repeat offenders and are saving money, according to a new analysis by the Pew Charitable Trusts.

Finally, we must work towards bringing law enforcement, prosecution and communities together. Preventing crime involves working with the community to create meaningful partnerships to improve public safety. We are safer together when community members and law enforcement work together to identify public safety issues and solutions.

A: When I think about why I want to serve as District Attorney for Contra Costa County, I am reminded of a quote by Justice Thurgood Marshall: "We must never forget that the only real source of power that we...can tap is the respect of the people." I care deeply and passionately about our county's criminal justice system. Throughout my legal career I have sought to promote equality, fairness, and confidence in the court and the legal system.

Having served as a judge for over twenty years, I am poised to seek new opportunities that will allow me to fight for reforms, justice and safety for all citizens of our community. Equal access to justice under the law is an American value that is embedded in the fabric of our legal system. I will apply my leadership, legal skills, knowledge, and experience in a fresh way, in order to lead the effort for fair, and just reform of the criminal justice system in Contra Costa County.

I am uniquely qualified for the position of District Attorney, and would like to share three passions that drive me: (1) a belief that the law should protect both the weak and the strong; (2) a belief that the criminal justice system works best when the diversity of legal professionals reflects the diversity of the people we serve; and (3) a passion for the law itself.

I hope to lead with integrity as we explore opportunities for criminal justice reform. If appointed as District Attorney I will apply the Constitution equally to all, and work diligently, and fearlessly, to demand fair treatment and justice for Contra Costa residents of all backgrounds. I will do everything within my ability to "tap the respect of the people".

8. Q: How would you go about restoring and maintaining the public's confidence in the District Attorney's Office?

A: A Japanese proverb says, "The reputation of a thousand years may be determined by the conduct of one hour." It is imperative that the next District Attorney of Contra Costa County work to restore public trust in the office, and to ensure fair treatment and justice for all residents in Contra Costa County. I will work with integrity, implement strategic goals with measurable outcomes, and provide a voice of accountability to the community that we serve.

Around the country, prosecutors and their offices are adopting a community-oriented strategies to bring about confidence in the District Attorney's Office – one that focuses the attention and efforts of prosecutors not only on processing cases presented to them by police, but on quality of life, crime prevention, problem solving, building partnerships with citizens in the community, and incorporating the priorities of citizens into their mission and operations.

Community involvement is a way to build confidence. From educating young people, to participating in neighborhood meetings and senior citizen informational gatherings, the District Attorney's Office should place a high value on interaction with all members of the Contra Costa community.

As a judge, I have successfully engaged the community in the legal process, and if elected DA, I would continue to promote community involvement. For example, I have also worked in and with the community, earning the respect of the residents of Contra Costa County. In collaboration with the court, public defenders, district attorneys and the faith community, I convened Clean Slate Days to help residents overcome barriers to employment, housing, education, public benefits and civic participation. I worked collaboratively with the public schools, public defender, district attorney, law enforcement, and the faith community, in order to convene "Know Your Rights, so that our youth understand how to interact during encounters with law enforcement. I participate in Ceasefire night walks, bringing a message of hope, and to stop the gun violence in our communities.

As District Attorney, I would encourage the office to reach out to the various school, religious and community groups through a Speakers Bureau, and host regular community forums. Neighborhood Crime Prevention is another model to consider, where Community Prosecutors are assigned to a particular community to build a technical team of law enforcement and government partners, to work together with the community to improve public safety and coordinate with local government and community based organizations in the effort. A Community Prosecutor can also be

assigned to work on Truancy Abatement in their area of the county.

Establishing District Attorney Advisory Groups is another method that can be used to restore trust and confidence. Preventing crime involves working with the community to create meaningful partnerships to improve public safety. We are safer together when community members and law enforcement work together to identify public safety issues and solutions.

Lastly, I would promote diversity within the office. The authors of a Stanford report contend that diversity in prosecutorial agencies is important because diversity improves decision-making within any organization, and may help dispel some concerns about injustice. Diversity within the office is also important because it allows for diverse perspectives in decision-making, and makes the office more reflective of the community that it serves.

9. Q: How would you address the mentally ill who are cycling through our justice system?

A: The increasing number of individuals with mental health and substance use conditions in the criminal justice system has enormous fiscal, health, and human costs. Mental Health courts present a growing opportunity for prosecutors to reach better, safer and more humane criminal justice outcomes for offenders with mental illnesses.

To maximize this opportunity prosecutors need to fully engage in the planning and operations of these problem-solving courts, and play an active role on mental health court teams. Diverting individuals with mental health and substance use conditions away from jails and prisons and toward facilities that are better equipped to treat mental health issues is an essential component of national, state, and local strategies to provide people the support they need, and to eliminate unnecessary involvement in criminal justice systems.

10. Q: As an attorney, have you ever been sued by a client and/or disciplined or cited for a breach of ethics or unprofessional conduct, or been the subject of a complaint to any court, administrative agency, bar association, disciplinary committee, or other professional group? If yes, please provide the details.

A: No.

11. Q: Please describe a difficult situation you encountered in your role as an attorney. Include details about how you resolved the situation and any lessons learned.

A: I convened a committee to review the procedures for establishing and collecting victim restitution. I worked through discussions of a diverse group of judges and staff, the public defender, district attorney, private bar, probation, and non-profit agencies. Everyone came to the table with different interests, and a desire for different outcomes. Through strategic planning and thinking, we defined and streamlined the work of each agency. We developed procedures that clearly set forth each entities role in the process. The committee also set up methods to streamline communications between the various justice partners, and reached consensus on a final procedure that will result in greater efficiencies for collecting restitution for crime victims.

12. Q: Please describe the most significant and complex legal matter you have handled, your role in the process, and the outcome.

A: I presided over a first-degree homicide trial, where the defendant, shot his best friend since childhood. The relationship deteriorated because of defendant's drug use, and suspicion that the victim was having an affair with his wife.

On the morning of the shooting, witnesses heard gunshots. A neighbor saw a truck, and then a body lying on the sidewalk in front of the house. The defendant appeared at a friend's house with blood on him, and his truck had fresh blood and flesh all over the interior. The defendant said, "I did it, I put ten slugs in him," and then solicited help to clean up and hide the truck.

The defendant testified at trial claiming self-defense. The case was unique because in a prior case, the defendant was charged with the homicide of a childhood friend, while sitting in a truck, and then claiming self-defense, and the jury found the defendant not guilty.

It was a high profile case, with a high volume of pre-trial publicity. The court and the jury had to sort through many complex legal issues involving the admissibility of evidence, attorney misconduct, and impeachment of witnesses. There was a delicate balance considering the defendant's rights, and the probative value, versus the prejudice and materiality of the evidence.

There were days of pre-trial motions and rulings, inflammatory photographs, as well as crime scene photos, and "in life" photographs. Then there were the logistics of arranging transportation for the jurors, the defendant, the lawyers, and the courtroom staff to visit the scene of the shooting. The defendant was difficult to manage, and his attorney had difficulty controlling the statements that the defendant made while testifying before the jury.

The jury found the defendant guilty. The appellate court upheld my rulings and the Supreme Court declined to review.

13. Q: What is the size of the population/client base served by current employer?

A: The Superior Court serves the citizens of Contra Costa County, which has a population of 1,049,025, according to the 2010 census.

14. Q: To whom do you currently report, by title?

A: I currently report to the Hon. Jill Fannin, Presiding Judge of the Contra Costa Superior Court.

15. Q: What number of staff are employed by current employer?

A: Contra Costa Superior Court has a staff of 325.

16. Q: What number of staff do you currently oversee (direct and indirect)?

A: I currently oversee a staff of three, the clerk, court reporter and bailiff.

As President of the National Association of Women Judges I oversee directly and indirectly a staff of two (2), and an additional number of contract employees.

17. Q: What is the largest number of staff you have overseen, and where?

A: The largest number of staff that I have overseen is approximately 450, and that was with the Contra Costa Superior Court.

18. Q: What is your current employer's operating budget, in dollars?

A: The approved budget for Contra Costa Superior Court at the beginning of 2016-17 was \$56.963 million.

19. Q: For what portion of budget are you responsible, in dollars?

A: When I served as Presiding Judge of the Contra Costa Superior Court, I was responsible, along with the CEO for oversight of the court's entire budget for the fiscal years of 2011 and 2012. Also while serving as Assistant Presiding Judge (2009-2010), I worked closely with the Presiding Judge on issues concerning the court's budget. I am not currently responsible for any portion of the court's budget.

As President of the National Association of Women Judges, I serve as the principal executive officer of the organization, and along with the Executive Director, I supervise all of the business and affairs of the organization, which has a budget of \$1,038,250.

20. Q: What is the largest budget you have ever been responsible for, and where?

A: The largest budget that I have been responsible for is approximately \$56 million for the Contra Costa Superior Court.

21. Q: I certify that I meet the announced requirements for this examination and understand that I will be eliminated at any stage in such examination if it develops that, in fact I do not meet them. I further certify that all statements made in this supplemental questionnaire and the application are true and I agree and understand that misstatements or omissions of material facts will cause forfeiture of my rights to employment with Contra Costa County.

A: Yes

2KA1-2017A - DISTRICT ATTORNEY**Contact Information -- Person ID:** [REDACTED]

Name: David G Brown Address: [REDACTED] Suisun, California [REDACTED] US
Home Phone: [REDACTED] Alternate Phone: [REDACTED]
Email: tajoco@hotmail.com

Personal Information

Driver's License: Yes, California , [REDACTED] , Class M1
Can you, after employment, submit proof of your legal right to work in the United States? Yes
What is your highest level of education? Doctorate

Preferences

Preferred Salary: \$90,000.00 per year
Are you willing to relocate? Yes
Types of positions you will accept: Regular
Types of work you will accept: Full Time , Part Time
Types of shifts you will accept: Day

Objective

Prosecute criminals!

Education

College <i>Bradley University</i> 8/1974 - 7/1979 Peoria, Illinois	Did you graduate: Yes College Major/Minor: B.S. Business Management Units Completed: 124 Semester Degree Received: Bachelor's
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Work Experience

Deputy District Attorney 7/1986 - 3/2013	Hours worked per week: 40 Monthly Salary: \$13,000.00 # of Employees Supervised: 23
Contra Costa County 900 Court St Martinez, California 94355	Name of Supervisor: Paul Sequeira - Assistant Chief Deputy District Attorney May we contact this employer? Yes

Duties

Prosecuted all major cases including homicide, sexual assault, crimes of violence and gang cases. Supervised the Richmond branch of the office for 8 years. Prosecuted Workers Compensation cases, Child Abuse and Elder Abuse cases. Tried over 20 Homicide cases including several death penalty cases. Worked as liaison between district attorneys office, courts, police departments as well as community organizations. Set up training program for young attorneys and monitored their progress.

Reason for Leaving

Retired

Certificates and Licenses

Type: California State Bar
Number: 123771
Issued by:
Date Issued: 5 /1986 Date Expires:

Skills

Office Skills

Typing:

Data Entry:

Additional Information**References**

Professional

Sequeira, Paul

Chief Deputy District

attorney

**Resume****Text Resume****Attachments**

Attachment	File Name	File Type	Created By
David G Brown Application_Redacted	David G Brown Application_Redacted	Other	Alex Johnson

Agency-Wide Questions

1. Q: Have you ever been rejected during a probationary period, forced to resign in lieu of termination, dismissed, fired, terminated, or had an employment contract terminated from any position for performance or for disciplinary reasons within the last ten (10) years?

A: No

2. Q: If answer is yes, please provide name and address of the employers, reason for each release and dates of employment. If answer is yes, it is not necessarily a bar to employment. Each case is given individual consideration, based on job relatedness.

A:

3. Q: Are you applying for Veterans' Preference Credit? In open examinations, Contra Costa County will add 5% to your earned examination score if you pass the examination AND qualify for Veterans' Preference Credit. In order to qualify for Veterans' Preference Credit, a person shall: (a) have (1) served in the United States Army, Navy, Marine Corps, Air Force, or Coast Guard in time of war, in any expedition of the Armed Forces of the United States, or continuously on active duty for more than 180 days, and (2) received an honorable discharge or certificate of honorable act of service; (b) or be a disabled veteran; (c) and present to the Director of Human Resources no later than the closing date specified in the examination announcement, acceptable evidence of the required military service.

A: No

4. Q: Are you currently a Contra Costa County employee?

A: No

5. Q: If yes, please enter Employee Number.

A:

6. Q: If yes, enter Merit System job title:

A:

7. Q: Check the appropriate box that describes your high school education.

A: High School Diploma

8. Q: Where did you hear of this position?

A: Other

9. Q: If your answer for question #8 was "Advertisement" or "Other," please tell us in which publication or website you saw the Advertisement, or how you heard of this position.

A: Newspaper article, members of the Contra Costa County District Attorneys office .

10. Q: I authorize the employers and educational institutions identified in this employment application to release any information they have concerning my employment or education to the County of Contra Costa.

A: Yes

11. Q: May we contact your present employer?

A: Yes

12. Q: REGIONAL WORK LOCATION INTEREST - Check all that apply:

A: CENTRAL (Concord, Clayton, Lafayette, Martinez, Moraga, Orinda and Pleasant Hill)
WEST (Crockett, El Cerrito, El Sobrante, Hercules, Kensington, Pinole, Richmond, Rodeo and San Pablo)
EAST (Antioch, Bay Point, Brentwood, Oakley and Pittsburg)
SOUTH (Danville, San Ramon and Walnut Creek)

13. Q: Are you bilingual in Spanish? (Answering this question will require you to be tested in this language and if placed on the eligible list, your name may be referred out to departments whose position(s) requires bilingual proficiency as designated by the Appointing Authority)

A: No

14. Q: Please select languages (other than English) in which you are fluent in speaking? (Answering this question will require you to be tested in this language and if placed on the eligible list, your name may be referred out to departments whose position(s) requires bilingual proficiency as designated by the Appointing Authority)

A:

15. Q: If you select "other" please indicate the language you are fluent in speaking:

A:

Supplemental Questions

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A: n/a

2. Q: Are you a resident of, and registered voter in, Contra Costa County?

A: No

3. Q: Are you admitted to the practice of law before the Supreme Court of the State of California?

A: Yes

4. Q: Describe your experience in the practice of criminal law.

A:

Over 25 Years as a Deputy District Attorney in Contra Costa County. Senior Deputy District Attorney for 8 Years. Head of the Richmond District Attorneys office for 8 Years. experience trying all major felony cases.4 years as a criminal defense attorney practicing in Bay Area

5. Q: Describe your organizational and management experience.

A: 8 years as head of the Richmond Branch of the Contra Costa County District Attorneys Office. Established training program for newly hired deputy district attorneys. Owner and sole practitioner of private law firm.

6. Q: What do you believe are the major issues or problems in the administration of criminal law and justice in Contra Costa County?

A: Equal access and treatment of all citizens of the county. Ethical decision making in filing and prosecuting cases. Promotions and advancement of employees based solely upon merit and an understanding and appreciation for how the justice system is viewed by the public in general.

7. Q: Why do you want to serve as District Attorney for Contra Costa County?

A: I was a deputy district attorney for over a quarter of a century. I know how important it is that the citizens of the county have faith in the prosecution and non-prosecution of cases. i know that it is the job of the District Attorney to lead by example which includes acting morally, ethically and fairly at all times. I know I can bring trust in the office back not only to those outside the office but also those inside the office.

8. Q: How would you go about restoring and maintaining the public's confidence in the District Attorney's Office?

A: Promoting those who have demonstrated the ability to fairly,ethically and morally file and prosecute crimes. By making sure that those who are hired have not only a passion for the career of deputy district attorney but also a passion to see that justice is done for everyone,including defendants. Training is extremely important, not only training in the law but also training in the application of the law.There must also be a willingness to listen to opposing viewpoints and a willingness to engage in dialogue with an open mind.

9. Q: How would you address the mentally ill who are cycling through our justice system?

A: There is no one answer to that problem. i do believe that psychological treatment is the only way to stop the cycle of recidivism. The question becomes who is in the best position to make the determination of which treatment is best. That is why I believe an open dialogue is required. I was in the Mental Health unit of the district attorneys office and had many opportunists to discuss cases with the Mental Health Unit of the County as well as doctors in the state hospitals where mentally ill defendants are housed. I am aware of the divergent opinions of how best to serve the defendants interests and still protect the community.

10. Q: As an attorney, have you ever been sued by a client and/or disciplined or cited for a breach of ethics or unprofessional conduct, or been the subject of a complaint to any court, administrative agency, bar association, disciplinary committee, or other professional group? If yes, please provide the details.

A: A complaint was made to the state bar concerning my jury selection in a murder case. No action has been taken.

11. Q: Please describe a difficult situation you encountered in your role as an attorney. Include details about how you resolved the situation and any lessons learned.

A: I was contacted to represent a crrminal defendant who made allegations against a police officer I had worked with as a prosecutor. I knew the officer personally and had questions as to the accuracy of the perspective clients allegations. I advised him that I knew the officer and that it would be best if he hired another attorney, I did not want it to appear that I had a conflict of interest between my duty to my client and any possible personal bias I may have had toward the officer. I did not believe it would be the proper moral or ethical thing to represent him in court unless I had complete trust and faith in any action I would have to take.

12. Q: Please describe the most significant and complex legal matter you have handled, your role in the process, and the outcome.

A: The most complex matter was prosecuting a Richmond murder case where the defendant was 16 at the time he murdered a prominent athlete from De La Salle High School that had just recently received a college scholarship to play football at the University of Oregon. The issue was the fact that based on the nature of the crime the defendant was charged as an adult. He was convicted of 1st degree murder.

13. Q: What is the size of the population/client base served by current employer?

A: Bay Area

14. Q: To whom do you currently report, by title?

A: Sole proprietor of own law firm

15. Q: What number of staff are employed by current employer?

A: 1

16. Q: What number of staff do you currently oversee (direct and indirect)?

A: 1

17. Q: What is the largest number of staff you have overseen, and where?

A: 16. Contra Costa County District Attorneys Office. That included attorneys, investigators and clerical staff.

18. Q: What is your current employer's operating budget, in dollars?

A: N/A

19. Q: For what portion of budget are you responsible, in dollars?

A: All

20. Q: What is the largest budget you have ever been responsible for, and where?

A: Current office.

21. Q: I certify that I meet the announced requirements for this examination and understand that I will be eliminated at any stage in such examination if it develops that, in fact I do not meet them. I further certify that all statements made in this supplemental questionnaire and the application are true and I agree and understand that misstatements or omissions of material facts will cause forfeiture of my rights to employment with Contra Costa County.

A: Yes

2KA1-2017A - DISTRICT ATTORNEY

Contact Information -- Person ID: [REDACTED]

Name: John Delgado Address: [REDACTED] Hercules, California [REDACTED] US
Home Phone: [REDACTED] Alternate Phone: [REDACTED]
Email: johnjdelgado02@gmail.com

Personal Information

Driver's License: Yes, California , [REDACTED] , Class C
Can you, after employment, submit proof of your legal right to work in the United States? Yes
What is your highest level of education? Master's Degree

Preferences

Preferred Salary: \$258,180.61 per year
Are you willing to relocate? Yes
Types of positions you will accept: Regular
Types of work you will accept: Full Time
Types of shifts you will accept: Day , Evening , Night , Rotating , Weekends , On Call (as needed)

Objective

To seek justice, protect the rights of crime victims, and prevent crime. To seek and implement initiatives and preventative programs that will reduce crime and enhance the lives of our residents.

Education

Professional
UC Hastings College of the Law
www.uchastings.edu
8/1995 - 5/1997
200 McAllister Street, California

Did you graduate: Yes
College Major/Minor: Law
Degree Received: Professional

College
UCLA
www.ucla.edu
9/1986 - 5/1991
Los Angeles, California

Did you graduate: Yes
College Major/Minor: Electrical and Electronics Engineering
Degree Received: Bachelor's

Work Experience

Assistant District Attorney
8/2000 - Present
San Francisco District Attorney's Office
sfdistrictattorney.org
850 Bryant Street Suite 322
San Francisco, California 94103
[REDACTED]

Hours worked per week: 40
Monthly Salary: \$14,000.00
of Employees Supervised: 0
Name of Supervisor: Jean Roland - Managing Attorney - Juvenile Division
May we contact this employer? Yes

Duties

I have served in various units throughout my career at the San Francisco District Attorney's Office which include Domestic Violence, Narcotics, Special Prosecution and the Juvenile Division.

I have tried over 100 jury trials and thousands of evidentiary hearings.

Reason for Leaving

Incredible opportunity.

Councilman

11/2010 - 11/2013

City of Hercules
111 Civic Drive
Hercules, California 94547

Hours worked per week: 40

Monthly Salary: \$800.00

of Employees Supervised: 1

May we contact this employer? Yes

Duties

Served on the City Council of Hercules in the capacity of Council Member, Vice Mayor and Mayor. Participated in the hiring of five City Managers and one City Attorney. Served on various regional boards such as the West Contra Costa Integrated Waste Management Authority and WestCat Board.

Reason for Leaving

Promised to leave after accomplishing three things; 1) Financial Stability 2)

Certificates and Licenses

Type: California State Bar

Number: 191587

Issued by: California State Bar

Date Issued: 1 /2017 Date Expires: 1 /2018

Skills

Office Skills

Typing:

Data Entry:

Additional Information

References

Professional

Roland, Jean

Managing Attorney

San Francisco District Attorney's

Office



Resume

Text Resume

Attachments

Attachment	File Name	File Type	Created By
Redacted Application	John Delgado	Other	LaShonda Smith

Agency-Wide Questions

1. Q: Have you ever been rejected during a probationary period, forced to resign in lieu of termination, dismissed, fired, terminated, or had an employment contract terminated from any position for performance or for disciplinary reasons within the last ten (10) years?

A: No

- 2.** Q: If answer is yes, please provide name and address of the employers, reason for each release and dates of employment. If answer is yes, it is not necessarily a bar to employment. Each case is given individual consideration, based on job relatedness.

A:

- 3.** Q: Are you applying for Veterans' Preference Credit? In open examinations, Contra Costa County will add 5% to your earned examination score if you pass the examination AND qualify for Veterans' Preference Credit. In order to qualify for Veterans' Preference Credit, a person shall: (a) have (1) served in the United States Army, Navy, Marine Corps, Air Force, or Coast Guard in time of war, in any expedition of the Armed Forces of the United States, or continuously on active duty for more than 180 days, and (2) received an honorable discharge or certificate of honorable act of service; (b) or be a disabled veteran; (c) and present to the Director of Human Resources no later than the closing date specified in the examination announcement, acceptable evidence of the required military service.

A: No

- 4.** Q: Are you currently a Contra Costa County employee?

A: No

- 5.** Q: If yes, please enter Employee Number.

A:

- 6.** Q: If yes, enter Merit System job title:

A:

- 7.** Q: Check the appropriate box that describes your high school education.

A: High School Diploma

- 8.** Q: Where did you hear of this position?

A: Other

- 9.** Q: If your answer for question #8 was "Advertisement" or "Other," please tell us in which publication or website you saw the Advertisement, or how you heard of this position.

A: LinkedIn

- 10.** Q: I authorize the employers and educational institutions identified in this employment application to release any information they have concerning my employment or education to the County of Contra Costa.

A: Yes

- 11.** Q: May we contact your present employer?

A: Yes

- 12.** Q: REGIONAL WORK LOCATION INTEREST - Check all that apply:

A: CENTRAL (Concord, Clayton, Lafayette, Martinez, Moraga, Orinda and Pleasant Hill)
WEST (Crockett, El Cerrito, El Sobrante, Hercules, Kensington, Pinole, Richmond, Rodeo and San Pablo)
EAST (Antioch, Bay Point, Brentwood, Oakley and Pittsburg)
SOUTH (Danville, San Ramon and Walnut Creek)

- 13.** Q: Are you bilingual in Spanish? (Answering this question will require you to be tested in this language and if placed on the eligible list, your name may be referred out to departments whose position(s) requires bilingual proficiency as designated by the Appointing Authority)

A: No

- 14.** Q: Please select languages (other than English) in which you are fluent in speaking? (Answering this question will require you to be tested in this language and if placed on

the eligible list, your name may be referred out to departments whose position(s) requires bilingual proficiency as designated by the Appointing Authority)

A:

15. Q: If you select "other" please indicate the language you are fluent in speaking:

A:

Supplemental Questions

1. Q: A completed supplemental questionnaire is required for this position. Please answer the following questions below and submit your responses with your online application. DO NOT answer any of the questions by indicating, "see attached resume and/or application." Applications received without a completed supplemental questionnaire will be rejected. NOTE: Applicants who completed their education outside of the United States must submit verification of degree/equivalency with their application. Finalists will participate in a moderated forum and be interviewed by the Board of Supervisors in public session. Final candidates' State Summary Criminal History information and economic disclosure statement (FPPC Form 700) may be made available for review by the Board.

A:

2. Q: Are you a resident of, and registered voter in, Contra Costa County?

A: Yes

3. Q: Are you admitted to the practice of law before the Supreme Court of the State of California?

A: Yes

4. Q: Describe your experience in the practice of criminal law.

A: Prosecutor for the past 17 years

5. Q: Describe your organizational and management experience.

A: Served on the City Council of Hercules for four years and which unfortunately required massive budget cuts and reorganization. Formed citizen committees for finance and conflicts of interest.

6. Q: What do you believe are the major issues or problems in the administration of criminal law and justice in Contra Costa County?

A: Overextension of public resources, gang related crime and the uptick of property crimes.

7. Q: Why do you want to serve as District Attorney for Contra Costa County?

A: To protect the community that i live in, to achieve the highest position, and to shorten my commute.

8. Q: How would you go about restoring and maintaining the public's confidence in the District Attorney's Office?

A: Establish, extend, and maintain relationships with the community, its leaders, and law enforcement.

9. Q: How would you address the mentally ill who are cycling through our justice system?

A: Explore the creation of mental health courts and support the expansion of the community's safety net.

10. Q: As an attorney, have you ever been sued by a client and/or disciplined or cited for a breach of ethics or unprofessional conduct, or been the subject of a complaint to any court, administrative agency, bar association, disciplinary committee, or other professional group? If yes, please provide the details.

A: No

11. Q: Please describe a difficult situation you encountered in your role as an attorney. Include details about how you resolved the situation and any lessons learned.

A: I have spent a majority of my career working in the domestic violence unit. Often, the victim and witnesses to the crime do not want to cooperate for a myriad of reasons. I had to try a case where the victim and witness hid from us and refused to cooperate. I had to prove the case by using a 911 recording and the past acts of the defendant. The victim showed up to testify for the defendant but the jury fortunately saw the truth of what had occurred and convicted him. The difficulty was to be creative in showing the jury how all the facts, despite the lack of testimony of any eyewitnesses for the prosecution, showed that the defendant committed the crime. You learn to prepare, to present evidence effectively, and to trust in the system.

12. Q: Please describe the most significant and complex legal matter you have handled, your role in the process, and the outcome.

A: I had case where the DUI defendant had lost control of his car and pinned an elderly woman against a concrete support. This essentially severed the victim's legs at knee level. Under the law, the more serious crime of Mayhem was not a viable legal authority. However, I was able to analogize the theory that a second time DUI driver can be prosecuted for murder to this situation and the preliminary hearing Judge agreed. I had to analyze a federal regulatory statute to obtain the defendant's past DUI class records. The trial attorney was able to secure a plea. I received recognition from MADD for my work in that case.

13. Q: What is the size of the population/client base served by current employer?

A: 864,816 at night.

14. Q: To whom do you currently report, by title?

A: Jean Roland, Managing Attorney of the Juvenile Unit

15. Q: What number of staff are employed by current employer?

A: Normally 120 attorneys with support staff.

16. Q: What number of staff do you currently oversee (direct and indirect)?

A: 3

17. Q: What is the largest number of staff you have overseen, and where?

A: 3

18. Q: What is your current employer's operating budget, in dollars?

A: 43,000,000

19. Q: For what portion of budget are you responsible, in dollars?

A: 0.00

20. Q: What is the largest budget you have ever been responsible for, and where?

A: 0.00

21. Q: I certify that I meet the announced requirements for this examination and understand that I will be eliminated at any stage in such examination if it develops that, in fact I do not meet them. I further certify that all statements made in this supplemental questionnaire and the application are true and I agree and understand that misstatements or omissions of material facts will cause forfeiture of my rights to employment with Contra Costa County.

A: Yes

2KA1-2017A - DISTRICT ATTORNEY**Contact Information -- Person ID:** [REDACTED]

Name: DANIELLE DOUGLAS Address: [REDACTED] PLEASANT HILL, California [REDACTED] US
Home Phone: [REDACTED] Alternate Phone:
Email: ddouglas38@att.net

Personal Information

Driver's License: Yes, California , [REDACTED] , Class C
Can you, after employment, submit proof of your legal right to work in the United States? Yes
What is your highest level of education? Doctorate

Preferences

Preferred Salary: \$258,000.00 per year
Are you willing to relocate? Yes
Types of positions you will accept: Regular
Types of work you will accept: Full Time
Types of shifts you will accept: Day , Evening , Night , Rotating , Weekends , On Call (as needed)

Objective

I am seeking an appointment to the position of Contra Costa County District Attorney.

Education**Professional**

McGeorge School of Law, University of the Pacific
8/1996 - 5/1999
Sacramento, California

Did you graduate: Yes
College Major/Minor:
Degree Received: Professional

College

Missouri Western State University
8/1993 - 5/1996
St. Joseph, Missouri

Did you graduate: Yes
College Major/Minor: Criminal Justice/Legal Studies
Degree Received: Bachelor's

Work Experience**Judge**

8/2014 - Present

Superior Court of California, Contra Costa County
Richmond, California

Hours worked per week: 40
Monthly Salary: \$0.00
May we contact this employer?

Duties

Preside over jury trials, preliminary hearings, motions, unlawful detainers, small claims, and restraining order hearings

ASSISTANT DISTRICT ATTORNEY

8/2013 - 8/2014

San Francisco District Attorney's Office
San Francisco, California

Hours worked per week: 40
Monthly Salary: \$0.00
May we contact this employer?

Duties

Assignment: Homicide
Litigated three homicides to verdict

DEPUTY DISTRICT ATTORNEY

1/2000 - 8/2013

Hours worked per week: 40

Monthly Salary: \$0.00

May we contact this employer?

Contra Costa County District Attorney's Office
Martinez, California

Duties

Assignments included: Gangs/Homicide, Sexual Assault, Calendar, Domestic Violence; Felony Trial Unit; Juvenile Unit; Welfare Fraud Unit; Misdemeanor Unit

53 felony jury trials litigated to verdict; offenses included: gang homicide, homicide, rape, child molestation, arson, corporal injury to spouse, robbery, possession of drugs for sale, vehicle theft, vehicular manslaughter, and driving under influence.

Litigated more than 30 Juvenile Contests to decision; offenses included: rape, child molest, robbery, grand theft, vehicle theft, possession of drugs for sales, and burglary.

Presented more than 75 preliminary examinations; offenses included: homicide, gangs, attempted murder, stalking, torture, mayhem, welfare fraud, identity theft, and residential burglary.

Litigated complex legal issues. Issues included Forfeiture by Wrong Doing, Crawford, Evidence Code section 1109

Certificates and Licenses

Skills

Office Skills

Typing:

Data Entry:

Additional Information

Professional Associations

Graduated with Order of the Barristers honor

Professional Associations

of McGeorge's Mock Trial Competition Team

Professional Associations

California Judges Association, member of Compensation and Benefits Committee

Professional Associations

California Association of Black Lawyers - Judicial Section, Secretary

Professional Associations

Community Violence Solutions, Former

Professional Associations

California District Attorneys Association, Former

Professional Associations

Contra Costa County District Attorneys Association, Former

Professional Associations

Antioch Planning Commission, Former Commission

Honors & Awards

Dean's List, 1995, 1996

Honors & Awards

Honors & Awards

CASA - Court Appointed Special Advocate

References

Resume

Text Resume

Attachments

Attachment	File Name	File Type	Created By
Danielle's resume 3.doc	Danielle's resume 3.doc	Resume	Job Seeker
Redacted application	Danielle Douglas	Other	LaShonda Smith

Agency-Wide Questions

1. Q: Have you ever been rejected during a probationary period, forced to resign in lieu of termination, dismissed, fired, terminated, or had an employment contract terminated from any position for performance or for disciplinary reasons within the last ten (10) years?

A: No

2. Q: If answer is yes, please provide name and address of the employers, reason for each release and dates of employment. If answer is yes, it is not necessarily a bar to employment. Each case is given individual consideration, based on job relatedness.

A:

3. Q: Are you applying for Veterans' Preference Credit? In open examinations, Contra Costa County will add 5% to your earned examination score if you pass the examination AND qualify for Veterans' Preference Credit. In order to qualify for Veterans' Preference Credit, a person shall: (a) have (1) served in the United States Army, Navy, Marine Corps, Air Force, or Coast Guard in time of war, in any expedition of the Armed Forces of the United States, or continuously on active duty for more than 180 days, and (2) received an honorable discharge or certificate of honorable act of service; (b) or be a disabled veteran; (c) and present to the Director of Human Resources no later than the closing date specified in the examination announcement, acceptable evidence of the required military service.

A: No

4. Q: Are you currently a Contra Costa County employee?

A: No

5. Q: If yes, please enter Employee Number.

A:

6. Q: If yes, enter Merit System job title:

A:

7. Q: Check the appropriate box that describes your high school education.

A: High School Diploma

8. Q: Where did you hear of this position?

A: Contra Costa County Website

9. Q: If your answer for question #8 was "Advertisement" or "Other," please tell us in which publication or website you saw the Advertisement, or how you heard of this position.

A:

10. Q: I authorize the employers and educational institutions identified in this employment application to release any information they have concerning my employment or education to the County of Contra Costa.

A: Yes

11. Q: May we contact your present employer?

A: Yes

12. Q: REGIONAL WORK LOCATION INTEREST - Check all that apply:

A: CENTRAL (Concord, Clayton, Lafayette, Martinez, Moraga, Orinda and Pleasant Hill)
WEST (Crockett, El Cerrito, El Sobrante, Hercules, Kensington, Pinole, Richmond, Rodeo and San Pablo)
EAST (Antioch, Bay Point, Brentwood, Oakley and Pittsburg)
SOUTH (Danville, San Ramon and Walnut Creek)

13. Q: Are you bilingual in Spanish? (Answering this question will require you to be tested in this language and if placed on the eligible list, your name may be referred out to departments whose position(s) requires bilingual proficiency as designated by the Appointing Authority)

A: No

14. Q: Please select languages (other than English) in which you are fluent in speaking? (Answering this question will require you to be tested in this language and if placed on the eligible list, your name may be referred out to departments whose position(s) requires bilingual proficiency as designated by the Appointing Authority)

A:

15. Q: If you select "other" please indicate the language you are fluent in speaking:

A:

Supplemental Questions

1. Q: A completed supplemental questionnaire is required for this position. Please answer the following questions below and submit your responses with your online application. DO NOT answer any of the questions by indicating, "see attached resume and/or application." Applications received without a completed supplemental questionnaire will be rejected. NOTE: Applicants who completed their education outside of the United States must submit verification of degree/equivalency with their application. Finalists will participate in a moderated forum and be interviewed by the Board of Supervisors in public session. Final candidates' State Summary Criminal History information and economic disclosure statement (FPPC Form 700) may be made available for review by the Board.

A: n/a

2. Q: Are you a resident of, and registered voter in, Contra Costa County?

A: Yes

3. Q: Are you admitted to the practice of law before the Supreme Court of the State of California?

A: Yes

4. Q: Describe your experience in the practice of criminal law.

A: I have spent seventeen years working in the criminal justice system, fourteen of those as a prosecutor in both the Contra Costa County District's Attorney and the San Francisco District Attorney's Office. As a prosecutor I handled cases ranging from driving under the influence allegations to gang murder charges. I litigated over sixty criminal jury trials. I served in almost every unit within a district attorney's office, including homicide, gangs, sexual assault, domestic violence, and welfare fraud.

I left the Contra Costa County District Attorney's Office for the San Francisco County District Attorney's Office in 2013 for personal and professional reasons. The San

Francisco District Attorney hired me to be a homicide prosecutor. During my time in San Francisco, I saw the office experimenting with many innovative approaches to reduce recidivism, including a broad array of collaborative courts and the restorative justice programs of their Neighborhood Court program.

I was appointed to the Contra Costa County Superior Court of California by Governor Brown in 2014 and for the last three years I have served as a judge handling mostly criminal matters in the George D. Carroll Courthouse in Richmond. I relish the opportunity to interact with attorneys, litigants and jurors, not as an advocate, but as a fair and neutral arbiter. I have presided over sixty criminal jury trials and I have presided over every non-trial aspect of a criminal case from arraignments, motion and preliminary hearings, to sentencing and probation violation hearings.

5. Q: Describe your organizational and management experience.

A: During my career as a judge I have supervised the Richmond Branch of the Superior Court of California, Contra Costa County. As the supervisor of the Richmond Courthouse, I managed over 28 employees and two judges. I was responsible for creating the weekly schedule assigning judges to particular tasks, summoning 50 to 200 jurors a week for trials, and handling day to day tasks. The day to day tasks varied from reassigning staff, counseling judges, to handling a one day interpreter strike.

As a judge I also supervise my courtroom staff. I am responsible for making sure my courtroom operates efficiently. I am in charge of making sure the courtroom is secure, minute orders are done correctly, the transcript of the proceeding is being accurately recorded, and the attorneys behave in a professional manner. Often I preside over jury trials, which requires that I manage every aspect of the jury selection process, and that I also manage the attorneys' and litigants' expectations for trial. My role, in addition to being an umpire ruling on the legal issues that arise during a trial, is akin to that of a director of a stage play. Before and during the trial I confer with all parties to organize and adhere to a schedule for pretrial motions, pre-instruction of the jury, opening statements, the presentation of witnesses and other evidence, closing legal instructions, closing arguments and all matters required to be heard outside the presence of the jury. A good judge manages a trial so that it seems as if each part of the trial follows naturally one after another, like scenes in a seamless theatrical production.

Of the five basic styles of leadership discussed in modern business programs (*laissez faire*, autocratic, participatory/democratic, transactional, and transformational), the style of management I employ as a judge is mainly transformational with elements of participatory/democratic. I believe that by valuing the input of employees, the democratic management style works to increase their motivation and to raise morale. However, the democratic management style can become slow and burdensome without the transformational management approach, in which leaders and supervisors lead with clear communication and visibility.

When serving as the Supervising Judge in Richmond, I learned that being a supervisor or manager of a court is an entirely different job from that of being a judge assigned to an individual courtroom. When faced with a decision, I sought input from other judges, court administrators, court supervisors, court employees and any stakeholders relevant to the issue. When I made decisions, I met with those affected to ensure they were "on board" and motivated to support the organizational goals.

In applying for the position of District Attorney, I am fully aware that being the District Attorney is fundamentally different from being a deputy district attorney. My experience as a judge and line prosecutor give me a solid foundation to lead the office through a much needed culture change.

In addition, I possess the following qualities that will be of benefit should I be selected as your District Attorney:

- > I am a good listener and have the ability to synthesize differing views of others;
- > I am ultra-organized and detail-oriented and will use these skills to keep efficiency in the office at a high standard;

> I have good instincts about people and will work with the varying factions to unify the District Attorney's Office;
> I am an out-of-the box manager, always looking for new approaches to increase success; and
> lastly, I am interested in looking for budget-saving approaches that have proven effective in other offices throughout the State.

6. Q: What do you believe are the major issues or problems in the administration of criminal law and justice in Contra Costa County?

A: In Contra Costa County too many misdemeanor cases go to trial. In recent statewide measures, Contra Costa County ranked second highest in California in number of misdemeanor trials as a percentage of cases filed. There are several factors that contribute to this, some of which are due to the management and policies of the prosecution, and some of which are outside the control of the District Attorney's Office. However, the office's focus on punishment rather than rehabilitation when handling low level misdemeanor violations of the law has resulted in an extraordinary number of misdemeanor cases unnecessarily going to trial. The cost associated with misdemeanor jury trials could be better spent on victims of violent crimes, assisting the mentally ill, or rehabilitative services that would lessen the recidivism rates.

One structural reason for the high number of misdemeanor trials is that deputy district attorneys are expected to conduct a certain number of trials in order to receive promotions within the office which in turn incentivizes prosecutors to unnecessarily force cases to trial. Further, relatively inexperienced deputy district attorneys make the filing decisions and negotiate dispositions in misdemeanor cases.

For the past ten years the Contra Costa County District Attorney's Office has also struggled with retention of attorneys. There has been high attrition from the ranks of both veteran prosecutors and young lawyers. Losing veteran prosecutors is obviously problematic; it forces younger attorneys to handle serious matters for which they lack the proper experience. At the same time, the office has lost many promising attorneys to other Bay Area offices. From personal experience, I can attest that the significant reasons for the high turnover has been a lack of integrity, direction and leadership within the District Attorney's Office.

The Contra Costa District Attorney's Office has been marked by an old-fashioned authoritarian management style, tainted with nepotism and favoritism. The headline grabbing stories about the unprofessional culture within the office are indicative of a dysfunctional office environment.

7. Q: Why do you want to serve as District Attorney for Contra Costa County?

A: I cannot answer the question of why I want to serve as District Attorney for Contra Costa County without first explaining my background and experiences. I grew up in an upper middle class neighborhood in Redwood City, California. My mother, caucasian, and my father, African-American, worked blue collar jobs living paycheck to paycheck so they could afford to live in a neighborhood where their three children could attend good schools. When we first moved into that "good neighborhood", our next door neighbor stated he was going to get a rope to hang my black father because he was married to a white woman. Fast forward eight years, that same neighbor shook my dad's hand stating he had a good family and was raising decent children. On that day I learned diversity was one way to combat ignorance.

Living in an affluent neighborhood, my family did not have much contact with law enforcement. However, I recall my father lecturing my brother about how to behave if he were ever contacted by the police. My father warned my brother to follow all instructions given by a police officer without any hint of an attitude. At that time, I did not really understand the gravity of my father's words. I am not suggesting my father or family had any animosity against law enforcement. As a matter of fact, I equally remember my grandfather, a pastor, giving a sermon one Sunday in church about race and the police. My grandfather was explaining how he had been stopped in Texas by a state trooper for speeding. My grandfather recounted that he told the officer he was speeding because he was trying to get back to California before a storm hit. What my grandfather explained he did not do was accuse the officer of only pulling him over because of the color of his skin. Although there was not a cloud in sight, the officer

gave my grandfather a warning and sent him on his way. My grandfather told his congregation if you want to get past racial prejudice then you have to overcome your own bias as well. On that day I learned everyone should be judged on their own character and merit.

The road to becoming a Deputy District Attorney was not easy for me. I had my first child in my senior year of high school. Against all odds, I graduated high school and finished college. In fact, I was the first person in my family to go to college. Needless to say, as a teenage single mom I did not have the normal college experience. I had to pay my own way through college with a young child. There were times I did not know if I was going to be able to pay my bills that month. I remember being in the grocery store, making sure no one I knew was around before I pulled out the food stamps I needed to buy groceries. Fortunately, I had a college professor who believed in me and encouraged me to go to law school. At the age of 26, after graduating law school and passing the bar, I was sworn in as a Deputy District Attorney. I cannot tell you how proud I was, as a 26 year old mother of two daughters who had just recently been on public assistance, to hold the title of Deputy District Attorney. On that day I learned there is nothing more fulfilling than overcoming adversity and at the same time being able to give back to the community.

Supreme Court Justice Sonia Sotomayor famously said, "I would hope that a wise Latina woman with the richness of her experiences would, more often than not, reach a better conclusion [than a white male judge.]" Let me be clear that I do not think I am a better judge or would be a better District Attorney than a white male merely because I am a biracial woman who has overcome obstacles to reach my current position. The advantages of diversity are not that facile.

The qualities that would make a great District Attorney have little if anything to do with one's race, gender or background. These qualities include:

A willingness to see both sides of an issue before deciding.

The ability to understand and empathize with people who are different from oneself.

Compassion for those who have suffered, who are disadvantaged, or are unable to provide for themselves.

A rigorous dedication to the rule of law, fairness and justice.

Recognizing when an individual's situation requires an exception to the rules.

My background has burned these values into me, and I would bring these qualities to the position I now seek.

I want to be the Contra Costa County District Attorney to ensure the office instills pride within Contra Costa County prosecutors and the community. I want to be the Contra Costa County District Attorney to ensure justice is applied equally to all no matter their background, race, gender, sexual orientation, or socioeconomic status. I want to be the Contra Costa County District Attorney to increase diversity within the office because that would increase awareness about the differing perspectives and challenges of all Contra Costa citizens. Finally, I want to be the Contra Costa County District Attorney because I can do the job well and with integrity.

I would especially like the opportunity to work with County Supervisors, our Deputy District Attorneys, law enforcement, and individuals in our varying communities to make this District Attorney's Office the best in this region and in our state.

8. Q: How would you go about restoring and maintaining the public's confidence in the District Attorney's Office?

A: I would implement the following strategies to restore and maintain public confidence in the District Attorney's Office:

I would establish an integrity unit within the District Attorney's Office. The integrity unit

would be responsible for investigating allegations of Brady violations, prosecutorial misconduct, and other ethical violations. I have seen this concept implemented at the San Francisco District Attorney's Office and have found this to be an excellent strategy in maintaining the highest ethical standards within a District Attorney's Office. The integrity unit would, also, be tasked with providing ethical advice to prosecutors within the office.

I would implement a data driven approach to measure the performance of the office and individual Deputy District Attorneys. A data driven approach is necessary to ensure that the criminal justice system is being administered fairly and that the office and its employees are performing well. I envision that performance data would be posted on the Contra Costa County District Attorney's website as well as presented at the annual state of the office delivered to the community.

I would give an annual state of the office address to the public. Years ago, District Attorney Robert Kochly implemented a state of the office address delivered annually to the members of the office. I would expand this idea giving a state of the office speech annually to the community in all five regions of Contra Costa County. I would conclude the public address by answering questions and garnering input from the community.

I would establish a conviction review unit. Conviction review by prosecutors is one of the major currents of reform in the criminal justice system, and stems from the recognition that prosecutors more than anyone should be working to exonerate the wrongfully convicted. The conviction review unit would investigate claims of actual innocence based upon newly discovered evidence. A credible conviction review unit is vital to maintaining the public's confidence in its prosecution agency.

Lastly, a leaders success depends on his or her ability to know what is going on and to deal early-on with challenges before they become serious problems. If I am honored with your trust, I will be a "present" District Attorney, tuned into what is going on in the office.

9. Q: How would you address the mentally ill who are cycling through our justice system?

A: All Deputy District Attorneys would receive training to recognize indicators suggesting a defendant may be suffering from mental illness. Once a defendant has been so identified, a highly and specially trained deputy district attorney would be assigned to handle the case until resolution.

I would hire a social worker on staff whose job would be to identify services, connect the defendant to those services, and provide assistance to the defendant's family. The Deputy District Attorney assigned to the case and the social worker would follow the case until probation or diversion was completed.

The District Attorney's Office would support and expand Behavioral Health Court which is a program that emphasises outpatient and residential treatment for those suffering from co-occurring disorders as an alternative to jail.

Further, I would work closely with law enforcement in identifying best practices for first responders to deploy when they come into contact with the mentally ill in our county. I would initiate a program to provide free training to first responders on how to safely de-escalate situations involving the mentally ill.

10. Q: As an attorney, have you ever been sued by a client and/or disciplined or cited for a breach of ethics or unprofessional conduct, or been the subject of a complaint to any court, administrative agency, bar association, disciplinary committee, or other professional group? If yes, please provide the details.

A: No.

11. Q: Please describe a difficult situation you encountered in your role as an attorney. Include details about how you resolved the situation and any lessons learned.

A: One of the very first murder cases I handled was an extremely difficult case where all the witnesses were uncooperative. When I first met with the murder victim's family, I

explained the court process to the family but did not explain all the difficulties of the case. After the preliminary hearing, the District Attorney's Office decided to offer the defendant a manslaughter plea, a reduced charge. In compliance with Marcy's Law, I invited the family to my office to explain the proposed resolution of the case. The mother of the victim, upon learning the office was going to offer a manslaughter charge to the defendant, began to sob hysterically. I sat next to the mother quietly and let her digest everything I had just said. When the mother stopped crying she asked me "what would you think of this offer if it was your child who had been murdered?" I was taken aback but explained how I would feel as a mother and then I explained how I feel as an attorney. On that day I learned when explaining the process and potential resolutions to victims and their families you cannot sugar coat the potential outcomes. Victims and their families deserve and need to know the whole picture at the earliest possible time. While I thought I was sparing their feelings and potential needless anguish by not discussing the problems with the case at our first meeting, I only made the outcome more difficult to grasp.

12. Q: Please describe the most significant and complex legal matter you have handled, your role in the process, and the outcome.

A: One of the most significant and complex legal matter I handled as a prosecutor was a gang homicide that occurred in Antioch. A sixteen year old male, a suspected Sureño, was at a birthday party when a group of rival gang members, Norteños showed up. During the party the Norteños began beating the sixteen year old victim. Then one of the Norteños pulled out a gun and shot the victim. The case was sent out to jury trial against five defendants. Two defendants immediately pled guilty and I went to trial against the three remaining defendants. Before the trial began there were many legal issues that had to be litigated. A determination had to be made as to what hearsay statements could be introduced, what evidence the gang detective could rely on in forming his opinion, whether certain evidence was too inflammatory for a jury to hear and whether witnesses' addresses would be disclosed when there was a real possibility the witnesses were in jeopardy of retaliation. The trial went reasonably well but the jury hung 11-1 on two defendants and 10-2 on the third defendant.

The second time the case went to trial I offered one of the three defendants a deal if he testified against the shooter and the person who instigated the fight. He agreed and pled. So I went to trial again but this time against the last two defendants. Again there were numerous issues to litigate including how my new witness could be impeached. Even with the difficulties of having a defendant turned witness, the trial went remarkably well. Both defendants were convicted of murder. After the verdict the victim's mother sobbed and thanked me. It is worth noting that the victim's mother never missed a day of either trials.

The decision to give one defendant or some defendants a plea offer while prosecuting other defendants to the fullest extent of the law is always complicated. In making this decision I always look to two factors, culpability and redemption. I try to find defendants who are not only the least culpable but also defendants who have a chance at being rehabilitated.

13. Q: What is the size of the population/client base served by current employer?

A: 1.111 million residents of contra costa county are responsible for electing Superior Court judges in Contra Costa County.

14. Q: To whom do you currently report, by title?

A: Honorable Joni Hiramoto

Honorable Jill Fannin

15. Q: What number of staff are employed by current employer?

A: My current employer employs approximately 325 people.

16. Q: What number of staff do you currently oversee (direct and indirect)?

A: I directly supervise 3 people.
I indirectly supervise 28 people.

17. Q: What is the largest number of staff you have overseen, and where?

A: The largest number of staff I have overseen was/is 28 staff members at the Richmond Courthouse.

18. Q: What is your current employer's operating budget, in dollars?

A: Approximately 56 million dollars.

19. Q: For what portion of budget are you responsible, in dollars?

A: I currently serve on the jury and facilities committees. While there is no specific budget for those two committees, I am responsible for ensuring the two committees operate in a cost efficient/effective manner. Of the 56 million dollar court budget approximately 1.5 million dollars of the budget is/was spent on jury services and court facilities.

20. Q: What is the largest budget you have ever been responsible for, and where?

A: 2 million dollars while serving on the board of Community Violence Solutions.

21. Q: I certify that I meet the announced requirements for this examination and understand that I will be eliminated at any stage in such examination if it develops that, in fact I do not meet them. I further certify that all statements made in this supplemental questionnaire and the application are true and I agree and understand that misstatements or omissions of material facts will cause forfeiture of my rights to employment with Contra Costa County.

A: Yes

██████████ PLEASANT HILL, CA ██████████
PHONE ██████████ E-MAIL ADADOUGLAS40@GMAIL.COM

DANIELLE DOUGLAS

PROFESSIONAL SUMMARY

Over seventeen years of professional experience working in the criminal justice system as both a fair and neutral arbiter of the facts and as an ethical advocate.

PROFESSIONAL EXPERIENCE

JUDGE

Superior Court of California, Contra Costa County, Richmond Courthouse

- Preside over jury trials, preliminary hearings, motions, unlawful detainers, small claims, and restraining order hearings.

ASSISTANT DISTRICT ATTORNEY, August 2013 – August 2014

San Francisco District Attorney's Office, San Francisco, CA

- Assignment: Homicide
- Litigated three homicide cases to verdict.

DEPUTY DISTRICT ATTORNEY, Jan. 2000-Aug. 2013

Contra Costa County District Attorney's Office, Martinez, CA

- Assignments included: Gangs/Homicide, Sexual Assault, Calendar, Domestic Violence; Felony Trial Unit; Juvenile Unit; Welfare Fraud Unit; Misdemeanor Unit
- 53 felony jury trials litigated to verdict; offenses included: gang homicide, homicide, rape, child molestation, arson, corporal injury to spouse, robbery, possession of drugs for sale, vehicle theft, vehicular manslaughter, and driving under influence.
- Litigated more than 30 Juvenile Contests to decision; offenses included: rape, child molest, robbery, grand theft, vehicle theft, possession of drugs for sales, and burglary.
- Presented more than 75 preliminary examinations; offenses included: homicide, gangs, attempted murder, stalking, torture, mayhem, welfare fraud, identity theft, and residential burglary.
- Litigated complex legal issues. Issues included: Forfeiture by Wrong Doing, Crawford, and Evidence Code section 1109.

EDUCATION

JURIS DOCTOR, 1999

McGeorge School of Law, University of the Pacific, Sacramento, CA

- Graduated with *Order of the Barristers* honor
- Member of McGeorge's Mock Trial Competition Team, 1998, 1999

BACHELOR OF ARTS, Criminal Justice, 1996

Missouri Western State University, St. Joseph, MO

- Dean's List, 1995, 1996

BOARDS AND COMMITTEES

California Judges Association, Current member of Compensation and Benefits Committee

California Association of Black Lawyers - Judicial Section, Current Secretary

Community Violence Solutions, Former Board Member

California District Attorneys Association, Former Board Member

Contra Costa County District Attorneys Association, Former Secretary

Antioch Planning Commission, Former Commission Member

COMMUNITY SERVICE

High School Mock Trial Coach/Judge

CASA – Court Appointed Special Advocate

2KA1-2017A - DISTRICT ATTORNEY

Contact Information -- Person ID: [REDACTED]

Name: Paul J. Graves Address: [REDACTED] Martinez, California [REDACTED] US
Home Phone: [REDACTED] Alternate Phone: [REDACTED]
Email: pj_graves@msn.com

Personal Information

Driver's License: Yes, California , [REDACTED] , Class C
Can you, after employment, submit proof of your legal right to work in the United States? Yes
What is your highest level of education? Doctorate

Preferences

Preferred Salary: \$190,000.00 per year
Are you willing to relocate? No
I currently live in Contra Costa County, so would not need to relocate in order to accept a position
Types of positions you will accept: Regular
Types of work you will accept: Full Time
Types of shifts you will accept: Day

Objective

To become the next District Attorney of Contra Costa County

Education

Graduate School

McGeorge School of Law
<http://www.mcgeorge.edu/>
8/1992 - 6/1995
Sacramento, California

Did you graduate: Yes
College Major/Minor: Juris Doctor
Degree Received: Doctorate

College

Loyola Marymount University
<http://www.lmu.edu/>
8/1987 - 6/1991
Los Angeles, California

Did you graduate: Yes
College Major/Minor: History/ Philosophy & Political Science
Degree Received: Bachelor's

Work Experience

Senior Deputy District Attorney

7/1995 - Present

Contra Costa County District Attorney's Office
<http://www.co.contra-costa.ca.us/203/District-Attorney>
900 Ward Street
Martinez, California 94553
[REDACTED]

Hours worked per week: 40
Monthly Salary: \$15,000.00
of Employees Supervised: 16
Name of Supervisor: Tom Kensok - Assistant District Attorney
May we contact this employer? Yes

Duties

I have been employed at the Contra Costa County District Attorney's Office for 22 years. During that time I have been assigned to the following divisions: (1) misdemeanor trial team (one year); (2) felony trial team (two years); (3) homicide trial team (three years); (4) Superior Court Calendar Deputy (one year); (5) Felony Filing Deputy (three years); (6) Law and Motion (one year); (7) Juvenile Division (3 months); (8) Sexual Assault Unit prosecuting under a grant

specific to Child Sexual Assault crimes (three years, 6 months); Felony Expeditor (2 years); Homicide Supervisor (2 years); Senior Deputy District Attorney (one and a half years)

Certificates and Licenses

Skills

Office Skills

Typing:

Data Entry:

Additional Information

Honors & Awards

Victim Witness Outstanding Service to Victims of Crime 2007

Nominated for State Prosecutor of the Year 2010

References

Professional

Canepa, Honorable Theresa

Contra Costa County Superior Court Judge

[Redacted]

Professional

Gleason, Colleen

Deputy District Attorney Advanced Level

[Redacted]

Resume

Text Resume

Attachments

Attachment	File Name	File Type	Created By
Paul Graves References.pdf	Paul Graves References.pdf	References	Job Seeker
Redacted Application	Paul J Graves	Other	LaShonda Smith

Agency-Wide Questions

1. Q: Have you ever been rejected during a probationary period, forced to resign in lieu of termination, dismissed, fired, terminated, or had an employment contract terminated from any position for performance or for disciplinary reasons within the last ten (10) years?

A: No

2. Q: If answer is yes, please provide name and address of the employers, reason for each release and dates of employment. If answer is yes, it is not necessarily a bar to employment. Each case is given individual consideration, based on job relatedness.

A: N/A

3. Q: Are you applying for Veterans' Preference Credit? In open examinations, Contra Costa County will add 5% to your earned examination score if you pass the examination AND qualify for Veterans' Preference Credit. In order to qualify for Veterans' Preference Credit, a person shall: (a) have (1) served in the United States Army, Navy, Marine Corps, Air Force, or Coast Guard in time of war, in any expedition of the Armed Forces of the United States, or continuously on active duty for more than 180 days, and (2) received an honorable discharge or certificate of honorable act of service; (b) or be a disabled veteran; (c) and present to the Director of Human Resources no later than the

closing date specified in the examination announcement, acceptable evidence of the required military service.

A: No

4. Q: Are you currently a Contra Costa County employee?

A: Yes

5. Q: If yes, please enter Employee Number.

A: [REDACTED]

6. Q: If yes, enter Merit System job title:

A: Senior Deputy District Attorney

7. Q: Check the appropriate box that describes your high school education.

A: High School Diploma

8. Q: Where did you hear of this position?

A: Other

9. Q: If your answer for question #8 was "Advertisement" or "Other," please tell us in which publication or website you saw the Advertisement, or how you heard of this position.

A: I work in the Office of the District Attorney

10. Q: I authorize the employers and educational institutions identified in this employment application to release any information they have concerning my employment or education to the County of Contra Costa.

A: Yes

11. Q: May we contact your present employer?

A: Yes

12. Q: REGIONAL WORK LOCATION INTEREST - Check all that apply:

A: CENTRAL (Concord, Clayton, Lafayette, Martinez, Moraga, Orinda and Pleasant Hill)
WEST (Crockett, El Cerrito, El Sobrante, Hercules, Kensington, Pinole, Richmond, Rodeo and San Pablo)
EAST (Antioch, Bay Point, Brentwood, Oakley and Pittsburg)
SOUTH (Danville, San Ramon and Walnut Creek)

13. Q: Are you bilingual in Spanish? (Answering this question will require you to be tested in this language and if placed on the eligible list, your name may be referred out to departments whose position(s) requires bilingual proficiency as designated by the Appointing Authority)

A: No

14. Q: Please select languages (other than English) in which you are fluent in speaking? (Answering this question will require you to be tested in this language and if placed on the eligible list, your name may be referred out to departments whose position(s) requires bilingual proficiency as designated by the Appointing Authority)

A:

15. Q: If you select "other" please indicate the language you are fluent in speaking:

A:

Supplemental Questions

1. Q: A completed supplemental questionnaire is required for this position. Please answer the following questions below and submit your responses with your online application. DO NOT answer any of the questions by indicating, "see attached resume and/or application." Applications received without a completed supplemental questionnaire will be rejected. NOTE: Applicants who completed their education outside of the United

States must submit verification of degree/equivalency with their application. Finalists will participate in a moderated forum and be interviewed by the Board of Supervisors in public session. Final candidates' State Summary Criminal History information and economic disclosure statement (FPPC Form 700) may be made available for review by the Board.

A: n/a

2. Q: Are you a resident of, and registered voter in, Contra Costa County?

A: Yes

3. Q: Are you admitted to the practice of law before the Supreme Court of the State of California?

A: Yes

4. Q: Describe your experience in the practice of criminal law.

A: For twenty-two years, I have been honored to represent the people of Contra Costa County as a prosecutor with the District Attorney's Office. Because of this experience, I understand our justice system and the Contra Costa District Attorney's Office inside and out. I have prosecuted approximately 70 jury trials involving nearly every type of crime: rape, drug possession and sales, identity theft, assault, attempted murder and murder, robbery, carjacking, domestic violence, child molestation, and gang cases.

PRACTICING VICTIM-CENTERED JUSTICE FROM MY FIRST POSITION IN THE MISDEMEANOR UNIT:

After completing law school, I was hired by the Contra Costa County District Attorney's Office in 1995 and spent my first year in the Misdemeanor Unit. This early experience taught me a central principle that has guided my career as a prosecutor and will guide my approach as our District Attorney: that while all crimes, even misdemeanor crimes, can devastate lives, each presents an opportunity for a prosecutor to change and improve lives through victim advocacy.

For example, in 1996 I prosecuted a domestic violence case where the victim was a heroin addict who was so desperate for her fix that she would prostitute herself in exchange for drugs. The situation was tragic, but also presented an opportunity. I made sure the victim knew that I was her advocate and wouldn't let the system fail her. While ensuring that the defendant was held accountable for the horrendous abuse, I worked with both law enforcement and community agencies to make sure the victim received support services. Through our combined efforts, she was able to get control over her life, remain drug free, and regain custody of her children.

IMPLEMENTING PREVENTATIVE AND PROACTIVE JUSTICE IN THE JUVENILE UNIT:

I joined the Juvenile Unit in 1997, during which time I was responsible for handling all stages of cases where the defendants were under age 18. Trying cases in our Juvenile Unit showed me that while misdirected young people often make negative choices that harm their community and themselves, each situation presented an opportunity and responsibility for me to try to make positive change. During every case disposition, I learned who the offender was and how his or her life circumstances influenced their choices. I also saw to it that, whenever possible, their sentences could be structured towards getting the offender on a path to become a productive member of the community.

As our District Attorney, I would maintain a strong focus on preventative and proactive approaches to keep our community safe. If we can truly rehabilitate someone while keeping the public safe, we have the responsibility to consider alternative methods of punishment.

TWO YEARS PROSECUTING DIVERSE AND COMPLEX CASES ON THE FELONY TRIAL TEAM:

From 1997-1998 and 2000-2001, I completed two separate placements on the felony trial team where I conducted preliminary hearings, jury trials, and grand jury cases.

Because the cases dealt with almost every crime imaginable, I have a broad knowledge base on how we should prosecute offenses ranging from identity theft, vehicle theft and possession/sale of drugs to more serious felonies such as assault with a deadly weapon, vehicular manslaughter, robbery, gang cases, carjacking, kidnapping, and attempted murder.

This breadth of experience will serve me well as District Attorney, as I would oversee the prosecution of all crimes in our county.

THREE YEARS PROSECUTING GANGS AND HOMICIDES IN THE HOMICIDE UNIT:

After my fifth year in the office I was entrusted with my first murder case, and shortly thereafter, I spent three years in the Homicide Unit prosecuting numerous murder cases involving gang members, child and elderly victims, domestic violence murders, and felony murders. In 2007, I was awarded the Victim Witness Award for Outstanding Service to Victims of Crime for my work in the Homicide Unit.

PROSECUTED TWO COMPLEX CAPITAL CASES:

Capital cases are some of the most complex cases a DA will prosecute; I have prosecuted two of them. The responsibility involved combined with the multifaceted set of unique legal issues allowed me to grow as both a prosecutor and a legal practitioner.

My first capital case was *People v. Fregia*, in which the defendant set his ex-girlfriend and two children on fire in a moving car, killing the children and leaving their mother burned over 85% of her body. After a complex, emotional, and lengthy trial, this case resulted in two consecutive sentences of life without parole. While the jury did not render a death verdict, I appreciated their thoughtfulness and respected that they represented the voice of our community.

My second capital case was *People v. McNew*, in which the defendant brutally raped and murdered a 90 year old woman. Right before the trial was scheduled to begin, the defendant pleaded guilty for a sentence of life without parole. This plea agreement was successful as it spared the victim's family the emotional trauma of a trial, saved county resources, ensured that the community would be kept safe from the defendant, and respected the wishes of the victim's family that we not seek the death penalty.

As these experiences with capital cases demonstrate, it is imperative that prosecutors listen to the voices of those most impacted by criminal conduct, while keeping in mind the overarching goals of protecting the community and enforcing laws.

PROTECTING OUR MOST VULNERABLE VICTIMS IN THE SEXUAL ASSAULT UNIT:

Later in my career, I spent over three years in the Sexual Assault Unit, working under a grant for prosecution of cases involving child victims. During this time I prosecuted some of the worst child molesters in our county. These are extremely emotional and disturbing cases for all involved, but I know I have met true heroes when I watch a child point out his/her abuser in court, see a human trafficking victim stand up to her trafficker, or witness some resolution and healing for a rape victim.

Based on my deep commitment to this area of law, I have become recognized by law enforcement and prosecutors as the resident expert in how to properly investigate and prosecute these type of cases, and how to ensure that victims are not retraumatized by the criminal justice system. In 2010, my peers nominated me for the 2010 State Prosecutor of the Year for my work on sexual assault cases.

As District Attorney, I would ensure that we continue to bring justice for our community's most vulnerable victims.

MAKING THE RIGHT DECISIONS AND OFFERS, INNOVATIVE SENTENCING IN PLEA NEGOTIATION AND ETHICAL CASE FILING:

In addition to my trial experience, I also served one year as the Felony Calendar Deputy, where I was responsible for making plea and sentencing offers on all felony

cases prior to trial. This interaction with the court and defense attorneys required negotiating and disposing of cases and coming up with creative solutions to address problems unique to a particular situation.

I also served as the Felony Filer in both Central County and West County. It was my responsibility to review all potential felony cases that were not assigned to a "special unit" (such as Sexual Assault or Homicide). My role was to determine if charges could ethically be filed and what charges were appropriate under the circumstances, taking into account the suspect's prior record and the nature of the offense.

Both of these assignments were rewarding as well as challenging. For example, police detectives were sometimes frustrated when I wouldn't file charges against a suspect because I believed the evidence did not support the charges or we could not prove the case beyond a reasonable doubt. I believe a leader must have the strength of character to do the right thing whether the decision is popular or not. As District Attorney, I would always live by this principle.

5. Q: Describe your organizational and management experience.

A: In the last six years, I have held several management positions in the office, each one providing invaluable experience and insight into the complexities and responsibilities of overseeing the casework of other prosecutors, both junior and senior. I believe that a District Attorney needs to be accessible and responsive not only to the attorneys they supervise, but also to the law enforcement community, community partners, and victims of crime.

SUPERVISING OUR PRELIMINARY HEARING TEAM AS FELONY EXPEDITER:

From 2012 to 2014, as the Felony Preliminary Hearing Expediter, I supervised the newer attorneys conducting preliminary hearings, helping them develop and grow in areas of skill and judgement. In this role, I made plea/sentencing offers to the defense attorneys in advance of the preliminary hearings, reviewed cases after the preliminary hearings to determine if the case should be sent on for trial, and, if so, what further investigation needed to be done, and ensured that the charges were accurate and fairly reflected the defendant's conduct and the facts of the case.

HOMICIDE SUPERVISOR, WORKING WITH VETERAN PROSECUTORS:

I was promoted to lead the Homicide Unit in 2014. For two years, I reviewed every homicide case and determined whether or not charges should be filed, whether further investigation needed to be done before filing, or whether charges should not be filed because of lack of evidence. I always made myself available to explain to the victim's family the reasoning behind each decision.

Once a case was filed, I worked with the assigned attorney to determine what further investigation needed to be done, provided guidance on a multitude of details, and developed trial strategy. My management responsibilities also included making any pre-trial offers. This required identifying any potential issues that might result in a jury returning a lesser verdict, as well as listening to the defense attorney's presentation of evidence in mitigation and their theory of the case. Using my experience and judgement, my goal was to propose a reasonable offer that was based on case law, and which reflected the potential risks of going to trial, the probable verdict, and the likely sentence after trial.

As a manager, I encouraged the unit's prosecutors to also remain victim-focused throughout the process. I always included the victim's family in discussions, and whenever possible, would hold in-person meetings where I or the assigned attorney explained the reasoning behind any offer. As District Attorney, I would continue to emphasize this victim-focused approach.

SENIOR DEPUTY DISTRICT ATTORNEY, FAMILY VIOLENCE/SEXUAL ASSAULT UNIT:

In 2016, I was promoted to Senior Deputy District Attorney in charge of the Family Violence/Sexual Assault Unit, a position I currently hold. I supervise 15 attorneys,

including another supervisor. I am responsible for: seven sexual assault attorneys, two attorneys who staff the interviews at the Children's Interview Center, the Domestic Violence Unit Supervisor, the four Domestic Violence prosecutors, the Human Trafficking Deputy, and the Elder Abuse prosecutor.

The Family Violence Unit is one of the largest and busiest units in the office and serves some of our most vulnerable victims: children, domestic violence victims, and the elderly. The complex challenges faced by this unit go far beyond just filing and prosecuting cases. Every day we are faced with horrific crimes and with deeply traumatized victims who need special attention throughout the process. We work closely with our community partners (Community Violence Solutions, Alliance to End Abuse, and STAND) and our Victim Witness Advocates to make sure the victims get the support services they need throughout the criminal justice process and beyond.

In addition to supervising and advising the prosecutors in my unit on trial strategy, I am responsible for reviewing approximately 500 cases per year and making filing determinations on offenses involving sexual assault, distribution and possession of child pornography, indecent exposure, failure to register as a sex offender, and child abuse. I am responsible for any pre-trial offers, making sure those offers are communicated to victims and their families, and ensuring that all input is considered prior to finalizing any offer.

I believe that the responsibility of a manager is not just to do their own job, but to be proactive in ways that help others do their jobs effectively and which further the larger goals of the entire office. That's why in addition to these management roles, I have taken a proactive leadership role in several other areas and would continue to do so as District Attorney.

BUILDING A NEW COALITION TO FIGHT HUMAN TRAFFICKING IN CONTRA COSTA COUNTY:

When I became Supervisor of the Family Violence/Sexual Assault Unit, I saw that our treatment of human trafficking crimes is woefully inadequate. This is a priority area for me, and I have been working with nonprofit organizations and community partners to create a strategy to address the high incidence of local human sex trafficking. This "industry" victimizes a huge number of women and girls, particularly from marginalized communities.

A key element of our strategy is educating law enforcement so they can both properly investigate the cases and avoid criminalization of the victims. I have been working with law enforcement to focus them on new strategies that target the exploiters, and to work towards a joint agency task force that will conduct targeted enforcement around the county.

In addition, I work with our community partners to ensure we have adequate resources to provide the housing, job training, and counseling services that are vital to helping exploited persons get their lives back. I'm proud that our efforts to proactively approach the investigation of these crimes resulted in a case where we were able to identify, arrest, and build one of the largest sex trafficking cases in Antioch's history.

TRAINING LAW ENFORCEMENT:

My organizational and management experience has been further honed through my training of our law enforcement agencies. After assuming charge of the Family Violence Unit, I have participated in several trainings for law enforcement detectives in sexual assault investigation and corroboration. The portion of the training that I lead includes: how to properly conduct investigations in child and adult sexual assault cases; how to treat victims; the services that are available for victims of sexual assault; how to conduct interviews of children, adults, and suspects; the use of the Children's Interview Center for interviews; collection of evidence; and protocols for Sexual Assault examinations. I also provided a training to local law enforcement on the investigative technique of "pretext phone calls" that is a useful tool in obtaining corroboration necessary for a sexual assault investigation.

I have also been an instructor at the Law Enforcement Training Center since 2005, instructing prospective officers in areas such as Crimes Against Persons, Presentation of Evidence, Property Crimes, Search and Seizure, and Miranda Rights.

As a teacher, instructor, and manager, I've learned to be responsive to my audience while attempting to inspire them to take ownership of their individual role in the process. As District Attorney, I would continue to embrace this responsibility.

PROACTIVE PREVENTION PROGRAMS AND COMMUNITY OUTREACH - COMBATting ONLINE PREDATORS AND EDUCATING OUR YOUTH:

I strongly believe that the District Attorney has a responsibility to not just prosecute crime but to work on prevention. Accordingly, as a manager, I have implemented several internal and external programs that proactively intervene and educate in order to prevent more people from being victimized.

I created and had investigators trained in the use of an online predator identification program which targets individuals seeking out underage children for sexual acts. My vision is that individual police agencies will partner with us and will then replicate this proactive approach for their own use.

As head of our Family Violence Unit, I believe that we can and should appropriately educate our youth in the area of sexual assault. I have developed a Sexual Assault Awareness and Intervention Program that I am working to bring to all high school seniors and community college students in Contra Costa County. The rates of sexual assault are staggering. My program works to change the way we view each other and treat each other, bystander intervention techniques, the importance of reporting to law enforcement, and the services available to survivors of sexual assault. We began by presenting to Diablo Valley College and Campolindo High School and are reaching out to other schools to arrange additional presentations. After the presentation at Campolindo, we had three separate disclosures from survivors of sexual assault.

Additionally, I have established a team to provide Internet Safety presentations for high school freshmen and their parents aimed at reducing cyberbullying and online victimization. Our District Attorney must prioritize crime prevention and community outreach. I will seek to better connect our prosecutors with our community, fostering transparency, trust and public safety.

ORGANIZATIONAL MANAGEMENT AND RESOURCE COORDINATION THROUGH MULTIDISCIPLINARY TEAMS:

I actively participate in several Multidisciplinary Teams that bring together county agencies, law enforcement and community partners. These include: 1) the Child Death Review Committee, which examines all of the child deaths that occurred in Contra Costa County to determine trends, identify means of preventing future deaths, and determine if there was any criminal conduct involved; 2) the Sexual Assault Response Team, which tracks the number of victims served, the examination and counseling services provided, and the number of prosecutions, with the goal of improving service to victims and increasing the number of successful prosecutions; and 3) the Children's Interview Center Team, which reviews the number of children interviewed at the center, addresses any issues that arose between Children and Family Services, law enforcement, and the center, and identifies means of improving services.

Coordinating complementary resources as well as bringing together points of view from different backgrounds and perspectives are both key components to effective management. As District Attorney, I would work to foster the synergy that occurs when people and organizations with shared goals are brought together.

TECHNOLOGICAL INNOVATION - SUPERVISING THE NEW CASE MANAGEMENT SYSTEM:

I have been tasked with supervising the implementation of our case management system (Prosecutor by Karpel). I monitor implementation progress, make policy decisions regarding how information will be reflected in the system, determine work flow for the data input, design statistical reporting structures, and supervise the clerical

staff member who manages the database.

We must bring our office into the 21st century in terms of technology and innovation, and become more environmentally friendly in the process.

GAINING INSIGHT INTO THE RANK AND FILE PROSECUTORS AS PRESIDENT OF THE DISTRICT ATTORNEYS' ASSOCIATION:

I was elected as the President of the Contra Costa District Attorneys' Association and served for three years. In that role, I helped to reshape our Association Board into a more diverse group where different viewpoints and perspectives are valued. The Board that was ultimately created included some of the most dedicated and talented attorneys with whom I have had the privilege to work. I am proud to see that the diversity of the Board and the quality of Association services has continued beyond my tenure as President.

Together, we worked to transform our Association into a professional organization that not only advocated for its members, but also served the community. Under my leadership, we formalized and significantly expanded our tradition of chairing our Community Violence Solutions Fundraiser, an annual event that now raises over \$30,000 every year for a community partner that struggles to meet the demand for services. My role as President of the Association helped me further understand the needs of all our prosecutors and helped me gain their trust in my ability to lead the office.

LEADERSHIP SUMMARY - WIDE RANGING, INNOVATIVE EXPERIENCE:

The experiences and insights provided by my years as a prosecutor and a supervisor are vital to the success of a new District Attorney. I believe our community would benefit greatly by having this experience put to work on their behalf. As I describe in other sections of this application, by unifying groups both inside and outside our office, I aim to restore public trust in the office, rebuild bridges to the community through transparent, proactive and victim-centered approaches, and facilitate justice at every level.

6. Q: What do you believe are the major issues or problems in the administration of criminal law and justice in Contra Costa County?

A: Contra Costa County faces major challenges in both the administration of criminal law and the pursuit of justice. The most pressing of these is the need to restore the trust and faith in the District Attorney's office, which I address directly in that section of this application. As part of rebuilding this trust, Contra Costa County's criminal justice system must always be working harder to improve our relations with all communities. The strength of these bonds directly impact the administration of justice. As District Attorney my office would implement a thorough, wide-ranging and systemized outreach effort to make sure all of our diverse communities are heard and feel represented and served by our system. Without these bonds of trust, the other issues cannot be effectively addressed.

As District Attorney, my approach to meeting all the challenges facing Contra Costa County would be to take a fresh look and use an evidence-based method to evaluate what has been working and what has not been working in our County. Just because "it's always been done that way" doesn't mean it should be. It is through this lens that I would assess both the internal workings of our office as well as the external factors that continue to evolve and affect the administration of justice.

Some examples of opportunities for reform are (1) reducing the delay in bringing criminal cases to resolution in an efficient manner; (2) eliminating the existence of trial quotas as a basis for promotion; and (3) ending the one-size-fits-all mentality that leads to the misallocation of resources in an age of evolving challenges.

INSTITUTIONAL DELAY IN THE ADMINISTRATION OF JUSTICE:

Justice delayed is justice denied. Imagine being a victim of crime and having to wait for

justice through all the stages of a criminal case. Imagine getting subpoenaed to come to court multiple times, only to find out the hearing wasn't happening that day. Imagine the toll that it takes, especially with the more serious crimes, having to put your life on hold before your case is resolved.

At the misdemeanor level, one rarely takes a case to trial that is less than a year old, and at the felony level, delays are even worse. It is unjust to both the victim and the defendant to have to endure unreasonable delays in the pursuit of justice and resolution. As officers of the court, there is much we can do to prevent these delays and inefficiencies.

When I first came into the Sexual Assault Unit, I was assigned a case in which the 13 year old victim had disclosed to law enforcement that she had been repeatedly molested by her father since she was 6 years old. When I received the case, it had been almost five years since the case was first filed. The unit had been run by the previous District Attorney, and the case had changed hands three times before it was assigned to me. Fortunately, I was able to bring the case to trial within that year.

In all of the departments I have supervised, I have personally worked to make sure those delays do not happen under my watch. I keep track of each case assigned to my attorneys and do regular check-ins to make sure that their cases are progressing appropriately. While some of the causes of the institutional delays are beyond the control of the Office of the District Attorney, we must work collaboratively with other agencies (Office of the Public Defender, private defense bar, and the Courts) to streamline case disposition through consistency in pre-trial treatment of cases and sentencing, and with incentives for early acceptance of responsibility. As we modernize our office, discovery processes will become more efficient, attorneys will be able to maximize their time and justice will prevail.

PROMOTING ATTORNEYS BASED ON QUALITY AND JUDGEMENT, NOT TRIAL QUOTAS:

One of the huge flaws with the prior administration was that a newer attorney's merit and promotional opportunities were based on the number of cases that they took to trial. It didn't matter what the true value of the case was, or whether the defendant was willing to accept a reasonable offer. If an attorney wanted to be promoted, they had to reach a certain number of jury trials.

The majority of the office viewed this as unethical, contradictory to justice, and a waste of court resources. Decisions on whether or not a case should go to trial should never be made based on a quota system, or because an attorney needs trial experience.

As District Attorney, I will not base promotions simply on the number of jury trials an attorney has done, but on the quality and effectiveness of their overall work. I will eliminate whatever is left of the quota system that was promulgated by the previous administration.

ONE-SIZE-FITS-ALL DOES NOT WORK - SHIFTING RESOURCES TO MEET NEW CHALLENGES:

The Contra Costa District Attorney's Office has had essentially the same structure for over twenty years; however, the laws and issues have changed and we have not kept up with new challenges and developments. Our units are organized around crimes rather than on victims and the needs of the community.

Internally, as I have learned in my 22 years as a Deputy District Attorney, no case is the same as another, no victim is the same as another, and no defendant is the same as another. We must evaluate the way our office is organized, so it not simply crime-driven, it is victim-centered.

A change in leadership provides an opportunity to evaluate our current distribution of resources and shift them to more proactively address criminal justice issues that I believe deserve additional attention and resources. These issues include the treatment of mentally ill defendants, the aggressive prosecution of sexual assault and human trafficking, the increase in property crimes and violent crimes, and effective

rehabilitation services and strategies.

In allocating this additional attention and these additional resources, a one size fits all approach will not work for our diverse and evolving county. For example, the needs of our communities in the East County should not necessarily be assessed through the same lens as the West County, but they should be prioritized in the same way. Accordingly, as District Attorney, I will work towards ensuring that critical services are available to all our communities, including the creation of a Family Justice Center in East County. As a staunch victim advocate who has seen first-hand the dramatic impact our Central County and West County centers have had in those communities, we need to extend the reach of services to our East County residents.

While staying mindful of these evolving challenges, we must continue to be vigilant with our longstanding commitment to end gang violence. People should not be afraid on our freeways or in their homes. As we look for innovative alternative methods of increasing safety in our community, we must think outside the box for new ways of combatting this persistent problem.

Together, I'm confident we can meet these challenges and emerge as the strongest criminal justice system in the state.

COMBATting HUMAN TRAFFICKING:

An essential part of my philosophy of victim-centered prosecution will be our approach to human trafficking. Human trafficking is a serious problem in our community and this modern day slavery cannot be tolerated. Because this issue has not received adequate attention, I have been working to strengthen our efforts by educating law enforcement and creating systems that target the trafficking market and provide services for exploited persons.

I have already been working with law enforcement to focus their efforts on the source of the problem and to conduct operations that identify and arrest the exploiters. It is my vision to have a Human Trafficking Unit where all cases regarding exploited individuals, regardless of whether they are classified as a victim or a defendant, are connected with services (housing, job training, counseling, and drug treatment) aimed to get them out of that life. As District Attorney, I will seek to have a truly vertical prosecution unit in this area, where cases can begin and end with the same prosecutor.

My commitment to prevent human trafficking is just one example of how as District Attorney, I would reorganize the structure of the office to better serve our victims of crime and use crime strategies to actually go after the root of the problem.

7. Q: Why do you want to serve as District Attorney for Contra Costa County?

A: The people of Contra Costa County deserve experienced, effective, unifying leadership that is beyond reproach. As someone who is already recognized as a trustworthy and effective leader in the office, I will fill the leadership void that has existed for far too long and be a visible and accessible presence in the office and in the community. We need someone intimately familiar with our office, our partners, and our community who can immediately get to work on the reforms and changes needed to restore community trust in the District Attorney's office.

HIT THE GROUND RUNNING TO ACHIEVE IMMEDIATE IMPACT:

I can and will get to work on day one. As a result of my 22 years of service in this office, I have existing productive relationships with community agencies and partners, as well as the institutional knowledge of our office, the criminal justice system, and the community which will allow me to make an immediate positive impact.

I am grateful for the overwhelming support I have received from our community partners, my co-workers, law enforcement and county residents. They have supported me not for political purposes, but because I have already proven myself to them, and they know what defines me as a prosecutor and as a person. I look forward to working with them in this new role.

CONTRA COSTA IS MY HOME AND I HAVE SERVED THIS COMMUNITY FOR MY ENTIRE CAREER:

Over my 22 years as a prosecutor, Contra Costa County has been my home, and its residents have been my neighbors; their concerns are my concerns. My entire career has been dedicated to serving the members of this community. I have been touched by the experiences of community members, victims of crime, and also defendants. I have worked in every city and in each of the many diverse communities in Contra Costa County from east to west, and am deeply knowledgeable about the unique criminal justice issues associated with our county.

I have a real sense of pride in this county. As District Attorney, I believe that pride would help me unify and make our communities safer.

A FRESH START WITH THE EXPERIENCE NEEDED TO BE AN EFFECTIVE LEADER - OUR ROLE IN CRIME PREVENTION AND REHABILITATION:

Our office is ready for fresh, innovative, and experienced leadership from someone who truly understands the workings of our office. With this knowledge and experience, a District Attorney can think outside the box while marshalling the support of our excellent and dedicated line prosecutors, some of whom I have worked with for two decades. Successfully implementing needed reforms will allow us to focus on redirecting the office to make our community safer.

I am committed to not only effective representation of victims and prosecution of crimes, but also to the creation of proactive strategies that keep the community safe by preventing crime and rehabilitating offenders. We can no longer afford to be a reactionary office. As prosecutors we must go into the community to meet crime at the crossroads, using strategies and resources that can help potential offenders take their lives in the right direction.

As I learned from my very first cases, every person with whom the DA's office comes in contact presents a unique challenge and opportunity. Being a prosecutor is not just about the number of trials you win, it is about the potential to change lives while ensuring that justice is served. As District Attorney, my goal would be that the entire office reflects this ideal.

8. Q: How would you go about restoring and maintaining the public's confidence in the District Attorney's Office?

A: Over the last several years there has been a cloud over the office based on the actions of a few individuals. However, the actions of a few do not define the entire office. The vast majority of prosecutors in our office are highly ethical men and women who work tirelessly in the service of the people of Contra Costa County. Having someone leading the office who has dedicated himself to this community, has the trust of the office, has productive and collaborative relationships with the key county agencies and community partners, and has always held himself to the highest ethical standards will immediately have an impact on the public's confidence in our office. I would work continually to further engage the community, listen to their ideas, create a transparent and diverse administration, and make a visible and direct investment in our community.

PEOPLE IN OUR COMMUNITY MUST FEEL SAFE:

First, and foremost, people need to feel safe and be safe. The main roles of the District Attorney's Office are to prevent and prosecute crime. I have the experience and institutional knowledge to put the correct people in supervisory positions who are qualified, capable, and share my proactive approach to assisting law enforcement and serving the community. We will continue to hire and train the best prosecutors and change the culture of the office away from reactionary prosecution to a more proactive, crime strategies office. When a crime does happen, we will treat the victims, witnesses, and defendants fairly and justly through the criminal justice process and whenever possible be available to answer questions. I firmly believe that it is our obligation as prosecutors to make sure that victims of crime understand the criminal justice system

and are included in decision making.

Instead of measuring success by trial statistics, we need to shift our focus to the impact our office is having on crime prevention through proactive law enforcement, and rehabilitation. Programs like freeway cameras and license plate readers have already resulted in a drop in crime, and have increased the solve rate when a crime does occur.

TRANSPARENCY - ENSURING THAT ALL REPRESENTATIVE GROUPS IN THE COMMUNITY FEEL THE SYSTEM IS WORKING FAIRLY FOR THEM:

The District Attorney's Office represents "The People" regardless of race, gender, age, income, or sexual orientation. We all are invested in ensuring that the system is fair and just, therefore, the concerns of implicit bias and disparate treatment must be addressed directly and openly. Prosecutors must hold themselves to the highest ethical standards and only file cases they believe are based on truth, hard facts, and legally obtained evidence. Our office can be a resource for collaborating with law enforcement on proper and ethical investigation techniques, and can be a bridge between various community groups.

It is essential to have a transparent administration that is willing to meet with community groups and victims to have open dialogue. As District Attorney, my door will be open as much as possible to our community to address their concerns and explain the decision making process. After all, how can we represent "The People" if we don't listen to them?

INCREASING OFFICE DIVERSITY:

The community should be able to look at our office and be confident that the diverse viewpoints and backgrounds of our county are reflected in the staff and represented in the decision making process. I will ensure that we support diversity in hiring by establishing relationships with the student associations for women and students of color at a wide variety of law schools to encourage them to consider a career in our office. Toward this end, we also need to maintain our successful Prosecutor's Academy, a training program taught by the lawyers in our office which provides first-year law students a valuable insight into our office and the field of criminal prosecution.

I have always reached out to the students I come in contact with, and offered them the opportunity to spend a day shadowing me in the office. Many have gone on to be effective prosecutors. My interest in facilitating the hiring of the best prosecutors will continue in my role as District Attorney, doing my best to be mindful of the richness diversity can bring to an organization.

ENGAGING WITH COMMUNITY GROUPS AND LAW ENFORCEMENT:

My work has shown me that diverse communities in the county have unique issues and concerns. The District Attorney must be visible and accessible to all of these groups. As District Attorney, I would recommend holding meetings or forums with community groups, concerned citizens and law enforcement in the same room. Through a respectful exchange of ideas and concerns, we can work towards a common ground that furthers everyone's joint interest in keeping the community safe, addressing concerns of bias, deterring future crime, and rehabilitating those who have entered the criminal justice system.

VICTIM-CENTERED PROSECUTION:

As District Attorney I will take a good hard look at our organizational structure that has been largely the same for 22 years. Because of my intimate knowledge of our office, I am confident I can identify ways to more effectively, efficiently, and fairly serve the public. I will modernize the office by shifting priorities and resources towards a more "victim-centered" approach.

To more effectively serve the community, we need to have more direct interaction between assigned prosecutors and the victims throughout the duration of the case. Our commitment to victims must go beyond just disposing of the cases that come across

our desks. It is our obligation to 1) educate law enforcement on appropriate handling of cases and ensure that all victims are treated with dignity and respect; 2) work within our office and with community partners to create preventive programs and provide victim support services; and 3) proactively go out into the community to educate residents, increase awareness, encourage appropriate intervention, and change the culture of victim blaming.

As I first learned in my assignment on the misdemeanor team, all crimes can devastate lives and we must make every attempt to change and improve lives through victim advocacy. Together, we can refocus the office and be more accountable to the people we serve.

PROACTIVE OUTREACH TO YOUTH:

The statistical evidence of the relationship between education and the crime rate has been well documented. Particularly in under-resourced communities, if a child is not reading at grade level by the third grade, they are much more likely to later drop out of high school, which subsequently increases their likelihood of engaging in criminal behavior. Our existing anti-truancy efforts are a start, but I would have the office be more proactive with the schools and community organizations to address juvenile graduation rates, facilitate career paths, and build community trust in our office.

I also feel strongly about expanding my Internet Safety and Sexual Assault Awareness and Intervention programs for students. By appropriately educating both children and parents, we can decrease the number of victims who are victimized by these predators and more effectively prosecute cases when crimes do occur.

9. Q: How would you address the mentally ill who are cycling through our justice system?

A: Mental illness and the danger it poses to both the public and the individuals suffering from it, is a serious, county wide issue. My plan to address these challenges involves a combination of early intervention while working together to enhance mental health infrastructure.

EARLY INTERVENTION:

It is clear that the criminal justice system is not currently equipped to solve mental health issues and the treatment of mentally ill offenders in a one-size-fits-all system is ineffective. Many mentally ill individuals are frequent visitors to the courts on minor misdemeanor cases like trespassing, loitering, disturbing the peace, and theft. It is at this time that a coordinated response would be the most useful, yet when the courts offer lenient "credit for time served" sentences and short probation periods, the person who needs help is soon back on the street with no attempt to resolve the underlying mental health issues. This pattern is partly reinforced because a person facing misdemeanor charges has no incentive to engage in a longer term program on probation when they can get out of custody and return to the street. We need more flexibility for early intervention to assist those with mental health problems before their illness worsens and/or they commit a serious felony.

I am committed to working with our community partners to find effective solutions. Throughout my career, I have been known to take the initiative when the court and the mental health system have failed, and I have structured sentences that avoided custody time in lieu of a proactive treatment plan with a variety of targeted services. Under my supervision, the District Attorney's office would begin by building on existing multi-disciplinary team approaches like the Mental Health Evaluation Team currently in place (as well as look to other successful strategies used in other counties). Under this method, when law enforcement responds to a potential mental health call, they can immediately engage mental health workers who can intervene and provide services before the criminal process is ever begun.

Through early intervention, we can attempt to prevent future crime while at the same time giving offenders the help they need.

ENHANCING INFRASTRUCTURE - MENTAL HEALTH JUSTICE CENTER AND BEHAVIORAL

HEALTH COURT:

I would also advocate for a Mental Health Justice Center modeled after our very successful Family Justice Center. By paring mental health professionals, drug counseling, access to housing, and job training in one location, we can increase treatment effectiveness. We must be open to finding solutions outside of the criminal justice system, particularly when operated in conjunction with additional community prosecutors and proactive law enforcement teams.

Finally, the Behavioral Health Court needs to have more flexibility in the types of misdemeanor and felony offenses that qualify for services. For example, I had an arson case in which it was evident that the defendant would benefit from the services of Behavioral Health Court. However, when the defense and I agreed to send the case to BHC for screening, we were told that arson crimes don't qualify for this system. Too often, a repeat visitor to the criminal justice system on minor misdemeanor cases will go ignored with no treatment plan until a serious felony is committed against a member of our community. At that point, it can be too late, as we now have a victim who has suffered as a result of the offender's conduct and is looking to the criminal justice system for restitution and justice.

State and Federal funding sources are needed to provide the amount of services (including housing, treatment, and job training) that are necessary to effectively address these issues in our county. As District Attorney, I will provide our office's support toward these efforts while working with law enforcement, the Public Defender's Office, and community partners to advocate for resources. With proper commitment from all involved players, we can obtain the necessary facilities and treatment professionals who are equipped to immediately recognize and address mental health issues and to create individualized programs to get people the services that they need.

10. Q: As an attorney, have you ever been sued by a client and/or disciplined or cited for a breach of ethics or unprofessional conduct, or been the subject of a complaint to any court, administrative agency, bar association, disciplinary committee, or other professional group? If yes, please provide the details.

A: No

11. Q: Please describe a difficult situation you encountered in your role as an attorney. Include details about how you resolved the situation and any lessons learned.

A: As a new Deputy District Attorney on the Felony Trial Team, I was faced with a situation in which I had to take an ethical stand and challenge a supervisor. I was still a new second-year "contract" attorney, meaning that I still had to go through the hiring process in my third year to become a permanent attorney. I was assigned a robbery case the day before it was set for trial. In reviewing the evidence, I came across an answering machine tape which apparently no one else had listened to. What I heard cast serious doubt on the suspect's involvement in the crime despite the fact that he was identified by the victim of the robbery.

After reviewing all of the other case evidence, I was convinced that the individual in custody was innocent. I also knew that under the rules of evidence, it was highly unlikely that the jury would get to hear the tape and could convict the defendant based on the victim's identification. I wanted to dismiss the case immediately. But as a contract employee I needed my supervisor's approval.

I recognized that my future career could be on the line if my supervisor didn't agree with me. Nonetheless, I advised him that I could not prosecute the case because I believed that the man on trial was innocent. After some back and forth, he listened to the tape and agreed.

I then informed the defense attorney that I was going to immediately go to court and add the case on to that day's calendar so it could be dismissed and the defendant could be released. Shockingly, the private defense lawyer asked me to delay to another day because he had other appointments and wanted to be there for the dismissal. I would not leave the innocent defendant in custody for an additional hour, let alone a day, so I immediately went to court and dismissed the case without the defense attorney

present.

Then and now, that is the only way I would handle such a situation, regardless of any consequences to my career. Honesty, integrity, and justice are the founding principles that this office must adhere to at all times. This experience reinforced in me the belief that the role of a prosecutor is not just to hold people accountable for their crimes, but that it is equally important to make sure that innocent people are not wrongly convicted.

In this light, I intend to create a Conviction Integrity Unit within our office. This unit would exist to facilitate the investigation of allegations of wrongful conviction. As District Attorney, I will create an environment where conversations about possible innocence as well as guilt are encouraged in the pursuit of the truth.

12. Q: Please describe the most significant and complex legal matter you have handled, your role in the process, and the outcome.

A: People v. Mark Fregia was a capital case that was complex legally, factually, and emotionally. I was the sole prosecutor assigned to the case and handled it from inception to resolution.

The defendant and surviving victim (Jane Doe) had been in a long term relationship and had a 2 year old son. Jane Doe also had a 6 year old daughter from a previous relationship. The defendant had repeatedly abused Jane Doe over the years and both of them had issues with drugs. As with many domestic violence victims, Jane Doe was caught up in the cycle of violence and often times would recant at restraining order hearings or decide not to pursue charges. However, at the time of the crime that I prosecuted, the defendant was out of custody awaiting trial on serious domestic violence charges against Jane Doe. Shockingly, Solano County Family Court had still approved visitation rights with his son despite the long history of abuse.

The defendant and Jane Doe had separated, but shortly before Christmas in 2003, the defendant called Jane Doe and after much persistence, persuaded her to bring the two children to shop with him for their Christmas presents. After picking them up, the defendant started driving in a different direction. Jane Doe sensed something was wrong and pleaded with the defendant to pull over and let them out. Instead, the defendant doused her with gasoline that had been concealed in a soda bottle and lit her on fire. Immediately consumed in flames, Jane Doe was able to grab the steering wheel to pull the car off the freeway exit. She got out, and as she tried to extinguish herself, watched in horror as the defendant fled and the burning car rolled down the embankment towards the freeway with the two children trapped inside, burning to death. While Jane Doe ran to the car and tried to save the children, the defendant carjacked a good samaritan who had stopped to help. Both children died at the scene, and Jane Doe was burned over 85% of her body, remaining in a coma for over a month.

After a massive manhunt, the defendant was arrested and charged with murder with special circumstances, attempted murder, aggravated mayhem, arson, kidnapping, and carjacking. After the preliminary hearing and extensive pretrial motions, the trial began in 2007 and lasted four months. I coordinated complex evidence and numerous witnesses to support the multiple charges, including law enforcement officers from three counties, civilians, defense experts, arson experts and victim impact statements. It was a very involved and emotional trial. Each witness was suffering from secondary trauma due to the horrors of what they had seen, and it was very challenging to support them through their testimony. As a parent, seeing the autopsy photographs of the murdered children and listening to their mother's anguish was one of the most disturbing and emotionally draining experiences I have ever had, but I owed it to all three of the victims to find them some justice.

The trial ultimately resulted in the defendant being convicted and sentenced to two consecutive sentences of life without parole. However, the complexity of this case did not end with the sentence. As prosecutors, it is our responsibility to continue to serve the victims and witnesses and do everything in our power to help them get their life back. The unimaginable trauma Jane Doe had endured, plus her history of drug addiction posed an enormous challenge. Over the following years, I worked with a team

of dedicated individuals to make sure that Jane Doe got the necessary support services, and I continued to be available to her whenever needed. This year, I received a special phone call, in which Jane Doe let me know that she was still doing well in her recovery, was getting married, and had a baby on the way. Her success serves as a reminder of how a victim-centered approach to prosecution can make a huge difference in our community.

As District Attorney, the victim-centered approach I used in that case is the model I will seek to use for all prosecutions in our county.

13. Q: What is the size of the population/client base served by current employer?

A: According to the California Department of Finance, Contra Costa County's population is just over 1.1 million.

14. Q: To whom do you currently report, by title?

A: Assistant District Attorney

15. Q: What number of staff are employed by current employer?

A: 206 employees

16. Q: What number of staff do you currently oversee (direct and indirect)?

A: I oversee a total of 16 staff.

As the Senior Deputy District Attorney in charge of the Family Violence unit, I directly supervise seven sexual assault prosecutors, two attorneys who staff the interviews at the Children's Interview Center, the Domestic Violence Supervisor and four domestic violence prosecutors, and the Elder Abuse attorney. I also supervise the clerical staff member who manages our new case management system.

17. Q: What is the largest number of staff you have overseen, and where?

A: 16 staff, in my current assignment as Senior Deputy District Attorney where I supervise the Family Violence Unit and the case management system implementation.

18. Q: What is your current employer's operating budget, in dollars?

A: The operating budget for the fiscal year 2017/2018 is \$19,500,000.

19. Q: For what portion of budget are you responsible, in dollars?

A: Under the former District Attorney, individual units were not given direct control over their budgets. However, I routinely have to make budget decisions regarding approval or denial of unit expenditures with consideration for the overall office budget.

I also spent over three years as the assigned District Attorney for a Child Sexual Abuse grant, and was responsible for ensuring financial compliance with the terms of the grant.

20. Q: What is the largest budget you have ever been responsible for, and where?

A: As mentioned earlier, under former leadership, individual units were not given direct control over their budgets. However fiscal accountability is central to my current role. I am responsible for making numerous responsible operational spending decisions within the overall budget.

Fiscal stewardship and proper allocation and management of resources is critical to the health of any organization, big or small. From 2013 - 2016 I served as the President of the District Attorneys' Association and was responsible for a \$60,000 annual budget. Previous to my tenure, the Association had not had a formal budget. The Board and I worked to formalize a budget plan for each year. We made the difficult decisions on what we needed to cut and prioritized our spending with an eye towards creating a

reserve for future unexpected expenditures.

21. Q: I certify that I meet the announced requirements for this examination and understand that I will be eliminated at any stage in such examination if it develops that, in fact I do not meet them. I further certify that all statements made in this supplemental questionnaire and the application are true and I agree and understand that misstatements or omissions of material facts will cause forfeiture of my rights to employment with Contra Costa County.

A: Yes

Paul Graves References (Cont.)

- 3. Honorable Mary Ann O'Malley**
Judge, Contra Costa County Superior Court

[REDACTED]
[REDACTED]
[REDACTED]

- 4. Roberta Brooks**
Private Defense Attorney

[REDACTED]
[REDACTED]
[REDACTED]

- 5. Michael Markowitz**
Private Defense Attorney

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

- 6. Cynthia Peterson**
Executive Director, Community Violence Solutions

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

- 7. Kabu Adodoadji**
Deputy District Attorney

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

- 8. Ilean Baltodano**
Contra Costa County Public Defender's Office

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

9. Pat Mori

Director, Children's Interview Center

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

10. Dan O'Malley

Private Defense Attorney

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

11. Mary Knox

Senior Deputy District Attorney

Contra Costa County

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

2KA1-2017A - DISTRICT ATTORNEY

Contact Information -- Person ID: [REDACTED]

Name: William H Green Address: [REDACTED] Martinez, California [REDACTED] US
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Personal Information

Driver's License: Yes, California , [REDACTED] , Class C
Can you, after employment, submit proof of your legal right to work in the United States? Yes
What is your highest level of education? Doctorate

Preferences

Preferred Salary:
Are you willing to relocate? No
Types of positions you will accept: Regular
Types of work you will accept: Full
Time
Types of shifts you will accept: Day

Objective

Improve the criminal justice system in the County through fairness, fiscal responsibility, improving the office culture in the DA's office and making communities safer in the short and long term.

Education

Graduate School

University of California, Hastings College of the Law
9/1984 - 5/1987
San Francisco, California

Did you graduate: Yes
College Major/Minor:
Degree Received: Doctorate

College

University of California, Berkeley
9/1980 - 5/1984
Berkeley, California

Did you graduate: Yes
College Major/Minor: Computer
Science and Philosophy Double
Major
Degree Received: Bachelor's

High School

Miramonte High School
9/1976 - 5/1980
Orinda, California

Did you graduate: Yes
Highest Level Completed: Other
Did you receive a GED?
Degree Received: High School
Diploma

Work Experience

Director

8/2015 - Present

Criminal Conflict Program of the Contra Costa Bar
Association
<https://www.cccb.org/attorney/build-your-practice/paying-criminal-conflict.php>
820 Main Street, Suite 1
Martinez, California 94553
[REDACTED]

Hours worked per week: 40
Monthly Salary: \$11,666.66
of Employees Supervised: 98
Name of Supervisor: Theresa
Hurley - Executive Director, Contra
Costa Bar Association
May we contact this employer? Yes

Duties

The director administers a \$5,000,000 annual contract with Contra Costa County for legal representation of indigents, ensuring the Criminal Conflict Program (CCP) attracts and maintains a sufficient number of attorneys to staff cases in courts throughout the county; ensures participating attorneys comply with Rules of Professional Conduct and CCP's rules and regulations; and develops educational programs and resources for participating attorneys.

The majority of CCP cases are criminal, where the Public Defender's Office and Alternate Defender's Office have a conflict-of-interest because they cannot represent more than one defendant per case. The CCP also appoints attorneys—within 30 minutes—to represent witnesses testifying in court who may incriminate themselves. The CCP also appoints attorneys to represent: minors in probate guardianship cases, conservatees in conservatorship cases, alleged court contemnors, and criminal defendants facing potential immigration consequences.

Attorneys submit applications for funding authorization for such services as investigation, interpreting foreign languages and expert consultations. The CCP director reviews and makes decisions on such requests. The CCP submits monthly fiscal and caseload reports to the Contra Costa County Administrator's Office for reimbursement.

Liaison between Superior Court Judges, District Attorney, Public Defender and County Administrator. Supervises two full-time employees and 96 attorneys (independent contractors).

Reason for Leaving

Current

Attorney

1/2007 - Present

Hours worked per week: 10

Monthly Salary: \$0.00

May we contact this employer?

Law offices of William H. Green
Martinez, California

Duties

General practice including white collar criminal defense and civil litigation in state and federal courts. Outside general counsel for software companies in a variety of transactions, including negotiating and structuring licensing, distribution and professional services agreements. Advise companies on employment law and compliance with U.S. and international privacy and data protection laws.

Founder, CEO and Judge

1/2004 - Present

Hours worked per week: 5

Monthly Salary: \$0.00

May we contact this employer?

FantasyDispute.com
<http://fantasydispute.com/>
Martinez, California

Duties

Founded fantasy sports arbitration website resolving disputes between fantasy teams; featured on the front page of the Wall Street Journal, E:60 (ESPN news broadcast) and ESPN the Magazine

Attorney

1/2004 - 12/2006

Hours worked per week: 40

Monthly Salary: \$0.00

May we contact this employer?

Donahue Gallagher Woods LLP
Oakland, California

Duties

Intellectual property litigation in State and Federal Courts, white collar criminal defense, probate litigation, technology licensing, breach of contract and employment matters; civil discovery, arbitrations and mediations

Reason for Leaving

Started my own law practice

**Head of Legal Affairs (General Counsel) and
Worldwide Director of Sales Operations**

10/2000 - 12/2003

Narus, Inc.
Palo Alto, California

Hours worked per week: 40
Monthly Salary: \$0.00
of Employees Supervised: 20
May we contact this employer?

Duties

Managed \$4,000,000 annual budget for legal and worldwide sales department for a cyber security company utilizing software for real-time internet traffic and analytics monitoring; advising board of directors on corporate governance; drafting and negotiating licensing contracts, sales compensation plans, professional services agreements; experience with government contracts. Company was later acquired by Boeing.

Reason for Leaving

Joined law firm in Oakland, closer to family in East Bay

Deputy Public Defender

10/1987 - 12/2000

Public Defender of Contra Costa County
Martinez, California

Hours worked per week: 40
Monthly Salary: \$0.00
May we contact this employer?

Duties

Litigated virtually every type of criminal case, including homicides, juvenile delinquency and dependency, contempt hearings, LPS Conservatorships, competency hearings, complex DNA hearings, insanity pleas and related trials and hearings; internal resource for sentencing, search and seizure, and ethics issues. Over 80 jury trials.

Reason for Leaving

Offered in-house counsel position

Certificates and Licenses

Type: Private Pilots license, glider rating

Number:

Issued by:

Date Issued: 12 /1976 Date Expires:

Type: Law License

Number: 129846

Issued by: State Bar of California

Date Issued: 12 /1987 Date Expires: 12 /2017

Skills

Office Skills

Typing:

Data Entry:

Additional Information

References

Professional

Hurley, Theresa

Executive Director, Contra Costa Bar Association



Professional
Markowitz, Michael
Chairman, Criminal Conflict Program Committee

Professional
Ewell, Tim
Senior Deputy County Administrator

Resume

Text Resume

Attachments

Attachment	File Name	File Type	Created By
William H Green_Redacted	William H Green_Redacted	Other	Alex Johnson

Agency-Wide Questions

- Q: Have you ever been rejected during a probationary period, forced to resign in lieu of termination, dismissed, fired, terminated, or had an employment contract terminated from any position for performance or for disciplinary reasons within the last ten (10) years?

A: No
- Q: If answer is yes, please provide name and address of the employers, reason for each release and dates of employment. If answer is yes, it is not necessarily a bar to employment. Each case is given individual consideration, based on job relatedness.

A:
- Q: Are you applying for Veterans' Preference Credit? In open examinations, Contra Costa County will add 5% to your earned examination score if you pass the examination AND qualify for Veterans' Preference Credit. In order to qualify for Veterans' Preference Credit, a person shall: (a) have (1) served in the United States Army, Navy, Marine Corps, Air Force, or Coast Guard in time of war, in any expedition of the Armed Forces of the United States, or continuously on active duty for more than 180 days, and (2) received an honorable discharge or certificate of honorable act of service; (b) or be a disabled veteran; (c) and present to the Director of Human Resources no later than the closing date specified in the examination announcement, acceptable evidence of the required military service.

A: No
- Q: Are you currently a Contra Costa County employee?

A: No
- Q: If yes, please enter Employee Number.

A:
- Q: If yes, enter Merit System job title:

A:
- Q: Check the appropriate box that describes your high school education.

A: High School Diploma
- Q: Where did you hear of this position?

A: Other
- Q: If your answer for question #8 was "Advertisement" or "Other," please tell us in which publication or website you saw the Advertisement, or how you heard of this position.

A: Legal community

10. Q: I authorize the employers and educational institutions identified in this employment application to release any information they have concerning my employment or education to the County of Contra Costa.

A: Yes

11. Q: May we contact your present employer?

A: Yes

12. Q: REGIONAL WORK LOCATION INTEREST - Check all that apply:

A: CENTRAL (Concord, Clayton, Lafayette, Martinez, Moraga, Orinda and Pleasant Hill)

13. Q: Are you bilingual in Spanish? (Answering this question will require you to be tested in this language and if placed on the eligible list, your name may be referred out to departments whose position(s) requires bilingual proficiency as designated by the Appointing Authority)

A: No

14. Q: Please select languages (other than English) in which you are fluent in speaking? (Answering this question will require you to be tested in this language and if placed on the eligible list, your name may be referred out to departments whose position(s) requires bilingual proficiency as designated by the Appointing Authority)

A:

15. Q: If you select "other" please indicate the language you are fluent in speaking:

A:

Supplemental Questions

1. Q: A completed supplemental questionnaire is required for this position. Please answer the following questions below and submit your responses with your online application. DO NOT answer any of the questions by indicating, "see attached resume and/or application." Applications received without a completed supplemental questionnaire will be rejected. NOTE: Applicants who completed their education outside of the United States must submit verification of degree/equivalency with their application. Finalists will participate in a moderated forum and be interviewed by the Board of Supervisors in public session. Final candidates' State Summary Criminal History information and economic disclosure statement (FPPC Form 700) may be made available for review by the Board.

A: n/a

2. Q: Are you a resident of, and registered voter in, Contra Costa County?

A: Yes

3. Q: Are you admitted to the practice of law before the Supreme Court of the State of California?

A: Yes

4. Q: Describe your experience in the practice of criminal law.

A: I have 30 years' experience in criminal law. I was a deputy public defender in Contra Costa County for 13 years. I've spoken with thousands of criminal defendants and understand the root causes that lead to the cycle of crime. I've tried over 80 cases to juries.

I've worked for the county, in the private sector for a business, for a law firm, as a sole practitioner, and for the last two years as an administrator. During my 17 years in private practice, I've had criminal clients in all of the bay area counties and been able to compare policies. I've practiced indigent criminal defense and white collar criminal defense, civil litigation, and corporate law.

5. Q: Describe your organizational and management experience.

A: Working for a software company in Silicon Valley, I was promoted to Head of the Legal Department and Worldwide Director of Sales Operations where I managed 20 employees. I have been the Director of the Criminal Conflict Program of Contra Costa County for the last two years, supervising 96 strongly opinionated attorneys. When I accepted this position, the Conflicts Program was in turmoil with the attorneys at war with the Bar Association and refusing to accept appointments on cases in protest of my predecessor's termination without their consultation. Two years later, the Program is better than ever and the attorneys are better trained due to seminars I organized, more productive due to resources I acquired such as a legal "brief bank" and on-line legal research resources, and happier due to a supportive environment. I focus on the quality of results, not the number of cases processed.

6. Q: What do you believe are the major issues or problems in the administration of criminal law and justice in Contra Costa County?

A: There is fear of police in disadvantaged communities rather than cooperation to make communities safer. There is implicit racism due to unconscious biases when making judgments about people from different racial and ethnic groups. There are too many unnecessary jury trials, which wastes public resources and community productivity (juror time, peace officer time, etc.), as well as expensive and unnecessary appeals. There is a lack of collaboration between the District Attorney, Public Defender, probation, police agencies, community organizations, and drug and mental health treatment programs. There are too few teen support groups and after school activities which data shows reduce crime.

7. Q: Why do you want to serve as District Attorney for Contra Costa County?

A: My goal is to have safer communities, fairness in the courts, and a healthy and positive office culture, while being fiscally responsible. I believe that using data driven policies and focusing on long term solutions and the reduction of violent and serious crime instead of low level drug cases, all of this is achievable. Because I am not politically active or politically connected, I am fiercely independent. I do not feel indebted to any particular special interest group. I want to do what is right, not what may be politically expedient.

8. Q: How would you go about restoring and maintaining the public's confidence in the District Attorney's Office?

A: I would value fairness over victories, and encourage collaboration between all the stakeholders in the justice system-- judges, defense counsel, prosecutors, probation officers, peace officers, drug programs and mental health service providers-- to find long term solutions to reduce criminal behavior. I would not foresee much personnel churn, because it would be fiscally irresponsible to terminate trained, talented and devoted people. I would address "senior cynicism" and encourage a fresh start. I would publicize programs that attack the root causes of crime such as unemployment and mental illness. I would attempt to build trust between law enforcement and the community by emphasizing the prosecution of violent and serious crimes, corruption, white collar crime, consumer fraud, and pollution instead of low level drug offenses. I would promote transparency by acquiring and sharing data with researchers that study crime and recidivism.

9. Q: How would you address the mentally ill who are cycling through our justice system?

A: Unfortunately, today's problems are due to offenders that were incarcerated for many years without treatment and then released back into the community that had nothing for them: no jobs, no treatment, no housing. This led to drifting, homelessness, substance abuse, further mental decline and the chronic reoffending we see today. State law has criminalized many common psychiatric disorders, especially substance abuse which psychiatry's diagnostic handbook, DSM, categorizes as a true psychiatric disorder. In many ways, our jails and prison system function in substantial part as the successor to our shuttered mental institutions. The problems are compounded when we mix disordered inmates, whose disorders tend to make them vulnerable, with nondisordered inmates who may be predators. Statistics show that mental health court participants and those treated during incarceration are less likely to reoffend, especially for violent crimes.

The justice system needs to ensure public safety by providing mental health services designed to interrupt the cycle of homelessness, addiction, and criminal activity. We need a system of interconnected components that creates a seamless continuum of mental health care services. This requires mental crisis intervention training by peace officers, emergency mental health reception centers and respite beds, short term transitional housing, long term residential dual diagnosis treatment, as well as secure inpatient transitional care units.

From a prosecution standpoint, efforts to collaborate with criminal defense attorneys, probation, and mental health professionals will be more effective than the current culture of simply trying to get the most convictions and the longest period of incarceration.

10. Q: As an attorney, have you ever been sued by a client and/or disciplined or cited for a breach of ethics or unprofessional conduct, or been the subject of a complaint to any court, administrative agency, bar association, disciplinary committee, or other professional group? If yes, please provide the details.

A: No

11. Q: Please describe a difficult situation you encountered in your role as an attorney. Include details about how you resolved the situation and any lessons learned.

A: One of the most vibrant Conflict Program attorneys committed suicide [REDACTED] in the midst of a multi-defendant homicide jury trial. [REDACTED] Apparently she was overwhelmed by a combination of factors: [REDACTED]

[REDACTED] As the new Director of the Conflict Program, there were multiple concerns such as the lack of civility and compassion among the prosecution, defense counsel and the courts, Conflict Program attorneys over-burdened with serious cases and the stress of pending trials, as well as finding another attorney for the court to appoint, announcing the death to others, and dealing with the anguish of her colleagues. The situation reinforced my values of the importance of civility and respect between all those involved-- attorneys, judges, defendants, victims and their families. I reviewed the number and gravity of cases assigned to each of the Program's most senior attorneys, and counseled those attorneys about mindfulness, even if it meant fewer assigned cases and less income. The Conflict Program will always remember and miss the attorney we lost, but hopefully learned the importance of balancing personal life with the workload.

12. Q: Please describe the most significant and complex legal matter you have handled, your role in the process, and the outcome.

A: As a public defender, I represented a U.S. postal worker that killed an unarmed co-worker due to schizophrenic delusions that the co-worker had been plotting to kill him for many years. There were issues of competency to stand trial, psychiatric records dating back to his discharge from the Army during the Vietnam war and court-appointed psychological evaluations. There were two separate phases of the jury trial in front of Judge Arnason-- the "guilt" phase and the "sanity" phase. The jury acquitted the defendant of 1st degree murder, but found him guilty of second degree murder. Although the evidence of mental illness was undisputed, the district attorney's office fought the case none the less. During the second phase, the jury decided he was "not guilty by reason of insanity." He was committed to a state mental hospital for the rest of his life, an inevitable result that could have been reached much earlier without the expense of years of contested litigation.

13. Q: What is the size of the population/client base served by current employer?

A: The Contra Costa County Bar Association has approximately 1,700 members serving 1,100,000 Contra Costa County residents. The Criminal Conflict Program appoints attorneys on approximately 2,500 cases per year, which consists of approximately 1,600 clients annually. Approximately 1,500 are adult criminal cases, 150 are juvenile delinquency cases, 30 are representation of witnesses, 50 involve immigration

consequences of criminal convictions, 300 are conservatorship cases, 400 are probate guardianship cases and 10 are contempt cases.

14. Q: To whom do you currently report, by title?

A: Executive Director of the Contra Costa County Bar Association and the Board of Directors of the Contra Costa County Bar Association.

15. Q: What number of staff are employed by current employer?

A: My employer, the Contra Costa County Bar Association, has nine employees. The Criminal Conflict Program, which is operated under the auspices of the Bar Association pursuant to a 2-year renewable contract with Contra Costa County, has 3 employees including myself and 96 member attorneys who are independent contractors.

16. Q: What number of staff do you currently oversee (direct and indirect)?

A: in my current position as Director of the Criminal Conflict Program, I oversee two full time employees and 96 attorneys (independent contractors) that are members of the Criminal Conflict Program. At least 13 attorneys are ex-district attorneys, and at least 11 are ex-public defenders.

17. Q: What is the largest number of staff you have overseen, and where?

A: in my current position as Director of the Criminal Conflict Program, I oversee two full time employees and 96 attorneys (independent contractors) that are members of the Criminal Conflict Program. At Narus, Inc, a Silicon Valley cyber security company, I oversaw 20 employees in the United States, Europe and Japan as Head of Legal Affairs and Worldwide Director of Sales Operations.

18. Q: What is your current employer's operating budget, in dollars?

A: \$4,950,000

19. Q: For what portion of budget are you responsible, in dollars?

A: \$4,950,000

20. Q: What is the largest budget you have ever been responsible for, and where?

A: \$4,950,000 in fiscal year 2016-17 at my current position as Director of the Criminal Conflict Program for Contra Costa County

21. Q: I certify that I meet the announced requirements for this examination and understand that I will be eliminated at any stage in such examination if it develops that, in fact I do not meet them. I further certify that all statements made in this supplemental questionnaire and the application are true and I agree and understand that misstatements or omissions of material facts will cause forfeiture of my rights to employment with Contra Costa County.

A: Yes

2KA1-2017A - DISTRICT ATTORNEY

Contact Information -- Person ID: [REDACTED]

Name: Thomas J. Kensok Address: [REDACTED] Martinez, California [REDACTED] US
Home Phone: [REDACTED] Alternate Phone: [REDACTED]
Email: tkensok@contracostada.org

Personal Information

Driver's License: Yes, California , [REDACTED] , Class C
Can you, after employment, submit proof of your legal right to work in the United States? Yes
What is your highest level of education? Doctorate

Preferences

Preferred Salary:
Are you willing to relocate? Yes
I will reside and establish domicile in Contra Costa County, as required.
Types of positions you will accept: Regular
Types of work you will accept: Full Time
Types of shifts you will accept: Day , Evening , Night , Weekends , On Call (as needed)

Objective

District Attorney

Education

Graduate School

Univ. of Calif. Hastings College of the Law
8/1984 - 5/1987
San Francisco, California

Did you graduate: Yes
College Major/Minor: Law
Units Completed: 90 Semester
Degree Received: Doctorate

College

Saint Mary's College
9/1976 - 5/1980
Moraga, California

Did you graduate: Yes
College Major/Minor: Business Administration
Units Completed: 120+ Semester
Degree Received: Bachelor's

Work Experience

Assistant District Attorney

10/2012 - Present

District Attorney
900 Ward Street
Martinez, California 94553
[REDACTED]

Hours worked per week: 40
Monthly Salary: \$17,000.00
of Employees Supervised: 100
Name of Supervisor: Mark Peterson - District Attorney
May we contact this employer? Yes

Duties

Supervise Homicide, Gang, Sexual Assault, Domestic Violence, and Community Violence Reduction Units. Leadership role in several office initiatives, such as employee training and evaluations, Richmond Cease Fire, Community Corrections Partnership, DOJ Violence Reduction Network, attorney recruiting, law clerk program, and modern organizational best practices.

Senior Deputy District Attorney

2/2011 - 10/2012

Hours worked per week: 40
Monthly Salary: \$14,000.00
of Employees Supervised: 30

District Attorney
900 Ward Street
Martinez, California 94553
[REDACTED]

Name of Supervisor: Mark Peterson -
District Attorney
May we contact this employer? Yes

Duties

Supervise Homicide, Gang, Sexual Assault, Domestic Violence, and Community Violence Reduction Units. Leadership role in several office initiatives, such as employee training and evaluations, Richmond Cease Fire, attorney recruiting, law clerk program, and modern organizational best practices.

Reason for Leaving

Promotion to Assistant District Attorney

Deputy District Attorney

12/1987 - 1/2011

District Attorney's Office
900 Ward Street
Martinez, California 94553
[REDACTED]

Hours worked per week: 40
Monthly Salary: \$12,000.00
of Employees Supervised: 11
Name of Supervisor: Mark Peterson -
District Attorney
May we contact this employer? Yes

Duties

1987 -1989: Misdemeanor prosecution in Concord and Richmond

- 1989: Felony Law and Motion
- 1990: Felony Trial Team
- 1990 -1991: Richmond Preliminary Hearings
- 1991: Juvenile
- 1992: Felony Trial Team - set all time record for most trial days in one year
- 1993: Drug Team - filed all drug cases for East and Central County and secured first grand jury indictments for large number of defendants (more than 35 in an Antioch buy program)
- 1994: Misdemeanor Team Leader in Richmond
- 1995 - 1996: Three Strikes Team – tried most cases on team
- 1996 – 1997: Insurance Fraud – convicted Ray Robinson in what was largest East Bay auto insurance fraud ring in history at that time
- 1997: Trial Team – took over as expeditor when Mark Peterson was in trial
- 1998 – 2004: Gang Homicides – prosecuted West County gang members including notable gang leaders such as [REDACTED] and [REDACTED]. Pioneered use of conspiracy charges and grand jury in Contra Costa gang prosecutions and led the office in most trial days per year several times.. Networked with and trained all West County police departments in gang expert testimony, as well as lectured on the subject.
- 2005 -2007: Misdemeanor Supervisor - supervised team of up to 11 beginning prosecutors in all aspects of misdemeanor prosecutions. Worked closely with Mark Peterson.
- 2007-2009: Gang Homicides - first supervisor of newly formed gang homicide unit. Continued to carry case load and supervised most gang prosecutions in office. Planned and oversaw 11 defendant Vario Frontera Locos prosecution for 4 separate homicides and conspiracy. Using co-conspirator liability, convicted several gang members for all murders, including those which they were not present for. Personally prosecuted case involving the Sinaloa Cartel, Aryan Brotherhood, and Richmond Sur Trece, 2 murders, and 1 attempt, and several defendants.
- 2010: Sexually Violent Predators – Handled mental health cases and SVP prosecutions.

Reason for Leaving

Promotion to Senior Deputy District Attorney

Certificates and Licenses

Type: Attorney

Number: 133257

Issued by: State Bar of California

Skills

Office Skills

Typing:

Data Entry:

Additional Information

References

Professional

Billeci, Todd

Chief Probation Officer, Contra Costa County

[REDACTED]

Professional

Delaney, Lara

Director, Office of Re-Entry and Justice

[REDACTED]

Professional

Brown, Allwyn

Richmond Chief of Police

[REDACTED]

Professional

Jones, Donnell

Richmond Civilian Review Authority and Ceasefire
Coordinator

[REDACTED]

Professional

Aikins, Andre

Operations Manager, Omega Boys Club - Alive and
Free

[REDACTED]

Resume

Text Resume

Attachments

Attachment	File Name	File Type	Created By
Phillips, Coby San Quentin Letter.pdf	Phillips, Coby San Quentin Letter.pdf	References	Job Seeker
Redacted Application	Thomas J. Kensok-Application	Other	LaShonda Smith

Agency-Wide Questions

1. Q: Have you ever been rejected during a probationary period, forced to resign in lieu of termination, dismissed, fired, terminated, or had an employment contract terminated from any position for performance or for disciplinary reasons within the last ten (10) years?

A: No

- 2. Q:** If answer is yes, please provide name and address of the employers, reason for each release and dates of employment. If answer is yes, it is not necessarily a bar to employment. Each case is given individual consideration, based on job relatedness.

A:

- 3. Q:** Are you applying for Veterans' Preference Credit? In open examinations, Contra Costa County will add 5% to your earned examination score if you pass the examination AND qualify for Veterans' Preference Credit. In order to qualify for Veterans' Preference Credit, a person shall: (a) have (1) served in the United States Army, Navy, Marine Corps, Air Force, or Coast Guard in time of war, in any expedition of the Armed Forces of the United States, or continuously on active duty for more than 180 days, and (2) received an honorable discharge or certificate of honorable act of service; (b) or be a disabled veteran; (c) and present to the Director of Human Resources no later than the closing date specified in the examination announcement, acceptable evidence of the required military service.

A: No

- 4. Q:** Are you currently a Contra Costa County employee?

A: Yes

- 5. Q:** If yes, please enter Employee Number.

A: [REDACTED]

- 6. Q:** If yes, enter Merit System job title:

A: Assistant District Attorney

- 7. Q:** Check the appropriate box that describes your high school education.

A: High School Diploma

- 8. Q:** Where did you hear of this position?

A: Other

- 9. Q:** If your answer for question #8 was "Advertisement" or "Other," please tell us in which publication or website you saw the Advertisement, or how you heard of this position.

A: Internal Office Communications

- 10. Q:** I authorize the employers and educational institutions identified in this employment application to release any information they have concerning my employment or education to the County of Contra Costa.

A: Yes

- 11. Q:** May we contact your present employer?

A: Yes

- 12. Q:** REGIONAL WORK LOCATION INTEREST - Check all that apply:

A: CENTRAL (Concord, Clayton, Lafayette, Martinez, Moraga, Orinda and Pleasant Hill)

- 13. Q:** Are you bilingual in Spanish? (Answering this question will require you to be tested in this language and if placed on the eligible list, your name may be referred out to departments whose position(s) requires bilingual proficiency as designated by the Appointing Authority)

A: No

- 14. Q:** Please select languages (other than English) in which you are fluent in speaking? (Answering this question will require you to be tested in this language and if placed on the eligible list, your name may be referred out to departments whose position(s) requires bilingual proficiency as designated by the Appointing Authority)

A:

15. Q: If you select "other" please indicate the language you are fluent in speaking:

A:

Supplemental Questions

1. Q: A completed supplemental questionnaire is required for this position. Please answer the following questions below and submit your responses with your online application. DO NOT answer any of the questions by indicating, "see attached resume and/or application." Applications received without a completed supplemental questionnaire will be rejected. NOTE: Applicants who completed their education outside of the United States must submit verification of degree/equivalency with their application. Finalists will participate in a moderated forum and be interviewed by the Board of Supervisors in public session. Final candidates' State Summary Criminal History information and economic disclosure statement (FPPC Form 700) may be made available for review by the Board.

A: n/a

2. Q: Are you a resident of, and registered voter in, Contra Costa County?

A: No

3. Q: Are you admitted to the practice of law before the Supreme Court of the State of California?

A: Yes

4. Q: Describe your experience in the practice of criminal law.

A: My experience in the practice of criminal law goes back more than 30 years. I tried my first jury trial while still in law school. I have served in a wide variety of assignments - from misdemeanor prosecutions to gang homicides. I have tried more than 100 jury trials, including more than 20 murder trials. I have also conducted juvenile, narcotics, drug and sexually violent predator prosecutions.

I was the first supervisor of the of Gang Homicide Unit in the District Attorney's Office and have had a hand in nearly every large gang prosecution for the past 20 years. I am known on sight on some of the toughest streets of our county 's toughest neighborhoods, including North and Central Richmond. Defendants in the jail follow my cases, just as I follow and address their exploits.

My trial experience numbers greatly exceed those of any prosecutor in the county. In 1992, I set the record for most jury trials in a year, which still stands to this day. I have trained police on expert testimony and I've taught grand jury procedures to prosecutors. I pioneered using conspiracy charges in our office and I was the first in the office to apply the concept to auto insurance fraud cases. In 1997, I used that strategy to win a guilty verdict in what was at that time, the largest auto insurance fraud case in East Bay history.

There is, however, another side to my criminal law experience. In the last decade, I have focused on changing the dynamics of the relationships in the criminal justice system. Trials are interesting events. For a seasoned prosecutor, the trappings are exciting, yet comfortable nevertheless. However, gang murder trials are also a reminder that something is terribly amiss in our society. I often tell people there are no winners in my trials. We all lost before any trial started. I deliver this message at Ceasefire call-ins and I repeat it at social gatherings. I would be happy to never have to hug a mother outside the courthouse as we part ways after the trial of her son's murderer. This is the experience that also needs to be conveyed.

My three decades of prosecutorial experience have impressed upon me the gravity of our need for moving in a different direction. My promotion into management gave me a real chance to work on policy. My duties include responsibility for the Homicide, Gang, Sexual Assault, Community Violence Reduction, and Domestic Violence Units. However, the bulk of my work has been on policy issues for the District Attorney's Office. I interface with police departments, multi-disciplinary teams, and community based organizations. My work in this area led to my receipt of the Board of Supervisors' initial Crime Prevention Award, given during Crime Victims' Week in 2013.

I lead office initiatives to reduce crime and recidivism. I oversee our office's efforts around AB 109 and the Community Corrections Partnership (CCP) and I co-chair the Contra Costa Human Trafficking Coalition. I am a member of Richmond's Ceasefire working group and our office's liaison to the U.S. Justice Department Violence Reduction Network. I am gratified to work with so many others who share my outlook and priorities. I am also excited by the potential of using my experience to make direct change in the relationship between communities and the criminal justice system.

This coming academic year, I will teach a course at U.C. Berkeley's law school on Prosecution Policy. This will give me the opportunity to share my experience in criminal law at one of our nation's top law schools.

5. Q: Describe your organizational and management experience.

A: For more than 61/2 years, I have served as a Senior Deputy District Attorney, and then as an Assistant District Attorney since 2012. This means I have been third in command in the office. Even before my promotion into upper management, I was already serving as a member of the school board for the Napa Valley Unified School District. I have been a member of that board for 15 years. Thus, my organization and management experience is extensive.

I graduated from Saint Mary's College with a Business Administration degree and I worked as deputy executive director of a housing authority in rural Alaska before law school. I also served in the Jesuit Volunteer Corps for a year after college. Thus, I already had organizational and management experience before joining the Contra Costa County District Attorney's Office. In addition, I had already gained experience working in community outreach with underserved populations.

When the District Attorney's Office needed healing after the bruising election of 2010, I advocated for an inclusive management style, as opposed to the previous top down style. Under my supervision, attorneys have been given considerable autonomy and voice, being treated like professionals rather than subordinates, in order to develop and use their skills for the office. Most have thrived in this relationship.

Using my unique background, I have lead efforts to make the District Attorney's Office more responsive to the public's wishes and the changing nature of the criminal justice system. This has often meant being a dissenting voice in a conservative room. However, I've been able to bring a sense of strategic thinking and outreach to the office. None of these advances have come easily. It's clear to me that we need a district attorney who buys into the concept of modern servant leadership. Put more simply, the leader must make sure that the highest priority is service, not power or reward. This is the only legitimate power.

Since 2011, I have spearheaded a revamping of the employee evaluation process from a bookkeeping exercise into a meaningful conversation between supervisors and attorneys that focuses on growth and improvement. In addition, I pushed to modernize the office to adapt to modern organizational practices by bringing in experts to train on alignment and trust. The next step was my introduction of systems thinking and learning organizations. This also includes after action reviews to establish a base of lessons learned.

In addition, I have been deeply involved in all aspects of office management, including budgeting, hiring, resource allotment, policy, evaluations, and planning. Despite internal opposition, I have led collaborative efforts such as Ceasefire, increased diversion programs, pretrial services, and re-entry efforts.

Beginning in 2008, I was named supervisor of the newly formed Gang Homicide unit to tackle violence in West County. That year Richmond suffered 47 murders. Through a concentrated and cooperative effort, we have cut that number by more than half. Much of that work was accomplished through high leverage actions such as Ceasefire and impact prosecutions. Teamwork with the community and police was at the center of it

all.

I have also served 15 years as a school board trustee, which is much like a county supervisor position on a smaller scale. We oversee a budget of \$150 million, with 1500 employees serving 18,000 students daily spread across 30 sites. We deal with budget, security, discipline, personnel, transportation, property, health, and construction issues on a regular basis. We interface with different city governments as well as the county. This experience has given me exposure to different managerial styles as well as cutting edge thinking in organizational theory. I've studied the management theories of Steven Covey, Peter Senge, and Daniel Pink. In addition, I was chairman of the Board of Directors for Community Action, Napa Valley, which oversaw the food bank, homeless shelters and day center, and meals on wheels.

I already work in strategic planning in both the criminal justice and educational sector. While the education community has been at the forefront of systems thinking and learning organizations, that approach has great utility in both the District Attorney's Office and the county as a whole. I have worked with project managers through the U.S. Justice Department Violence Reduction Network as well as local initiatives. I have been forging collaborative relationships with academic partners for our office and I am regular panel participant in public forums. My career shows a proven commitment to criminal justice reform and I am comfortable communicating with high-level administrators and officeholders, including members of Congress and the State Legislature. I work with budgets in many capacities and because of my experience, I am well suited to elevate best practices.

6. Q: What do you believe are the major issues or problems in the administration of criminal law and justice in Contra Costa County?

A: Major issues or problems confronting the administration of criminal law and justice in Contra Costa County include the insular nature of the District Attorney's Office, disparate contact with minorities, perceptions of unfairness and a lack of alternatives to arrest and prosecution. I am already the leader in changing the insular nature of our office and will accelerate the pace as District Attorney. I am already addressing the issues of disparate contact and fairness perceptions through the Racial Justice Task Force and an internal emphasis on focused deterrence. I already have commissioned an internal study with U.C. Berkeley on disparate contact and proposed actions, which is available in draft form.

The issues can be divided into internal issues in the District Attorney's Office and those confronting the system as a whole. However, because of its central position in the criminal justice system, internal issues in the District Attorney's Office do affect the larger system. One major problem that the Contra Costa County District Attorney's Office faces is resistance to change.

For decades, the Contra Costa District Attorney's Office has operated in an insular manner, only grudgingly changing when forced to do so by the courts or Legislature. Our prosecutors function largely as a passive element within the broader criminal justice system, primarily managing their inbox of cases presented by the police. They take these cases, make charging and plea decisions within a narrow statutory and discretionary framework, and then hand defendants over to the courts and corrections. We have built an office of fine trial lawyers that sees little reason to change. The office will continue to mold strong trial lawyers for an adversarial system.

For the most part, prosecutors have not taken independent responsibility for addressing core serious crime problems. This should change with recent structural changes in the criminal justice system, especially in California. Offices are being asked to partner with other actors in a more collaborative way. However, efforts to steer arrestees away from the criminal justice system and diverting into rehabilitative programs are not yet seen as part of the job. I have pushed for this, but without buy-in at the top level, progress will come only in isolated pockets. Changes in the bail system are fought because of a firm belief that the way we have always done it is the right way.

Without a forward thinking District Attorney, the Office will demand more money for more attorneys to continue to clog the trial courts with cases that could resolve with

more cooperation from both sides. Rather than taking a leading role in serving the public, the office will fight a rear guard action to ensure as little change as possible. Trial victories and lengthy prison sentences will continue to be celebrated, while compromise and rehabilitation efforts will be scorned. This is a cultural attitude instilled by previous district attorneys and engrained through generations of prosecutors.

This era needs an additional skill set in its District Attorney's Office. We have only begun to consider how we might hold ourselves accountable for performance in key areas such as crime reduction and recidivism. Our own crime prevention and control strategies are not fully realized and we have conducted our own crime analysis. Only a few of us are discussing our role in addressing community concerns about intrusive and illegitimate criminal justice practices, and we give little thought to the damaging community impact of concentrated arrest, prosecution, and incarceration. When I say only a few, I mean only a few. There is little if any sense that the office could play a more significant role in public safety. In fact, until a year or two ago, most prosecutors would have been hard pressed to cite any studies or figures regarding criminology and public policy. Without an open minded District Attorney, these discussions will die.

Long-standing practices within our office have contributed to public perceptions of unfair, unsupportive, and badly motivated law enforcement. Success on widely accepted metrics, such as conviction rates, can in fact signal overly cautious and self-serving internal standards and procedures. Office management has to consider more than managing case flows. Our Office should ask and assess what impact we're having on crime. We need to show both a correlation and causation effect between these metrics and community safety, or we need to abandon them. This is especially true in minority communities that have been subject to the most damaging effects of the prison boom.

Outside the Office, disparate contact with different racial and socioeconomic groups continues to plague our criminal justice system. We are working on that issue through the Racial Justice Task Force, but it will be a long struggle. Of course, lack of money is a constant problem. There are proven approaches to crime reduction, but they take a financial investment. Limited housing and treatment options leave many people with nowhere to turn for help. Band-Aid solutions will not solve underlying problems. We need treatment for drug addiction, mental illness, and trauma.

It is important to remember the criminal justice system does not exist in a vacuum. The lack of services contributes to a reliance on the criminal justice system to solve problems it can't solve through incarceration. Prosecution and incarceration should not be the default option for every violation of the law. We cannot arrest and imprison our way out of society's problems. In fact, sometimes arrests can exacerbate a problem for those that are barely making it. Even a few days in jail can disrupt a person's life to the extent it goes into a downward spiral.

The Community Corrections Partnership (CCP) is a great start, as are the pretrial services, bail reform efforts, and re-entry services. However, we need to do more, such as the Law Enforcement Assisted Diversion (LEAD) grant from BSSC, which the county won. I participated in the development of that grant and will likely be a member of its steering committee. Needless incarceration of the mentally ill continues to be a problem, as are the lack of readily available detox centers, treatment beds and stable housing situations. Finally, we need to evaluate the effectiveness of all our approaches, including jail and prison sentences. All of these problems serve to exacerbate other problems in the criminal justice system.

The intensified effort by the federal government around deportation is also a significant problem without an easy solution. Matters that previously reached a quick resolution have become quite complicated because of the looming deportation threat. Both the state and our office have given guidance to our prosecutors, but the problem seems intractable.

We need to be on watch for emerging problems. We are in the midst of an opioid crisis, but the criminal justice system has been slow to react. I have had two people close to me die of overdoses. While I don't want to return to a war on drugs, I am not comfortable with the current situation. Domestic Violence is a persistent and stubborn problem, as is human trafficking. None of these are problems that the criminal justice

system can solve alone. Actually, they may be solved elsewhere, but we need to act as a collaborative partner and use the most effective methods available.

Another looming issue is the spate of Ransomware attacks, in which perpetrators infiltrate and take over computer networks, holding them hostage from their owners for ransom. This is another problem we can't solve locally, but we need to participate. Identity theft also continues to be a problem. Staying ahead of the curve will not be easy. None of these problems will be solved without a recognition they exist. That will not happen without a responsive District Attorney.

7. Q: Why do you want to serve as District Attorney for Contra Costa County?

A: The last 40 years have seen an unbroken string of conservative district attorneys. That approach no longer reflects county residents' outlook. I want to be District Attorney to bring the focused deterrence, crime prevention, and management projects I have been working on to fruition. I will be an engaged district attorney for all county residents. My interests do not stop at the office doors or at the edges of affluent communities. In fact, the district attorney's engagement is needed most in the underprivileged communities where I have spent my career. I will provide organizational excellence by merging innovation and partnerships that will enable all our residents to enjoy a safe, healthy, and prosperous life.

In keeping with this aim, I have led a push for our office to adapt to changes in our communities. We have made some headway, but I have too often been relegated to providing a dissenting voice to the "business as usual" approach. Those efforts that have actually begun need to be protected, nourished, and expanded. I need to continue my work as a member of the county's Racial Justice Task Force, of the Community Corrections Partnership (CCP), of the Pretrial Services Committee, of the Re-Entry Committee, and in helping secure the \$5.8 million grant for Law Enforcement Assisted Diversion (LEAD) in Antioch.

I have overseen gang violence prosecutions for the last decade. I have been a member of the Ceasefire effort in Richmond since its inception. I originated the push for the creation of Ceasefire in East County, which is now up and going. Our office has made considerable progress in reducing gang violence. We played an integral part in reducing the murders in Richmond from 47 in 2009 to 11 in 2014. 2009 was the first year of my supervision of the fight against gang homicides in Richmond. I actively sought partnerships, and still remain very active in those efforts. Through my work in these partnerships, I have gained considerable goodwill for the office from the residents and from the community based organizations that would like to see these efforts continue.

We are using some of these same tools in the fight against other criminal organizations. I am co-chair of the County Human Trafficking Coalition. I have forged a partnership with the Naval Postgraduate School in Monterey to lend academic assistance in our work in both gang and human trafficking prosecutions. This will give us insight and allow us to focus our prosecution efforts.

Our office is particularly well suited for this endeavor because of our central position in Contra Costa County's criminal justice system. In this county of 1.1 million people, we interact with approximately 25 different law enforcement agencies across 17 cities. We house an FBI Safe Streets Task Force here in the District Attorney's Office, which is comprised of district attorney inspectors and police detectives working side by side with federal and state special agents. We are the only district attorney's office in California that houses such a task force.

In addition, we collaborated with the Richmond and Oakland Police Departments and the Alameda County District attorney's Office for the inaugural United States Department of Justice Violence Reduction Network. It was through this network that we were first introduced to the concept of social network analysis.

This approach enables us to focus our resources on deterring and incapacitating the subset of criminals who are responsible for a disproportionate amount of violent crime. We have conducted intelligence-driven surges to target violence in Richmond, the community response has been quite positive. For example, after Richmond's Operation

Exodus in 2013, many community groups were glad to see that we were "going after the right people and leaving the others alone." Reduction of our enforcement footprint in the communities we serve is progress.

Our intention is to focus on the "Hot Groups, Hot Places, and Hot People" that drive our street violence. This is part of an overall focused deterrence crime reduction strategy; it incorporates an intelligence driven prosecution approach. The Northern California Regional Intelligence Center (NCRIC) will aid this effort.

The success of these partnerships depends upon continuity and sustained effort. We have also explored other alternatives in order to protect vulnerable residents. The Coalition Against Human Trafficking and the Coalition Against Domestic Violence continue to grow stronger. The second problem area for focus is human trafficking. This includes both sex and labor trafficking, which sometimes overlap. We are already partnering with national groups Polaris and Equitas, who lend us technical expertise in human trafficking for both investigative and prosecution efforts. Another area needing continued support and expansion is our work in the area of truancy.

A district attorney with a long track record of supporting partnerships is paramount for moving forward. I can be a tough prosecutor when needed and I've tried as many or more significant cases as any other attorney in our office. My last three trials have resulted in multiple life terms for each defendant. These were complex gang murder prosecutions. but I am not driven by a quest for power or glory. Nor am I am not driven by a desire to put people away. The office will always conduct and win trials. I would like for us to seek more win-win resolutions short of trial. Conducting an excessive number of trials in an effort to obtain ever decreasing marginal returns squanders our scarce resources and detracts from our mission. We must do more in the area of prevention.

I grew up in Contra Costa County, beginning at Pleasant Hill Elementary in the Fall of 1963 and graduating from De La Salle High School in 1976. I attended Saint Mary's College and then Hastings College of the Law. My mother owned and operated Contra Costa Awards and Embroidery in downtown Concord, while my father commuted from our Central County home to Kaiser Aluminum in Oakland. I have worked in the Contra Costa County District Attorney's Office for 30 years, rising through the ranks to the senior management position of Assistant District Attorney. I know the office and this county intimately. I know the lay of the land firmly believe I can make a difference. I want to continue the crime prevention and focused deterrence efforts that I've been working diligently on for more than 10 years.

8. Q: How would you go about restoring and maintaining the public's confidence in the District Attorney's Office?

A: The District Attorney's Office has been rocked by several scandals over the last decade, from a rape allegation to a fistfight between high ranking attorneys. This was followed by revelations that veteran [REDACTED] attorneys had been quizzing younger coworkers on preferred sexual practices, and then the resignation and conviction of the District Attorney.

I will restore and maintain the public's confidence in the District Attorney's Office by placing an emphasis on the behavior of individuals we employ, taking care to ensure we are pursuing prosecutions which actually protect public safety, and bringing in partners to increase transparency.

It is also true that, except for the District Attorney's campaign reporting, these events took place nearly a decade ago and those earlier perpetrators are no longer in the mainstream of the office's functions; most are no longer with the office. Moreover, nearly 70% of our attorneys were hired after 2007. They had no relationship to the office when these events occurred. Nonetheless, we must acknowledge that although the outside perception of our office differs greatly from the inside reality, this outside perception still demands attention.

In giving careful thought to why we continue to struggle with our reputation, we can see the issues have not been dealt with in a forthright manner. Neither of our two

preceding district attorneys publicly apologized and resolved to address these issues in any meaningful way. They failed to set clear expectations. I will do both.

When I am the District Attorney, we will expand our efforts to serve the county as a collaborative partner, with a special focus on our underserved communities. We will become more transparent in our activities. These are two things I have championed over the last decade and as District Attorney, I will bring them to fruition.

The Office Will Shape Individuals' Behavior

We will act from a position of integrity and we will instill that in our culture. We have learned that these things do not just blow over. It's a platitude, but we should do the right thing. Organizations should not be in denial. Those that have tried to hide these things in the past have paid a much higher price in terms of loss of trust. We have suffered that loss of trust.

Our veteran attorneys will acknowledge their role in shaping organizational ethics and seize this opportunity to create a climate that can strengthen the relationships and reputations on which our success depends. The once familiar picture of ethics as individualistic, unchanging, and impervious to organizational influences has not stood up to scrutiny.

An integrity-based approach to ethics management combines concern for the law with an emphasis on managerial responsibility for ethical behavior. This strategy can help prevent damaging ethical lapses, while tapping into powerful human impulses for moral thought and action. We have those attorneys in place. In recent years, I have hired attorneys with an eye to the quality of moral thought and action. The first thing I look for in hiring a new attorney is the moral compass that points to good decisions on behalf of the public. The second quality I look for is a commitment to public service. Only after the first two are satisfied do I then I look for prosecutorial ability. We need all three qualities in our attorneys: morality, commitment, and ability. Then an ethical framework becomes no longer a burdensome constraint within which organizations must operate, but the governing ethos of an organization.

There is no question concerning the necessity of a sound, well-articulated strategy for legal compliance in an organization. After all, employees can be frustrated and frightened by the complexity of today's legal environment. And even managers who claim to use the law as a guide to ethical behavior often lack more than a rudimentary understanding of complex legal issues.

Managers would be mistaken, however, to regard legal compliance as an adequate means for addressing the full range of ethical issues that arise every day. "If it's legal, it's ethical," is a frequently heard slogan. But conduct that is lawful may be highly problematic from an ethical point of view.

Success in creating a climate for responsible and ethically sound behavior requires continuing effort and a considerable investment of time and resources. Creating an organization that encourages exemplary conduct may be the best way to prevent damaging misconduct and better serving the public.

Prosecute the Right People for the Right Reasons.

We will expand our efforts to serve the community with a focus on underserved communities. This is our mission and we need to be known as reliable and trustworthy partners. Good deeds don't cancel out the bad ones, but we can be known for reasons that don't include the word 'scandal'.

Protecting the most vulnerable people starts with understanding who they are and how they're connected. Evidence and experience show that a small number of people in street groups—gangs, drug crews, and the like—drive the majority of violence in troubled neighborhoods. Group members typically constitute less than 0.5 percent of a city's population, but they are consistently linked to 60 to 70 percent of the shootings and homicides. The internal dynamics of the groups and the honor code of the street drive violence between those groups and individuals.

Research has shown that focused deterrence is far and away a prosecutor's best tool to prevent crime and recidivism. Police, probation officers, and prosecutors will identify the most dangerous offenders. Officers target a specific criminal behavior committed by a small number of chronic offenders, such as gang members. Then, working together with gang intervention workers, local clergy and people from other service agencies can deliver a message to those offenders: "We care about you. We're going to help you, and we'll follow up with an offer of help from social service providers for those who want it."

Those at risk can be identified. "Gunshot violence follows an epidemic-like process of social contagion that is transmitted through networks of people by social interactions," concludes a study published by the Journal of the American Medical Association in 2016. Researchers, using police records of people arrested together for the same offense, they mapped a network of 138,163 subjects and looked at the spread of violence within it. Their model, based on the ones epidemiologists use to understand contagion, assumed that shootings were likely to spread between co-arrestees, who would have close social ties and engage in risky behavior together. When they ran probabilities on people linked to a shooting victim, what they found was staggering: 63% of the 11,123 total shootings in the network were part of a longer chain of gunshot victimization. The closer someone was to a victim, the greater the risk of being shot.

I have already enlisted the help of the Contra Costa County Public Health Department to aid us in this area. We have also partnered with the Naval Postgraduate School to aid us in this area.

Bring in Partners to Increase Transparency

The most powerful actor in the criminal justice system, the District Attorney's Office, is also the least studied and examined of the components. Courts, corrections, law enforcement and defense attorneys are often studied, but not so for prosecutors. One reason for lack of trust is lack of transparency. The best way round that is to make ourselves as transparent as possible. We can bare our soul and invite others, including media and researchers into our office to look around. the media to look around. I have already started the ball rolling by commissioning two Berkeley researchers to study and make recommendations. One looked at East County Focused Deterrence and the other at Racial Disparity. I will also form separate community advisory panels for both youth and for those released from incarceration. I understand that being silent or slow to communicate with the outside world can do more harm than good to our office. We can and we will start a dialogue with our local communities.

9. Q: How would you address the mentally ill who are cycling through our justice system?

A: I would address the mentally ill who are cycling through our justice system by participating in the Stepping Up Initiative, which provides leadership on a state and national level. I was a member of the Contra Costa County team at the California Summit last January and I will commit the office to wholehearted participation in this initiative. As addressed above, the criminal justice system cannot solve all of society's problems through prosecution and incarceration.

The Stepping Up Initiative has devised six questions county leaders need to ask:

- 1: Is your leadership committed?
- 2: Do you have timely screening and assessment?
- 3: Do you have baseline data?
- 4: Have you conducted a comprehensive process analysis and service inventory?
- 5: Have you prioritized policy, practice, and funding?
- 6: Do you track progress?

We need to identify and recruit a champion for the work. This should be someone close enough to the Board of Supervisors to hold agency administrators accountable for participating in the meetings as well as implementing the plans developed by the various criminal justice stakeholders. While our office can supply someone to become knowledgeable and committed to this project, I think we should remain in a partner role offering input.

We need to develop pre-arrest and pre-bookings diversion alternatives to help reduce the number of mentally ill people entering jails in the first place, and connecting them to treatment and other resources when they do encounter the justice system. This means partnering with community-based organizations and advocacy groups to provide Crisis Intervention Team (CIT) training to law enforcement officers. Richmond, through its RichMinds Network is already working on this. Behavioral health departments and providers are partnering with law enforcement agencies to staff mental health co-responders or jail mental health coordinators to help divert people from jails and connect them to treatment.

Funding is always difficult, but it can come from diverse and often blended sources. Enrolling individuals into health coverage and connecting them with care is crucial. Many counties are enrolling individuals with mental illnesses into Medicaid or other health care coverage whenever possible. Particularly in states that have expanded Medicaid, many justice-involved individuals with mental illnesses will qualify for coverage. Medicaid coverage can connect individuals to the care they need once they are in the community and can help lower health care costs by decreasing hospitalizations and emergency room visits. It can also decrease recidivism. In Monterey County, for example, a study found that individuals who received treatment for behavioral health disorders after release from the county jail spent an average of 51.74 fewer days in jail per year than those who did not receive treatment.

Data collection is important for analyzing both point-in-time data as well as to track progress on any reform efforts. For example, using a validated mental health screening tool at booking, and including the results in a format that allows them to be analyzed later in an electronic case management system, will help identify and count the number of people with mental illnesses coming into jail. Without knowing this basic baseline information about the population, it can be difficult to help pinpoint the source of the problem. Collecting and analyzing this data over time will help to show progress – or lack thereof – with initiative activities. This should be integrated into the current case management system for our office, as well as other partners.

We need to collect data on multiple system touch points for the individuals. For a complete picture, we should collect data for arrests, filing of charges, pretrial release decisions, case processing, disposition and community supervision. I am already a member of pretrial services and pre-release services teams working in these areas. Beyond that, incorporating data on diversion and linkages to treatment and other social services such as employment and housing supports can help to show the impact of these services on individual outcomes, including recidivism.

Obviously, reducing recidivism is a major interest for the District Attorney's Office. Ideally, this data would be collected for individuals with and without mental illnesses to provide a point of comparison for identifying disparities at each of these points. Along these same lines, we should collect data for key demographics such as self-identified race, ethnicity and gender for both populations to identify further disparities. Having this data at each touch point will not only help to identify disparities and gaps in the systems, but will also help to track people as they move through the system. This is not limited to mental illness. While mental illness is unique, many people passing through the system are suffering from their own trauma and could use help. Thus, the Stepping Up Model will also give us a framework for working with other populations as well.

10. Q: As an attorney, have you ever been sued by a client and/or disciplined or cited for a breach of ethics or unprofessional conduct, or been the subject of a complaint to any court, administrative agency, bar association, disciplinary committee, or other professional group? If yes, please provide the details.

A: No

11. Q: Please describe a difficult situation you encountered in your role as an attorney. Include details about how you resolved the situation and any lessons learned.

A: Changes in federal policy regarding immigration issues have had an effect on our local criminal justice system. In July of this year, as Assistant District Attorney, I was tasked with arbitrating a conflict between several prosecutors and several deputy public defenders regarding guilty pleas and immigration consequences. The law requires trial

courts to make an inquiry to satisfy themselves that there is a factual basis for guilty a plea. Until recently, this was a simple matter in which the defense attorney would simply stipulate that based on the police report or some other document, a factual basis for the plea existed.

Now, with the new focus on deportations, many defendants and their attorneys are wary of stipulating to any document for fear that it could be used against them in a deportation hearing. Instead, defense attorneys are offering a stipulation based on confidential communications, which the California Supreme Court says is legally permissible.

Stipulations based on confidential communications are meeting with resistance from many prosecutors because of distrust and because of political leanings. In fact, some prosecutors in our office have asked to be exempted from our office policy that requires that we follow California Law regarding adverse immigration consequences. The prosecution, in the interests of justice, is statutorily required to consider the avoidance of adverse immigration consequences in the plea negotiation process, as just one factor in an effort to reach a just resolution.

Some of our conservative prosecutors argue that the best practice would be best if the defendant was forced to state the facts amounting to the crime, but feel a stipulation to the police report, preliminary hearing transcript or grand jury transcript is sufficient compromise. Anything more is a dereliction of our duty.

While unpopular, I believe that to require such a stipulation ignores the direction given by our Legislature. Defense attorneys see a very real danger of adverse immigration consequences under President Trump. On the other hand, our prosecutors lose nothing by allowing the stipulations from defense counsel, because it has no effect on the outcome of our state prosecution.

The lesson learned is a repeat of a lesson I have learned many times: Good leadership is not a popularity contest. I will suffer resentment regarding my decision and be accused of not being able to stand up to the defense attorneys. This will come from some of my coworkers. Nonetheless, I am not able to decide otherwise. Both the courts and the Legislature have spoken on this issue and we must follow their lead. I took an oath to uphold the law. I'll do so even if it's unpopular.

This has been a recurring issue in our office. Many prosecutors have been resistant to AB 109 and to other changes in our criminal justice system. Without my leadership and collaborative efforts, we would not have been able to make near the gains we have thus far with Re-entry and with Ceasefire. This is why we need a forward thinking District Attorney for Contra Costa County.

12. Q: Please describe the most significant and complex legal matter you have handled, your role in the process, and the outcome.

A: My most significant and complex legal matter was the successful prosecution of People v. Coby Phillips and People v. Jose Vega-Robles. The case is now a central part of the California District Attorneys' Association curriculum on how to prosecute gang murders and how to introduce expert testimony.

Geographically, this case arose from a narcotics operation centered in West Contra Costa County. It sprawled from Oregon in the North to Sinaloa, Mexico in the South before it finished. The case centered around the Family Affiliated Irish Mafia (FAIM) and the Sinaloa Drug Cartel, but it also included the Aryan Brotherhood and Nazi Lowriders prison gangs, as well as Hell's Angels and Sureno gang members. Crimes included two separate murders, an attempt murder, witness intimidation through disclosure of a prison debriefing, and a solicitation to kill a defense attorney when she visited her client in jail. There were also shanks secreted in jail cells and an overarching conspiracy to sell controlled substances. Please see the attached letter from Defendant Coby Phillips.

While I had been aware of Coby Phillips for several years, this case did not come to my attention until late 2007, nearly three years after the murders. To complicate matters more, the defendants, including Phillips and Vega-Robles were prosecuted in federal

court for a different crime before I filed my charges. This required me to deal with a meritless claim of double jeopardy. [REDACTED], the brother of Jose Vega-Robles, testified that he had paid Richmond Police Detective [REDACTED] as much as \$100,000 for confidential information, which included revealing the name of a confidential informant. Jose Vega-robles later shot that informant. We only learned that shooting had taken place when a codefendant debriefed us about it in late 2007. By that time, almost all the police reports recounting the shooting had disappeared.

I filed the charges, I made appropriate deals with witnesses and I authorized witness relocation. I personally did the legal research and wrote the motions. Finally, I took three of the defendants to jury trials and won multiple murder convictions. There were eight 8 defendants in all and each one suffered at least one felony conviction – even those who agreed to testify. Those placed in witness relocation are now self-sufficient success stories, proving that people can change their ways.

Initially, there was opposition inside the District Attorney's Office, with some claiming I did not have enough evidence to make the case. The naysayers did not understand the theory behind my plan and how the pieces would fall into place.

In the end, the California Court of Appeal affirmed the Vega-Robles conviction, concluding:

"Mexican methamphetamine to end-users in west Contra Costa County was more than sufficient to establish an overarching conspiracy to sell illegal drugs for profit, as charged. Here, the evidence showed defendant obtained the methamphetamine—from Mexico or from less savvy drug dealers—and distributed it to others ... who performed their parts in making sure defendant's product was delivered to various levels of middlemen between defendant and the end-users. Sometimes their duties involved pickups and deliveries, and sometimes they involved shooting people who got in the way of the operation, but all contributed in one way or another to the success of the criminal enterprise. ... [D]efendant was a large scale supplier of methamphetamine to others in west Contra Costa County who knowingly sold drugs to middle- and lower-level dealers in the distribution chain, so that everybody in the chain could make some money from the drug sales."

The Vega-Robles case has been to the California Supreme Court on the matter of expert testimony after the law changed in that area. Fortunately, I had spotted the issue in advance. I always conducted my expert witness examinations in accordance with the Supreme Court's Sixth Amendment interpretation. new view, and this was recognized by the California Appellate Court when the case was returned to them for further consideration. The court stated: "

... In our view, what the prosecutor did here is, by and large, exactly what Sanchez proposes prosecutors should do."

In the end, we had jury trial convictions for two murders, gang enhancements, witness intimidation, and solicitation of the murder of a codefendant's attorney. Not only that, we uncovered police corruption and made new case law.

13. Q: What is the size of the population/client base served by current employer?

A: 1.1 Million

14. Q: To whom do you currently report, by title?

A: Doug MacMaster, Chief Assistant District Attorney

15. Q: What number of staff are employed by current employer?

A: Approximately 205 employees of whom 103 are attorneys.

16. Q: What number of staff do you currently oversee (direct and indirect)?

A: I presently oversee 30 attorneys in my direct chain of command. , which comprises our special prosecution units. I indirectly oversee 205 employees as an Assistant District Attorney.

17. Q: What is the largest number of staff you have overseen, and where?

A: Directly 30 in my chain of command.. Indirectly 205 as Assistant District Attorney. As a school board member, I indirectly oversee 1500 employees.

18. Q: What is your current employer's operating budget, in dollars?

A: The Department's operating budget for Fiscal Year 2017/18 is \$19.5 million from the county general fund. However, because of grants and other funding sources, the total budget over \$39 million.

19. Q: For what portion of budget are you responsible, in dollars?

A: As Assistant District Attorney, I share in the responsibility for the entire budget. We do not assign responsibility for the budget to individual units in the office.

20. Q: What is the largest budget you have ever been responsible for, and where?

A: \$150 million as a Napa Valley Unified School District Board of Trustee Member.
\$39 Million as an Assistant District Attorney

21. Q: I certify that I meet the announced requirements for this examination and understand that I will be eliminated at any stage in such examination if it develops that, in fact I do not meet them. I further certify that all statements made in this supplemental questionnaire and the application are true and I agree and understand that misstatements or omissions of material facts will cause forfeiture of my rights to employment with Contra Costa County.

A: Yes

6-25-17

Kensok~

I hope this finds you and yours doing great. I want you to know I have huge respect for you. I know your ethics and morals are true. I believe your #1 priority is keeping civilians safe and to get justice for victims. If you were a roll model for my kids I would be a fat, happy, white boy. I enjoy your sense of humor. You for sure one of the smartest men I've ever met. The best thing Co Co County could do is move you over here and you would be a great head DA. There is some smart PDAs there but if anyone else had my case I would of been out long ago ~~is~~! You better stay sharp cuz we both know trial #3 will happen. Please tell Miss Knox she did an awesome job with turd

bag.

RIP

Respectfully
cobx

2KA1-2017A - DISTRICT ATTORNEY

Contact Information -- Person ID: [REDACTED]

Name: Richard A Madsen Jr Address: [REDACTED] Danville, California [REDACTED] US
Home Phone: [REDACTED] Alternate Phone: [REDACTED]
Email: rick@madsenlawfirm.com

Personal Information

Driver's License: Yes, California , [REDACTED] , Class C
Can you, after employment, submit proof of your legal right to work in the United States? Yes
What is your highest level of education? Doctorate

Preferences

Preferred Salary: \$258,180.00 per year
Are you willing to relocate? No
Types of positions you will accept: Regular
Types of work you will accept: Full Time
Day , Evening , Night ,
Rotating , Weekends , On
Types of shifts you will accept: Call (as needed)

Objective

To promote sound and transparent law enforcement, inspire public confidence in the Contra Costa County District Attorney's Office, and to honorably serve the community of Contra Costa County in which I have been a resident for more than 50 years.

Education

Graduate School <i>University of the Pacific, McGeorge School of Law</i> 8/1985 - 5/1988 Sacramento, California	Did you graduate: Yes College Major/Minor: Juris Doctorate Degree Received: Doctorate
College <i>California Polytechnic State University</i> [Unspecified Start] - 1984 San Luis Obispo, California	Did you graduate: Yes College Major/Minor: Political Science/Pre-Law Concentration Degree Received: Bachelor's

Work Experience

Owner 10/2011 - Present Madsen Law Firm www.madsenlawfirm.com 1655 North Main Street, Suite 240 Walnut Creek, California 94596 [REDACTED]	Hours worked per week: 60 Monthly Salary: \$0.00 Name of Supervisor: Self May we contact this employer? Yes
--	--

Duties

Manage a successful Bay Area law practice, focusing on criminal defense and selective victim advocacy, civil rights, and personal injury matters.

Founding Partner 10/1996 - 10/2011	Hours worked per week: 60 Monthly Salary: \$0.00 # of Employees Supervised: 7
--	---

Madsen & Wolch, LLP
2055 North Broadway
Walnut Creek, California 94596
[REDACTED]

Name of Supervisor: Self
May we contact this employer?

Duties

Managed well-recognized and respected law firm in downtown Walnut Creek. Areas of practice included statewide criminal defense, civil litigation, insurance defense, and family law.

Reason for Leaving

Downsized busy law office with multiple attorneys and areas of practice to a smaller, more tailored and focused law firm.

Associate Attorney

1/1993 - 10/1996

Law Offices of Terence Daniel Doyle
208 West El Pintado Road
Danville, California 94526
[REDACTED]

Hours worked per week: 40
Monthly Salary: \$0.00
Name of Supervisor: Terence Daniel Doyle
- Owner
May we contact this employer? Yes

Duties

Managed hundreds of assigned insurance and civil defense files. Developed a criminal defense practice throughout the State of California. Managed/supervised associates and support staff.

Reason for Leaving

Left to establish my own law practice.

Deputy District Attorney

6/1990 - 9/1992

Contra Costa County District Attorney's Office
<http://www.co.contra-costa.ca.us/203/District-Attorney>
725 Court Street
Martinez, California 94553
[REDACTED]

Hours worked per week: 40
Monthly Salary: \$0.00
Name of Supervisor: Robert Kochly -
District Attorney
May we contact this employer? Yes

Duties

Misdemeanor Trial Team
District Attorney Narcotic Enforcement team
Felony Preliminary Hearings
Animal Control Deputy, aka "Dog Deputy"
Victim and Witness Advocate

Reason for Leaving

County budget crisis.

Certificates and Licenses

Type: California State Bar License
Number: 146174
Issued by: State Bar of California
Date Issued: 6 /1990 Date Expires: 12 /2017

Skills

Office Skills

Typing:
Data Entry:

Additional Information

References

Professional

Gagen Jr Esq., William E

Partner, Gagen McCoy

[REDACTED]

Professional

Grossman, Esq., Elizabeth

Law Offices of Elizabeth Grossman

[REDACTED]

Resume

Text Resume

Attachments

Attachment	File Name	File Type	Created By
Richard A Madsen, Jr. Resume 7.21.17.docx	Richard A Madsen, Jr. Resume 7.21.17.docx	Resume	Job Seeker
Cover letter to Board of Supervisors 7.21.17.doc	Cover letter to Board of Supervisors 7.21.17.doc	Cover Letter	Job Seeker
Redacted application	Richard A Madsen	Other	LaShonda Smith

Agency-Wide Questions

1. Q: Have you ever been rejected during a probationary period, forced to resign in lieu of termination, dismissed, fired, terminated, or had an employment contract terminated from any position for performance or for disciplinary reasons within the last ten (10) years?

A: No

2. Q: If answer is yes, please provide name and address of the employers, reason for each release and dates of employment. If answer is yes, it is not necessarily a bar to employment. Each case is given individual consideration, based on job relatedness.

A:

3. Q: Are you applying for Veterans' Preference Credit? In open examinations, Contra Costa County will add 5% to your earned examination score if you pass the examination AND qualify for Veterans' Preference Credit. In order to qualify for Veterans' Preference Credit, a person shall: (a) have (1) served in the United States Army, Navy, Marine Corps, Air Force, or Coast Guard in time of war, in any expedition of the Armed Forces of the United States, or continuously on active duty for more than 180 days, and (2) received an honorable discharge or certificate of honorable act of service; (b) or be a disabled veteran; (c) and present to the Director of Human Resources no later than the closing date specified in the examination announcement, acceptable evidence of the required military service.

A: No

4. Q: Are you currently a Contra Costa County employee?

A: No

5. Q: If yes, please enter Employee Number.

A:

6. Q: If yes, enter Merit System job title:

A:

7. Q: Check the appropriate box that describes your high school education.

A: High School Diploma

8. Q: Where did you hear of this position?

A: Other

9. Q: If your answer for question #8 was "Advertisement" or "Other," please tell us in which publication or website you saw the Advertisement, or how you heard of this position.

A:

10. Q: I authorize the employers and educational institutions identified in this employment application to release any information they have concerning my employment or education to the County of Contra Costa.

A: Yes

11. Q: May we contact your present employer?

A: Yes

12. Q: REGIONAL WORK LOCATION INTEREST - Check all that apply:

A: CENTRAL (Concord, Clayton, Lafayette, Martinez, Moraga, Orinda and Pleasant Hill)
WEST (Crockett, El Cerrito, El Sobrante, Hercules, Kensington, Pinole, Richmond, Rodeo and San Pablo)
EAST (Antioch, Bay Point, Brentwood, Oakley and Pittsburg)
SOUTH (Danville, San Ramon and Walnut Creek)

13. Q: Are you bilingual in Spanish? (Answering this question will require you to be tested in this language and if placed on the eligible list, your name may be referred out to departments whose position(s) requires bilingual proficiency as designated by the Appointing Authority)

A: No

14. Q: Please select languages (other than English) in which you are fluent in speaking? (Answering this question will require you to be tested in this language and if placed on the eligible list, your name may be referred out to departments whose position(s) requires bilingual proficiency as designated by the Appointing Authority)

A:

15. Q: If you select "other" please indicate the language you are fluent in speaking:

A:

Supplemental Questions

1. Q: A completed supplemental questionnaire is required for this position. Please answer the following questions below and submit your responses with your online application. DO NOT answer any of the questions by indicating, "see attached resume and/or application." Applications received without a completed supplemental questionnaire will be rejected. NOTE: Applicants who completed their education outside of the United States must submit verification of degree/equivalency with their application. Finalists will participate in a moderated forum and be interviewed by the Board of Supervisors in public session. Final candidates' State Summary Criminal History information and economic disclosure statement (FPPC Form 700) may be made available for review by the Board.

A: n/a

2. Q: Are you a resident of, and registered voter in, Contra Costa County?

A: Yes

3. Q: Are you admitted to the practice of law before the Supreme Court of the State of California?

A: Yes

4. Q: Describe your experience in the practice of criminal law.

A: Former Contra Costa County Deputy District Attorney, with a record of trial success. Self-employed Contra Costa County criminal defense attorney for over 25 years, with proven results statewide. I have represented well over 3,000 individual defendants and worked with district attorneys offices up and down the State of California - I have seen what works, and what doesn't. I have established a career based on candor, integrity, truthfulness, and the ability to seek and find common ground with persons of diverse backgrounds and personal circumstances. My professional reputation within the legal community and the bench for tenacity and seeking and speaking the truth is long-established. In 2014, for example, I was retained at first glance, on a misdemeanor DUI case. My investigation of the facts led me to conclude that the arresting officer had unlawfully gained access to my client's cellular device and had transmitted personal and private photographs to himself and other CHP officers. In the interests of justice, I brought that information forward to the District Attorney's Office which initiated a criminal investigation and determined this was a widespread practice, and ultimately secured a felony conviction against the officer. My clients and I took a courageous stand, and the case has influenced police officer conduct and protocol within law enforcement agencies statewide and across the country.

5. Q: Describe your organizational and management experience.

A: In 1996, I established Madsen & Wolch, LLP, with one partner, one paralegal, and no cases. With hard work, a commitment to people and purpose, and honoring the practice of law, the partnership grew steadily over a period of fifteen years. Throughout that time, I hired and managed attorneys, paralegals, and support staff. I forecasted revenue and operating budgets, negotiated lease agreements and service contracts, and most importantly, fostered a working environment that was fun, tolerant, and respectful.

6. Q: What do you believe are the major issues or problems in the administration of criminal law and justice in Contra Costa County?

A: Justice could be better served, victims more fully protected, and the conduct of offenders modified, by decreasing the delay between arrest, charging, and arraignment. Currently, standard law enforcement protocol is that cite-released offenders are given a court date 60 days post-arrest. More often than not, offenders are not charged within that period of time and it is common that mid-level felonies and misdemeanors are not charged until six months or more after arrest. That practice is dangerous, insensitive to victims, and completely misses an opportunity to impact and modify behavior. Although many factors contribute to this phenomenon, the fact remains that too many felony and misdemeanor cases are forced to jury trial, at significant expense to the County and without referral to proven alternatives to traditional sentencing. Quite simply, more cases should be referred to Drug Court, Domestic Violence Court, Mental Health Court, and Veteran's Court which serves the concurrent objectives of cost savings to the County and treatment and behavior modification for offenders. That's how we make our community safer and the system more equitable... early, aggressive, and comprehensive intervention.

7. Q: Why do you want to serve as District Attorney for Contra Costa County?

A: Serving with the District Attorney's Office, in whatever capacity, is an honorable calling. At its core, one can end each day saying: "I did something good today." Unfortunately, over the last 7 years, internal strife, physical altercations, and resentment have overshadowed the fine and honorable work of the professionals in that office. That can change. In my current capacity, I work every day with the D.A.'s of Contra Costa County and would consider it a privilege to promote the much-needed spirit of camaraderie. I started my career in public service, and always knew that I would return.... I just didn't know it was going to take 25 years, but truth be told, there's no

greater calling than serving and protecting the public and saying: "I did something good today."

8. Q: How would you go about restoring and maintaining the public's confidence in the District Attorney's Office?

A: Restoring confidence in the District Attorney's Office must start internally. On day one, I would move my office from the 4th Floor to the 1st Floor to instill and reinforce the principle that we work together in a common pursuit to do justice and protect the public. Just as importantly, I would continue to be myself: an attorney that works tirelessly, day in and day out, for the people I am sworn to serve. Within the District Attorney's Office, I believe my reputation speaks for itself: truth, honesty, and perseverance. Those qualities, which are shared by the overwhelming majority of Deputy D.A.'s, Investigators, and support staff, should be communicated more effectively to the citizens of Contra Costa County by way of more frequent press releases, news conferences, and social media engagement. Local law enforcement and the District Attorney's Office in particular, are ground zero in response to the sentiments and policies emanating from Washington D.C. Sound law enforcement must emphasize family stability and security and towards that end, I have worked to secure post-conviction AB 813 relief for immigrants and will continue to promote the rehabilitative effects and equitable principles embodied in that law. I pledge to work alongside the Public Defender's Office and immigrant advocates where appropriate to promote the values we share.

9. Q: How would you address the mentally ill who are cycling through our justice system?

A: AOT/Laura's Law (a California state law that allows for court-ordered assisted outpatient treatment) is still widely underutilized. Where appropriate, as District Attorney, I would work to facilitate further education and inter-agency cooperation to support citizens who are eligible for and would benefit from this type of assistance.

10. Q: As an attorney, have you ever been sued by a client and/or disciplined or cited for a breach of ethics or unprofessional conduct, or been the subject of a complaint to any court, administrative agency, bar association, disciplinary committee, or other professional group? If yes, please provide the details.

A: No.

11. Q: Please describe a difficult situation you encountered in your role as an attorney. Include details about how you resolved the situation and any lessons learned.

A: As a Deputy District Attorney, I was assigned to trial on a religious-based hate crime. The trial commenced, and the purported victim testified regarding a series of threats and vandalisms against his person and property. During the course of the trial, the victim claimed that the defendant's hateful conduct was ongoing. Alarmed, and somewhat wary of that claim, I communicated with the investigating officer and asked for follow-up investigation. That evening, law enforcement confirmed that the "victim" was falsifying the occurrences and actually personally engaging in the conduct for which he had accused the defendant. With that information, I went to my Deputy District Attorney Supervisor and informed the court and dismissed the charges. The "victim" was ultimately charged and convicted of perjury. The lesson? Seeking justice is not necessarily the same thing as seeking convictions.

12. Q: Please describe the most significant and complex legal matter you have handled, your role in the process, and the outcome.

A: Without giving away too many identifying details, Jane Doe, a pregnant 16-year-old ward of the court and victim of a violent knife attack at the hands of a close family member, walked into my office unannounced. She was referred by a colleague and needed immediate assistance. Preliminarily, I needed consent from the Juvenile Court for the appointment of a Guardian ad Litem and to serve as her counsel, which was granted over vigorous objection by a panel of county lawyers and representatives. Thereafter, I served as her Marsy's Law representative and intervened with the District Attorney's Office to ensure that the perpetrator of the offense would not be released from custody. Simultaneously, I filed an ex parte action in civil court to seize and preserve the defendant's substantial assets, and then moved forward with a civil personal injury action on a priority basis for my client. During this process, I identified

potential insurance proceeds, convinced the appropriate bodies that coverage applied, and successfully coordinated a complicated multi-party mediation that resulted in a substantial recovery for my client and her now-young son. Subsequently, I arranged for the creation of a Special Needs Support Trust and the appointment of a trustee and fiduciary to preserve capital on my client's behalf. I'm very happy to report that Jane Doe is enrolled in a nursing program, will soon graduate, and is living securely with her young son out of county.

13. Q: What is the size of the population/client base served by current employer?

A: Throughout my career, I have represented all manner of individuals, businesses, corporations, and bureaucracies throughout the state. At one point, I was the responsible/managing attorney for over 200 active files. The primary emphasis of my practice has always been criminal defense. I strive to make a positive impact on my clients, to influence their behavior and reduce the chance of recidivism. Similarly, while I advocate strongly on their behalf, I work in a spirit of efficiency and compromise that seeks a fair resolution given the unique qualities of each client and each case.

14. Q: To whom do you currently report, by title?

A: N/A; Sole Proprietor.

15. Q: What number of staff are employed by current employer?

A: In anticipation of a return to public service, I have intentionally downsized my practice and currently employ one full-time assistant.

16. Q: What number of staff do you currently oversee (direct and indirect)?

A: In anticipation of a return to public service, I have intentionally downsized my practice and currently employ one full-time assistant.

17. Q: What is the largest number of staff you have overseen, and where?

A: 7-10, in previous employment and partnership capacities.

18. Q: What is your current employer's operating budget, in dollars?

A: Varies drastically from year to year; budget management in 2016 was over \$1M.

19. Q: For what portion of budget are you responsible, in dollars?

A: 100%

20. Q: What is the largest budget you have ever been responsible for, and where?

A: Has varied from year to year; estimate largest budget years \$1.5M-\$2M.

21. Q: I certify that I meet the announced requirements for this examination and understand that I will be eliminated at any stage in such examination if it develops that, in fact I do not meet them. I further certify that all statements made in this supplemental questionnaire and the application are true and I agree and understand that misstatements or omissions of material facts will cause forfeiture of my rights to employment with Contra Costa County.

A: Yes

Richard A. Madsen, Jr.
Danville, California [REDACTED]
Rick@MadsenLawFirm.com • [REDACTED]

PROFESSIONAL EXPERIENCE

Madsen Law Firm – Walnut Creek, CA

2011 - Present

Sole Proprietor. Manage a successful Bay Area law practice, focusing on criminal defense and selective victim advocacy, civil rights, and personal injury matters.

Madsen & Wolch, LLP – Walnut Creek, CA

1996 - 2011

Founding Partner. Managed well-recognized and respected law firm in downtown Walnut Creek. Areas of practice included statewide criminal defense, civil litigation, insurance defense, and family law.

Law Offices of Terence Daniel Doyle - Danville, CA

1993 - 1996

Associate Attorney. Managed hundreds of assigned insurance and civil defense files. Developed a criminal defense practice throughout the State of California. Managed/supervised associates and support staff.

District Attorney's Office, County of Contra Costa - Martinez, CA

1990 - 1992

Deputy District Attorney. Misdemeanor Trial Team; District Attorney Narcotic Enforcement team; Felony Preliminary Hearings; Animal Control Deputy, aka "Dog Deputy;" Victim and Witness Advocate.

ACADEMIC ACHIEVEMENTS

University of the Pacific, McGeorge School of Law, Sacramento, CA

- Juris Doctorate – 1988
- Moot Court Honor Board
- Legal Writing Instructor

California Polytechnic State University, San Luis Obispo, CA

- Bachelor of Arts, Political Science – 1984
- Pre-Law Concentration
- San Luis Obispo Public Defender, Internship 1983-1984

OTHER AFFILIATIONS, INVOLVEMENTS, INTERESTS

- Admitted to, Member in Good Standing, State Bar of California, 1990 – Present
- Society of California Pioneers
- Multi-Million Dollar Advocates Forum
- Consumer Attorneys of California
- National Association of Criminal Defense Lawyers
- Supporter/Lecturer, San Ramon Valley School District and Mt. Diablo School District “Kids and the Law”
- Mustang Soccer Coach

July 21, 2017

Contra Costa County Board of Supervisors
651 Pine Street, Room 107
Martinez, CA 94553

RE: Contra Costa County District Attorney Appointment

Dear Members,

Please accept my submission and application for appointment to the Office of District Attorney of Contra Costa County. In order to preserve the integrity of the process, letters of recommendation will be forwarded under separate cover.

I am a criminal defense attorney with a demonstrated passion for serving the public. Towards that end, I work with prosecutors, judges, law enforcement representatives, and people from all walks of life on a daily basis. I believe I am uniquely qualified to serve, given more than 25 years of experience in the practice of criminal law, both as a prosecutor and as a criminal defense attorney. I am a consensus builder. I am a friend to justice. I am prepared to rise to the challenge of the Office, and look forward to actively participating in the appointment process.

Thank you for your consideration.

Respectfully,
MADSEN LAW FIRM

/s/ electronically submitted

Richard A. Madsen, Jr.

RAM: ss

2KA1-2017A - DISTRICT ATTORNEY

Contact Information -- Person ID: [REDACTED]

Name: Michael Martin Menesini Address: [REDACTED] Martinez, California [REDACTED] US
Home Phone: [REDACTED] Alternate Phone:
Email: michael.m.menesini@sfgov.org

Personal Information

Driver's License: Yes, California , [REDACTED] , Class C
Can you, after employment, submit proof of your legal right to work in the United States? Yes
What is your highest level of education? Doctorate

Preferences

Preferred Salary: \$250,000.00 per year
Are you willing to relocate? Yes
I have lived in Contra Costa all of my life and have resided at my current address for nearly forty
Types of positions you will accept: Regular
Types of work you will accept: Full Time
Types of shifts you will accept: Day , Evening , Night , Rotating , Weekends , On Call (as needed)

Objective

My objective is to be appointed the District Attorney of Contra Costa County to fill the remaining term of that office.

Education

Graduate School
Golden Gate University
9/1972 - 6/1975
San Francisco, California

Did you graduate: Yes
College Major/Minor: law
Degree Received: Doctorate

Work Experience

Assistant District Attorney
11/1996 - Present
San Francisco District Attorneys Office
850 Bryant Street, Room 322
San Francisco, California 94103
[REDACTED]

Hours worked per week: 40
Monthly Salary: \$0.00
Name of Supervisor: Rani Singh - Assistant District Attorney in charge of Alternative Courts
May we contact this employer? Yes

Duties

Currently, working with cases involving mental health issues including competency, sanity and grave disability. I also prosecute Sexually Violent Predators, Mentally Disordered Offenders and "Murphy" conservatorship cases where those charged with violent crimes such as murder remain incompetent to stand trial.

Reason for Leaving

still working

Certificates and Licenses

Type: California License to
practice law

Number: 66836

Issued by: State of California Bar Association

Date Issued: 12 /1975 Date Expires:

Skills

Office Skills

Typing:

Data Entry:

Additional Information

References

Professional

Clark, Andrew

San Francisco Assistant District
Attorney



Resume

Text Resume

Attachments

Attachment	File Name	File Type	Created By
Redacted Application	Michael M. Menesini_Redacted	Other	LaShonda Smith
Degree	Degree	Other	LaShonda Smith
News Article	News Article	Other	LaShonda Smith
Flyer	Flyer	Other	LaShonda Smith

Agency-Wide Questions

1. Q: Have you ever been rejected during a probationary period, forced to resign in lieu of termination, dismissed, fired, terminated, or had an employment contract terminated from any position for performance or for disciplinary reasons within the last ten (10) years?

A: No

2. Q: If answer is yes, please provide name and address of the employers, reason for each release and dates of employment. If answer is yes, it is not necessarily a bar to employment. Each case is given individual consideration, based on job relatedness.

A:

3. Q: Are you applying for Veterans' Preference Credit? In open examinations, Contra Costa County will add 5% to your earned examination score if you pass the examination AND qualify for Veterans' Preference Credit. In order to qualify for Veterans' Preference Credit, a person shall: (a) have (1) served in the United States Army, Navy, Marine Corps, Air Force, or Coast Guard in time of war, in any expedition of the Armed Forces of the United States, or continuously on active duty for more than 180 days, and (2) received an honorable discharge or certificate of honorable act of service; (b) or be a disabled veteran; (c) and present to the Director of Human Resources no later than the closing date specified in the examination announcement, acceptable evidence of the required military service.

A: Yes

4. Q: Are you currently a Contra Costa County employee?

A: No

5. Q: If yes, please enter Employee Number.

A:

6. Q: If yes, enter Merit System job title:

A:

7. Q: Check the appropriate box that describes your high school education.

A: High School Diploma

8. Q: Where did you hear of this position?

A: Contra Costa County Website

9. Q: If your answer for question #8 was "Advertisement" or "Other," please tell us in which publication or website you saw the Advertisement, or how you heard of this position.

A:

10. Q: I authorize the employers and educational institutions identified in this employment application to release any information they have concerning my employment or education to the County of Contra Costa.

A: Yes

11. Q: May we contact your present employer?

A: Yes

12. Q: REGIONAL WORK LOCATION INTEREST - Check all that apply:

A: CENTRAL (Concord, Clayton, Lafayette, Martinez, Moraga, Orinda and Pleasant Hill)
WEST (Crockett, El Cerrito, El Sobrante, Hercules, Kensington, Pinole, Richmond, Rodeo and San Pablo)
EAST (Antioch, Bay Point, Brentwood, Oakley and Pittsburg)
SOUTH (Danville, San Ramon and Walnut Creek)

13. Q: Are you bilingual in Spanish? (Answering this question will require you to be tested in this language and if placed on the eligible list, your name may be referred out to departments whose position(s) requires bilingual proficiency as designated by the Appointing Authority)

A: No

14. Q: Please select languages (other than English) in which you are fluent in speaking? (Answering this question will require you to be tested in this language and if placed on the eligible list, your name may be referred out to departments whose position(s) requires bilingual proficiency as designated by the Appointing Authority)

A:

15. Q: If you select "other" please indicate the language you are fluent in speaking:

A:

Supplemental Questions

1. Q: A completed supplemental questionnaire is required for this position. Please answer the following questions below and submit your responses with your online application. DO NOT answer any of the questions by indicating, "see attached resume and/or application." Applications received without a completed supplemental questionnaire will be rejected. NOTE: Applicants who completed their education outside of the United States must submit verification of degree/equivalency with their application. Finalists will participate in a moderated forum and be interviewed by the Board of Supervisors in public session. Final candidates' State Summary Criminal History information and economic disclosure statement (FPPC Form 700) may be made available for review by the Board.

A:

2. Q: Are you a resident of, and registered voter in, Contra Costa County?

A: Yes

3. Q: Are you admitted to the practice of law before the Supreme Court of the State of California?

A: Yes

4. Q: Describe your experience in the practice of criminal law.

A: I joined the Merced County Public Defenders Office in 1976 after having served as a San Jose Police Officer and a Santa Clara County Legal Aid attorney. I worked as a Deputy District Attorney in Contra Costa County from 1978 to 1991. I had a private practice from 1991 through 1994 where I defended death penalty cases. Subsequently, I joined the California Legislative Counsel where I worked to provide legal opinions in the area of Criminal law from 1994 through 1996. In 1996 I joined the San Francisco District Attorneys Office as an Assistant District Attorney and have been there for 21 years. I have tried every case imaginable from arson to murder to rape and child molestation. I have tried approximately 150 criminal jury trials.

I wrote the San Francisco pretrial diversion guidelines pursuant to Penal Code Section 1000 et. seq. and helped DA Hallinan set up a Community Court system in San Francisco. I became knowledgeable with regard to collaborative and restorative justice courts.

5. Q: Describe your organizational and management experience.

A: As a prosecuting attorney I have managed trial teams and the Juvenile Section in Richmond. These assignments involved assigning and monitoring cases as well as performance evaluation of team personnel.

I managed a private law practice that included the management of payroll and trust accounts for secretarial and investigative services.

As the Mayor of Martinez, I helped manage City services (including police services) for almost twenty years (six terms). As a council member and School District Trustee for another ten years I continued to have the responsibility to review budgets line item by line item in order to understand where the City and the School District could economize and/or fund new services.

As a twice elected Chair of the Contra Costa I not only managed the budget for the Conference, but I led the Mayors to approve in a special meeting called by myself to approve the governance structure for the Contra Costa Transportation Authority that was held in the City of Martinez Council Chambers.

As a newly elected member of the Local Agency Formation Commission I led the successful effort to reverse the decision to urbanize the Briones Agricultural Preserve and eventually to establish the Briones Hills Preservation Agreement approved by six cities and the County of Contra Costa.

Currently, I serve as the Treasurer for the Mission Language Vocational School, a non-profit that serves recent immigrants that has been a "sanctuary" school for a half century.

6. Q: What do you believe are the major issues or problems in the administration of criminal law and justice in Contra Costa County?

A: Trust and transparency are the major issues in the administration of criminal law and justice in Contra Costa County. The District Attorney is the ultimate gate keeper and authority that must ensure equal justice and fairness for all under the law. No other entity with the criminal justice system has this responsibility. The District Attorney must

be willing to descend from the Ivory Tower and speak directly to victims, prosecutors, the Defense Bar and the public. I have had decades of experience doing just that.

Contra Costa can more effectively and economically prosecute misdemeanor crimes by establishing "problem solving" justice programs that embrace collaborative/restorative justice principles. Both the DA and the Courts in our county have provided a lack luster effort in this regard. We have one of the most expensive misdemeanor prosecution programs in the State. Our County has yet to establish a true pretrial diversion program pursuant to Penal Code Section 1000 et. seq. Our judges have not extended themselves in support of collaborative/restorative justice. "The truth is that too often judicial independence is used as an excuse for judicial ignorance." (Good Courts by Berman and Feinblatt). We must have a DA that is willing to engage the public with respect to criminal justice. We must have a DA that knows our communities and understands the impact that crime has upon them.

The establishment of effective collaborative courts and community courts infused with the principles of restorative justice will go a long ways towards reclaiming public trust. (see Smart on Crime by Kamala D. Harris).

7. Q: Why do you want to serve as District Attorney for Contra Costa County?

A: Criminal law has been a life time passion. I have been a police officer, deputy public defender and a deputy/assistant district attorney. (A prosecutor for 35 years.)

I have a strong and deep connection to our County. I grew up here. My parents and grandparents were born and grew up in Contra Costa. My father spent many years in public service in Contra Costa retiring as a Vice Superintendent of Schools in Pittsburg and as a Board Member for the Contra Costa Sanitary District for twenty years amongst many other contributions.

I have spent decades in leadership positions within the County promoting the welfare of our citizens. As a result I have a considerable understanding of the many communities that comprise Contra Costa.

I should be the DA because I can improve the quality of life in our diverse and varied communities.

8. Q: How would you go about restoring and maintaining the public's confidence in the District Attorney's Office?

A: Restoring and maintaining public confidence is about effective communication. Upon appointment I will immediately introduce myself by attending every City Council and MAC meeting in the County. I will immediately begin to establish restorative justice programs in each community. I will appear at the Mayors Conference and the Police Chiefs Association to listen and speak about criminal justice concerns. Accessibility and visibility will be key to effective communication.

9. Q: How would you address the mentally ill who are cycling through our justice system?

A: Collaborative Courts, such as the Behavioral Health Court in San Francisco, have proven to be effective in stemming the tide of recidivism by connecting those afflicted with mental health issues who find themselves in the criminal justice system with services and case managers. We should seek to improve upon this concept. Also establishing effective partnerships with the Public Guardian, Public Conservator and our County Hospital's Psych. Emergency for the purpose of introducing individuals caught in the criminal justice system to potential conservatorship could prove effective alternatives to criminal prosecution.

10. Q: As an attorney, have you ever been sued by a client and/or disciplined or cited for a breach of ethics or unprofessional conduct, or been the subject of a complaint to any court, administrative agency, bar association, disciplinary committee, or other professional group? If yes, please provide the details.

A:

I have never been sued or disciplined. I have never been the subject of a complaint to any Court or administrative agency. I have many letters, particularly from crime victims, that have complimented my efforts for professionalism and compassion.

11. Q: Please describe a difficult situation you encountered in your role as an attorney. Include details about how you resolved the situation and any lessons learned.

A: Every case is a learning experience and unique in its own way. Cases involving crimes of violence, particularly domestic abuse, child abuse and sexual assault illustrate how vulnerable victims can be. In one instance where a very intelligent and accomplished woman was raped, I experienced her husband verbally abusing her during the trial, blaming her for the crime. His verbal abuse was difficult to understand. I was forced to excuse him from my office and found bolstering her self-esteem through victim services was critical to a successful prosecution. Prosecution often is not simply proving that a crime occurred but also coping with myriad social issues.

12. Q: Please describe the most significant and complex legal matter you have handled, your role in the process, and the outcome.

A: I have handled many complex legal matters. Years ago, in front of Judge Pat Herron in Contra Costa County, I prosecuted a triple Defendant murder case that resulted in two first degree and one second degree murder verdicts. The case rested primarily upon circumstantial evidence. There were scores of exhibits from the crime scene. The case preceded the advent of DNA blood analysis and was based upon the ABO blood analysis. Of note, I was able to locate a young boy who had heard voices that he recognized while he was hiding and his mother was being cut to pieces.

I just recently completed a court trial where the Defendant was found competent after years of being deemed incompetent. He was found guilty of killing his mother, girlfriend and her baby and then found to have been insane at the time he committed these crimes. Competency and sanity are closely defined by the Penal Code and the DSM. Trials with regard to these matters can be very complex legally and factually.

In both of the above cases, I was the lead and only prosecutor and obtained justice for the victims.

13. Q: What is the size of the population/client base served by current employer?

A: The City and County of San Francisco population: approximately one million.

14. Q: To whom do you currently report, by title?

A: Assistant District Attorney Rani Singh who is responsible for overseeing all of our alternative courts.

15. Q: What number of staff are employed by current employer?

A: Approximately 200 support and prosecutorial staff.

16. Q: What number of staff do you currently oversee (direct and indirect)?

A: Currently, I do not directly oversee anyone but I am consulted by numerous attorneys with regard to competency, sanity and conservatorship issues.

17. Q: What is the largest number of staff you have overseen, and where?

A: Directly, as a prosecutor, approximately 20 individuals who were members of our Misdemeanor Trial Team and indirectly as a Mayor approximately 200 employees.

18. Q: What is your current employer's operating budget, in dollars?

A: Approximately \$30,000,000.00

19. Q: For what portion of budget are you responsible, in dollars?

A: The amount of money spent on alienists (psychologists and psychiatrists) varies considerably, but in my experience has not exceeded twenty five thousand dollars.

20. Q: What is the largest budget you have ever been responsible for, and where?

A:

As the Mayor of Martinez I oversaw an approximate twenty million dollar budget for our general purpose responsibilities and another twenty million dollars for the dependent special district for water.

21. Q: I certify that I meet the announced requirements for this examination and understand that I will be eliminated at any stage in such examination if it develops that, in fact I do not meet them. I further certify that all statements made in this supplemental questionnaire and the application are true and I agree and understand that misstatements or omissions of material facts will cause forfeiture of my rights to employment with Contra Costa County.

A: Yes

Honorable Discharge



from the Armed Forces of the United States of America

This is to certify that

MENESINI MICHAEL M

SP4

USAR

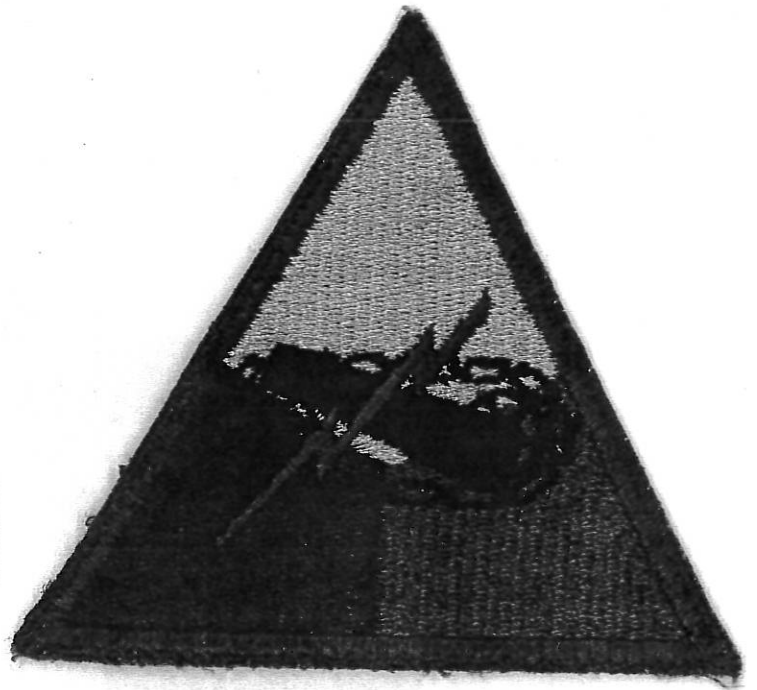
was Honorably Discharged from the

United States Army

on the 20TH *day of* OCTOBER 1976

*This certificate is awarded
as a testimonial of Honest and Faithful Service*

Robert S. Young
ROBERT S. YOUNG
BRIGADIER GENERAL USA



Served in the 48th Infantry, 3rd
Armored Division, USARV.

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*Council comments:
Upon leaving the employ
of the City of Martinez.*

Longtime councilman, former mayor Mike Menesini retires

[Rick Jones](#) | December 4, 2014 | [0 Comments](#)

Menesini steps down from dais after nearly three decades of public service



Mike Menesini (far right) receives a standing ovation as he steps down from the dais at Martinez City Hall for the last time Tuesday night, Dec. 2, 2014. Menesini, Assistant District Attorney for the City and County of San Francisco, served in his hometown of Martinez as mayor and council member for a collective 26 years prior to an unsuccessful bid for reelection this November. (RICK JONES / Martinez News-Gazette)

MARTINEZ, Calif. – For 26 years, Mike Menesini has served the people of Martinez. Tuesday night was a chance to say thanks.

Menesini, who lost a re-election bid, will no longer hold public office in Martinez where he was mayor for 18 years and a city councilman for eight.

"I have served a long time," Menesini said from the dais at Tuesday's special council meeting. "Time does march on and things change. I am eternally grateful for the opportunity to have served on the Martinez City Council, also as mayor for almost 20 years.

"This old fellow who is retiring as of tonight wants to say to everyone, thank you, thank you very much. And to my fellow council members, we've had disagreements, but they are wonderful people who are extremely bright. I know the city is in good hands."

Menesini took time to mention a few of the many projects he is most proud of.

6/16/2017

« [Review: Chrissie Hynde at the Masonic The Star of Bethlehem](#) »

About Us

The Martinez News-Gazette, established in 1858, is one of the oldest continuously operating newspapers in the United States, and one of the first newspapers in California. The semi-weekly serves the county seat of Contra Costa in the San Francisco Bay Area. You can reach us at (925) 228-6400.



Current Weather in Martinez, CA

°F	°C
	Today: °F / °F
	Sat: °F / °F
	Sun: °F / °F

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- [Alhambra Valley family plagued by thieves](#)
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Obituaries



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An investment in our quality of life

... and in the future of our community

Michael Menesini has earned our trust!

Through his visionary leadership over the past 14 years, Mike Menesini has created new opportunities for the citizens of Martinez. His *can-do* record has helped our city realize its tremendous potential as he has **taken a good place and made it great!**

He said he *could* and then he *did*...

ECONOMIC PROGRESS

- ★ **Quadruple** sales tax revenues
- ★ Achieve \$1 million budget surplus
- ★ Obtain \$12 million in outside funds to build a transportation hub downtown
- ★ Bring in new shopping centers, movie theaters, and restaurants
- ★ Develop business parks and job training centers
- ★ Recruit new business and increase job opportunities in the city

FAMILY FOCUS

- ★ Create new housing in beautiful and well-planned neighborhoods
- ★ Establish daycare at all elementary schools
- ★ Expand Leisure Services programs
- ★ Spearhead the building of the Senior Center and enhance senior programs
- ★ Promote family New Year's Eve festival
- ★ Create Police Activities League

COMMUNITY IMPROVEMENTS

- ★ Decrease crime rate
- ★ Raise the quality of drinking water
- ★ Create City/County coalition to preserve the State Theater
- ★ Renovate earthquake damaged City Hall using matching outside funds
- ★ Preserve historic sites and establish historic monuments

Mike Menesini has earned our trust ...and he has earned our vote.

*A leader we can trust
Experience we can count on*
Mike Menesini
★★★ *Making a Difference!*

Paid for by:
Friends of Mike Menesini
1320 Thomas Dr., Martinez, CA 94553
925-372-MIKE ID#920168
(Labor Donated)

2KA1-2017A - DISTRICT ATTORNEY**Contact Information -- Person ID:** [REDACTED]

Name: Brad J. Nix Address: [REDACTED] US
Oakley, California [REDACTED]
Home Phone: [REDACTED] Alternate Phone: [REDACTED]
Email: bdnix@sbcglobal.net

Personal Information

Driver's License: Yes, California, [REDACTED], Class C
Can you, after employment, submit proof of your legal right to work in the United States? Yes
What is your highest level of education? Doctorate

Preferences

Preferred Salary: \$120.00 per hour; \$250,000.00 per year
Are you willing to relocate? Maybe
I moved to Contra Costa County in 1979. I bought my current home in Oakley, in December of 1982 and
Types of positions you will accept: Regular
Types of work you will accept: Full Time
Types of shifts you will accept: Day, Evening, Night, Weekends, On Call (as needed)

Objective

Become the District Attorney of Contra Costa County.

Education**Graduate School**

Hastings College of the Law
<http://www.uchastings.edu/>
8/1978 - 5/1981
San Francisco, California

Did you graduate: Yes
College Major/Minor: Law
Units Completed: 81 Semester
Degree Received: Doctorate

College

University of Southern California
<http://www.usc.edu/>
8/1976 - 5/1978
Los Angeles, California

Did you graduate: Yes
College Major/Minor: Business with an option in Finance
Units Completed: 64 Semester
Degree Received: Bachelor's

College

Pasadena City College
<http://www.pasadena.edu/>
8/1974 - 8/1976
Pasadena, California

Did you graduate: No
College Major/Minor: Business
Units Completed: 71 Semester
Degree Received: No Degree

High School

Pasadena High School
1/1973 - 5/1974
Pasadena, California

Did you graduate: Yes
Degree Received: High School Diploma

Work Experience**Deputy District Attorney V**

8/1987 - Present

Stanislaus County District Attorney's Office
<http://stanislaus-da.org/>

Hours worked per week: 40
Monthly Salary: \$11,250.00
of Employees Supervised: 0
Name of Supervisor: David P. Harris - Chief

832 12th Street, Suite 300
Modesto, California 95354

Deputy District Attorney
May we contact this employer? Yes

Duties

Currently: I vertically prosecute vehicle thefts in all criminal departments, arrange global settlements as practical, periodically I am on call for 187 calls (reported new murder cases), review and issue criminal cases, routinely work with special investigators, and handle other duties and special projects as needed. I also handle a number of 187 cases, currently 4. My past assignments have included most assignments in the office, for example felony trials, Drug Enforcement, Issuance (review of felony cases for filing or rejection), Consumer Fraud, Homicide trials, Juvenile, Worker's Compensation Fraud, Calendar, Real Estate Fraud, Vehicle Theft Unit. I've also handled three management assignments. Chief DDA in charge of Misdemeanors, Chief DDA in charge of Administration, and Chief DDA in charge of Family Support Division.

Reason for Leaving

I have not left. I will leave to accept the appointment I am applying for.

Deputy District Attorney

8/1982 - 8/1987

Hours worked per week: 40

Monthly Salary: \$3,166.00

of Employees Supervised: 0

Contra Costa County District Attorney's Office

[http://www.co.contra-costa.ca.us/index.aspx?](http://www.co.contra-costa.ca.us/index.aspx?NID=3145)

NID=3145

10 Douglas, Suite 130

Martinez, California 94553

Name of Supervisor: James Sepulveda - Senior

Deputy District Attorney - Consumer Fraud

May we contact this employer? Yes

Duties

A variety of assignments during my first five years as a DDA: Misdemeanor filing and prosecution, preliminary hearings, law and motion, felony trials, domestic violence, and Consumer Fraud.

Reason for Leaving

Take a job with Stanislaus County DA's Office.

Law Clerk

9/1980 - 12/1981

Hours worked per week: 15

Monthly Salary: \$360.00

of Employees Supervised: 0

Tinning & DeLap

1211 Newell Ave.

Walnut Creek, California

Name of Supervisor: Robert Bidlingmaier - Partner

May we contact this employer? Yes

Duties

Civil: legal research re a variety of legal topics, memos, civil discovery, other duties as assigned. (Note, this law firm dissolved years ago. Prior partners included Jay Sanders, Keith Howard, and Robert Bidlingmaier.)

Reason for Leaving

To take the California Bar Exam

Retail Clerk

7/1974 - 9/1980

Hours worked per week: 16

Monthly Salary: \$512.00

of Employees Supervised: 0

Lucky Stores Inc. / Ralphs Grocery Stores

1372 South California Blvd.

Walnut Creek, California 94596

Name of Supervisor: Ray Dillon - Asst. Store Supervisor

May we contact this employer? Yes

Duties

Stocked, checkout, morning crew, and various department assignments as needed.

Reason for Leaving

To take a law clerk job with Tinning & DeLap. Note the above store location closed many years ago and Mr. Dillon has retired.

Filer/delivery

2/1978 - 8/1978

La Follette, Johnson, Schroeter & Dehass
<http://ljdfa.com/>
865 South Figueroa Street, 32nd Floor
Los Angeles, California 90017-5431
[REDACTED]

Hours worked per week: 15

Monthly Salary: \$200.00

of Employees Supervised: 0

Name of Supervisor: Dennis Ames - Office
Manager

May we contact this employer? Yes

Duties

Filed legal documents in a variety of courts around Los Angeles Co., delivered subpoenas, and did some work in the law library.

Reason for Leaving

To attend law school

Certificates and Licenses

Type: State Bar License

Number: 103133

Issued by: California State Bar

Date Issued: 6 /1982 Date Expires:

Skills

Office Skills

Typing: 35

Data Entry: 0

Additional Information**Interests & Activities**

In 1998, I served on the committee to incorporate the City of Oakley. I also ran for City Council and served two terms from 1999 to 2008, including two one year terms as Mayor. While on the Council, I worked on many projects, including: I helped draft our first budgets, started our financial policies, wrote a contract to hire the Sheriff's Office, worked to expand Oakley's borders, hired two City Managers and two City Attorneys, and worked on numerous other City related activities.

From 1999 through 2008, I represented the City of Oakley on the regional Transportation Boards, (TransPlan, ECCF&FA, and the Highway 4 Bypass Committee) and then the County wide Board: CCTA. While on CCTA's board, I chaired one of the two standing committees and worked on a number of major transportation projections, including: renewing the county wide transportation sales tax, the expansion of Highway 4 to 8 lanes and bringing BART to East Contra Costa County.

Volunteer Experience

In High School I belonged to Key Club, a volunteer service organization. In junior college I joined Circle K. We did numerous services projects. During that period, I ran three blood drives and served as Service Projects Chair and President.

In law school, I joined Phi Alpha Delta, which had the copier concession for the school and donated half of our proceeds to charity. I served in several positions, ending as Justice of our club.

From 1992 to 1997, I was a member of the Modesto 500 Lions club and worked on a number of service projects. My favorite being the annual trip to Camp Jack Hazard to clean it up each spring.

From 1994 to 2001, I served on the Board of a 501(c)(3) non-profit, Consumer Credit Counselors of Mid Counties. During that time, I moved up to the vice Chair and then Chairman's position. We provided free or very low cost credit counseling, offered bill consolidation, and arranged for some loan forgiveness.

Miscellaneous

I have worked on a number of matters with other Stanislaus County Departments including: the Dove project, a joint lease for space with the Courts for FSD attorneys, the SO Icjis access for DDA's, SO production of priors for 969(b) packets. I have also presented matters to the Board of Supervisors, re: Additional positions at Family Support Division, Real Estate Fraud annual report, and an REF special report. I also served on the County wide Domestic Violence Task Force with then DA Don Stahl in 1995-1996.

Additional Information

I have worked in most assignments that a DDA can do within the Office. I have handled a number of complex cases both standard criminal charges and others, including corporate securities charges and civil consumer fraud cases. I have handled a number of murder cases and been through trial on one Death Penalty case, People v. Climer. I have also presented three cases to the Stanislaus County Grand Jury. I have written both a successful grant application and several annual grant reports. I have also worked on a number of projects both individually and with working groups on internal DA's Office projects.

References

Professional

Ferreira, Marlisa

Chief Deputy District Attorney

Stanislaus County District Attorney's Office



Professional

Salter, Timothy

Judge of the Stanislaus County Superior Court

Superior Court of California, County of

Stanislaus



Professional

Steffen, Scott

Judge of the Superior Court

Superior Court of California, County of

Stanislaus



Resume

Text Resume

Attachments

Attachment	File Name	File Type	Created By
DOC011.pdf	DOC011.pdf	Cover Letter	Job Seeker
Brad Nix CV and DDA Assignments 1982 to 2017.docx	Brad Nix CV and DDA Assignments 1982 to 2017.docx	Resume	Job Seeker
DOC019.pdf	DOC019.pdf	References	Job Seeker
		Professional License	Job Seeker

Professional License Verification
Source California State Bar
Website.docx

DOC021.pdf

Brad J Nix_Redacted

Professional License
Verification Source California
State Bar Website.docx

DOC021.pdf

Brad J Nix_Redacted

Other

Other

Job Seeker

Alex
Johnson

Agency-Wide Questions

1. Q: Have you ever been rejected during a probationary period, forced to resign in lieu of termination, dismissed, fired, terminated, or had an employment contract terminated from any position for performance or for disciplinary reasons within the last ten (10) years?

A: No

2. Q: If answer is yes, please provide name and address of the employers, reason for each release and dates of employment. If answer is yes, it is not necessarily a bar to employment. Each case is given individual consideration, based on job relatedness.

A:

3. Q: Are you applying for Veterans' Preference Credit? In open examinations, Contra Costa County will add 5% to your earned examination score if you pass the examination AND qualify for Veterans' Preference Credit. In order to qualify for Veterans' Preference Credit, a person shall: (a) have (1) served in the United States Army, Navy, Marine Corps, Air Force, or Coast Guard in time of war, in any expedition of the Armed Forces of the United States, or continuously on active duty for more than 180 days, and (2) received an honorable discharge or certificate of honorable act of service; (b) or be a disabled veteran; (c) and present to the Director of Human Resources no later than the closing date specified in the examination announcement, acceptable evidence of the required military service.

A: No

4. Q: Are you currently a Contra Costa County employee?

A: No

5. Q: If yes, please enter Employee Number.

A:

6. Q: If yes, enter Merit System job title:

A:

7. Q: Check the appropriate box that describes your high school education.

A: High School Diploma

8. Q: Where did you hear of this position?

A: Other

9. Q: If your answer for question #8 was "Advertisement" or "Other," please tell us in which publication or website you saw the Advertisement, or how you heard of this position.

A: I saw a news story regarding the BOS meeting of 6/23/2017. From there, I went on online and watched that meeting and reviewed the County website information.

10. Q: I authorize the employers and educational institutions identified in this employment application to release any information they have concerning my employment or education to the County of Contra Costa.

A: Yes

11. Q: May we contact your present employer?

A: Yes

12. Q: REGIONAL WORK LOCATION INTEREST - Check all that apply:

A: CENTRAL (Concord, Clayton, Lafayette, Martinez, Moraga, Orinda and Pleasant Hill)
WEST (Crockett, El Cerrito, El Sobrante, Hercules, Kensington, Pinole, Richmond, Rodeo and San Pablo)
EAST (Antioch, Bay Point, Brentwood, Oakley and Pittsburg)
SOUTH (Danville, San Ramon and Walnut Creek)

13. Q: Are you bilingual in Spanish? (Answering this question will require you to be tested in this language and if placed on the eligible list, your name may be referred out to departments whose position(s) requires bilingual proficiency as designated by the Appointing Authority)

A: No

14. Q: Please select languages (other than English) in which you are fluent in speaking? (Answering this question will require you to be tested in this language and if placed on the eligible list, your name may be referred out to departments whose position(s) requires bilingual proficiency as designated by the Appointing Authority)

A:

15. Q: If you select "other" please indicate the language you are fluent in speaking:

A:

Supplemental Questions

1. Q: A completed supplemental questionnaire is required for this position. Please answer the following questions below and submit your responses with your online application. DO NOT answer any of the questions by indicating, "see attached resume and/or application." Applications received without a completed supplemental questionnaire will be rejected. NOTE: Applicants who completed their education outside of the United States must submit verification of degree/equivalency with their application. Finalists will participate in a moderated forum and be interviewed by the Board of Supervisors in public session. Final candidates' State Summary Criminal History information and economic disclosure statement (FPPC Form 700) may be made available for review by the Board.

A:

2. Q: Are you a resident of, and registered voter in, Contra Costa County?

A: Yes

3. Q: Are you admitted to the practice of law before the Supreme Court of the State of California?

A: Yes

4. Q: Describe your experience in the practice of criminal law.

A: I have been a DDA since August of 1982 (nearly 35 years) when I joined the Contra Costa County DA's Office. In 1987, I moved to the Stanislaus County DA's Office. I have prosecuted nearly every type of crime a DA's Office can. I have held several management positions, and worked on numerous special projects involving the myriad issues that arise in criminal law. I have also presented to a BOS on several DA's Office issues.

5. Q: Describe your organizational and management experience.

A: As a Chief Deputy District Attorney in 1995, I first supervised the Misdemeanor Unit, next when the incumbent DA retired, I served the newly appointed DA as the CDDA in charge of Administration handling budget, policy, and numerous other issues. In that capacity, I wrote the DA's Office 1996/1997 budget and supervised it among other duties. Next beginning in November 1996, I served as CDDA in charge of the Family Support Division. That Division operated pretty much autonomously from the DA's Office. I supervised some 150 to 180 employees (we used a large varying number of temporary employees), wrote the 1997/1998 Division budget and administered it. I also dealt with the County CEO's Office, the BOS staff over complaints, and the DA's Office

regularly. Those management duties included hiring, firing, promotions, rotations, job changes, counseling problem employees, policy changes, and many other duties. As a City Council Member and Mayor, I served as an elected council member, overseeing first the development of the City of Oakley from nothing, then its operation for the first 10 years of the City of Oakley (11/1998-11/2008). I dealt with numerous issues including contracting for police services, establishment of city codes, setting up a public works, planning, and engineering departments, acquisition and development of parks, annexation of new land, development of fiscal policies, oversight of the budget. I helped hire two City Managers, etc.

I also served as Oakley's representative to TransPlan, ECCRFFA, the SR 4 Bypass Authority, and chaired the East County BART Advisory Committee in 2001. I worked many nights with fellow commissioners on many transportation issues. Next, I served as a Commissioner at CCTA and as Chair of the APC subcommittee. Over the years, we approved bonds, then plans, then ongoing work for some of the largest projects in Contra Costa, including the Highway 4 expansion and the Caldecott Tunnel Expansion. I also worked on the Measure C tax renewal. All this experience gave me far greater insight into the problems of management. I often reflected on the differences and the similarities between line staff, management, and electeds. All were trying to accomplish lofty needed goals to which I added my own experiences in rotating of those roles. I found that reflection to be a humbling and very eye-opening experience. I firmly believe that management must look for value every employee. In most employees, there is value to be found, albeit it may not be in their current position. It may require, no effort, or it may require minimal to great effort to get that value, but is an essential role of management to look for and try to get that value. Failing to do that, means that management is not paying attention to staff. Management's failure to constantly look, leads to problems, such as the ones a few years ago at the Office Sexual Assault Unit.

6. Q: What do you believe are the major issues or problems in the administration of criminal law and justice in Contra Costa County?

A: First, a public perception of a DA's Office that is out of control, that engages in animal house behavior, seemingly without a responsible adult in charge. This is not fully true, but sadly the actions of a few employees over many years have tarnished the Office. Trust in the Office needs to be restored quickly. The flip side of the coin, is that the actions of those few, do need to be promptly and appropriately addressed by Office management so that other employees do not believe that nothing happens and feel free to engage in similar behavior. [REDACTED]

Second, several varying public perceptions from various segments of the county, of an Office that doesn't seem to care about their issues. This is most notably from some minority communities and populations with special problems which lead to criminal cases, especially drug users and the mentally ill. Prosecutors need to know of and have available to them, a panoply of options to deal with these issues. That requires enlightened Office management to work with the courts, defense bar, and local agencies to provide those options, and to train the prosecutors to use them. It also requires extensive ongoing outreach with various communities that feel shut out of the criminal law process. Part of that outreach also means hiring members of the various communities to the extent possible. I especially would like to work on development of an alternative track for the mentally ill and drug users for example, to get them out of the courts and into treatment, in a way that protects the public.

Third, discovery in criminal law cases is a huge problem, particularly Brady issues. The DA's Office has a statutory duty to provide all evidence listed in Evidence Code section 1054 et seq. It has much stronger constitutional duty to provide Brady evidence. (Brady is evidence in the possession of the prosecution team [DDAs and Law enforcement] that might lead to proof of innocence, or of a lesser crime, or in some other way might damage the People's case. Brady material must be discovered automatically. In many cases it is not.) This is a major issue statewide, which will get much worse if not addressed in a major way. Numerous news stories from around the state have shown that no DA's Office is immune from this problem. It requires development and implementation of very strict procedures to ensure compliance. One of my top priorities will be to meet regularly with the defense bar and courts to work together to address

discovery and make sure we are doing our mandated duty as it ought to be done. In my experience, this working together is one of the most important things an individual DDA and a DA's Office can do. Far too often, new DDAs see the adversarial process that criminal law by design is and miss the critical importance of starting with full and complete provision of all discovery. In doing that discovery, DDAs not only do justice, they also build bridges of trust that cause the defense to cooperate and lead to more just results. This occurs because both sides get a better view of what occurred and what a jury will see, we then reach more reasonable decisions. Conversely, where Brady violations become tolerated, such as in Santa Clara, Los Angeles, and Orange Counties, major damage is done to the DA's Office and to the Justice system.

Fourth. I am concerned with how the courts, defense bar, police agencies, and jurors feel about their day to day interactions with the DDAs. High volume caseloads degrade those relations. Yet those relations are critical to efficient handling of criminal case loads. A related issue to this same high volume is the morale of the DDAs and other Office Staff. The combination of bad news stories and high volume takes a toll on staff and leads to burn out and then to staff turnover. Prosecution is highly complex work and needs experienced attorneys and non-attorneys to be effective.

Fifth. Jail overcrowding and constrained county budgets generally are constant issues affecting criminal justice in the County. Each is outside of the direct control of the DA's Office, but these are critical constraining factors. As part of the County Department Management team, I would hope to be able to successfully advocate for innovative solutions to try and find alternatives that cost less and hopefully divert some of the reoccurring defendants from the courts.

7. Q: Why do you want to serve as District Attorney for Contra Costa County?

A: I have been a Contra Costa County resident for 38 years, a prosecutor for nearly 35 years, and was a member of the Contra Costa County's District Attorney's Office for 5 years. I am deeply troubled by and want to address what keeps occurring at the DA's Office. The DA's Office in any county, must always strive to take the highest moral position both professionally and personally, both in and out of court. Very sadly that has not been happening here. I doubt that this Board is aware of all the issues that have occurred over the years, since many of them did not make the news. From my varied experiences, I believe that I can restore respect to the Office and work to instill professional and personal pride in the staff, so that they work and act in a way that makes the public proud.

I also want to see problems I described above in question 6, fully addressed. Much of a DA's Office's time is spent on dealing with recycling of the same individual adults without dealing with the problem(s) that caused them to come to court in the first place. In contrast, in Juvenile Court, we take a holistic approach to the individual minor and try to rehabilitate them. We bring together various agencies to try and address the minor's issues. It doesn't always work, but the system works as a team to try.

I am a goal driven person, who wants to make a difference. DA's Offices tend to stand apart from other agencies because of their singular mission of prosecution. However, I am keenly aware from my non-DA's Office experience in City government and particularly as part of City/County Transportation committees that for the Office to succeed, we must strive to work collaboratively with other county departments, state & local agencies, and private organizations. In other words, we must look beyond law enforcement. In my career, I have tried to do this repeatedly. I commonly work when possible, with defense attorneys and the courts to fashion results that deal with the underlying problem. My caveat is first public safety must be protected and there must be some deterrence. Once those are provided for, we have room to work and can look for solutions.

This opening presents an opportunity to make a fresh start with this Office. I would very much like to help that happen.

8. Q: How would you go about restoring and maintaining the public's confidence in the District Attorney's Office?

A:

First, I will conduct a short (1 to 2 weeks) summary review or audit of the office's policies, practices, procedures, and people. Of particular importance, is how much is organized, written down, and followed and how much is simply office practice or tradition. Loose practices lead to bad results, particularly regarding personnel, discovery, and case handling issues.

Second, I will direct a more in depth longer review based on the findings of the first one. This review is two-fold, one part aimed at drafting solutions to obvious gaps in policy and procedures. (It is a very sad fact, but most problems any DA's Office faces have been addressed elsewhere successfully. Sometimes we only need to look around to find some better practices.) The other part is aimed at evaluating office management to see who is part of the solution and who is part of the problem. At the same time as that second review is occurring, I will meet with the courts, defense bar, and various community groups to let them tell me what problems and or issues they have seen or experienced with the Office. I will ask each group for their recommendations regarding how we are handling various issues.

Third, I and a small team will then begin to work on addressing those issues internally.

Fourth, I will go back to the public and to the various community groups regularly, to let them know what we are doing and why. I will also ask them for their continued suggestions and comments and set up a regular dialog. It is a basic principle to me, that the public has an ongoing right to know what steps are being taken to fix problems and to know that their concerns are being addressed.

As the above is going on, I will also meet with Office staff, both attorneys and non-attorneys in small groups to get their input. However I list this last, because traditionally in most DA's Offices, that has been the problem: we look internally and circle the wagons. That practice cannot occur any longer. This Office has long been far too insular. To give some perspective, that insular attitude was in part what led to the appointment decades ago of William O'Malley, yet to this day it persists.

As a long time prosecutor, many times I have watched first-hand and heard of other counties second-hand go through large unnecessary problems and turmoil, due primarily to bad internal management practices. Attorneys are smart professionals, but they also are normal people with all of the usual issues and problems. When anyone is put in a very high stress job, problems can and do easily occur. Management must watch for signs of stress and move people or otherwise adjust work-loads as needed. Good management understands that and plans for it with rotations to burn out positions, time off, even suggested vacations. Good management also requires solid rules for behavior, that are laid out and explained in advance. These rules must be fairly and evenly enforced. Lastly and most importantly, management must care about the well-being of employees and demonstrate that care to the employees every day. One of the most effective management tools to do that, is simply to walk around daily and see how people are doing and listening to them, not talking at them. I will do that and make sure management staff does it as well.

9. Q: How would you address the mentally ill who are cycling through our justice system?

A: In question 6, I described the need for an alternative track for the mentally ill and a panoply of options for the prosecutors and courts. The mentally ill are a particularly tough problem for the criminal justice system. Their illness itself can cause bad behavior resulting in criminal charges. Compounding the problem, the mentally ill often refuse their prescribed medication and instead take illegal substances resulting in drug addictions and multiple criminal cases. They are also easily victimized on the streets and then due to their mental illness, many times are not able to testify well or at all as victims.

As an alternative track, most counties now have a mental health court which is used to divert criminal offenders with clear mental illness issues. However funding for these courts remains an issue, because like drug courts, they require much more work from probation officers and mental health professionals. Many times, the charges that are eligible for Mental Health court are also limited. I am very much in favor of expansion of Mental Health Court to include as many defendants as possible, so long as public safety is not jeopardized. I also would like to work with mental health professionals and private groups to work on development of placement programs, particularly for those living on the streets. We are constrained by case law terms of what we can force the mentally ill to do, but their need is great and growing. This is an area crying out for legal reform.

10. Q: As an attorney, have you ever been sued by a client and/or disciplined or cited for a breach of ethics or unprofessional conduct, or been the subject of a complaint to any court, administrative agency, bar association, disciplinary committee, or other professional group? If yes, please provide the details.

A: No.

11. Q: Please describe a difficult situation you encountered in your role as an attorney. Include details about how you resolved the situation and any lessons learned.

A: After more than 3 decades of prosecution experience, I can safely say that prosecution of criminals results in innumerable difficult situations. After a while, you realize that is the norm, you get used to it, you deal with it, and most importantly, you move on, for example:

It might be a shooting victim of a carjacking who nearly died, who will never admit that the entire incident was over a drug deal gone bad and who when the trial is about to start years later has committed several new felonies to add to his 20-year history of prior felonies and is currently in jail. It was the allegation that he was staking out churches on Sundays so that he could burglarize the attendees' homes, that I found the most troubling. This case was settled just prior to trial for a plea to 26 years in state prison.

It might be the discovery that a criminalist at the Department of Justice that you and your office have worked with for years has a drug habit and has been secretly using cocaine from the evidence submitted to him for testing. We set up a in-house mini taskforce, to review all of his cases (several hundred) and unwind numerous convictions dismissing many if not most of his cases. This was a classic Brady issue. There are many more possible examples.

The situation that haunts me is this: When we learn of Brady information on a police officer, we discover that information in the current case where they are a witness. Thereafter we are obligated to discover the information in all of that officer's cases. In one such instance, thereafter that same officer became a witness in another case and when I asked for that same material a manager said we are not to discover that information any more. In that case, what I was being told to do, was Brady error. As a professional, I cannot do that. Instead, I went back to the first file, dug out the report and discovered it again. Several of us now watch for cases involving several officers to make sure that our fellow deputies comply with Brady. Since that occurred, intentional Brady error was made a crime as of January 1, 2017. The lesson is simple, as professionals and more importantly as prosecutors we must always obey the law. If we fail to do that, everything else that follows in that case is tainted. Worse, not only is it an injustice in that case, it taints the Office and hurts the public as defense attorneys, judges, and jurors start to doubt law enforcement and convictions drop. Brady issues do come up often and many times out of blue, causing people to react poorly in their surprise. We must be vigilant to prevent Brady error.

12. Q: Please describe the most significant and complex legal matter you have handled, your role in the process, and the outcome.

A: People v. Climer was a special circumstance death penalty case that I tried in 1993. I had never handled a death penalty case before. In those days, we had very few special circumstance cases and the office policy was to charge them and let the jury decide. I spent quite a bit of time simply learning the law of Special Circumstance Prosecution and very intricate trial procedures. All designed to make sure that the defendant got a fair trial and that any conviction was upheld on appeal. These case are much more complex than any other type of criminal prosecution.

In this case, Mr. Climer attempted to rob an approximately 78-year-old man named [REDACTED]. Mr. [REDACTED] lived in an illegally built shack on railroad right of way south of Modesto. He lived on a small social security check and by selling legal products to local hookers and drug users. Mr. Climer (aka Mad Dog) was well known on the streets for his 20 history of robbing drug users and other folks unlikely to complain at gun point and occasionally shooting them. Mr. [REDACTED] refused to open his door and Mr. Climer shot him with a shotgun thru the door and took off running. Mr. [REDACTED] lived long enough to call 911. The gun was never recovered but wadding was found in Mr. [REDACTED] along with some of the BBs from the shell. Two days later, Mr. Climer hitched a ride out

of town to Keyes and told the parolee giving him a ride that he had shot Mr. [REDACTED]. The parolee dropped off Mr. Climer and promptly found and told a nearby deputy. The Sheriff's Office surrounded the house and arrested him when he ran out the back door. When first questioned, Mr. Climer asked the Detective if Mr. [REDACTED] was alive. Detective Silva responded, 'well Dog I gotta tell you, he didn't make it.' The audio tape ended a minute or so thereafter with lots of retching by Mr. Climer. Aside from the last bit, the parolee was the only tangible evidence I had against Mr. Climer.

I had the parolee put in a live-in drug program until the preliminary hearing. Unfortunately, his parole officer rewarded him for his good behavior and let him a few days early. The day before the preliminary hearing, I got a call that the parolee was found dead with a needle still in his arm. I.e. someone gave him a hot shot, or killing dose of drugs. (We never found out who.) I managed to get a holding order, but had little hope for guilty verdict.

Before trial, Detective Silva and I took Mr. [REDACTED] front door, the detective's shotgun collection, a variety of shells, several sheets of 4' by 8' plywood and went to a gun range. After lots of shooting, we were able to determine brand and gauge of shotgun shell used, the gauge of the shotgun used. Next, we determined the approximate distance from the door and from that could show that it was a deliberate shooting, not a stumbling on Mr. [REDACTED] steps. At trial, we brought in the door, the plywood, and put on that evidence along with his flight from the house, his retching, and Mr. [REDACTED] last words about being shot.

The defense mistakenly put on an alibi witness, which led to questioning about how well he knew Mr. Climer. That led to answers about Mr. Climer, which revealed his criminal occupation of shotgun robber. After six weeks of trial, Mr. Climer was found guilty of murder with a special circumstance of murder during a robbery. After a week's break, we started the penalty phase of the trial. During this phase, the jury decides between life in prison without parole LWOP, or the death penalty. Over seven weeks, we covered approximately 5 of 20 prior crimes of Mr. Climer, heard from two his still in prison brothers about his childhood head injury, heard about brain scanning (a phony science) heard from his psychologists and mine, and heard from one very special witness.

During his many visits to prison, some ten years before Mr. [REDACTED] murder, Mr. Climer was at a work camp in the mountains during fire season. While he worked alone watched by the guard, a nearby burning tree fell on the guard. Mr. Climer was free to run. Instead he ran to the guard and dug him out. The witness was that guard.

A death penalty decision requires consideration by the jury of numerous factors. The case law on this subject is highly complex and the arguments are very moving. When all was said and done, the jury chose LWOP. I had no problem with their verdict and understood it completely. I completed that case a changed man. So were the defense attorney and the judge. The magnitude of what you are doing is a very heavy weight on every participant in the trial.

The death penalty is an appropriate verdict for a very small number of cases. One cannot help, but understand that, if one reads the very horrific crimes that in which the courts have upheld it. That said, very few murders come anywhere close to that level. In the years since, I have not had a murder case that came close to justifying the death penalty. Special circumstance murder cases are much more common now, but we almost never fail to drop the death penalty early on, once we have all the reports. It is very difficult to convey the enormity of the emotional impact of a case like that has the participants. What I can say, is that impact made me a far better prosecutor. (Mr. Climer's appeals were denied.)

13. Q: What is the size of the population/client base served by current employer?

A: Approximately 540,000

14. Q: To whom do you currently report, by title?

A: Assistant District Attorney, David Harris.

15. Q: What number of staff are employed by current employer?

A: 139 approximately.

16. Q: What number of staff do you currently oversee (direct and indirect)?

A: None.

17. Q: What is the largest number of staff you have overseen, and where?

A: Approximately 150 to 180. From November of 1997 to February of 1998, I was the CDDA in charge of the Stanislaus County Family Support Division. FSD was located at a separate site and we had a constantly varying number of temp workers as well as regular staff.

18. Q: What is your current employer's operating budget, in dollars?

A: Including grants about \$20,000,000

19. Q: For what portion of budget are you responsible, in dollars?

A: None.

20. Q: What is the largest budget you have ever been responsible for, and where?

A: About \$11,000,000 Stanislaus County DA's Office Family Support Division from November of 1996 to February of 1998.

21. Q: I certify that I meet the announced requirements for this examination and understand that I will be eliminated at any stage in such examination if it develops that, in fact I do not meet them. I further certify that all statements made in this supplemental questionnaire and the application are true and I agree and understand that misstatements or omissions of material facts will cause forfeiture of my rights to employment with Contra Costa County.

A: Yes

Brad J. Nix

[REDACTED] bdnix@sbcglobal.net
[REDACTED]

Oakley, CA

Board of Supervisors
Contra Costa County
651 Pine Street
Martinez, CA 94553

Dear Members of the Board:

I have applied for the interim appointment to the Position of District Attorney of Contra Costa County. I do so for the following reasons.

First, I have a very strong connection to Contra Costa County and because of that I care very much about what happens here. I have lived in Contra Costa County for over thirty-eight years. I moved to this county just after my first year of law school. While waiting for the state bar results, I clerked for the Honorable Judge Martin Rothenberg for several months, then went to work for the Contra Costa County District Attorney's Office as a contract DDA. After five years I left to work for the Stanislaus County District Attorney's Office, where I still work. I have been very active in local community affairs, helping to incorporate the City of Oakley, and serving two terms on the City Council. I helped form the City Government from nothing. I also served on several regional Transportation Boards: TransPlan, ECCRFFA, SR 4 Bypass Authority Committee, and the E-Bart Study Committee. I was also appointed to and served several terms on CCTA from 2002 to 2008. During those years, we engaged in many major transportation projects around the county.

Second, I believe that I have the knowledge and ability to address the Office's internal issues. I was well aware of several issues at the DA's Office when I worked there as a young DDA. Over the last three decades, I have continued to follow ongoing issues and been disheartened by them. Issues such as the DDA with repeated frontpage alcohol related incidents, a multi-year personnel battle in the courts between the DA and a top murder trial (187) DDA. The mishandling of the termination and prosecution of another DDA in the past few years. A nasty office fight between two other DDAs over politics. The recent issues with the prior incumbent and other issues. I want to improve the situation and to provide **both the public and the members of the Office**, the leadership they deserve and that is so badly needed. Continuously throughout my career as a line Deputy, as a Chief Deputy, and as a Director of FSD, I have followed the problems of various DA's Offices around the state and worked to improve my own office to avoid those problems. There are core principles of behavior that have been ignored in each of the above incidents. There is also an underlying bad value that permeates each incident and the Office and it's been a problem for a long time. That is the value of 'management motivation for affinity'. Simply put, this is management looking out for its friends and own interest as opposed to 'management motivation for merit'. In the latter case,

management seeks to accomplish a series of goals to improve the organization, not to reward its friends. There are many clear issues (and from those goals) that constantly need to be addressed in every DA's Office, but management by affinity interrupts the logical process of addressing them by causing management to overlook problems to protect the favored ones or itself.

Once that process starts in management, it quickly corrupts the culture of an organization. It must be opposed vigorously. That opposition requires a strong expectation of good behavior, clear previously announced rules, firm even handed application of those rules, fair due process, and making sure friends don't do favors for friends. At the same time, management must be truly concerned about the welfare of all staff. Staff always knows when management is merely mouthing concern. One of the best DA's around (a former Monterey DA) practiced this by strongly following the adage of 'management by walking around'. Reportedly, he walked the hallways around 5 pm every night he could, to see what his attorneys were doing and how they were doing. I have outlined in the supplemental answers how I would follow this strategy. It is needed, but it requires a calm, level headed approach by a very experienced prosecutor. That is because District Attorney's Offices are, by their nature, very stressful places.

Third, I do have the legal experience needed to run the Office. I have been a DDA for just under thirty-five years in two counties. I have tried a number of cases of many types of charges from DUIs to murders and handled thousands more cases. (On average 1% of all cases issued, actually go to trial. Depending on their assignment, the bulk of a DDA's time is spent on the 99%.) That work required constant working together with other DDAs, defense attorneys, and Judges. I have attached letters of recommendation from senior DDAs, defense attorneys and Judges, that I have worked with to show that I do have the legal knowledge, ability, integrity, and personal skills to be a good choice for Contra Costa County's District Attorney. Please review those letters and call the references. I can easily get more, but the time constraints of this application limited me.

Fourth, I have a demonstrated ability in Contra Costa County to work with others throughout the county to try and reach consensus or at least progress. For years, I worked extensively with members of this Board, City Councilmembers, and staff on Contra Costa transportation issues. During that period, I worked very hard to be fair, reasonable, accommodating to all, to reach consensus wherever possible on the sometimes contentious issues before us. This was particularly true at CCTA, where I served for six years and as APC Chair for three terms. This was a particularly rewarding time for me as we achieved some truly great goals, including funding and then beginning construction on the expansion of Highway 4, the same with the Highway 4 Bypass, reaching consensus, getting funding and beginning eBart, the Measure C renewal campaign, subsequent funding for the Caldecott Tunnel expansion, and many smaller projects. In listening to the advocates address the Board at your June 23rd meeting, it is clear that the incoming District Attorney must work with both the general public and various communities that have specific needs. Many issues (such as the mentally ill charged with crimes) are broader than the jurisdiction of the District Attorney's Office, but that does not mean that we can't play a part in working with others to try and address ongoing issues.

In closing, I look forward to working with the Board and staff as you navigate this seldom taken path of making an interim appointment. (If you were able to look back at the notes of the process of appointing William O'Malley, I suspect you would find that Board had very similar concerns to your own.) Please feel free to contact me with any questions or concerns you have.

Yours Truly



Brad J. Nix

BRAD J. NIX

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WORK

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WORK EXPERIENCE

Stanislaus County District Attorney's Office: Deputy District Attorney August 1987 to the present. Assignments have included (several assignments have occurred multiple times): Felony Trials, Felony Filing, Drug Unit, Consumer Fraud, Juvenile, CDDA Misdemeanor Unit, CDDA Admin, CDDA Family Support, Special Crimes Unit, Worker's Compensation Unit, Calendar in a Department, Real Estate Fraud Unit, Vehicle Theft Unit. On Call for Homicides and Homicide Prosecution as adjuncts to the other assignments. ~50 Felony jury trials and 30 to 50 Jurisdictional hearings.

Contra Costa County District Attorney's Office: Deputy District Attorney, August 1982 to August 1987. Assignments included: Misdemeanor trials, issuance, and appeals, Preliminary Hearings, Felony Law & Motion, Felony Trial Team, Consumer Fraud/Securities Violations, Domestic Violence/Rape, Family Support. ~15 Misdemeanor jury trials and 17 Felony jury trials. Left to join the Stanislaus DA's Office.

Contra Costa County Superior Court Department 7: Volunteer Research Assistant to the Honorable Judge Martin Rothenburg. Reviewed civil law and motion cases, researched and discussed with them daily with the Judge. Left to join the DA's Office.

Tinning and DeLap: a Walnut Creek, California Civil Law firm, since disbanded. Law clerk then associate. September 1980 to December 1981. Duties included research, writing memos, drafting civil pleadings, correspondence, and all phases of civil discovery. Left to take the California Bar Exam.

Lucky Stores, Inc. / Ralphs Grocery Co. Walnut Creek, California. Retail Clerk July 1974 to September 1980. Left to take job with Tinning and Delap.

La Follette, Johnson, Schroeter & DeHaas, a Los Angeles, California Law Firm. Office Assistant February 1978 to August 1978. Duties included filings, serving subpoenas, some research, and general office work. Left to attend law school.

CRIMINAL LAW TRAINING /EDUCATION

CDA and non CDA schools attended include the following: Middle Level Prosecutor's Seminar Advanced Prosecutor's Seminar, Arson Investigation, Adult Sexual Assault Seminar,

Consumer Fraud/Economic Crime Seminar (multiple times), Preparation of Search Warrant Class, Officer involved Shooting Class, Mentally Disordered Violent Offenders Seminar, Narcotics Prosecution Seminar, Northern California Fraud Investigator's Association Conference. Numerous in office training, webinars, etc.

POLITICAL EXPERIENCE IN CONTRA COSTA COUNTY

1998	Member of Oakley Incorporated, seeking to incorporate the community of Oakley.
1999	Oakley City Council elect until July 1, 1999.
1999-2008	Oakley City Councilmember, Vice Mayor twice, and Mayor twice. Two terms.
1999-2008	TransPlan member representing the City of Oakley
1999-2008	SR 4 Bypass Authority member representing the City of Oakley
1999-2008	ECCRFFA member representing the City of Oakley
2000-2001	East County Bart Advisory Committee member and Chair
2002-2006	Contra Costa Transportation Commission, Commissioner (Three terms as APC Subcommittee Chair)

OTHER EXPERIENCE

MMB Labor negotiator for the Stanislaus County Attorney's Association several times.

EDUCATION

Hasting's College of the Law, San Francisco, California, Class of 1981, J.D. with emphasis in Tax Law.

University of Southern California, Los Angeles, California. Graduated June 1978. B.S. in Business with an option in Corporate Finance.

Pasadena City College, Pasadena, California. Attended from August 1974 to August 1976.

Pasadena High School, Pasadena, California. Graduated in 1974.

PERSONAL

Married with two sons. I have lived in Oakley since December of 1982. Prior to that, I lived in Walnut Creek. Prior service membership in Phi Alpha Delta, Alpha Kappa Psi, Circle K, (all in Southern CA.) Lions 500 (Modesto, CA) BSA Troop 298 Oakley CA.

[illegible]

Brad Nix DDA Assignments 1982 – 2017

CONTRA COSTA COUNTY DA'S OFFICE

8/24/1982 Hired by Contra Costa DA as a two-year contract DDA

9/1982 After training, assigned to Concord Office: Misdemeanors

2/1983 Started doing Preliminary Hearings

7/1983 Assigned to Felony Law & Motion Unit in Martinez

~12/1983 Converted to three-year contract DDA

1/1984 Felony Trial assignment

7/1/1984 Assigned to Richmond DA's Office: Misdemeanors and Preliminary Hearings

~1/1985 Hired as a permanent DDA

2/1985 Assigned to Concord Office: Misdemeanors and Preliminary Hearings

6/1985 Consumer Fraud, civil and criminal prosecutions (Major case: Tom Yamashita)

6/1987 Domestic Violence and Sexual Assault Unit

8/1987 Left Contra Costa Count for Stanislaus County DA's Office

STANISLAUS COUNTY DA'S OFFICE

8/1987 Felony Trials and Felony Issuance

 (Major cases: Investigation of TPD Sgt. Ferreira and Jarrell 245 w GBI, Clampers case)

1/1988 Drug Unit (Then SCDEU now SDEA. Did approx. 26 JT's.)

9/1988 Promoted to DDA V

11/1988 Consumer Fraud, civil, criminal, and environmental crimes)

 (TQ left for Modesto City Atty. Picked up Mantz case.)

 Youkhanna JT, 2 ½ weeks, (Insurance fraud)

11/1989 Felony Issuance (TQ returned to the DA's Office.)

5/1990 Felony Trials with rotations to Preliminary Hearing Unit and Issuance

6/1991 Mantz JT, 7 weeks. (Modesto Auto Center: corporate security fraud, etc. Guilty 33 counts.)

3/1992 Eickhorst JT, 2 & 1/2 weeks. (Salida stabbing of a 15-year-old 21 times. Guilty of torture. etc.)

~6/11/1992 Harris 187 JT, 2 weeks.
(Codef. Utter killed himself 4 days prior to JT in 11/1992.)

~6/1993 Climer Death Penalty JT, 13 weeks. (Guilty SC and LWOP.)

9/1993 Juvenile Division as senior DDA

3/1994 Lira 187 Juris, 30-day hearing. Vol. Manslaughter +

4/1995 Promoted to CDDA, assigned to head Misdemeanor Division

Medeiros phony attorney prosecution, ended by plea.

4/1996 DA Don Stahl retired, assigned to CDAA Administration

6/1996 Assigned to investigate series of employee complaints at Family Support Division

7/1996 Assumed second contemporaneous assignment of Acting Family Support CDDA

11/1996 Assigned to CDDA/Director of Family Support Division

Supervised 180 to 200 employees, hired, fired, managed variety of issues.
Worked on implementation of SACCS, switched from FACTS to Alameda Co. FSD computer system. Worked on reorganization and security issues.

2/1998 Transferred to Criminal Division as a DDA V.

4/1998 Specially assigned cases, most notably:

Mouser 187, prepared it for JT, later reassigned.

Francis Brothers R&T Fraud, collected over \$300,000 in unpaid taxes.

Benson 187 JT. ~3 weeks. Hung J.

1/1999 Worker's Compensation Fraud Unit

1/2001 Felony Issuance

6/2002 Miller JT, 5 weeks. (187 covered up to look like a suicide.)

2003 Rotated to Juvenile (~15-20 juris. hearings),
(2004 ~ 3 week 187 Juris, Jeffery S. Victim Cody D., Judge McFadden)

2006 Assigned to Calendar in Dept. 3, Judge Whiteside
2006 ~4 week Juris Andrew L. 507685 (Double vehicular death case, Judge Shaver)
2006 ~ 4 week JT, Angel Cabanillas 187 (14 year old gang def, Judge Salter)

2008 Assigned to Calendar in Dept. 6, Judge Ashley
(2009 ~3 week JT, Isidora Mata 187 (17 year old Driver for Mata, JT with Judge Salter)

9/2009 Real Estate Fraud Unit (REF) + collateral 187 on call duties and 187 cases

9/2012- Pres. Vehicle Theft Unit (VTU) + collateral 187 on call duties and 187 cases
(3 short VTU JTs)
2014 ~6 week JT, Joseph Dixon 187 JT with Judge Steffen)

In addition to my VTU assignment, I currently have 4 open 187 cases:

I. Stafford and L. Oldham 1466458 Special Circ. Pending JT
C. Clayton 499237 Pending Preliminary Hearing
W. Smith 1490121 Special Circ. Pending Preliminary Hearing
A. Naranjo 1473100 Special Circ. Pending JT

Approx. 82 JTs 15 misdemeanors ~67 felony.

+Approx. 30 - 50 Jurisdictional (about 1 a month over two multi-year assignments to Juvenile. I did not keep a list of them. That number does not include a number of Fitness Hearings.)

List of Major Trials & Juris, Murder and others, to verdict (# of others handled up to JT):

Mantz, Thomas	JT	25401+ (40 cts)	G	1991	190577co
Eickhorst, Charles	JT	206/208	G	1992	236587co
Harris, Clay	JT	187	G	1992	243543co
Climer, James	JT	187, Spec. Circ.	G / LWOP	1993	150476
Lira, Anthony	Juris	187	G Lio 192(a)	1994	Juv. #
Benson, David	JT	187	Hung	1998	322720
Miller, Robert	JT	187	G	2002	1023510
Steven, Jeffery	Juris	187 2 nd	G	2004	5071468
Andrew L.	Juris	192(c)(3) 2 cts	G	2006	507685
Cabaniallas, Angel	JT	187	G	2006	121925
Mata, Isidoro	JT	187	G	2009	121925
Dixon, Joseph	JT	187	G	2014	1403615

END



Office of the District Attorney Stanislaus County

Birgit Fladager
District Attorney

Assistant District Attorney
Dave Harris

Chief Deputies
Doug Raynaud
Annette Rees
Marlisa Ferreira

Bureau of Investigation
Lt. David Hutchinson
Lt. Froilan Mariscal

July 21, 2017

Board of Supervisors
Contra Costa County
651 Pine Street
Martinez, CA 94553

Re: Mr. Brad Nix- Candidate for Appointment

Dear Members of the Board:

Please let me introduce myself. I am the District Attorney of Stanislaus County and have held this position since 2006. I currently serve as the First Vice President of the California District Attorneys Association and look forward to serving as its president beginning in 2018. I began as a prosecutor while serving in the U.S. Navy as a JAG officer in 1986. The purpose of this introduction is to let you know that I have been around a long time and have seen a lot of prosecutors—and District Attorneys—come and go.

With that as a backdrop, I write in support of the Mr. Brad Nix's application for appointment to the position of District Attorney of Contra Costa County. I have known Brad as a fellow prosecutor in this office for 27 years. He is smart, hardworking, efficient, productive, pro-active and professional. In his time in this office, he has had experience in virtually every unit: Misdemeanors, Felonies, Juvenile, Case Review, Drug Unit, Workers Compensation Fraud, Real Estate Fraud, Family Support (when it was still part of the D.A.'s office). In addition, he has prosecuted many jury trials and, notably, several murder cases. He has also served as a supervisor and member of the management team.

In short, Brad is a well-rounded, very experienced career prosecutor. He has never wavered in his dedication to the profession and has always adhered to our office mission statement of "Seek Justice, Serve Justice, Do Justice." I am very proud of the prosecutors and support staff in my office; we have endeavored to instill a spirit of teamwork and cooperation as we seek to protect our community while maintaining the highest professional and ethical standards. Brad is fully capable of bringing all those attributes to the Contra Costa County District Attorney's Office and I urge you to give very serious consideration to his application for appointment to this most important position of leadership in your criminal justice system. His commitment to Contra Costa County is evident by his dedicated and expansive community activity there.

Please do not hesitate to contact me if I can be of additional assistance.

Very truly yours,


Birgit Fladager
District Attorney

Jeffrey M. Laugero



July 19, 2017

Board of Supervisors
Contra Costa County
651 Pine Street
Room 107
Martinez, California 94553

To the Honorable Supervisors of Contra Costa County,

It is my honor to recommend Brad Nix to you for the position of interim District Attorney for Contra Costa County. I have had the pleasure of working with Brad for more than ten years and have found him to be a valued colleague and reliable resource. His education and experience have prepared him to be a successful and respected leader.

Mr. Nix is recognized as one of the most experienced attorneys in Stanislaus County. He has an established reputation as a fair and ethical prosecutor, and has handled all areas of practice in the District Attorney's office, including real estate fraud and the most complex criminal cases. Brad has filled the role of supervisor, mentor and teacher for the office.

Mr. Nix has not only distinguished himself as a respected lawyer, but he has effectively represented our bargaining unit in negotiations. His tenacity and thoroughness have led to fair and balanced contracts. His intelligence and ability to get the job done have been highlighted by his supervisors and co-workers of all experience levels seek his counsel. He undertakes his duties and assigned tasks with a can-do attitude. These attributes make Brad an excellent candidate.

I recommend Brad Nix to you without reservation. He is an exceptional person that will serve your county honorably and admirably. Having worked with him as a colleague in the District Attorney's office, been mentored by him as a new deputy district attorney, compared and contrasted our experiences as city council and regional transportation board members, and discussed our commitment to our communities, I recognize his passion for public service and his capabilities to lead by example. Please do not hesitate to contact me if you need anything further.

With every good wish

A black rectangular redaction box covering the signature.

Jeff Laugero
Deputy District Attorney, Stanislaus County
Mayor, City of Escalon

July 20, 2017

The Board of Supervisors for Contra Costa County
951 Pine Street
Martinez, CA 94553

Dear Board members:

I am a Senior Deputy District Attorney with Stanislaus County. Mr. Nix and I have been colleagues in that office for the twenty-nine years I have worked for Stanislaus County. Although Stanislaus County's District Attorney's Office has almost doubled in size since I was hired in 1988, it remains a relatively small office with forty-four attorneys, thus we are a close knit group.

I have daily contact with Mr. Nix and have observed him both in the office and in court frequently through the years. Although I have never been supervised by Mr. Nix personally, I did observe his performance when he was assigned to supervisory roles in the office.

Mr. Nix was elected by colleagues on two separate occasions, once in the mid-nineties and then again last year, to represent us in negotiations over salary and benefits with the Board of Supervisors here in Stanislaus County. I voted for him on both occasions.

Mr. Nix is and always has been a very hard working prosecutor. He is an effective advocate in Court, fearless and successful in trial, but pragmatic and realistic about the need to settle many cases.

Mr. Nix currently is responsible for the vehicle theft unit for our office and he additionally is prosecuting several murder cases. He has also prosecuted the most complex fraud cases for our office.

Mr. Nix is a valuable resource to me when I'm confronted with complex legal issues in my own murder cases as well as my more complex and serious cases. I've observed that other deputy district attorneys seek his advice as well. What has impressed me most in the last several years is his advocacy for and mentorship of junior deputy district attorneys just beginning their careers, he freely devotes his time to helping them develop into successful and ethical prosecutors.

Mr. Nix as a negotiator for the attorney's bargaining unit has been both effective and pragmatic, skillfully balancing the needs of the County with the wants of his fellow employees. He's been effective in communicating the realities of the County's budget to his fellow lawyers. I attribute this skill to his experience as an elected official in Contra Costa County.

Although his departure from this Office would be a great loss, I believe he is well suited to lead the District Attorney's Office in Contra Costa County and thus recommend him to you for appointment to that post.

Please feel free to contact me at [REDACTED] if I can be of further assistance.

Sincerely,

[REDACTED]
Sandra L. Bishop
Senior Deputy District Attorney
Stanislaus County District Attorney's Office
832 12th Street, Suite 300
Modesto CA 95354



McCORMICK
BARSTOW LLP
ATTORNEYS AT LAW

Hon. Hurl W. Johnson (Ret.)
hurl.johnson@mccormickbarstow.com

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WAYTE AND CARRUTH, LLP

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Fresno, CA 93729-8912
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Fax (559) 433-2300

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Cincinnati, Ohio 45202
Telephone (513) 762-7520
Fax (513) 762-7521

DENVER, CO OFFICE
999 18th Street, Suite 3000
Denver, Colorado 80202
Telephone (720) 282-8126
Fax (720) 282-8127

LAS VEGAS, NV OFFICE
8337 West Sunset Road, Suite 350
Las Vegas, Nevada 89113
Telephone (702) 949-1100
Fax (702) 949-1101

July 19, 2017

Re: Appointment of Mr. Brad Nix as Interim District Attorney for Contra County

To Whom it May Concern:

I am writing this letter on behalf of Mr. Brad Nix who I have known since he began his employment in 1987 with the Stanislaus County Deputy District Attorneys Office.

I retired from the Stanislaus County Superior Court September 2014 and, during my twenty years on the bench, Mr. Nix appeared before me numerous times. Mr. Nix handled every type of criminal case in front of me from a misdemeanor to murder trials and it was always a pleasure having him in my courtroom. Mr. Nix is an excellent prosecutor possessing high intellectual skills, integrity and has always conducted himself with the highest ethical standards. As a prosecutor he is a vigorous advocate on behalf of the People of the State of California while being mindful of his ethical obligation to seek justice, not just convictions.

In addition to criminal matters, Mr. Nix also headed the Consumer Fraud Division while I was in private practice. I represented several private clients for alleged civil consumer violations and Mr. Nix demonstrated the same qualities mentioned above.

Mr. Nix, while I was on the bench, due to his abilities in civil areas also appeared before me handling Consumer Fraud and Real Estate Fraud matters. Mr. Nix is well versed in every aspect of a District Attorney's office and can handle any assignment with competency and professionalism. His work ethic is tremendous and he is one of the best Deputy District Attorneys I have had the pleasure to get to know.

A large component of running a District Attorney Office requires excellent management skills, in particular, skills dealing with budgetary matters. Mr. Nix has an undergraduate degree in business and finance, and his law school electives had a strong emphasis in tax law.

Mr. Nix has all the tools necessary to be an effective and competent District Attorney and it is without reservation that I recommend him for the interim position of District Attorney for Contra Costa County.

I am certain he will be well received by members of the District Attorney's Office, the Public Defender's Office, criminal bar and members of the Contra Costa Bar Association, judges and law enforcement agencies of Contra Costa.



McCORMICK
BARSTOW LLP
ATTORNEYS AT LAW

July 19, 2017
Page 2

If you have any questions regarding Mr. Nix please feel free to telephone me as

[REDACTED]

Yours truly,

1
[REDACTED]

Hon. Hurl W. Johnson (Ret.)
McCormick Barstow LLP

HWJ:tlm

99930-09215 4616519.1

John G. Whiteside
Judge of the Superior Court
Retired

July 17, 2017

Board of Supervisors
Contra Costa County
651 Pine Street
Martinez, California 94553

To Whom it May Concern:

I am writing this letter in regard to the application of Brad Nix for the position of District Attorney of Contra Costa County.

I have known Brad for in excess of 25 years. For 21 of those years I was an active Judge on the Stanislaus County bench. Brad was a Deputy District Attorney for all of that period. He has appeared before me many times during that period and I have had ample opportunity to observe the manner in which he has conducted himself and carried out his duties.

I can state without hesitation that Brad has always conducted himself as with the highest moral and ethical standards. He was always prepared. He knew the facts and the law and always adhered to the right as he saw it. He was a dedicated career prosecutor who believed in the prompt, fair and efficient administration of justice. He was zealous in his advocacy of the interests of the public and the victims of crime, but he was also careful to see that those accused of crimes were treated fairly and that their rights were respected. He has continued to grow in wisdom and maturity over his many years of service, and has gained the perspective that long experience awards to those who are willing to learn.

Should you decide to select him for the position of District Attorney of your County I believe that you would be rewarded with a dedicated, honest and faithful public servant who would bring honor and respect to the office.

Should you have any questions or concerns you may contact me at (209) 556-8354 or at my email address, jgwhiteside@sbcglobal.net. Thank you for your attention.

John G. Whiteside

Judge of the Superior Court, Retired.

July 20, 2017

The Board of Supervisors for Contra Costa County
651 Pine Street
Martinez, Ca. 94553

Dear Board of Supervisors:

I am writing this letter at the request of Brad Nix recommending him for the position of Interim District Attorney of Contra Costa County.

I am a retired Superior Court Judge from Stanislaus County (1979-2002) and I continue to frequently sit on assignment, primarily in Stanislaus County.

I know Mr. Nix professionally from his position as a deputy district attorney with the Stanislaus County District Attorney's Office from 1989 to the present. Over the years I have presided over criminal calendars where he was responsible for numerous cases at one time, criminal law and motion matters where he was responsible for presenting evidence, written briefs and arguing that the law and evidence supported the positions of the People of the State of California, settlement conferences where he represented the interests of the People in attempting to resolve cases short of trial and representing the People in prosecuting court trials and jury trials. I have always found him to be an ethical, well-prepared, no nonsense and reasonable deputy district attorney. Mr. Nix has appeared before me primarily in adult criminal matters and some juvenile court matters. I note he also was Director of the Stanislaus County District Attorney's Office Family Support Division. While I was never involved in those matters I also never heard of any complaints about how he directed that division.

In requesting me to write this letter of recommendation Mr. Nix informed me of his twice being elected to the to the Oakley City Council and serving two terms as mayor of that city and being a commissioner on the Contra Costa County Transportation Committee. I have to believe that serving in those offices required the management skills that one would need to be district attorney.

In view of the above and my knowing Mr. Nix for the past nearly 30 years, I recommend him for position of Interim District Attorney of Contra Costa County.

Respectfully yours,

Edward M. Lacy, Jr.

Judge (Retired)

E-mail address:

JOHN P. GRISEZ
ROBERT ORENSTEIN
MARY ELLEN HERTLE

LAW OFFICES OF
GRISEZ, ORENSTEIN & HERTLE
724 TENTH STREET
MODESTO, CALIFORNIA 95354

AREA CODE (209)
TELEPHONE 526-3121
FAX 526-5875

July 19, 2017

Selection Committee
Contra Costa County
Board of Supervisors

Re: Brad Nix
Letter of Recommendation
Contra Costa County
District Attorney Position

Dear Committee Members,

It is with great honor and uniquely and enthusiasm that I unequivocally endorse the candidacy of Brad Nix for this position.

Mr. Nix has lived in Contra Costa County I.E. Oakley for many years and is familiar with the political and social media of the region, In fact he has served with distinction on the Oakley City Council.

As an Attorney with the Stanislaus County District Attorney's office for 30 years Mr. Nix has served with unsurpassed excellence and honor. As a Criminal Defense Attorney and adversary of Mr. Nix I am uniquely aware of his professional abilities that would be an asset for the position.

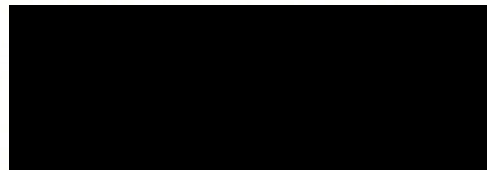
Mr. Nix has universally displayed a rare blend of intelligence and professionalism in his numerous positions within the DA's office. His organizational and ethical conduct throughout my hundreds of cases adversarial against him leaves me with profound respect to his abilities as a prosecutor. Never in my dealings with Mr. Nix have I ever felt him devoid of ethical or professional behavior.

I have observed his interaction with law enforcement, civilian witness and court staff for many years and always he has interacted with total respect and professionalism.

Your candidates has a unique blend of talents that will provide effective leadership and strength for your important position.

Thank you for providing me this opportunity to urge you to select Mr. Nix for the position. Mr. Nix will be a noteworthy addition to Contra Costa County Government.

Very Truly Yours,



Robert Orenstein –Partner
Grisez Orenstein & Hertle

RO/kp



OFFICE OF
THE PUBLIC DEFENDER
SONNY SANDHU
PUBLIC DEFENDER

1021 I STREET, SUITE 201
P.O. BOX 3428
MODESTO, CALIFORNIA 95353-3428
Phone: (209) 525-4200
Fax: (209) 525-4244

July 20, 2017

The Board of Supervisors
For Contra Costa County
651 Pine Street
Martinez, CA 94553

Re: Recommendation of Brad Nix for the office of District Attorney

Dear Supervisors,

I am writing this letter to recommend Brad Nix for the office of District Attorney for Contra Costa County. I do so without hesitation and with complete confidence in the recommendation. Your county and its office of the District Attorney would be lucky to have a leader with the experience and integrity that he possesses.

I am currently the Chief Deputy Public Defender of Stanislaus County and have been with this office nearly 21 years. All of my career I have worked with Mr. Nix. I have worked with him on every type of criminal case up to and including trials. I currently have a number of cases with him, including a homicide. There are many reasons why he is the right choice to run the office in your county. He has more than the needed experience in the practice of criminal law with 30 years in the field, over 20 of which I have witnessed. In my experiences with him his knowledge is complete and his preparedness in court far exceeds those of most of his colleagues. I have never known him to be at a loss for the complete facts and circumstances, including the law, of every case we have discussed. It is one of the reasons he is a formidable adversary. Mr. Nix has a clear passion for the side of the law he is on, and I have never seen that waiver in all the years I have worked with him. I find him to be easy to communicate with, and open to listening when I have information I feel is important.

Again, having worked with him for so many years I can tell you with certainty that not only does he have my respect and recommendation, he has the respect of the legal community in this county. I know that the judges in our county have a great deal of respect for him and trust in his ethics and professionalism. I know that the defense attorneys in our county know the adversary they are up against when defending cases he is prosecuting.

To my knowledge he has for many years been a labor negotiator for our shared union. Both the attorneys from his office and mine have a good deal of confidence that if there is to be any movement on the part of the county to benefit us, he will get us there. I have had many discussions with him about the labor issues and know that he has put a great deal of his free time into researching and gathering data that will hopefully be of help to the members of our union.

Over the last several years I have witnessed a steep decline in the moral of the Stanislaus County District Attorney's Office. While I wouldn't presume to really know the exact reasons for that, and it isn't terribly important in the context of this letter, it has given me an opportunity to watch Mr. Nix with his colleagues both experienced and not. I have seen him continue to be a strong force in an office facing chaos. I have seen him be a mentor to the younger and new attorneys in his office. And, I have watched as he maintained a truly steadfast vigor in prosecuting cases in spite of that chaos.

I hope this letter is helpful in your consideration of Mr. Nix. I hope that my perspective as someone who has been his adversary for so long is particularly helpful. He is an ideal candidate to run your District Attorney's Office. He has the experience and every qualification necessary to maintain the integrity of the position you are considering him for. Please feel free to call me if you have any questions or need any other information.

Very truly yours

Maureen Keller
Chief Deputy Public Defender

Professional License Verification Source California State Bar Website

See also: <http://members.calbar.ca.gov/fal/Member/Detail/103133>

Attorney Search

Brad James Nix - #103133

Current Status: Active

This member is active and may practice law in California.

See below for more details.

Profile Information

The following information is from the official records of The State Bar of California.

Bar Number: 103133

Address: District Attorney Stanislaus County

832 12th St Ste 300

Modesto, CA 95354-2327

Map it Phone Number: [REDACTED] Fax Number: Not Available

Email: brad.nix@standa.org County: Stanislaus

Undergraduate School: Univ of Southern Calif; Los Angeles CA

District: District 5

Sections: None Law School: UC Hastings COL; San Francisco CA

Status History

Effective Date	Status Change
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Present	Active
---------	--------

6/10/1982	Admitted to The State Bar of California
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[Explanation of member status](#)

Actions Affecting Eligibility to Practice Law in California

Disciplinary and Related Actions

This member has no public record of discipline.

Administrative Actions

This member has no public record of administrative actions.



OFFICE OF
THE PUBLIC DEFENDER
SONNY SANDHU
PUBLIC DEFENDER

1021 I STREET, SUITE 201
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MODESTO, CALIFORNIA 95353-3428
Phone: (209) 525-4200
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July 20, 2017

The Board of Supervisors
For Contra Costa County
651 Pine Street
Martinez, CA 94553

Re: Recommendation of Brad Nix for the office of District Attorney

Dear Supervisors,

I am writing this letter to recommend Brad Nix for the office of District Attorney for Contra Costa County. I do so without hesitation and with complete confidence in the recommendation.

I am currently the Public Defender of Stanislaus County and have been with this office for over fourteen years. I have worked with Mr. Nix on a number of cases. Although, I have never gone to trial with Mr. Nix I have had several hearings with him. Mr. Nix is always well prepared and even tempered on his cases. His preparedness is always helpful in getting a fair and equitable resolution for our client. Mr. Nix is a tough prosecutor and is always seeking justice for his victims; however this pursuit of justice never comes at the expense of the humanity of our clients.

Not only does he have my respect and recommendation, he has the respect of the legal community in this county. The entire legal community, whether it be judges, defense attorneys or probation officers know that Mr. Nix is always prepared and has a keen sense of the law.

These past few months I have had the opportunity to see Mr. Nix lead attorneys' labor negotiation team. As a representative of the County I was on "the other side" of Mr. Nix. His negotiations in this arena were very similar to his conduct in the courtroom. The County representatives knew that Mr. Nix would be well prepared and had the attorneys' best interest

at heart. He spent hundreds of hours going through data and statistics to support his causes with the union.

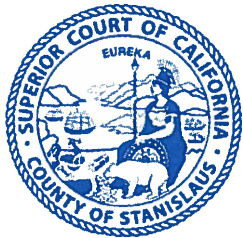
I have had the opportunity to discuss with Mr. Nix his many years of community service in Contra Costa County. As a member of the City Council of Oakley he spent years setting up the financing for the city, creating jobs and improving streets and parks. As a commissioner on the Contra Costa County Transportation Commission (CCTA) he took part in administering the county wide transportation ½ cent sales tax proceeds. In that capacity many large and small scale projects completed to serve the committee. He did this work during night meetings during the work week. All the while, handling some of the most serious cases in Stanislaus County and always being prepared.

Mr. Nix is an ideal candidate to run your District Attorney's Office. He has the experience and every qualification necessary to maintain the integrity of the position you are considering him for. Please feel free to call me if you have any questions or need any other information.



Sonny Sandhu
Stanislaus County Public Defender





Superior Court of the State of California

COUNTY OF STANISLAUS

P.O. Box 3488
Modesto, California 95354
www.stanct.org

KENNETH J. HARA, COMMISSIONER

TELEPHONE
[REDACTED]

July 20, 2017

To Whom it May Concern:

I recommend Mr. Brad Nix, without reservation, to serve as District Attorney of Contra Costa County.

I am currently the Child Support/AB1058 commissioner in Stanislaus County. However, I started my legal career as a member of the District Attorney's office in Stanislaus County. During part of that time Mr. Nix was my immediate supervisor. He was tough but fair. He was always available to discuss cases. He was an aggressive prosecutor but always put strict adherence to ethics at the forefront. Mr. Nix personifies the standard for a prosecutor described in *Berger v. United States*:

"...He may prosecute with earnestness and vigor – indeed, he should do so. But, while he may strike hard blows, he is not at liberty to strike foul ones. It is as much his duty to refrain from improper methods calculated to produce a wrongful conviction as it is to use every legitimate means to bring about a just one."

Berger v. United States, 295 U.S. 78, 88 (1935)

Mr. Nix has worked with three different District Attorneys and has been a career prosecutor for the 25 years that I have known him. He knows what works in a prosecutor's office and what doesn't work. He has lead and managed large groups of people. He has been the lead negotiator for the County Attorneys Association. He brings a wealth of experience to the position of District Attorney. I have every confidence that Mr. Nix will run a highly ethical and effective District Attorney's Office.

I recommend, without reservation, Mr. Brad Nix for the position of District Attorney of Contra Costa County.

Sincerely,

[REDACTED]

Kenneth Hara

Commissioner

2KA1-2017A - DISTRICT ATTORNEY

Contact Information -- Person ID: [REDACTED]

Name: Michael James Roemer Address: [REDACTED] Orinda, California [REDACTED] US
Home Phone: [REDACTED] Alternate Phone:
Email: mikeroemer@gmail.com

Personal Information

Driver's License: Yes, California , [REDACTED] , Class A
Can you, after employment, submit proof of your legal right to work in the United States? Yes
What is your highest level of education? Doctorate

Preferences

Preferred Salary: \$258,000.00 per year
Are you willing to relocate? No
I live in Orinda, my children are happy in local schools, I don't need to relocate.
Types of positions you will accept: Regular
Types of work you will accept: Full Time
Types of shifts you will accept: Day , Evening , On Call (as needed)

Objective

Service.

Education

Professional
Univ. of Calif. Hastings College of the Law
8/1978 - 5/1981
San Francisco, California
Did you graduate: Yes
College Major/Minor:
Degree Received: Professional

Work Experience

Deputy District Attorney
4/1985 - 4/2014
Alameda County District Attorney's Office
1225 Fallon St. Rm 900
Oakland, California 94563
[REDACTED]
Hours worked per week: 49
Monthly Salary: \$0.00
Name of Supervisor: Jon Goodfellow - Sr. DA
May we contact this employer? Yes

Duties

See linked in/resume

Reason for Leaving

Retired.

Certificates and Licenses

Type: Member in good standing California State Bar
Number: 100155
Issued by: California State Bar
Date Issued: 12 /1981 Date Expires: 2 /2023

Skills

Office Skills

Typing:

Data Entry:

Additional Information**References**

Professional

Many judges are ex colleagues, Submission on request

By request

Resume**Text Resume****Attachments**

Attachment	File Name	File Type	Created By
Michael James Roemer_Redacted	Michael James Roemer_Redacted	Other	Alex Johnson

Agency-Wide Questions

1. Q: Have you ever been rejected during a probationary period, forced to resign in lieu of termination, dismissed, fired, terminated, or had an employment contract terminated from any position for performance or for disciplinary reasons within the last ten (10) years?

A: No

2. Q: If answer is yes, please provide name and address of the employers, reason for each release and dates of employment. If answer is yes, it is not necessarily a bar to employment. Each case is given individual consideration, based on job relatedness.

A: N/A

3. Q: Are you applying for Veterans' Preference Credit? In open examinations, Contra Costa County will add 5% to your earned examination score if you pass the examination AND qualify for Veterans' Preference Credit. In order to qualify for Veterans' Preference Credit, a person shall: (a) have (1) served in the United States Army, Navy, Marine Corps, Air Force, or Coast Guard in time of war, in any expedition of the Armed Forces of the United States, or continuously on active duty for more than 180 days, and (2) received an honorable discharge or certificate of honorable act of service; (b) or be a disabled veteran; (c) and present to the Director of Human Resources no later than the closing date specified in the examination announcement, acceptable evidence of the required military service.

A: No

4. Q: Are you currently a Contra Costa County employee?

A: No

5. Q: If yes, please enter Employee Number.

A:

6. Q: If yes, enter Merit System job title:

A:

7. Q: Check the appropriate box that describes your high school education.

A: High School Diploma

8. Q: Where did you hear of this position?

A: Contra Costa County Website

9. Q: If your answer for question #8 was "Advertisement" or "Other," please tell us in which publication or website you saw the Advertisement, or how you heard of this position.

A:

10. Q: I authorize the employers and educational institutions identified in this employment application to release any information they have concerning my employment or education to the County of Contra Costa.

A: Yes

11. Q: May we contact your present employer?

A: Yes

12. Q: REGIONAL WORK LOCATION INTEREST - Check all that apply:

A: CENTRAL (Concord, Clayton, Lafayette, Martinez, Moraga, Orinda and Pleasant Hill)
WEST (Crockett, El Cerrito, El Sobrante, Hercules, Kensington, Pinole, Richmond, Rodeo and San Pablo)
EAST (Antioch, Bay Point, Brentwood, Oakley and Pittsburg)
SOUTH (Danville, San Ramon and Walnut Creek)

13. Q: Are you bilingual in Spanish? (Answering this question will require you to be tested in this language and if placed on the eligible list, your name may be referred out to departments whose position(s) requires bilingual proficiency as designated by the Appointing Authority)

A: No

14. Q: Please select languages (other than English) in which you are fluent in speaking? (Answering this question will require you to be tested in this language and if placed on the eligible list, your name may be referred out to departments whose position(s) requires bilingual proficiency as designated by the Appointing Authority)

A:

15. Q: If you select "other" please indicate the language you are fluent in speaking:

A:

Supplemental Questions

1. Q: A completed supplemental questionnaire is required for this position. Please answer the following questions below and submit your responses with your online application. DO NOT answer any of the questions by indicating, "see attached resume and/or application." Applications received without a completed supplemental questionnaire will be rejected. NOTE: Applicants who completed their education outside of the United States must submit verification of degree/equivalency with their application. Finalists will participate in a moderated forum and be interviewed by the Board of Supervisors in public session. Final candidates' State Summary Criminal History information and economic disclosure statement (FPPC Form 700) may be made available for review by the Board.

A:

2. Q: Are you a resident of, and registered voter in, Contra Costa County?

A: Yes

3. Q: Are you admitted to the practice of law before the Supreme Court of the State of California?

A: Yes

4. Q: Describe your experience in the practice of criminal law.

A:

Approximately 30 year career with Los Angeles and Alameda Co. D.A. offices and as Special Assistant Attorney General in Contra Costa County jury trial.

5. Q: Describe your organizational and management experience.

A: Supervised Gang Unit, supervised young attorneys and law students. Instructed police officers especially gang experts in investigation, testimony, expertise.

6. Q: What do you believe are the major issues or problems in the administration of criminal law and justice in Contra Costa County?

A: Trial expertise. Compliance with Brady. Ethics. Public perception of misconduct and felony conduct by former DA.

7. Q: Why do you want to serve as District Attorney for Contra Costa County?

A: I'm not sure I do, to be candid with you. "Be careful what you ask for, because you might get it." Lord Acton warned us that "power corrupts" so if one wishes to preserve one's soul one should eschew power, correct? The office certainly needs improvement, and preferably by leadership from outside. I am happy with doing volunteer work on Legislative analysis on climate issues, and with Lamorinda Community Emergency Response, and if rejected, I may be relieved. I submitted this application because people have suggested that I do so, and I feel obligated to do what I can to improve the office, whether as DA or otherwise.

8. Q: How would you go about restoring and maintaining the public's confidence in the District Attorney's Office?

A: By making a concerted effort to make the office the most honest, courageous, ethical, professional DA office in the country. The Alameda Co. DA office has multiple elected DAs, congressional representatives, a senator, and a history of respected officials including US Supreme Court Justice Earl Warren. Why doesn't the CC office have that? The office needs an example of tenacious advocacy, insistence on compliance with Brady obligations, listening carefully to everyone, especially defense attorneys and judges and witnesses and anyone else who provides the opportunity to learn from opposing viewpoints.

9. Q: How would you address the mentally ill who are cycling through our justice system?

A: Same as above, but understanding their cognitive challenges, including with mental health courts.

10. Q: As an attorney, have you ever been sued by a client and/or disciplined or cited for a breach of ethics or unprofessional conduct, or been the subject of a complaint to any court, administrative agency, bar association, disciplinary committee, or other professional group? If yes, please provide the details.

A: No

11. Q: Please describe a difficult situation you encountered in your role as an attorney. Include details about how you resolved the situation and any lessons learned.

A: Every trial I had during a 30+ year career involved multiple challenges, each of which I met and overcame, learning from my mistakes.

12. Q: Please describe the most significant and complex legal matter you have handled, your role in the process, and the outcome.

A: Multiple defendant multiple victim gang murder trial conducted in security courtroom with threats against witnesses and defense attorney, rendered in code, decoded, and defused.

13. Q: What is the size of the population/client base served by current employer?

A: N/A

14. Q: To whom do you currently report, by title?

A: Self

15. Q: What number of staff are employed by current employer?

A: Self

16. Q: What number of staff do you currently oversee (direct and indirect)?

A: N/A

17. Q: What is the largest number of staff you have overseen, and where?

A: I supervised the gang unit, and supervised law students doing motions.

18. Q: What is your current employer's operating budget, in dollars?

A: N/A

19. Q: For what portion of budget are you responsible, in dollars?

A: N/A

20. Q: What is the largest budget you have ever been responsible for, and where?

A: I wrote grant applications, but did not directly oversee budgets.

21. Q: I certify that I meet the announced requirements for this examination and understand that I will be eliminated at any stage in such examination if it develops that, in fact I do not meet them. I further certify that all statements made in this supplemental questionnaire and the application are true and I agree and understand that misstatements or omissions of material facts will cause forfeiture of my rights to employment with Contra Costa County.

A: Yes

2KA1-2017A - DISTRICT ATTORNEY

Contact Information -- Person ID: [REDACTED]

Name: Patrick Vanier Address: [REDACTED] San Ramon, California [REDACTED] US
Home Phone: [REDACTED] Alternate Phone: [REDACTED]
Email: pvanier88@gmail.com

Personal Information

Driver's License: Yes, California , [REDACTED] , Class C
Can you, after employment, submit proof of your legal right to work in the United States? Yes
What is your highest level of education? Doctorate

Preferences

Preferred Salary: \$258,000.00 per year
Are you willing to relocate?
Types of positions you will accept: Regular
Types of work you will accept: Full Time
Types of shifts you will accept: Day

Objective

To become the District Attorney for Contra Costa County.

Education

Graduate School

John F. Kennedy School of Law
www.jfku.edu
8/1994 - 5/1998
Walnut Creek, California

Did you graduate: Yes
College Major/Minor: Law
Degree Received: Doctorate

College

San Francisco State University
<http://www.sfsu.edu/>
9/1992 - 5/1995
San Francisco , California

Did you graduate: Yes
College Major/Minor: Business/Accounting
Degree Received: Bachelor's

College

University of California, Irvine
10/1989 - 5/1991
Irvine, California

Did you graduate: Yes
College Major/Minor: Political Science
Degree Received: Bachelor's

Work Experience

Deputy District Attorney

1/2006 - Present

Santa Clara County
<https://www.sccgov.org>
70 W Hedding St, San Jose
San Jose, California 95110
[REDACTED]

Hours worked per week: 40
Monthly Salary: \$17,916.00
of Employees Supervised: 23
Name of Supervisor: Brian Welch - Asst.
District Attorney
May we contact this employer? Yes

Duties

I am currently the Supervising Deputy District Attorney for the Narcotics unit within the District Attorney's office. My duties include but is not exhausted by:

- Currently supervise a team of 23 personnel - 17 deputy district attorneys, 4 support staff

members and 2 paralegals.

* I train and mentor all new attorneys to my team.

* I coordinate investigations as needed and support the attorneys in their investigations that they coordinate.

* I manage all operational aspects of the team on a daily basis.

* My team manages the drug court calendar, prosecute over 7000 narcotic cases per year - felony and misdemeanor, handling all trial responsibilities.

* Oversee the specialized drug court.

* Responsible for all Asset Forfeiture prosecutions.

* Manage the team of 4 specialized attorneys involved in the Major Vendor Narcotics Program.

* Oversee the Confidential Informant Management System.

* I sit on several drug policy working groups in the County.

* I collaborate on legislation with local governments regarding drug policy.

* Train law enforcement on legal issues that affect the administration of justice.

See attached resume for a detailed listing of responsibilities.

Reason for Leaving

I have not left this position to date.

Deputy District Attorney

1/1999 - 1/2006

Office of the District Attorney, Contra Costa County

www.co.contra-costa.ca.us/203/District-Attorney

900 Ward St.

Martinez, California 94553

Hours worked per week: 40

Monthly Salary: \$10,000.00

of Employees Supervised: 0

Name of Supervisor: Jose Marin - Supervisor of the Drug Unit

May we contact this employer? Yes

Duties

I was a Deputy District in the following units within the office:

• January 2002 – January 2006 – Narcotic Prosecution Unit.

• July 2001 – December 2001 – Juvenile Prosecution Unit.

• July 2000 – June 2001 – Felony Trial Unit.

• January 1999 – June 2000 – Misdemeanor Prosecution Unit.

Reason for Leaving

I left this position for a position at the Santa Clara County District Attorney's office.

Certificates and Licenses

Skills

Office Skills

Typing:

Data Entry:

Additional Information

References

Professional

Welch, Brian

Asst. District Attorney

Professional

Rosen, Jeffrey

District Attorney - Santa Clara County

Professional
Carmichael, Dave
Chief of Police for Campbell Police Department

Resume

Text Resume

Attachments

Attachment	File Name	File Type	Created By
Patrick Vanier Resume 2017.pdf	Patrick Vanier Resume 2017.pdf	Resume	Job Seeker
Jeff Rosen letter of support.pdf	Jeff Rosen letter of support.pdf	Other	Job Seeker
Carmichael Letter of Recognition .pdf	Carmichael Letter of Recognition .pdf	Other	Job Seeker
CDAA letter of recognition .pdf	CDAA letter of recognition .pdf	Other	Job Seeker
DEA letter of recognition .pdf	DEA letter of recognition .pdf	Other	Job Seeker
Supplemental questions - Patrick Vanier.pdf	Supplemental questions - Patrick Vanier.pdf	Supplemental Questionnaire	Job Seeker

Agency-Wide Questions

1. Q: Have you ever been rejected during a probationary period, forced to resign in lieu of termination, dismissed, fired, terminated, or had an employment contract terminated from any position for performance or for disciplinary reasons within the last ten (10) years?

A: No

2. Q: If answer is yes, please provide name and address of the employers, reason for each release and dates of employment. If answer is yes, it is not necessarily a bar to employment. Each case is given individual consideration, based on job relatedness.

A:

3. Q: Are you applying for Veterans' Preference Credit? In open examinations, Contra Costa County will add 5% to your earned examination score if you pass the examination AND qualify for Veterans' Preference Credit. In order to qualify for Veterans' Preference Credit, a person shall: (a) have (1) served in the United States Army, Navy, Marine Corps, Air Force, or Coast Guard in time of war, in any expedition of the Armed Forces of the United States, or continuously on active duty for more than 180 days, and (2) received an honorable discharge or certificate of honorable act of service; (b) or be a disabled veteran; (c) and present to the Director of Human Resources no later than the closing date specified in the examination announcement, acceptable evidence of the required military service.

A: No

4. Q: Are you currently a Contra Costa County employee?

A: No

5. Q: If yes, please enter Employee Number.

A:

6. Q: If yes, enter Merit System job title:

A:

7. Q: Check the appropriate box that describes your high school education.

A: High School Diploma

8. Q: Where did you hear of this position?

A: Other

9. Q: If your answer for question #8 was "Advertisement" or "Other," please tell us in which publication or website you saw the Advertisement, or how you heard of this position.

A: I heard of this position through the County Supervisor meeting discussing filling Mark Peterson's vacated position.

10. Q: I authorize the employers and educational institutions identified in this employment application to release any information they have concerning my employment or education to the County of Contra Costa.

A: Yes

11. Q: May we contact your present employer?

A: Yes

12. Q: REGIONAL WORK LOCATION INTEREST - Check all that apply:

A: CENTRAL (Concord, Clayton, Lafayette, Martinez, Moraga, Orinda and Pleasant Hill)
WEST (Crockett, El Cerrito, El Sobrante, Hercules, Kensington, Pinole, Richmond, Rodeo and San Pablo)
EAST (Antioch, Bay Point, Brentwood, Oakley and Pittsburg)
SOUTH (Danville, San Ramon and Walnut Creek)

13. Q: Are you bilingual in Spanish? (Answering this question will require you to be tested in this language and if placed on the eligible list, your name may be referred out to departments whose position(s) requires bilingual proficiency as designated by the Appointing Authority)

A: No

14. Q: Please select languages (other than English) in which you are fluent in speaking? (Answering this question will require you to be tested in this language and if placed on the eligible list, your name may be referred out to departments whose position(s) requires bilingual proficiency as designated by the Appointing Authority)

A:

15. Q: If you select "other" please indicate the language you are fluent in speaking:

A:

Supplemental Questions

1. Q: A completed supplemental questionnaire is required for this position. Please answer the following questions below and submit your responses with your online application. DO NOT answer any of the questions by indicating, "see attached resume and/or application." Applications received without a completed supplemental questionnaire will be rejected. NOTE: Applicants who completed their education outside of the United States must submit verification of degree/equivalency with their application. Finalists will participate in a moderated forum and be interviewed by the Board of Supervisors in public session. Final candidates' State Summary Criminal History information and economic disclosure statement (FPPC Form 700) may be made available for review by the Board.

A: n/a

2. Q: Are you a resident of, and registered voter in, Contra Costa County?

A: Yes

3. Q: Are you admitted to the practice of law before the Supreme Court of the State of California?

A: Yes

4. Q: Describe your experience in the practice of criminal law.

A: I have been a Deputy District Attorney since 1999. I am currently a Supervising Deputy District Attorney for the Santa Clara County District Attorney's Office Narcotics Prosecution Team. I have been a prosecutor with Santa Clara County since 2006 where I served on the Burglary, Assault and Theft (BAT) Team, Sexual Assault Team and the Narcotics Prosecution Team. Prior to coming to Santa Clara County, I was a Deputy District Attorney at the Contra Costa County District Attorney's Office for seven years (1999 to 2006) working on the Misdemeanor Team, Felony Trial Team, Juvenile Team and Drug Unit/Regional Anti-Drug Abuse Team.

I am an experienced trial attorney. Over the course of my career, I have prosecuted more than 50 jury trials that have included rape, child molestation, gross-vehicular manslaughter, major narcotic traffickers, methamphetamine laboratories, armed robberies, kidnapping and aggravated assaults. I have also prosecuted multiple complex conspiracy gang, organized crime and drug trafficking cases involving more than 20 defendants in a single litigation case through the use of various forms of technology including electronic surveillance or wiretaps. Throughout my many assignments I have also prosecuted thousands of cases that have included homicides, gang crimes, child abuse, domestic violence, major fraud, environmental crimes, weapon offenses and property crimes. I also work with defense attorneys to address immigration implications in the process of evaluating charged crimes and crafting immigration safe dispositions.

I have spent my career collaborating with law enforcement agencies to provide support in investigations to ensure the safety of the community, as well as to ensure the integrity of the investigation process. Together we have investigated and prosecuted major narcotic cases with a particular emphasis on Mexican National drug cartels operating within California, organized crime syndicates, and gangs. An area of expertise for me is in wiretap investigations. I have collaborated with federal, state and local law enforcement on more than 100 wiretap applications that resulted in the investigation and prosecution of major drug traffickers, street gangs and murderers.

In 2011, I was the Assistant Team Leader for the Narcotics Prosecution Team. In addition to prosecuting major narcotics cases and the associated violent and nonviolent crimes as part of the Major Narcotic Vendor Program (MNVP), I was also responsible for supervising and mentoring the new MNVP attorneys, while simultaneously managing the responsibilities of the MNVP unit. I was promoted to the position of Supervising Deputy District Attorney in early 2013. As one of only 15 supervisor positions for an office of 188 attorneys, I manage one of the two largest teams of lawyers in the Santa Clara County District Attorney's Office, tied only with the Gang Unit.

In addition to my prosecution and management duties, I have developed and implemented trainings for law enforcement agencies, including the following: the California District Attorneys' Association, the California Narcotics Officers' Association, Northern California High Intensity Drug Trafficking Area (HIDTA), as well as federal, state and local law enforcement agencies and local bar associations within Santa Clara County, including attorneys within my office. I have developed and delivered trainings for police and legal professionals on the subject of wiretap investigations, legal updates in search and seizure law, Confidential Informant Management, Complex Narcotics Investigations, California Electronic Communications Privacy Act, The Legal Use of Eavesdropping Devices in Barricade and Hostage Situations, and most recently Proposition 64 (Adult Use of Marijuana Act).

5. Q: Describe your organizational and management experience.

A: I am an experienced leader. I became the Assistant Team Leader for the Narcotics Prosecution Team in 2011 and Supervising Deputy District Attorney of the Narcotics Prosecution Team in 2013. As a Supervising Deputy District Attorney (SuDDA), I

mentor and directly oversee a staff of 17 lawyers, 4 support staff and 2 paralegals. The Narcotics Prosecution team maintains the largest attorney staff within the District Attorney's Office, tied with the Gang Unit. My attorneys leave my team with solid trial experience, practical courtroom knowledge, as well as an understanding of how to navigate complex cases successfully.

I have successfully managed the growth of several teams. When I was first transferred to the Narcotics Team in 2009, I was the only dedicated prosecutor to the MNVP mission. Three months into the assignment I completed my first collaborative investigation with DEA and San Jose Police Department entitled Operation Pato. The investigation netted 18 La Familia Cartel members and associates identified in the trafficking of more than 660 pounds of cocaine. This successful use of electronic surveillance (wiretap) resulted in the seizure of 422 pounds of cocaine, almost a million dollars and various firearms including an assault weapon. During the wiretap, the organization kidnapped and tortured an estranged cartel member. The victim was ultimately found, and the perpetrators were charged with aggravated kidnapping in addition to the drug and weapons crimes. At the time, this was the largest drug case coming out of Santa Clara County. It underscored the potential for working organized crime cases at a higher level and the impact such successful investigations have on the community. As I continued to pursue more investigations, the District Attorney committed more resources to the MNVP unit. Today, this specialized group is made up of four veteran prosecutors handling serious and violent felony crimes tied to the trafficking of narcotics.

The Narcotics Prosecution Team manages major narcotics investigations and prosecutions, all felony drug prosecutions, any non-drug felony and misdemeanor crimes accompanying the drug cases, as well as all misdemeanor drug prosecutions. The narcotics team vertically prosecutes about eight thousand felony and misdemeanor cases each year. During my time as the leader of the Narcotics Prosecution team my responsibilities also included overseeing the District Attorney's Office's involvement in the specialized Drug Treatment Court, Mental Health Treatment Court, developing policies, procedures and protocols related to issues pertaining to narcotics and law enforcement use of technology. I implemented and managed adjustments on the county level in response to changes to drug laws on the state level. My team, under my guidance, coordinates with federal, state and local governments, law enforcement agencies and community based organizations on legislative proposals, criminal investigations and public nuisance issues that improves the lives of the residents of Santa Clara County.

My management philosophy reflects a systems-oriented approach. When I took over the Narcotics team in 2013, I identified several systemic issues within the team that were impeding the judicial process. During the first year I conducted an audit of cases, as well as attorney, paralegal and support staff functions. From this audit I identified action points within our system that we then addressed to arrive at solutions to expedite cases. Using the data, I also reorganized team responsibilities and personnel objectives through written procedures, followed up by training that articulated clear expectations for each position unique to the team. Today this team is highly respected, collaborative, and functional.

Most recently, I reviewed the impact of Proposition 47 and other legislative changes on the six thousand plus newly affected misdemeanor drug cases. My analysis identified the cause for the lack of drug treatment outcomes to new drug misdemeanor cases. This issue was attributed to the fact that those cases were being heard in non-Drug Court courtrooms. The courtroom personnel lacked the understanding and commitment to finding drug treatment options for defendants. In December of 2015, I presented my findings to the Santa Clara County criminal justice partners resulting in the creation of a working group to reorganize Santa Clara County's Drug Treatment Court. This year I was the coordinator from the District Attorney's Office in charge of managing the transition of all misdemeanor drug cases to dedicated Drug Courts where treatment options are now prioritized. This court allows substances abusers who were habitual offenders of low-level drug offenses to receive a variety of treatment options – diversion, outpatient, residential, and transitional sober-living environments. This drug court process also involved the transition of all misdemeanor cases to a paperless system (the elimination of all paper case files).

I have managed and organized several major projects with successful outcomes. I have administered the District Attorney's Office wiretap program since 2009. The administration of the wiretap program is complex and requires an attention to detail as well as a thorough understanding of laws pertaining to a suspect's right to privacy and protections from illegal searches and seizures under the Fourth Amendment. I have coordinated, reviewed and/or drafted more than 100 wiretap applications involving murder, major narcotics and gang crime investigations. I have managed the investigations with the law enforcement agencies, filed detailed periodic reports with the Superior Court, coordinated the collection and reporting of statistical information to the California Department of Justice, managed budgets for these investigations, as well as trained law enforcement agencies on conducting these complex investigations.

Under my direction, Santa Clara County District Attorney's Office became one of the first prosecutor's offices in the State to have a permanently dedicated room for electronic interception (wiretap room). This was the product of a successful partnership with the High Intensity Drug Trafficking Area agency (HIDTA). I presented this investigative model at the 2013 California District Attorney's Association Winter Conference. Since then, several district attorney's offices, including Contra Costa County District Attorney's Office, have applied this model and have established their own wiretap rooms to improve the quality of those investigations.

I also created a system to manage confidential informants (CI) that allowed our attorneys to ensure that when they enter a courtroom their discovery obligations have been met. Santa Clara County is one of few DA's offices in the state that work with police agencies to track the use of CIs. Without such a database, informants cannot be crosschecked and information cannot be properly disseminated to the attorneys in a timely manner. By creating and implementing this new system, our office was able to ensure that we were complying with our discovery obligations and that defendants were receiving information to which they were entitled under the law.

I have collaborated with local government on local initiatives that impact the quality of life in Santa Clara County;

- In 2012, my office assigned me, based on my prior experience with wiretap law, to develop training and a countywide protocol for the use of surveillance technology in barricade, hostage and other crisis situations.
- In 2013, I served on behalf of the District Attorney on the Santa Clara County Marijuana working group. San Jose city and county leaders assembled a working group to propose local ordinances to zone and regulate marijuana enterprises within Santa Clara County. Through these laws, San Jose was able to reduce the number of unregulated dispensaries from 120 storefront operations to 16 licensed and registered businesses. These laws have helped to remove the lawless behavior of unregulated marijuana businesses while at the same time allowing for robust and safe access to medical cannabis to the people who desire it in Santa Clara County.
- In 2014, I rewrote and updated the Santa Clara County Child Abuse Protocol pertaining to hazards, investigative measures and the legal responsibilities for mandated reporters for drug exposed and drug endangered children.
- Beginning in 2015, I organized a pilot project that assisted in the creation of immigration safe dispositions for first time offenders of misdemeanor drug cases. This program provided options for defendants to enter into diversion programs without endangering their immigration status. It was eventually rolled out countywide.
- Since 2015, I have collaborated on several legislative initiatives written by Assemblyman Evan Low and Senator Jerry Hill. These bills have involved setting standards for individuals driving under the influence of marijuana, driving while consuming marijuana and sentencing enhancements for manufacturing methamphetamine near a school/day care center or inhabited dwelling. I also worked with the with the Court, Defense Bar, Probation and other Criminal Justice Partners to institute local policies to comply with Proposition 47, The Safe Neighborhood and Schools Act and Proposition 64, The Adult Use of Marijuana Act. These policies created a system to ensure that the defendants legally entitled to relief under the new laws were afforded expedited resolutions on their legal matters.

What do you believe are the major issues or problems in the administration of criminal law and justice in Contra Costa County?

- A: The Contra Costa County District Attorney's Office is an agency in crisis. Recent events epitomizes decades of poor leadership that has fostered a toxic culture which lacks diversity, emphasizes cronyism, and relegates the citizens of Contra Costa County to secondary players in the criminal justice system. This behavior requires seismic reform to properly and effectively transform this office into a respectful member in the judicial process.

I see three systemic deficiencies in the District Attorney's Office that has created or been a contributing factor to major problems in the administration of criminal justice. The first is racial disparity within the county's criminal justice system. This District Attorney's Office currently suffers from an absence of cultural competence amongst its staff to enable leadership in these areas. Second is the highly dysfunctional culture within the District Attorney's Office. The DA's office has created a lack of diversity in leadership positions and has entrenched the "good ol' boys" network that reinforces cronyism, supports a misogynistic environment, and sidelines talented attorneys who refuse to participate in that process. Lastly, the lack of innovation and implementation of best practices within the District Attorney's Office is a barrier to criminal justice reform. The impact to justice is the severe restriction of growth, and the inhibition of active, effective responses to critical community issues.

Contra Costa District Attorney's Office needs to be a leader in community building that is responsive to the legal and social needs of its residents. Cultural competence is a key component in satisfying this function as it drives the movement towards using the justice system respectfully and responsibly. This District Attorney's Office has repeatedly failed its constituency in advocating for social justice in and out of the courtroom. The current leadership had publicly rebuffed claims of racial inequalities. Recent responses to hate crimes in the community have reflected a lack of meaningful and swift action by prosecutors. Improving relationships between police agencies and communities of color should be a primary goal for any district attorney's office. A well functioning criminal justice system needs to be collaborative and responsive. This District Attorney's Office has leadership that is unable to respond to these realities in our community.

Recent data highlighting racial inequalities in Contra Costa County show that our justice system is not meeting the needs of its citizens. The disparities exist for many reasons, some of which can and should be actively addressed from within the District Attorney's Office. Questions regarding jury selection practices, prioritizing diverse jury pools, as well as addressing implicit biases in the filing of charges are areas of action that must be addressed.

A prosecutor's office should be a role model for professionalism and ethical conduct in the courtroom and the community. As a prosecutor I know and accept the fact that I am held to a strict standard. This belief has been lacking within the District Attorney's office executive management for far too long. The current culture within the District Attorney's office lacks sufficient leadership capacity to oversee a responsive and comprehensive evolution to 21st century practices. Over the past several decades this District Attorney's Office has defined success by the number of trials conducted, instead of the types of cases that should be tried. This archaic approach to criminal justice has exhausted county resources, compromised victims' rights, and forced those accused of crimes into a no-win trial situation. What happens in a courtroom should be about a person exercising her/his constitutional right to trial, not a training exercise for prosecutors to hone their craft. The win at all cost culture must end. The courts should be a place where all members of the community can find justice.

The notorious culture of the District Attorney's office has impacted the administration of justice in many other forms. Police agencies lament the waste of precious investigative resources by refusing to file chargeable cases or over-subpoenaing officers to court. The outcome is costly overtime and many times the officers are called off without testifying. Representatives from the defense bar, including the Public Defender's office, report a longstanding tradition of contentious dealings with prosecutors resulting in no effective communication channels for purposes of settlement negotiations. Populations of affected groups, undocumented and communities of color, have also

expressed feelings of being disenfranchised from the justice system based upon a lack of leadership presence by the District Attorney's Office in their neighborhoods. Overall, the culture of the District Attorney's office has undermined the public's trust in an institution that is supposed to champion the rights of all.

A critical reinforcer of the negative culture is the three-year contract system. This program of exclusively hiring personnel from a fixed-term/salary process trades prosecutorial experience for young lawyers with low-salaries. Instead of providing robust training for aspiring deputy district attorneys, it creates an automatic caste system within the office. The contract system supports an environment of toxic mentorship that allows unprofessional behavior to continue as means for young attorneys to ingratiate themselves to the establishment. As the sole source of hiring, the current contract system ensures that "business as usual" continues, as the closed system does not allow for the recruitment of experienced prosecutors from other district attorney's offices. When you bring in outside talent, those "laterals" often bring with them new ideas, expertise and knowledge of best practices from other offices that can drastically improve services in Contra Costa and over time, dilute the element of negativity. Furthermore, when "laterals" are brought in, attorneys are motivated to work harder, with greater professionalism, and less inclined to complacency. The contract system also misallocates resources within the office by creating unhealthy emphasis on trials over other vital prosecutorial functions.

The last critique to the administration of justice in Contra Costa County is the complete lack of innovation in law enforcement practices within the District Attorney's office. This office's leadership does not value benchmarking best practices in the administration of justice. Whether it's ignoring immigration safe resolutions in the criminal justice system, failing to promote community solutions to rising crime as an alternative to prosecution, lack of collaboration with justice partners to develop specialized courtrooms that support mental health and substance abuse positive outcomes or not addressing keystone issues such as bail reform, the previous Contra Costa County District Attorney refused to acknowledge criminal justice trends. Today, the District Attorney's office is operating from a myopic perspective, outdated systems, and policies that are inadequate and ineffective.

As a key player in Contra Costa County's criminal justice community, the District Attorney's office is standing in the way of effective, collaborative change. Our justice system is not static. Laws change. Communities change. The District Attorney's Office needs to be reflective of these changes while also maintaining focus on public safety. The District Attorney's Office needs to be active in the community assisting with crime prevention. The culture within the office should be dynamic, focused on collaboration, and most importantly respectful of all people involved the process. This District Attorney's Office needs to properly train its attorneys on best practices so that implementation is consistent throughout the office and is reflected in their practice. This includes building transparency throughout the judicial process, while still protecting the victims right to privacy and maintaining the integrity of the investigative process.

7. Q: Why do you want to serve as District Attorney for Contra Costa County?

A: I want to serve as the next District Attorney for Contra Costa County because I know that my career to this point has readied me for this step. I want it because I know this county is at a critical step that can go two ways. It can move in the direction of change that will begin to build the capacity of this office to be a leader in criminal justice practices, or it can stay weighted down by its past. I have evolved as a prosecutor throughout my almost two decades of service. My personal experiences have taught me that respect is earned through actions, not words. My professional experience has given me the broad field of knowledge and expertise that this county needs.

I believe that I have the right blend of skills, understanding of the role of the District Attorney, as well as the clarity of my convictions about what it means to be a positive community partner in law enforcement. As I began the process of seeking to be the next District Attorney, I engaged with community groups, government leaders and individual citizens to find out the concerns they have with their prosecutor's office. The frustration with the status quo was overwhelming. I saw an opportunity to use my skills, talents, and respect for law and order to impact a positive change in this office.

The past administrations of the District Attorney's office have had a uniquely negative affect on the office culture, relationships with other county leaders and criminal justice partners, trending crime rates, and not least, the administration of justice in Contra Costa County. For too long, this county has endured dysfunction at the helm. This era came to an end last December when the District Attorney admitted to violating his position of trust by breaking the law. It was clear to me that the county needed to be ready to transition into new and better models of leadership. It was the beginning of the end to the "good ol' boy" culture that Contra Costa County District Attorney's office epitomized and I wanted to lead that change.

As a 46 year county resident, a product of the local public school system and a parent of three daughters being raised in this county, I want to see a District Attorney's office managed with the same integrity as I, and my fellow prosecutors across the State, dedicate to this honorable profession. This encompasses many within Contra Costa County's District Attorney's Office who have been left behind in their own office, not because they couldn't or wouldn't do their jobs, but because they didn't play the game well.

As the District Attorney, I want to champion victims' rights, lower crime, and protect and serve the residents of Contra Costa County. I want to do this by promoting diversity and cultural awareness, bridge the divide between law enforcement and communities of color, and mentor and train a new generation of DA's in the best practices of their profession. I believe I am uniquely qualified from my work as a prosecutor within Santa Clara County District Attorney's Office, a State leader in criminal justice reform, as well as from my personal background to bring much needed change to our county's District Attorney's Office. My qualifications, management experience and litigation work detailed throughout this application have shaped who I am as a prosecutor and driven me to this place that I find myself today.

I have also spent the past 27 years being part of a large Latino family extending from Contra Costa County to all directions in the Bay Area and beyond the State of California. My in-laws emigrated from Guatemala in the early sixties. They came as political exiles and dreamers. They came to be better and do better than they could do in their home countries. What I witnessed in them framed my deep appreciation for the struggles facing the immigrant community. For them the "issue" of immigration policy wasn't an "issue," it was real life. These were realities I have never had to consider in my life. I understood these issues differently when I was seeing them through the eyes of my wife's family.

I am also a father of three Latina daughters living in Contra Costa County. Their experiences and interactions in our community have broadened my sensitivity to what it means to be different. As the next District Attorney, I see a platform to comprehensively address issues of race, gender, LGBTQ and immigration both within the office by promoting diversity but also within the community by partnering with others in the criminal justice system to improve outcomes that keep our communities safe for all.

I want to be the next District Attorney for Contra Costa County for all the reasons above and more. This job deserves to be regarded with respect and our residents deserve to be treated with respect. I want to be the person who makes that happen.

8. Q: How would you go about restoring and maintaining the public's confidence in the District Attorney's Office?

A: Restoring and maintaining the public's confidence in the District Attorney's Office will mean different things to different people. Overall, I believe the next District Attorney should build confidence with the community by demonstrating leadership committed to transparency, integrity and service to the community. As I have stated in this application, I will accomplish these objectives by protecting victim's rights, lowering crime, promoting diversity, repairing relations between law enforcement and communities of color, collaborating with law enforcement, implementation of best practices among prosecutors, as well as to become a leader in the community.

I believe the starting place for rebuilding public trust is through ethical and honest

leadership. I will hold myself, and the prosecutors in the office, to the highest ethical standards and run the department in an honest and impartial manner. To this end I will institute clear policies and procedures that will outline expectations for every Contra Costa County deputy district attorney. I will bring in best practices of District Attorney's offices from across California and the country.

My District Attorney's Office will reflect the diversity of its community. This includes addressing the hiring practices that have suppressed diversity and restricted the development of the office and its staff. Through these changes we can begin to address the issues of gender, LGBTQ, and many other equity issues within the office to create a vibrant, active, and healthy environment for the residents of Contra Costa County, as well as for the deputy district attorneys who honor their work every day.

I support transparency throughout the judicial process while still honoring victims' right to privacy. As of late the community has questioned the District Attorney's delayed response to hate crimes and other public safety matters. Now more than ever it is important that we take a strong stance against hate crimes. It is incumbent upon the DA to work with community leaders to build cultural competence within the office. This includes protecting religious symbols and places of faith/worship.

As District Attorney I will maintain law and order. I will enforce and prosecute laws fairly to ensure offenders who threaten public safety will be held accountable and not pose a danger to the community. Serious and/or violent felonies should be aggressively prosecuted to protect public safety. I will continue to work collaboratively with police agencies to investigate and prosecute organized crime, violent gangs, drug trafficking organizations, and murderers. I will do this through strategic planning with Federal, State and local law enforcement to use technology to solve crimes. Any collaborative work with federal agencies will not be at the expense of undocumented individuals.

I will modernize and standardize the charging process to better protect victims' rights, address rising crime rates and efficiently utilize police services. An office under my management will ensure objective and standardized criteria for filing charges for all crimes being prosecuted. It will acknowledge and address issues of implicit bias within that charging process. Police agencies will receive feedback as to how and why charges are being filed, as well as how to improve the law enforcement investigative processes to ensure proper prosecution of crimes. The office will track cases that are prosecuted to ensure that biases that exist are monitored and addressed in real time. I will maintain integrity in the charging process to ensure that the District Attorney's Office will honor victims of crimes and give them their day in court as outlined in Marsy's Law.

I believe the role of the District Attorney should extend beyond prosecution. My district attorney's office will be a leader in crime prevention utilizing the latest technologies, data analytics and community prosecution models to address the rising crime rates through crime prevention and enforcement. Contra Costa County needs a real neighborhood prosecution model. When law enforcement works with the community, it builds trust. A community that trusts law enforcement will work with law enforcement to reduce violence. I will advocate for programs that will coordinate Judges, Defense Bar, Prosecutors, local police agencies, and Community Based Groups to target at-risk populations to find these groups services and break the cycle of criminality.

Through such community programing I will work to implement a variety of alternative sentencing options, treatment and prevention solutions to reduce recidivism for low-level offenders. This is where the court system can become active participants in keeping individuals out of the criminal justice system. Substance Abuse Treatment courts and Mental Health courts are vital parts of a working justice system. Promoting a treatment intervention team within the courthouse can address a variety of root causes for why people find themselves in the justice system in the first place. Alternative sentencing options should include assessing immigration safe dispositions where it is appropriate. As the District Attorney, I believe in policies that provide an environment that supports and maintains the family unit. Restorative justice practices are a component of a successful criminal justice system that encourages positive collaborations between offenders, victims, marginalized communities and law enforcement.

As a county we must actively acknowledge drug abuse as a public health issue. We must build out-of-custody programs for homelessness and those suffering from mental illness in Contra Costa County. We must also acknowledge the need for early intervention for at-risk youth – truancy, gang crimes, substance abuse, cyber bullying, and hate crimes. I want to create alternative sentencing options to steer young adults and other affected populations who find themselves in the criminal justice system toward gang prevention, social services, vocational services, physiological/psychiatric services and much more.

Courts, community groups and local governments can be utilized to expand upon and create crime prevention programs and provide services for crime victims. The LEAD (Law Enforcement Assisted Diversion) program in Antioch has great potential for this level of collaboration. I have studied the success of the original LEAD program for low-level drug and sex trafficking victims in suburbs of Seattle, Washington. In Washington, the LEAD program demonstrated positive effects on recidivism through significant reductions in arrests and felony charges for those participating. Promoting the success of this new program in Antioch and expanding on such programs countywide will be a priority.

The collaboration will continue by providing services for victims of crimes. The Family Justice Center is a positive example of these services extending to victim populations. The District Attorney's Office should step up its leadership role by partnering with participating agencies to bolster programming services and investigative resources through a more robust financial and staffing commitment. The District Attorney's Office should also play an active role with local reentry programs to ensure individuals have the services and support to reenter the community successfully. I support AB 109 re-entry centers. These re-entry centers provide valuable services that support transition from correctional settings to the community. Programs such as REACH or No Wrong Door support positive outcomes for offenders.

To further gain the public confidence, I will be a leader in crime prevention by successfully using data analytics to study crime trends affecting the communities. That's why this county needs a Crime Strategies Unit (CSU). From New York to California, prosecutors' offices are using the crime strategies model. Under this approach, prosecutors work collaboratively with community and law enforcement to identify the places, groups, and people most impacted by crime. By using data-driven prosecution, resources can be best focused to solve, prosecute, and even prevent crimes from occurring. Both San Francisco County and Santa Clara County district attorneys' offices have implemented CSU units to coordinate anti-violence projects based directly on their recent crime trends.

Building and restoring public confidence will not happen overnight. Through comprehensive planning, preparation, leadership, and time, the next District Attorney can immediately demonstrate a commitment to extinguish the old culture and chart a new direction of progressive reform. I believe my ideas and proven leadership will effectuate the needed change in Contra Costa County. I respectfully ask for the opportunity to make this happen.

9. Q: How would you address the mentally ill who are cycling through our justice system?

A: Mental illness can and very often does, impact all aspects of a person's life. Unfortunately, some living with mental health disorders find themselves homeless, destitute and more likely to interact with law enforcement and the criminal justice system than receive necessary treatment and support. According to the Stanford Law School Three Strikes Project research report titled "When did prisons become acceptable mental healthcare facilities?" in May of 2017, an estimated 45% of the California prison population is mentally ill. During my career as a prosecutor, I have had direct, personal experiences working with issues of mental health in the criminal justice system. I believe it is possible for criminal justice professionals to actively engage in problem solving and be solution oriented. I would do this by being a proactive collaborator and partner with the law enforcement community, the court system, Department of Behavioral Health, as well as community-based programs to improve positive outcomes for persons with mental illness who interact with the criminal justice system.

As the District Attorney I will actively collaborate with criminal justice partners to support a treatment team, which can provide treatment services in a courtroom environment. This is the Mental Health Court and Drug Treatment Court model. As a supervisor in the Santa Clara County District Attorney's Office, I have direct experience working with such a team. My team and I have worked collaboratively with treatment experts to identify services for individuals with dual and single diagnosis. I have also used data to highlight the needs of the community in transitioning cases involving people with substance abuse illness in the formation of dedicated drug courts that prioritize treatment options.

Mental health and substance abuse is a public health issue. While this county has made positive steps in offering Crisis Intervention Training to law enforcement and forming the Mental Health Evaluation Team by partnering with police agencies and the Department of Behavioral Health, more must be done. The current Contra Costa County Behavior Health court model that services only 20 patients can be improved upon to better serve the needs of the community. A robust understanding of mental health issues with our criminal justice partners must exist. Treatment teams should work together to offer services and support. The goal should be to reduce and eliminate recidivism that is mental health and/or addiction related. The Mental Health and Drug Treatment court models exist throughout the country. I would benchmark best practices and immediately begin working on establishing those practices in Contra Costa County. In addition, I intend to collaborate with the Court, the Probation Department, and the Public Defender's office, to create a pre-trial services system, which includes mental health assistance, for those defendants who are released on bail or their own recognizance, and who would benefit from such services. Aiding defendants in maintaining mental health while their cases are pending will reduce the likelihood of recidivism.

Training for prosecutors in my office on best practices in the understanding of mental health issues and its impact on interactions with the criminal justice system is an absolute critical step in this process. This would involve identifying cases and defendants who can benefit from mental health services to look for outcomes that support positive mental health. This begins with understanding how crime and mental health are linked. Understanding that chronic substance abuse often leads to mental health diagnosis later in life helps to frame options early in the life of a drug user or person with mental illness. While it may not change every path for every person, it will impact the community positively as the system works to divert further interactions with the criminal justice system when possible.

Creating an open dialogue between prosecutors and defense counsel on the subject of dual and single diagnosis mental health disorders to explore alternative sentencing options is also critical. A commitment to collaborative evaluations of cases with a full treatment team (e.g. psychiatric, psychological, social, and drug treatment services) within the criminal justice system can provide individual "wrap around" intervention support. Prosecutors' active evaluation with the facts of a case, while acknowledging perspectives and disciplines beyond their area of expertise, will reform the "crime focused" lens in prosecution. Yes, prosecution of crimes is our role in the Office of the District Attorney, but it is equally important to prevent future crimes by understanding and addressing underlying issues that impact positive life decisions.

The District Attorney's office is not the first responder in the community. Addressing the needs of the mentally ill requires that the DA's office partners and actively collaborates with police agencies on how to identify and interact with people with mental illness. This will include trainings, collaborating on policy, as well as being daily partners in the community. Community prosecution models, expanded training, and fostering a vigorous judicial environment will support improving the criminal justice response to the mental health crisis in our system.

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- 10. Q:** As an attorney, have you ever been sued by a client and/or disciplined or cited for a breach of ethics or unprofessional conduct, or been the subject of a complaint to any court, administrative agency, bar association, disciplinary committee, or other professional group? If yes, please provide the details.

A: No, I have never experienced or been the subject of any of the above-mentioned situations.

11. Q: Please describe a difficult situation you encountered in your role as an attorney. Include details about how you resolved the situation and any lessons learned.

A: The hallmark of an effective prosecutor is their ability to encounter difficult situations, prepare for and consider all options, and be ready to try that case under any circumstance. As a prosecutor and supervisor I have encountered many situations that on their surface appeared straightforward but upon further review were more challenging and complex. One such case happened when I was assigned to the Santa Clara County District Attorney's Office Sexual Assault Team. These cases are among the most difficult and challenging to prosecute as they primarily rely upon the testimony of a single witness version of what happened; usually that person is also the victim. In many cases there is no DNA, no additional eyewitness, no video recording capturing the event and no confession by the perpetrator. Long after the healing for the physical trauma ends, the psychological trauma is just beginning. Unfortunately, it is this trauma that poses the greatest obstacle for prosecuting sexual assault cases and as a prosecutor it was my job to manage all aspects of each case to conviction. One case that I handled, between 2006 and 2007, underscored these challenges.

In 2006 I was assigned a case involving a male perpetrator who was charged with multiple counts of rape. The victim in the case, Jane Doe (a pseudonym to protect her anonymity), was a 17 year-old girl who was a habitual runaway. She lived with her elderly grandparents, her legal guardians, in Santa Clara County. In addition to the sexual assault in this case, she was also previously sexually victimized as a young child. As a result, Ms. Doe suffered from post-traumatic stress and mental health issues. One day in her senior year of high school, Ms. Doe again ran away from home. Ms. Doe spent about three months living on the streets and staying in shelters with 21-year old Smith (a pseudonym to protect confidential information), a friendship she made just prior to running away.

While living on the street, Smith and Ms. Doe became romantically involved. Initially, the relationship involved typical dating behavior but over the course of several weeks in the three-month period Ms. Doe was a runaway, Smith violently raped and sexually assaulted Ms. Doe multiple times. Fortunately for Ms. Doe, Transit Authority Police rescued her during an encounter in which Smith and Ms. Doe attempted to ride the light rail without payment.

Shortly after Ms. Doe's return to her family, she disclosed the nature of her victimization. Ms. Doe's motive for disclosing was based upon Smith engaging in a pattern of stalking behavior that made Ms. Doe fear for her life. Law enforcement investigated and arrested Smith. In the more than one year that followed, Ms. Doe became a reluctant victim. The trauma of the assault coupled with her previous mental health diagnosis made it difficult for her to participate. The case also became a constant reminder of her earlier molestation.

Prior to Ms. Doe turning 18, she remained living with her grandparents. She attended meetings and court hearings with me, investigators and victim advocates. There were points during Ms. Doe's testimony when she would emotionally break down necessitating interruptions in her testimony to allow her to compose herself. Ms. Doe also had trouble remembering details of the events. Ultimately, Ms. Doe's testimony alone was sufficient to hold Smith over for trial. There was no DNA, no physical evidence and no other witnesses to corroborate her testimony.

The challenges of prosecuting a violent sexual assault case based upon the testimony of a single witness who suffers from severe emotional trauma predating the crime and is experiencing memory blocks regarding specific aspects of their abuse would make any case tough to prosecute. In the months that followed, this case became exponentially more difficult when Ms. Doe's whereabouts became unknown. Following the preliminary hearing Ms. Doe turned 18 and moved out of her grandparents' house. Unbeknownst to investigators or myself, Ms. Doe left the State and the only lead we had on her location at the time was that she had family in the Portland, Oregon area. With an upcoming trial date, investigators and I focused on two tasks, finding Ms. Doe and investigating the crimes further to corroborate her sexual assault.

Throughout the ensuing months, my DA investigator and I used phone records from telephone numbers Ms. Doe used to periodically check in with family. We used the phone records to identify people and places in the greater Portland area where she was staying and associating. We were always days behind her last known sighting. The investigation finally yielded a valid connection and contact was made. We were able to persuade Ms. Doe to return to California. Eight weeks out from the trial, I obtained special permission from my office to access special witness funds to cover witness travel costs, per diem and lodging at a nearby hotel until after the trial. My investigator and I maintained daily communication to ensure we did not lose Ms. Doe again.

As the location search continued we also proceeded with our investigation of Smith. Contributing to our exigency to find Ms. Doe was a previously undiscovered and startling fact about Smith. Through subpoenaed court records, I discovered that Smith had previously sexually assaulted a close family member. The original investigating detectives were not aware of this fact. This provided the corroboration for Ms. Doe's testimony. We located the second victim and arranged a meeting to discuss the need for her/his testimony. While initially reluctant to be in the same room with Smith again, after our meeting the second victim understood the importance of coming to court and agreed to share his/her story of abuse to a jury.

In the fall of 2007, Smith's sexual assault case went to trial. As the trial unfolded and Ms. Doe courageously testified against Smith, reliving the trauma become too much and Ms. Doe came under the emergency care of a doctor who declared her unable to resume the trial. A mistrial was declared and my office made the decision not to retry the case because of Ms. Doe's fragile emotional state moving forward. However, realizing the potentially devastating testimony of Smith's second victim in conjunction with Ms. Doe's emotional testimony during the trial, Smith agreed to admit to the sexual assault of Ms. Doe and accepted a 25-year prison sentence. Prior to Ms. Doe's testimony and without the corroboration of the second victim, Smith was unwilling to accept any settlement offer.

The lessons that I learned from this case are life long. I believe that most DA's offices would have abandoned this case when Ms. Doe testified initially, as she was such a shaky victim, or when she left the State at age 18. I learned to trust my training. It helped me to understand how to work with victims who suffer from psychological trauma and how critical it was to her for the system to not give up on prosecuting this case. Whether or not she was able to see this case through to the end, it was important that it did have an end for her. It was also vitally important to protect the community from a serial sex offender. I cannot underscore the impact this case has had on the responsibility I feel in my job.

12. Q: Please describe the most significant and complex legal matter you have handled, your role in the process, and the outcome.

A: Throughout my 19-year career as a prosecutor, I have found myself involved in many significant cases (e.g. homicides and sexual assault crimes), as well as complex legal matters (e.g. multi-codefendant gang and major drug trafficking investigations). Combining the two criteria for purposes of this question, the most significant and complex legal case I have handled while a prosecutor was the investigation and prosecution of *People v. Apolinar Dagio Huerta*, also known as Operation Poly.

In November of 2010, agents with the San Jose Resident Office of United States Drug Enforcement Administration and detectives with the San Jose Police Department contacted me as a member of the MNVP unit and coordinator of the District Attorney's office wiretap program to initiate a joint state wire investigation into a violent large scale methamphetamine manufacturing and distribution cell led by Apolinar Dagio Huerta. This case was titled Operation Poly, "Poly" being the moniker for Huerta. This group was directly linked to the Mexico-based Javier Valencia drug trafficking organization (DTO), which in turn was allied with the powerful Michoacan-based "La Familia" drug cartel and its splinter organization, the Los Caballeros Templarios "Knights Templar" cartel. Huerta was based in Mexico, where he orchestrated large-scale methamphetamine shipments through Los Angeles to drug labs in the Central Valley and on to destinations throughout Northern California and other states. Huerta

was in regular contact with the leaders of the Valencia DTO, which is believed to be one of the largest methamphetamine suppliers to California.

As I was drafting wiretap applications with the case agents in January of 2011, our investigation revealed that Huerta was tasked by the cartel to collect a million dollar drug debt owed to the organization by a local nightclub owner, an associate drug trafficker. Huerta planned a kidnapping of the bar owner and hired multiple gunmen to effectuate the abduction. During the intended kidnapping, the bar owner resisted and a shootout occurred in the nightclub resulting in the death of three individuals. Given the rarity of such violent cartel activity in San Jose, the SJPd was under pressure to solve this case. Following the incident, Huerta fled to Mexico, where he continued his drug trafficking operations from afar.

In February of 2011, the first of a series of wiretaps prepared by the case agents and myself went live involving Huerta and one of his top lieutenants. The intercepted wiretap calls provided immediate valuable intelligence into the drug trafficking activities, as well as evidence to Huerta's involvement in the bar shooting. Within the first 12 hours of the wiretap, we learned of a 22-pound shipment of methamphetamine, valued at over \$250,000. During many of the early intercepted telephone calls, Huerta admitted to his role in the triple-murder and implicated additional co-conspirators involved in the bar shooting. Prior to the wiretap, case agents and I initially developed our investigation with surveillance, phone records analysis, and through extensive interviews of Confidential Informants (CI).

Early on, the use of our comprehensive investigative techniques, including the wiretap technology assisted us in identifying numerous criminal associates, vehicles, phones and suspected "drug stash" locations. We also passed along leads to the DEA Los Angeles Field Division to expand the scope of the investigation and seized multiple drug shipments based on wire intercepts and other intelligence. Throughout the investigation, the case agents and I coordinated extensively with SJPd, DEA Special Operations Division (SOD), Homeland Security Investigations (HSI), and the DEA offices in Fresno, Modesto, Los Angeles, and Mexico City.

The investigation lasted nearly a year and the case involved wiretapping 10 separate phone lines from Santa Clara County used by nine different drug traffickers in Huerta's organization. A total of 16 wiretap applications, which included several thirty-day extensions for the phones, were employed. Search warrants and subpoenas were used to obtain phone records for extensive phone call analysis, cell tower and GPS phone tracking information, installation of GPS vehicle trackers, and historical research through extensive record checks on housing, credit card information and utilities. With these methods, as well as extensive coordination with allied agencies, case agents and I were able to identify numerous cartel members, phones, vehicles, addresses, their distribution networks and methods, and ultimately interdict substantial quantities of drug and money shipments while in transit from Southern California to Fresno, Modesto, San Jose, and Fremont.

We identified several of Huerta's customers who, in an attempt to evade law enforcement, used fictitious addresses and monikers. During the investigation, Huerta tried to further evade law enforcement by continuously changing his phone numbers. Through a variety of investigative measures and legal processes, we continually conducted routine phone analysis to repeatedly identify Huerta's new phone numbers. This investigation dealt a serious blow to Huerta's cell and its operations, as well as to the Valencia's cartel network. The drug seizures themselves equaled nearly \$700,000.00 in lost revenue for the cartel. In addition, the vehicle seizures and arrests of the numerous cartel members who were involved in either the transportation, manufacturing, or distribution of drugs, the collection and transportation of drug proceeds, or enforcement for the cartel, are believed to have dealt a massive blow to the cartel's bottom line. This was reflected in intelligence gathered during the investigation that indicated Huerta's superiors in Mexico were growing increasingly frustrated with the repeated seizures of his drug shipments, Huerta's botched kidnapping to collect the owed drug debt and that Huerta was becoming increasingly more desperate. Further, the seizure of the methamphetamine laboratories would have further impeded the cartel's ability to generate income by forcing it to find replacement locations and re-establish the laboratories.

As mentioned above, the case agents and I worked many nights and weekends for about one year to investigate the homicide and drug investigation. In preparing the wiretap applications, I drafted and reviewed prior to the court's review all 16 wiretap applications, wiretap extension applications and wiretap progress reports for the court's approval. These legal documents totaled several thousand pages justifying probable cause for the electronic surveillance. I also drafted and reviewed dozens of search warrants and probable cause affidavits for GPS location information for suspect's telephones, GPS vehicle trackers for suspect's vehicles, and various other record information assisting the investigation.

In October of 2011, the DEA, San Jose Police Department, Santa Clara County District Attorney's Office and other assisting agencies coordinated a planned takedown of the investigation by servicing search warrants on twelve different locations. About two weeks before the scheduled takedown, I worked with case agents to comb through thousands of pages of police reports for the drug/homicide investigation to review autopsy records, photographs, wiretap telephone calls, and/or surveillance records on all identified suspects to determine the appropriate crimes to charge and seek arrest warrants. Prior to takedown, I filed criminal charges against fourteen people for drug trafficking offenses and five people for the triple murder. I also reviewed all of the same information for purposes of generating a comprehensive search warrant for eleven different locations for the takedown day. The logistics surrounding the simultaneous service of the search warrants was extremely labor intensive. After the takedown, law enforcement executed fourteen arrests, the seizure of over 60 pounds of methamphetamine, four methamphetamine laboratories, various quantities of cocaine and other drugs, six vehicles with hidden compartments, and a little more than \$137,000.00 in US currency.

Two of the five murder suspects were also arrested at the time of the takedown. Huerta, and two additional co-conspirators for the murder were outstanding after the investigation ended. In addition to being the investigative legal partner to the case, I was also responsible for seeking extradition of Huerta and his associates on the murder charges from Mexico. Prior to the takedown I coordinated with the U.S. State Department in Washington DC and the United States Attorney in the Northern District to obtain a Provisional Arrest Warrant (PAW) for Huerta in Mexico. This PAW had to be obtained quickly in order to have it in place in time for DEA Mexico City Country Office to arrest Huerta at the same time. Once again, I had to distill thousands of pages of investigative documents, reports, and wiretap calls in formats unique to the extradition process to be review by U.S. and Mexico officials. While we were successful in obtaining the PAW, Huerta slipped through our fingers and we were unable to arrest him in the Fall of 2011.

Following the successful investigative results, the prosecution of the arrested fourteen defendants on the drug case and two in custody defendants on the murder case, *People v. Apolinar Dagio Huerta et al. (Operation Poly)* was still awaiting me. I spent the first few months organizing and distributing hundreds of thousands of pages of discovery to all of defendants on the bifurcated cases. This included investigative reports, all affidavits, wiretap documents, and DVD's that included days of video surveillance. It also included CDs containing thousands of telephone call intercepts, transcripts for the telephone all intercepts, photographs, lab reports, crime scene reports, witness interviews, autopsy/coroner reports and much more.

Between October of 2011 and May of 2013, I made several dozen court appearances on the case litigating bail reduction motions on sixteen defendants. There were discovery motions, and preliminary challenges to the car stops, probable cause searches, searches pursuant to search warrants, wiretaps and ping orders. By itself, this case by scope, complexity and seriousness was a full time undertaking. At the time I was also managing a full time caseload of other complex narcotic conspiracy cases, including the 18-defendant cocaine and aggravated kidnapping case entitled *Operation Pato* discussed earlier in this application.

After successfully resolving a few of the fourteen defendants charged in the drug case, in October of 2012, I presented the remaining defendants to the criminal grand jury. I made the decision to go by way of grand jury to avoid an even more lengthy and

arduous preliminary hearing, which would waste judicial resources and occupy a criminal courtroom for an extended length of time. This was an ambitious presentation to the Grand Jury. The compositions of the remaining defendants were among the most serious. In a three-week presentation, I called fifteen witness and presented days of wiretap evidence to the grand jury. I ultimately received an "as charged" indictment return on all seventeen counts for the remaining defendants. Ultimately, the Grand Jury decision resulted in all of the defendants pleading guilty leaving only Huerta and other homicide defendants remaining for prosecution. Huerta's top lieutenants running the cartel cell in Santa Clara County received sentences of 10 years in state prison.

During that same time I also handled all court appearances and hearings for the two defendants charged with murder. I prosecuted the bar-shooting homicide case until my promotion to management in May of 2013. In August of 2013, while transitioning the case to the newly assigned prosecutor, I received word from the U.S. State Department that Huerta was arrested on crimes committed in Mexico and on the Santa Clara County murder charges. When a suspect is arrested on a PAW, the prosecuting agency only has 60 days from the date of arrest to conduct a "trial on paper" to the Mexican authorities for purpose of extradition.

A "trial on paper" is essentially submitting sworn witness affidavits, photos and other evidence to a magistrate in Mexico for purposes of determining Huerta's guilt to approve the extradition back to the U.S. I had to prioritize Huerta's extradition over my other responsibilities to meet the extradition timetable. This labor intensive process required me to again distill all facets of the triple homicide case – investigative reports, autopsy/coroner and wiretap calls – to establish Huerta's role as the orchestrator of the attempted kidnapping of the bar owner. The more difficult part of the "trial on paper" process involved summarizing California criminal law for the Mexican judge and having all of the generated documents translated into Spanish. After two months of coordination with U.S. and Mexican officials, Huerta's extradition to the U.S. was approved. Presently, the in custody murder defendants are still awaiting trial.

While an MNVP attorney, I prosecuted many complex conspiracy, gang, cartel and violent criminal gangs. Each case I handled was uniquely complicated and significant in its own right. Both the investigation and the prosecution of Operation Poly required extensive coordination with law enforcement personnel, use of technologies, legal processes and substantial litigation in and outside of the court.

13. Q: What is the size of the population/client base served by current employer?

A: I currently work for the District Attorney of Santa Clara County. The county seat is in San Jose, the country's 10th most populous city, and the 3rd largest in California. According to the US Census Bureau, the County's estimated 2015 population is 1,918,044 residents. It is the sixth largest county in California.

14. Q: To whom do you currently report, by title?

A: I work for the elected District Attorney of Santa Clara County Jeffrey F. Rosen. I currently and directly report to Assistant District Attorney Brian Welch by chain of command and ADA Welch reports to Chief Assistant District Attorney Jay Boyarsky.

15. Q: What number of staff are employed by current employer?

A: The District Attorney's Office of Santa Clara County is made up of a total of 602 personnel – 185 attorneys, 154 support staff, 124 bureau of investigation personnel, 36 paralegal, 63 crime lab personnel, 29 victim witness personnel, 9 management information systems personnel, 1 public information officer and 1 graphic designer.

16. Q: What number of staff do you currently oversee (direct and indirect)?

A: I currently oversee 17 attorneys, 4 support staff, and 2 paralegals as part of the Narcotics Prosecution Team.

17. Q: What is the largest number of staff you have overseen, and where?

A:

The largest number of staff that I have overseen is in my current position as the Supervising Deputy District Attorney for the Narcotics Prosecution Team in Santa Clara County.

18. Q: What is your current employer's operating budget, in dollars?

A: The District Attorney has \$138 million dollar budget.

19. Q: For what portion of budget are you responsible, in dollars?

A: The Narcotics Prosecution Team has a personnel budget of approximately \$6 million dollars. While my team has access to the bureau of investigation, business services, victim-witness services, crime lab and management information services, the personnel and budget do not fall under my purview.

20. Q: What is the largest budget you have ever been responsible for, and where?

A: I have been responsible for many budgets since 2009. The Asset Forfeiture Prosecution Team manages over 4 million in assets. The team budget for the Narcotics Prosecution team is about \$6 million, of which I manage the personnel within the budget, not the budget itself. Between 2009 -2014 I managed the Santa Clara County Anti-Drug Abuse Grant for the SCCDA's Office Narcotics Team. That budget changed yearly however during that 5 year period, the average budget was about half a million dollars. Most recently, I managed a budget for the county sponsored Silicon Valley Marijuana Awareness Conference that had a budget of \$70,000.

21. Q: I certify that I meet the announced requirements for this examination and understand that I will be eliminated at any stage in such examination if it develops that, in fact I do not meet them. I further certify that all statements made in this supplemental questionnaire and the application are true and I agree and understand that misstatements or omissions of material facts will cause forfeiture of my rights to employment with Contra Costa County.

A: Yes

Patrick John Vanier

San Ramon CA

Objective	To secure the Board of Supervisors' appointment for the vacant position of Contra Costa County District Attorney.
Education	Juris Doctorate – John F. Kennedy University School of Law – 1998. Bachelor of Science, Business/Accounting – San Francisco State University – 1995. Bachelor of Arts, Political Science – University of California, Irvine – 1991.
Professional Experience	<p><u>Deputy District Attorney – Office of the District Attorney, Santa Clara County, California.</u></p> <p><u>January 2006 – present.</u></p> <ul style="list-style-type: none">▪ May 2013 – Present – Supervisor Narcotics Prosecution Team.▪ January 2009 – April 2013 – Narcotics Prosecution Team/MNVP Unit.▪ May 2006 – January 2009 – Sexual Assault Unit.▪ January 2006 – May 2006 – Burglary, Assault & Theft (BAT) Team. <p><u>Deputy District Attorney – Office of the District Attorney, Contra Costa County, California.</u></p> <p><u>January 1999 – January 2006.</u></p> <ul style="list-style-type: none">▪ January 2002 – January 2006 – Narcotic Prosecution Unit.▪ July 2001 – December 2001 – Juvenile Prosecution Unit.▪ July 2000 – June 2001 – Felony Trial Unit.▪ January 1999 – June 2000 – Misdemeanor Prosecution Unit.
Prosecutorial Experience	<p><u>Narcotics Prosecution Team:</u></p> <ul style="list-style-type: none">▪ Supervising Deputy District Attorney May 2013 – present.▪ Assistant Team Leader January 2011 – May 2013.▪ MNVP Unit prosecutor January 2009 – May 2013.▪ Currently supervise a team of 23 personnel - 17 deputy district attorneys, 4 support staff members and 2 paralegals.▪ Created and implemented a confidential informant management system – 2013.▪ Managed Drug Treatment Court from 2013 to present.▪ Managed Mental Health Treatment Court from 2013 to 2015.▪ Updated Santa Clara County Child Abuse Protocol pertaining to drug endangered children – 2014.▪ Organized Immigration Safe Drug Diversion Program Pilot Project – 2015.▪ Managed DA's Office wiretap program January 2009 to present.▪ Managed Anti-Drug Abuse Grant from 2009 to 2014.▪ Coordinated, reviewed and/or drafted more than 100 wiretap applications since 2009 involving murder, major narcotic and gang crime investigations.▪ Reviewed and drafted more than 500 search warrants and other legal processes permitting the use of technology to further law enforcement investigations.

**Patrick Vanier
Prosecutorial
Experience
(Continued)**

- Managed a variety of data collection projects – 2013 Audit and reorganized team responsibilities and personnel objectives; 2013 Analysis of Preliminary Hearing Settings and Continuances in Drug Court; 2014-2015 Statistics on Marijuana Prosecutions in Santa Clara County; 2015-2017 Inequitable Implementation of Prop 47 in HOJ Misdemeanor Departments and the Effect on Drug Treatment.
- As a supervisor and/or line prosecutor I have worked with the following teams, units or task forces within Santa Clara County: Santa Clara County Specialized Enforcement Team, Unified Narcotics Enforcement Team, U.S. Drug Enforcement Administration San Jose, California Department of Justice South Bay Metro Task Force, Department of Homeland Security Investigations San Jose, Federal Bureau of Investigation Campbell Office, Alcohol Tobacco and Firearms San Jose, Santa Clara County Violent Gang Task Force, San Jose PD METRO Team, San Jose PD Gang Intelligence Unit, San Jose PD Gang Suppression Unit, Santa Clara County Human Trafficking Task Force, REACT Task Force, RATTF Task Force, Santa Clara County Department of Probation, Santa Clara County Sheriff's Office Marijuana Eradication Team and Multi-Jurisdictional Methamphetamine Enforcement Team, Santa Clara County SAFE Task Force, Gilroy PD Anti-Crime Team, Santa Clara PD Special Crimes Action Team (SCAT) and Special Enforcement Team (SET), Northern California High Intensity Drug Trafficking Area (HIDTA)/Northern California Regional Intelligence Center (NCRIC).
- As a supervisor and/or line prosecutor I have worked with a variety of local, state and federal agencies outside of Santa Clara County.
- Developed county protocol for Use of Eavesdropping Devices in Barricade and Hostage Situation pursuant to Penal Code 633.8 - 2012
- Directed the creation of the District Attorney's Office wire room – 2012.
- Managed the Santa Clara County Anti-Drug Abuse Grant for the SCCDA Office Narcotics Team – 2009 to 2014.
- Successfully implemented Prop 47 for the Narcotics Team – 2015-2017.
- Participated in the County Marijuana Working Group, which drafted and advocated for ordinances regulating marijuana collectives, cooperatives, personal use cultivation and dispensaries in the city of San Jose and unincorporated Santa Clara County – 2014 to 2017.
- Assisted with office sponsored legislative proposals regarding marijuana DUI and sentencing enhancements for drug labs near occupied buildings.
- Coordinated the investigation and prosecution of the largest and most serious narcotics cases ever prosecuted in the District Attorney's Office.
- Trained law enforcement and prosecutors in the following areas: Wiretap law, Legal Updates, Cal ECPA, Informant Management, County Protocol for the Use of Eavesdropping Devices for SWAT and Hostage Negotiators, Basic and Complex Narcotic Investigations and Proposition 64.
- Organized the Santa Clara County Marijuana Awareness Conference September 8-9, 2016, Santa Clara Convention Center.
- Prosecutorial responsibilities as a DDA on the team included prosecuting vertically assigned cases from issuing to trial including presenting cases to grand jury, preliminary hearings, law and motion for vertically assigned cases, drafting and review of search warrants and coordination of discovery and follow-up investigation.

Sexual Assault Unit

- Prosecuted sexual assault cases involving adult and child victims from preliminary hearing to trial.
- Most of the cases involved life top charges or allegations under Penal Code sections 269, 288.7 or 667.61 (b)-(e).
- Other responsibilities on the team included case issuing, liaison with victims and witnesses, law and motion for vertically assigned cases, drafting and review of search warrants and coordination of discovery and follow-up investigation.

Burglary, Assault & Theft (BAT) Team

- Prosecuted a variety of general felony crimes from preliminary hearing to trial.
- Cases included the following: gross vehicular manslaughter, home invasion robbery, bank robbery, robbery involving the personal use of a firearm, arson, felony driving under the influence and PC 245 related offenses.
- Other responsibilities included case issuing, preparation of search warrants, ERCs, and law and motion.

Professional Awards

San Jose Police Department George W. Kennedy Excellence in Prosecution Award – 2017.
California Narcotics Officers' Association 2015 State Prosecutor of the Year.
Santa Clara County Employee Excellence Award April 2011 – Board of Supervisors.
California Narcotics Officers' Association 2010 Region 1 Prosecutor of the Year.

Professional Memberships

National Asian and Pacific-Islander Prosecutors' Association
California Bar Association.
California District Attorneys' Association.
California Narcotics Officers' Association.
Contra Costa Bar Association.

County of Santa Clara

Office of the District Attorney

County Government Center, West Wing
70 West Hedding Street
San Jose, California 95110
(408) 299-7400
www.santaclara-da.org



Jeffrey F. Rosen
District Attorney

July 3, 2017

Contra Costa County Board of Supervisors
Supervisors Candace Andersen, Diane Burgis,
John Gioia, Federal Glover and Karen Mitchoff
651 Pine Street
Martinez, California 94553

Re: Appointment of Patrick Vanier as Contra Costa County District Attorney

Dear Supervisors,

As the elected District Attorney of Santa Clara County, I strongly support the appointment of Patrick Vanier as Contra Costa County District Attorney.

I have known Mr. Vanier since he joined the Santa Clara County DA's Office as a Deputy District Attorney in 2006. He had previously worked for seven years in the Contra Costa DA's Office. Mr. Vanier is an outstanding prosecutor – honest, smart, hardworking, tough, and compassionate.

In 2013, I promoted him to Supervising Deputy District Attorney of the Narcotics Team where he currently leads a group of more than a dozen prosecutors and support staff. Under Mr. Vanier's leadership, the Narcotics Team has cracked down on large scale drug traffickers, while working with the court and public defender's office to provide more treatment options for drug addicts.

Mr. Vanier enjoys an excellent reputation throughout the criminal justice system. He is a fair, pragmatic and progressive leader who listens to everyone, and brings people together to tackle difficult problems and make things better.

If you have any questions, please contact me. I'd be happy to chat about Mr. Vanier.

Sincerely,

Jeffrey F. Rosen
Santa Clara County District Attorney



CITY OF CAMPBELL
Police Department

May 23, 2017

District Attorney Jeff Rosen
Santa Clara County District Attorney's Office
70 West Hedding Street, West Wing
San Jose, CA 95110

Dear DA Rosen:

I would like to take this opportunity to recognize and thank Deputy District Attorney Dana Veazey and Supervising District Attorney Patrick Vanier for their outstanding work and determination in the successful prosecution of Dr. Jasna Mrdjen.

This complex case involved a medical doctor illegally prescribing Oxycodone and other prescription drugs, and whose actions directly resulted in the death of one of her patients. As you can imagine, this was a complicated investigation and prosecution, but Dana and Patrick were absolutely stellar throughout the entire process.

The case started in 2011, when a Campbell Police officer conducted a vehicle stop and obtained information regarding the illegal acts of Dr. Mrdjen. The case was turned over to SCCSET and Dr. Mrdjen was subsequently arrested for conspiracy to sell controlled substances, overprescribing, and manslaughter for the overdose death of one of her patients.

This was a complicated case for a variety of reasons, not the least of which were the legal hurdles involved with searching a medical office. From early on in the investigation, SuDDA Vanier and DDA Veazey worked closely with investigators and provided assistance with search warrants, legal issues related to privacy and physicians, the filing of the case, and other questions that arose along the way.

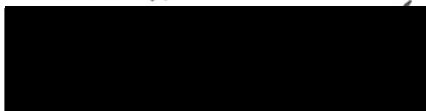
Over a period of six years, DDA Veazey demonstrated amazing dedication by keeping in contact with investigators who changed assignments, tracking down witnesses who had moved, and working closely with coroner's offices in two

different counties. DDA Veazey managed to keep this case organized with hundreds of medical records and expert witness testimony of a highly technical nature. Most importantly, DDA Veazey served as the constant point of contact for the family of the deceased victim. It is clear that her skill in this capacity made a true difference for a grieving family.

SuDDA Vanier displayed incredible knowledge and guidance in this case over many years. His expertise and abilities were apparent throughout, and our investigators commented that his steadfast determination and support were instrumental in ultimately bringing justice to the victim(s) and their families. The prosecution of this case came to a conclusion on Friday May 19th, 2017, with the sentencing of Dr. Jasna Mrdjen, who pled to all counts as charged.

I would like to personally thank both SuDDA Vanier and DDA Veazey for some impressive work and their commitment to this case over many years.

Sincerely,

A large black rectangular redaction box covering the signature of Dave Carmichael.

Dave Carmichael
Chief of Police



CITY OF CAMPBELL
Police Department

October 6, 2016

District Attorney Jeffrey Rosen
Santa Clara County
District Attorney's Office
70 W. Hedding Street, West Wing
San Jose, California 95110

District Attorney Rosen,

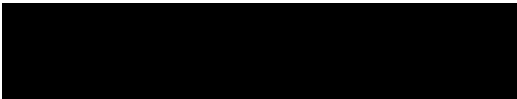
I am writing to express my appreciation for the assistance that Supervising Deputy District Attorney Patrick Vanier provided this past Tuesday evening. With less than one week's notice, Patrick was able to clear his schedule and prepare a special presentation for a Campbell City Council Study Session.

As you may be aware, there is currently a ballot initiative being proposed that would allow medical marijuana dispensaries to operate within the City of Campbell. I thought that it would be beneficial for the Campbell City Council to be presented with all the relevant information prior to making a decision on how the City should proceed. We immediately thought of Patrick, knowing that he is a leader within the County when it comes to the various issues associated with medical marijuana.

The presentation that Patrick gave was both informative and impactful. His willingness to make this happen on a Tuesday evening for our city is truly a testament to his dedication and commitment to the region. As a result of his impressive performance, the Council came away with a clearer perspective of the issues associated with medical marijuana.

Patrick is an outstanding representative of your office, and I truly appreciate you allowing him to be a part of the dialogue in Campbell.

Sincerely,


David Carmichael
Chief of Police



CALIFORNIA DISTRICT ATTORNEYS ASSOCIATION

921 11th Street, Suite 300 • Sacramento, CA 95814 • (916) 443-2017 • www.cdaa.org

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W. SCOTT THORPE

February 8, 2013

Patrick Vanier

Santa Clara County

Deputy District Attorney

70 West Hedding Street West Wing

San Jose CA 95110

Dear Mr. Vanier:

On behalf of the California District Attorneys Association, I wish to thank you for presenting at the 2013 Winter Workshop in Indian Wells last month. Your presentation entitled *The Strategic Use of Wiretaps* contributed to an exceptional educational experience for workshop attendees.

CDA relies heavily on the willingness of its members to contribute their time, experience and expertise by presenting at our programs. Thank you again for being one of them.

Sincerely,

W. Scott Thorpe

Chief Executive Officer

WST:lh

cc: The Hon. Jeff Rosen
District Attorney
Santa Clara County



U. S. Department of Justice
Drug Enforcement Administration
San Francisco Field Division
450 Golden Gate Avenue, 14th Floor
San Francisco, CA 94102

www.dea.gov

Ms. Dolores Carr
Santa Clara County District Attorney
70 West Hedding Street, West Wing
San Jose, CA 95110

APR 1 2009

Dear Ms. Carr:

On behalf of the Drug Enforcement Administration (DEA), I want to express our sincere gratitude to your office and staff for the hard working and outstanding support provided to the DEA San Jose Resident Office (SJRO) during the Jose Vargas-Alvarez investigation, as well as all the other investigations worked jointly between our two agencies. Specifically, I'd like to commend Assistant District Attorney (ADA) Karyn Sinunu-Towery, Supervising Deputy District Attorney (DDA) Frank Carrubba, DDA Patrick Vanier, and DDA Merle Frank.

ADA Sinunu-Towery fostered the strong relationship between our two organizations, she has developed an excellent relationship with all the SJRO agents, and was always willing to assist us on any cases we brought to your office. Despite her heavy work load, ADA Sinunu-Towery gave each case the necessary attention, applying her outstanding legal skills in every investigation. ADA Sinunu-Towery also initiated interest from your office regarding the Vargas-Alvarez investigation and subsequently brought it to your office.

During the Vargas-Alvarez investigation, DDA Merle Frank was helpful in assisting with the wire intercept affidavits and DDAs Vanier and Carrubba were outstanding in their enthusiastic and steadfast support of the investigation. DDAs Vanier and Carrubba were completely dedicated to the investigation and demonstrated their superb legal skills while assigned to the case. They worked tirelessly and never quit when faced with operational or logistical obstacles. During the takedown operations, in addition to carrying out their own duties, they effortlessly assisted the agents in the office, even with the most mundane and tedious tasks. They helped whenever they saw a need. We are truly honored to work with such an outstanding team and we look forward to working future investigations with them.

Sincerely,

A black rectangular redaction box covering the signature of Anthony D. Williams.

Anthony D. Williams
Special Agent in Charge



Contra
Costa
County

To: Board of Supervisors
From: Dianne Dinsmore, Human Resources Director
Date: August 1, 2017

Subject: 2018 Renewals for NonPERS Health Plans

RECOMMENDATION(S):

AUTHORIZE the County Administrator or designee to execute contract renewals with the NonPERS Health/Medical Plans, Dental Plan, Vision Insurance, Life Insurance Plan carriers and the Computer Vision Care Program for the period January 1, 2018 - December 31, 2018.

FISCAL IMPACT:

Premiums for active, retired and survivor enrollees are funded by a combination of charges to County Departments and Special Districts, and employee/retiree/survivor contributions. The fiscal impact is based on projections of 2018 using 2017 census data with no adjustment for future migration between plans.

The 2018 projected total premium cost for active employees is approximately \$103.9 million. The cost to the County is \$80.6 million of that total. The 2018 increased premium cost is \$6.6 million, of which \$3.6 million is the increased County subsidy.

There were no increases to the Delta Care HMO plan, or the VSP Voluntary Vision and Computer Vision Care plans. Delta Dental PPO ASO fees increased from \$4.85 to \$5.03 per member per month. This will not result in an increase to the Delta Dental PPO premium equivalency.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Ann ElliotT (925)
335-1747

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

By: , Deputy

cc: Jeff Bailey, Labor Relations Manager

FISCAL IMPACT: (CONT'D)

Voya Basic Life/AD & D Insurance decreased from \$0.125/\$1,000 to \$0.080/\$1,000. There were no changes to the supplemental life insurance rates.

BACKGROUND:

Insurance coverage is an important benefit and a valuable recruitment and retention tool. To ensure that high quality insurance is available for eligible Contra Costa County employees and retirees, the County contracts for group health, dental and life insurance, voluntary vision insurance, as well as computer vision care coverage, on an annual basis with a number of carriers/providers. The County's existing insurance and coverage contracts are for the calendar year and expire December 31, 2017. In order to ensure uninterrupted coverage for enrolled members (eligible active employees, retired employees and survivors of retired employees) staff requests authorization from the Board of Supervisors to renew existing insurance coverage at the rates provided on the attached chart. This information indicates the different premium structures - either a Two Tier or Three Tier - based on what has been negotiated with various bargaining groups.

To assist the County in negotiating the best possible health care terms for our active and retired employees, the County contracts with Buck Consultants, who has expertise in employee benefit plan design and rate structure.

The increases seen in the renewal rates from Kaiser and Health Net are impacted by the return of the Health Insurance Tax, a requirement under the Affordable Care Act, which was waived for 2017, but reinstated for 2018. All health/medical insurance contracts continue to offer essential health/medical benefits and coverage compliant with the requirements of the Affordable Care Act (ACA). Proposed rates for the 2018 plan year for the medical, dental, life insurance or computer vision care coverage offered to eligible employees, retirees or survivors of employees are attached and are effective January 1, 2018.

In summary for 2018, there is no increase to supplemental life insurance or the dental plan premiums, VSP Voluntary Vision and CVC plan; and a \$0.064% decrease to basic life insurance.

Additionally, the County is now offering an employee paid Commuter Benefit Program that allows employees to set aside pre-tax dollars to help pay for public transportation expenses such as bus, train and ferry fees as well as work related parking expenses.

CONSEQUENCE OF NEGATIVE ACTION:

In order to prevent the disruption of services for group benefits that are offered to eligible employees and their dependents, it is necessary to execute contract renewals prior to open enrollment which is planned for October 2017 for the 2018 plan year.

ATTACHMENTS

2018 nonPERS renewal rates

NonPERS Medical, Dental, CVC and Life Insurance Renewal Rates

EXISTING PLANS and PERCENTAGE of RATE INCREASE or DECREASE

NonPERS Medical Plans

3 Tier Rate Structure	Coverage	2017	2018	% of Change
Contra Costa Health Plan A	Employee (EE)	\$717.57	\$744.86	3.80 %
	EE + 1	\$1435.13	\$1489.70	3.80 %
	EE + 2 or more	\$2152.71	\$2234.57	3.80 %
Contra Costa Health Plan B	Employee (EE)	\$795.44	\$825.69	3.80 %
	EE + 1	\$1590.88	\$1651.38	3.80 %
	EE + 2 or more	\$2386.32	\$2477.07	3.80 %
Kaiser Permanente Plan A	Employee (EE)	\$718.07	\$783.86	9.16 %
	EE + 1	\$1436.14	\$1567.71	9.16 %
	EE + 2 or more	\$2154.21	\$2351.57	9.16 %
Kaiser Permanente Plan B	Employee (EE)	\$570.73	\$623.05	9.17 %
	EE + 1	\$1141.45	\$1246.09	9.17 %
	EE + 2 or more	\$1712.18	\$1869.14	9.17 %
Kaiser Permanente HDHP	Employee (EE)	\$458.07	\$499.94	9.14 %
	EE + 1	\$916.14	\$999.88	9.14 %
	EE + 2 or more	\$1374.21	\$1499.82	9.14 %
Teamsters Local Union No. 856	Employee (EE)	\$655.00	\$655.00	0 %
Trust Fund KP Health Plan	EE + 1	\$1245.00	\$1245.00	0 %
	EE + 2 or more	\$1736.00	\$1736.00	0 %
Health Net HMO Plan A	Employee (EE)	\$1292.89	\$1512.68	17.0 %
	EE + 1	\$2585.78	\$3025.36	17.0 %
	EE + 2 or more	\$3878.66	\$4538.04	17.0 %
Health Net HMO Plan B	Employee (EE)	\$899.05	\$1051.89	17.0 %
	EE + 1	\$1798.10	\$2103.78	17.0 %
	EE + 2 or more	\$2697.16	\$3155.67	17.0 %
Health Net CA & OOS PPO Plan A	Employee (EE)	\$1712.92	\$2039.71	19.08 %
	EE + 1	\$3425.83	\$4079.42	19.08 %
	EE + 2 or more	\$5138.75	\$6119.13	19.08 %
Health Net CA & OOS PPO Plan B	Employee (EE)	\$1542.05	\$1836.24	19.08 %
	EE + 1	\$3084.10	\$3672.48	19.08 %
	EE + 2 or more	\$4626.14	\$5508.72	19.08 %

2 Tier Rate Structure *	Coverage	2017	2018	% of Change
Contra Costa Health Plan A	Employee (EE)	\$774.34	\$803.79	3.80 %
	Family	\$1844.90	\$1915.06	3.80 %
Contra Costa Health Plan B	Employee (EE)	\$858.37	\$891.01	3.80 %
	Family	\$2039.62	\$2117.18	3.80 %
Kaiser Permanente Plan A	Employee (EE)	\$784.71	\$856.59	9.16 %
	Family	\$1829.38	\$1996.96	9.16 %
Kaiser Permanente Plan B	Employee (EE)	\$639.82	\$698.46	9.17 %
	Family	\$1490.77	\$1627.40	9.17 %
Health Net HMO Plan A	Employee (EE)	\$1384.38	\$1619.72	16.89 %
	Family	\$3396.00	\$3968.31	16.89 %
Health Net HMO Plan B	Employee (EE)	\$962.67	\$1126.32	16.87 %
	Family	\$2361.53	\$2759.48	16.87 %
Health Net CA & OOS PPO Plan A	Employee (EE)	\$1771.41	\$2109.35	19.08 %
	Family	\$4208.12	\$5020.25	19.08 %

* The 2 Tier Rate Structure only applies to CNA Actives and Early Retirees

NonPERS Medicare Coordination of Benefits (COB) Plans

	Coverage	2017	2018	% of Change
Contra Costa COB Health Plan A	Retiree	\$356.15	\$369.69	3.80 %
	Family, 1 Medicare	\$1139.69	\$1183.02	3.80 %
	2 Medicare	\$712.31	\$739.39	3.80 %
	Family, 2 Medicare	\$1068.46	\$1109.09	3.80 %
Contra Costa COB Health Plan B	Retiree	\$366.83	\$380.78	3.80 %
	Family, 1 Medicare	\$1173.87	\$1218.50	3.80 %
	2 Medicare	\$733.67	\$761.56	3.80 %
	Family, 2 Medicare	\$1100.50	\$1142.34	3.80 %
Health Net HMO A COB Plan	Retiree/Spouse Only	\$711.58	\$772.06	8.50 %
	Retiree & Spouse	\$1423.16	\$1544.12	8.50 %
Health Net HMO B COB Plan	Retiree/Spouse Only	\$661.58	\$717.87	8.51 %
	Retiree & Spouse	\$1323.16	\$1435.62	8.51 %
Health Net CA & OOS COB PPO Plan A	Retiree/Spouse Only	\$1057.79	\$1113.11	5.23 %
	Retiree & Spouse	\$2115.58	\$2226.22	5.23 %
Health Net CA & OOS COB PPO Plan B	Retiree/Spouse Only	\$910.43	\$924.45	1.54 %
	Retiree & Spouse	\$1820.86	\$1848.90	1.54 %

Medicare Senior Advantage Plans

	Coverage	2017	2018	% of Change
Health Net Seniority Plus Plan A	Retiree/Spouse Only	\$567.59	\$567.59	No change
	Retiree & Spouse	\$1135.18	\$1135.18	No change
Health Net Seniority Plus Plan B	Retiree/Spouse Only	\$476.49	\$476.49	No change
	Retiree & Spouse	\$952.98	\$952.98	No change
Kaiser Senior Advantage Plan A	A & B	\$320.78	\$351.15	9.47 %
	B Only	\$684.16	\$718.47	9.47 %
Kaiser Senior Advantage Plan A	A & B	\$243.19	\$266.25	9.48 %
	B Only	\$616.29	\$650.45	9.48 %

Dental

2 Tier & 3 Tier Rate Structure	Coverage	2017	2018	% of Change
Delta Dental PPO ASO Fees	n/a	\$4.85	\$5.03	3.71%
Delta Dental PPO	Employee (EE)	\$45.16	\$45.16	No change
	EE + 1 (Family)	\$102.00	\$102.00	No change
	EE + 2 or more (Family)	\$102.00	\$102.00	No change
Delta Care HMO	Employee (EE)	\$29.06	\$29.06	No change
	EE + 1 (Family)	\$62.81	\$62.81	No change
	EE + 2 or more (Family)	\$62.81	\$62.81	No change

Vision

		2017	2018	% of Change
VSP Computer Vision Care Plan	Employee (EE)	\$4.31	\$4.31	No Change
VSP Voluntary Vision Plan	Employee (EE)	\$10.08	\$10.08	No Change
	EE + 1 (Family)	\$20.14	\$20.14	No Change
	EE + 2 or more (Family)	\$32.44	\$32.44	No Change

Life Insurance

	2017	2018	% of Change
VOYA Basic Life AD & D Program	\$0.125/\$1000	\$0.08/\$1000	-0.064 %

VOYA Supplemental Life Program			
Employee Age	Rate per \$1000	Rate per \$1000	No change
0-24	\$0.07	\$0.07	No change
25-29	\$0.08	\$0.08	No change
30-34	\$0.10	\$0.10	No change
35-39	\$0.11	\$0.11	No change
40-44	\$0.16	\$0.16	No change
45-49	\$0.26	\$0.26	No change
50-54	\$0.42	\$0.42	No change
55-59	\$0.65	\$0.65	No change
60-64	\$1.01	\$1.01	No change
65-69	\$1.82	\$1.82	No change
≥ 70	\$3.52	\$3.52	No change



**Contra
Costa
County**

To: Board of Supervisors

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

Date: August 1, 2017

Subject: ADOPT Resolution of local support of the Federal OBAG 2 funding for the Contra Costa County Local Streets and Roads Preservation Project

RECOMMENDATION(S):

ADOPT Resolution No. 2017/259 approving and authorizing the Public Works Director, or designee, to submit a One Bay Area Grant Cycle 2 (OBAG 2) Application to the Contra Costa Transportation Authority for federal funding under the Local Streets and Roads Preservation (LSRP) Program for the Contra Costa County Local Streets and Roads Preservation Project for \$4,327,000 and committing local support and assurance to complete the project, Byron, El Sobrante and San Pablo area. (District I, III)

FISCAL IMPACT:

The LSRP program will provide approximately 88.53% of Federal Funds, and the local match will be funded by 11.47% Local Roads Funds.

BACKGROUND:

Funds awarded from the One Bay Area Grant (OBAG) Program will supplement Public Works Capital Road Improvement and Preservation Program (CRIPP). OBAG is a federal funding program which is administered by the Metropolitan Transportation Commission (MTC). MTC is the transportation planning, financing and coordinating agency for the nine-county San Francisco Bay Area. OBAG encompasses several grant programs such as Safe Route to School (SR2S), Transportation for Livable

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Michelle Cordis, (925)
313-2381

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

By: , Deputy

cc: Julie Buren, Director, Steve Kowalewski, Deputy Director, Jerry Fahy, TE, Nancy Wein, TE, Michelle Cordis, TE, Liza Magnabay, Finance

BACKGROUND: (CONT'D)

Communities (TLC), Pedestrian, Bicycle and Trail Facilities (PBTF). The OBAG program factors include priority development areas (PDAs), dense job centers, and communities of concern.

Contra Costa County Public Works has applied for grant funding under the OBAG 2 Local Streets and Roads Preservation (LSRP) Program. LSRP is focused on pavement preservation and rehabilitation projects. Pavement preservation consists of projects to improve or sustain the condition of the transportation facility in a state of good repair. Preservation activities do not add capacity or structural value, but restore the overall condition of the transportation facility. Pavement rehabilitation is defined as a structural enhancement to the pavements which extends the service life of pavement. Seven miles of Vasco Road was submitted as a pavement preservation project along with three miles of San Pablo Dam Road and 220 feet of El Portal Drive.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to approve this resolution of local support for our OBAG 2 application may jeopardize a potential funding source.

ATTACHMENTS

Resolution No. 2017/259

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

Adopted this Resolution on 08/01/2017 by the following vote:

AYE: ☐

NO: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐



Resolution No. 2017/259

IN THE MATTER OF: AUTHORIZING the filing of an application for funding assigned to Metropolitan Transportation Commission (MTC) and committing any necessary matching funds and stating the assurance to complete the project.

WHEREAS, Contra Costa County Public Works Department (herein referred to as Applicant) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$4,327,000 in funding assigned to MTC for programming discretion, which includes federal funding administered by the Federal Highway Administration (FHWA) and federal or state funding administered by the California Transportation Commission (CTC) such as Surface Transportation Block Grant Program (STP) funding, Congestion Mitigation and Air Quality Improvement Program (CMAQ) funding, Transportation Alternatives (TA) set-aside/Active Transportation Program (ATP) funding, and Regional Transportation Improvement Program (RTIP) funding (herein collectively referred to as Regional Discretionary Funding) for the Contra Costa County Local Streets and Roads Preservation (LSRP) Project (herein referred to as Project) for the One Bay Area Grant Cycle 2 (OBAG 2) - LSRP Program (herein referred to as Program); and

WHEREAS, the United States Congress from time to time enacts and amends legislation to provide funding for various transportation needs and programs, (collectively, the Federal Transportation Act) including, but not limited to the Surface Transportation Block Grant Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives (TA) set-aside (23 U.S.C. § 133); and

WHEREAS, state statutes, including California Streets and Highways Code §182.6, §182.7, and §2381(a)(1), and California Government Code §14527, provide various funding programs for the programming discretion of the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA); and

WHEREAS, pursuant to the Federal Transportation Act, and any regulations promulgated thereunder, eligible project sponsors wishing to receive federal or state funds for a regionally-significant project shall submit an application first with the appropriate MPO, or RTPA, as applicable, for review and inclusion in the federal Transportation Improvement Program (TIP); and

WHEREAS, MTC is the MPO and RTPA for the nine counties of the San Francisco Bay region; and

WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of Regional Discretionary Funding; and

WHEREAS, Applicant is an eligible sponsor for Regional Discretionary Funding; and

WHEREAS, as part of the application for Regional Discretionary Funding, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- the commitment of any required matching funds; and
- that the sponsor understands that the Regional Discretionary Funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional Regional Discretionary Funding; and
- that the Project will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- the assurance of the sponsor to complete the Project as described in the application, subject to environmental clearance, and if approved, as included in MTC's Federal Transportation Improvement Program (TIP); and
- that the Project will have adequate staffing resources to deliver and complete the Project within the schedule submitted with the project application; and

- that the Project will comply with all project-specific requirements as set forth in the Program; and
- that Applicant has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by Applicant; and

WHEREAS, that Applicant is authorized to submit an application for Regional Discretionary Funding for the Project; and

WHEREAS, there is no legal impediment to Applicant making applications for the funds; and

WHEREAS, there is no pending or threatened litigation that might in any way adversely affect the proposed Project, or the ability of Applicant to deliver such Project; and

WHEREAS, Applicant authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for Regional Discretionary Funding for the Project as referenced in this resolution; and

WHEREAS, MTC requires that a copy of this resolution be transmitted to the MTC in conjunction with the filing of the application.

NOW, THEREFORE, BE IT RESOLVED that the Applicant is authorized to execute and file an application for funding for the Project for Regional Discretionary Funding under the Federal Transportation Act or continued funding; and be it further RESOLVED that Applicant will provide any required matching funds; and be it further RESOLVED that Applicant understands that the Regional Discretionary Funding for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the Applicant from other funds, and that Applicant does not expect any cost increases to be funded with additional Regional Discretionary Funding; and be it further RESOLVED that Applicant understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and Applicant has, and will retain the expertise, knowledge and resources necessary to deliver federally-funded transportation and transit projects, and has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by APPLICANT; and be it further RESOLVED that Project will be implemented as described in the complete application and in this resolution, subject to environmental clearance, and, if approved, for the amount approved by MTC and programmed in the federal TIP; and be it further RESOLVED that Applicant has reviewed the Project and has adequate staffing resources to deliver and complete the Project within the schedule submitted with the project application; and be it further RESOLVED that the Project will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the Program; and be it further RESOLVED that, in the case of a transit project, Applicant agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution No. 3866, revised; and be it further RESOLVED that, in the case of a highway project, Applicant agrees to comply with the requirements of MTC's Traffic Operations System (TOS) Policy as set forth in MTC Resolution No. 4104; and be it further RESOLVED that, in the case of an RTIP project, Project is included in a local congestion management plan, or is consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency; and be it further RESOLVED that Applicant is an eligible sponsor of Regional Discretionary Funding funded projects; and be it further RESOLVED that Applicant is authorized to submit an application for Regional Discretionary Funding for the Project; and be it further RESOLVED that there is no legal impediment to Applicant making applications for the funds; and be it further RESOLVED that there is no pending or threatened litigation that might in any way adversely affect the proposed Project, or the ability of Applicant to deliver such Project; and be it further RESOLVED that Applicant authorizes its Executive Director, General Manager, City Manager, or designee to execute and file an application with MTC for Regional Discretionary Funding for the Project as referenced in this resolution; and be it further RESOLVED that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and be it further RESOLVED that the MTC is requested to support the application for the Project described in the resolution, and if approved, to include the Project in MTC's federal TIP upon submittal by the project sponsor for TIP programming.

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

ATTESTED: August 1, 2017

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

Contact: Michelle Cordis, (925) 313-2381

By: , Deputy

cc: Julie Buren, Director, Steve Kowalewski, Deputy Director, Jerry Fahy, TE, Nancy Wein, TE, Michelle Cordis, TE, Liza Magnabay, Finance



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: August 1, 2017

Subject: ADOPT Resolution of local support of the Federal OBAG 2 funding for the Contra Costa County Kirker Pass Project

RECOMMENDATION(S):

ADOPT Resolution No. 2017/260 approving and authorizing the Public Works Director, or designee, to submit a One Bay Area Grant Cycle 2 (OBAG 2) application to the Contra Costa Transportation Authority for federal funding under the Federal-Aid Secondary (FAS) Program for the Kirker Pass Road Open Grade Overlay Project for \$1,343,000, and committing local support and assurance to complete the project, (Project No. 0662-6R4150) (District IV, V)

FISCAL IMPACT:

The FAS program will provide approximately 88.53% of federal funds and the local match for the project will be funded by 11.47% Local Road Funds.

BACKGROUND:

Funds awarded from the One Bay Area Grant (OBAG) Program will supplement Public Works Capital Road Improvement and Preservation Program (CRIPP). OBAG is a federal funding program which is administered by the Metropolitan Transportation Commission (MTC). MTC is the transportation planning, financing and coordinating agency for the nine-county San Francisco Bay Area. OBAG encompasses several grant programs such as Safe Route to School (SR2S), Transportation for Livable Communities (TLC), Pedestrian, Bicycle and Trail Facilities (PBTF). The OBAG program factors include priority development areas (PDAs), dense job centers, and communities of concern.

Contra Costa County Public Works has applied

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Michelle Cordis, 925
313-2381

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

By: , Deputy

cc: Julie Buren, Director, Steve Kowalewski, Deputy Director, Jerry Fahy, TE, Nancy Wein, TE, Michelle Cordis, TE, Liza Magnabay, Finance

BACKGROUND: (CONT'D)

for grant funding for pavement rehabilitation of a 1.6 mile section of Kirker Pass Road under the OBAG 2 FAS Program. FAS is focused on improving rural roads. The last pavement surface treatment on this portion of roadway was in 2003. With approximately 18,000 vehicles a day, this high speed arterial requires pavement rehabilitation to prevent further deterioration of the roadway, improve its current Pavement Condition Index (PCI), and extend its service life.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to approve this resolution of local support for our OBAG application may jeopardize a potential funding source.

ATTACHMENTS

Resolution No. 2017/260

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

Adopted this Resolution on 08/01/2017 by the following vote:

AYE: ☐

NO: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐



Resolution No. 2017/260

IN THE MATTER OF: AUTHORIZING the filing of an application for the funding assigned to the Metropolitan Transportation Commission (MTC) and committing any necessary matching funds and stating the assurance to complete the project.

WHEREAS, Contra Costa County Public Works Department (herein referred to as Applicant) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$1,343,000 in funding assigned to MTC for programming discretion, which includes federal funding administered by the Federal Highway Administration (FHWA) and federal or state funding administered by the California Transportation Commission (CTC) such as Surface Transportation Block Grant Program (STP) funding, Congestion Mitigation and Air Quality Improvement Program (CMAQ) funding, Transportation Alternatives (TA) set-aside/Active Transportation Program (ATP) funding, and Regional Transportation Improvement Program (RTIP) funding (herein collectively referred to as Regional Discretionary Funding) for the Kirker Pass Road Open Grade Overlay Project (herein referred to as Project) for the One Bay Area Grant Cycle 2 (OBAG 2) Federal Aid Secondary(FAS) Program (herein referred to as Program); and

WHEREAS, the United States Congress from time to time enacts and amends legislation to provide funding for various transportation needs and programs, (collectively, the Federal Transportation Act) including, but not limited to the Surface Transportation Block Grant Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives (TA) set-aside (23 U.S.C. § 133); and

WHEREAS, State statutes, including California Streets and Highways Code §182.6, §182.7, and §2381(a)(1), and California Government Code §14527, provide various funding programs for the programming discretion of the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA); and

WHEREAS, pursuant to the Federal Transportation Act, and any regulations promulgated thereunder, eligible Project sponsors wishing to receive federal or state funds for a regionally-significant Project shall submit an application first with the appropriate MPO, or RTPA, as applicable, for review and inclusion in the federal Transportation Improvement Program (TIP); and

WHEREAS, MTC is the MPO and RTPA for the nine counties of the San Francisco Bay region; and

WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of Regional Discretionary Finding; and

WHEREAS, Applicant is an eligible sponsor for Regional Discretionary Funding; and

WHEREAS, as part of the application for Regional Discretionary Funding, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- the commitment of any required matching funds; and
- that the sponsor understands that the Regional Discretionary Funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional Regional Discretionary Funding; and
- that the Project will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- the assurance of the sponsor to complete the Project as described in the application, subject to environmental clearance, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); and
- that the Project will have adequate staffing resources to deliver and complete the Project within the schedule submitted with the Project application; and
- that the Project will comply with all project-specific requirements as set forth in the Program; and

- that Applicant has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by Applicant; and
- in the case of an RTIP project, state law requires Project be included in a local congestion management plan, or be consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency; and

WHEREAS, that Applicant is authorized to submit an application for Regional Discretionary Funding for the Project; and

WHEREAS, there is no legal impediment to Applicant making applications for the funds; and

WHEREAS, there is no pending or threatened litigation that might in any way adversely affect the proposed Project, or the ability of Applicant to deliver such Project; and

WHEREAS, Applicant authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for Regional Discretionary Funding for the Project as referenced in this resolution; and

WHEREAS, MTC requires that a copy of this resolution be transmitted to the MTC in conjunction with the filing of the application.

NOW, THEREFORE, BE IT RESOLVED that the Applicant is authorized to execute and file an application for funding for the Project for Regional Discretionary Funding under the Federal Transportation Act or continued funding; and be it further

RESOLVED that Applicant will provide any required matching funds; and be it further

RESOLVED that Applicant understands that the Regional Discretionary Funding for the Project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the Applicant from other funds, and that Applicant does not expect any cost increases to be funded with additional Regional Discretionary Funding; and be it further

RESOLVED that Applicant understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and Applicant has, and will retain the expertise, knowledge and resources necessary to deliver federally-funded transportation and transit Projects, and has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation Projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit Projects implemented by Applicant; and be it further

RESOLVED that Project will be implemented as described in the complete application and in this resolution, subject to environmental clearance, and, if approved, for the amount approved by MTC and programmed in the federal TIP; and be it further

RESOLVED that Applicant has reviewed the Project and has adequate staffing resources to deliver and complete the Project within the schedule submitted with the Project application; and be it further

RESOLVED that Project will comply with the requirements as set forth in MTC programming guidelines and Project selection procedures for the Program; and be it further RESOLVED that, in the case of a transit Project, Applicant agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution No. 3866, revised; and be it further

RESOLVED that, in the case of a highway Project, Applicant agrees to comply with the requirements of MTC's Traffic Operations System (TOS) Policy as set forth in MTC Resolution No. 4104; and be it further

RESOLVED that, in the case of an RTIP Project, Project is included in a local congestion management plan, or is consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency; and be it further

RESOLVED that Applicant is an eligible sponsor of Regional Discretionary Funding funded Projects; and be it further

RESOLVED that Applicant is authorized to submit an application for Regional Discretionary Funding for the Project; and be it further

RESOLVED that there is no legal impediment to Applicant making applications for the funds; and be it further

RESOLVED that there is no pending or threatened litigation that might in any way adversely affect the proposed Project, or the ability of Applicant to deliver such Project; and be it further

RESOLVED that Applicant authorizes its Executive Director, General Manager, City Manager, or designee to execute and file an application with MTC for Regional Discretionary Funding for the Project as referenced in this resolution; and be it further

RESOLVED that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and be it further

RESOLVED that the MTC is requested to support the application for the Project described in the resolution, and if approved, to

include the Project in MTC's federal TIP upon submittal by the Project sponsor for TIP programming.

I hereby certify that this 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: Michelle Cordis, 925 313-2381

ATTESTED: August 1, 2017

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

By: , Deputy

cc: Julie Buren, Director, Steve Kowalewski, Deputy Director, Jerry Fahy, TE, Nancy Wein, TE, Michelle Cordis, TE, Liza Magnabay, Finance



Contra
Costa
County

To: Board of Supervisors

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

Date: August 1, 2017

Subject: Adopt Traffic Resolution No. 2017/4459 to prohibit stopping, standing, or parking at all times on a portion of Silver Avenue, North Richmond area

RECOMMENDATION(S):

ADOPT Traffic Resolution No. 2017/4459 to prohibit stopping, standing, or parking at all times on a portion of Silver Avenue (Road No. 0565K), beginning at the prolongation of the east curb line of Harold Street (Road No. 0565V) and extending westerly to its termination, a distance of 312 feet, as recommended by the Public Works Director, North Richmond area.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

Upon request by the Board of Supervisors District I staff, and in consultation with the Sheriff's Office and Housing Authority, restrictions to vehicles parking and stopping on the western portion of Silver Avenue is being requested in an effort to help address an urgent public safety issue. Due to low occupancy rates in the area, illegal street gatherings in the vicinity of these restrictions are common resulting in littering, sideshows, and other illicit activities on Silver Avenue's westernmost terminus. These restrictions will help local law enforcement limit these gatherings.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Monish Sen, 925.
313-2187

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Vehicles will continue to park, stand, and stop on this portion of roadway leaving the Sheriffs Office unable to enforce the restrictions and disperse gatherings.

ATTACHMENTS

Resolution 2017/4459

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

Adopted this Traffic Resolution on August 1, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RESOLUTION NO. 2017/4459
Supervisory District I

SUBJECT: Prohibit stopping, standing, or parking at all times on a portion of Silver Avenue (Road No. 0565K), North Richmond area.

The Contra Costa County Board of Supervisors **RESOLVES** that:

Based on the recommendations by the County Public Works Department's Transportation Engineering Division, and pursuant to County Ordinance Code Sections 46 2.002 - 46 2.012, the following traffic regulation is established:

Pursuant to Section 22507 of the California Vehicle Code, stopping, standing, or parking is hereby declared to be prohibited at all times on Silver Avenue (Road No. 0565K), beginning at the prolongation of the east curb line of Harold Street (Road No. 0565V) and extending westerly to its termination, a distance of 312 feet, North Richmond area.

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

MO:mh

Orig. Dept.: Public Works (Traffic)
Contact: Monish Sen (925-313-2187)

c: California Highway Patrol
Sheriff's Department

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

By _____,
Deputy



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: August 1, 2017

Subject: ADOPT Traffic Resolution No. 2017/4458 to prohibit stopping, standing, or parking at all times on a portion of North Jade Street (Road No. 0565S)

RECOMMENDATION(S):

ADOPT Traffic Resolution No. 2017/4458 to prohibit stopping, standing, or parking at all times on a portion of North Jade Street (Road No. 0565S), beginning at the intersection of West Grove Avenue (Road No. 0565J) and extending northerly a distance of 500 feet, as recommended by the Public Works Director, North Richmond Area.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

Upon request by the Board of Supervisors District I staff, and in consultation with the Sheriff's Office and Housing Authority, Public Works is establishing restrictions to vehicles parking and stopping on portions of North Jade Street in an effort to help address an urgent public safety issue. Due to low occupancy rates in the area, illegal street gatherings in the vicinity of these restrictions are common resulting in littering, sideshows, and other illicit activities in and around North Jade Street. These restriction will help local law enforcement limit these gatherings.

CONSEQUENCE OF NEGATIVE ACTION:

Vehicles will continue to park, stand, and stop on the roadway, leaving the Sheriff's Office unable to enforce the restrictions and disperse gatherings.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Mark De La O, (925)
313-2234

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

By: , Deputy

cc:

ATTACHMENTS

Resolution
2017/4458

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

Adopted this Traffic Resolution on August 1, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RESOLUTION NO. 2017/4458
Supervisory District

SUBJECT: Prohibit stopping, standing, or parking at all times on a portion of Jade Street (Road No. 0565S), North Richmond area.

The Contra Costa County Board of Supervisors RESOLVES that:

Based on the recommendations by the County Public Works Department's Transportation Engineering Division and pursuant to County Ordinance Code Sections 46-2.002 – 46-2.012, the following traffic regulation is established:

Pursuant to Section 22507 of the California Vehicle Code, stopping, standing, or parking is hereby declared to be prohibited at all times on Jade Street (Road No. 0565S), beginning at the intersection of West Grove Avenue (Road No. 0565J) and extending northerly a distance of 500 feet, North Richmond area.

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

MS:mh
Orig. Dept.: Public Works (Traffic)
Contact: Monish Sen (925-313-2187)

cc: California Highway Patrol
Sheriff's Department

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

By _____,
Deputy



Contra
Costa
County

To: Board of Supervisors

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

Date: August 1, 2017

Subject: ADOPT Traffic Resolution No. 2017/4455 to prohibit vehicles over 40 feet in length on Pinehurst Road (Road No. 2631A)

RECOMMENDATION(S):

ADOPT Traffic Resolution No. 2017/4455 to prohibit vehicles over 40 feet in length on Pinehurst Road (Road No. 2631A), as recommended by the Public Works Director, Canyon area.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

Pinehurst Road is a narrow canyon road with numerous vertical and horizontal curves, including two sharp hairpin turns nearer to the northern end. There have been 26 traffic collisions on this roadway since 2009, including four collisions involving bicyclists. We have been informed of larger trucks having been "stuck" on the hairpin turns, causing a nuisance and safety hazard. State-standard truck (WB-40) turning templates show that vehicles over 40 feet in length cannot negotiate the hairpin turns without encroaching into the opposing lane. Prohibiting such vehicles from Pinehurst Road will enhance traffic safety for drivers of these larger vehicles

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Monish Sen, 925.
313-2187

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

as well as other road users, including motorists and bicyclists. Pinehurst Road terminates at its southern end at Redwood Road, in Alameda County. The Alameda County Public Works Department has been contacted regarding this vehicular restriction. Coordination efforts to inform the public of vehicular restrictions with signage on the roadway will continue on the roadway.

CONSEQUENCE OF NEGATIVE ACTION:

Vehicles over 40 feet in length will not be prohibited from using Pinehurst Road.

ATTACHMENTS

Resolution 2017/4455

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

Adopted this Traffic Resolution on August 1, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RESOLUTION NO. 2017/4455
Supervisory District II

SUBJECT: Prohibit vehicles over 40 feet in length on Pinehurst Road (Road No.2631A),
Canyon area.

The Contra Costa County Board of Supervisors RESOLVES that:

Based on the recommendations by the County Public Works Department's Transportation Engineering Division and pursuant to County Ordinance Code Sections 46-2.002 – 46-2.012, the following traffic regulation is established:

Subject only to the exceptions listed in Vehicle Code Section 35400, or as otherwise provided under State law, pursuant to Vehicle Code Section 35400(a), vehicles over 40 feet in length are prohibited on Pinehurst Road (Road No. 2631A), Canyon area

This Traffic Resolution shall become effective when the Public Works Department installs the appropriate signs on Pinehurst Road to give notice of the length limit imposed by this resolution.

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

MO:mlh

Orig. Dept.: Public Works (Traffic)
Contact: Monish Sen (925-313-2187)

c: California Highway Patrol
Sheriff's Department

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

By _____,
Deputy

TRAFFIC RESOLUTION NO. 2017/4455



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: August 1, 2017

Subject: Continue the emergency action for the Morgan Territory Road Slide Repair project, Clayton area.

RECOMMENDATION(S):

CONTINUE the emergency action originally taken by the Board of Supervisors on March 7, 2017, pursuant to Public Contract Code Sections 22035 and 22050, to repair the Morgan Territory Road Slide Repair Project, as recommended by the Public Works Director, Clayton area. Project No. 0672-6U6203 (District III)

FISCAL IMPACT:

The total cost of the project is not expected to exceed \$6,000,000. The project will be funded by Local Road Funds (100%). County staff is actively pursuing reimbursement through the Federal Emergency Management Agency (FEMA) as a result of the State and Federal emergency declarations.

BACKGROUND:

On March 7, 2017, the Board of Supervisors declared an emergency and authorized the Public Works Director to proceed in the most expeditious manner to repair Morgan Territory Road approximately 1 mile south of Marsh Creek Road.

The repair work requires the installation of two structural retaining wall systems, excavation and backfill of embankment between the wall systems, reconstruction of pavement, drainage improvements, and pavement striping.

Public

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Kevin Emigh,
925.313-2233

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Works Department staff completed the road repair design and requested prices for the necessary equipment, services, and supplies to perform the emergency repair project as expeditiously as possible. The resulting price quotes were received on May 23, 2017. On June 1, 2017, the Public Works Director signed a construction contract with Flatiron West, Inc. to perform the emergency repair work.

The emergency repairs began on July 17, 2017 and will be complete by November 2017. During the construction period, Morgan Territory Road will be closed at the slide site and local traffic will use a temporary access on Leon Drive through the Marsh Creek Detention Facility driveway.

Public Contract Code Section 22050 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. Since the conditions that warranted the emergency declaration persist, it is appropriate for the Board to continue the emergency actions regarding the hazardous conditions caused by storm damage.

CONSEQUENCE OF NEGATIVE ACTION:

Non-concurrence at this point in the project could cause delays in completion of the slide repairs.



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: August 1, 2017

Subject: Continue the emergency action for the repair of the Alhambra Valley Road Washout, Pinole area.

RECOMMENDATION(S):

CONTINUE the emergency action originally taken by the Board of Supervisors on February 14, 2017, pursuant to Public Contract Code Sections 22035 and 22050, to repair the Alhambra Valley Road Washout Project, as recommended by the Public Works Director, Pinole area. Project No. 0672-6U6201 (District I)

FISCAL IMPACT:

The total cost of the project is not expected to exceed \$4,000,000. The project will be funded by Local Road Funds (100%). The project is eligible for prorated reimbursement under the state of emergency declared by Governor Brown on January 23, 2017.

BACKGROUND:

On February 14, 2017, the Board of Supervisors declared an emergency and authorized the Public Works Director to proceed in the most expeditious manner to repair the washed out portion of Alhambra Valley Road.

The repair work requires the construction of a new bridge with wingwalls, slope protection and roadway conform work.

Public Works Department staff completed the bridge design and requested prices for the necessary equipment,

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Kevin Emigh,
925.313-2233

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

services, and supplies to perform the emergency repair project as expeditiously as possible. The resulting price quotes were received on May 23, 2017.

On May 24, 2017, the Public Works Director signed a construction contract with Flatiron West, Inc. to perform the emergency repair work. The emergency repairs began June 12 with completion anticipated by the end of September 2017.

Public Contract Code Section 22050 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. Since the conditions that warranted the emergency declaration persist, it is appropriate for the Board to continue the emergency actions regarding the hazardous conditions caused by storm damage.

CONSEQUENCE OF NEGATIVE ACTION:

Non-concurrence at this point in the project could cause delays in completion of the washout repairs.



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: August 1, 2017

Subject: Notice of Completion of Contract for the Countywide Trash Capture Project, Countywide.

RECOMMENDATION(S):

ADOPT Resolution No. 2017/273 accepting as complete the contracted work performed by John Tse, (dba CC & Company) for the Countywide Trash Capture Project, as recommended by the Public Works Director, Countywide. Project No. 7517-6W7085

FISCAL IMPACT:

Project was funded by 100% Storm Water Utility Assessment (SUA) 17 Funds.

BACKGROUND:

The Public Works Director reports that said work has been inspected and complies with the approved plans, special provisions and standard specifications and recommends its acceptance as complete as of July 14, 2017.

CONSEQUENCE OF NEGATIVE ACTION:

The contractor will not be paid and acceptance notification will not be recorded.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Kevin Emigh,
925.313-2233

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

By: , Deputy

cc:

ATTACHMENTS

Resolution No.
2017/273

Recorded at the request of: Clerk of the Board

Return To: Public Works Department - Design/Construction Division

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

Adopted this Resolution on 08/01/2017 by the following vote:

AYE: ☐

NO: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2017/273

IN THE MATTER OF Accepting and Giving Notice of Completion of Contract for the Countywide Trash Capture Project, Countywide. Project No. 7517-6W7085 (All Districts)

WHEREAS the Board of Supervisors RESOLVES that on April 18, 2017, the County contracted with John Tse, d/b/a CC & Company for the work generally consisting of manufacturing and installing full trash capture units in 154 inlets Countywide, with The Ohio Casualty Insurance Company as surety, for work performed on the grounds of the County; and

The Public Works Director reports that said work has been inspected and complies with the approved plans, special provisions and standard specifications and recommends its acceptance as complete as of July 14, 2017.

NOW THEREFORE, BE IT RESOLVED said work is ACCEPTED as complete on said date, and the Clerk shall file with the County Recorder a copy of this resolution and Notice as a Notice of Completion for said contract.

Contact: Kevin Emigh, 925.313-2233

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

ATTESTED: August 1, 2017

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

By: , Deputy

cc:



**Contra
Costa
County**

To: Board of Supervisors

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

Date: August 1, 2017

Subject: Construction Contract for the 2017 On-Call Pipe Rehabilitation Services Contract(s) for Various Road, Flood Control & Airport Maint. Work, Countywide.

RECOMMENDATION(S):

(1) APPROVE the specifications for the 2017 On-Call Pipe Rehabilitation Services Contract(s) for Various Road, Flood Control, and Airport Maintenance Work, Countywide. Project No. 0672-6U2512-17 (All Districts)

(2) DETERMINE that Hess Concrete Construction Co., Inc. (Hess), the lowest monetary bidder, has complied with the requirements of the County's Outreach Program for this project, as provided in the project specifications; and the Board WAIVES any irregularities in such compliance; and FURTHER DETERMINE that Hess has submitted the lowest responsive and responsible bid for this project.

(3) AWARD the on-call contract to Hess, in a not to exceed amount (\$150,000.00) and the unit prices submitted in the bid (\$2,136.00 Total Unit Price).

(4) DIRECT that the Public Works Director, or designee, shall prepare the contract.

(5) ORDER that after the contractor has signed the contract and returned it, together with any required certificates 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.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Kevin Emigh,
925.313.2233

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

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

(6) ORDER that, the Public Works Director, or designee, is authorized to sign any escrow agreements prepared for this project to permit the direct payment of retentions into escrow or the substitution of securities for moneys withheld by the County to ensure performance under the contract, pursuant to Public Contracts Code Section 22300.

(7) DELEGATE, pursuant to Public Contract Code Section 4114, to the Public Works Director, or designee, the Board's functions under Public Contract Code Sections 4107 and 4110.

(8) DECLARE that, should the award of the contract to Hess be invalidated for any reason, the Board would not in any event have awarded the contract to any other bidder, but instead would have exercised its discretion to reject all of the bids received. Nothing in this Board Order shall prevent the Board from re-awarding the contract to another bidder in cases where the successful bidder establishes a mistake, refuses to sign the contract, or fails to furnish required bonds or insurance (see Public Contract Code Sections 5100-5107).

FISCAL IMPACT:

The contract, for a maximum amount of \$150,000, will be funded by 100% Local Road.

BACKGROUND:

The above project was previously approved by the Board of Supervisors, specifications were filed with and approved by the Board, and bids were invited by the Public Works Director. On May 9, 2017, the Public Works Department received bids from the following contractors:

BIDDER, TOTAL UNIT AMOUNT

Hess Concrete Construction Co., Inc.: \$2,136 Total Unit Price

The Public Works Director has reported that Hess complied with the requirements of the County's Outreach Program, with minor irregularities, as provided in the project specifications, and the Public Works Director recommends that the construction contract be awarded to Hess.

The general prevailing rates of wages, which shall be the minimum rates paid on this project, have been filed with the Clerk of the Board, with copies to be made available to any party upon request.

CONSEQUENCE OF NEGATIVE ACTION:

The Public Works Department may be unable to complete routine road maintenance work in a timely manner.



Contra
Costa
County

To: Board of Supervisors

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

Date: August 1, 2017

Subject: Approve the Stormwater Management Facilities Operation and Maintenance Agreement for minor subdivision MS12-0007, Walnut Creek area.

RECOMMENDATION(S):

ADOPT Resolution No. 2017/269 approving the Stormwater Management Facilities Operation and Maintenance Agreement for minor subdivision MS12-0007, for a project being developed by Milton John Marin, Jr., and Sally Ann Marin, as recommended by the Public Works Director, Walnut Creek area. (District IV)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The Stormwater Management Facilities Operation and Maintenance Agreement is required by Condition of Approval No. 44.

CONSEQUENCE OF NEGATIVE ACTION:

The agreement will not be recorded and Contra Costa County may not be in full compliance with its National Pollutant Discharge Elimination System (NPDES) permit and Stormwater Management Discharge Control Ordinance.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Jocelyn Larocque, 925.
313-2315

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

By: , Deputy

cc: Kara Schuh-Garibay, Engineering Services, Jocelyn LaRocque, Engineering Services, Milton John Marin, Jr. and Sally Ann Marin

ATTACHMENTS

Resolution No.

2017/269

O&M Agreement

Recorded at the request of: Jocelyn LaRocque

Return To: Melissa Billeci

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

Adopted this Resolution on 08/01/2017 by the following vote:

AYE: ☐

NO: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2017/269

IN THE MATTER OF Approving the Stormwater Management Facilities Operation and Maintenance Agreement for minor subdivision MS12-0007 (APN 140-220-008), Walnut Creek area. (District IV)

WHEREAS the Public Works Director has recommended that she be authorized to execute the Stormwater Management Facilities Operation and Agreement with Milton John Marin, Jr., and Sally Ann Marin, Trustees of the Marin Family Trust dated March 19, 2007, as required by the Conditions of Approval for minor subdivision MS12-0007. This agreement would ensure the operation and maintenance of the stormwater facilities in accordance with the approved Stormwater Control Plan and approved Operation and Maintenance Plan for minor subdivision MS12-0007, which is located at 296 La Casa Via in the Walnut Creek area.

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

Contact: Jocelyn Larocque, 925. 313-2315

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

ATTESTED: August 1, 2017

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

By: , Deputy

cc: Kara Schuh-Garibay, Engineering Services, Jocelyn LaRocque, Engineering Services, Milton John Marin, Jr. and Sally Ann Marin

Recording Requested By:
COUNTY OF CONTRA COSTA

When Recorded, Return To:
COUNTY OF CONTRA COSTA
Contra Costa County Public Works Department
Attn: Engineering Services Division
255 Glacier Drive
Martinez, CA 94553

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

Document Title

COUNTY OF CONTRA COSTA

COVENANT RUNNING WITH THE LAND,
STORMWATER MANAGEMENT FACILITIES OPERATION
AND MAINTENANCE AGREEMENT, AND RIGHT OF ENTRY

PROJECT: MS12-0007

PROPERTY OWNER(S): Milton John Marin, Jr., and Sally Ann Marin, Trustees of the Marin
Family Trust dated March 19, 2007

ASSESSOR'S PARCEL NUMBER: 140-220-008

**COVENANT RUNNING WITH THE LAND,
STORMWATER MANAGEMENT FACILITIES
OPERATION AND MAINTENANCE AGREEMENT,
AND RIGHT OF ENTRY**

This Covenant Running with the Land, Stormwater Management Facilities Operation and Maintenance Agreement, and Right of Entry ("Agreement") is made and entered into this _____ day of _____, 20_____, by and between Milton John Marin, Jr., and Sally Ann Marin, Trustees of the Marin Family Trust dated March 19, 2007, and the County of Contra Costa, a political subdivision of the State of California.

DEFINITIONS

The following terms used in this Agreement have the meanings specified below:

County: The term "**County**" means the County of Contra Costa and its authorized officers, agents, and employees.

County Engineer: The term "**County Engineer**" means the Public Works Director for the County or his/her designee.

Lot: The term "**Lot**" and "**Lots**" means the individual lots or parcels shown on the Map.

Map: The term "**Map**" means the final map or parcel map of the Project filed in the Official Records of the Contra Costa County Recorder.

Maintain: The terms "**maintain**," "**maintained**," or "**maintenance**" mean taking all actions reasonably necessary to keep the Stormwater Facilities in first-class operation, condition, and repair, as described in the Stormwater Control Plan and the Operation and Maintenance Plan, which actions include but are not limited to annual inspection and reporting, painting, cleaning, refinishing, repairing, replacing, and reconstructing the Stormwater Facilities, the payment of any applicable County fees, and in the case of landscaping, plant replacement, mulch replacement, irrigating, trimming, mowing, and fertilizing the landscaping.

NPDES Permit: The term "**NPDES Permit**" means the National Pollutant Discharge Elimination System (NPDES) Permit No. CAS612008 issued to the County and other co-permittees by the San Francisco Regional Water Quality Control Board, as amended, and as may be superseded by subsequent NPDES permits that are issued from time to time.

Operation and Maintenance Plan: The term "**Operation and Maintenance Plan**" means the Stormwater Control Operation and Maintenance Plan for the Property prepared by Chaudhary & Associates and deemed consistent with the Ordinance by the County, which may only be modified when, upon written application for such changes, the County Engineer, in his/her sole discretion, provides written consent to such changes. The Operation and Maintenance Plan and any approved changes are on file at the County Public Works Department.

Ordinance: The term "**Ordinance**" means Division 1014 of Title 10 of the Contra Costa County Code (Stormwater Management and Discharge Control), as may be amended from time to time.

Project: The term "**Project**" means MS12-0007, which is being developed on the Property by the Property Owner.

Property: The term "**Property**" means that real property, including all Lots, shown on the Map and described in Exhibit A attached to this Agreement.

Property Owner: The terms "**Property Owner**" and "**Property Owners**" mean Milton John Marin, Jr., and Sally Ann Marin, Trustees of the Marin Family Trust dated March 19, 2007, and all heirs, successors, executors, administrators, and assigns of any interest in the Property, it being the intent of the parties that the obligations under this Agreement, as provided in Civil Code Section 1468, run with the Lots shown on the Map.

Stormwater Control Plan: The term "**Stormwater Control Plan**" means the Stormwater Control Plan prepared by Chaudhary & Associates, and deemed consistent with the Ordinance by the County, which may only be modified when, upon written application for such changes, the County Engineer, in his/her sole discretion, provides written consent to such changes. The Stormwater Control Plan and any approved changes are on file at the County Public Works Department.

Stormwater Facilities: The term "**Stormwater Facilities**" means the permanent stormwater management facilities and appurtenant design features located and constructed on the Property, as described in the Stormwater Control Plan and/or the Operation and Maintenance Plan.

RECITALS

This Agreement is made and entered into with reference to the following facts:

- A. The Property Owner is the owner of the Property and intends to develop the Property with impervious surfaces.
- B. The County is the owner of real property located in the vicinity of the Property, which is shown on Minor Subdivision Map 97-69, Book 16 of Parcel Maps at page 5, filed March 30, 1971, in Contra Costa County records and noted on said map as the "area deeded to Contra Costa County," and the County is required to ensure that stormwater runoff from the Property meets the requirements of the NPDES Permit.
- C. To meet its obligations under the NPDES Permit, the County has required the Property Owner to construct the Stormwater Facilities.
- D. To meet its obligations under the NPDES Permit, the County has approved the Property Owner's Operation and Maintenance Plan and the Stormwater Control Plan for the Stormwater Facilities.

- E. To meet the County's obligations under the NPDES Permit, the County's Ordinance requires proper operation and maintenance in perpetuity of the Stormwater Facilities constructed on the Property.
- F. The Operation and Maintenance Plan and/or the Stormwater Control Plan include an annual inspection and reporting requirement and a continuing maintenance requirement for the Stormwater Facilities constructed on the Property.

AGREEMENT

NOW, THEREFORE, in consideration of the above premises, the sufficiency of which is acknowledged, the mutual covenants contained in this Agreement, and the following terms and conditions, the County and the Property Owner agree as follows:

SECTION 1

Responsibility for Operation and Maintenance: The Property Owner represents and warrants that the Stormwater Facilities have been designed and installed in strict accordance with the Stormwater Control Plan, the Operation and Maintenance Plan, and the Ordinance. No portion of the Stormwater Facilities may be altered in any manner that is inconsistent with the Stormwater Control Plan or the Operation and Maintenance Plan without the prior, written consent of the County Engineer. The Property Owner shall continuously maintain the Stormwater Facilities in first-class operating condition, in strict accordance with the Stormwater Control Plan, the Operation and Maintenance Plan, and the Ordinance, and in compliance with all applicable federal, state, and local laws and regulations, as they may be amended from time to time.

The Property Owner shall engage a licensed landscape contractor or other licensed professional acceptable to the County Engineer to undertake the following maintenance activities on the Property, unless the Property Owner receives prior, written approval of an alternative method from the County Engineer:

1. Diagnosis and correction of the Stormwater Facilities malfunctions that cannot be corrected through routine maintenance,
2. Application of fertilizer and/or pest control products within, under, or above the Stormwater Facilities,
3. Repair of private drainage system (including rain gutters, downspouts, area drains, risers, inlets, outlets, overflows, clean-outs, connectors, earthen and concrete conveyance swales, check dam/retaining walls, and catch basins),
4. Maintenance of irrigation system that may affect stormwater reaching the Stormwater Facilities,
5. Modification of site topography through yard and driveway grading that may affect stormwater reaching the Stormwater Facilities,
6. Subdrain cleaning/replacement (including perforated drain pipe), and
7. Replacement of engineered soil and mulch.

The County Engineer may, at any time, revoke approval of an alternate method for the maintenance of the Stormwater Facilities and require the Property Owner to hire a licensed landscape contractor or other licensed professional acceptable to the County Engineer to undertake any of the activities mentioned in this section.

If a dispute should arise between the Property Owner with respect to the necessity for maintenance, the standard of maintenance, the contractor(s) to be engaged to perform any repair or maintenance work, or any other matters pertaining to the operation or maintenance of the Stormwater Facilities, the dispute may be submitted to the County Engineer, in which case the decision of the County Engineer shall be final.

The County recognizes that the Operation and Maintenance Plan may provide for the allocation of Property Owner responsibilities for the maintenance of Stormwater Facilities located on various Lots. However, regardless of the allocation of maintenance responsibilities, the Property Owner of each Lot is responsible for compliance with all of the obligations contained in this Agreement, and all Property Owners will be jointly and severally liable for failure to comply with the terms and conditions set forth in this Agreement and in the Ordinance.

The County may require the Property Owner to amend the Stormwater Control Plan and/or the Operation and Maintenance Plan whenever the County deems amendments necessary to maintain compliance with the NPDES Permit. In that case, the Property Owner shall have the amendments prepared by a licensed engineer and promptly submit the amendments to the County Engineer for review and approval. All amendments proposed by the Property Owner are subject to the prior, written approval of the County Engineer. Whenever the Property Owner requests amendments to the Stormwater Control Plan and/or the Operation and Maintenance Plan, the Property Owner shall pay the County in advance for all staff time spent reviewing and taking action with respect to such request, whether or not the County Engineer approves the proposed amendments. All approved amendments to the Stormwater Control Plan and the Operation and Maintenance Plan will be kept on file at the County Public Works Department. The Property Owner shall promptly comply with all requirements of the Stormwater Control Plan and the Operation and Maintenance Plan, including any approved amendments.

SECTION 2

Inspection by Property Owner: The Property Owner shall inspect, at least annually, the Stormwater Facilities in accordance with this Agreement, including the requirements of the Operation and Maintenance Plan, the Stormwater Control Plan, and the Ordinance. The annual inspection shall include completion of the reporting form(s) required by the County, which form(s) will be provided annually to the Property Owner by the County. The Property Owner or a licensed landscape contractor or other licensed professional acceptable to the County Engineer must submit the reporting form(s) to the County Engineer no later than the deadline indicated on the form(s). Upon review, the County may require additional information from either the Property Owner or an appropriately-licensed contractor.

SECTION 3

Right of Entry and Stormwater Facilities Inspection by the County: The Property Owner hereby grants permission to the County and its contractors and other agencies with an interest in the Stormwater Facilities, such as the Contra Costa County Flood Control and Water Conservation District, the Contra Costa Mosquito and Vector Control District, and the Regional Water Quality Control Board, to enter upon the Property at any reasonable time to inspect, assess, or observe the Stormwater Facilities for the purpose of ensuring that the Stormwater Facilities are being properly maintained and are continuing to perform in an adequate manner to protect water quality and the public health and safety. This includes the right to enter upon the Property whenever the County or other agency has a reasonable basis to believe that a violation of this Agreement, the Operation and Maintenance Plan, the Stormwater Control Plan, the Ordinance, or the NPDES Permit has occurred or is threatening to occur. It also includes the right for the County and its contractors to enter upon the Property to perform any maintenance or other obligations required of the Property Owner under this Agreement or to abate any nuisance in connection with the Stormwater Facilities. The County and the other agencies shall endeavor to provide reasonable notice to the Property Owner before entering the Property.

SECTION 4

Failure to Perform Required Stormwater Facilities Repairs or Maintenance by the Property Owner: If the Property Owner fails to maintain the Stormwater Facilities in good working order and in accordance with the approved Operation and Maintenance Plan, the Stormwater Control Plan, and the Ordinance, the County, with prior notice, may enter the Property to return the Stormwater Facilities to good working order. The County is under no obligation to maintain or repair the Stormwater Facilities, and this Agreement may not be construed to impose any such obligation on the County. If the County, under this section, performs any work to return Stormwater Facilities to good working order, the Property Owner shall reimburse the County for all the costs incurred by the County, including administrative costs. The County will provide the Property Owner with an itemized invoice of the County's costs and the Property Owner will have 30 days to pay the invoice. If the Property Owner fails to pay the invoice within 30 days, the County may secure a lien against the Property in the amount of such costs. In addition, the County may make the cost of abatement of the nuisance caused by the failure to maintain the Stormwater Facilities a special assessment against the Property, which assessment may be collected on the tax roll in accordance with applicable law. This section does not prevent the County from pursuing other remedies against the Property or the Property Owner, including but not limited to those in the Ordinance and the nuisance abatement procedures in Division 14 of Title 1 (or successor provisions) of the Contra Costa County Ordinance Code.

If the Property Owner fails to maintain the Stormwater Facilities in accordance with this Agreement, the Operation and Maintenance Plan, the Stormwater Control Plan, or the Ordinance, the Property Owner shall be responsible for: (a) the costs of any code enforcement or nuisance abatement actions commenced by the County; and (b) the payment of, or reimbursement to the County for, any fines or penalties that may be levied against the County by the Regional Water Quality Control Board or any other regulatory agency, to the extent that the fines or penalties result from the Property Owner's failure to properly maintain the Stormwater Facilities. The County may recover such costs, fines, or penalties from the Property Owner in the same manner as provided in the preceding paragraph.

SECTION 5

Indemnity: The Property Owner agrees to defend, indemnify, save, and hold harmless the County and its governing board from any and all demands, losses, claims, costs, suits, liabilities, and expenses for any property damage, personal injury, or death arising directly or indirectly from or connected with the design, construction, use, operation or maintenance of the Stormwater Facilities by the Property Owner or the presence or existence of the Stormwater Facilities on the Property, except for claims, costs, or liabilities resulting from the sole negligence or sole willful misconduct of the County. The Property Owner's obligations under this section shall include the payment of penalties, fines, attorneys' fees, experts' fees, costs, and litigation expenses, as well as liability for the release or existence of any hazardous materials on, under, or in the Property. If any action or proceeding is brought against any of the indemnitees, the Property Owner shall reimburse the indemnitees for any expenditures, including reasonable attorneys' fees and costs, incurred by the indemnitees and, if requested by any of the indemnitees, shall defend the action or proceeding at the Property Owner's sole expense with counsel reasonably acceptable to the indemnitees.

SECTION 6

Covenant Running with the Land: The covenants of the Property Owner set forth above shall run with the land, and the burdens of the covenants shall be binding upon each and every part of the Property and the Lots and upon the Property Owner and the Property Owner's successors and assigns in ownership (on any interest in the Property) for the benefit of real property shown on Minor Subdivision Map 97-69, Book 16 of Parcel Maps at page 5, filed March 30, 1971, in Contra Costa County records and noted on said map as the "area deeded to Contra Costa County," and each and every part thereof. Said covenants shall inure to the benefit of and be enforceable by the County and its successors and assigns in ownership of each and every part of the above referenced real property.

SECTION 7

Severability: Invalidation of any one of the provisions of this Agreement shall in no way affect any other provisions and all other provisions shall remain in full force and effect.

SECTION 8

No Dedication for Public Use: The provisions of this Agreement shall not be construed to constitute a dedication for public use, either express or implied, and any actions by the County to enforce this Agreement, including without limitation code enforcement or nuisance abatement actions, shall not be deemed to involve the exercise by the County of dominion or control over the Stormwater Facilities or the Property.

SECTION 9

Notices: All notices required by this Agreement or by law shall be in writing and shall be delivered in person or sent by certified mail, postage pre-paid.

Notices required to be given to the County shall be addressed as follows:

Contra Costa County Public Works Department
Attention: County Watershed Program
255 Glacier Drive
Martinez, CA 94553

Notices required to be given to the Property Owner, including any heirs, successors, or assigns, will be sent to the mailing address for the Property Owner that is on file with the Contra Costa County Assessor. The Property Owner may request in writing that notices be sent to an additional address.

Any party may change its address or contact person by notice in writing to the other party and thereafter notices shall be addressed and transmitted to the new address and/or new contact person.

SECTION 10

Effective Date and Modification: This Agreement is effective upon the date stated at the beginning of this Agreement. This Agreement shall not be modified except by written instrument executed by the County and the Property Owner at the time of modification. Such modifications shall be effective upon the date of execution and shall be recorded.

County of Contra Costa

Property Owner

By: _____
Julia R. Bueren, Public Works Director

Milton John Marin, Jr.
Trustee

RECOMMENDED FOR APPROVAL:

Julia R. Bueren, Public Works Director

Sally Ann Marin
Trustee

By: _____
Deputy Director

[Note: All Property Owner signatures must be notarized.]

APPROVED AS TO FORM:

Sharon L. Anderson
County Counsel

By: _____
Deputy County Counsel

Attachments: Exhibit A (Legal Description)
Acknowledgment

H:\Public Works\WatershedProgram\OMAgreement.MS12-0007.5.2.17.docx

June 7, 2017

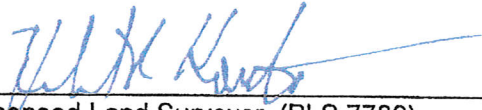
EXHIBIT A

Real Property lying within the County of Contra Costa, State of California, being the Lands of M. John Marin Jr. and Sally A. Marin as described in that certain quitclaim deed recorded December 7, 2000 in Series 2000-274696 in the office of the County Recorder of Contra Costa County, said portion more particularly described as follows:

All of Parcel A, as shown on that certain Parcel Map of Minor Subdivision 116-74, filed October 1, 1975 in Book 40 of Parcel Maps of Page 24, Contra Costa County Records.

The real property description has been prepared by me in conformance with the Professional Land Surveyors Act.



Signature 
Licensed Land Surveyor (PLS 7739)

Date JUNE 7, 2017

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

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)SS
COUNTY OF Contra Costa)

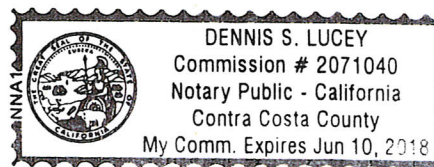
On June 28, 2017 before me, Dennis S. Lucey, Notary Public, personally appeared Milton John Marin, Jr., and Sally Ann Marin

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



This area for official notarial seal.

OPTIONAL SECTION - NOT PART OF NOTARY ACKNOWLEDGEMENT CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- ☐ INDIVIDUAL
☐ CORPORATE OFFICER(S) TITLE(S)
☐ PARTNER(S) ☐ LIMITED ☐ GENERAL
☐ ATTORNEY-IN-FACT
☒ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER

SIGNER IS REPRESENTING:

Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION - NOT PART OF NOTARY ACKNOWLEDGEMENT

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: Covenant ...

NUMBER OF PAGES 8 (+ Ack. & Exhibit) DATE OF DOCUMENT June 28, 2017

SIGNER(S) OTHER THAN NAMED ABOVE ==See document



Contra
Costa
County

To: Board of Supervisors

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

Date: August 1, 2017

Subject: Accept an Offer of Dedication for a Trail Easement for road acceptance RA07-01234 (cross reference SD08-09247), San Ramon (Dougherty Valley) area.

RECOMMENDATION(S):

ADOPT Resolution No. 2017/270 accepting an Offer of Dedication for a Trail Easement for road agreement RA07-01234, (cross reference subdivision SD08-09247), for a project being developed by Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The Offer of Dedication for a Trail Easement is required per Condition of Approval No. 189.

CONSEQUENCE OF NEGATIVE ACTION:

The Offer of Dedication for a Trail Easement will not be recorded.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Jocelyn Larocque,
925.313-2315

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

By: , Deputy

cc: Ruben Hernandez, Dept of Conservation , Shapell Industries, Inc., a Delaware Company, Surety - North American Specialty Insurance Company

ATTACHMENTS

Resolution No. 2017/270

RA1234 Order of
Dedication

Recorded at the request of: Jocelyn LaRocque

Return To: Melissa Billeci

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

Adopted this Resolution on 08/01/2017 by the following vote:

AYE: ☐

NO: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2017/270

IN THE MATTER OF Accepting an Offer of Dedication for a Trail Easement for road acceptance RA07-01234 (cross reference subdivision SD08-09247), for a project being developed by Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

NOW, THEREFORE, BE IT RESOLVED that the following instrument is hereby ACCEPTED FOR RECORDING ONLY.

INSTRUMENT: Offer of Dedication for a Trail Easement

APN: 222-270-046

GRANTOR: Shapell Industries, Inc., a Delaware Corporation

AREA: San Ramon

DISTRICT: II

Contact: Jocelyn Larocque, 925.313-2315

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

ATTESTED: August 1, 2017

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

By: , Deputy

cc: Ruben Hernandez, Dept of Conservation , Shapell Industries, Inc., a Delaware Company, Surety - North American Specialty Insurance Company

Recorded at the request of:

Contra Costa County
Board of Supervisors

Return to:

Public Works Department
Engineering Services Division
Records Section

Area: San Ramon

Trail Name: Village Center Trail (north)

Development No.: RA1234

APN: 222-270-046

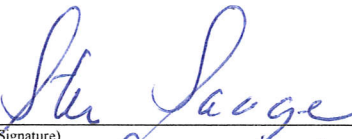
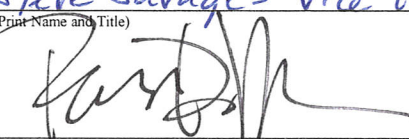
OFFER OF DEDICATION – TRAIL EASEMENT

Shapell Industries, Inc., a Delaware Corporation, the undersigned, being the present title owner of record of the herein described parcel of land, do hereby make an irrevocable offer of dedication to **Contra Costa County**, a political subdivision of the State of California and its successors or assigns, and to the public, for trail purposes, and other public purposes, including maintenance thereof, construction, reconstruction, access and the clearing of vegetation, situated in the County of Contra Costa, State of California, as described and shown in Exhibit "A" (written description and plat map) attached hereto.

It is understood and agreed that **Contra Costa County** and its successors or assigns shall incur no liability with respect to such offer of dedication, and shall not assume any responsibility for the offered parcel of land or any improvements thereon or therein, until such offer has been accepted by appropriate action of the Board of Supervisors, or of the local governing bodies of its successors or assigns.

The provisions hereof shall inure to the benefit of **Contra Costa County** and its successors or assigns and will be binding upon the title owner of record and that owner's heirs, successors or assigns.

The undersigned executed this instrument on _____.


(Signature)
Steve Savage - Vice President
(Print Name and Title)

(Signature)
Robert D. Moore, Group President
(Print Name and Title)

(See attached notary)

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 Alameda

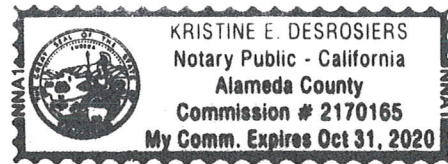
On May 26, 2017 before me, Kristine E. Desrosiers, Notary Public
(insert name and title of the officer)

personally appeared Steve Savage
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 Kristine E. Desrosiers (Seal)



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 Alameda

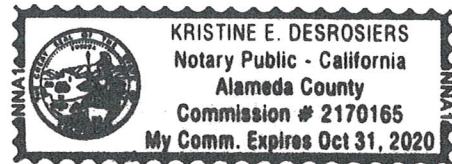
On May 26, 2017 before me, Kristine E. Desrosiers, Notary Public
(insert name and title of the officer)

personally appeared Robert D. Moore,
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 Kristine E Desrosiers (Seal)

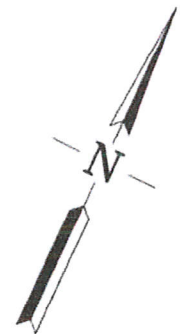
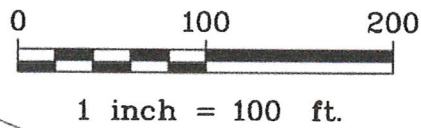
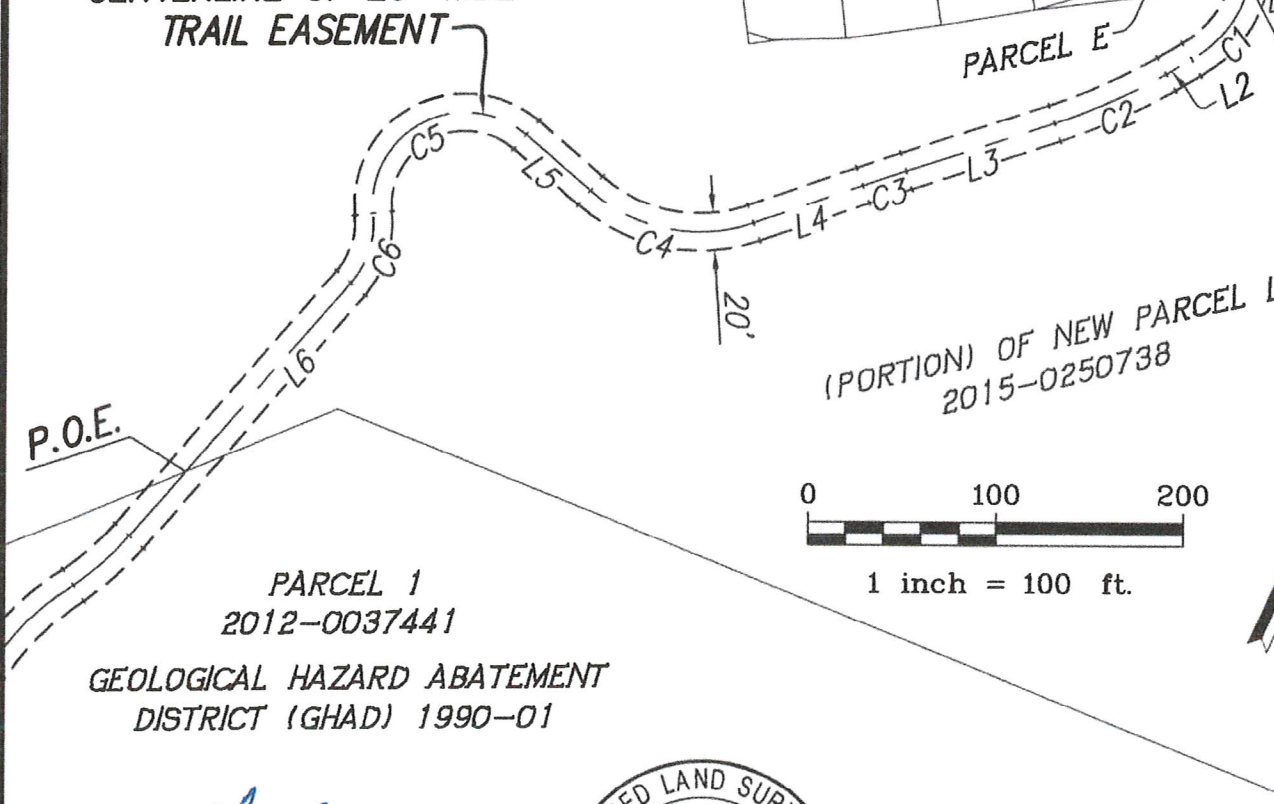
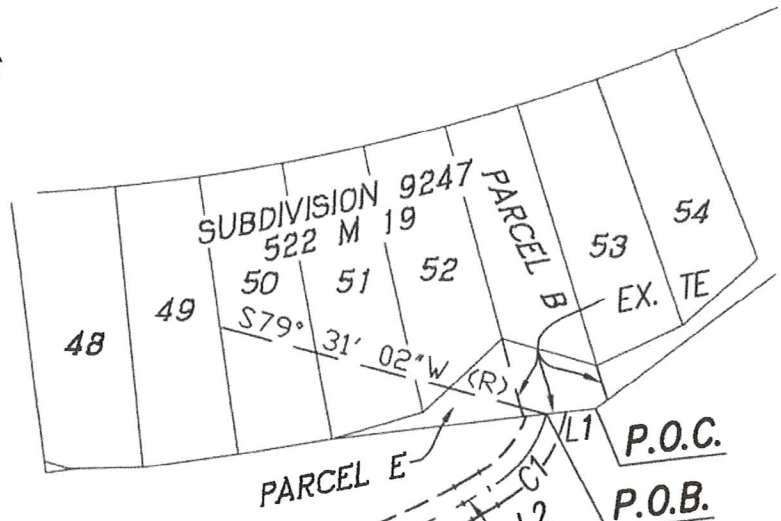


FOR LINE AND CURVE TABLES SEE SHEET 2

LEGEND

- — — — — CENTERLINE OF TRAIL EASEMENT
- - - - - TRAIL EASEMENT (TE)
- — — — — ADJACENT PROPERTY LINES
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- P.O.E. POINT OF ENDING

DESCRIBED
CENTERLINE OF 20' WIDE
TRAIL EASEMENT



PARCEL 1
2012-0037441
GEOLOGICAL HAZARD ABATEMENT
DISTRICT (GHAD) 1990-01

[Signature]
ALVIN LEUNG, P.L.S. 6630
JANUARY 16, 2017



SHEET 1 OF 2

EXHIBIT A
PLAT TO ACCOMPANY LEGAL DESCRIPTION
TRAIL EASEMENT
(PORTION) NEW PARCEL L
2015-0250738
CONTRA COSTA COUNTY, CALIFORNIA

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

SCALE: 1" = 100'	DATE: 1-16-2017	JOB NO.: 155004.42.C
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LINE AND CURVE TABLES

<i>Line Table</i>		
<i>Line</i>	<i>Bearing</i>	<i>Distance</i>
L1	N57°59'53"E	26.86'
L2	N34°55'04"E	15.53'
L3	N47°00'24"E	83.51'
L4	N45°36'29"E	61.26'
L5	N74°07'08"W	45.06'
L6	N16°01'59"E	133.70'

<i>Curve Table</i>			
<i>Curve</i>	<i>Radius</i>	<i>Delta</i>	<i>Length</i>
C1	65.00'	45°24'02"	51.51'
C2	309.00'	12°05'20"	65.20'
C3	991.00'	1°23'55"	24.19'
C4	89.00'	60°16'23"	93.62'
C5	49.00'	136°46'37"	116.97'
C6	49.00'	46°55'44"	40.13'

SHEET 2 OF 2

EXHIBIT A
PLAT TO ACCOMPANY LEGAL DESCRIPTION
TRAIL EASEMENT
(PORTION) NEW PARCEL L
2015-0250738
CONTRA COSTA COUNTY, CALIFORNIA

G:\GALPHA\CHARNALMAPS\PLATS\TE - NEW PARCEL L.DWG



RUGGERI-JENSEN-AZAR
 ENGINEERS • PLANNERS • SURVEYORS
 4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
 PHONE: (925) 227-9100 FAX: (925) 227-9300

SCALE: 1" = 100'	DATE: 1-16-2017	JOB NO.: 155004.42.C
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LEGAL DESCRIPTION
TRAIL EASEMENT
PORTION OF NEW PARCEL L
(2015-0250738)
CONTRA COSTA COUNTY, CALIFORNIA

Real property situate in the County of Contra Costa, State of California described as follows:

Being a portion of New Parcel L as shown on the deed recorded as Document No. 2015-0250738, Official Records of Contra Costa County and more particularly described as follows:

Being a 20 foot wide strip of land lying 10 feet on each side of the following described centerline:

Commencing at an angle point on the southeasterly line of Parcel E as said parcel is shown on the final map of Subdivision 9247 Gale Ranch, on file in Book 522 of Maps at Page 19, Contra Costa County Records, said point being at the southwesterly terminus of the line having a course labeled North 27°49'33" East 143.74 feet as said line and course are shown on said map;

thence along said southeasterly line South 57°59'53" West 26.86 feet to the **Point of Beginning**;

thence along a non-tangent curve to the right from which a radial line bears South 79°31'02" West to the radius point, having a radius of 65.00 feet, a central angle of 45°24'02" and an arc length of 51.51 feet;

thence South 34°55'04" West 15.53 feet;

thence along a tangent curve to the right having a radius of 309.00 feet, a central angle of 12°05'20" and an arc length of 65.20 feet;

thence South 47°00'24" West 83.51 feet;

thence along a tangent curve to the left having a radius of 991.00 feet, a central angle of 01°23'55" and an arc length of 24.19 feet;

thence South 45°36'29" West 61.26 feet;

thence along a tangent curve to the right having a radius of 89.00 feet, a central angle of 60°16'23" and an arc length of 93.62 feet;

thence North 74°07'08" West 45.06 feet;

thence along a tangent curve to the left having a radius of 49.00 feet, a central angle of 136°46'37" and an arc length of 116.97 feet;

thence along a reverse curve having a radius of 49.00 feet, a central angle of 46°55'44" and an arc length of 40.13 feet;

thence South 16°01'59" West 133.70 feet to a point on the generally southerly line of Parcel 1 as said parcel is described by Grant Deed recorded on February 17, 2012 as Document 2012-0037441, Official Records of Contra Costa County, said point being the Point of Ending.

The sidelines of said strip of land are to be lengthened or shortened to begin on said southeasterly line of said Parcel E and to terminate on said generally southerly line of said Parcel 1.

See Exhibit A – Plat to Accompany Legal Description (Sheets 1 to 2) which is attached hereto and made a part hereof.

END OF DESCRIPTION

This description and its accompanying plat were prepared by or under the direction of:



Alvin Leung, PLS 6630

JANUARY 16, 2017

Date





Contra
Costa
County

To: Board of Supervisors

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

Date: August 1, 2017

Subject: Accept an Offer of Dedication for a Landscape Easement for subdivision SD16-09301, San Ramon (Dougherty Valley) area.

RECOMMENDATION(S):

ADOPT Resolution No. 2017/271 accepting an Offer of Dedication for a Landscape Easement for subdivision SD16-09301, for a project being developed by Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The Offer of Dedication for a Landscape Easement is required per Condition of Approval No. 189.

CONSEQUENCE OF NEGATIVE ACTION:

The Offer of Dedication for a Landscape Easement will not be recorded.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Jocelyn Larocque, 925.
313-2315

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

By: , Deputy

cc: Ruben Hernandez, Dept of Conservation , Shapell Industries, Inc., a Delaware Company, Surety - North American Specialty Insurance Company

ATTACHMENTS

Resolution No. 2017/271

SD9301 Offer of
Dedication

Recorded at the request of: Jocelyn LaRocque

Return To: Melissa Billeci

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

Adopted this Resolution on 08/01/2017 by the following vote:

AYE: ☐

NO: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2017/271

IN THE MATTER OF Accepting an Offer of Dedication for a Landscape Easement for subdivision SD16-09301, for a project being developed by Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

NOW, THEREFORE, BE IT RESOLVED that the following instrument is hereby ACCEPTED FOR RECORDING ONLY.

INSTRUMENT: Offer of Dedication for a Landscape Easement

APN: 222-270-046

GRANTOR: Shapell Industries, Inc., a Delaware Corporation

AREA: San Ramon

DISTRICT: II

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

Contact: Jocelyn Larocque, 925. 313-2315

ATTESTED: August 1, 2017

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

By: , Deputy

cc: Ruben Hernandez, Dept of Conservation , Shapell Industries, Inc., a Delaware Company, Surety - North American Specialty Insurance Company

Recorded at the request of:

Contra Costa County
Public Works Department

Return to:

Public Works Department
Records Section

Area: San Ramon

Road: N/A

Co. Road No.: N/A

Development: 9301

APN: 222-270-046

OFFER OF DEDICATION - LANDSCAPE EASEMENT

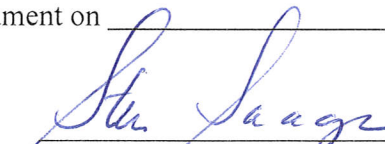
Shapell Industries, Inc., a Delaware Corporation, the undersigned, being the present title owner of record of the herein described parcel of land, do hereby make an irrevocable offer of dedication to the public and to **CONTRA COSTA COUNTY** and its successors or assigns, an easement for landscape purposes, including installation and maintenance of landscape improvements, over the real property situated in the County of Contra Costa, State of California, as described and shown in Exhibit "A" (written description and plat map) attached hereto.

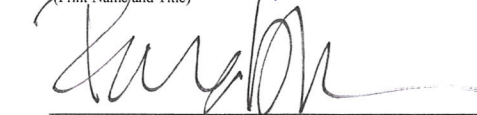
It is understood and agreed that CONTRA COSTA COUNTY and its successors or assigns shall incur no liability with respect to such offer of dedication, and shall not assume any responsibility for the offered parcel of land or any improvements thereon or therein until such offer has been accepted by appropriate action of the Board of Supervisors, or of the local governing body of its successors or assigns.

In the event CONTRA COSTA COUNTY, or its successors and assigns, on behalf of the public, should determine that the use of said property or any portion thereof is no longer needed, the rights herein given shall terminate as to those portions not needed and revert to the undersigned owner or its successors or assigns.

The provisions hereof shall inure to the benefit of and be binding upon heirs, successors, assigns, and personal representatives of the respective parties hereto.

The undersigned have executed this instrument on _____ (Date).


(Signature)
Steve Savage - Vice President
(Print Name and Title)


(Signature)
Robert D. Moore Group President
(Print Name and Title)

(Print Name and Title)

(see attached notary)

.mw

G:\engsv\Land Dev\SD\SD 9301 Gale Ranch Phase 4 - Pod 5\OF-4 SD9301- Landscape Easement -May2017.doc

Rev. May 22, 2017

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 Alameda)

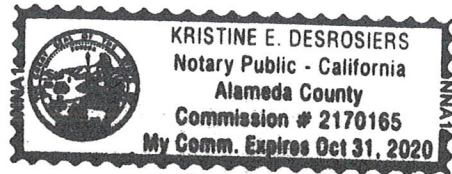
On May 26, 2017 before me, Kristine E. Desrosiers, Notary Public
(insert name and title of the officer)

personally appeared Robert D. Moore,
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 Kristine E. Desrosiers (Seal)



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 Alameda)

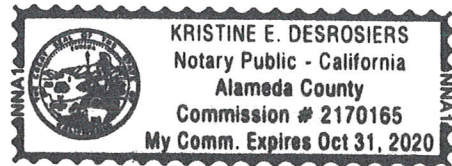
On May 26, 2017 before me, Kristine E. Desrosiers, Notary Public
(insert name and title of the officer)

personally appeared Steve Savage,
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.

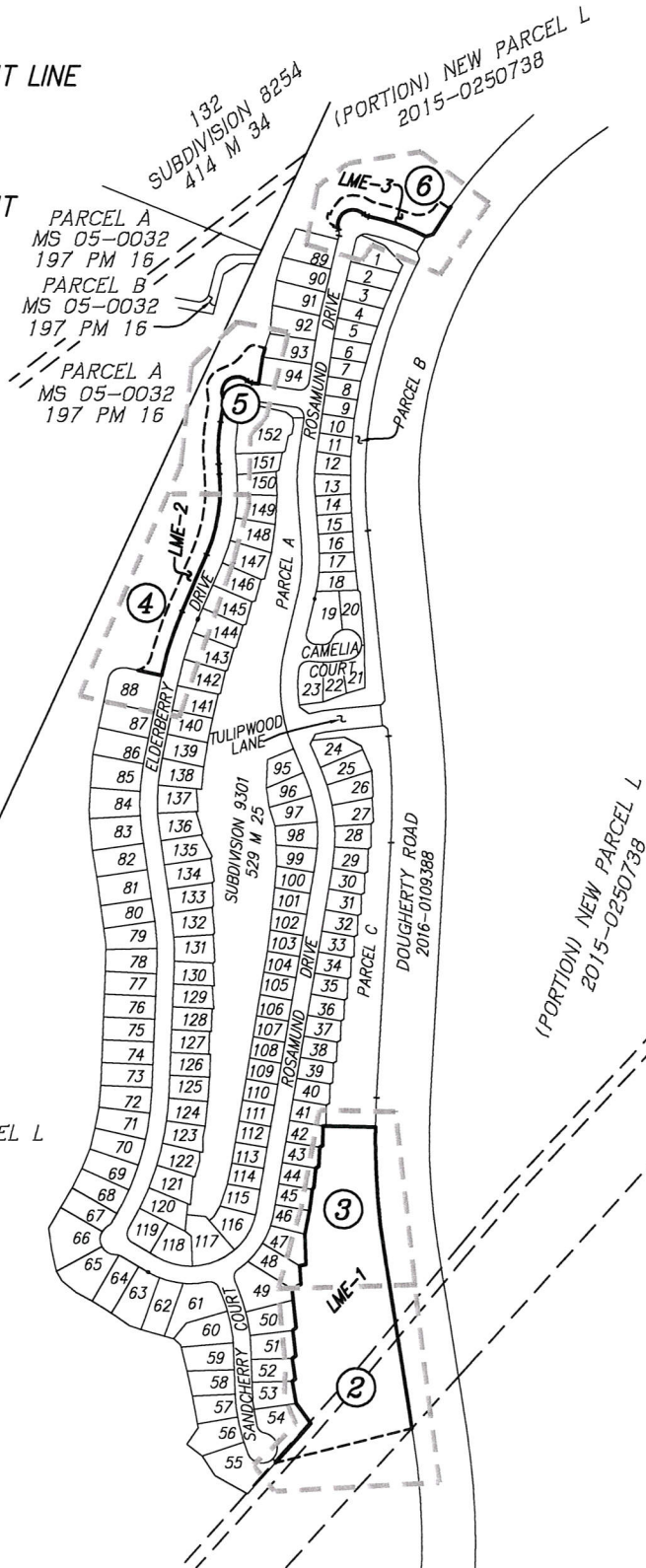
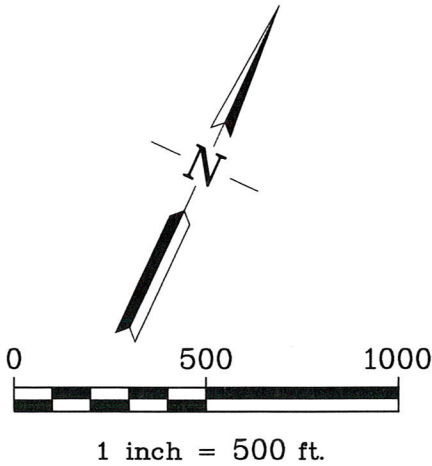
WITNESS my hand and official seal.

Signature Kristine E. Desrosiers (Seal)



LEGEND

- REAR LOT/RIGHT OF WAY LINE
- LANDSCAPE MAINTENANCE EASEMENT LINE
- EXISTING EASEMENT LINES
- ADJACENT LOT LINES
- LME LANDSCAPE MAINTENANCE EASEMENT
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- ② SHEET NUMBER
- SHEET LIMITS



(PORTION) NEW PARCEL L
2015-0250738



ALVIN LEUNG, P.L.S. 6630
JANUARY 16, 2017

SHEET 1 OF 8

EXHIBIT A PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR LANDSCAPE MAINTENANCE EASEMENT

CONTRA COSTA COUNTY, CALIFORNIA



RUGGERI-JENSEN-AZAR

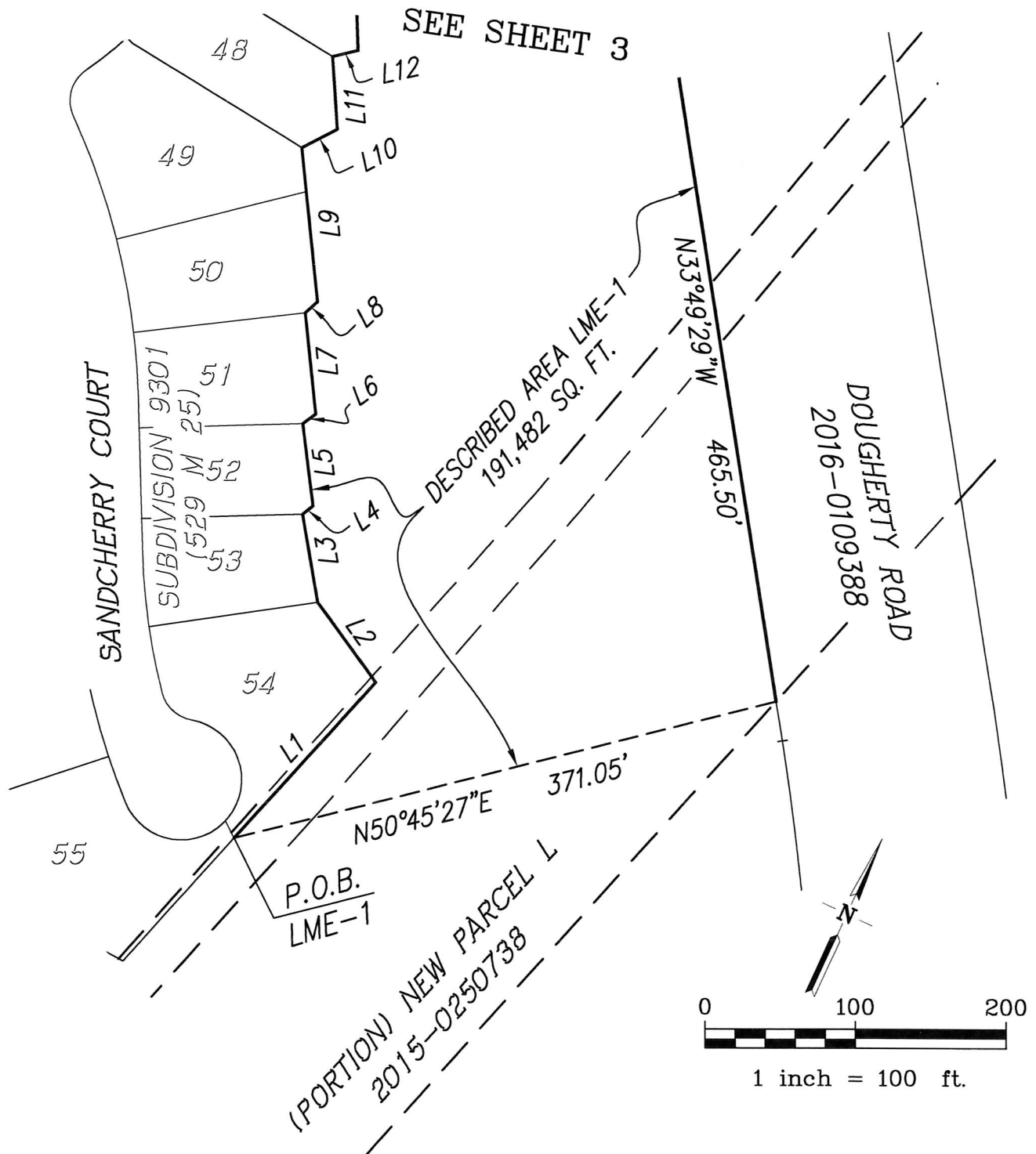
ENGINEERS ■ PLANNERS ■ SURVEYORS
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

SCALE:
1" = 500'

DATE:
1-16-2017

JOB NO.:
155004.10.B

FOR LINE AND CURVE DATA TABLES SEE SHEETS 7 & 8



SHEET 2 OF 8

EXHIBIT A
PLAT TO ACCOMPANY LEGAL DESCRIPTION
FOR
LANDSCAPE MAINTENANCE EASEMENT

CONTRA COSTA COUNTY, CALIFORNIA



RUGGERI-JENSEN-AZAR

ENGINEERS ■ PLANNERS ■ SURVEYORS

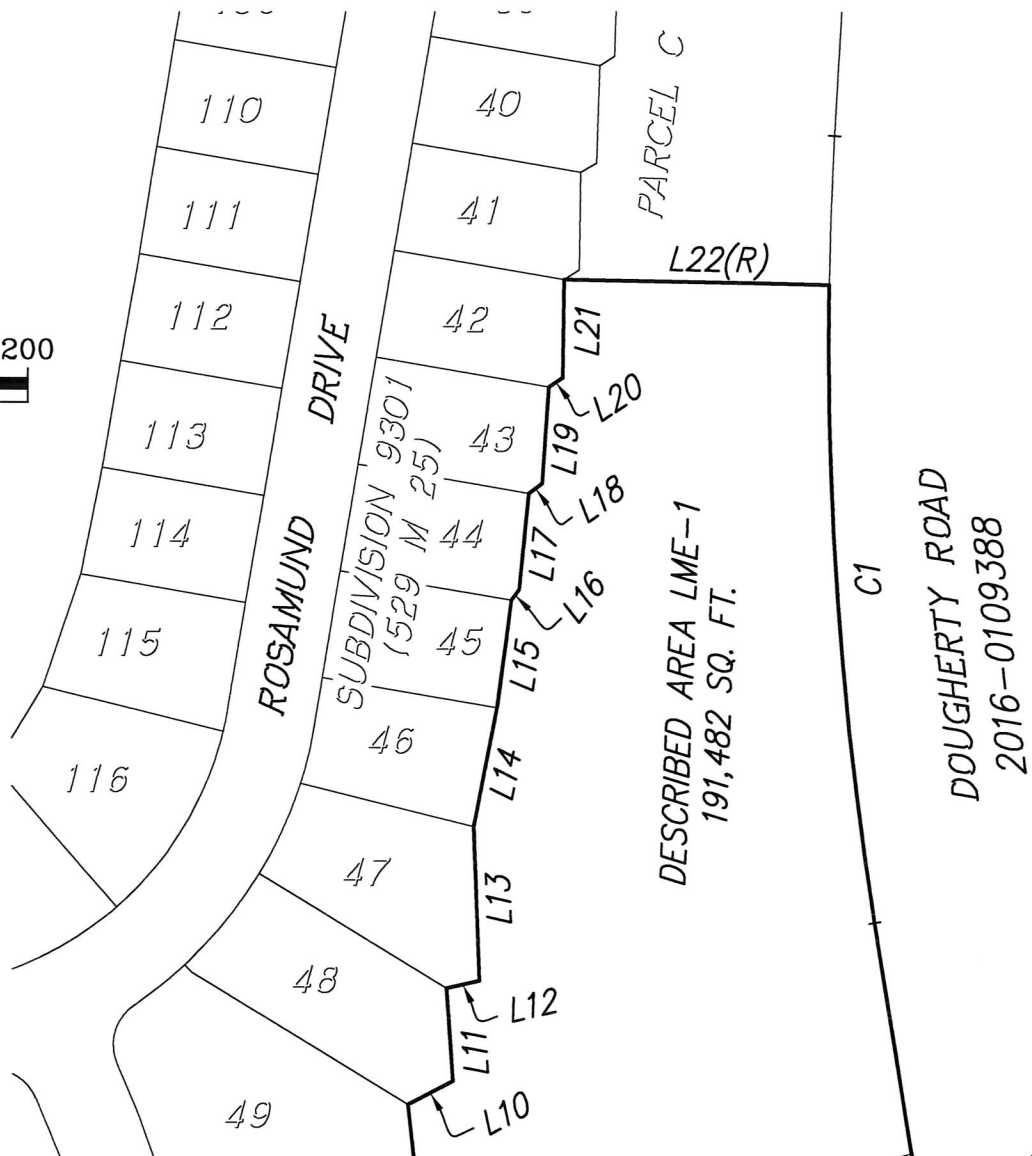
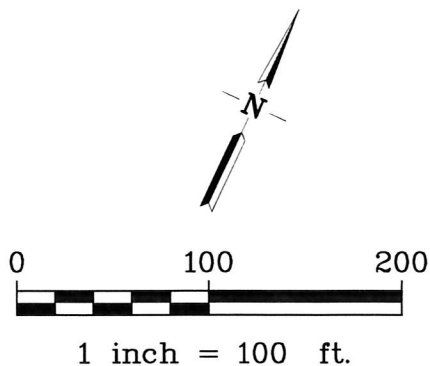
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

SCALE:
1" = 100'

DATE:
1-16-2017

JOB NO.:
155004.10.B

FOR LINE AND CURVE DATA TABLES SEE SHEETS 7 & 8



SEE SHEET 2

SHEET 3 OF 8

EXHIBIT A
PLAT TO ACCOMPANY LEGAL DESCRIPTION
FOR
LANDSCAPE MAINTENANCE EASEMENT

CONTRA COSTA COUNTY, CALIFORNIA



RUGGERI-JENSEN-AZAR

ENGINEERS ■ PLANNERS ■ SURVEYORS

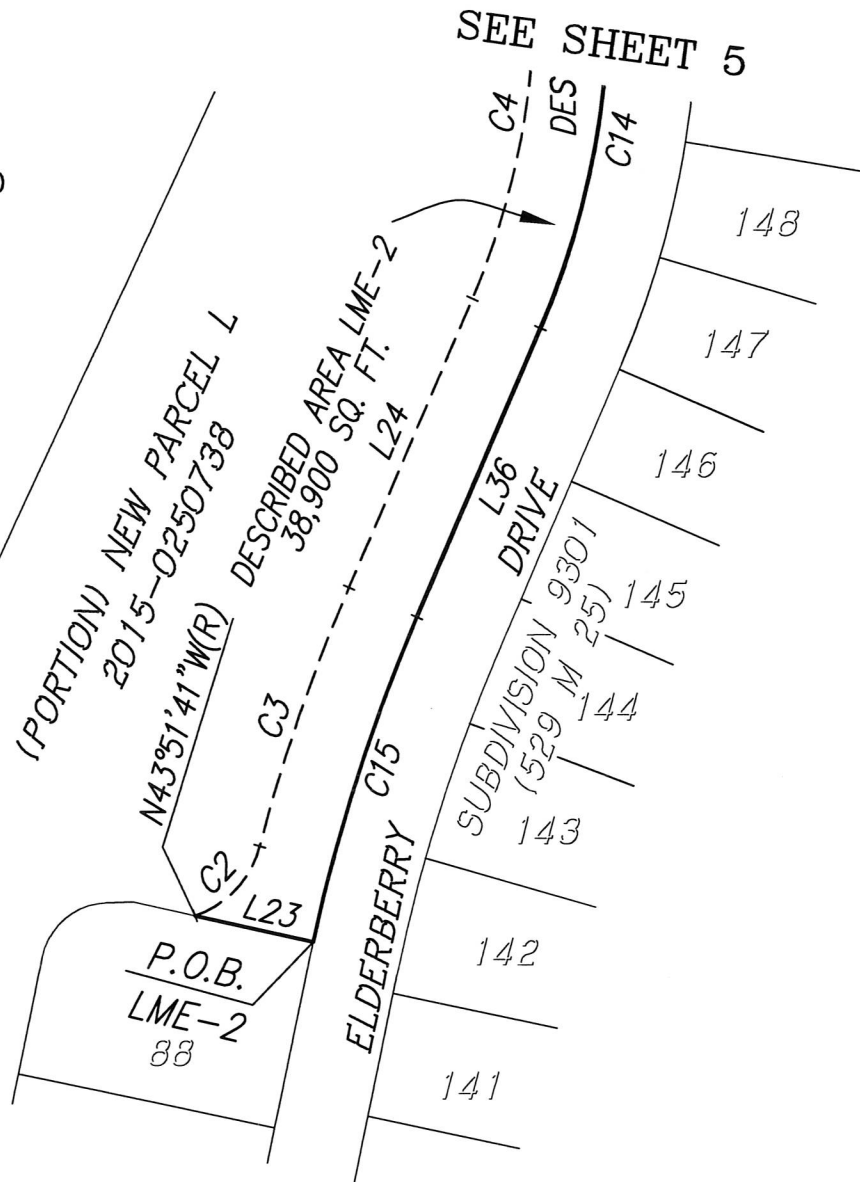
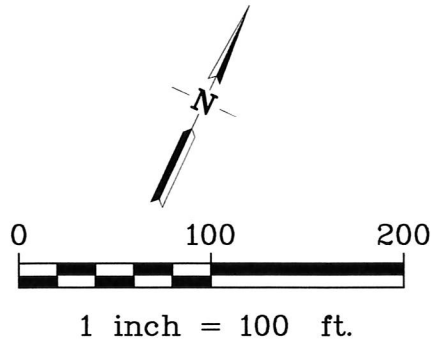
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

SCALE:
1" = 100'

DATE:
1-16-2017

JOB NO.:
155004.10.B

FOR LINE AND CURVE DATA TABLES SEE SHEETS 7 & 8



SHEET 4 OF 8

EXHIBIT A
PLAT TO ACCOMPANY LEGAL DESCRIPTION
FOR
LANDSCAPE MAINTENANCE EASEMENT

CONTRA COSTA COUNTY, CALIFORNIA



RUGGERI-JENSEN-AZAR

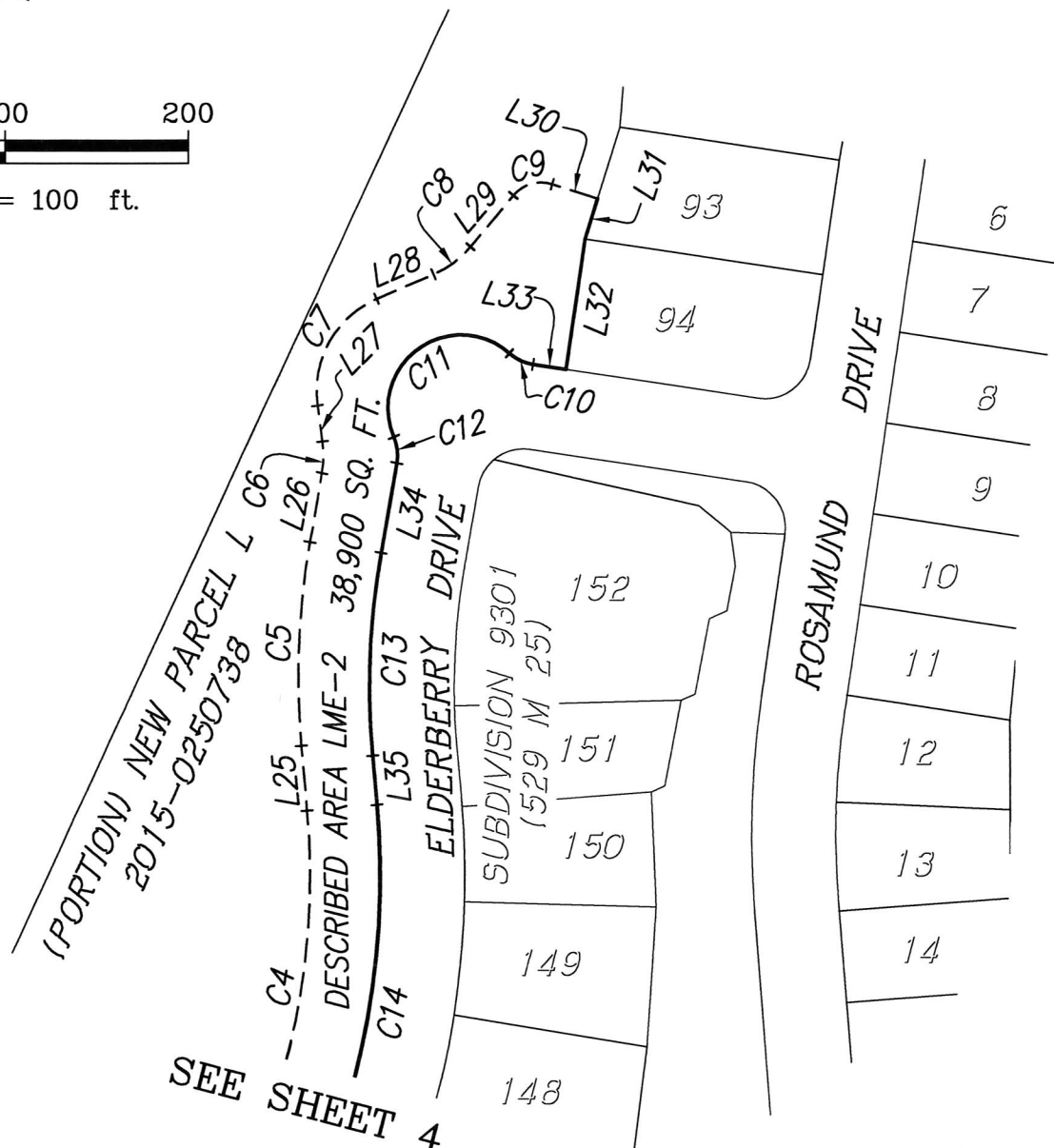
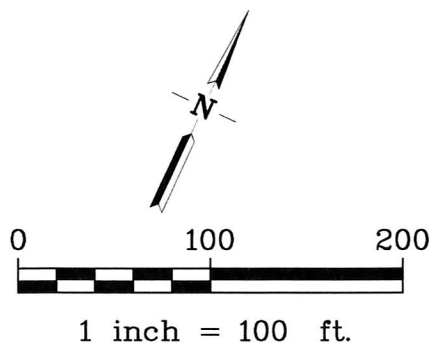
ENGINEERS ■ PLANNERS ■ SURVEYORS
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

SCALE:
1" = 100'

DATE:
1-16-2017

JOB NO.:
155004.10.B

FOR LINE AND CURVE DATA TABLES SEE SHEETS 7 & 8



SHEET 5 OF 8

EXHIBIT A
PLAT TO ACCOMPANY LEGAL DESCRIPTION
FOR
LANDSCAPE MAINTENANCE EASEMENT

CONTRA COSTA COUNTY, CALIFORNIA



RUGGERI-JENSEN-AZAR

ENGINEERS ■ PLANNERS ■ SURVEYORS

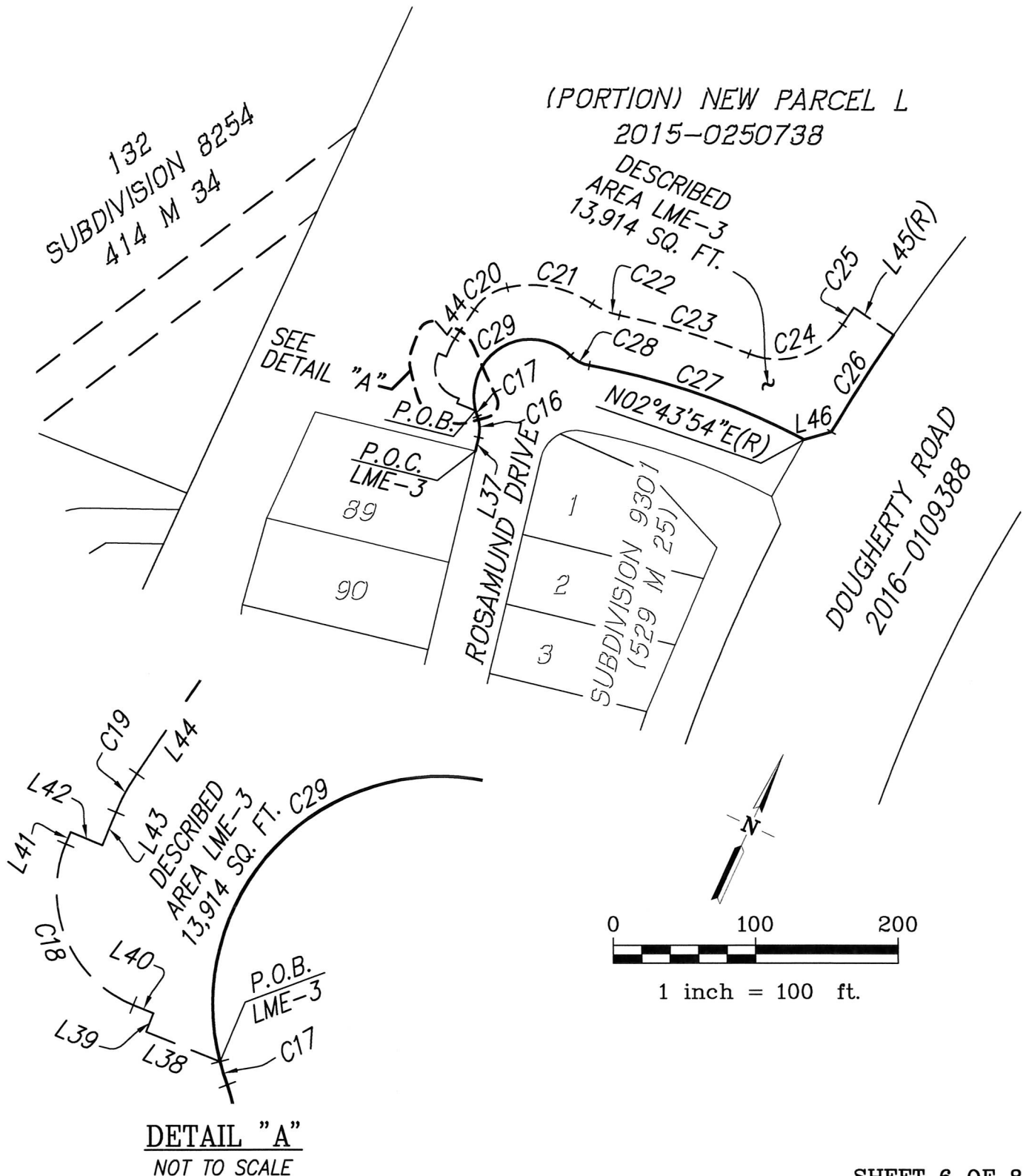
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

SCALE:
1" = 100'

DATE:
1-16-2017

JOB NO.:
155004.10.B

FOR LINE AND CURVE DATA TABLES SEE SHEETS 7 & 8



SHEET 6 OF 8

EXHIBIT A
PLAT TO ACCOMPANY LEGAL DESCRIPTION
FOR
LANDSCAPE MAINTENANCE EASEMENT

CONTRA COSTA COUNTY, CALIFORNIA

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS

4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

SCALE:
1" = 100'

DATE:
1-16-2017

JOB NO.:
155004.10.B

LINE DATA TABLES

<i>Line Table</i>		
<i>Line</i>	<i>Bearing</i>	<i>Distance</i>
L1	N17°12'25"E	139.29'
L2	N60°47'48"W	65.45'
L3	N34°32'38"W	59.01'
L4	N25°51'01"E	8.86'
L5	N32°05'10"W	54.85'
L6	N28°27'29"E	10.67'
L7	N30°50'34"W	67.34'
L8	N22°39'09"E	10.89'
L9	N30°50'34"W	102.30'
L10	N37°26'02"E	26.41'
L11	N28°54'51"W	48.27'
L12	N52°11'42"E	17.55'
L13	N27°00'28"W	79.93'
L14	N13°30'06"W	62.99'
L15	N17°12'17"W	56.23'
L16	N11°48'08"E	6.96'
L17	N19°01'47"W	50.11'
L18	N29°02'13"E	8.66'
L19	N20°50'23"W	50.24'
L20	N31°53'02"E	8.82'
L21	N24°02'25"W	50.80'
L22	N66°04'41"E	138.01'
L23	N77°22'36"E	62.76'

<i>Line Table</i>		
<i>Line</i>	<i>Bearing</i>	<i>Distance</i>
L24	N01°35'56"W	163.38'
L25	N29°56'09"W	35.53'
L26	N14°54'08"W	38.14'
L27	N32°55'50"W	19.78'
L28	N41°40'29"E	33.78'
L29	N15°12'47"E	36.58'
L30	N82°33'05"E	26.12'
L31	N07°26'55"W	23.00'
L32	N16°31'55"W	71.83'
L33	N73°28'05"E	18.26'
L34	N14°54'08"W	49.67'
L35	N29°56'09"W	26.86'
L36	N01°35'56"W	163.38'
L37	N11°19'30"W	9.73'
L38	N87°01'35"E	13.96'
L39	N02°58'25"W	3.50'
L40	N87°01'35"E	3.80'
L41	N02°25'11"W	2.26'
L42	N87°34'49"E	6.08'
L43	N02°25'11"W	6.25'
L44	N09°18'24"E	24.55'
L45	N80°28'02"W	33.50'
L46	N49°39'44"E	19.91'

SHEET 7 OF 8

EXHIBIT A
PLAT TO ACCOMPANY LEGAL DESCRIPTION
FOR
LANDSCAPE MAINTENANCE EASEMENT

CONTRA COSTA COUNTY, CALIFORNIA



RUGGERI-JENSEN-AZAR

ENGINEERS ■ PLANNERS ■ SURVEYORS

4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

SCALE:
1" = 100'

DATE:
1-16-2017

JOB NO.:
155004.10.B

CURVE DATA TABLES

<i>Curve Table</i>			
<i>Curve</i>	<i>Radius</i>	<i>Delta</i>	<i>Length</i>
C1	1921.00'	9°54'10"	332.02'
C2	52.50'	56°12'14"	51.50'
C3	961.50'	8°27'59"	142.08'
C4	398.50'	28°20'13"	197.09'
C5	425.00'	15°02'01"	111.51'
C6	55.00'	18°01'42"	17.31'
C7	55.00'	74°36'19"	71.62'
C8	55.00'	26°27'42"	25.40'
C9	20.00'	67°20'18"	23.51'
C10	25.00'	33°10'09"	14.47'
C11	40.00'	154°42'32"	108.01'
C12	25.00'	33°10'10"	14.47'
C13	423.00'	15°02'01"	110.99'
C14	437.00'	28°20'13"	216.13'
C15	923.00'	11°00'06"	177.23'
C16	25.00'	34°00'46"	14.84'
C17	40.00'	6°02'57"	4.22'
C18	21.50'	90°33'14"	33.98'
C19	37.50'	11°43'35"	7.67'
C20	37.50'	43°46'29"	28.65'
C21	78.00'	45°38'41"	62.14'
C22	55.00'	22°01'46"	21.15'
C23	561.50'	9°42'04"	95.07'
C24	55.00'	77°29'52"	74.39'
C25	1304.50'	0°37'58"	14.41'
C26	1271.00'	3°38'49"	80.90'
C27	523.00'	17°33'46"	160.31'
C28	25.00'	34°23'45"	15.01'
C29	40.00'	148°51'12"	103.92'

SHEET 8 OF 8

EXHIBIT A
PLAT TO ACCOMPANY LEGAL DESCRIPTION
FOR
LANDSCAPE MAINTENANCE EASEMENT

CONTRA COSTA COUNTY, CALIFORNIA



RUGGERI-JENSEN-AZAR

ENGINEERS ■ PLANNERS ■ SURVEYORS

4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

SCALE:
1" = 100'

DATE:
1-16-2017

JOB NO.:
155004.10.B

LEGAL DESCRIPTION

LANDSCAPE MAINTENANCE EASEMENT 1 (LME-1) PORTION OF NEW PARCEL L (2015-0250738) CONTRA COSTA COUNTY, CALIFORNIA

Real property situate in the County of Contra Costa, State of California described as follows:

Being a portion of New Parcel L as shown on the deed recorded as Document No. 2015-0250738, Official Records of Contra Costa County and more particularly described as follows:

Beginning at the southerly corner of Lot 54 as shown on the final map of Subdivision 9301 Gale Ranch, on file in Book 529 of Maps at Page 25, Contra Costa County Records;

thence along the southeasterly line of said Lot 54 North 17°12'25" East 139.29 feet;

thence along the generally easterly line of said Lot 54 and Lots 53 through Lot 42 (in descending order), as said lots are shown on said map of Subdivision 9301 Gale Ranch, the following 20 courses:

1. North 60°47'48" West 65.45 feet,
2. North 34°32'38" West 59.01 feet,
3. North 25°51'01" East 8.86 feet,
4. North 32°05'10" West 54.85 feet,
5. North 28°27'29" East 10.67 feet,
6. North 30°50'34" West 67.34 feet,
7. North 22°39'09" East 10.89 feet,
8. North 30°50'34" West 102.30 feet,

9. North 37°26'02" East 26.41 feet,
10. North 28°54'51" West 48.27 feet,
11. North 52°11'42" East 17.55 feet,
12. North 27°00'28" West 79.93 feet,
13. North 13°30'06" West 62.99 feet,
14. North 17°12'17" West 56.23 feet,
15. North 11°48'08" East 6.96 feet,
16. North 19°01'47" West 50.11 feet,
17. North 29°02'13" East 8.66 feet,
18. North 20°50'23" West 50.24 feet,
19. North 31°53'02" East 8.82 feet and
20. North 24°02'25" West 50.80 feet to the southerly line of Parcel C as said parcel is shown on said map of Subdivision 9301 Gale Ranch;

thence along last said line, North 66°04'41" East 138.01 feet to the southwesterly line of Dougherty Road as said road is shown on the Offer of Dedication recorded as Document No. 2016-109388, Official Records of Contra Costa County;

thence along last said line along a non-tangent curve to the left from which a radial line bears North 66°04'41" East to the radius point, having a radius of 1921.00 feet, a central angle of 09°54'10" and an arc length of 332.02 feet and South 33°49'29" East 465.50 feet;

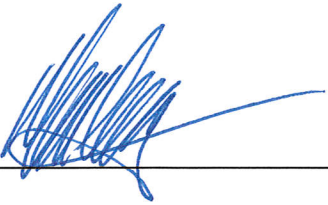
thence South 50°45'27" West 371.05 feet to the **Point of Beginning**.

Containing an area of 191,482 square feet, more or less.

See Exhibit A – Plat to Accompany Legal Description (Sheets 1 through 8) which is attached hereto and made a part hereof.

END OF DESCRIPTION

This description and its accompanying plat were prepared by or under the direction of:



Alvin Leung, PLS 6630 January 16, 2017
Date



LEGAL DESCRIPTION

LANDSCAPE MAINTENANCE EASEMENT (LME-2) PORTION OF NEW PARCEL L (2015-0250738) CONTRA COSTA COUNTY, CALIFORNIA

Real property situate in the County of Contra Costa, State of California described as follows:

Being a portion of New Parcel L as shown on the deed recorded as Document No. 2015-0250738, Official Records of Contra Costa County and more particularly described as follows:

Beginning at the northeasterly corner of Lot 88 as said lot is shown on the final map of Subdivision 9301 Gale Ranch, on file in Book 529 of Maps at Page 25, Contra Costa County Records;

thence along the northerly line of said Lot 88 South $77^{\circ}22'36''$ West 62.76 feet;

thence along a non-tangent curve to the left from which a radial line bears North $43^{\circ}51'41''$ West to the radius point, having a radius of 52.50 feet, a central angle of $56^{\circ}12'14''$ and an arc length 51.50 feet;

thence along a reverse curve having a radius of 961.50 feet, a central angle of $08^{\circ}27'59''$, and an arc length of 142.08 feet;

thence North $01^{\circ}35'56''$ West 163.38 feet;

thence along a tangent curve to the left having a radius of 398.50 feet, a central angle of $28^{\circ}20'13''$, and an arc length of 197.09 feet;

thence North $29^{\circ}56'09''$ West 35.53 feet;

thence along a tangent curve to the right having a radius of 425.00 feet, a central angle of $15^{\circ}02'01''$, and an arc length of 111.51 feet;

thence North $14^{\circ}54'08''$ West 38.14 feet;

thence along a tangent curve to the left having a radius of 55.00 feet, a central angle of 18°01'42", and an arc length of 17.31 feet;

thence North 32°55'50" West 19.78 feet;

thence along a tangent curve to the right having a radius of 55.00 feet, a central angle of 74°36'19", and an arc length of 71.62 feet;

thence North 41°40'29" East 33.78 feet;

thence along a tangent curve to the left having a radius of 55.00 feet, a central angle of 26°27'42", and an arc length of 25.40 feet;

thence North 15°12'47" East 36.58 feet;

thence along a tangent curve to the right having a radius of 20.00 feet, a central angle of 67°20'18", and an arc length of 23.51 feet;

thence North 82°33'05" East 26.12 feet to the westerly line of Lot 93 as said lot is shown on said final map of Subdivision 9301 Gale Ranch;

thence along last said line South 07°26'55" East 23.00 feet to the westerly line of Lot 94 as said lot is shown on said final map of Subdivision 9301 Gale Ranch;

thence along last said line South 16°31'55" East 71.83 feet to the northerly line of Elderberry Drive as said drive is shown on said final map of Subdivision 9301 Gale Ranch;

thence along the northerly northwesterly and westerly line of said Elderberry Drive, the following ten (10) courses:

1. South 73°28'05" West 18.26 feet,
2. along a tangent curve to the right having a radius of 25.00 feet, a central angle of 33°10'09", and an arc length of 14.47 feet,
3. along a reverse curve having a radius of 40.00 feet, a central angle of 154°42'32", and an arc length of 108.01 feet,


4. along a reverse curve having a radius of 25.00 feet, a central angle of $33^{\circ}10'10''$, and an arc length of 14.47 feet,
5. South $14^{\circ}54'08''$ East 49.67 feet,
6. along a tangent curve to the left having a radius of 423.00 feet, a central angle of $15^{\circ}02'01''$, and an arc length of 110.99 feet,
7. South $29^{\circ}56'09''$ East 26.86 feet,
8. along a tangent curve to the right having a radius of 437.00 feet, a central angle of $28^{\circ}20'13''$, and an arc length of 216.13 feet,
9. South $01^{\circ}35'56''$ East 163.38 feet and
10. along a tangent curve to the left having a radius of 923.00 feet, a central angle of $11^{\circ}00'06''$, and an arc length of 177.23 feet to the **Point of Beginning**.

Containing an area of 38,900 square feet, more or less.

See Exhibit A – Plat to Accompany Legal Description (Sheets 1 through 8) which is attached hereto and made a part hereof.

END OF DESCRIPTION

This description and its accompanying plat were prepared by or under the direction of:



Alvin Leung, PLS 6630 January 16, 2017
Date



LEGAL DESCRIPTION

LANDSCAPE MAINTENANCE EASEMENT 3 (LME-3) PORTION OF NEW PARCEL L (2015-0250738) CONTRA COSTA COUNTY, CALIFORNIA

Real property situate in the County of Contra Costa, State of California described as follows:

Being a portion of New Parcel L as shown on the deed recorded as Document No. 2015-0250738, Official Records of Contra Costa County and more particularly described as follows:

Commencing at the northeasterly corner of Lot 89 as said lot is shown on the final map of Subdivision 9301 Gale Ranch, on file in Book 529 of Maps at Page 25, Contra Costa County Records;

thence along the westerly line of Rosamund Drive as said drive is shown on said final map of Subdivision 9301 Gale Ranch the following three (3) courses:

1. North $11^{\circ}19'30''$ West 9.73 feet,
2. along a tangent curve to the left having a radius of 25.00 feet, a central angle of $34^{\circ}00'46''$ and an arc length of 14.84 feet and
3. along a reverse curve having a radius of 40.00 feet, a central angle of $06^{\circ}02'57''$ and an arc length of 4.22 feet to the **Point of Beginning**;

thence South $87^{\circ}01'35''$ West 13.96 feet;

thence North $02^{\circ}58'25''$ West 3.50 feet;

thence South $87^{\circ}01'35''$ West 3.80 feet;

thence along a tangent curve to the right having a radius of 21.50 feet, a central angle of $90^{\circ}33'14''$ and an arc length of 33.98 feet;

thence North $02^{\circ}25'11''$ West 2.26 feet;

thence North $87^{\circ}34'49''$ East 6.08 feet;

thence North 02°25'11" West 6.25 feet;

thence along a tangent curve to the right having a radius of 37.50 feet, a central angle of 11°43'35" and an arc length of 7.67 feet;

thence North 09°18'24" East 24.55 feet;

thence along a tangent curve to the right having a radius of 37.50 feet, a central angle of 43°46'29" and an arc length of 28.65 feet;

thence along a compound curve having a radius of 78.00 feet, a central angle of 45°38'41" and an arc length of 62.14 feet;

thence along a reverse curve having a radius of 55.00 feet, a central angle of 22°01'46" and an arc length of 21.15 feet;

thence along a reverse curve having a radius of 561.50 feet, a central angle of 09°42'04" and an arc length of 95.07 feet;

thence along a reverse curve having a radius of 55.00 feet, a central angle of 77°29'52" and an arc length of 74.39 feet;

thence along a compound curve having a radius of 1304.50 feet, a central angle of 00°37'58" and an arc length of 14.41 feet;

thence South 80°28'02" East 33.50 feet to the westerly line of Dougherty Road as said road is shown on the Offer of Dedication recorded as Document No. 2016-109388, Official Records of Contra Costa County;

thence along last said line on a non-tangent curve to the left from which a radial line bears South 80°28'02" East, having a radius of 1271.00 feet, a central angle of 03°38'49" and an arc length of 80.90 feet and South 49°39'44" West 19.91 feet to a point on the generally northerly line of said Rosamund Drive;

thence along last said line and the northwesterly line of said Rosamund Drive the following three (3) courses:

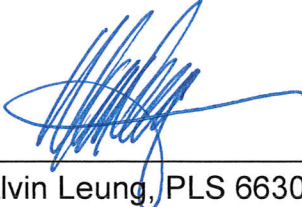
1. along a non-tangent curve to the left from which a radial line bears South $02^{\circ}43'54''$ West, having a radius of 523.00 feet, a central angle of $17^{\circ}33'46''$ and an arc length of 160.31 feet,
2. along a reverse curve having a radius of 25.00 feet, a central angle of $34^{\circ}23'45''$ and an arc length of 15.01 feet;
3. along a reverse curve having a radius of 40.00 feet, a central angle of $148^{\circ}51'12''$ and an arc length of 103.92 feet to the **Point of Beginning**.

Containing an area of 13,914 square feet, more or less.

See Exhibit A – Plat to Accompany Legal Description (Sheets 1 through 8) which is attached hereto and made a part hereof.

END OF DESCRIPTION

This description and its accompanying plat were prepared by or under the direction of:



Alvin Leung, PLS 6630 January 16, 2017
Date





**Contra
Costa
County**

To: Board of Supervisors

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

Date: August 1, 2017

Subject: Approve Amendment to the Transportation Service Agreement for school bus services for County Service Area T-1 residents, Danville.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute an Amendment to the Transportation Service Agreement for Operation of a School Bus Route within County Service Area (CSA) T-1 with the Measure J Traffic Congestion Relief Agency (TRAFFIX), to authorize payment of TRAFFIX operational and overhead costs to run two school bus routes within CSA T-1, as recommended by the Public Works Director, Danville area.

FISCAL IMPACT:

100% County Service Area T-1 Funds

BACKGROUND:

In early 2014, the County and the Measure J Traffic Congestion Relief Agency (TRAFFIX), a traffic congestion relief program operated cooperatively by Contra Costa County, the City of San Ramon, the Town of Danville, and the San Ramon Valley Unified School District, executed the Transportation Service Agreement (Agreement) for Operation of a School Bus Route within County Service Area T-1 (CSA T-1) (Exhibit A) to use CSA T-1 funds to pay for one TRAFFIX school bus to serve students who live in the CSA T-1 and attend Monte Vista High School. In early 2017, TRAFFIX and the County executed the ~~1~~st Amendment to the Agreement, which added a second TRAFFIX school bus to serve students who live in the CSA T-1 and attend Monte Vista High School.

Annual CSA T-1 Payment to TRAFFIX

According to the Agreement, the County pays TRAFFIX the Projected Annual Operational Cost, minus revenue from

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Jessi Duffy, 925.
313-2286

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

By: , Deputy

cc:

the sale of annual bus passes, for annual service operation of each CSA T-1-supported bus. The Projected Annual Operational Cost is calculated by multiplying the base (daily) rate that the school bus contractor charges TRAFFIX to operate a bus—\$451.81 for FY 16-17—by the number of instructional days in an academic year. The base rate is calculated by dividing the total annual school bus contractor (operational) cost for the TRAFFIX program by the number of buses in the traffic fleet and the number of instructional days an academic year.

The County’s current obligation to reimburse TRAFFIX to operate CSA T-1 buses does not cover TRAFFIX overhead costs—Program Administration, Audit Services, Consulting Services, Insurance, Legal Counsel Services, and Banking Service/Credit Card Services—associated with operation of each CSA T-1 bus. After several discussions between County staff and TRAFFIX staff regarding overhead costs incurred by TRAFFIX for running the CSA T-1 buses, TRAFFIX is requesting that the County also pay annual overhead costs associated with operating each CSA T-1 bus (in addition to the operation costs), starting from July 1, 2016.

The overhead costs associated with each CSA T-1 bus would be developed as follows:

- sum of the total annual overhead costs for the TRAFFIX Program,
- divided by the number of buses in the TRAFFIX bus fleet.

For FY 16-17, the overhead amount for each CSA T-1 would be \$6,695.45, as calculated in the table below-

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BACKGROUND: (CONT'D)

Total Annual Overhead Costs for TRAFFIX Program for FY 16-17	Number of Buses	Annual Overhead Cost Per CSA T-1 Bus for FY 16-17
\$147,300.00	22	\$6,695.45

The new calculation for the amount the County would pay TRAFFIX for each CSA T-1 bus would be as follows:

- Projected Annual Operating Cost,
- plus the Annual Overhead Cost per CSA T-1 bus,
- minus revenue from the sale of annual bus passes for the CSA T-1 bus.

The table below shows the estimated amount, \$75,421.25, the County would pay TRAFFIX for each CSA T-1 bus, assuming full seating capacity, in FY 16-17.

Projected Annual Operating Cost		Annual Overhead Costs Per Bus for FY 16-17	Revenue from Annual Bus Passes		Total County Payment to TRAFFIX for each CSA T-1 Bus for FY 16-17
Base Rate	Number of Instructional Days		Number of Bus Passes Sold	Price per Bus Pass	
\$451.81	180	\$6,695.45	56	\$225.00	\$75,421.25

A 2nd Amendment to the Agreement (2nd Amendment) (Exhibit B) was developed that will amend the Agreement to include overhead costs into the calculation of the amount that the County will pay TRAFFIX annually for each CSA T-1 bus.

Invoicing from TRAFFIX to the County

The 2nd Amendment will change the submittal date of one of the two regular annual invoices to the County from July 1st to September 1st so that TRAFFIX can submit reconciled budget data from the previous fiscal year, which TRAFFIX uses in its calculation of its annual invoice amount. In addition, the 2nd Amendment will include language for TRAFFIX to submit one additional invoice on July 1, 2017 for the following:

- overhead costs for the 1st CSA T-1 bus from July 1, 2016 through June 30, 2017,
- overhead costs for the 2nd CSA T-1 bus from its inception on February 21, 2017 through June 30, 2017, and
- operational costs for the 2nd CSA T-1 bus from its inception on February 21, 2017 through June 30, 2017.

The TRAFFIX Board of Directors approved the 2nd Amendment to the Agreement at its May 31, 2017 Board of Directors meeting.

CONSEQUENCE OF NEGATIVE ACTION: Without Board of Supervisors' approval, this second amendment to the Agreement will not be executed.

ATTACHMENTS CSA T-1 2nd Amendment to the Agreement

SECOND AMENDMENT
to
TRANSPORTATION SERVICE AGREEMENT FOR
OPERATION OF SCHOOL BUS ROUTES WITHIN
COUNTY SERVICE AREA T-1

This SECOND AMENDMENT TO TRANSPORTATION SERVICE AGREEMENT FOR OPERATION OF SCHOOL BUS ROUTES WITHIN COUNTY SERVICE AREA T-1 is entered into effective this 19th day of December, 2016, by and between the MEASURE J TRAFFIC CONGESTION RELIEF AGENCY, dba TRAFFIX (the “Agency”), a joint exercise of powers entity created, existing, and in good standing under California Government Code section 6500, *et seq.*, and the COUNTY OF CONTRA COSTA (“County”), a political subdivision of the State of California.

RECITALS

A. In 2008, the County, the City of San Ramon (City), the Town of Danville (Town), and the San Ramon Valley Unified School District (School District), entered into an agreement entitled, “Joint Exercise of Powers Agreement to Implement the San Ramon Valley School Bus Program.” That agreement created the Agency, and authorized it to oversee implementation of a school bus program within the City, Town, and parts of the unincorporated area of the County (“Agency’s Bus Program”). The purpose of the Agency’s Bus Program is to reduce traffic congestion in the San Ramon Valley area by busing elementary, middle, and high school students to their respective schools within the School District.

B. To reduce traffic congestion in and around the County Service Area T-1 (the “Service Area”), consisting of two developments—Alamo Creek and Monterosso—located on the south side of Camino Tassajara, between Hansen Lane and Finley Road, and east of the Town of Danville in unincorporated County, the County and the Agency entered into a Transportation Service Agreement, effective February 11, 2014 (“Agreement”), to fund one school bus route (“First School Bus Route”) within the Service Area. The Service Area is more particularly described in Exhibit A to the Agreement. Since being established, the First School Bus Route has served students who attend the high school designated for students residing within the Service Area.

C. To expand the Agency's Bus Program by adding a second school bus ("Second School Bus Route"), for a total of two school bus routes (together the "School Bus Routes") to serve students living within the Service Area, Effective December 19, 2016, the Agency and the County amended the Agreement to require the County to partially fund the Second School Bus Route with assessment revenue that the County collects from within the Service Area.

D. The Agreement, as amended, calculates the amounts to be paid by the County based on the amount the Agency pays under its bussing contract with First Student, Inc. The Agency incurs overhead expenses to provide bussing services, and the Parties intended for those overhead expenses to be paid beginning July 1, 2016. The Parties desire to amend the Agreement to require the County to pay the portion of the Agency's overhead costs attributable to the School Bus Routes beginning in the 2016-2017 academic year.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties, the parties agree to amend the Agreement as follows:

1. **Invoicing for Payment.** Section 3 of the Agreement ("Invoicing and Payment"), as previously amended, is hereby deleted in its entirety and replaced with new Section 3, to read:

3. Invoicing for Payment. The Agency shall submit an invoice to the County on each of the following dates: September 1 immediately after the beginning of each School District academic year and January 1 during each School District academic year (each an "Invoice Date"). For the Second School Bus Route in Academic Year 2016-2017 only, the Agency shall submit an additional invoice to the County on July 1, 2017, in accordance with Section 3.a. (also an "Invoice Date"). The invoices the Agency submits to the County must include the information specified below.

a. *July 1, 2017 Invoice for the Second School Bus Route in Academic Year 2016-2017 Only, and for the Fall 2016 Overhead Costs.*

(i) The invoice submitted on July 1, 2017, shall include: the Agency's projected operational costs to operate the Second School Bus Route from February 21, 2017, through June 30, 2017 (the "Second Bus Projected 2016-2017 Operational Costs"); the Agency's projected overhead costs for operating the First School Bus Route from July 1, 2016, through June 30, 2017 ("First Bus 2016-2017 Projected

Overhead Costs”), and the Agency’s projected overhead costs for operating the Second School Bus Route from February 21, 2017, through June 30, 2017 (“Second Bus 2016-2017 Projected Overhead Costs”).

- (ii) To calculate the Second Bus Projected 2016-2017 Operational Costs, the Agency shall multiply the base rate per day that the Agency will pay its contractor under the Bussing Contract for the Second School Bus Route by the number of School District instructional days that will occur during the period from February 21, 2017, through June 30, 2017 (the number of instructional days shall be determined by the School District’s academic calendar). This calculation is expressed as follows:

$$[(\text{Base rate per day under Bussing Contract}) \times (\text{number of instructional days between February 21, 2017, and June 30, 2017})] = \text{Second Bus Projected 2016-2017 Operational Costs}$$

- (iii) To calculate the First Bus 2016-2017 Projected Overhead Costs, the Agency shall: (A) divide the sum of the Agency’s anticipated costs for program administration, audit, insurance, legal counsel, treasurer and accounting, and banking and service charges between July 1, 2016 and June 30, 2017, by the number of busses Agency will sponsor during the 2016-2017 academic year. This calculation is expressed as follows:

$$[(\text{Agency’s anticipated costs for program administration, audit, insurance, legal counsel, treasurer and accounting, and banking and service charges between July 1, 2016, and June 30, 2017}) \div (\text{number of busses sponsored during the 2016-2017 academic year})] = \text{First Bus 2016-2017 Projected Overhead Costs}$$

June 30, 2017)] ÷ (# of TRAFFIX busses)] = First Bus
Projected Overhead Costs

- (iv) To calculate Second Bus 2016-2017 Projected Overhead Costs, the Agency shall: (A) divide the sum of the Agency's anticipated costs for program administration, audit, insurance, legal counsel, treasurer and accounting, and banking and service charges between July 1, 2016 and June 30, 2017, by the number of busses Agency will sponsor during the 2016-2017 academic year, (B) and divide the result of that calculation by the number of School District instructional days during the 2016-2017 academic year (the number of instructional days shall be determined by the School District's academic calendar); and (C) multiply the result of that calculation by the number of School District instructional days during the period from February 21, 2017, through June 30, 2017 (the number of instructional days shall be determined by the School District's academic calendar). This calculation is expressed as follows:

$$\begin{aligned} & [(\text{Agency's anticipated costs for program administration,} \\ & \text{audit, insurance, legal counsel, treasurer and accounting,} \\ & \text{and banking and service charges between July 1, 2016, and} \\ & \text{June 30, 2017}) \div (\# \text{ of TRAFFIX busses}) \div (\# \text{ of School} \\ & \text{District instructional days in 2016-2017 academic year})] \times \\ & [\# \text{ of School District instructional days between February} \\ & \text{21, 2017 and June 30, 2017}] = \text{Second Bus 2016-2017} \\ & \text{Projected Overhead Costs} \end{aligned}$$

b. September 1 2017 Invoice.

- (i) The September 1, 2017 invoice shall include the Agency's anticipated costs to operate the School Bus Routes during

School District's upcoming academic year from July 1 immediately prior to the beginning of the academic year through the June 30 immediately following the conclusion of the academic year (the "Projected 2017-2018 Annual Operational Costs"). To calculate the Projected 2017-2018 Annual Operational Costs, the Agency shall: (A) calculate its "Projected Bussing Costs" by multiplying the base rate per day that the Agency will pay its contractor under the Bussing Contract for each of two School Bus Routes by the number of School District instructional days that will occur during the upcoming academic year (the number of instructional days shall be determined by the School District's academic calendar), and multiplying the result by two (2); (B) calculate its "Projected Overhead Costs" by dividing the sum of the Agency's anticipated costs for program administration, audit, insurance, legal counsel, treasurer and accounting, and banking and service charges during the upcoming academic year by the number of busses Agency will sponsor during the upcoming academic year, and then multiplying the result by two (2); and (C) adding the Projected Bussing Costs and the Projected Overhead Costs. These calculations are expressed as follows:

$$[(\text{Base rate per day under Bussing Contract}) \times (\text{instructional days in upcoming academic year}) \times (2)] + [(\text{Agency's anticipated costs for program administration, audit, insurance, legal counsel, treasurer and accounting, and banking and service charges in upcoming academic year}) \div (\text{\# of TRAFFIX busses}) \times (2)] = \text{Projected 2017-2018 Annual Operational Costs.}$$

- (ii) The invoice submitted September 1, 2017 shall include: (A) the Projected Annual Operational Costs that the Agency included in the invoice that it submitted to the County on July 1, 2016 (“Projected 2016-2017 Operational Costs”), (B) the Second Bus Projected 2016-2017 Operational Costs included in the July 1, 2017 invoice, (C) the First Bus 2016-2017 Projected Overhead Costs included in the July 1, 2017 invoice, and (D) the Second Bus 2016-2017 Projected Overhead Costs included in the July 1, 2017 invoice. The sum of the Projected 2016-2017 Operational Costs, plus the Second Bus Projected 2016-2017 Operational Costs, plus the First Bus 2016-2017 Projected Overhead Costs, plus the Second Bus 2016-2017 Projected Overhead Costs shall be referred to as the “Projected 2016-2017 Annual Operational Costs.”
- (iii) The invoice submitted September 1, 2017 shall include the Agency’s actual costs to operate the School Bus Routes from July 1 of the previous academic year through June 30 of the same academic year (the “Actual 2016-2017 Operational Costs”). The Actual 2016-2017 Operational Costs are comprised of the sum of (A) Agency’s actual costs to operate the First School Bus Route from July 1, 2016, through June 30, 2016 (“First Bus Actual 2016-2017 Operational Costs”), (B) the Agency’s actual costs to operate the Second School Bus Route from February 21, 2017, through June 30, 2017 (the “Second Bus Actual 2016-2017 Operational Costs”), (C) the Agency’s actual overhead costs for operating the First School Bus Route from July 1, 2016, through June 30, 2017 (“First Bus Actual 2016-2017 Overhead Costs”), and (D) the Agency’s actual overhead costs for operating the Second School Bus

Route from February 21, 2017, through June 30, 2017
("Second Bus Actual 2016-2017 Overhead Costs").

- (A) To calculate the First Bus Actual 2016-2017 Operational Costs, the Agency shall multiply the base rate per day that the Agency paid its contractor under the Bussing Contract for the First School Bus Route by the number of School District instructional days that occurred between July 1, 2016 and June 30, 2017 (the number of instructional days shall be determined by the School District's academic calendar). This calculation is expressed as follows:

$$[(\text{Base rate per day under Bussing Contract}) \times (\text{number of instructional days between July 1, 2016, and June 30, 2017})] = \text{First Bus Actual 2016-2017 Operational Costs}$$

- (B) To calculate the Second Bus Actual 2016-2017 Operational Costs, the Agency shall multiply the base rate per day that the Agency paid its contractor under the Bussing Contract for the Second School Bus Route by the number of School District instructional days that occurred during the period from February 21, 2017, through June 30, 2017 (the number of instructional days shall be determined by the School District's academic calendar). This calculation is expressed as follows:

$$[(\text{Base rate per day under Bussing Contract}) \times (\text{number of instructional days between February 21, 2017, and June 30, 2017})] = \text{Second Bus Actual 2016-2017 Operational Costs}$$

- (C) To calculate the First Bus Actual 2016-2017 Overhead Costs, the Agency shall: (A) divide the sum of the Agency's actual costs for program administration, audit, insurance, legal counsel, treasurer and accounting, and banking and service charges between July 1, 2016 and June 30, 2017, by the number of busses the Agency sponsored during the 2016-2017 academic year. This calculation is expressed as follows:

$$\frac{[(\text{Agency's actual costs for program administration, audit, insurance, legal counsel, treasurer and accounting, and banking and service charges between July 1, 2016, and June 30, 2017})] \div (\# \text{ of TRAFFIX busses})}{1} = \text{First Bus Actual 2016-2017 Overhead Costs}$$

- (D) To calculate Second Bus Actual 2016-2017 Overhead Costs, the Agency shall: (A) divide the sum of the Agency's actual costs for program administration, audit, insurance, legal counsel, treasurer and accounting, and banking and service charges between July 1, 2016 and June 30, 2017, by the number of busses the Agency sponsored during the 2016-2017 academic year, (B) and divide the result of that calculation by the number of School District instructional days during the 2016-2017 academic year; and (C) multiply the result of that calculation by the number of School District instructional days during the period from February 21, 2017, through June 30, 2017. This calculation is expressed as follows:

$$\begin{aligned} & [(\text{Agency's actual costs for program administration,} \\ & \text{audit, insurance, legal counsel, treasurer and} \\ & \text{accounting, and banking and service charges} \\ & \text{between July 1, 2016, and June 30, 2017}) \div (\# \text{ of} \\ & \text{TRAFFIX busses}) \div (\# \text{ of School District} \\ & \text{instructional days in 2016-2017 academic year)}] \times \\ & [\# \text{ of School District instructional days between} \\ & \text{February 21, 2017, and June 30, 2017}] = \text{Second} \\ & \text{Bus Actual 2016-2017 Overhead Costs} \end{aligned}$$

- (iv) The invoice submitted September 1, 2017 shall include the amount of revenue collected by the Agency from the sale of annual School Bus Route passes that occurred from January 1, 2017, through June 30, 2017 (“Spring Pass Sale Revenue”).

c. *September 1 Invoices Following September 1, 2017.*

- (i) Each September 1 invoice submitted after September 1, 2017 shall include the Agency’s anticipated costs to operate the School Bus Routes during School District’s upcoming academic year from July 1 immediately prior to the beginning of the academic year through the June 30 immediately following the conclusion of the academic year (the “Projected Annual Operational Costs”). To calculate the Projected Annual Operational Costs, the Agency shall:
 - (A) calculate its “Projected Bussing Costs” by multiplying the base rate per day that the Agency will pay its contractor under the Bussing Contract for each School Bus Route by the number of School District instructional days that will occur during the upcoming academic year (the number of instructional days shall be determined by the School District’s academic calendar), and multiplying the result by two; (B) calculate its “Projected Overhead Costs” by

dividing the sum of the Agency's anticipated costs for program administration, audit, insurance, legal counsel, treasurer and accounting, and banking and service charges during the upcoming academic year by the number of busses the Agency will sponsor during the upcoming academic year, and then multiplying the result by two (2); and (C) adding the Projected Bussing Costs and the Projected Overhead Costs. These calculations are expressed as follows:

$$\begin{aligned} &[(\text{Base rate per day under Bussing Contract}) \times (\text{instructional} \\ &\text{days in upcoming academic year}) \times (2)] + [(\text{Agency's} \\ &\text{anticipated costs for program administration, audit,} \\ &\text{insurance, legal counsel, treasurer and accounting, and} \\ &\text{banking and service charges in upcoming academic year}) \div \\ &(\text{\# of TRAFFIX buses}) \times (2)] = \text{Projected Annual} \\ &\text{Operational Costs.} \end{aligned}$$

- (ii) Each September 1 invoice submitted after September 1, 2017 shall include the Projected Annual Operational Costs that the Agency included in the invoice that it submitted to the County on September 1 of the immediately preceding year ("Prior Year Projected Annual Operational Costs").
- (iii) Each September 1 invoice submitted after September 1, 2017, shall include the Agency's actual costs to operate the School Bus Routes from July 1 of the previous academic year through June 30 of the same academic year (the "Prior Year Actual Operational Costs"). To calculate the Prior Year Actual Operational Costs, the Agency shall: (A) calculate its "Actual Bussing Costs" by multiplying the base rate per day that the Agency paid its contractor under

the Bussing Contract for each School Bus Route by the number of School District instructional days that occurred during the immediately preceding school year (the number of instructional days shall be determined by the School District's academic calendar), and multiplying the result by two (2); (B) calculate its "Actual Overhead Costs" by dividing the sum of the Agency's actual costs for program administration, audit, insurance, legal counsel, treasurer and accounting, and banking and service charges during the prior academic year by the number of busses the Agency sponsored during the prior academic year, and then multiplying the result by two (2); and (C) adding the Actual Bussing Costs and the Actual Overhead Costs. These calculations are expressed as follows:

$$\begin{aligned} &[(\text{Base rate per day under Bussing Contract}) \times (\text{instructional} \\ &\text{days in immediately preceding academic year}) \times (2)] + \\ &[(\text{Agency's actual costs for program administration, audit,} \\ &\text{insurance, legal counsel, treasurer and accounting, and} \\ &\text{banking services during the immediately preceding} \\ &\text{academic year}) \div (\text{\# of TRAFFIX busses}) \times (2)] = \text{Prior} \\ &\text{Year Actual Operational Costs.} \end{aligned}$$

- (iv) Each September 1 invoice submitted after September 1, 2017 shall include the amount of revenue collected by the Agency from the sale of annual School Bus Route passes that occurred from January 1 through June 30 immediately preceding the Invoice Date ("Spring Pass Sale Revenue").

- d. *January 1 Invoice.* The invoice submitted on each January 1 shall include the amount of revenue collected by the Agency from the sale of annual School Bus Route passes from July 1 immediately prior to the beginning

of the academic year through December 31 immediately preceding the Invoice Date ("Fall Pass Sale Revenue").

2. County's Payments to Agency. Section 4 of the Agreement ("County's Payments to Agency") is hereby deleted in its entirety and replaced with new Section 4 to read:

4. County's Payments to Agency. Within 60 days after the receipt of each invoice submitted by the Agency, the County shall pay the Agency as follows:

- a. *Payment on September 1, 2017 Invoice.* The County shall pay the Agency one half of the Projected 2017-2018 Annual Operational Costs reported on the September 1, 2017 invoice, minus (1) the amount of Spring Pass Sale Revenue reported on that invoice, and minus (2) the difference, if any, between the Projected 2016-2017 Annual Operational Costs and the Actual 2016-2017 Operational Costs reported on that invoice.

By way of example only, if the Agency's 2017-2018 Projected Annual Operational Costs are \$176,000, the Spring Pass Sale Revenue is \$2,000, and the difference between the Projected 2016-2017 Annual Operational Costs and the Actual 2016-2017 Operational Costs is \$400, the County's payment on the September 1 invoice would be \$85,600 (\$88,000 - \$2,000 - \$400).

- b. *Payment on September 1 Invoices Following September 1, 2017.* The County shall pay the Agency one half of the Projected Annual Operational Costs reported on the September 1 invoice, minus (1) the amount of Spring Pass Sale Revenue reported on that invoice, and minus (2) the difference, if any, between the Prior Year Projected Annual Operational Costs and the Prior Year Actual Operational Costs reported on the invoice

By way of example only, if the Agency's Projected Annual Operational Costs are \$176,000, the Spring Pass Sale Revenue is \$2,000, and the difference between the Prior Year Annual Operational Costs and the Prior

Year Actual Operational Costs is \$400, the County's payment on the September 1 invoice would be \$85,600 (\$88,000 - \$2,000 - \$400).

- c. *Payment on January 1, 2018 Invoice.* The County shall pay the Agency one-half of the Projected 2017-2018 Annual Operational Costs reported on the invoice submitted on September 1, 2017, minus the amount of Fall Pass Sale Revenue reported on the January 1, 2018 Invoice.

By way of example only, if the Agency's Projected Annual Operational Costs are \$176,000 and the Fall Pass Sale Revenue is \$15,000, the County's payment on the January 1 invoice would be \$73,000 (\$88,000 -

- d. *Payment on January 1 Invoices Following January 1, 2017.* The County shall pay the Agency one-half of the Projected Annual Operational Costs reported on the invoice submitted on the preceding September 1, minus the amount of Fall Pass Sale Revenue reported on the January 1 Invoice.

By way of example only, if the Agency's Projected Annual Operational Costs are \$176,000 and the Fall Pass Sale Revenue is \$15,000, the County's payment on the January 1 invoice would be \$73,000 (\$88,000 - \$15,000).

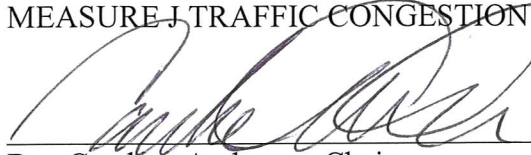
- e. *Payment on July 1, 2017 Invoice for Academic Year 2016-2017 Only.* Notwithstanding anything to the contrary contained herein, the County shall pay the Agency for the following reported on the July 1, 2017 invoice: the Second Bus Projected 2016-2017 Operational Costs, the First Bus 2016-2017 Projected Overhead Costs, and the Second Bus 2016-2017 Projected Overhead Costs.

3. Agency's Obligations. Section 5.b. of the Agreement ("School Bus Route Minimum Level of Service") is hereby deleted in its entirety and replaced with new Section 5.b. to read:

- b. *School Bus Routes Minimum Level of Service.* The Agency shall be responsible for ensuring that each school bus serving a School Bus Route under this Agreement reserves at least 50% of bus capacity for students living within the Service Area who attend the Designated High School.

IN WITNESS WHEREOF, the parties have hereunto set their hands the date and year first above written.

MEASURE J TRAFFIC CONGESTION RELIEF AGENCY



By: Candace Andersen, Chair,
TRAFFIX Board of Directors

Date: 5/31/17

APPROVED AS TO FORM:



By: Michael Conneran, Legal Counsel
Measure J Traffic Congestion Relief Agency

CONTRA COSTA COUNTY

By: Julia R. Bueren, Public Works Director

Date: _____

APPROVED AS TO FORM:
Sharon L. Anderson, County Counsel

By: _____
Deputy County Counsel



Contra
Costa
County

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: August 1, 2017

Subject: APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a hangar rental agreement with Buchanan Field Airport Hangar tenant

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Dianne Cole for a T-hangar at Buchanan Field Airport effective July 15, 2017 in the monthly amount of \$394.10, Pacheco area.

FISCAL IMPACT:

The Airport Enterprise Fund will realize \$4,729.20 annually.

BACKGROUND:

On September 1, 1970, Buchanan Airport Hangar Company entered into a 30-year lease with Contra Costa County for the construction of seventy-five (75) hangars and eighteen (18) aircraft shelters at Buchanan Field Airport. Buchanan Airport Hangar Company was responsible for the maintenance and property management of the property during that 30-year period.

On September 1, 2000, the County obtained ownership of the aircraft hangars and shelters, pursuant to the terms of the above lease.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Beth Lee, (925)
681-4200

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

On February 13, 2007, Contra Costa County Board of Supervisors approved the new Large Hangar Lease Agreement for use with the larger East Ramp Hangars.

On February 3, 2008, Contra Costa County Board of Supervisors approved the amended T-Hangar Lease Agreement which removed the Aircraft Physical Damage Insurance requirement. The new amended T-hangar Lease Agreement will be used to enter into this aircraft rental agreement.

CONSEQUENCE OF NEGATIVE ACTION:

A negative action will cause a loss of revenue to the Airport Enterprise Fund.

ATTACHMENTS

Hangar Agmt - Dianne Cole

CONTRA COSTA COUNTY - BUCHANAN FIELD AIRPORT

T-HANGAR AND SHADE HANGAR RENTAL AGREEMENT

1. **PARTIES:** July 15, 2017 ("Effective Date"), the COUNTY OF CONTRA COSTA, a political subdivision of the State of California ("Airport"), Dianne Cole ("Renter"), hereby mutually agree and promise as follows:
2. **RENTER AND AIRCRAFT INFORMATION:** Simultaneous with the execution of this T-Hangar and Shade Hangar Rental Agreement ("**Rental Agreement**") by Renter, Renter shall complete the Renter and Aircraft Information Form. A completed copy of the Renter and Aircraft Information Form is attached hereto as Exhibit "A" and incorporated herein. Renter must also provide to Airport at that time, for inspection and copying, (1) the original current Aircraft Registration or, if the aircraft described in Exhibit A is under construction, the plans for and proof of ownership of such aircraft; and (2) the insurance information required by Section 16 below.
3. **PURPOSE:** The purpose of this Rental Agreement is to provide for the rental of a T-Hangar or Shade Hangar space at the Contra Costa County - Buchanan Field Airport for the storage of the aircraft described in the Renter and Aircraft Information Form ("**Renter's Aircraft**").
4. **PREMISES:** For and in consideration of the rents and faithful performance by Renter of the terms and conditions set forth herein, Airport hereby rents to Renter and Renter hereby rents from Airport that T-Hangar or Shade Hangar shown as # C-05 on the T-Hangar and Shade Hangar Site Plan, attached hereto as Exhibit B and incorporated herein. This T-Hangar or Shade Hangar is part of the T-Hangar and Shade Hangar Site ("**T-Hangar Site**") and shall hereinafter be described as the "**T-Hangar.**"

Renter has inspected the T-Hangar and hereby accepts the T-Hangar in its present condition, as is, without any obligation on the part of Airport to make any alterations, improvements, or repairs in or about the T-Hangar.
5. **USE:** The T-Hangar shall be exclusively by Renter for the storage of Renter's Aircraft. In addition to the storage of Renter's Aircraft, Renter may use the T-Hangar for (1) the homebuilding, restoration and/or maintenance of Renter's Aircraft, provided that such homebuilding, restoration and/or maintenance is performed by Renter only and in conformance with all applicable statutes, ordinances, resolutions, regulations, orders, circulars (including but not limited to FAA Advisory Circular 20-27) and policies now in existence or adopted from time to time by the United States, the State of California, the County of Contra Costa and other government agencies with jurisdiction over Buchanan Field Airport; (2) the storage of and materials directly

related to the storage, construction of homebuilt planes homebuilding, restoration, and/or maintenance of Renter's Aircraft; (3) the storage of one boat, or one recreational vehicle, or one motorcycle, or one automobile, provided that Renter first provides to Airport proof of Renter's ownership and original registration of any stored boat or vehicle, for inspection and copying; and/or (4) the storage of comfort items (such as a couch, small refrigerator, etc.) that the Director of Airports, in his sole discretion, determines will not impede the use of the hangar for the storage of Renter's Aircraft, and are not prohibited by applicable building and fire codes. The T-Hangar shall not be used for any purpose not expressly set forth in this Section 5. Use.

The use of all or a portion of the T-Hangar for the storage of aircraft not owned or leased by Renter is prohibited. ("Aircraft not owned or leased by Renter" means any aircraft in which Renter does not have an ownership interest or which is not directly leased to Renter). Renter shall present proof of said ownership interest or lease to Airport upon request in addition to that information provided in Exhibit A.

If Renter's Aircraft is or becomes non-operational, it may be stored in the T-Hangar only if it is being homebuilt or restored by Renter. Prior to the commencement of any such homebuilding or restoration, Renter shall provide to Airport (1) a copy of the purchase agreement or (2) a valid federal registration number. If Renter's Aircraft is not registered as of the Effective Date, upon completion of construction, Renter shall register and apply for an airworthiness certificate for Renter's Aircraft in accordance with all applicable federal statutes and regulations and provide the original registration and certification to Airport, for inspection and copying, immediately upon receipt by Renter. On or before January 1 of each year, if the homebuilding or restoration has not been completed, Renter shall provide a written annual report to the Director of Airports that details the homebuilding or restoration activity performed, work still required to be completed and an estimate of time of completion.

6. **TERM:** This Rental Agreement shall be from month to month commencing July 15, 2017, and shall continue until terminated. This Rental Agreement may be terminated by any party upon thirty (30) days written notice to the other party.

7. **RENT:**

- A. **Monthly Rent and Additional Rent.** Renter shall pay \$ 394.10 in rent per month ("**Monthly Rent**") due and payable in advance on the first day of each calendar month, beginning on the commencement date of this Rental Agreement. Unless directed to do otherwise by Airport, Renter shall pay rent only in cash or by personal check, certified check, or money order. If the term of this Rental Agreement begins on a day other than the first day of the month, the Monthly Rent stated above for the first month shall be prorated



**Contra
Costa
County**

To: Board of Supervisors

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

Date: August 1, 2017

Subject: Adopt Resolution 2017/278 to vacate & quitclaim a portion of Grant of Easement, and take related actions under CEQA, Drainage Area 128, Concord area.

RECOMMENDATION(S):

ADOPT Resolution No. 2017/278 vacating a portion of a Grant of Easement (Easement) in Drainage Area 128, pursuant to Division 9, Part 3, Chapter 4 of the Streets and Highways Code, under Section 8335. A description of the area to be vacated is attached to the Resolution by reference located in Concord area. (Project No.: WL083A – EF1700614)(CP#17-21);

DETERMINE that this activity is not subject to the California Environmental Quality Act (CEQA) pursuant to Article 5, Section 15061 (b)(3) of the CEQA guidelines.

DIRECT the Director of the Department of Conservation and Development (DCD) to file a Notice of Exemption with the County Clerk, and

DIRECT the Public Works Director, or designee, to arrange for payment of the \$50 fee to the County Clerk for filing the Notice of Exemption, and a \$25 fee to the DCD for processing of the Notice of Exemption.

AUTHORIZE the Chair of the Board to execute a Quitclaim Deed on behalf of Contra Costa County (County) and DIRECT the Real Estate Division of the Public Works Department to cause said Quitclaim Deed to be

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Jewel Lopez, 925.
313-2191

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

By: , Deputy

cc: Jim Stein, Surveys, Karen Piona, Records, Wiley Osborn, Information Technology, Ed Turner, Flood Control, Mario Consolacion, Flood Control

RECOMMENDATION(S): (CONT'D)

delivered to the grantee for recording in the office of the County Clerk-Recorder.

DIRECT the Real Estate Division of the Public Works Department to record a certified copy of this Board Order and Resolution in the office of the County Clerk-Recorder.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The County accepted a Grant of Easement for Drainage Area 128 identified as Parcel 15.01, in the document recorded on June 18, 1974, in Book 7252, Page 103 of Contra Costa County Official Records, within a portion of Assessor's Parcel Number 147-350-003. Currently, the property owner has development plans for this parcel and will construct a C.3 basin along the south side of the existing trapezoidal flood control channel of Drainage Area 128, which requires a partial vacation of the Easement. The County has determined that a 10-foot strip of the Easement is no longer needed. Therefore, the County intends to vacate and quitclaim any and all rights, title, interest, obligation, and responsibility of that portion of the Easement.

CONSEQUENCE OF NEGATIVE ACTION:

The property owner will be unable to construct the necessary C.3 basin to support the development of the eight (8) lot Subdivision 9392.

ATTACHMENTS

Resolution No. 2017/278

Quitclaim Deed

CEQA CP17-21

Exhibit A

Exhibit B

Recorded at the request of: Jewel Lopez, Real Estate - 925-313-2191

Return To: Alex Lopez, Real Estate 925. 313-2220

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

Adopted this Resolution on 08/01/2017 by the following vote:

AYE: ☐

NO: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2017/278

IN THE MATTER OF Adopting Resolution No. 2017/278 to vacate a portion of a Grant of Easement in Drainage Area 128, and take related actions under the California Environmental Quality Act, as recommended by the Public Works Director, Concord Area, District IV.

The Board of Supervisors of Contra Costa County RESOLVES THAT:

WHEREAS, in June 1974, Contra Costa County (County) accepted a Grant of Easement (Easement) encumbering Assessor's Parcel Number (APN) 147-350-003, Concord area.

WHEREAS, the current owner of APN 147-350-003 has requested the County vacate a portion of the Easement. The affected portion of the Easement is more particularly described in Exhibit "A" and shown in Exhibit "B" attached hereto and made a part hereof.

WHEREAS, there is no possibility that vacating a portion of the Easement may have a significant adverse effect on the environment.

WHEREAS, this activity has been found to conform to the General Plan of the City of Concord.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors, as the Governing Board of Contra Costa County that:

This Board hereby FINDS that this portion of Easement is unnecessary for present or prospective public use.

The Board FINDS that vacating a portion of the Easement does not have a significant effect on the environment and is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Article 5, section 15061 (b)(3).

The Easement described and depicted in Exhibit "A" and "B" are hereby VACATED pursuant to Division 9, Part 3, Chapter 4 of the Streets and Highways Code, under Section 8335.

The Board DIRECTS the Real Estate Division of the Public Works Department to cause a certified copy of this Resolution to be recorded in the office of the County Clerk-Recorder.

From and after the date of this Resolution is recorded, that certain portion of the Easement described and depicted in Exhibit “A” and “B” is HEREBY ORDERED VACATED.

Contact: Jewel Lopez, 925. 313-2191

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

ATTESTED: August 1, 2017

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

By: , Deputy

cc: Jim Stein, Surveys, Karen Piona, Records, Wiley Osborn, Information Technology, Ed Turner, Flood Control, Mario Consolacion, Flood Control

Recorded at the request of:
Contra Costa County
Public Works Department
255 Glacier Drive
Martinez, CA 94553

After recording return to:
Autumn Brook, LLC
4021 Port Chicago Highway
Concord, CA 94520
Attn: Jackie Seeno

Portion of APN No.: 147-350-003

QUITCLAIM DEED

For a valuable consideration, receipt of which is hereby acknowledged,

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

Does hereby remise, release and forever quitclaim to AUTUMN BROOK, LLC, a California Limited Liability Company, the following described real property in the City of Concord, County of Contra Costa, State of California,

FOR DESCRIPTION AND MAP SEE EXHIBIT "A" & "B" ATTACHED HERETO AND MADE A PART HEREOF.

CONTRA COSTA COUNTY

Date: _____

By _____
Federal D. Glover
Chair, Board of Supervisors

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 _____ before me, _____ Clerk of the Board of Supervisors, Contra Costa County, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature: _____
Deputy Clerk

EXHIBIT A

FCPID 5171

A PORTION OF THAT PARCEL OF LAND DESCRIBED IN DEED TO ROBERT E. BURNS AND JEWELL BURNS, HIS WIFE, RECORDED AUGUST 9, 1965 IN BOOK 4927 AT PAGE 440 OF OFFICIAL RECORDS OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING AT A 1 INCH IRON PIPE MONUMENT TAGGED RE 10586 AT THE MOST NORTHERLY CORNER OF WINIFRED ACRES AS SHOWN ON THAT MAP ENTITLED "SUBDIVISION 2903" FILED JUNE 22, 1961 IN BOOK 83 OF MAPS AT PAGE 3; SAID IRON PIPE MONUMENT BEARS NORTH 35°11'36" WEST 416.88 FEET (RECORD NORTH 35°11'36" WEST 417.75 FEET) FROM A 1 ½ INCH IRON PIPE MONUMENT AT THE MOST WESTERLY CORNER OF "PARCEL A" AS SHOWN ON THE RECORD OF SURVEY MAP FILED MAY 19, 1965 IN BOOK 34 AT PAGE 26 OF LAND SURVEYOR'S MAPS. THENCE, FROM SAID POINT OF COMMENCEMENT, NORTH 35°11'36" WEST 5.01 FEET TO THE SOUTHEASTERLY LINE OF THE CITY OF CONCORD STREET KNOWN AS RISDON ROAD; THENCE NORTH 57°52'30" EAST 166.57' ALONG THE SAID SOUTHEASTERLY LINE OF RISDON ROAD TO THE POINT OF INTERSECTION WITH THE SOUTHWESTERLY LINE OF THAT 60 FEET IN WIDTH EASEMENT FOR FLOOD CONTROL PURPOSES DESCRIBED IN DEED TO CONTRA COSTA COUNTY RECORDED NOVEMBER 28, 1961 IN BOOK 4003 AT PAGE 233 OF OFFICIAL RECORDS. SAID POINT OF INTERSECTION BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIPTION:

THENCE, FROM SAID POINT OF BEGINNING, ALONG THE FOLLOWING TWO COURSES OF THE SAID CONTRA COSTA COUNTY EASEMENT; SOUTHERLY ALONG THE ARC OF A CURVE (A RADIAL LINE TO THE BEGINNING OF SAID CURVE BEARS SOUTH 78°54'38" WEST) CONCAVE TO THE EAST WITH A RADIUS OF 190 FEET THROUGH A CENTRAL ANGLE OF 24°08'08", A DISTANCE OF 80.04 FEET; THENCE, TANGENT TO SAID LAST MENTIONED CURVE, SOUTH 35°13'30" EAST 344.34 FEET TO A POINT ON THE NORTHWESTERLY BOUNDARY LINE OF "PARCEL B" AS SHOWN ON THE PREVIOUSLY MENTIONED RECORD OF SURVEY MAP (34 LSM 26); THENCE SOUTH 57°52'30" WEST 12.02 FEET ALONG THE SAID NORTHWESTERLY BOUNDARY LINE OF "PARCEL B"; THENCE NORTH 35°13'30" WEST 337.25 FEET; THENCE NORTHERLY ALONG THE ARC OF A CURVE CONCAVE TO THE EAST WITH A RADIUS OF 145 FEET THROUGH A CENTRAL ANGLE OF 35°00'00", A DISTANCE OF 88.58 FEET; THENCE, TANGENT TO SAID LAST MENTIONED CURVE, NORTH 0°13'30" WEST 1.28 FEET TO THE SOUTHEASTERLY LINE OF THE PREVIOUSLY MENTIONED RISDON ROAD; THENCE NORTH 57°52'30" EAST 1.65 FEET ALONG THE SAID SOUTHEASTERLY LINE TO THE POINT OF BEGINNING.

RESERVING THEREFROM **FCPID 5170:**

COMMENCING AT THE MOST NORTHERLY CORNER OF SAID EASEMENT, THENCE, FROM SAID POINT OF COMMENCEMENT ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 190.00 FEET, A RADIAL LINE TO SAID POINT BEARS

NORTH 78°54'38" EAST; THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 17°41'37" AN ARC DISTANCE OF 58.67 FEET TO THE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING AND CONTINUING ALONG SAID CURVE TO THE LEFT HAVING A RADIUS OF 190.00 FEET, THROUGH A CENTRAL ANGLE OF 6°26'31" AN ARC DISTANCE OF 21.37 FEET; THENCE LEAVING SAID CURVE THE FOLLOWING COURSES; TANGENT, SOUTH 35°13'30" EAST, 344.34 FEET TO A POINT ON THE NORTHWESTERLY BOUNDARY LINE OF 'PARCEL B' AS SHOWN ON THE PREVIOUSLY MENTIONED RECORD OF SURVEY MAP (34 LSM 26); THENCE, SOUTH 57°52'30" WEST, 2.02 FEET ALONG THE SAID NORTHWESTERLY BOUNDARY LINE OF 'PARCEL B'; THENCE, NORTH 35°13'30" WEST 337.79 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 122.00 FEET; THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 13°09'04" AN ARC DISTANCE OF 28.00 FEET TO THE POINT OF BEGINNING.

BEARINGS AND DISTANCES ARE BASED ON SAID DEED 7252 OR 103 RECORDED JUNE 18, 1974.

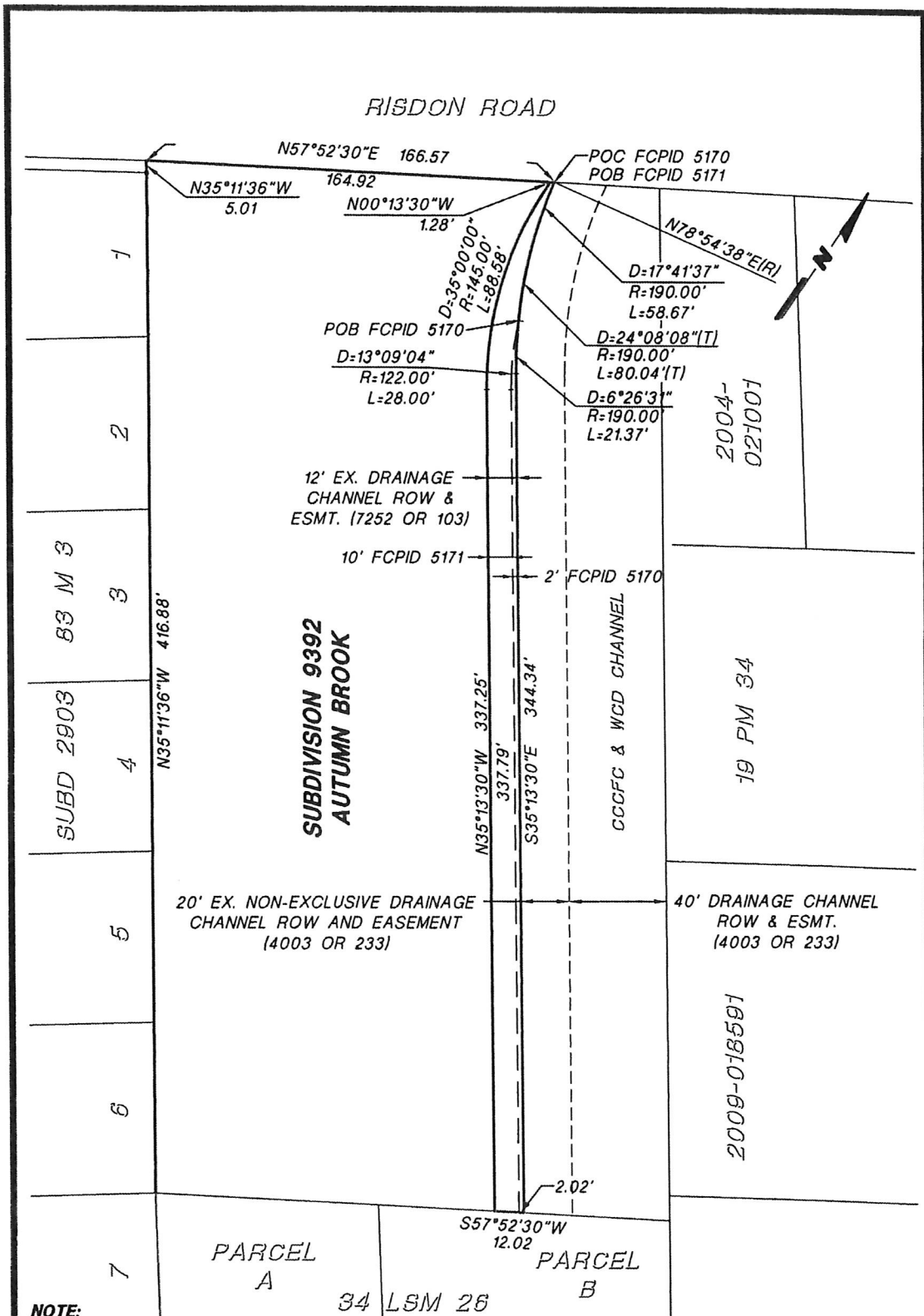
ATTACHED HERETO IS A PLAT ENTITLED EXHIBIT 'B' AND BY THIS REFERENCE IS MADE A PART HEREOF

END OF DESCRIPTION



RAZMIK AVEDIAN
L.S. 9221 EXP. 09/30/17

DATED 7/18/17



NOTE:

BASIS OF BEARINGS ARE BASED ON DEED
7252 OR 103 RECORDED JUNE 18, 1974.

ABBREVIATION:

P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING
CCCFC & WCD CONTRA COSTA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT
FCPID FLOOD CONTROL PARCEL IDENTIFICATION

CCCFC & WCD
DRAWING No. FA-20089

DATE: 07/18/2017

SCALE: 1"=50'

EXHIBIT 'B'
PLAT TO ACCOMPANY
DESCRIPTION

CONCORD CALIFORNIA

PA Design Resources, Inc.
Planning • Engineering • Surveying
3021 Grove Drive, Suite 500
Walnut Creek, California 94595-2035 TEL 925 949-9299

**DETERMINATION THAT AN ACTIVITY
IS EXEMPT FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

ACTIVITY NO.: FCP#614-17 / EF1700614

CP#17-21

ACTIVITY NAME: (FCP#614-17) Subdivision 9392, Autumn Brook

LOCATION: 1890 Risdon Road, Concord (APN 147-350-003)

PREPARED BY: Trina R. Torres, Contra Costa County Public Works Department

DATE: June 21, 2017

This activity is not subject to the California Environmental Quality Act (CEQA) pursuant to Article 5, Section 15061 (b) (3) of the CEQA Guidelines. It can be seen with certainty that there is no possibility that the activity may have a significant adverse effect on the environment.

DESCRIPTION OF THE ACTIVITY:

The activity is located at 1890 Risdon Road, Concord (APN 147-350-003) within Contra Costa County Flood Control and Water Conservation District Drainage Area (DA) 128 [Figures 1-3].

The purpose of this activity is for Contra Costa County Flood Control and Water Conservation District (District) to issue Flood Control Permit (FCP#614-17) to Autumn Brook, LLC (Developer) for access onto Contra Costa County's DA128 easements in order to construct a C.3 basin along the south side of the existing trapezoidal channel of DA128 in support of the development of the 8-lot Subdivision 9392.

Contra Costa County will also vacate and quitclaim a portion of its drainage easement for DA128 Channel in connection with the Development of Subdivision 9392 to Autumn Brook, LLC.

This CEQA documentation covers issuance of FCP#614-17 and associated real property transactions, including right-of-way necessary for this activity.

The City of Concord and the Developer will be responsible for any further CEQA documentation necessary to analyze the impacts of the construction and public access improvements, as well as obtaining any applicable County or regulatory permits for associated construction activities in support of the development of Subdivision 9392.

General Plan Conformance may be necessary from the City of Concord for this activity.

REVIEWED BY: *Ani Brown for Leigh Chavez*
Leigh Chavez
Principal Environmental Analyst
Environmental Services
Contra Costa County Public Works Department

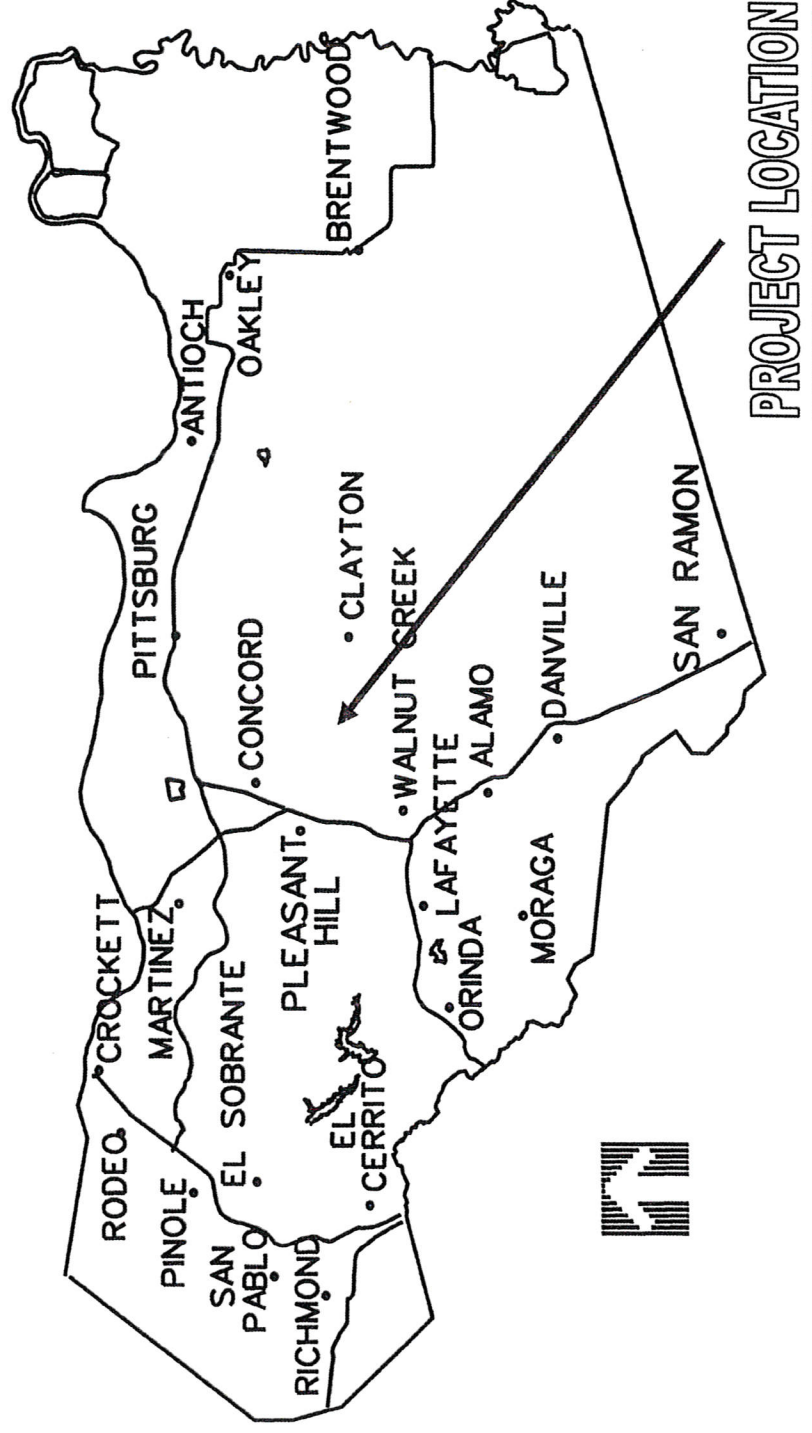
DATE: 6-21-17

APPROVED BY: *[Signature]*
Department of Conservation and Development Representative

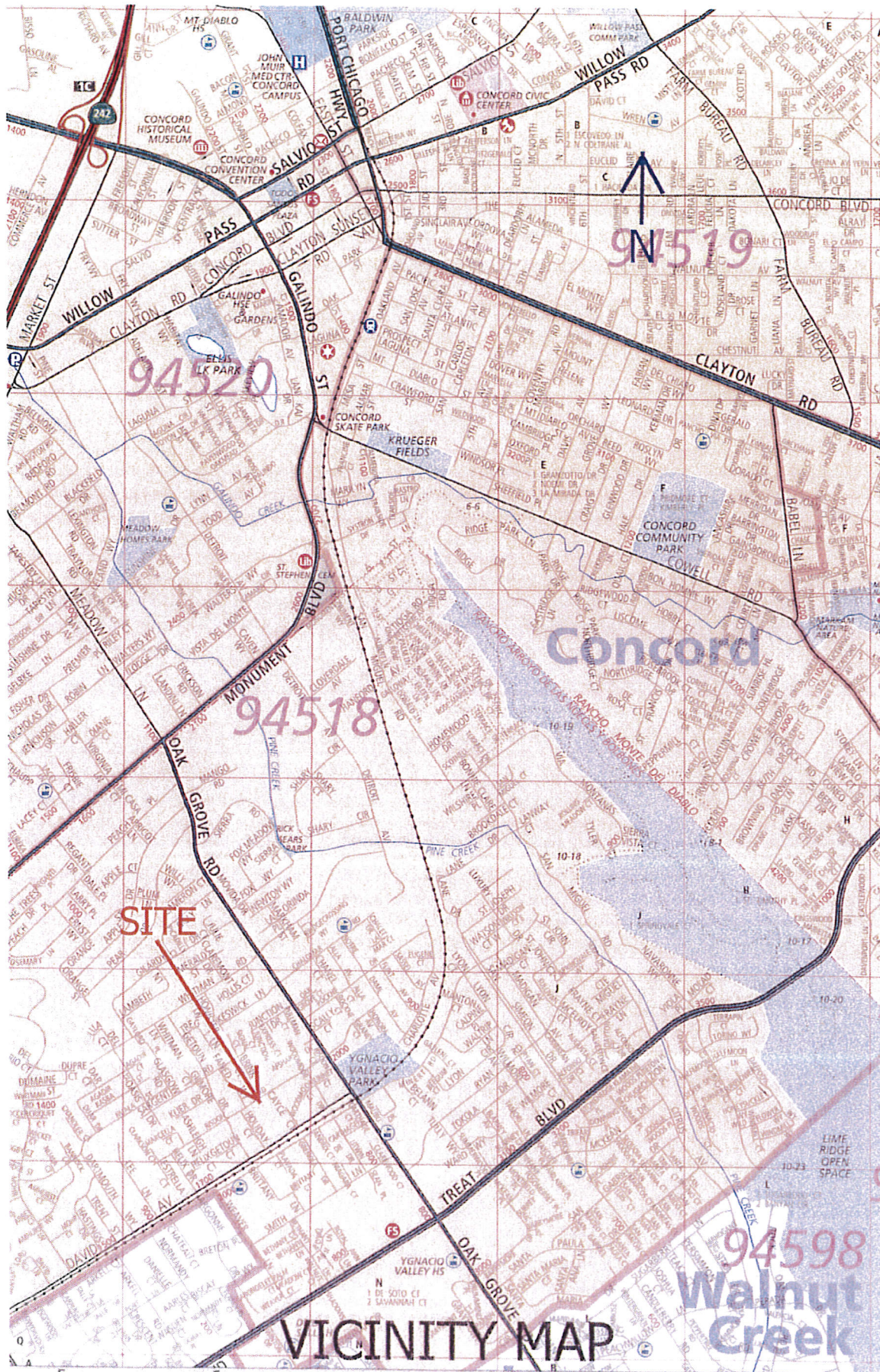
DATE: 6-30-17

CONTRA COSTA COUNTY CALIFORNIA

FCP#614-17 Subdivision 9392, Autumn Brook



LOCATION MAP



AUTUMN BROOK SUBDIVISION 9392

A SINGLE FAMILY DETACHED RESIDENTIAL COMMUNITY

GRADING & IMPROVEMENT PLANS

CITY OF CONCORD, CALIFORNIA
DATE: APRIL 13, 2017

OWNER / APPLICANT
AUTUMN BROOK, LLC
4021 PORT CHICAGO HIGHWAY
CONCORD, CA 94520-1153
(925) 671-7711

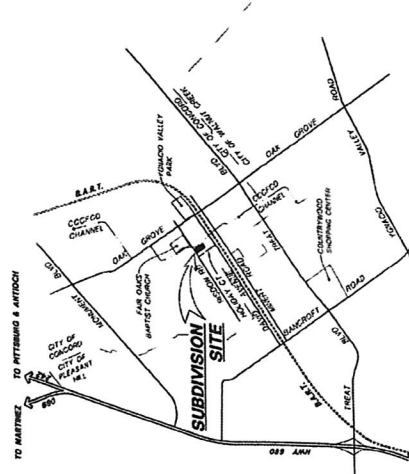
PLANNERS ENGINEERS & SURVEYORS
P/A DESIGN RESOURCES, INC.
1401 DUTCH CREEK, SUITE 150
WALNUT CREEK, CA 94598-2635
(925) 210-8100

GEOTECHNICAL ENGINEER
TRC COMPANIES, INC.
1920 OLD MIDDLEFIELD WAY
MOUNTAIN VIEW, CA 94043
(650) 967-5265

ARCHITECT
DISCOVERY DESIGN GROUP
4001 PORT CHICAGO HWY, SUITE II
CONCORD, CA 94520-1176
(925) 682-6415

ARBORIST
TRAVERSO TREE SERVICE
3354 FREEMAN ROAD
WALNUT CREEK, CA 94595-1310
(925) 936-7901

ASSESSOR'S PARCEL NUMBER
147-350-003



VICINITY MAP
NORTH
1" = 1 MILE

SHEET INDEX:

SHEET	DATE	DESCRIPTION
1	11/17/16	PRELIMINARY GRADING & IMPROVEMENT PLANS
2	11/17/16	CONDITIONS OF APPROVAL & LEGEND
3	11/17/16	STANDARD SPECIFICATIONS AND 2D SYSTEM MAP
4	11/17/16	STANDARD SPECIFICATIONS AND 2D SYSTEM MAP
5	11/17/16	STANDARD SPECIFICATIONS AND 2D SYSTEM MAP
6	11/17/16	STANDARD SPECIFICATIONS AND 2D SYSTEM MAP
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99	11/17/16	STANDARD SPECIFICATIONS AND 2D SYSTEM MAP
100	11/17/16	STANDARD SPECIFICATIONS AND 2D SYSTEM MAP

RECEIVED
APR 17 2017
CITY OF CONCORD
PLANNING & SURVEYING

GRADING & IMPROVEMENT PLANS
SUBDIVISION 9392 - AUTUMN BROOK
TITLE SHEET

P/A Design Resources, Inc.
Planning & Engineering & Surveying
3021 Olive Circle, Suite 150
Walnut Creek, California 94598-2635
TEL (925) 210-8100

P/A
SCALE: 1" = 40' (HORIZONTAL)
1" = 20' (VERTICAL)
DATE: 4/13/17
DRAWN BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]
T1
1 OF 18 SHEETS
PLOT NO: 160729

REVIEWED BY:

ROBUST/STRUCTURE MAINTENANCE PUBLIC WORKS DEPARTMENT	DATE
TRANSPORTATION DIVISION PUBLIC WORKS DEPARTMENT	DATE
PLANNING DIVISION	DATE

APPROVED BY:

CONCORD COUNTY FIRE	DATE
CONCORD COUNTY WATER	DATE
REVIEWED BY: CITY OF CONCORD	DATE
FOR THE CITY ENGINEER	DATE

THESE PLANS WERE PREPARED BY THE ENGINEER, P.E., AND THE ENGINEER, P.E., HAS REVIEWED THE PLANS AND HAS DETERMINED THAT THEY COMPLY WITH THE REQUIREMENTS OF THE CITY OF CONCORD, CALIFORNIA, AND THE ENGINEER, P.E., HAS REVIEWED THE PLANS AND HAS DETERMINED THAT THEY COMPLY WITH THE REQUIREMENTS OF THE CITY OF CONCORD, CALIFORNIA.



SCOTT M. LUCK, P.E., C.E.
TRC COMPANIES, INC.

THE DISTRICT ENGINEER OF THE STATE OF CALIFORNIA HAS REVIEWED THE PLANS AND HAS DETERMINED THAT THEY COMPLY WITH THE REQUIREMENTS OF THE CITY OF CONCORD, CALIFORNIA, AND THE ENGINEER, P.E., HAS REVIEWED THE PLANS AND HAS DETERMINED THAT THEY COMPLY WITH THE REQUIREMENTS OF THE CITY OF CONCORD, CALIFORNIA.

DATE

EXHIBIT A

FCPID 5171

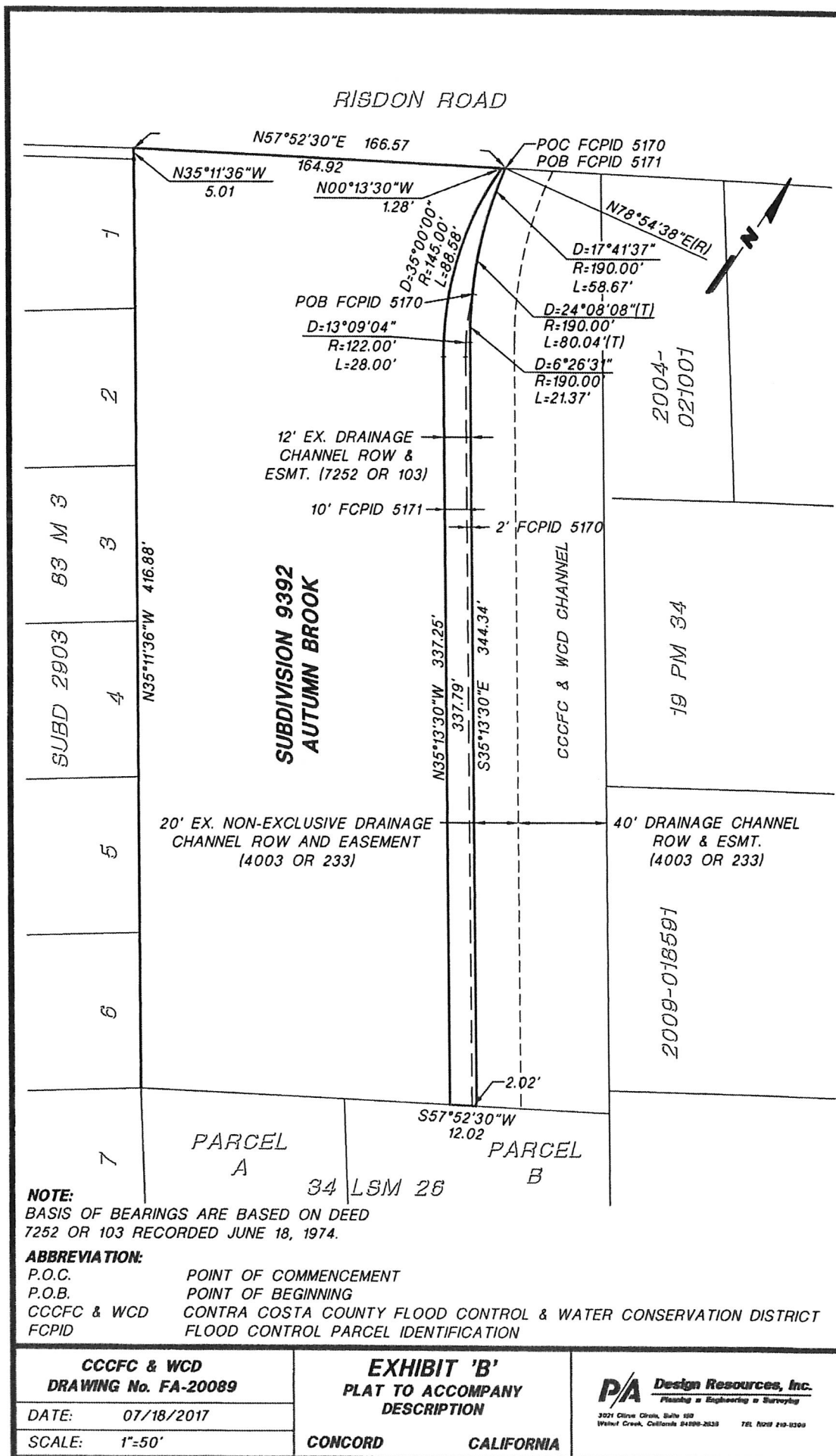
A PORTION OF THAT PARCEL OF LAND DESCRIBED IN DEED TO ROBERT E. BURNS AND JEWELL BURNS, HIS WIFE, RECORDED AUGUST 9, 1965 IN BOOK 4927 AT PAGE 440 OF OFFICIAL RECORDS OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING AT A 1 INCH IRON PIPE MONUMENT TAGGED RE 10586 AT THE MOST NORTHERLY CORNER OF WINIFRED ACRES AS SHOWN ON THAT MAP ENTITLED "SUBDIVISION 2903" FILED JUNE 22, 1961 IN BOOK 83 OF MAPS AT PAGE 3; SAID IRON PIPE MONUMENT BEARS NORTH 35°11'36" WEST 416.88 FEET (RECORD NORTH 35°11'36" WEST 417.75 FEET) FROM A 1 ½ INCH IRON PIPE MONUMENT AT THE MOST WESTERLY CORNER OF "PARCEL A" AS SHOWN ON THE RECORD OF SURVEY MAP FILED MAY 19, 1965 IN BOOK 34 AT PAGE 26 OF LAND SURVEYOR'S MAPS. THENCE, FROM SAID POINT OF COMMENCEMENT, NORTH 35°11'36" WEST 5.01 FEET TO THE SOUTHEASTERLY LINE OF THE CITY OF CONCORD STREET KNOWN AS RISDON ROAD; THENCE NORTH 57°52'30" EAST 166.57' ALONG THE SAID SOUTHEASTERLY LINE OF RISDON ROAD TO THE POINT OF INTERSECTION WITH THE SOUTHWESTERLY LINE OF THAT 60 FEET IN WIDTH EASEMENT FOR FLOOD CONTROL PURPOSES DESCRIBED IN DEED TO CONTRA COSTA COUNTY RECORDED NOVEMBER 28, 1961 IN BOOK 4003 AT PAGE 233 OF OFFICIAL RECORDS. SAID POINT OF INTERSECTION BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIPTION:

THENCE, FROM SAID POINT OF BEGINNING, ALONG THE FOLLOWING TWO COURSES OF THE SAID CONTRA COSTA COUNTY EASEMENT; SOUTHERLY ALONG THE ARC OF A CURVE (A RADIAL LINE TO THE BEGINNING OF SAID CURVE BEARS SOUTH 78°54'38" WEST) CONCAVE TO THE EAST WITH A RADIUS OF 190 FEET THROUGH A CENTRAL ANGLE OF 24°08'08", A DISTANCE OF 80.04 FEET; THENCE, TANGENT TO SAID LAST MENTIONED CURVE, SOUTH 35°13'30" EAST 344.34 FEET TO A POINT ON THE NORTHWESTERLY BOUNDARY LINE OF "PARCEL B" AS SHOWN ON THE PREVIOUSLY MENTIONED RECORD OF SURVEY MAP (34 LSM 26); THENCE SOUTH 57°52'30" WEST 12.02 FEET ALONG THE SAID NORTHWESTERLY BOUNDARY LINE OF "PARCEL B"; THENCE NORTH 35°13'30" WEST 337.25 FEET; THENCE NORTHERLY ALONG THE ARC OF A CURVE CONCAVE TO THE EAST WITH A RADIUS OF 145 FEET THROUGH A CENTRAL ANGLE OF 35°00'00", A DISTANCE OF 88.58 FEET; THENCE, TANGENT TO SAID LAST MENTIONED CURVE, NORTH 0°13'30" WEST 1.28 FEET TO THE SOUTHEASTERLY LINE OF THE PREVIOUSLY MENTIONED RISDON ROAD; THENCE NORTH 57°52'30" EAST 1.65 FEET ALONG THE SAID SOUTHEASTERLY LINE TO THE POINT OF BEGINNING.

RESERVING THEREFROM FCPID 5170:

COMMENCING AT THE MOST NORTHERLY CORNER OF SAID EASEMENT, THENCE, FROM SAID POINT OF COMMENCEMENT ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 190.00 FEET, A RADIAL LINE TO SAID POINT BEARS





Contra
Costa
County

To: Board of Supervisors
From: Sharon Offord Hymes, Risk Manager
Date: August 1, 2017

Subject: Final Settlement of Claim, John Higgins vs. Contra Costa County

RECOMMENDATION(S):

RECEIVE this report concerning the final settlement of John Higgins and AUTHORIZE payment from the Workers' Compensation Internal Service Fund in an amount not to exceed \$202,435.64, less permanent disability advances.

FISCAL IMPACT:

Workers' Compensation Internal Service Fund payment of \$202,435.64, less permanent disability advances.

BACKGROUND:

Attorney Mark A. Cartier, defense counsel for the County, has advised the County Administrator that within authorization an agreement has been reached settling the workers' compensation claim of John Higgins v. Contra Costa County. The Board's July 11, 2017 closed session vote was: Supervisors Gioia, Andersen, Burgis, Mitchoff and Glover - Yes. This action is taken so that the terms of this final settlement and the earlier July 11, 2017 closed session vote of this Board authorizing its negotiated settlement are known publicly.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

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: August 1, 2017

Subject: Claims

RECOMMENDATION(S):

DENY claims filed by Doris Calhoun, Kathie Doyle, The Keys Condominium Owners Association, LDI Trucking, Inc., Tuyen Nguyen, Gulshan Noman, Masood Noman, State Farm Ins., a subrogee of Sean Gabriel Fox, Rita Marie Willis, and John Woolery; and DENY late claim filed by Judith Gailliard.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

Doris Calhoun: Personal injury claim for fall in the amount of \$250,000.
Kathie Doyle: Property claim for damage to front yard in the amount of \$3,580.
The Keys Condominium Owners Association: Property claim for damage to fence in the amount of \$1,749.42
LDI Trucking, Inc.: Property claim for damage to vehicle in the amount of \$1,551.67
Tuyen Nguyen: Property claim for damage to vehicle in the amount of \$6,500.
Gulshan Noman: Personal injury claim from car accident in an amount to exceed \$25,000.
Masood Norman: Personal injury claim from car accident in an amount to

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Scott Selby
925.335.1400

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

exceed \$25,000.

State Farm Insurance a subrogee of Sean Gabriel Fox: Property claim for damage to vehicle in the amount of \$1,333.07

Rita Marie Willis: Personal injury claim from car accident in an amount not listed

John Woolery: Personal injury claim for alleged misconduct in an amount to be determined

Judith Galliard: Request that Board of Supervisors accept a late claim



Contra Costa County

To: Board of Supervisors
From: David Twa, County Administrator
Date: August 1, 2017

Subject: APPROVE the Board meeting minutes for June 2017

RECOMMENDATION(S):

APPROVE Board meeting minutes for June 2017, as on file with the Office of the Clerk of the Board.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

Government Code Section 25101(b) requires the Clerk of the Board to keep and enter in the minute book of the Board a full and complete record of the proceedings of the Board at all regular and special meetings, including the entry in full of all resolutions and of all decisions on questions concerning the allowance of accounts. The vote of each member on every question shall be recorded.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☒ 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: August 1, 2017

Contact: Joellen Bergamini
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: Candace Andersen, District II Supervisor
Date: August 1, 2017

Subject: Resolution honoring the 57th Annual Contra Costa Championship Swim Meet.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Lauri Byers, (925)
957-8860

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

By: , Deputy

cc:

ATTACHMENTS

Resolution No.

2017/266

*The Board of Supervisors of
Contra Costa County, California*

In the matter of:

Resolution No. 2017/266

recognizing the 57th annual Contra Costa Championship swim meet.

Whereas, on August 11, 12 and 13, 2017, Contra Costa County will hold its annual Championship Swim Meet at the Steve Heaston Aquatic Center at Acalanes High School in Lafayette; and

Whereas, the County meet brings together all the top swimmers from the County's recreational Swim Clubs; and

Whereas, each swimmer must beat a challenging time to qualify to swim in an individual event, it is an honor for swimmers to become eligible to swim in this meet; and

Whereas, this County-wide event is sponsored by and run by the Lafayette Moraga Youth Association, a not for profit community sports organization, and the proceeds support the Lafayette Moraga Youth Association Dolphins Swim Team; and

Whereas, each year this championship meet brings together all the top swimmers from the County's recreational swim clubs; and

Whereas, this championship has become the premiere recreation swim meet in Contra Costa County.

Now, Therefore, Be It Resolved that the Board of Supervisors of Contra Costa County is proud to recognize and congratulate all of the swimmers and volunteers who make the *57th Annual Contra Costa County Swim Meet* a success. Congratulations Swimmers.

FEDERAL D. GLOVER
Chair, District V Supervisor

JOHN GIOIA
District I Supervisor

CANDACE ANDERSEN
District II Supervisor

DIANE BURGIS
District III Supervisor

KAREN MITCHOFF
District IV 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: August 1, 2017

David J. Twa,

By: _____, Deputy



Contra
Costa
County

To: Board of Supervisors
From: Karen Mitchoff, District IV Supervisor
Date: August 1, 2017

Subject: Honoring Sunvalley Shopping Center on their 50th Anniversary

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Lia Bristol, (925)
521-7100

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

By: , Deputy

cc:

ATTACHMENTS

Resolution No.
2017/282

*The Board of Supervisors of
Contra Costa County, California*

In the matter of:
Honoring Sunvalley Shopping Center on their 50th Anniversary

Resolution No. 2017/282

Whereas, Sunvalley Shopping Center celebrates 50 Years this August 2017; and
Whereas, Sunvalley Shopping Center officially opened their doors on August 3, 1967; and
Whereas, they were then touted as the "World's Largest Air-conditioned shopping center"; and
Whereas, there are many stores still here today since their opening, including Sears, Macy's and JCPenny;
and
Whereas, today Sunvalley is regarded as one of the East Bay's regional shopping center destinations; and
Whereas, there are over 150 specialty stores, restaurants and unique amenities like 7,500 free parking spaces, complimentary WiFi, Currency Exchange services at Customer Service; and
Whereas, there is a full service health club, gift wrap and a Passport to Shopping coupon booklet for travelers; and
Whereas, Sunvalley Shopping Center continues to be a gathering place for the community; and
Whereas, they host Summer Fun Thursday events for children, including programs such as Animals of the Oakland Zoo and Storytelling with the Contra Costa County Library; and
Whereas, Sunvalley Shopping Center participates in Sunvalley Gives Back to Schools, where every dollar spent is a point earned for your school of choice; and
Whereas, Sunvalley Shopping Center and Macy's will donate to the top two schools that receive the most points; and
Whereas, Sunvalley Shopping Center has become a gathering place for our community.



FEDERAL D. GLOVER
Chair, District V Supervisor

JOHN GIOIA
District I Supervisor

CANDACE ANDERSEN
District II Supervisor

DIANE BURGIS
District III Supervisor

KAREN MITCHOFF
District IV 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: August 1, 2017

David J. Twa,

By: _____, Deputy



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: August 1, 2017

Subject: INTRODUCTION OF ORDINANCE CLARIFYING NOTIFICATION PROCEDURES FOLLOWING CERTAIN EVENTS RELATED TO CARDROOM LICENSEES

RECOMMENDATION(S):

INTRODUCE Ordinance No. 2017-18, amending Section 52-3.301 of the County Ordinance Code to provide for a time period within which a cardroom licensee must provide notice to the County of any changes to its cardroom license, WAIVE reading, and FIX August 8, 2017 for adoption.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The existing County Ordinance Code providing for the regulation of gambling establishments within the unincorporated area does not contemplate a process for business continuity following certain events such as change in ownership or other unforeseen events (such as the death of the current licensee). The proposed Ordinance being introduced today includes a process to ensure that business operations are not negatively impacted following the events described above while preserving the County's regulatory and enforcement duties.

☒ APPROVE

☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR

☒ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☒ 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: August 1, 2017

Contact: Timothy Ewell, (925)
335-1036

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

By: , Deputy

cc: David Livingston, Sheriff-Coroner

BACKGROUND: (CONT'D)

>

Specifically, the Ordinance establishes a process whereby the Sheriff's Office, as the department responsible for licensing gambling establishments locally, is to be notified of the event within ten (10) days of the event occurrence and identify the appropriate party that should obtain a license. The successor party is required to obtain a license within thirty (30) days of the event occurrence.

CONSEQUENCE OF NEGATIVE ACTION:

The Ordinance will not be formally introduced to the Board of Supervisors and cannot be adopted as scheduled on August 8, 2017.

ATTACHMENTS

Ordinance No. 2017-18 "Notice for Changes in Cardroom License" - Redline

Ordinance No. 2017-18 "Notice for Changes in Cardroom License" - Clean

ORDINANCE NO. 2017-18

NOTICE FOR CHANGES IN CARDROOM LICENSE

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

SECTION I. SUMMARY. This ordinance amends Section 52-3.301 of the County Ordinance Code to provide for a time period within which a cardroom licensee must provide notice to the County of any changes to its cardroom license.

SECTION II. Section 52-3.301 of the County Ordinance Code is amended to read:

52-3.301 – Cardroom owners.

(a) The owner of a cardroom shall apply for and obtain a cardroom license pursuant to this chapter.

(b) If the cardroom owner is one or more natural persons, each person who is a cardroom owner must individually apply for and obtain a cardroom license.

(c) If the owner is a corporation, each of the following must individually apply for and obtain a cardroom license: every officer, director, and shareholder, other than a holding or intermediary company, of the corporation who is required to apply for and obtain a state gaming license.

(d) If the owner is a partnership, each of the following must individually apply for and obtain a cardroom license: every general and limited partner of, and every trustee or person, other than a holding or intermediary company, having or acquiring a direct or beneficial interest in that partnership.

(e) If the owner is a trust, each of the following must individually apply for and obtain a cardroom license: the trustee and, in the discretion of the sheriff, any beneficiary and the trustor of the trust.

(f) If the owner is a business organization other than a corporation, partnership, or trust, then all those persons as the sheriff may require, must individually apply for and obtain a cardroom license.

(g) Each person who receives, or is to receive, any percentage share of the revenue earned by the owner from gambling activities must individually apply for and obtain a cardroom license.

(h) Every employee, agent, guardian, personal representative, lender, or holder of indebtedness of the owner who, in the judgment of the sheriff, has the power to exercise a significant influence over the gambling operation must individually apply for and obtain a cardroom license.

(i) A cardroom will not be permitted to operate if any individual who is required to obtain a cardroom license pursuant to this chapter does not have one or is not in the process of has-not obtaining one.

(j) A cardroom licensee shall notify the sheriff of any change in cardroom ownership or other event that requires another person to obtain a license under this chapter. The licensee must notify the sheriff in writing of the event and the name of the person who is required to obtain a license within 10 days after the event occurs. The person who is required to obtain a license must apply for the license within 30 days after the event occurs. (Ords. 2017-18, §2, 2008-14 § 2, 82-44).

SECTION III. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published once with the names of supervisors voting for and against it in the Contra Costa Times, a newspaper published in this County.

PASSED on _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Board Chair

By: _____
Deputy

[SEAL]

CJR:

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ORDINANCE NO. 2017-18

NOTICE FOR CHANGES IN CARDROOM LICENSE

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

SECTION I. SUMMARY. This ordinance amends Section 52-3.301 of the County Ordinance Code to provide for a time period within which a cardroom licensee must provide notice to the County of any changes to its cardroom license.

SECTION II. Section 52-3.301 of the County Ordinance Code is amended to read:

52-3.301 – Cardroom owners.

- (a) The owner of a cardroom shall apply for and obtain a cardroom license pursuant to this chapter.
- (b) If the cardroom owner is one or more natural persons, each person who is a cardroom owner must individually apply for and obtain a cardroom license.
- (c) If the owner is a corporation, each of the following must individually apply for and obtain a cardroom license: every officer, director, and shareholder, other than a holding or intermediary company, of the corporation who is required to apply for and obtain a state gaming license.
- (d) If the owner is a partnership, each of the following must individually apply for and obtain a cardroom license: every general and limited partner of, and every trustee or person, other than a holding or intermediary company, having or acquiring a direct or beneficial interest in that partnership.
- (e) If the owner is a trust, each of the following must individually apply for and obtain a cardroom license: the trustee and, in the discretion of the sheriff, any beneficiary and the trustor of the trust.
- (f) If the owner is a business organization other than a corporation, partnership, or trust, then all those persons as the sheriff may require, must individually apply for and obtain a cardroom license.

(g) Each person who receives, or is to receive, any percentage share of the revenue earned by the owner from gambling activities must individually apply for and obtain a cardroom license.

(h) Every employee, agent, guardian, personal representative, lender, or holder of indebtedness of the owner who, in the judgment of the sheriff, has the power to exercise a significant influence over the gambling operation must individually apply for and obtain a cardroom license.

(i) A cardroom will not be permitted to operate if any individual who is required to obtain a cardroom license pursuant to this chapter does not have one or is not in the process of obtaining one.

(j) A cardroom licensee shall notify the sheriff of any change in cardroom ownership or other event that requires another person to obtain a license under this chapter. The licensee must notify the sheriff in writing of the event and the name of the person who is required to obtain a license within 10 days after the event occurs. The person who is required to obtain a license must apply for the license within 30 days after the event occurs. (Ords. 2017-18, §2, 2008-14 § 2, 82-44).

SECTION III. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published once with the names of supervisors voting for and against it in the Contra Costa Times, a newspaper published in this County.

PASSED on _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Board Chair

By: _____
Deputy

[SEAL]

CJR:

H:\Ordinances\Cardrooms\June 2017 Cardroom Ordinance Amendment Clean FINAL 071417.doc



Contra
Costa
County

To: Board of Supervisors
From: Dianne Dinsmore, Human Resources Director
Date: August 1, 2017

Subject: ADOPT Ordinance Code 2017-19 amending the County Ordinance Code to exclude from the Merit System the classification of Economic Development Manager-Ex

RECOMMENDATION(S):

ADOPT Ordinance Code 2017-19 amending the County Ordinance Code to exclude from the merit system the new classification of Economic Development Manager-Exempt.

FISCAL IMPACT:

There is no fiscal impact with this action.

BACKGROUND:

The cost of staffing and supporting dedicated economic development staff is estimated at \$500,000 for the first year, including the cost of salary and benefits for a full-time Economic Development Manager and a full-time Planner II or Planner III, the cost of providing part-time clerical, Geographic Information System (GIS) and accounting support, and limited expenses for special projects such as initiating preparation of an Economic Development Strategy for the County. The Board approved a \$500,000 allocation to the Department of Conservation and Development (DCD) for this purpose as part of the County's FY2017/18.

This action amends County Ordinance Code 2017-19 to exclude from the merit system the new classification of Economic Development

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Dianne Dinsmore (925)
335-1766

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

By: , Deputy

cc: Gladys Scott Reid

BACKGROUND: (CONT'D)

Manager-Exempt.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the County will not have the required classification designation to lead the County-wide Economic Development Strategic Plan and Programs.

ATTACHMENTS

Amendment to Ordinance 2017-19

ORDINANCE NO. 2017-19

(Exclude from the Merit System the new classification of Economic Development Manager-Exempt)

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

SECTION I: Section 33-5.403 of the County Ordinance Code is amended to exclude from the merit system the new classification of Economic Development Manager-Exempt:

33-5.403 - Conservation and development.

(a) The director, department of conservation and development-exempt is excluded and is appointed by the board.

(b) The class of deputy director, department of conservation and development-exempt is excluded and is appointed by the director of the department of conservation and development.

(c) The class of assistant deputy director, conservation and development-exempt is excluded and is appointed by the director of the department of conservation and development.

(d) The class of economic development manager-exempt is excluded and is appointed by the director of the department of conservation and development.

(Ord. No. 2017-19, § 1, 2015-14, § 1, 8-18-15; Ords. 2008-13 § 1, 90-123, 86-12 § 2, 85-32 § 6, 85-26 § 2, 85-22 § 2, 84-45 § 1)

SECTION II: EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days of passage shall be published once with the names of the supervisors voting for and against it in the _____, a newspaper published in this County.

PASSED ON _____ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

By: _____
Deputy

Board Chair

[SEAL]



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director, John Kopchik, Conservation & Development Director
Date: August 1, 2017

Subject: ADOPT ORDINANCE TO ESTABLISH A PERMIT PROGRAM FOR SPECIFIED NON-FRANCHISED SOLID WASTE HAULERS

RECOMMENDATION(S):

1. FIND that the adoption of the Solid Waste Collection and Transportation Ordinance (Ordinance No. 2017-16) and related actions to adopt permit fees and a performance bond amount are exempt from environmental review under Sections 15061(b)(3) and 15273(a)(1) of the California Environmental Quality Act (CEQA).
2. ADOPT Ordinance No. 2017-16, which would establish a permit program for specified non-franchised solid waste haulers.

FISCAL IMPACT:

The Environmental Health Division of Contra Costa County's Health Services Department financed with fee revenue. Contra Costa Environmental Health's (CCEH) Solid Waste program has a staff of five field inspectors, one clerical worker, and one supervisor supported by the current fee structure. The Division will need to identify and address staffing needs associated with this new ordinance but will be able to commence implementation of the proposed ordinance with its current staff.

As with CCEH's other regulatory programs, permit fees will be proposed to provide funding to support implementation and enforcement. Therefore, adoption of this Ordinance is not expected to impact the General Fund.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☒ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Julie DiMaggio Enea
(925) 335-1077

, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

BACKGROUND:

On July 11, 2018, the Board of Supervisors introduced Ordinance 2017-16, which would establish a permit program for specified non-franchised solid waste haulers. Illegal dumping is a countywide problem and the proposed ordinance is meant to help curtail the practice of illegal dumping. CCEH has investigated numerous complaints of illegal dumping. In some instances, unregulated haulers that were hired by private parties to remove refuse, dumped the collected material along roadways or on vacant lots. CCEH has also identified more than 41 illegal solid waste transfer stations, located in both incorporated and unincorporated Contra Costa County, that work directly with unregulated haulers. Unregulated solid waste haulers often go undetected because they dump their collected waste at illegal transfer stations and other unapproved sites.

The illegal transfer stations have not undergone the required environmental review or permitting processes, and pose significant threats to public health and the environment. For example, these operations will sort through mixed loads of waste material, remove the valuable material for recycling, and abandon the remainder, dumping it on roadsides, burning it, burying it, or pushing it into creeks. There are safety issues as well, as the Sheriff's Department has found unregulated haulers transporting poorly-secured loads on County roads.

Significant public resources are expended dealing with both illegal dumping and illegal solid waste operations. Working in cooperation with the District Attorney's Office and other agencies, CCEH has shut down 32 illegal transfer station operations since early 2015. CCEH also anticipates shutting additional stations down in the future. However, lack of regulation makes it very difficult to effectively target the solid waste haulers who are contributing to this problem. The proposed ordinance will help to combat the problem by requiring solid waste haulers to obtain and maintain a solid waste collection and transportation permit and transport collected waste only to lawfully operated solid waste or recycling facilities.

Ordinance Content

The primary hauling activities expected to be regulated under proposed Ordinance No. 2017-16 are junk removal and collection of construction and demolition debris. The ordinance contains operational and permit requirements, including the need to obtain a solid waste collection and transportation permit. Hauler vehicles would be inspected to ensure that certain minimum standards are met. A hauler vehicle would have to be clearly marked with the name and phone number of the hauling business, kept in a clean and sanitary condition and be able to safely contain the waste materials during transport. A hauling business would need to keep track of the location where materials are collected, amounts and types of waste collected, and the ultimate location of disposal or recycling. The data would be forwarded to CCEH on a quarterly basis and shared with other agencies upon request (e.g. waste authorities). An approved hauling vehicle would have a visible permit decal affixed to the rear of the vehicle, similar to other types of vehicles regulated by CCEH, to facilitate enforcement. Ordinance No. 2017-16 also contains language specifically intended to help avoid issuance of permits that would conflict with exclusive hauling rights granted by franchising agencies in agreements governing waste collection services in the unincorporated areas.

Requirements that already exist in State law were not duplicated in the proposed ordinance. For example, State regulations require that debris boxes be marked with the name and phone number of the hauling company. CCEH, in its capacity as the local enforcement agency (LEA) for solid waste, can enforce the State standard throughout the entire county, except for the City of Pittsburg, which is its own LEA. CCEH has previously informed franchise haulers that they can refer issues related to these State standards to the LEA for investigation. Though the State regulations specify certain minimal requirements associated with hauling, such as bin marking, they do not contain a requirement for hauler permits.

Ordinance Implementation

CCEH is developing certain documents and procedures associated with the implementation of the ordinance in cooperation with DCD. The documents include an application form, inspection form, informational brochure targeted at haulers and other interested parties, and a waste reporting template.

Permit Applications: CCEH and DCD are working together to develop application forms to help ensure that

applicants are required to provide the type of information needed to make determinations regarding potential conflicts with the County's Franchises. The complexity of the pertinent Franchise related variables necessitate that permit applicants provide a significant level of detail about the hauling services for which they are seeking a permit, including:

- Clearly identified service area boundaries defining the extent of geographic territory they plan to serve,
- Type of waste generator (customer) they plan to collect from (e.g. residential, commercial, light industrial, heavy industrial, or governmental),
- Types of waste they plan to collect from each type of generator served (waste type classifications to be listed on the application will primarily be driven by language defining the scope of exclusivity in the franchise agreements governing collection services in the proposed service area.
- Types of waste that are to be removed as an incidental included service, such as on-site clean-up services (which may involve removal of any and all types of solid waste), separately from those types which are not, to ensure clear delineation of any waste types they would offer to collect if placed out for pick-up by customers, as these circumstances are more likely to result in franchise-related conflicts.

Franchise Agency Referral Process: This coordination with County and Non-County Franchise Agencies is intended to help CCEH avoid issuing permits for hauling activities that would conflict with the respective franchise(s) in effect at the time. Currently, there is no readily accessible comprehensive map delineating the exact boundaries of each of the nine unincorporated franchise service areas. Of these nine franchise service areas, four are County Franchises and the remaining five are Non-County Franchises. Franchise Agencies are the most qualified authorities to make determinations as to whether or not locations fall within their respective franchise service areas. DCD will act as the Franchise Agency for referrals pertaining to the four County Franchises for the purpose of reviewing Hauler Permit Application referrals in order to provide CCEH with determination about any applicable conflicts with County Franchises, which collectively govern services for roughly 53% of the unincorporated population. Non-County Franchises are administered by the following five local public agencies, which collectively govern services provided to approximately 47% of the total unincorporated population:

1. *Central Contra Costa Solid Waste Authority/RecycleSmart* – Joint Powers Authority responsible for waste and recycling programs for Alamo, Blackhawk, Contra Costa Centre, Diablo, Tassajara and unincorporated areas in the vicinity of Danville, Lafayette, Moraga, Orinda and Walnut Creek.
2. *Byron Sanitary District* – Special District solely responsible for a portion of Byron
3. *Kensington Police Protection and Community Services District* – Special District solely responsible for collection services in Kensington
4. *Mt. View Sanitary District* – Special District responsible for unincorporated Martinez, including some land near Pacheco Blvd. and Arnold Dr.
5. *Rodeo Sanitary District* – Special District solely responsible for collection services in Rodeo

Under the proposed ordinance, upon receipt of a new application, CCEH will refer a copy of the application package to the six Franchising Agencies and request they provide a determination about any proposed hauling services that conflict with their franchise agreements or any hauling ordinances. If no response is received after a 30-day review period, CCEH will proceed with the permitting under the presumption that it would not violate non-responsive agencies' franchise agreements. Permits will not be issued for any hauling services described on the application which franchise agency(ies) determine would potentially conflict with one or more local franchise agreements or hauling ordinances.

Preparing for and Tracking Implementation: Once implemented, CCEH will keep track of those haulers that obtain permits, those found operating without permits, and the relationship between the haulers and illegal transfer stations. At a later date, CCEH will provide a report to the Board about the successes and/or deficiencies that are identified. The ordinance will take effect 30 days after it is adopted. However, permits will not be required until January 1, 2018. Actions that staff proposes to take prior to the permit requirement taking effect on January 1, 2018, would include:

- Finalizing permitting forms and associated documentation, such as instructions for haulers and agency

- coordination notices,
- Developing written procedures for the processing of the application,
- Modifying electronic tracking software to include new hauler permit program, which will among other things trigger follow-up action when 30 days has elapsed, and
- Conducting outreach to raise awareness about the new permit requirement, so that companies/persons known to haul waste receive written notice and can take steps required to ensure their operation is compliant.

Permits will be valid for one calendar year.

CCEH will also return to the Board with recommendations for the type and amount of the performance bond or equivalent security that will be required under Ordinance No. 2017-16, and fees to pay the costs of issuance of permits, inspections and enforcement activities associated with the program.

California Environmental Quality Act (CEQA)

For the purposes of compliance with CEQA, the project consists of the Ordinance as well as the establishment of the related performance bond and permit fee amounts. Based on the record before the County, DCD has determined that the whole of this project is exempt from CEQA pursuant to Section 15061(b)(3) and Section 15273(a)(1) of the CEQA guidelines. Section 15273(a)(1) specifies that fees established by public agencies to meet operating expenses are exempt. Section 15061(b)(3) provides that an activity is exempt if there is no possibility that the activity in question may have a significant effect on the environment. The Notice of Exemption (NOE) shall not be filed until after the County approves the project, therefore the Board is expected to direct DCD to file the NOE if and when it adopts the resolutions establishing bond and fee amounts at a future meeting.

Enforceability

There are a number of issues related to enforceability of proposed Ordinance No. 2017-16.

Complex Hauling Permit Parameters Due to Franchises: Implementing a waste hauler permit system in a County where waste collection is already governed by multiple different local agencies pursuant to separate franchise agreements that grant varying degrees of exclusivity poses complex enforceability challenges. These variables do not allow for permitting uniformity and pose enforcement challenges.

To avoid conflicts with franchise agreements, permits will authorize hauling only certain specified waste types from customers located within a defined permit-specific territory, which may be further limited by customer type (e.g. only residences).

Investigations Required to Make Hauling Activity Compliance Determinations: Readily visible permit decals would make it relatively easy to spot a permitted hauling vehicle. It may be more challenging, however, to determine if such a vehicle is hauling the types of waste authorized to be hauled, in the permitted service area. Additionally, there are a number of exemptions under the proposed ordinance, so further investigation might be needed to determine if a hauling vehicle that does not display a permit decal is evidence of a violation of the permit requirement, or is instead being driven by a person exempt from that requirement. Ultimately, enforcement of the proposed ordinance will likely be driven by complaints.

Other Local Ordinances Governing Waste Hauling: Waste hauling ordinances adopted by non-County franchise agencies may also impact enforcement of proposed Ordinance No. 2017-16. Other local agency ordinances reviewed by CCEH staff to date do not appear to conflict with the proposed ordinance, but new ordinances could be adopted in the future that may pose challenges. An ordinance adopted by the Central Contra Costa Solid Waste Authority (CCCSWA) established its existing permit system applicable to construction and demolition (C&D) debris transporters operating within the CCCSWA's territory, which includes some pockets of the unincorporated area. Staff is not aware of any other hauler permit systems being implemented in the unincorporated areas.

ATTACHMENTS

Ordinance 2017-16 Solid Waste Hauler Permitting Program

ORDINANCE NO. 2017-16

(Solid Waste Collection and Transportation)

The Contra Costa County Board of Supervisors ordains as follows:

SECTION I. SUMMARY. This ordinance amends Chapter 418-2 of the County Ordinance Code to establish permit requirements for the collection and transportation of solid waste in the unincorporated area of Contra Costa County.

SECTION II. AUTHORITY. This ordinance is adopted pursuant to Article 11, section 7 of the California Constitution, Public Resources Code section 40059 and Vehicle Code section 21100.

SECTION III. Chapter 418-2 of the County Ordinance Code is amended to read:

Chapter 418-2 Solid Waste Collection and Transportation

418-2.002 Definitions.

For purposes of this chapter, the following words and phrases have the following meanings:

(a) "Solid waste" means all solid waste as defined in Public Resources Code section 40191 as may be amended from time to time.

(b) "Solid waste facility" means a solid waste facility as defined in Public Resources Code section 40194 as may be amended from time to time. (Ords. 2017-16 § 3, 91-26, 88-49, 82-42, 1443.)

418-2.004 Permit requirement.

Effective January 1, 2018, no person shall collect solid waste from any location in the unincorporated area and transport it over the public streets or highways of the unincorporated area except under a valid permit issued under this chapter, unless an exemption applies. (Ords. 2017-16 § 3, 91-26, 88-49, 82-42, 1443.)

418-2.006 Territorial limits; solid waste types.

(a) A permit issued under this chapter authorizes the permittee to collect specified types of solid waste within a specified territory in the unincorporated area and to transport it over the public streets and highways of the unincorporated area.

(b) A person may obtain a permit under this chapter to collect solid waste from territory in the unincorporated area only to the extent that another person does not have an exclusive privilege or right to collect that solid waste from that territory under a valid franchise agreement. (Ords. 2017-16 § 3, 91-26, 88-49, 82-42, 1443.)

418-2.008 Exemptions.

The requirement to obtain a permit under Section 418-2.004 does not apply to any of the following:

(a) The collection and transport of solid waste by the owner or occupant of the real property where the solid waste was generated.

(b) The collection and transport of solid waste that is generated on real property in the course of a service provided to the owner or tenant of that property by a building contractor or landscape contractor, if the solid waste is collected and transported by the contractor.

(c) The collection and transport of solid waste under a valid federal, state or other local agency permit.

(d) The collection and transport of solid waste under a valid franchise agreement.

(e) The collection and transport of solid waste that is generated in a mechanized manufacturing process or at a publicly operated treatment works.

(f) The collection and transport of source-separated recyclable material. (Ords. 2017-16 § 3, 91-26, 88-49, 82-42, 1443.)

418-2.010 Application.

(a) A person may apply for a solid waste collection and transportation permit by submitting an application to the Contra Costa County Health Services Department, Environmental Health Division, and paying an application fee established by the board by resolution. The application must be made using a form approved by the health officer and include all of the following:

(1) The full name, address and telephone number(s) of the applicant.

(2) Identification of all vehicles proposed to be used in the collection and transport of solid waste under the permit, including legible copies of valid California registration cards for each vehicle.

(3) Documents showing that all individuals who will operate any of the vehicles described in Section 418-2.010(a)(2) have legal authority to operate those vehicles, including legible copies of valid California driver's licenses.

(4) Identification of the types of solid waste to be collected and transported.

(5) Identification of the types of locations where solid waste will be collected.

(6) Identification of the specific territory to be served.

(7) Identification of the locations to which the solid waste will be transported.

(8) A description of any services to be provided to a customer related to the collection and transport of solid waste for that customer.

(b) A copy of the application will be provided by the health officer to the director of the department of conservation and development for review to determine whether any other person has obtained an exclusive right or privilege from the county to collect and transport the same type of solid waste described in Section 418-2.010(a)(4) from the same territory described in Section 418-2.010(a)(6). The review will be conducted and completed no later than 30 calendar days following the date that the application is submitted.

(c) A copy of the application will be provided by the health officer to local public agencies that have jurisdiction over solid waste handling within the territory described in Section 418-2.010(a)(6), including sanitary districts and community services districts, for review to determine whether any other person has obtained an exclusive right or privilege from the agency to collect and transport the same type of solid waste described in Section 418-2.010(a)(4) from the same territory described in Section 418-2.010(a)(6). (Ords. 2017-16 § 3, 91-26, 88-49, 82-42, 1443.)

418-2.012 Vehicle inspections.

(a) All vehicles proposed to be used for collection and transport of solid waste under a permit issued under this chapter shall be made available for inspection by the health officer.

(b) Before a new or renewed permit is issued under this chapter, the health officer shall inspect all vehicles proposed to be used for collection and transport of solid waste under the permit to determine compliance with the following minimum standards:

(1) The vehicle must be designed, constructed and configured for safe handling and to securely contain the type of solid waste proposed to be collected; and

(2) The vehicle must be prominently marked with the name and telephone number of the applicant. (Ords. 2017-16 § 3, 91-26, 88-49, 82-42, 1443.)

418-2.014 Permit issuance; grounds for denial.

(a) After receipt of an application and payment of a permit fee established by the board by resolution, and following the review by the director of the department of conservation and development under Section 418-2.010(b), the health officer shall issue a solid waste collection and transportation permit unless any of the following grounds for denial exists:

(1) The director of the department of conservation and development or a local public agency identified in Section 418-2.010(c) advises the health officer that another person has an exclusive right or privilege to collect and transport the same type of solid waste described in Section 418-2.010(a)(4) from the same territory described in Section 418-2.010(a)(6).

(2) The application is incomplete or inaccurate.

(3) A permit issued to the applicant under this Section 418-2.012 has been revoked within 12 months prior to the date of the application.

(4) The applicant has failed to pay an outstanding fine.

(5) The health officer determines that a vehicle proposed to be used in the collection and transport of solid waste under the permit does not conform to the minimum standards set forth in Section 418-2.012(b)(2).

(b) The health officer shall provide written notice to the applicant of any denial of a permit under this chapter and the reasons for the denial. (Ords. 2017-16 § 3, 91-26, 88-49, 82-42, 1443.)

418-2.016 Conditions.

The following requirements are conditions of operation under a permit issued under this chapter:

(a) The permittee must comply with all applicable laws and regulations.

(b) A copy of the permit must be kept in each vehicle used for solid waste collection and transportation under the permit and produced immediately in response to a demand of the health officer or any peace officer.

(c) All solid waste must be transported only to:

(1) A solid waste facility that is lawfully operated under all required state and local permits, registrations and enforcement agency notifications; or

(2) A recycling facility that, as its principal function, receives wastes that have already been separated for reuse and are not intended for disposal, and is lawfully operated in accordance with all applicable laws and regulations.

(d) Each vehicle used for solid waste collection or transportation under the permit must prominently display, on the rear of the vehicle, a permit decal issued by the health officer.

(e) Each vehicle used for solid waste collection or transportation under the permit must be marked with the name and telephone number of the permittee. Markings must be in sharp

contrast to the background and of such size as to be readily visible during daylight hours from a distance of 50 feet. Markings must be applied to each sidewall of a vehicle.

(f) Each vehicle used for solid waste collection or transportation under the permit must be regularly cleaned and maintained to prevent the creation of a nuisance.

(g) The permittee must maintain, on a rolling basis, original records showing, for the immediately preceding 12 months, the type and weight of all solid waste collected, the location where each load of solid waste was collected, and the disposal site or other final destination of each load collected. Copies of these records must be submitted to the health officer upon request.

(h) The permittee must submit quarterly reports to the health officer showing the type and weight of solid waste collected, the location where solid waste was collected, and the disposal site or other final destination of each load collected. (Ords. 2017-16 § 3, 91-26, 88-49, 82-42, 1443.)

418-2.018 Bond.

A permittee must file with the county and maintain until permit expiration a performance bond or equivalent security of the type and in the amount set by the board by resolution. (Ords. 2017-16 § 3, 91-26, 88-49, 82-42, 1443.)

418-2.020 Permit expiration and renewal.

(a) A permit issued under this chapter remains valid until the permit expires or is revoked under Section 418-2.022.

(b) A permit expires on the last day of December unless it is renewed prior to expiration. A permittee may apply for renewal of the permit by submitting an application that conforms to the requirements set forth in Section 418-2.010 and payment of a permit fee established by the board by resolution. (Ords. 2017-16 § 3, 91-26, 88-49, 82-42, 1443.)

418-2.022 Revocation.

(a) Grounds. A permit issued under Section 418-2.012 may be revoked by the health officer in accordance with the procedure set forth in this section if the health officer determines that (1) the permittee has failed to comply with a term or condition of operation under the permit following written notice and a reasonable opportunity to cure the violation; or (2) the permittee's conduct under the permit constitutes a nuisance.

(b) Notice. The health officer will provide written notice of intent to revoke a permit to the permittee at the address provided on the permittee's application. The notice will state all applicable grounds for the revocation and the permittee's right to a hearing under this section.

(c) Hearing. Within 15 days after the date of the notice of intent to revoke, the permittee may request a hearing before the health officer by completing and submitting a written hearing request form and paying a fee established by the board by resolution. The hearing will be held no sooner than 20 days and no later than 45 days following the date of the written request for hearing.

(d) Effective date. If no hearing is timely requested, the revocation is effective 15 days after the date of the notice of intent to revoke. If a hearing is held, a revocation order issued by the health officer will be effective when the time to appeal under Chapter 14-4 expires, unless an appeal to the board is timely filed under Chapter 14-4. (Ords. 2017-16 § 3, 91-26, 88-49, 82-42, 1443.)

418-2.024 Prohibition.

No person shall engage the service of a person for compensation to collect solid waste from any location in the unincorporated area and transport it over a public street or highway in the unincorporated area unless the person whose service is engaged has obtained and operates in compliance with a permit issued under this chapter or is exempt from the permit requirement. (Ords. 2017-16 § 3, 91-26, 88-49, 82-42, 1443.)

418-2.026 Investigations.

Whenever it is necessary to inspect a vehicle or other property to enforce the provisions of this chapter, or whenever the health officer has cause to believe that there exists on any property any violation of this chapter, the health officer may enter the property to inspect and gather evidence or perform the duties imposed on the health officer by this chapter. Entry may be made at any reasonable time upon advance notice to the owner or occupant of the property. If entry is refused, the health officer is authorized to proceed pursuant to Code of Civil Procedure section 1822.50 and following, as may be amended from time to time, and any and all other remedies provided by law to secure entry. (Ords. 2017-16 § 3, 91-26, 88-49, 82-42, 1443.)

418-2.028 Construction.

Nothing in this chapter shall be construed in a manner that conflicts with Vehicle Code section 21100, subdivision (b), as may be amended from time to time. (Ords. 2017-16 § 3, 91-26, 88-49, 82-42, 1443.)

SECTION IV. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published in the East Bay Times, a newspaper published in this County. This ordinance shall be published in a manner satisfying the requirements of Government Code section 25124, with the names of the supervisors voting for and against it.

PASSED on _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

By: _____
Deputy

Board Chair

[seal]

LW/

H:\Ordinances\Ord.2017-16.docx



**Contra
Costa
County**

To: Board of Supervisors
From: Federal D. Glover, District V Supervisor
Date: August 1, 2017

Subject: BOARD OF SUPERVISORS APPOINTMENTS TO THE MARIN ENERGY AUTHORITY (MCE) BOARD OF DIRECTORS

RECOMMENDATION(S):

1. ACKNOWLEDGE that the Board of Supervisors adopted a policy on Board Member Committee Assignments on March 21, 2000.
2. ACKNOWLEDGE that adoption of a new Master Resolution with a complete roster of all appointments is required by Board policy whenever terms expire or new appointments are made.
3. APPOINT Supervisor Federal D. Glover as the Board of Supervisors representative, and Supervisor John Gioia as the Board's alternate representative, to the Marin Energy Authority (MCE) Board of Directors for an initial term ending on December 31, 2019.
4. Thereafter, FIX the term for Board of Supervisors appointments to the MCE Board as two years, expiring on December 31 of each odd numbered year.
5. ADOPT Resolution No. 2017/225 appointing Board members and other individuals to serve on Board committees, special county committees, and regional boards/ committees/ commissions for 2017, some of which include additional compensation in the form of stipend.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☒ 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: August 1, 2017

Contact: Julie DiMaggio Enea
925.335.1077

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

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

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6. INDICATE that this Resolution No. 2017/225 supersedes in its entirety Resolution No. 2017/1, which was adopted by the Board of Supervisors on January 10, 2017.

7. RESOLVE that Board Members as named are APPOINTED to serve on Board committees, special county committees and regional boards/ committees/ commissions as specified on Attachment II to Resolution No. 2017/225 as Internal Standing Committees (Type I), Other Internal Committees, (Type II), Regional Bodies (Type III), Special/Restricted Seats (Type IV), and Ad Hoc Committees (Type V).

8. DIRECT staff to update, if necessary, the County website a single Fair Political Practices Commission (FPPC) Form 806, which lists all the paid appointed positions on committees, boards, or commissions for members of the Board of Supervisors.

FISCAL IMPACT:

There is no fiscal impact to the County from this action.

BACKGROUND:

On June 6, 2017, the Board of Supervisors adopted an ordinance and resolution to join the Marin Energy Authority's (MCE) community choice energy/aggregation program (CCE). CCE involves cities, counties, or a joint powers authority composed of cities and/or counties, pooling ("aggregating") retail electricity customers for the purpose of procuring and selling electricity. MCE's formation document specifies that the Authority shall be governed by a Board of Directors composed of one representative of each of the member agencies. The governing body of each member agency will appoint from its governing body one Director and, also, one alternate who may vote on all matters when the regular Director is absent for a Board meeting. The County's Director and Alternate Director will serve at the pleasure of the Board of Supervisors.

The MCE formation document sets no seat terms for MCE board members. The County's appointments and their duration are completely within the discretion of the Board of Supervisors. These appointments should probably not be for an indefinite period. However, similar to membership on the Retirement Board, the learning curve is such that making these appointments subject to annual reassignment might be disruptive. Therefore, I recommend that the MCE appointments be reviewed during the Board of Supervisors' reorganization on every even-numbered year; so to begin, the initial appointments would expire on December 31, 2019 and the first review for possible reassignment would occur in January 2020, and then in 2022, 2024, etc.

Note that a Director may be removed by the MCE Board for cause:

- Unexcused absences from three consecutive Board meetings.
- Unauthorized disclosure of confidential information or documents from a closed session or the unauthorized disclosure of information or documents provided to the Director on a confidential basis and whose public disclosure may be harmful to the interests of the Authority.

Written notice will be provided to the Director proposed for removal and the governing body that appointed such Director at least thirty days prior to the meeting at which the proposed removal will be considered by the MCE Board. The notice will state the grounds for removal, a brief summary of the supporting facts, and the date of the scheduled hearing on the removal. The Director proposed for removal will be given an opportunity to be heard at the removal hearing and to submit any supporting oral or written evidence. A Director will not be removed for cause from the Board unless two-thirds of all Directors (excluding the Director subject to removal) vote in favor of the removal.

A vacancy in either of the County's seats must be filled within 90 days.

FPPC Form 806

In April 2012, the Fair Political Practices Commission (FPPC) adopted Regulation § 18705.5, which permits a Supervisor to vote on his/her own appointment to a body or board paying a salary or stipend for service if all of the following conditions are met:

1. the appointment is to a committee, board, or commission of a public agency, a special district, a joint powers agency or authority, or a metropolitan planning organization; and
2. State law, a local ordinance, or a joint powers agreement requires the Board to appoint; and
3. the Board adopts and posts on its website, a list of each appointed position for which compensation is paid, the salary or stipend for the position, the name of the appointee, the name of the alternate, if any, and the term of the appointment.

Form 806 is used to report additional compensation that officials receive when appointing themselves to positions on committees, boards, or commissions of a public agency, special district, and joint powers agency or authority. Each agency must post on its website a single Form 806, listing all of the paid appointed positions. When there is a change in compensation or a new appointment, the Form 806 is updated to reflect the change. The form must be updated promptly as changes occur.

Staff of the County Administrator's Office has prepared the Form 806 and has posted it to the County's website. Staff will update the form, if necessary, after the Board of Supervisors acts to adopt the revised Master List of Board Member Committee Assignments for 2017.

CONSEQUENCE OF NEGATIVE ACTION:

Unless the Board of Supervisors acts to appoint members to the MCE Board, the County's interests will not be represented during MCE Board meetings.

ATTACHMENTS

Resolution No. 2017/225

Attachment I to Resolution No. 2017/225: BOS Committee Assignments for 2017

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

Adopted this Resolution on 08/01/2017 by the following vote:

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



Resolution No. 2017/225

IN THE MATTER OF MAKING APPOINTMENTS TO THE MARIN ENERGY AUTHORITY BOARD OF DIRECTORS AND UPDATING BOARD MEMBER ASSIGNMENTS TO 2017 BOARD COMMITTEES, SPECIAL COUNTY COMMITTEES, AND REGIONAL ORGANIZATIONS

WHEREAS on June 6, 2017, the Board of Supervisors adopted an ordinance and resolution to join the Marin Energy Authority's (MCE) community choice energy/aggregation program; and

WHEREAS, MCE requires each member agency to appoint from its governing body one Director and, also, one alternate who may vote on all matters when the regular Director is absent for a Board meeting, and who both serve at the pleasure of the Board of Supervisors; and

WHEREAS the County's appointments to MCE and their duration are completely within the discretion of the Board of Supervisors; and

WHEREAS annual reassignment of the County's MCE seats might be disruptive, yet the appointments should not be for an indefinite period; and

WHEREAS adoption of a new Master Resolution with a complete roster of all appointments is required by Board policy whenever terms expire or new appointments are made; and

WHEREAS, after any new appointments or reappointments are made, when there is a change in compensation for any appointment, or where there is a change in the number of meetings of the board or committee to which an appointment is made, the Fair Political Practices Commission requires the County to update and post on the County's website the County's Report of Public Official Appointments, Form 806;

NOW, THEREFORE, THE BOARD OF SUPERVISORS RESOLVES TO:

1. APPOINT Supervisor Federal D. Glover as the Board of Supervisors representative, and Supervisor John Gioia as the Board's alternate representative, to the Marin Energy Authority (MCE) Board of Directors for an initial term ending on December 31, 2019.
2. Thereafter, FIX the term for Board of Supervisors appointments to the MCE Board as two years, expiring on December 31 of each odd numbered year.
3. APPOINT the Board members and other individuals to serve on Board committees, special county committees and regional boards / committees / commissions as specified in the Master List (see Attachment II) as Type I for Board Standing Committees, Type II for Other Internal Committees, Type III for Regional Bodies, Type IV for Special/Restricted seats, and Type V for Board Ad Hoc Committees.
4. INDICATE that this Resolution No. 2017/225 supersedes in its entirety Resolution No. 2017/1, which was adopted by the Board of Supervisors on January 10, 2017.
5. UPDATE the County's Report of Public Official Appointments, Form 806, if necessary, to reflect the appointments on the adopted Master List for 2017 and post it on the County's website.

Contact: Julie DiMaggio Enea 925.335.1077

ATTESTED: August 1, 2017

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

By: , Deputy

cc:

Type*	Committee Name	2017 Appointee	New Term Expiration	Stipend Information
I	Airport Committee, Chair	Karen Mitchoff	12/31/2017	NO STIPEND
I	Airport Committee, Vice Chair	Diane Burgis	12/31/2017	NO STIPEND
I	Family & Human Services Committee, Chair	John Gioia	12/31/2017	NO STIPEND
I	Family & Human Services Committee, Vice Chair	Candace Andersen	12/31/2017	NO STIPEND
I	Finance Committee, Chair	Karen Mitchoff	12/31/2017	NO STIPEND
I	Finance Committee, Vice Chair	John Gioia	12/31/2017	NO STIPEND
I	Hiring Outreach & Oversight Committee, Chair	Federal D. Glover	12/31/2017	NO STIPEND
I	Hiring Outreach & Oversight Committee, Vice-Chair	Candace Andersen	12/31/2017	NO STIPEND
I	Internal Operations Committee, Chair	Candace Andersen	12/31/2017	NO STIPEND
I	Internal Operations Committee, Vice Chair	Diane Burgis	12/31/2017	NO STIPEND
I	Legislation Committee, Chair	Diane Burgis	12/31/2017	NO STIPEND
I	Legislation Committee, Vice Chair	Karen Mitchoff	12/31/2017	NO STIPEND
I	Public Protection, Chair	Federal D. Glover	12/31/2017	NO STIPEND
I	Public Protection, Vice Chair	John Gioia	12/31/2017	NO STIPEND
I	Transportation, Water & Infrastructure Committee, Chair	Diane Burgis	12/31/2017	NO STIPEND
I	Transportation, Water & Infrastructure Committee, Vice Chair	Karen Mitchoff	12/31/2017	NO STIPEND

Note: Type I: Internal Standing Committees; Type II: Internal appts;
Type III: Regional appts; Type IV: Special/Restricted appts;
Type V: ad hoc committees

*Or his designee
**Appointed by CCC Fire District Board

Type*	Committee Name	2017 Appointee	New Term Expiration	Stipend Information
II	Bay Area Counties Caucus	Karen Mitchoff	12/31/2017	NO STIPEND
II	Bay Area Counties Caucus, Alternate	Candace Andersen	12/31/2017	NO STIPEND
II	Bay Area Regional Interoperable Communications System (BayRICS) Authority	Mike Casten	12/31/2017	NO STIPEND
II	BayRICS Authority, Alternate	Elise Warren	12/31/2017	NO STIPEND
II	California Identification System Remote Access Network Board (Cal-ID RAN Board)	Diane Burgis	12/31/2017	NO STIPEND
II	Central Contra Costa Solid Waste Authority	Candace Andersen	12/31/2017	STIPEND of \$50/meeting: max of 2 paid/month
II	Central Contra Costa Solid Waste Authority	Karen Mitchoff	12/31/2017	STIPEND of \$50/meeting: max of 2 paid/month
II	City-County Relations Committee	Federal D. Glover	12/31/2017	NO STIPEND
II	City-County Relations Committee	Diane Burgis	12/31/2017	NO STIPEND
II	City-County Relations Committee, Alternate	Karen Mitchoff	12/31/2017	NO STIPEND
II	Contra Costa Family Justice Alliance	Karen Mitchoff	12/31/2018	NO STIPEND
II	Contra Costa Health Plan Joint Conference Committee	Karen Mitchoff	12/31/2017	NO STIPEND
II	Contra Costa Health Plan Joint Conference Committee	Candace Andersen	12/31/2017	NO STIPEND
II	Dougherty Valley Oversight Committee	Diane Burgis	12/31/2017	NO STIPEND
II	Dougherty Valley Oversight Committee	Candace Andersen	12/31/2017	NO STIPEND
II	East Bay Regional Communication System (EBRCS) Authority Governing Board	Candace Andersen	12/31/2017	NO STIPEND
II	East Bay Regional Communication System (EBRCS) Authority Governing Board, Alternate	Karen Mitchoff	12/31/2017	NO STIPEND
II	East Contra Costa County Habitat Conservancy, Governing Board	Diane Burgis	12/31/2017	NO STIPEND
II	East Contra Costa County Habitat Conservancy, Governing Board, Alternate	Federal D. Glover	12/31/2017	NO STIPEND
II	East Contra Costa Regional Fee & Finance Authority	Diane Burgis	12/31/2017	NO STIPEND
II	East Contra Costa Regional Fee & Finance Authority, Alternate	Federal D. Glover	12/31/2017	NO STIPEND
II	East County Water Management Association	Diane Burgis	12/31/2018	STIPEND of \$170/meeting: max 6 per month
II	East County Water Management Association, Alternate	Federal D. Glover	12/31/2018	STIPEND of \$170/meeting: max 6 per month
II	eBART (Bay Area Rapid Transit) Partnership Policy Advisory Committee	Federal D. Glover	12/31/2017	NO STIPEND
II	eBART (Bay Area Rapid Transit) Partnership Policy Advisory Committee	Diane Burgis	12/31/2017	NO STIPEND
II	First 5 Children and Families Commission Alternate Member	Candace Andersen	12/31/2017	NO STIPEND
II	Hazardous Waste Management Facility Allocation Committee	Candace Andersen	12/31/2017	STIPEND of \$150 per meeting.
II	Hazardous Waste Management Facility Allocation Committee, Alternate	Karen Mitchoff	12/31/2017	STIPEND of \$150 per meeting.
II	Library Needs Assessment Steering Committee	Karen Mitchoff	12/31/2017	NO STIPEND/inactive
II	Medical Services Joint Conference Committee, Chair	John Gioia	12/31/2017	NO STIPEND
II	Medical Services Joint Conference Committee, Vice Chair	Federal D. Glover	12/31/2017	NO STIPEND
II	North Richmond Waste and Recovery Mitigation Fee Committee	John Gioia	12/31/2017	NO STIPEND
II	North Richmond Waste and Recovery Mitigation Fee Committee, Alternate	Robert Rogers	12/31/2017	NO STIPEND
II	Open Space/Parks & East Bay Regional Parks District Liaison Committee, Chair	Federal D. Glover	12/31/2017	NO STIPEND
II	Open Space/Parks & East Bay Regional Parks District Liaison Committee, Vice Chair	Diane Burgis	12/31/2017	NO STIPEND
II	Pleasant Hill BART/Contra Costa Centre Joint Powers Authority Board of Trustees	Karen Mitchoff	12/31/2017	NO STIPEND
II	Pleasant Hill BART/Contra Costa Centre Joint Powers Authority Board of Trustees	Candace Andersen	12/31/2017	NO STIPEND
II	State Route 4 Bypass Authority	Diane Burgis	12/31/2017	NO STIPEND
II	State Route 4 Bypass Authority, Alternate	Federal D. Glover	12/31/2017	NO STIPEND
II	SWAT (Southwest Area Transportation Committee)	Candace Andersen	12/31/2017	NO STIPEND
II	SWAT, Alternate	Karen Mitchoff	12/31/2017	NO STIPEND
II	TRAFFIX (Measure J Traffic Congestion Relief Agency)	Candace Andersen	12/31/2017	NO STIPEND
II	TRAFFIX (Measure J Traffic Congestion Relief Agency), Alternate	Karen Mitchoff	12/31/2017	NO STIPEND
II	TRANSPAC (Central County Transportation Partnership and Cooperation)	Karen Mitchoff	12/31/2017	NO STIPEND
II	TRANSPAC, Alternate	Candace Andersen	12/31/2017	NO STIPEND
II	TRANSPLAN (East County Transportation Planning)	Diane Burgis	12/31/2017	NO STIPEND
II	TRANSPLAN, Alternate	Federal D. Glover	12/31/2017	NO STIPEND
II	Tri-Valley Transportation Council	Candace Andersen	12/31/2017	NO STIPEND
II	Urban Counties Caucus	Federal D. Glover	12/31/2017	NO STIPEND
II	Urban Counties Caucus, Alternate	Karen Mitchoff	12/31/2017	NO STIPEND
II	WCCTAC (West County Transportation Advisory Committee)	John Gioia	12/31/2017	NO STIPEND
II	WCCTAC, Alternate	Federal D. Glover	12/31/2017	NO STIPEND
II	West Contra Costa Integrated Waste Management Authority	John Gioia	12/31/2017	STIPEND of \$50 per meeting.
II	West Contra Costa Integrated Waste Management Authority, Alternate	Federal D. Glover	12/31/2017	STIPEND of \$50 per meeting.

Note: Type I: Internal Standing Committees; Type II: Internal appts;
Type III: Regional appts; Type IV: Special/Restricted appts;
Type V: ad hoc committees

*Or his designee
**Appointed by CCC Fire District Board

Type*	Committee Name	2017 Appointee	New Term Expiration	Stipend Information
III	ABAG Regional Planning Committee	Karen Mitchoff	12/31/2017	STIPEND of \$150 per meeting.
III	Bay Area Air Quality Management District Board of Directors	John Gioia	Eff 6/18/17- 6/17/21	Per diem of \$100/meeting + travel exp: max \$6,000
III	Bay Area Air Quality Management District Board of Directors	Karen Mitchoff	1/20/2020	Per diem of \$100/meeting + travel exp: max \$6,000
III	Central Contra Costa Transit Authority (CCCTA) Board of Directors	Candace Andersen	Eff 5/2/17-5/1/19	STIPEND of \$100 per meeting: up to \$200 month
III	Central Contra Costa Transit Authority (CCCTA) Board of Directors Alternate	Karen Mitchoff	Eff 5/2/17-5/1/19	STIPEND of \$100 per meeting: up to \$200 month
III	Contra Costa Transportation Authority Board of Commissioners (seat 1)	Federal D. Glover	Eff 2/1/17- 1/31/19	STIPEND of \$100 per meeting: up to \$400 month
III	Contra Costa Transportation Authority Board of Commissioners (Seat 2)	Karen Mitchoff	12/31/2018	STIPEND of \$100 per meeting: up to \$400 month
III	Contra Costa Transportation Authority Board of Commissioners, Alternate (Seat 1)	Candace Andersen	Eff 2/1/17- 1/31/19	STIPEND of \$100 per meeting: up to \$400 month
III	Contra Costa Transportation Authority Board of Commissioners, Second Alternate (Seat 1)	John Gioia	Eff 2/1/17- 1/31/19	STIPEND of \$100 per meeting: up to \$400 month
III	Contra Costa Transportation Authority Board of Commissioners, Third Alternate (Seat 1)	Diane Burgis	Eff 2/1/17- 1/31/19	STIPEND of \$100 per meeting: up to \$400 month
III	Contra Costa Transportation Authority Board of Commissioners, Alternate (Seat 2)	John Gioia	12/31/2018	STIPEND of \$100 per meeting: up to \$400 month
III	Local Agency Formation Commission	Candace Andersen	5/7/2018	STIPEND of \$150 per meeting.
III	Local Agency Formation Commission	Federal D. Glover	5/7/2018	STIPEND of \$150 per meeting.
III	Local Agency Formation Commission, Alternate	Diane Burgis	5/4/2020	STIPEND of \$150 per meeting.
III	Marin Energy Authority (MCE) Board of Directors	Federal D. Glover	12/31/2020	NO STIPEND
III	Marin Energy Authority (MCE) Board of Directors, Alternate	John Gioia	12/31/2020	NO STIPEND
III	Metropolitan Transportation Commission	Federal D. Glover	2/1/2019	STIPEND of \$100/meeting: up to \$500/month per agency.
III	Tri Delta Transit Authority, Board of Directors (Seat 1)	Federal D. Glover	12/31/2018	STIPEND of \$100/month
III	Tri Delta Transit Authority, Board of Directors (Seat 2)	Diane Burgis	12/31/2017	STIPEND of \$100/month
IV	ABAG Executive Board (Seat 1)	Karen Mitchoff	6/30/2018	STIPEND of \$150 per meeting.
IV	ABAG Executive Board (Seat 2)	Candace Andersen	6/30/2018	STIPEND of \$150 per meeting.
IV	ABAG Executive Board, Alternate 1	John Gioia	6/30/2018	STIPEND of \$150 per meeting.
IV	ABAG Executive Board, Alternate 2	Diane Burgis	6/30/2018	STIPEND of \$150 per meeting.
IV	ABAG Finance Authority for Nonprofit Corporations Board of Directors and its Executive Committee	Karen Mitchoff	12/31/2017	NO STIPEND
IV	ABAG Finance Authority for Nonprofit Corporations Board of Directors and its Executive Committee, First Alternate	Russell Watts	12/31/2017	NO STIPEND
IV	ABAG Finance Authority for Nonprofit Corporations Board of Directors and its Executive Committee, Second Alternate	Belinda Zhu	12/31/2017	NO STIPEND
IV	ABAG General Assembly	Karen Mitchoff	12/31/2017	NO STIPEND
IV	ABAG General Assembly, Alternate	Diane Burgis	12/31/2017	NO STIPEND
IV	Bay Conservation & Development Commission	John Gioia	12/31/2017	STIPEND of \$100 per meeting: max of 4 meetings.
IV	Bay Conservation & Development Commission, Alternate	Federal D. Glover	12/31/2017	STIPEND of \$100 per meeting: max of 4 meetings.
IV	CCCERA (Contra Costa County Employees Retirement Association) Board of Trustees	Candace Andersen	Eff 7/1/17- 6/30/20	STIPEND of \$100 per meeting.
IV	Clayton Redevelopment Successor Agency Oversight Board	Karen Mitchoff	Unspecified	NO STIPEND
IV	Concord Redevelopment Successor Agency Oversight Board	Karen Mitchoff	Unspecified	NO STIPEND
IV	Contra Costa County Redevelopment Successor Agency Oversight Board	Federal D. Glover	Unspecified	NO STIPEND
IV	Contra Costa County Redevelopment Successor Agency Oversight Board	Karen Mitchoff	Unspecified	NO STIPEND
IV	CSAC (California State Association of Counties) Board of Directors	John Gioia	Eff 11/27/17- 11/26/18	NO STIPEND
IV	CSAC Board of Directors, Alternate	Karen Mitchoff	Eff 11/27/17- 11/26/18	NO STIPEND
IV	Delta Diablo Sanitation District Governing Board	Federal D. Glover	12/31/2017	STIPEND of \$170 per meeting: max of 6 meetings.
IV	Delta Diablo Sanitation District Governing Board, Alternate	Karen Mitchoff	12/31/2017	STIPEND of \$170 per meeting: max of 6 meetings.
IV	Delta Protection Commission	Diane Burgis	12/31/2017	NO STIPEND
IV	Delta Protection Commission, Alternate	Karen Mitchoff	12/31/2017	NO STIPEND
IV	First 5 Children and Families Commission Member	Federal D. Glover	12/31/2017	NO STIPEND
IV	Kensington Solid Waste Coordinating Committee	John Gioia*	Unspecified	NO STIPEND
IV	Law Library Board of Trustees	Thomas Cain	12/31/2017	NO STIPEND
IV	Mental Health Commission	Candace Andersen	12/31/2017	NO STIPEND
IV	Mental Health Commission, Alternate	Diane Burgis	12/31/2017	NO STIPEND
IV	North Coast Shoreline Joint Powers Authority	Federal D. Glover	12/31/2017	NO STIPEND
IV	North Coast Shoreline Joint Powers Authority	John Gioia	12/31/2017	NO STIPEND
IV	Pittsburg Redevelopment Successor Agency Oversight Board	Federal D. Glover	Unspecified	NO STIPEND
IV	Pleasant Hill Redevelopment Successor Agency Oversight Board	Karen Mitchoff	Unspecified	NO STIPEND
IV	Sacramento-San Joaquin Delta Conservancy Board	Karen Mitchoff	Unspecified	NO STIPEND
IV	Sacramento-San Joaquin Delta Conservancy Board, Alternate	Diane Burgis	Unspecified	NO STIPEND
IV	San Pablo Redevelopment Successor Agency Oversight Board	VACANT**	Unspecified	NO STIPEND
IV	Walnut Creek Redevelopment Successor Agency Oversight Board	Karen Mitchoff	Unspecified	NO STIPEND

Note: Type I: Internal Standing Committees; Type II: Internal appts;
Type III: Regional appts; Type IV: Special/Restricted appts;
Type V: ad hoc committees

*Or his designee
**Appointed by CCC Fire District Board

Type*	Committee Name	2017 Appointee	New Term Expiration	Stipend Information
V	Industrial Safety Ordinance/Community Warning System Ad Hoc Committee	John Gioia	Unspecified	NO STIPEND
V	Industrial Safety Ordinance/Community Warning System Ad Hoc Committee	Federal D. Glover	Unspecified	NO STIPEND
V	Northern Waterfront Economic Development Ad Hoc Committee	Federal D. Glover	Unspecified	NO STIPEND
V	Northern Waterfront Economic Development Ad Hoc Committee	Diane Burgis	Unspecified	NO STIPEND
V	Sustainability Ad Hoc Committee, Chair	John Gioia	Unspecified	NO STIPEND
V	Sustainability Ad Hoc Committee, Vice Chair	Federal D. Glover	Unspecified	NO STIPEND

Row Labels

Candace Andersen

ABAG Executive Board (Seat 2)
Bay Area Counties Caucus, Alternate
CCCERA (Contra Costa County Employees Retirement Association) Board of Trustees
Central Contra Costa Solid Waste Authority
Central Contra Costa Transit Authority (CCCTA) Board of Directors
Contra Costa Health Plan Joint Conference Committee
Contra Costa Transportation Authority Board of Commissioners, Alternate (Seat 1)
Dougherty Valley Oversight Committee
East Bay Regional Communication System (EBRCS) Authority Governing Board
Family & Human Services Committee, Vice Chair
First 5 Children and Families Commission Alternate Member
Hazardous Waste Management Facility Allocation Committee
Hiring Outreach & Oversight Committee, Vice-Chair
Internal Operations Committee, Chair
Local Agency Formation Commission
Mental Health Commission
Pleasant Hill BART/Contra Costa Centre Joint Powers Authority Board of Trustees
SWAT (Southwest Area Transportation Committee)
TRAFFIX (Measure J Traffic Congestion Relief Agency)
TRANSPAC, Alternate
Tri-Valley Transportation Council

Diane Burgis

ABAG Executive Board, Alternate 2
ABAG General Assembly, Alternate
Airport Committee, Vice Chair
California Identification System Remote Access Network Board (Cal-ID RAN Board)
City-County Relations Committee
Contra Costa Transportation Authority Board of Commissioners, Third Alternate (Seat 1)
Delta Protection Commission
Dougherty Valley Oversight Committee
East Contra Costa County Habitat Conservancy, Governing Board
East Contra Costa Regional Fee & Finance Authority
East County Water Management Association
eBART (Bay Area Rapid Transit) Partnership Policy Advisory Committee
Internal Operations Committee, Vice Chair
Legislation Committee, Chair
Local Agency Formation Commission, Alternate
Mental Health Commission, Alternate
Northern Waterfront Economic Development Ad Hoc Committee
Open Space/Parks & East Bay Regional Parks District Liaison Committee, Vice Chair
Sacramento-San Joaquin Delta Conservancy Board, Alternate
State Route 4 Bypass Authority
TRANSPLAN (East County Transportation Planning)

Transportation, Water & Infrastructure Committee, Chair
Tri Delta Transit Authority, Board of Directors (Seat 2)

Federal D. Glover

ABAG (Association of Bay Area Counties) General Assembly
Bay Conservation & Development Commission, Alternate
City-County Relations Committee
Contra Costa County Redevelopment Successor Agency Oversight Board
Contra Costa Transportation Authority Board of Commissioners (seat 1)
Delta Diablo Sanitation District Governing Board
East Contra Costa County Habitat Conservancy, Governing Board, Alternate
East Contra Costa Regional Fee & Finance Authority, Alternate
East County Water Management Association, Alternate
eBART (Bay Area Rapid Transit) Partnership Policy Advisory Committee
First 5 Children and Families Commission Member
Hiring Outreach & Oversight Committee, Chair
Industrial Safety Ordinance/Community Warning System Ad Hoc Committee
Local Agency Formation Commission
Medical Services Joint Conference Committee, Vice Chair
Metropolitan Transportation Commission
North Coast Shoreline Joint Powers Authority
Northern Waterfront Economic Development Ad Hoc Committee
Open Space/Parks & East Bay Regional Parks District Liaison Committee, Chair
Pittsburg Redevelopment Successor Agency Oversight Board
Public Protection, Chair
State Route 4 Bypass Authority, Alternate
Sustainability Ad Hoc Committee, Vice Chair
TRANSPLAN, Alternate
Tri Delta Transit Authority, Board of Directors (Seat 1)
Urban Counties Caucus
WCCTAC, Alternate
West Contra Costa Integrated Waste Management Authority, Alternate

John Gioia

ABAG Executive Board, Alternate 1
ABAG General Assembly, Alternate
Bay Area Air Quality Management District Board of Directors
Bay Conservation & Development Commission
Contra Costa Transportation Authority Board of Commissioners, Alternate (Seat 2)
Contra Costa Transportation Authority Board of Commissioners, Second Alternate (Seat 1)
CSAC (California State Association of Counties) Board of Directors
Family & Human Services Committee, Chair
Finance Committee, Vice Chair
Industrial Safety Ordinance/Community Warning System Ad Hoc Committee
Medical Services Joint Conference Committee, Chair
North Coast Shoreline Joint Powers Authority
North Richmond Waste and Recovery Mitigation Fee Committee
Public Protection, Vice Chair
Sustainability Ad Hoc Committee, Chair

WCCTAC (West County Transportation Advisory Committee)
West Contra Costa Integrated Waste Management Authority
John Gioia*

Kensington Solid Waste Coordinating Committee
Karen Mitchoff

ABAG Executive Board (Seat 1)
ABAG Finance Authority for Nonprofit Corporations Board of Directors and its Executive Committee
ABAG General Assembly
ABAG Regional Planning Committee
Airport Committee, Chair
Bay Area Air Quality Management District Board of Directors
Bay Area Counties Caucus
Central Contra Costa Solid Waste Authority
Central Contra Costa Transit Authority (CCCTA) Board of Directors Alternate
City-County Relations Committee, Alternate
Clayton Redevelopment Successor Agency Oversight Board
Concord Redevelopment Successor Agency Oversight Board
Contra Costa County Redevelopment Successor Agency Oversight Board
Contra Costa Family Justice Alliance
Contra Costa Health Plan Joint Conference Committee
Contra Costa Transportation Authority Board of Commissioners (Seat 2)
CSAC Board of Directors, Alternate
Delta Diablo Sanitation District Governing Board, Alternate
Delta Protection Commission, Alternate
East Bay Regional Communication System (EBRCS) Authority Governing Board, Alternate
Finance Committee, Chair
Hazardous Waste Management Facility Allocation Committee, Alternate
Legislation Committee, Vice Chair
Library Needs Assessment Steering Committee
Pleasant Hill BART/Contra Costa Centre Joint Powers Authority Board of Trustees
Pleasant Hill Redevelopment Successor Agency Oversight Board
Sacramento-San Joaquin Delta Conservancy Board
SWAT, Alternate
TRAFFIX (Measure J Traffic Congestion Relief Agency), Alternate
TRANSPAC (Central County Transportation Partnership and Cooperation)
Transportation, Water & Infrastructure Committee, Vice Chair
Urban Counties Caucus, Alternate
Walnut Creek Redevelopment Successor Agency Oversight Board

Grand Total

Row Labels

I

Candace Andersen

Family & Human Services Committee, Vice Chair

Hiring Outreach & Oversight Committee, Vice-Chair

Internal Operations Committee, Chair

Diane Burgis

Airport Committee, Vice Chair

Internal Operations Committee, Vice Chair

Legislation Committee, Chair

Transportation, Water & Infrastructure Committee, Chair

Federal D. Glover

Hiring Outreach & Oversight Committee, Chair

Public Protection, Chair

John Gioia

Family & Human Services Committee, Chair

Finance Committee, Vice Chair

Public Protection, Vice Chair

Karen Mitchoff

Airport Committee, Chair

Finance Committee, Chair

Legislation Committee, Vice Chair

Transportation, Water & Infrastructure Committee, Vice Chair

II

Candace Andersen

Bay Area Counties Caucus, Alternate

Central Contra Costa Solid Waste Authority

Contra Costa Health Plan Joint Conference Committee

Dougherty Valley Oversight Committee

East Bay Regional Communication System (EBRCS) Authority Governing Board

First 5 Children and Families Commission Alternate Member

Hazardous Waste Management Facility Allocation Committee

Pleasant Hill BART/Contra Costa Centre Joint Powers Authority Board of Trustees

SWAT (Southwest Area Transportation Committee)

TRAFFIX (Measure J Traffic Congestion Relief Agency)

TRANSPAC, Alternate

Tri-Valley Transportation Council

Diane Burgis

California Identification System Remote Access Network Board (Cal-ID RAN Board)

City-County Relations Committee

Dougherty Valley Oversight Committee

East Contra Costa County Habitat Conservancy, Governing Board

East Contra Costa Regional Fee & Finance Authority

East County Water Management Association

eBART (Bay Area Rapid Transit) Partnership Policy Advisory Committee

Open Space/Parks & East Bay Regional Parks District Liaison Committee, Vice Chair
State Route 4 Bypass Authority
TRANSPLAN (East County Transportation Planning)

Elise Warren

BayRICS Authority, Alternate

Federal D. Glover

City-County Relations Committee

East Contra Costa County Habitat Conservancy, Governing Board, Alternate

East Contra Costa Regional Fee & Finance Authority, Alternate

East County Water Management Association, Alternate

eBART (Bay Area Rapid Transit) Partnership Policy Advisory Committee

Medical Services Joint Conference Committee, Vice Chair

Open Space/Parks & East Bay Regional Parks District Liaison Committee, Chair

State Route 4 Bypass Authority, Alternate

TRANSPLAN, Alternate

Urban Counties Caucus

WCCTAC, Alternate

West Contra Costa Integrated Waste Management Authority, Alternate

John Gioia

Medical Services Joint Conference Committee, Chair

North Richmond Waste and Recovery Mitigation Fee Committee

WCCTAC (West County Transportation Advisory Committee)

West Contra Costa Integrated Waste Management Authority

Karen Mitchoff

Bay Area Counties Caucus

Central Contra Costa Solid Waste Authority

City-County Relations Committee, Alternate

Contra Costa Family Justice Alliance

Contra Costa Health Plan Joint Conference Committee

East Bay Regional Communication System (EBRCS) Authority Governing Board, Alternate

Hazardous Waste Management Facility Allocation Committee, Alternate

Library Needs Assessment Steering Committee

Pleasant Hill BART/Contra Costa Centre Joint Powers Authority Board of Trustees

SWAT, Alternate

TRAFFIX (Measure J Traffic Congestion Relief Agency), Alternate

TRANSPAC (Central County Transportation Partnership and Cooperation)

Urban Counties Caucus, Alternate

Mike Casten

Bay Area Regional Interoperable Communications System (BayRICS) Authority

Robert Rogers

North Richmond Waste and Recovery Mitigation Fee Committee, Alternate

III

Candace Andersen

Central Contra Costa Transit Authority (CCCTA) Board of Directors

Contra Costa Transportation Authority Board of Commissioners, Alternate (Seat 1)

Local Agency Formation Commission

Diane Burgis

Contra Costa Transportation Authority Board of Commissioners, Third Alternate (Seat 1)
Local Agency Formation Commission, Alternate
Tri Delta Transit Authority, Board of Directors (Seat 2)

Federal D. Glover

Contra Costa Transportation Authority Board of Commissioners (seat 1)
Local Agency Formation Commission
Metropolitan Transportation Commission
Tri Delta Transit Authority, Board of Directors (Seat 1)

John Gioia

Bay Area Air Quality Management District Board of Directors
Contra Costa Transportation Authority Board of Commissioners, Alternate (Seat 2)
Contra Costa Transportation Authority Board of Commissioners, Second Alternate (Seat 1)

Karen Mitchoff

ABAG Regional Planning Committee
Bay Area Air Quality Management District Board of Directors
Central Contra Costa Transit Authority (CCCTA) Board of Directors Alternate
Contra Costa Transportation Authority Board of Commissioners (Seat 2)

IV

Belinda Zhu

ABAG Finance Authority for Nonprofit Corporations Board of Directors and its Executive Committee, Second AI

Candace Andersen

ABAG Executive Board (Seat 2)
CCCERA (Contra Costa County Employees Retirement Association) Board of Trustees
Mental Health Commission

Diane Burgis

ABAG Executive Board, Alternate 2
ABAG General Assembly, Alternate
Delta Protection Commission
Mental Health Commission, Alternate
Sacramento-San Joaquin Delta Conservancy Board, Alternate

Federal D. Glover

ABAG (Association of Bay Area Counties) General Assembly
Bay Conservation & Development Commission, Alternate
Contra Costa County Redevelopment Successor Agency Oversight Board
Delta Diablo Sanitation District Governing Board
First 5 Children and Families Commission Member
North Coast Shoreline Joint Powers Authority
Pittsburg Redevelopment Successor Agency Oversight Board

John Gioia

ABAG Executive Board, Alternate 1
ABAG General Assembly, Alternate
Bay Conservation & Development Commission
CSAC (California State Association of Counties) Board of Directors
North Coast Shoreline Joint Powers Authority

John Gioia*

Kensington Solid Waste Coordinating Committee

Karen Mitchoff

ABAG Executive Board (Seat 1)
ABAG Finance Authority for Nonprofit Corporations Board of Directors and its Executive Committee
ABAG General Assembly
Clayton Redevelopment Successor Agency Oversight Board
Concord Redevelopment Successor Agency Oversight Board
Contra Costa County Redevelopment Successor Agency Oversight Board
CSAC Board of Directors, Alternate
Delta Diablo Sanitation District Governing Board, Alternate
Delta Protection Commission, Alternate
Pleasant Hill Redevelopment Successor Agency Oversight Board
Sacramento-San Joaquin Delta Conservancy Board
Walnut Creek Redevelopment Successor Agency Oversight Board

Russell Watts

ABAG Finance Authority for Nonprofit Corporations Board of Directors and its Executive Committee, First Alter
Thomas Cain

Law Library Board of Trustees

VACANT**

San Pablo Redevelopment Successor Agency Oversight Board

V

Diane Burgis

Northern Waterfront Economic Development Ad Hoc Committee

Federal D. Glover

Industrial Safety Ordinance/Community Warning System Ad Hoc Committee

Northern Waterfront Economic Development Ad Hoc Committee

Sustainability Ad Hoc Committee, Vice Chair

John Gioia

Industrial Safety Ordinance/Community Warning System Ad Hoc Committee

Sustainability Ad Hoc Committee, Chair

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(blank)

Grand Total

Iternate

nate

Row Labels

NO STIPEND

Belinda Zhu

ABAG Finance Authority for Nonprofit Corporations Board of Directors and its Executive Committee, Second AI
Candace Andersen

Bay Area Counties Caucus, Alternate

Contra Costa Health Plan Joint Conference Committee

Dougherty Valley Oversight Committee

East Bay Regional Communication System (EBRCS) Authority Governing Board

Family & Human Services Committee, Vice Chair

First 5 Children and Families Commission Alternate Member

Hiring Outreach & Oversight Committee, Vice-Chair

Internal Operations Committee, Chair

Mental Health Commission

Pleasant Hill BART/Contra Costa Centre Joint Powers Authority Board of Trustees

SWAT (Southwest Area Transportation Committee)

TRAFFIX (Measure J Traffic Congestion Relief Agency)

TRANSPAC, Alternate

Tri-Valley Transportation Council

Diane Burgis

ABAG General Assembly, Alternate

Airport Committee, Vice Chair

California Identification System Remote Access Network Board (Cal-ID RAN Board)

City-County Relations Committee

Delta Protection Commission

Dougherty Valley Oversight Committee

East Contra Costa County Habitat Conservancy, Governing Board

East Contra Costa Regional Fee & Finance Authority

eBART (Bay Area Rapid Transit) Partnership Policy Advisory Committee

Internal Operations Committee, Vice Chair

Legislation Committee, Chair

Mental Health Commission, Alternate

Northern Waterfront Economic Development Ad Hoc Committee

Open Space/Parks & East Bay Regional Parks District Liaison Committee, Vice Chair

Sacramento-San Joaquin Delta Conservancy Board, Alternate

State Route 4 Bypass Authority

TRANSPLAN (East County Transportation Planning)

Transportation, Water & Infrastructure Committee, Chair

Elise Warren

BayRICS Authority, Alternate

Federal D. Glover

ABAG (Association of Bay Area Counties) General Assembly

City-County Relations Committee

Contra Costa County Redevelopment Successor Agency Oversight Board

East Contra Costa County Habitat Conservancy, Governing Board, Alternate

East Contra Costa Regional Fee & Finance Authority, Alternate
eBART (Bay Area Rapid Transit) Partnership Policy Advisory Committee
First 5 Children and Families Commission Member
Hiring Outreach & Oversight Committee, Chair
Industrial Safety Ordinance/Community Warning System Ad Hoc Committee
Medical Services Joint Conference Committee, Vice Chair
North Coast Shoreline Joint Powers Authority
Northern Waterfront Economic Development Ad Hoc Committee
Open Space/Parks & East Bay Regional Parks District Liaison Committee, Chair
Pittsburg Redevelopment Successor Agency Oversight Board
Public Protection, Chair
State Route 4 Bypass Authority, Alternate
Sustainability Ad Hoc Committee, Vice Chair
TRANSPLAN, Alternate
Urban Counties Caucus
WCCTAC, Alternate

John Gioia

ABAG General Assembly, Alternate
CSAC (California State Association of Counties) Board of Directors
Family & Human Services Committee, Chair
Finance Committee, Vice Chair
Industrial Safety Ordinance/Community Warning System Ad Hoc Committee
Medical Services Joint Conference Committee, Chair
North Coast Shoreline Joint Powers Authority
North Richmond Waste and Recovery Mitigation Fee Committee
Public Protection, Vice Chair
Sustainability Ad Hoc Committee, Chair
WCCTAC (West County Transportation Advisory Committee)

John Gioia*

Kensington Solid Waste Coordinating Committee

Karen Mitchoff

ABAG Finance Authority for Nonprofit Corporations Board of Directors and its Executive Committee
ABAG General Assembly
Airport Committee, Chair
Bay Area Counties Caucus
City-County Relations Committee, Alternate
Clayton Redevelopment Successor Agency Oversight Board
Concord Redevelopment Successor Agency Oversight Board
Contra Costa County Redevelopment Successor Agency Oversight Board
Contra Costa Family Justice Alliance
Contra Costa Health Plan Joint Conference Committee
CSAC Board of Directors, Alternate
Delta Protection Commission, Alternate
East Bay Regional Communication System (EBRCS) Authority Governing Board, Alternate
Finance Committee, Chair
Legislation Committee, Vice Chair
Pleasant Hill BART/Contra Costa Centre Joint Powers Authority Board of Trustees

Pleasant Hill Redevelopment Successor Agency Oversight Board
Sacramento-San Joaquin Delta Conservancy Board
SWAT, Alternate
TRAFFIX (Measure J Traffic Congestion Relief Agency), Alternate
TRANSPAC (Central County Transportation Partnership and Cooperation)
Transportation, Water & Infrastructure Committee, Vice Chair
Urban Counties Caucus, Alternate
Walnut Creek Redevelopment Successor Agency Oversight Board

Mike Casten

Bay Area Regional Interoperable Communications System (BayRICS) Authority

Robert Rogers

North Richmond Waste and Recovery Mitigation Fee Committee, Alternate

Russell Watts

ABAG Finance Authority for Nonprofit Corporations Board of Directors and its Executive Committee, First Alter

Thomas Cain

Law Library Board of Trustees

VACANT**

San Pablo Redevelopment Successor Agency Oversight Board

NO STIPEND/inactive

Karen Mitchoff

Library Needs Assessment Steering Committee

Per diem of \$100/meeting + travel exp; max \$6,000

John Gioia

Bay Area Air Quality Management District Board of Directors

Karen Mitchoff

Bay Area Air Quality Management District Board of Directors

STIPEND of \$100 per meeting.

Candace Andersen

CCCERA (Contra Costa County Employees Retirement Association) Board of Trustees

STIPEND of \$100 per meeting; max of 4 meetings.

Federal D. Glover

Bay Conservation & Development Commission, Alternate

John Gioia

Bay Conservation & Development Commission

STIPEND of \$100 per meeting; up to \$200 month

Candace Andersen

Central Contra Costa Transit Authority (CCCTA) Board of Directors

Karen Mitchoff

Central Contra Costa Transit Authority (CCCTA) Board of Directors Alternate

STIPEND of \$100 per meeting; up to \$400 month

Candace Andersen

Contra Costa Transportation Authority Board of Commissioners, Alternate (Seat 1)

Diane Burgis

Contra Costa Transportation Authority Board of Commissioners, Third Alternate (Seat 1)

Federal D. Glover

Contra Costa Transportation Authority Board of Commissioners (seat 1)

John Gioia

Contra Costa Transportation Authority Board of Commissioners, Alternate (Seat 2)
Contra Costa Transportation Authority Board of Commissioners, Second Alternate (Seat 1)

Karen Mitchoff

Contra Costa Transportation Authority Board of Commissioners (Seat 2)

STIPEND of \$100/meeting; up to \$500/month per agency.

Federal D. Glover

Metropolitan Transportation Commission

STIPEND of \$100/month

Diane Burgis

Tri Delta Transit Authority, Board of Directors (Seat 2)

Federal D. Glover

Tri Delta Transit Authority, Board of Directors (Seat 1)

STIPEND of \$150 per meeting.

Candace Andersen

ABAG Executive Board (Seat 2)

Hazardous Waste Management Facility Allocation Committee

Local Agency Formation Commission

Diane Burgis

ABAG Executive Board, Alternate 2

Local Agency Formation Commission, Alternate

Federal D. Glover

Local Agency Formation Commission

John Gioia

ABAG Executive Board, Alternate 1

Karen Mitchoff

ABAG Executive Board (Seat 1)

ABAG Regional Planning Committee

Hazardous Waste Management Facility Allocation Committee, Alternate

STIPEND of \$170 per meeting; max of 6 meetings.

Federal D. Glover

Delta Diablo Sanitation District Governing Board

Karen Mitchoff

Delta Diablo Sanitation District Governing Board, Alternate

STIPEND of \$170/meeting; max 6 per month

Diane Burgis

East County Water Management Association

Federal D. Glover

East County Water Management Association, Alternate

STIPEND of \$50 per meeting.

Federal D. Glover

West Contra Costa Integrated Waste Management Authority, Alternate

John Gioia

West Contra Costa Integrated Waste Management Authority

STIPEND of \$50/meeting; max of 2 paid/month

Candace Andersen

Central Contra Costa Solid Waste Authority

Karen Mitchoff

Central Contra Costa Solid Waste Authority

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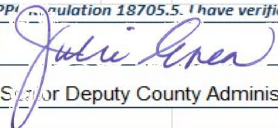
Grand Total

1
1

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Agency Report of:							California Form 806	
Public Official Appointments							Date Posted (Month, Day, Year)	
A Public Document								

1. Agency Name		Contra Costa County						
Division, Dept. or Region (If Applicable)		Board of Supervisors			Area Code/Phone Number		925-335-1900	
Designated Agency Contact (Name, Title)		David Twa, County Administrator			Email		david.twa@cao.cccounty.us	
I have read and understand FPPA regulation 18705.5. I have verified that the appointment and information identified is true to the best of my information and belief.								
Signature of Agency Head or Designee					Print Name		Julie DiMaggio Enea	
Title		Senior Deputy County Administrator			Month, Day, Year		1/10/2017	

2. Appointments							
Agency Boards and Commissions	Name of Appointed Person (Last, First)	Name of Alternate (Last, First)	Appointment Date	Length of Term (in years)	Per Meeting	Estimated Annual Salary/Stipend	Term Exp
ABAG Executive Board (Seat 1)	Mitchoff, Karen	Gioia, John	7/1/2014	4	\$150.00	\$1,800.00	6/30/2018
ABAG Executive Board (Seat 2)	Andersen, Candace	Burgis, Diane	7/1/2014	4	\$150.00	\$1,800.00	6/30/2018
ABAG Regional Planning Committee	Mitchoff, Karen	N/A	1/10/2017	1	\$150.00	\$1,800.00	12/31/2017
Bay Area Air Quality Management District Board of Directors #1	Gioia, John	N/A	1/8/2013	4	\$100.00	\$1,200.00	6/17/2021
Bay Area Air Quality Management District Board of Directors #2	Mitchoff, Karen	N/A	1/5/2016	4	\$100.00	\$1,200.00	1/20/2020
Bay Conservation & Development Commission	Gioia, John	Glover, Federal D.	1/10/2017	1	\$100.00	\$2,400.00	12/31/2017
CCCERA (Contra Costa County Employees Retirement Association) Board of Trustees	Andersen, Candace	Holcombe, Jerry	3/1/2015	2	\$100.00	\$2,400.00	6/30/2020
Central Contra Costa Solid Waste Authority Board of Directors Seat #1	Andersen, Candace	N/A	1/10/2017	1	\$50.00	\$1,200.00	12/31/2017
Central Contra Costa Solid Waste Authority Board of Directors Seat #2	Mitchoff, Karen	N/A	1/10/2017	1	\$50.00	\$1,200.00	12/31/2017
Central Contra Costa Transit Authority (CCCTA) Board of Directors	Andersen, Candace	Mitchoff, Karen	5/1/2015	2	\$100.00	\$2,400.00	5/1/2019
Contra Costa Transportation Authority Board of Directors Seat #1	Glover, Federal D.	Andersen, Candace	1/6/2015	2	\$100.00	\$2,400.00	1/31/2019
Contra Costa Transportation Authority Board of Directors, Second Alternate (Seat 1)	Gioia, John	N/A	2/1/2017	2	\$100.00	\$2,400.00	1/31/2019
Contra Costa Transportation Authority Board of Directors, Third Alternate (Seat 1)	Burgis, Diane	N/A	2/1/2017	2	\$100.00	\$2,400.00	1/31/2019
Contra Costa Transportation Authority Board of Directors Seat #2	Mitchoff, Karen	Gioia, John	1/5/2016	2	\$100.00	\$2,400.00	12/31/2018
Delta Diablo Sanitation District Governing Board	Glover, Federal D.	Mitchoff, Karen	1/5/2016	1	\$170.00	\$2,040.00	12/31/2017
East County Water Management Association Board of Directors	Burgis, Diane	Glover, Federal D.	1/10/2017	2	\$170.00	\$2,040.00	12/31/2017
Hazardous Waste Management Facility Allocation Committee	Andersen, Candace	Mitchoff, Karen	1/10/2017	1	\$150.00	\$900.00	12/31/2017
Local Agency Formation Commission	Glover, Federal D.	Burgis, Diane	5/6/2014	4	\$150.00	\$1,800.00	5/7/2018
Local Agency Formation Commission	Andersen, Candace	Burgis, Diane	5/6/2014	4	\$150.00	\$1,800.00	5/7/2018
Metropolitan Transportation Commission	Glover, Federal D.	N/A	1/6/2015	4	\$100.00	\$1,200.00	2/1/2019
Tri Delta Transit Authority, Board of Directors (Seat 1)	Glover, Federal D.	N/A	1/6/2015	2	\$100.00	\$1,200.00	12/31/2018
Tri Delta Transit Authority, Board of Directors (Seat 2)	Burgis, Diane	N/A	1/10/2017	2	\$100.00	\$1,200.00	12/31/2017
West Contra Costa Integrated Waste Management Authority Board of Directors	Gioia, John	Glover, Federal D.	1/10/2017	1	\$50.00	\$600.00	12/31/2017



Contra
Costa
County

To: Board of Supervisors
From: Karen Mitchoff, District IV Supervisor
Date: August 1, 2017

Subject: ACCEPT resignation of Iris Wong from the Contra Costa Commission for Women

RECOMMENDATION(S):

ACCEPT the resignation of Iris Wong, DECLARE a vacancy in the District IV Seat on the Contra Costa Commission for Women; and DIRECT the Clerk of the Board to post the vacancy, as recommended by Supervisor Mitchoff.

FISCAL IMPACT:

None

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.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Colleen Isenberg,
(925)521-7100

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

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: Federal D. Glover, District V Supervisor
Date: August 1, 2017

Subject: RE-APPOINT NAT ROJANASATHIRA TO THE CCC FIRE PROTECTION ADVISORY COMMISSION

RECOMMENDATION(S):

RE-APPOINT the following individual to the District V Representative Seat on the Contra Costa County Fire Protection District's Fire Advisory Commission, with a term expiring June 30, 2021, as recommended by Supervisor Federal D. Glover.

Nat Rojanasathira
Martinez, CA 94553

FISCAL IMPACT:

None.

BACKGROUND:

The function of the Commission is to review and advise on annual operations and capital budgets; to review district expenditures; to review and advise on long-range capital improvement plans; pursuant to district ordinance to serve as the Appeals Board on weed abatement matters; to advise the Fire Chief on district service matters; to meet jointly with the Board of Supervisors and provide advice to the board as needed; to communicate with the other fire district advisory commissions on services and functional integration; to assist in the Fire Chief's selection process as required; to serve as liaison between the Board of Supervisors and the community served by each district.

CONSEQUENCE OF NEGATIVE ACTION:

The seat would remain vacant.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Vincent Manuel (925)
427-8138

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

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: Federal D. Glover, District V Supervisor
Date: August 1, 2017

Subject: APPOINT Chantana Vornvilaipan to the District V Seat on the Contra Costa County IHSS Public Authority

RECOMMENDATION(S):

APPOINT the following individual to the District V Seat on the Contra Costa County In-Home Supportive Services Public Authority, with a term expiring June 30, 2021, as recommended by Supervisor Federal D. Glover.

Chantana Vornvilaipan
Pinole, CA

FISCAL IMPACT:

None.

BACKGROUND:

The Public Authority has an Advisory Committee whose membership is composed of individuals who are current or past users of personal assistance services paid for through public or private funds and professional representatives from the Community. There are "consumer" members and representatives from County Supervisors districts. Advisory Committee members want to hear ideas for improving IHSS or about any problems one may have with the system.

CONSEQUENCE OF NEGATIVE ACTION:

Position would remain vacant.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Vincent Manuel (925)
427-8138

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

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: John Gioia, District I Supervisor
Date: August 1, 2017

Subject: Appoint Ylan Hunt to Appointed Seat 7 of the El Sobrante Municipal Advisory Council

RECOMMENDATION(S):

APPOINT Ylan Hunt to Appoint Seat 7 on the El Sobrante Municipal Advisory Council to a term ending 12/31/2018, as recommended by Supervisor John Gioia.

Ylan Hunt
El Sobrante, CA 94803

FISCAL IMPACT:

None.

BACKGROUND:

The council shall advise the Board of Supervisors on: 1) Services which are or may be provided to unincorporated El Sobrante by the County or other local governmental agencies. Such services include, but are not limited to, public health, safety, welfare, public works, and planning, 2) the feasibility of organizing the existing special districts serving unincorporated El Sobrante in order to more efficiently provide public services such as, but not limited to, water, sewer, fire, and parks and recreation, 3) representing unincorporated El Sobrante before the Local Agency Formation Commission on proposed boundary changes affecting the community, 4) representing unincorporated El Sobrante before the County Planning Commission(s) and the Zoning Administrator on land use and other planning matters affecting the community. In this regard, the Council shall cooperate with any other planning advisory bodies in unincorporated El Sobrante in order to avoid duplication and delay in the planning process, 5) Provide input and reports to the Board of Supervisors, County staff, or any other County hearing body on issues

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: James Lyons,
510-231-8692

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

of concern to unincorporated El Sobrante, and 6) representing unincorporated El Sobrante before other public entities and agencies. It is understood that the Board of Supervisor's is the final decision making authority with respect to issues concerning unincorporated El Sobrante and that the Council shall solely in an advisory capacity.

Ms. Hunt's background as a social worker coupled with being relatively new to El Sobrante make her a great addition the El Sobrante Municipal Advisory Council.

Supervisor Gioia recruits for his advisory body openings in a number of ways including through his website, blasts, newsletters, and the traditional media; interviewing eligible candidates.

ATTACHMENTS

Ylan_Hunt_Application



Contra
Costa
County

RECEIVED
MAR 30 2017

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:

MEMBER EL SOBRANTE MAC

PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

MEMBER _____

PRINT EXACT SEAT NAME (if applicable)

1. **Name:** WILLS YLAN NICOLE
(Last Name) (First Name) (Middle Name)

2. **Address:** _____
(No.) (Street) (Apt.) (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) ARGOSY UNIVERSITY ONLINE	FORENSIC PSYCH	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	36		MA	3/2012
B) CSU EAST BAY	PSYCHOLOGY	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>		106	BA	12/2008
C) CONTRA COSTA COLLEGE	PSYCHOLOGY	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	100.5		AA	6/2005
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> 03/2015 TO PRESENT</p> <p>Total: <u>Yrs.</u> <u>Mos.</u> 2 YEARS</p> <p>Hrs. per week <u>40+</u> . Volunteer <input type="checkbox"/></p>	<p>Title SOCIAL WORKER</p> <hr/> <p>Employer's Name and Address CONTRA COSTA COUNTY C/O EHSD 40 DOUGLAS DIRVE MARTINEZ, CA 94553</p>	<p>Duties Performed Conduct intake, inter-county, and annual reassessments of clients eligible for the In-Home Support Services program due to physical and/or mental impairment. Clients are all ages, including pediatric and geriatric age groups. Case load is approximately 350 cases.</p>
<p>B) Dates (Month, Day, Year) <u>From</u> <u>To</u></p> <p>Total: <u>Yrs.</u> <u>Mos.</u></p> <p>Hrs. per week _____ . Volunteer <input type="checkbox"/></p>	<p>Title</p> <hr/> <p>Employer's Name and Address</p>	<p>Duties Performed</p>
<p>C) Dates (Month, Day, Year) <u>From</u> <u>To</u></p> <p>Total: <u>Yrs.</u> <u>Mos.</u></p> <p>Hrs. per week _____ . Volunteer <input type="checkbox"/></p>	<p>Title</p> <hr/> <p>Employer's Name and Address</p>	<p>Duties Performed</p>
<p>D) Dates (Month, Day, Year) <u>From</u> <u>To</u></p> <p>Total: <u>Yrs.</u> <u>Mos.</u></p> <p>Hrs. per week _____ . Volunteer <input type="checkbox"/></p>	<p>Title</p> <hr/> <p>Employer's Name and Address</p>	<p>Duties Performed</p>

7. How did you learn about this vacancy?

☐ CCC Homepage ☐ Walk-In ☐ Newspaper Advertisement ☐ District Supervisor ☒ Other Internet Search

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: _____

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: 3/27/2017

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.

Ylan N. Wills

Career Objective

To secure a position in the field of social services that promotes the cultivation of family and community.

Employment

2015 – 2016	Contra Costa County	Social Worker I
2013 – 2015	Contra Costa County/Covered California	Lead Customer Service Agent
2012 – 2013	24 Hr Home Care	Certified Nursing Assistant
2012 – 2013	California Autism Foundation	Educational Specialist
2012 – 2012	At Home Assisted Care	Certified Companion Aide
2011 - 2012	Junction City Police Department	911 Dispatcher
2001 - 2009	Alameda County Medical Center Doctor's Medical Center California Pacific Medical Center Kaiser Permanente Medical Center	PBX Operator
1999 - 2003	Alta Bates Summit Medical Center Kaiser Permanente Medical Center Centennial Homes Private Clientele	Human Resources Technician Assistant Volunteer Coordinator Bookkeeper Home Health Aide (Non-Certified)
1998 - 1999	Macy's West	Sales Associate

Education

2012	Certified Nursing Aide (Licensed)	Cloud County Community College, KS
2012	M.A. Degree – Forensic Psychology	Argosy University Online
2008	B.A. Degree – Psychology	California State University, Hayward
2005	A.A. Degree – Psychology	Contra Costa College, San Pablo, CA
2005	A.A. Degree – Liberal Studies	Contra Costa College, San Pablo, CA

Office Automation Skills

- | | | |
|---|---|--|
| <ul style="list-style-type: none">• Microsoft Office, including Word, Excel, Outlook, Access, PowerPoint• Eligibility Services• Enrollment Services | <ul style="list-style-type: none">• Adobe Photoshop• PBX/ Switchboard• KRONOS payroll• Faxing• Copying• Data Entry | <ul style="list-style-type: none">• Report Composition• Statistical Data Analysis• Policy & Procedure Interpretation• HR Protocol |
|---|---|--|

Contra Costa County
Employment & Human Services

Aging & Adult • Children & Family • Community Services
Workforce Development Board • Workforce Services

1275-A Hall Ave. • Richmond, CA 94804

PCN 62AG

SAN FRANCISCO CA 940

28 MAR 2017 PM 2 L



CONTRA COSTA COUNTY
CLERK OF THE BOARD
651 PINE STREET, RM 100
MARTINEZ, CA 94553-1292

94553-129299





Contra
Costa
County

To: Board of Supervisors
From: John Gioia, District I Supervisor
Date: August 1, 2017

Subject: Appoint James Mellander to the District 1 seat of the Merit Board

RECOMMENDATION(S):

APPOINT James Mellander to the District 1 seat on the Merit Board, as recommended by Supervisor Gioia.

James Mellander
El Sobrante, CA 94803

FISCAL IMPACT:

None.

BACKGROUND:

Authorized to carry out the duties of the Merit Board under the Merit System Ordinance (Ordinance No. 80-47), as required in State law.

The Merit Board's jurisdiction shall be to oversee the merit system and to hear and decide the following matters: unlawful discrimination appeals or complaints, appeals from: orders and actions of dismissal, suspension, demotion or reduction of compensation; application of the layoff regulations; coerced resignation and appeals from denial of flexibly staffed promotions.

Personnel Management Regulations - PART 2

201. APPOINTMENT. The Merit Board shall consist of five (5) (or seven [7])

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: James Lyons,
510-231-8692

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

if authorized by legislation) qualified electors of the County of Contra Costa who are neither County or District employees nor employees of any organization representing County or District employees. Merit Board members shall be appointed by the Board of Supervisors.

202. TERM OF APPOINTMENT. The term of Merit Board members shall be four (4) years except for the initial appointments.

203. INITIAL MERIT BOARD TERMS. The terms of office of two (2) members of the first Merit Board shall be one (1) year. The terms of office of the other members of the first Merit Board shall be two (2), three (3), and four (4) years, respectively. The members shall determine by lot the relative order of the expiration of their terms.

204. CHAIR. Each calendar year the Merit Board shall select a chairperson from its members to serve a one (1) year term.

Mr. Hunt's background with the Grand Jury coupled with his desire to serve the residents of Contra Costa County make him a great candidate to serve on the Merit Board.

Supervisor Gioia recruits for his advisory body openings in a number of ways including through his website, blasts, newsletters, and the traditional media; interviewing eligible candidates.

CONSEQUENCE OF NEGATIVE ACTION:

The Merit Board needs to have all of it's vacancies filled. The Merit Board will struggle to have a quorum at our meetings if Mr. Mellander is not appointed.

ATTACHMENTS

James_Mellander_Application

Application Form

Profile

This application is used for all boards and commissions

James

First Name

Mellander

Last Name

Middle Initial

Email Address

Home Address

Suite or Apt

El Sobrante

City

CA

State

94803

Postal Code

Primary Phone

Lawrence Berkeley National
Laboratory

Employer

Retired

Job Title

Computer Scientist

Occupation

Do you, or a business in which you have a financial interest, have a contract with Contra Costa Co.?

☐ Yes ☒ No

Is a member of your family (or step-family) employed by Contra Costa Co.?

☐ Yes ☒ No

Interests & Experiences

Which Boards would you like to apply for?

Merit Board: Submitted

Please describe your interest in serving as a member of the board(s) you have selected and if applicable which seat you are applying for.

I am interested in public service, and ensuring that employees are fairly treated.

Have you previously served on a government or non-profit board or committee?

2 years on Contra Costa County Grand Jury, including one as Foreperson

Please describe how your education, work experience, or other activities have prepared you to serve on the board or commission you have selected.

My experience in the Grand Jury provided the opportunity for negotiation and problem solving in the public sector.

[Upload a Resume](#)

Education History

Select the highest level of education you have received:

☒ Other

AA-equivalent

If "Other" was Selected Give Highest Grade or Educational Level Achieved

College/ University A

Laney College

Name of College Attended

Data Processing

Course of Study / Major

1.5 years

Units Completed

Type of Units Completed

☒ Semester

Degree Awarded?

☐ Yes ☒ No

Degree Type

Date Degree Awarded

College/ University B

US Navy Electronics

Name of College Attended

Electronics

Course of Study / Major

Full Course

Units Completed

Type of Units Completed

☒ Quarter

Degree Awarded?

☒ Yes ☐ No

AA-equivalent

Degree Type

1974

Date Degree Awarded

College/ University C

Name of College Attended

Course of Study / Major

Units Completed

Type of Units Completed

- ☐ Semester
☐ Quarter

Degree Awarded?

- ☐ Yes ☐ No

Degree Type

Date Degree Awarded

Other schools / training completed:

Course Studied

Hours Completed

Certificate Awarded?

- ☐ Yes ☐ No

Work History

Please provide information on your last three positions, including your current one if you are working.

1st (Most Recent)

6/2015-6/2017

Dates (Month, Day, Year) From - To

40+

Hours per Week Worked?

Volunteer Work?

☒ Yes ☐ No

Grand Juror

Position Title

Employer's Name and Address

Contra Costa County Grand Jury

Duties Performed

1st year as Grand Jury member, 2nd year as Foreperson. Investigated issues of County-wide significance, and prepared reports for County government. Investigated misconduct by DA, resulting in his resignation from office.

2nd

9/2000 - 11/2014

Dates (Month, Day, Year) From - To

40

Hours per Week Worked?

Volunteer Work?

☐ Yes ☒ No

Computer Scientist

Position Title

Employer's Name and Address

Lawrence Berkeley National Laboratory 1 Cyclotron Road Berkeley, CA

Duties Performed

Developed, monitored, and maintained cybersecurity infrastructure to protect national laboratory computer assets.

3rd

Dates (Month, Day, Year) From - To

Hours per Week Worked?

Volunteer Work?

☐ Yes ☐ No

Position Title

Employer's Name and Address

Duties Performed

Final Questions

How did you learn about this vacancy?

☒ District Supervisor

If "Other" was selected please explain

. Do you have a Familial or Financial Relationship with a member of the Board of Supervisors?

☐ Yes ☒ No

If Yes, please identify the nature of the relationship:

Do you have any financial relationships with the County such as grants, contracts, or other economic relations?

☐ Yes ☒ No

If Yes, please identify the nature of the relationship:



Contra
Costa
County

To: Board of Supervisors
From: Candace Andersen, District II Supervisor
Date: August 1, 2017

Subject: APPOINTMENT TO THE CONTRA COSTA COUNTY MERIT BOARD

RECOMMENDATION(S):

APPOINT the following person to the District II Seat on the Contra Costa County Merit Board for a four-year term with an expiration date of June 30, 2021, as recommended by Supervisor Candace Andersen:

Dennis Reigle
Danville, CA 94506

FISCAL IMPACT:

None.

BACKGROUND:

The Contra Costa County Merit Board consists of five (5) residents of Contra Costa County who are neither County or District employees nor employees of any organization representing County or District employees. Merit Board members shall be appointed by the Board of Supervisors. They are given the following powers and duties:

- The Merit Board shall hear and make final determinations on: appeals from orders and actions of dismissal; suspension; or reduction in rank or compensation unless alternative jurisdiction is conferred by the board of supervisors. When it is given such jurisdiction by the Board of Supervisors, it may decide discrimination complaints and other matters.

☒ APPROVE

☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Jill Ray,
925-957-8860

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

By: , Deputy

cc: District 2 Supervisor, Maddy Book, Merit Board, Appointee

BACKGROUND: (CONT'D)

- It shall hear and make recommended determinations on other matters, when it is given jurisdiction of such matters by the Board of Supervisors.
- The Merit Board as a whole shall monitor the operation of the County Personnel Management System including the Merit System and report its recommendations from time to time to the Board of Supervisors.

CONSEQUENCE OF NEGATIVE ACTION:

The District II Seat will remain vacant.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: August 1, 2017

Subject: Medical Staff Appointments and Reappointments – July 2017

RECOMMENDATION(S):

Approve the medical staff appointments and reappointments, additional privileges, advancements, and voluntary resignations as recommend by the Medical Staff Executive Committee, at their July 5, 2017 meeting, and by the Health Services Director.

FISCAL IMPACT:

Not applicable.

BACKGROUND:

The Joint Commission on Accreditation of Healthcare Organizations has requested that evidence of Board of Supervisors approval for each Medical Staff member will be placed in his or her Credentials File. The above recommendations for appointment/reappointment were reviewed by the Credentials Committee and approved by the Medical Executive Committee.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Contra Costa Regional Medical and Contra Costa Health Centers' medical staff would not be appropriately credentialed and not be in compliance with the Joint Commission on Accreditation of Healthcare Organizations.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Anna Roth,
925-370-5101

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

By: , Deputy

cc: Tasha Scott, Marcy Wilhelm, Tami Sloan

ATTACHMENTS

Attachments

A. New Medical Staff Membership

Androuw Carrasco, MD	ED (Global Health Fellow)
Frank Chiricosta, MD	Pathology

B. Request for Additional Privileges

Caroline Mogler, MD	Hospitalist	Post Grad Privileges
Allison Newman, MD	OB/GYN	Hospitalist
Jessica Standish, MD	Hospitalist	Family Medicine
Courtney Wright, MD	OB/GYN	Abortion Second Trimester

C. Advance to Non-Provisional

Erin Daisley, FNP	Family Medicine
Estelita Marquez-Floyd, MD	Psychiatry/Psychology
Francisca Niameh, Psy.D	Psychiatry/Psychology

D. Biennial Reappointments

Frederick Adler, MD	Emergency Medicine	A
Larkin Breed, MD	Diagnostic Imaging	C
Daniel Cremin, MD	Internal Medicine (Outpatient)	A
Cinnie Chou, MD	Family Medicine	A
Elliot Dushkin, DDS	Dental	A
Jessica Hamilton, MD	Family Medicine	A
Robert Liebig, MD	Diagnostic Imaging	A
Bailey Lee, MD	Diagnostic Imaging	C
Sara Levin, MD	Internal Medicine (Outpatient)	A
Gilbert Newman, PhD	Psychiatry/Psychology	C
Sunil Kishan, MD	Psychiatry/Psychology	C
Joshua Perlroth, MD	Internal Medicine (Infectious Disease)	C
Joachim Raese, MD	Psychiatry/Psychology	A
Brenda Reilly, MD	Emergency Medicine	C
Abraham Rice, MD	Pediatrics	A
John Rostkowski, MD	Psychiatry/Psychology	A
Gabriela Sullivan, MD	Internal Medicine	A
Margaret Thayer, PhD	Psychiatry/Psychology	C
Brandon Vance, MD	Psychiatry/Psychology	C
Ronald Wasserman, MD	Internal Medicine (Infectious Disease)	C
Lauren Wondolowski, MD	Family Medicine	A
Howard Young, MD	Diagnostic Imaging	C

E. Biennial Renew of Privileges

Tamra Groode, FNP, RN, NP	Pediatrics	AFF
Cynthia Hellman-Wylie, NP	Internal Medicine	AFF
Renan Sagum, NP	Family Medicine	AFF
Howard Shaw, NP	Family Medicine	AFF

F. Teleradiologist (VRAD) Reappointments

Alan Pratt, MD	vRad
----------------	------

G. Voluntary Resignations

Nicole Baltrushes-Hughes, MD	Hospitalist
John Hartmann, MD	Psychiatry/Psychology
Karen Marcus, MD	Psychiatry/Psychology
Marc McDaniel, MD	Psychiatry/Psychology
Paul Shen, MD	Family Medicine
David Weiland, MD	Internal Medicine-Cardiology



Contra
Costa
County

To: Board of Supervisors
From: David O. Livingston, Sheriff-Coroner
Date: August 1, 2017

Subject: Cal ID Appropriation Adjustment - Livescan

RECOMMENDATION(S):

APPROVE Appropriation and Revenue Adjustment No. 5002 increasing fiscal year 2016/17 revenue and appropriations in the Sheriff's Office (0255) in the amount of \$656,500 for the to reflect anticipated revenue and expenditures association with the purchase of Livescan equipment.

FISCAL IMPACT:

This action increases fiscal year 2016/17 revenue and appropriations by \$656,500. There is no change in net county cost.

BACKGROUND:

In 1985, the legislators enacted California Penal Code (PC) section 1112.1. The law directed the California Department of Justice (DOJ) to develop a California Identification System (CAL-ID).

The CAL-ID local RAN (Remote Access Network) board approved funding in fiscal year 14/15 in the amount of \$200,000 for the purchase of new LiveScan hardware equipment. Due to project delays, the LiveScan equipment was not purchased in fiscal year 14/15. During the fiscal year 15/16 RAN board meeting, the board approved an additional \$600,000 to upgrade the LiveScan equipment. By December 2016 the upgraded LiveScan equipment was purchased and installed at all Law Enforcement Agencies throughout the County.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☒ 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: August 1, 2017

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

CONSEQUENCE OF NEGATIVE ACTION:

Fiscal year 2016/17 appropriations and revenue will not accurately reflect anticipated revenue and expenditures.

CHILDREN'S IMPACT STATEMENT:

No impact.

ATTACHMENTS

FY 2016/17 Appropriations and Revenue Adjustment No. 5002

CONTRA COSTA COUNTY
ESTIMATED REVENUE ADJUSTMENT
T/C 24

P4

ACCOUNT CODING		BUDGET UNIT: (0255) Office of the Sheriff			
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE		<DECREASE>
2517	9951	REIMBURSEMENTS - GOV/GOV	656,500	00	
TOTALS			656,500	00	0 00

APPROVED

AUDITOR-CONTROLLER:

BY: [Signature] DATE 7/24/17

COUNTY ADMINISTRATOR:

BY: [Signature] DATE 7/26/17

BOARD OF SUPERVISORS:

YES:

NO:

EXPLANATION OF REQUEST

To appropriate new revenue for purchase of Livescan Equipment.

[Signature]

Fiscal Officer

SIGNATURE

TITLE

7/10/2017

DATE

BY: _____ DATE _____

REVENUE ADJ.
JOURNAL NO.

RAOO

5002

P4

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: (0255) Office of the Sheriff			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
2517	2310	NON CNTY PROF SPCLZD SVCS			65,000 00
2517	4954	MEDICAL & LAB EQUIPMENT			591,500 00
TOTALS			0	00	656,500 00

APPROVED

AUDITOR-CONTROLLER:

BY:  DATE 7/24/17

COUNTY ADMINISTRATOR:

BY:  DATE 7/26/17

BOARD OF SUPERVISORS:

YES:

NO:

EXPLANATION OF REQUEST

To appropriate new revenue for purchase of Livescan equipment.



SIGNATURE

Fiscal Officer

TITLE

7/10/2017

DATE

APPROPRIATION

APOO

5002

ADJ. JOURNAL NO.

BY: _____ DATE _____



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: August 1, 2017

Subject: FY 2016/17 SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND (SLESF)

RECOMMENDATION(S):

APPROVE Appropriations and Revenue Adjustment No. 5109 increasing fiscal year 2016/17 revenue and appropriations in the Supplemental Law Enforcement Services Fund (Fund No. 114300) in the amount of \$78,505 to reflect anticipated revenue and expenditures.

FISCAL IMPACT:

This action increases estimated revenue by \$78,505 to reflect anticipated apportionments from the State and align with projected expenditures for fiscal year 2016/17.

BACKGROUND:

The County receives funding to the Supplemental Law Enforcement Services Account (SLESA) pursuant to Government Code sections 30061-30063. The funding is allocated in statute to certain law enforcement activities, including: criminal prosecution, county front line law enforcement, city front line law enforcement, county jail operations and juvenile probation.

Prior to development of the SLESA, counties received this funding through the Supplemental Law Enforcement Services Fund (SLESF) since the mid-1990s.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Timothy Ewell, (925)
335-1036

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

By: , Deputy

cc: David Livingston, Sheriff-Coroner

BACKGROUND: (CONT'D)

In Contra Costa County, SLESA revenue is recognized in the 2011 Local Revenue Fund, then transferred to the SLESF for distribution to appropriate county departments and municipalities pursuant to the Government Code.

Today's action makes adjustments to the estimated revenue and expenditure appropriations reflect anticipated revenue and expenditures for fiscal year 2016/17.

CONSEQUENCE OF NEGATIVE ACTION:

Appropriations and estimated revenue will not accurately reflect current projections.

ATTACHMENTS

TC24/27_5109

16/17

CONTRA COSTA COUNTY
ESTIMATED REVENUE ADJUSTMENT/
ALLOCATION ADJUSTMENT
T/C 24

AUDITOR-CONTROLLER USE ONLY
FINAL APPROVAL NEEDED BY:
☒ BOARD OF SUPERVISORS
☐ COUNTY ADMINISTRATOR
☐ AUDITOR-CONTROLLER

ACCOUNT CODING		DEPARTMENT : Fund No. 114300 "Supplemental Law Enforcement Services Fund"			
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE		<DECREASE>
0264	9956	TRANSFERS - GOV/GOV	78,505	00	
TOTALS			78,505	00	0 00

APPROVED

AUDITOR-CONTROLLER:

BY:  DATE 7/26/17

COUNTY ADMINISTRATOR:

BY: _____ DATE _____

BOARD OF SUPERVISORS:

YES:

NO:

BY: _____ DATE _____

EXPLANATION OF REQUEST:

To adjust estimated revenue and appropriations in Fund No. 114300 to align with actual revenue and expenditures projected for fiscal year 2016/17.



Timothy M. Ewell Senior Deputy County Administrator 7/17/2017
SIGNATURE TITLE DATE

REVENUE ADJ. RAOO 5109
JOURNAL NO.

16/17

CONTRA COSTA COUNTY
APPROPRIATION ADJUSTMENT /
ALLOCATION ADJUSTMENT

T/C 27

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:

- ☒ BOARD OF SUPERVISORS
☐ COUNTY ADMINISTRATOR
☐ AUDITOR-CONTROLLER

ACCOUNT CODING		DEPARTMENT : Fund No. 114300 "Supplemental Law Enforcement Services Fund"			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
0264	3580	CONTRIB TO OTHER AGENCIES			78,505 00
TOTALS			0 00		78,505 00

APPROVED

AUDITOR-CONTROLLER:

BY: [Signature] DATE 7/26/17

COUNTY ADMINISTRATOR:

BY: _____ DATE _____

BOARD OF SUPERVISORS:

YES:

NO:

BY: _____ DATE _____

EXPLANATION OF REQUEST:

To adjust estimated revenue and appropriations in Fund No. 114300 to align with actual revenue and expenditures projected for fiscal year 2016/17.

[Signature]

Timothy M. Ewell Senior Deputy County Administrator 7/17/2017
SIGNATURE TITLE DATE

APPROPRIATION APOO 5109
ADJ. JOURNAL NO.



Contra
Costa
County

To: Board of Supervisors

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

Date: August 1, 2017

Subject: Revenue Adjustment for Unanticipated Revenue and Appropriation for Estimated Expenditures in Stormwater Utility Fund for Fiscal Year 2016-17

RECOMMENDATION(S):

APPROVE Fiscal Year 2016/17 Appropriation and Revenue Adjustment No. 5105 and AUTHORIZE new revenue in Stormwater Utility A-12 Pittsburg, Fund 251200, for Stormwater Pollution Center fees in the amount of \$30,500, as recommended by the Public Works Director, Countywide.

FISCAL IMPACT:

This action provides additional appropriations from unanticipated realized revenue and budgets for expenditures for Fiscal Year 2016/17 (100% Stormwater Utility A-12 Pittsburg).

BACKGROUND:

This action appropriates unanticipated Fiscal Year 2016/17 revenue and provides adjustments to Stormwater Utility A-12 Pittsburg for estimated expenditures.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, expenditures will exceed current budgets in Stormwater Utility A-12 Pittsburg.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Shirley Lau, 925.
313-2035

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

By: , Deputy

cc:

ATTACHMENTS

AP 5105

CONTRA COSTA COUNTY
APPROPRIATION ADJUSTMENT /
ALLOCATION ADJUSTMENT
T/C 27

PY
16-17

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:

- ☒ BOARD OF SUPERVISORS
☐ COUNTY ADMINISTRATOR
☐ AUDITOR-CONTROLLER

ACCOUNT CODING		DEPARTMENT : Public Works Department			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
		STORMWATER UTIL A-12 PITT - FUND 251200			
7512	2310	NON CNTY PROF SPCLZD SVCS			30,000 00
7512	2479	OTHER SPECIAL DPMTAL EXP			500 00

APPROVED

AUDITOR-CONTROLLER:

BY:

DATE 7/24/17

COUNTY ADMINISTRATOR:

BY:

DATE 7/26/17

BOARD OF SUPERVISORS:

YES:

NO:

BY: _____ DATE _____

EXPLANATION OF REQUEST:

Appropriation Adjustment to resolve FY 2016/17 over expenditures in various funds and appropriate new revenue received.

SIGNATURE _____ TITLE _____ DATE 7/27/17
APPROPRIATION APOO 5105
ADJ. JOURNAL NO.

CONTRA COSTA COUNTY
ESTIMATED REVENUE ADJUSTMENT/
ALLOCATION ADJUSTMENT
T/C 24

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:

- ☒ BOARD OF SUPERVISORS
☐ COUNTY ADMINISTRATOR
☐ AUDITOR-CONTROLLER

PY
16-17

ACCOUNT CODING		DEPARTMENT : Public Works Department			
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE		<DECREASE>
7512	9794	STORMWATER UTIL A-12 PITT - FUND 251200 STORMWATER POLLUTION CNTR	30,500	00	
TOTALS			30,500	00	0 00

APPROVED

AUDITOR-CONTROLLER:

BY:

 DATE 7/24/17

COUNTY ADMINISTRATOR

BY:

 DATE 7/26/17

BOARD OF SUPERVISORS:

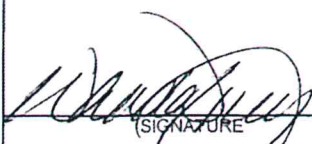
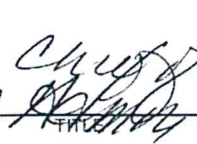

YES:

NO:

BY: _____ DATE _____

EXPLANATION OF REQUEST:

Appropriation Adjustment to resolve FY 2016/17 over expenditures in various funds and appropriate new revenue received.

  
(SIGNATURE) (SIGNATURE) (SIGNATURE) DATE 7/27/17
REVENUE ADJ. RAOO 5105
JOURNAL NO.



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: August 1, 2017

Subject: Revenue Adjustment for Unanticipated Revenue and Appropriation for Estimated Expenditures in Various Special District Funds for Fiscal Year 2016/17

RECOMMENDATION(S):

APPROVE Fiscal Year 2016/17 Appropriation and Revenue Adjustment No. 5104 and AUTHORIZE new revenue in Special District CSA R-4 Moraga, Fund 275100, for property tax and assessment fees in the amount of \$809 and CSA R-10 Rodeo, Fund 276000, for miscellaneous revenue in the amount of \$260,210, as recommended by the Public Works Director, Countywide.

FISCAL IMPACT:

This action provides additional appropriations from unanticipated realized revenues in Special District Funds and budgets for expenditures for Fiscal Year 2016/17 (0.3% CSA R-4, 99.7% CSA R-10).

BACKGROUND:

This action appropriates unanticipated Fiscal Year 2016/17 revenue and provides adjustments to Special District Funds for estimated expenditures.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, expenditures will exceed current budgets in Special District Funds.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Michelle Stella, 925.
313-2123

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

By: , Deputy

cc:

ATTACHMENTS

AP 5104

CONTRA COSTA COUNTY
APPROPRIATION ADJUSTMENT /
ALLOCATION ADJUSTMENT
T/C 27

FY
16/17

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:

- ☒ BOARD OF SUPERVISORS
☐ COUNTY ADMINISTRATOR
☐ AUDITOR-CONTROLLER

ACCOUNT CODING		DEPARTMENT : Public Works Department			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
		<u>SERV AREA R-4 MORAGA - FUND 275100</u>			
7751	3611	INTERFUND EXP - GOV/GOV	39	00	
7751	3580	CONTRIB TO OTHER AGENCIES			848 00
		<u>SERV AREA R-10 RODEO - FUND 276000</u>			
7770	2310	NON CNTY PROF. SPCLZD SVCS	315,000	00	
7770	3620	GEN SVC-REQUESTED MNTCE			35,000 00
7770	4700	R-10 LEFTY GOMEZ IMPR FLD			540,210 00
TOTALS			315,039	00	576,058 00

APPROVED

AUDITOR-CONTROLLER:

BY:



DATE

7/24/17

COUNTY ADMINISTRATOR

BY:



DATE

7/26/17

BOARD OF SUPERVISORS:

YES:

NO:

BY:

DATE

EXPLANATION OF REQUEST:

Appropriation Adjustment to resolve FY 2016/17 over expenditures in various funds and appropriate new revenue received.

  7/17/17
SIGNATURE TITLE DATE

APPROPRIATION

APOO

5104

ADJ. JOURNAL NO.

CONTRA COSTA COUNTY
ESTIMATED REVENUE ADJUSTMENT/
ALLOCATION ADJUSTMENT
T/C 24

PY
14/17

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:

- ☒ BOARD OF SUPERVISORS
☐ COUNTY ADMINISTRATOR
☐ AUDITOR-CONTROLLER

ACCOUNT CODING		DEPARTMENT : Public Works Department			
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE		<DECREASE>
7751	9010	<u>SERV AREA R-4 MORAGA - FUND 275100</u>			
		PROP TAXES-CURRNT SECRD	809	00	
7770	9595	<u>SERV AREA R-10 RODEO - FUND 276000</u>			
		MISC GOVT AGENCIES	65,000	00	
7770	9975	MISC NON-TAXABLE REVENUE	195,210	00	

APPROVED

AUDITOR-CONTROLLER:

BY:

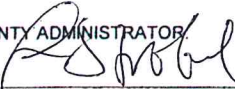


DATE

7/24/17

COUNTY ADMINISTRATOR:

BY:



DATE

7/26/17

BOARD OF SUPERVISORS:

YES:


NO:

EXPLANATION OF REQUEST:

Appropriation Adjustment to resolve FY 2016/17 over expenditures in various funds and appropriate new revenue received.



SIGNATURE



DATE

7/27/17

REVENUE ADJ.

RA00

5104

JOURNAL NO.

BY:

DATE



Contra
Costa
County

To: Board of Supervisors

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

Date: August 1, 2017

Subject: ADD one Account Clerk Advanced Level position and CANCEL one Accounting Technician position in the Public Works Department

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 22084 to add one (1) Account Clerk - Advanced Level (JD7D) (represented) full-time position at salary level 3RX 1133 (\$3,651-\$4,663); and cancel one (1) Accounting Technician (JD7A) (represented) vacant position #14052 at salary level 3RX 1236 (\$4,043-\$5,163) in the Public Works Department.

FISCAL IMPACT:

There is an anticipated annual cost savings of \$7,992.

BACKGROUND:

The Public Works Department has determined that an Accounting Technician vacant position is no longer necessary within its operations. Thus, the Department is requesting to add instead an Account Clerk - Advanced Level position for the Department's Finance Division. This position will be responsible for processing purchase orders and contracts, completing Board Orders, and for inventory control of the Facilities and Fleet Divisions.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Kelli Zenn,
925-313-2108

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

By: , Deputy

cc: kelli Zenn

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Public Works Department will not have the appropriate classification to support the required work functions of the Public Works Finance Division.

ATTACHMENTS

AIR 28097 P300 22084

POSITION ADJUSTMENT REQUEST

NO. 22084
DATE 2/6/2017

Department Public Works

Department No./
Budget Unit No. 0650 Org No. 4503 Agency No. 65

Action Requested: Add one Account Clerk Advanced Level (JD7D) (represented) position at salary level 3RX 1133 (\$3,651–\$4,663): and CANCEL one (1) Accounting Technician (JD7A) (represented) vacant position #14052 at salary level 3RX 1236 (\$4,043–\$5,163) in the Public Works Department.

Proposed Effective Date: _____

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 -7996

Net County Cost 0

Total this FY -666

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Salary Savings

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Julia R. Bueren

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

L.Strobel

5/11/17

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 7/10/2017

Add one (1) Account Clerk - Advanced Level (JD7D) (represented) position at salary level 3RX 1133 (\$3,651–\$4,663): and cancel one (1) Accounting Technician (JD7A) (represented) vacant position #14052 at salary level 3RX 1236 (\$4,043–\$5,163)

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ _____(Date)

Eva Barrios

7/10/2017

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE _____

☐ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: _____

(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 7/11/2017

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: August 1, 2017

Subject: Cancel one Clerk – Senior Level and one Home Economist and add one Public Health Program Specialist I positions in Health Services Department

RECOMMENDATION(S):

Adopt Position Adjustment Resolution No. 22121 to add one permanent full time Public Health Program Specialist I (VBSD) position at salary level ZA5-1602 (\$5,655 - \$6,873), cancel one vacant permanent full time Clerk – Senior Level position #6279 at salary level 3RX-1033 (\$3,210 - \$4,100) and cancel one vacant permanent full time Home Economist position #13893 at salary level TC5 - 1430 (\$4,521 - \$5,495) in the Health Services Department.
(Represented)

FISCAL IMPACT:

Upon approval, there will be an annual cost savings of approximately \$59,556, which includes estimated pension cost savings of \$11,597.

BACKGROUND:

The Health Services Department is requesting to cancel a vacant Clerk – Senior Level position and a vacant Home Economist position, and add a Public Health Program Specialist I position for its Public Health Division's Women, Infant and Children (WIC) Program.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Melissa Carofanello -
925-957-5248

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

As part of WIC's reorganization, one of the primary goals is to establish a site manager for each of their four sites located in Richmond, Concord, Pittsburg and Brentwood. This requested Public Health Program Specialist I will complete the management component of the reorganization. The Department has determined the Clerk-Senior and Home Economist positions are no longer necessary and the Public Health Program Specialist I classification would better serve the organizational and programmatic needs of its Women, Infant and Children Program.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Public Health Division will not have adequate staff to effectively administer the Women, Infant and Children (WIC) Program which is necessary to meet the needs of the clients and their families.

CHILDREN'S IMPACT STATEMENT:

ATTACHMENTS

P300 No. 22121 HSD

POSITION ADJUSTMENT REQUEST

NO. 22121
DATE 5/10/2017

Department Health Services

Department No./

Budget Unit No. 0450 Org No. 5828 Agency No. A18

Action Requested: Add one Public Health Program Specialist I (VBSD) position, and cancel vacant Home Economist position #13893 and vacant Clerk-Senior Level (JWXC) position #6279 in the Health Services Department.

Proposed Effective Date: 8/2/2017

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 (\$59,555.72)

Net County Cost \$0.00

Total this FY (\$54,592.74)

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Cost Savings

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Jo-Anne Linares

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Enid Mendoza

7/24/2017

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

7/24/2017

☐ 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 7/27/2017

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: August 1, 2017

Subject: Add 11 full time represented positions for the Whole Person Care (WPC) Pilot Project in EHSD

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 22114 to add one EHS Division Manager (XADD) (represented) position at Salary Plan and Grade ZA2 1841 (\$7603-\$9732), one Social Worker Supervisor II (X0HA) (represented) position at Salary Plan and Grade 215 1745 (\$6709-\$8155), six Social Worker II (X0WB) (represented) positions at Salary Plan and Grade 255 1553 (\$5547-\$6116), two Social Services Program Assistant (X0SA) (represented) positions at Salary Plan and Grade 255 1384 (\$4693-\$5704), and one Senior Social Services Information Systems Analyst (XQVC) (represented) position at Salary Plan and Grade KZ5 1837 (\$7350-\$8104) in the Employment and Human Services Department.

FISCAL IMPACT:

Upon approval, this action will have an approximate annual cost of \$1,396,603 with estimated annual pension costs of \$488,811. This cost for new positions will be offset by the revenue received by Health Services Department from California Department of Health Care Services/Whole Person Care (WPC) Pilot Program funds. Under an interdepartmental agreement between Employment and Human Services and Health Services departments, Health Services will transfer to EHSD WPC revenue to cover personnel costs for EHSD personnel assigned to the project. (100% State revenue)

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Holly Trieu (925)
313-1560

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

By: , Deputy

cc: Holly Trieu

BACKGROUND:

In July, 2016 Contra Costa County Health Services Department submitted a proposal to the California Department of Health Care Services to implement a Whole Person Care (WPC) Pilot Program in the county. The goal of the pilot program is to increase the coordination of health, behavioral health, and social services for Medi-Cal recipients who are at high risk of utilizing high acuity medical service across multiple delivery systems. Two of the major aspects of the service delivery model for this pilot program are team-based case management and care coordination.

In October, 2016 California Department of Health Care Services awarded Health Services Department \$40,000,000 annually over five years to implement a WPC Pilot Program along with eighteen other county health care systems. The program will integrate physical health, behavioral health, and social services in a patient-centered manner to improve the health and well-being of Medi-Cal recipients. Health Services Department created an interdepartmental agreement with Employment and Human Services Department (EHSD) to provide case management and care coordination of social services for the Medi-Cal recipients. The WPC Pilot Program will include interdisciplinary work teams that include EHSD social work staff and the Health Services staff. The staff will be housed at the WPC work site. In order to provide the social service case management and care coordination for this program, EHSD is requesting to add 11 new full-time positions.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, EHSD will not be able to provide the requisite staff needed to participate in the WPC Pilot Program, and Health Services will be forced to explore other alternatives for social service case management and care coordination services, potentially risking a successful implementation of a county WPC pilot program.

ATTACHMENTS

P300 No. 22114 EHSD

P300 No. 22114 Attachment 1-A

POSITION ADJUSTMENT REQUEST

NO. 22114
DATE 6/29/2017

Department Employment and Human Services

Department No./

Budget Unit No. 0501 Org No. 5140 Agency No. A19

Action Requested: Add the following 11 represented positions in EHSD: one EHS Division Manager (XADD), one Social Worker Supervisor II (X0HA), six Social Worker II (X0WB), two Social Services Program Assistant (XOSA) and one Sr. Social Services Information Systems Analyst (XQVC).

Proposed Effective Date: 7/18/2017

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 \$1,396,603.00

Net County Cost \$0.00

Total this FY \$1,396,603.00

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT State 100% Whole Person Care Grant (Health Services)

Department must initiate necessary adjustment and submit to CAO.

Use additional sheet for further explanations or comments.

Holly Trieu 925-313-1560

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Enid Mendoza

7/18/2017

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE _____

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☐ Day following Board Action.

☐ _____(Date)

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE _____

☐ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: _____

(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 7/18/2017

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

BOARD OF SUPERVISORS

AIR #30383

P300 #22114 –Employment and Human Services Department

ATTACHMENT 1-A

AUGUST 1, 2017

ADOPT Position Adjustment Resolution #22114 to add:

- One (1) EHS Division Manager (XADD) (represented) position at Salary Plan and Grade ZA2 1841 (\$7603-\$9732);
- One (1) Social Work Supervisor II (X0HA) (represented) position at Salary Plan and Grade 2I5 1745 (\$6709-\$8155);
- Six (6) Social Worker II (X0WB) (represented) positions at Salary Plan and Grade 255 1553 (\$5547-\$6116);
- Two (2) Social Services Program Assistant (X0SA) (represented) positions at Salary Plan and Grade 255 1384 (\$4693-\$5704); and
- One (1) Senior Social Services Information Systems Analyst (XQVC) (represented) position at Salary Plan and Grade KZ5 1837 (\$7350-\$8104)

in the Employment and Human Services Department.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services
Date: August 1, 2017

Subject: Add and cancel positions in the Health Services Department

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 22122 to add one (1) full-time Medical Staff Coordinator (VASC) position at salary plan and grade level 3R5 1246 (\$3,975 - \$4,831) and cancel vacant Clerk - Experienced Level (JWXB) position #13988 at salary plan and grade level 3RH 0750 (\$2,905 - \$3,605) in the Health Services Department. (Represented).

FISCAL IMPACT:

Upon approval, this action has an annual cost of approximately \$21,633 and includes \$5,224 in estimated pension cost. The cost will be entirely funded by Third Party revenues.

BACKGROUND:

The Health Services Department is requesting to add one full-time Medical Staff Coordinator (VASC) and cancel one vacant Clerk - Experienced Level position. The workload in the Residency Office has increased dramatically from 2010 to 2017 with an increase in the regulatory requirements for on-boarding and supporting up to forty (40) resident physicians. In addition, the scheduling work for resident family medicine clinics and supervising faculty has increased greatly, with an increase from 263 clinics per 4 week block in 2010 to over 300 clinics per week planned

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

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

Contact:
925-957-5240

By: , Deputy

cc:

BACKGROUND: (CONT'D)

for 2018, an increase of approximately 15%. As well, there are additional different types of clinics scheduled by our office for residents.

Due to the diligent work of staffers, resident family medicine clinics are nearly never canceled at the last minute aside from sick call by the resident physician; of the hundreds of clinics scheduled, fewer than one per month is canceled. In the first ten months of the 2016-2017 academic year, our resident physicians staffed 70 Family Medicine clinics per week (at four clinical health centers) and had a total of approximately 21,000 patients scheduled in their Family Medicine clinics with over 17,000 completed visits.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the deliverable regulatory requirements for on-boarding, off-boarding, and supporting of resident physicians will not be achieved.

ATTACHMENTS

P300 No. 22122 HSD

POSITION ADJUSTMENT REQUEST

NO. 22122
DATE 7/6/2017

Department Health Services/Medical Care Admin Department No./
Budget Unit No. 0540 Org No. 6544 Agency No. A18

Action Requested: Add one (1) full-time Medical Staff Coordinator (VASC) position and cancel one (1) full-time vacant Clerk - Experienced Level position #13988 in the Health Services Department.

Proposed Effective Date: 8/2/2017

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 \$21,632.99

Net County Cost \$0.00

Total this FY \$18,027.49

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% Third Party Revenues

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

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 7/24/2017

☐ 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 7/24/2017

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: August 1, 2017

Subject: Increase position hours in the Health Services Department

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 22123 to increase the hours of permanent part-time Cook (1KWA) position #7713 (represented) at salary plan and grade level TB5 1059 (\$3,303 - \$4,015) from 24/40 to 40/40 in the Health Services Department.

FISCAL IMPACT:

Upon approval, this action will increase the permanent position's annual cost by approximately \$28,326 and \$6,841 in pension cost. However, the incumbent has been working the increased hours, therefore, the action is cost neutral.

BACKGROUND:

The Health Services Department is requesting to increase the hours of permanent part-time Cook position #7713 (represented) from 24/40 to 40/40. The incumbent has been working the increased hours for the past six (6) months due to the coverage needed to cook daily meals for patients, clean, prepare for the next meal service, log inventory, and perform product rotation.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, there will not be enough staff hours to meet the patient nutritional needs.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

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

Contact:
925-957-5240

By: , Deputy

cc:

ATTACHMENTS

P300 No. 22123 HSD

POSITION ADJUSTMENT REQUEST

NO. 22123
DATE 7/6/2017

Department Health Services/Food Service

Department No./

Budget Unit No. 0540 Org No. 6501 Agency No. A18

Action Requested: Increase hours of one (1) permanent part-time Cook (1KWA) position #7713 from 24/40 to 40/40 in the Health Services Department.

Proposed Effective Date: 8/2/2017

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 \$28,325.61

Net County Cost \$0.00

Total this FY \$23,604.67

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Cost neutral due to offset of overtime costs

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

7/24/2017

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 7/24/2017

☐ 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 7/24/2017

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: August 1, 2017

Subject: Add one (1) full time Administrative Aide position and cancel one (1) Administrative Analyst position in the Health Services Department.

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 22124 to add one (1) Administrative Aide (AP7A) position at salary level B85-0972 (\$3,122-\$4,844) and cancel one (1) Administrative Analyst (APWA) position #16898 at salary level ZB5-1277 (\$4,222-\$5,131) in the Health Services Department. (Represented)

FISCAL IMPACT:

Upon approval, this action has an estimated annual cost savings of approximately \$5,072 which includes a savings of \$1,225 in pension costs.

BACKGROUND:

Contra Costa Health Services (CCHS) received a \$40M grant under the Whole Person Care statewide waiver pilot program to serve vulnerable Med-Cal recipients. CCHS called the program Community Connect Program. The goal of the Community Connect Program is to provide patient centered services to homeless individuals and families. A patient centered service includes access to nutritious food and safe housing that promote active living. Coordination with county departments, Community Based Organizations and residents are important to continue and enhance community engagement and municipal partnerships.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

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

Contact: Arlene Lozada
(925)957-5240

By: , Deputy

cc:

BACKGROUND: (CONT'D)

During the process of creating positions for the Community Connect Program, it was initially determined that an Administrative Analyst position is needed to assist with the overall administrative activities of the Whole Person Grant requirements. However, subsequently, the department decided to utilize Health Services Planner Evaluator positions to handle certain analytical aspect of the program. In addition, it was determined that using and Administrative Aide instead of an Administrative Analyst is more appropriate. The Administrative Aide will assist with clerical and administrative tasks and will provide support to the Health Services Planner Evaluator incumbents. Under close supervision, the Administrative Aide completes long term administrative projects which may require statistical research, budget analysis, organizational studies, legislative analysis and oral/written reports.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, deliverable requirements of the Whole Person Care Grant will not be achieved.

ATTACHMENTS

P300 No. 22124 HSD

POSITION ADJUSTMENT REQUEST

NO. 22124
DATE 7/14/2017

Department Health Services

Department No./

Budget Unit No. 0450 Org No. 5754 Agency No. A18

Action Requested: Add one (1) Administrative Aide (AP7A) position and cancel one (1) vacant Administrative Analyst (APWA) position #16898 in the Health Services Department.

Proposed Effective Date: 8/2/2017

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 (\$5,071.71)

Net County Cost \$0.00

Total this FY (\$3,803.78)

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% Whole Person Care Grant

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

7/24/2017

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 7/24/2017

☐ 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 7/24/2017

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: Dianne Dinsmore, Human Resources Director
Date: August 1, 2017

Subject: Add one Human Resources Manager-Exempt position and cancel the Employee Benefits Manager-Exempt

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 22117 to add one (1) full-time Human Resources Manager-Exempt (AGD4) (unrepresented) position at salary plan and grade B85 1954 (\$8,256.60 - \$11,064.64) and cancel one (1) Employee Benefits Manager-Exempt (AGD2) (unrepresented) position number 12680 at salary plan and grade B85 1953 (\$8,248.43 - \$11,053.69) in the Human Resources Department.

FISCAL IMPACT:

Upon approval, this action will result in an annual cost increase of approximately \$132 and has been approved in the Human Resources Department's FY 17-18 budget. (Offset through the Benefits Administration Fee)

BACKGROUND:

The Human Resources Department has reorganized the management structure to meet the immediate operational needs and support the future needs of the department. The addition of this Human Resources Manager position will complete the organizational restructure of the department.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Dianne Dinsmore, 925
335-1770

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

By: , Deputy

cc: Dianne Dinsmore, Nancy Zandonella

CONSEQUENCE OF NEGATIVE ACTION:

Without approval, the Human Resource Department will not meet current and future operational needs.

ATTACHMENTS

P300 22117

POSITION ADJUSTMENT REQUEST

NO. 22117
DATE 7/14/2017

Department Human Resources

Department No./

Budget Unit No. 0035 Org No. 1305 Agency No. A05

Action Requested: Add Human Resources Manager-Exempt and Cancel Employee Benefits Manager-Exempt

Proposed Effective Date: 8/2/2017

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 Cost neutral

Department must initiate necessary adjustment and submit to CAO.

Use additional sheet for further explanations or comments.

Mary Jane De Jesus-Saepharn

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

L.Strobel

7/24/2017

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 7/14/2017

Adopt Position Adjustment Resolution No. 22117 to add one (1) full-time Human Resources Manager-Exempt (AGD4) (unrepresented) position at salary plan and grade B85 1954 (\$8,256.60 - \$11,064.64) and cancel one (1) Employee Benefits Manager-Exempt (AGD2) (unrepresented) position number 12680 at salary plan and grade B85 1953 (\$8,248.43 - \$11,053.69) in the Human Resources Department.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ _____(Date)

Dianne Dinsmore

7/13/17

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE _____

☐ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: _____

(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 7/24/2017

No. xxxxxx

1. Project Positions Requested:
2. Explain Specific Duties of Position(s)
3. Name / Purpose of Project and Funding Source (do not use acronyms i.e. SB40 Project or SDSS Funds)
4. Duration of the Project: Start Date _____ End Date _____
Is funding for a specified period of time (i.e. 2 years) or on a year-to-year basis? Please explain.
5. Project Annual Cost
 - a. Salary & Benefits Costs: _____
 - b. Support Costs: _____
(services, supplies, equipment, etc.)
 - c. Less revenue or expenditure: _____
 - d. Net cost to General or other fund: _____
6. Briefly explain the consequences of not filling the project position(s) in terms of:
 - a. potential future costs
 - b. legal implications
 - c. financial implications
 - d. political implications
 - e. organizational implications
7. Briefly describe the alternative approaches to delivering the services which you have considered. Indicate why these alternatives were not chosen.
8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted
9. How will the project position(s) be filled?
 - ☐ a. Competitive examination(s)
 - ☐ b. Existing employment list(s) Which one(s)? _____
 - ☐ c. Direct appointment of:
 - ☐ 1. Merit System employee who will be placed on leave from current job
 - ☐ 2. Non-County employee

Provide a justification if filling position(s) by C1 or C2

USE ADDITIONAL PAPER IF NECESSARY



Contra
Costa
County

To: Board of Supervisors
From: Sharon L. Anderson, County Counsel
Date: August 1, 2017

Subject: Add one Deputy County Counsel Counsel-Standard-Exempt position and cancel one Deputy County Counsel-Advanced position in the Office of County Counsel

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 22118 to add one (1) Deputy County Counsel-Standard-Exempt (2ET2) (unrepresented) position at salary plan and grade B8B 2097 (\$10,134.79 - \$12,047.08) and cancel one (1) Deputy County Counsel - Advanced (2ETK) (unrepresented) vacant position No. 11092 at salary plan and grade B8B 2297 (\$12,354.26 - \$14,685.34) in the Office of the County Counsel.

FISCAL IMPACT:

If approved, this action will result in an annual savings of approximately \$36,230.

BACKGROUND:

The purpose of this action is to enable the Office of the County Counsel to hire an attorney who has the specialized training and/or expertise in specified areas of civil law, so that the department can efficiently and effectively fulfill the County's legal needs.

CONSEQUENCE OF NEGATIVE ACTION:

The reduction in salary costs to be achieved through cancellation of the existing position and addition of the new position would not be realized.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Wanda McAdoo, 925
335-1811

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

By: , Deputy

cc: Wanda McAdoo

ATTACHMENTS

AIR 30590 P300
22118

POSITION ADJUSTMENT REQUEST

NO. 22118
DATE 8/1/2017

Department Office of the County Counsel

Department No./

Budget Unit No. 0030 Org No. 1700 Agency No. 17

Action Requested: ADOPT Position Adjustment Resolution No. 22118 to add one Deputy County Counsel-Standard-Exempt (unrepresented) position and cancel one Deputy County Counsel - Advanced (unrepresented) vacant position in the Office of the County Counsel. (Salary Savings)

Proposed Effective Date: 8/1/2017

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 (\$42,739.00)

Net County Cost \$0.00

Total this FY (\$36,230.00)

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT _____

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Sharon L. Anderson

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

L.Strobel

7/24/17

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE _____

ADOPT Position Adjustment Resolution No. 22118 to add one (1) Deputy County Counsel-Standard-Exempt (2ET2) (unrepresented) position at salary plan and grade B8B 2097 (\$10,134.79 - \$12,047.08) and cancel one (1) Deputy County Counsel - Advanced (2ETK) (unrepresented) vacant position No. 11092 at salary plan and grade B8B 2297 (\$12,354.26 - \$14,685.34) in the Office of the County Counsel.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ _____(Date)

Lauren Ludwig

7/25/2017

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE _____

☐ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: _____

(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 7/25/2017

No. xx

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: August 1, 2017

Subject: Add and cancel positions in the Health Services Department.

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 22125 to add one (1) permanent full-time Network Analyst II (LBTA) position at salary grade ZA5-1787(\$6,995-\$8,503) and cancel one vacant permanent full-time Network Administrator II (LNSB) position #15523 at salary grade ZA5-1787 (\$6,995-\$8,503) in the Health Services Department.

(Represented)

FISCAL IMPACT:

Upon approval, this action will have no fiscal impact since it is cost neutral.

BACKGROUND:

Contra Costa County Health Services (CCHS) Information Technology (IT) Unit is requesting to add one Network Analyst II (LBTA) position and cancel one Network Administrator II (LNSB) position. The Network Analyst II position is being requested to support applications that require a higher technical troubleshooting skill sets. In order to support high visibility network sensitive applications such as the new InContact automated call distribution (ACD) system for the HSD Call Centers and the Health Care Interpreter Network (HCIN), the IT department is requesting the skills of a Network Analyst II. The duties of the new Network Analyst II position will include focusing on routing, switching and application delivery, Quality of Service (QoS), and Lan/Wan/wireless design and troubleshooting.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Shelanda Adams,
925-957-5263

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Information Technology Department will not have the appropriate staffing levels for the new InContact automated call distribution (ACD) system nor will the IT department be able to provide additional support for the Health Care Interpreter Network (HCIN).

ATTACHMENTS

P300 No. 22125 HSD

POSITION ADJUSTMENT REQUEST

NO. 22125
DATE 7/17/2017

Department HEALTH SERVICES

Department No./

Budget Unit No. 0540 Org No. 6555 Agency No. A18

Action Requested: Add one permanent full-time Network Analyst II (LBTA) position, and cancel vacant permanent full-time 40/40 Network Administrator II (LNSB) position #15523 in the Health Services Department.

Proposed Effective Date: 8/2/2017

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 Cost neutral

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Shelanda Adams

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Enid Mendoza

7/27/2017

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

7/27/2017

☐ 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 7/27/2017

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: Matt Slattengren

Date: August 1, 2017

Subject: CACASA - County Pesticide Use Reporting MOU

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute a Memorandum of Understanding with the California Agricultural Commissioners and Sealers Association (CACASA) in an amount not to exceed \$3,186 to provide pesticide use reporting activities for the period July 1, 2017 through December 31, 2017.

FISCAL IMPACT:

The Agriculture Department will be reimbursed an amount not to exceed \$3,186 for activities related to pesticide use reporting. There is no county match of funds nor grant monies involved. The amount has been anticipated and budgeted for FY 17/18.

BACKGROUND:

The California Department of Pesticide Regulations (CDPR) no longer offers individual data submission contracts to counties and has contracted with CACASA to provide the data storage, software and data communication infrastructure for the reporting of pesticide use data. CACASA has simplified the overall process of the data submission contracts and is providing the online support to maintain the enhanced reporting capabilities. In order to ease the transition from county personnel inputting the data to the user of the pesticide inputting the data, CACASA is providing funding to counties during the transition period, in return for county agricultural commissioner's efforts to provide on-going data input and training to submitters of data to use the new online submission program.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

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

Contact: 646-5250

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this request is not approved, the Department of Agriculture will not be reimbursed for the pesticide use reporting program.



Contra
Costa
County

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: August 1, 2017
Subject: 2017-18 Quality Matters grant

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment & Human Services Department Director, or designee, to accept funding in the amount of \$248,000 and execute an agreement, including an indemnification clause from Contra Costa County Office of Education for Quality Matters for the period July 1, 2017 through June 30, 2018.

FISCAL IMPACT:

100% grant funding
Contra Costa County Office of Education
No County match
39-200-2

BACKGROUND:

The Department's Community Services Bureau (CSB) submitted a grant application to Contra Costa County Office of Education to receive funding to implement a Quality Matters program through stipends for the Balboa, Bayo Vista, Brookside, Crescent Park, George Miller-Concord, George Miller III - Richmond, Las Deltas, Lavonia Allen, Los Arboles, Los Nogales, Riverview childcare centers. Stipends will also be granted

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☒ 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: August 1, 2017

Contact: CSB (925)
681-6389

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

By: , Deputy

cc: Nasim Eghlima, Janissa Rowley, Ressie Dayco

BACKGROUND: (CONT'D)

to childcare partners, Little Angels Country School and First Baptist Head Start - Fairgrounds. Stipends will be used to fund professional growth training for staff responsible for program implementation.

The stipends are awarded to child care centers to improve the quality services through enhanced professional development for staff and updated, improved site materials. The stipends will be given out on a per classroom basis. The site supervisors, under the direction of Community Services Bureau Assistant Directors, will determine what specific site materials, such as play equipment or educational toys, will be purchased.

Professional development stipends will be distributed to selected classrooms, not to individuals, to fund site-based training for classroom staff.

Selection of site award is determined by which sites have NAEYC (National Association of Education of Young Children) and/or PMD (Preschool Makes a Difference) designations. The CSB Director will make final decisions regarding stipend allocations. Allocation will be based on site designation, size of center population, and professional learning needs as determined through assessment.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, the department will not receive funding to implement Quality Rating System components.

CHILDREN'S IMPACT STATEMENT:

The Community Services Bureau of the Employment & Human Services Department's Early Head Start program supports three of Contra Costa County's community outcomes - Outcome 1: "Children Ready for and Succeeding in School," Outcome 3: "Families that are Economically Self-sufficient," and, Outcome 4: "Families that are Safe, Stable, and Nurturing." These outcomes are achieved by offering comprehensive services, including high quality early childhood education, nutrition, and health services to low-income children throughout Contra Costa County.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: August 1, 2017

Subject: Grant Agreement #29-540-4 from the United States Department of Housing and Urban Development (HUD)

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Grant Agreement #29-540-4 (CA1071L9T051604) from the United States Department of Housing and Urban Development (HUD), Supportive Housing Program to receive funding, payable to County in an amount not to exceed \$296,528, for the County's Homeless Destination Home Program, for the period December 1, 2017 through November 30, 2018.

FISCAL IMPACT:

Approval of this grant will result in an amount not to exceed \$296,528 of funding from HUD. Required 25% cash match in the amount of \$28,892 will be provided by County. Match is already appropriated in the budget. No additional appropriations required.

BACKGROUND:

The County's Homeless Destination Home Program provides permanent supportive housing, case management and assistance with enrolling in benefits and services, including access to peer support groups, are all part of a larger continuum of services that allow individuals to work through many of the issues that led to their homelessness, while simultaneously moving

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Cynthia Belon, (925)
957-5201

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

By: , Deputy

cc: L Walker , M Wilhelm

BACKGROUND: (CONT'D)

toward a more sustainable future. Other benefits of the program include assistance in accessing benefits like Medi-Cal and Supplemental Security Income/Social Security Disability Insurance, referral to services, health and life skills education, crisis intervention and counseling. Participants enrolled will have access to County's Behavioral Health Services/Mental Health, Health Care for the Homeless, and Alcohol and Other Drug Services.

Approval of Grant Agreement #29-540-4 will allow the County to continue the HUD Permanent Supportive Housing Program, through November 30, 2018.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the County will not receive funding to support the County's Homeless Destination Home Program.



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: August 1, 2017

Subject: Richmond Police Department Contract

RECOMMENDATION(S):

APPROVE and AUTHORIZE the County Administrator, or designee, to execute a contract with the City of Richmond to permit the County Department of Information Technology to provide radio communications maintenance services to the Richmond Police Department at the rate of \$128 per hour plus the cost of any materials and equipment, for the period July 1, 2017 through June 30, 2018.

FISCAL IMPACT:

Revenue for the DoIT's Telecommunications division.

BACKGROUND:

County Department of Information Technology's (DoIT) Telecommunications Division will provide the City of Richmond Police Department with professional telecommunications and related services. Upon request, DoIT will provide radio programming services or the City Police Departments radio equipment and service dispatch consoles at the rate of \$128 per hour, plus the cost of any materials and require equipment.

CONSEQUENCE OF NEGATIVE ACTION:

Reduced revenue for the radio division, which could increase labor costs.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Ed Woo
925-408-9997

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: August 1, 2017

Subject: California Department of Boating & Waterways Inland Boat Operator Training Grant

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Sheriff-Coroner, designee, to apply for and accept a California Department of Boating and Waterways Boating and Marine Safety and Operations Training Grant in an initial amount of \$13,750 for the training of marine patrol personnel for period of September 25, 2017 to the end of the grant funding.

FISCAL IMPACT:

\$13,750 Initial Revenue. No County match required.

BACKGROUND:

The State of California Department of Boating and Waterways (DBW) is prepared to award a training grant to the Sheriff's Office to provide Marine Patrol training for Boating Safety officers throughout the State. The grant funds shall be used for personnel costs, purchases of necessary training materials and equipment and related costs associated with providing maritime officer training courses. DBW recognizes the critical importance of providing professional maritime boating safety and education training and, as such, requested the Sheriff's Marine Patrol to take part in maritime officer training courses.

CONSEQUENCE OF NEGATIVE ACTION:

Not accepting this grant funding would cost the County funds from the General Fund for training of personnel.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☒ 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: August 1, 2017

Contact: Sandra Brown,
925-335-1553

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

By: , Deputy

cc:

CHILDREN'S IMPACT STATEMENT:

No impact.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: August 1, 2017

Subject: Contract #74-448-5 with Edward Lau, M.D.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #74-448-5 with Edward Lau, M.D., an individual, in an amount not to exceed \$266,240, to provide outpatient psychiatric services at the East County Children's Clinic, for the period from September 1, 2017 through August 31, 2018.

FISCAL IMPACT:

This Contract is funded 50% Federal Medi-Cal; 50% Mental Health Realignment. (No rate increase)

BACKGROUND:

On July 19, 2016, the Board of Supervisors approved Contract #74-448-4 with Edward Lau, M.D., for the period from September 1, 2016 through August 31, 2017, for the provision of outpatient psychiatric services for children, at the East County Children's Clinic.

Approval of Contract #74-448-5 will allow the Contractor to continue providing outpatient psychiatric services through August 31, 2018.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Cynthia Belon,
925-957-5201

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

By: , Deputy

cc: L Walker , M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, County's clients will not have access to Contractor's psychiatric care services.



**Contra
Costa
County**

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: August 1, 2017

Subject: Contract #74-365-8 with Jee Hyun Guss, M.D.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #74-365-8 with Jee Hyun Guss, M.D., an individual, in an amount not to exceed \$274,400. to provide outpatient psychiatric services to adult patients in Central County for the period from September 1, 2017 through August 31, 2018.

FISCAL IMPACT:

This Contract is funded 100% Mental Health Realignment. (No rate increase)

BACKGROUND:

On June 16, 2015, the Board of Supervisors approved Contract #74-365-7 with Jee Hyun Guss, M.D., to provide outpatient psychiatric services including but not limited to, diagnosing, counseling, evaluating and providing medical and therapeutic treatment and consulting, and training in medical and therapeutic matters to adult patients in Central County, for the period from September 1, 2016 through August 31, 2017.

Approval of Contract #74-365-8 will allow the Contractor to continue to provide outpatient psychiatric services through August 31, 2018.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

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

Contact: Cynthia Belon,
925-957-5201

By: , Deputy

cc: L WALKER, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, County clients will not have access to Contractor's outpatient psychiatric services.



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: August 1, 2017

Subject: Weatherization Contract Amendments

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute contract amendments with the following companies in the amounts and terms listed below. These contracts will be used by the Department of Conservation and Development Weatherization Program to purchase items and/or services needed to provide home weatherization services to low income residents throughout all of Contra Costa County.

1. Superior Mechanical Services, Inc.(C47536), to increase the payment amount by \$150,000, from \$140,000 to a new payment limit of \$290,000, and extend the term from July 31, 2017 through July 31, 2018 for the purchase or repair of Mechanical Ventilation System;
2. Robert Gurule (DBA Water Heaters Express – C47537), to increase the payment amount by \$150,000, from \$200,000 to a new payment limit of \$350,000, and extend the term from July 31, 2017 through July 31, 2018 for the purchase or repair of water heaters;
3. McHale's Insulation (C47732),to increase the payment amount by \$150,000, from \$300,000 to a new payment limit of \$450,000, and extend the term from December 31, 2017 through July 31, 2018 for the purchase or repair of insulation;
4. Ambient Air, Inc. (C49622), to increase the payment amount by \$150,000, from \$200,000 to a new payment limit of \$350,000, and extend the term from July 31, 2017 through July 31, 2018 for the purchase or repair of Air Conditioning equipment;
5. Ambient Air, Inc. (C49628), to increase the payment amount by \$150,000, from \$300,000 to a new payment limit of \$450,000, and extend the term from July 31, 2017 through July 31, 2018 for the purchase or repair of heating equipment.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Laura Glass
925-674-7834

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

By: , Deputy

cc:

FISCAL IMPACT:

100% State and Federal Weatherization Program Funds for a variety of weatherization projects throughout the County. No impact on the County General Fund.

BACKGROUND:

The Department of Conservation and Development (DCD) has partnered with the Employment and Human Services Department (EHSD) for the past 20 years to provide energy-saving home improvements to low income families throughout unincorporated Contra Costa County, as well as the County's 19 cities. This funding is provided by State and federal grant programs including, but not limited to, the Low Income Home Energy Assistance Program (LIHEAP), the Energy Crisis Intervention Program (ECIP), the Department of Energy (DOE), and the Cap and Trade Auction Funds for the Low Income Weatherization Program (LIWP) to reduce Greenhouse Gas Emissions.

With these grants, the Weatherization Program may provide homes with hot water heaters, furnaces, refrigerators, microwaves, doors, windows, LED (light emitting diode) light bulbs, LED night lights, Tier 2 Advanced power strips, occupancy sensors, weather-stripping, ceiling fans, and attic insulation.

Homes receive a blower door test (a diagnostic tool to locate and correct air infiltration), and homes with gas appliances receive a combustion appliance safety test that checks for carbon monoxide gas leakage. Homes with gas appliances are provided with a carbon monoxide alarm.

Many contracts with current Weatherization Program vendors providing services are expiring July 31, 2017. The most recent amendments were approved by the Board on March 28, 2017.

Under its grant funding contract, the Weatherization Program is required to meet minimum unit production goals (number of homes weatherized) by the end of its grant contract term, July 31, 2018. Failure to maintain the required production goals may result in the State reallocating our share of funding to other Counties and could jeopardize our future funding. These contracts will allow the Weatherization Program to have ready access to water heaters and other necessary supplies and equipment to weatherize homes and meet production goals.

CONSEQUENCE OF NEGATIVE ACTION:

A denial would prevent the replacement or repair of heating systems and water heaters and other services by contracts with the State Community Services Department for Weatherization.

CHILDREN'S IMPACT STATEMENT:

Approval of this item will enable the Weatherization Program to purchase materials necessary to provide home energy efficiency improvements to low-income households, which reduces living expenses and improves comfort and quality of life for children residing in the households served. This supports outcomes Nos. 3 and 5 established in the Children's Report Card: (3) Families are economically self-sufficient; and (5) Families are safe, stable and nurturing.



Contra
Costa
County

To: Board of Supervisors
From: Beth Ward, Animal Services Director
Date: August 1, 2017

Subject: Beverley Penzien - Veterinary Medicine Services

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Animal Services Department Director, or designee, to execute a contract amendment with Beverley Penzien, DVM, dba Veterinary Medicine Services, effective June 1, 2017 to increase the payment limit by \$40,001 to a new payment limit of \$140,000 for continued veterinarian shelter services with no change to the original of September 1, 2016 through August 31, 2017.

FISCAL IMPACT:

Projected FY 2016-17 and FY 2017-18 contract cost are \$140,000 (37% User Fees, 54% City Revenue, 9% County General Fund).

BACKGROUND:

Dr. Beverley Penzien is responsible for providing medical care in our urgent and emergency veterinarian unit. The proposed amendment will add \$40,001 to the contract for additional medical services provided by the contractor, necessitated by higher live release rates for health and adoptable animals.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to approved this amendment will result in the loss of critically required veterinarian services, along with endangering the lives of sheltered animal.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

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

Contact: Arturo
Castillo

By: , Deputy

cc:



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: August 1, 2017

Subject: Agreement with EDD for Confidential Employment and Wage Data

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute a contract and related indemnity agreement with the State of California, Employment Development Department in an amount not to exceed \$4,947 to provide confidential employment and wage data to the County for the period May 1, 2017 through September 30, 2018.

FISCAL IMPACT:

No impact to the County General Fund. 100% East Bay Leadership Council grant.

BACKGROUND:

The State of California, Employment Development Department (EDD) compiles regional employment and wage data. This data is informative of local and state-wide economic and labor trends and can be a useful tool in developing economic development strategies. This data is, however, confidential and may only be obtained by agreement with EDD. Pursuant to this proposed agreement, the EDD will produce and provide confidential Quarterly Census of Employment and Wages data to the County for the purpose of economic planning and development.

The County has entered into a separate contract with Beacon Economics (Contract No. 45735) to perform analysis of employment and employer trends and prepare economic forecasts for the County and its sub-areas (e.g., South County, East County, Northern Waterfront, Supervisorial Districts, etc.). The proposed agreement with EDD authorizes the County to disclose the confidential employment and wage data obtained from EDD to Beacon Economics for the specific purpose of fulfilling the Service Plan set forth in Contract No. 45735.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: John Kopchik
925-674-7819

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Under its contract with the County, Beacon Economics is responsible for payment to the EDD for the cost of the confidential data obtained through the proposed agreement. Beacon Financial has obtained funding for this purpose through a grant awarded by the East Bay Leadership Council.

The proposed agreement requires the County to indemnify the EDD from any losses that arise from the release of confidential employment and wage data by County employees who use the data under the agreement. The proposed agreement also requires that Beacon Economics separately indemnify the EDD from any losses that arise from the release of confidential employment and wage data by employees of Beacon Economics. In the event the County incurs any losses arising from the release of confidential employment and wage data by employees of Beacon Economics, Beacon Economics is required under its contract with the County to indemnify the County from such losses.

CONSEQUENCE OF NEGATIVE ACTION:

Without this contract, the Department of Conservation and Development would not be able to gain statistical data for Contra Costa County economic analysis.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: August 1, 2017

Subject: Contract #26-911-26 with Thomas B. Hargrave, M.D.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute on behalf of the County, Contract #26-911-26 with Thomas B. Hargrave, M.D., an individual, in an amount not to exceed \$250,000, for the provision of gastroenterology services at Contra Costa Regional Medical Center and Contra Costa Health Centers (CCRMC), for the period from September 1, 2017 through August 31, 2018.

FISCAL IMPACT:

This Contract is funded 100% Hospital Enterprise Fund I. (No rate increase)

BACKGROUND:

On September 23, 2014, the Board of Supervisors approved Contract #26-911-24 (as amended by Amendment Agreement #26-911-25) with Thomas B. Hargrave, M.D., to provide gastroenterology services including consultation, training, on-call coverage services and medical procedures at CCRMC, for the period from September 1, 2014 through August 31, 2017.

Approval of Contract #26-911-26 will allow the Contractor to continue to provide gastroenterology services at CCRMC through August 31, 2018.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

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

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring gastroenterology services will not have access to Contractor's services.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: August 1, 2017

Subject: Contract #74-331-9 with Helios Healthcare, LLC

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #74-331-9 with Helios Healthcare, LLC, a limited liability company, in an amount not to exceed \$473,840, to provide sub-acute skilled nursing care services for serious mentally ill and neurobehavioral clients, for the period from July 1, 2017 through June 30, 2018.

FISCAL IMPACT:

This Contract is funded 100% Mental Health Realignment. (No Rate Increase)

BACKGROUND:

On December 20, 2016, the Board of Supervisors approved Novation Contract #74-331-8 with Helios Healthcare, LLC, for the provision of sub-acute skilled nursing care services for the period from July 1, 2016 through June 30, 2017.

Approval of Contract #74-331-9 allows the Contractor to continue providing services through June 30, 2018, including mutual indemnification to hold harmless both parties for any claims arising out of the performance of this Contract.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

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, there will be fewer sub-acute skilled nursing care services available for County's seriously mentally ill and neurobehavioral clients.



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: August 1, 2017

Subject: APPROVE a Purchase Order with W.W. Grainger, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Public Works Director, a purchase order with W.W. Grainger, Inc., in an amount not to exceed \$350,000 to provide parts, supplies, tools, and equipment for the period of August 1, 2017 through July 31, 2018, Countywide.

FISCAL IMPACT:

100% General Fund

BACKGROUND:

W.W. Grainger, Inc., provides thousands of facilities maintenance parts, supplies, tools and equipment available to Facilities Services in a next day format. W.W. Grainger, Inc., has been awarded a contract through the Western States Contracting Alliance (WSCA contract #1824) which allows them to utilize Western States Contracting Alliance for purchases of parts, supplies, tools and small equipment. Utilizing such a government contract guarantees them fair pricing and exceptional service.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

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, then purchasing parts, supplies, tools, and equipment through W.W. Grainger, Inc. will discontinue.



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: August 1, 2017

Subject: APPROVE a Purchase Order Amendment with Walnut Creek Ford

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Public Works Director, a purchase order amendment with Walnut Creek Ford to increase the payment limit by \$90,000 to a new payment limit of \$185,000, for Ford parts and accessories, with no change to the original term of January 1, 2017 through December 31, 2017, Countywide.

FISCAL IMPACT:

This cost is to be funded through Public Works Fleet ISF budget. (100% Internal Service Fund-Fleet)

BACKGROUND:

Public Works Fleet Management is responsible for maintaining County vehicles. To do so, Fleet buys parts, accessories and warranty service from local auto dealers. As the fleet is mostly Ford vehicles, we buy a substantial amount from Ford dealers. Fleet maintains blanket

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Stan Burton, (925)
313-7077

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

purchase orders with most of the Ford dealers in the County. Walnut Creek Ford has become the standard dealer to obtain parts, accessories, warranty and small repairs.

CONSEQUENCE OF NEGATIVE ACTION:

If this agreement is not approved, then purchasing Ford parts and accessories through Walnut Creek Ford will discontinue.



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services
Date: August 1, 2017

Subject: Approval of contract with Nulinx International Inc. for database management system

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment & Human Services Director, or designee, to execute a contract with Nulinx International Inc., including a modified indemnification language, in an amount not to exceed \$36,000, for the maintenance of a customized, Internet-based server platform for federally mandated family and child assessments, for the period May 1, 2017 through April 30, 2018.

FISCAL IMPACT:

100% Federal Head Start / CFDA # 93.600
No County costs

BACKGROUND:

The Administration for Children and Families (ACF) and the California Department of Education both require that family and child assessments be conducted for each family within the program. The family and child assessment modules are required by federal rule to collect data on a family's progress towards self-sufficiency and the child's progress for school readiness. This contract provides for the maintenance of the customized, Internet-based server platform for data input and report retrieval.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☒ 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: August 1, 2017

Contact: CSB (925)
681-6304

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

By: , Deputy

cc: Sung Kim, Sam Mendoza

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, Department will be unable to maintain federally mandated database.

CHILDREN'S IMPACT STATEMENT:

The Community Services Bureau of the Employment & Human Services Department supports three of Contra Costa County's community outcomes - Outcome 1: "Children Ready for and Succeeding in School," Outcome 3: "Families that are Economically Self-sufficient," and, Outcome 4: "Families that are Safe, Stable, and Nurturing." These outcomes are achieved by offering comprehensive services, including high quality early childhood education, nutrition, and health services to low-income children throughout Contra Costa County.



**Contra
Costa
County**

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: August 1, 2017

Subject: Contract #74-407-7 with Daniel Forkin, M.D.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #74-407-7 with Daniel Forkin, M.D., an individual, in an amount not to exceed \$145,600, to provide outpatient psychiatric care to mentally ill adults in West County, for the period from October 1, 2017 through September 30, 2018.

FISCAL IMPACT:

This Contract is funded 100% Mental Health Realignment. (No rate increase)

BACKGROUND:

On September 20, 2016, the Board of Supervisors approved Contract #74-407-6 with Daniel Forkin, M.D., to provide outpatient psychiatric care, including, diagnosis, counseling, evaluation, medical and therapeutic treatment, and consulting and training in therapeutic matters for mentally ill adults in West Contra Costa County for the period October 1, 2016 through September 30, 2017.

Approval of Contract #74-407-7 will allow the Contractor to continue to provide outpatient psychiatric care to mentally ill adults in West Contra Costa County, through September 30, 2018.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Cynthia Belon,
925-957-5201

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

By: , Deputy

cc: D Morgan, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring outpatient psychiatric care will not have access to Contractor's services.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: August 1, 2017

Subject: Contract #76-547-1 with Arati Pratap, M.D.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #76-547-1 with Arati Pratap, M.D., an individual, in an amount not to exceed \$477,000, to provide gastroenterology services at Contra Costa Regional Medical and Health Centers (CCRMC) for the period from September 15, 2017 through September 14, 2018.

FISCAL IMPACT:

This contract is funded 100% Hospital Enterprise Fund I. (No rate increase)

BACKGROUND:

On September 13, 2016, the Board of Supervisors approved Contract #76-547 with Arati Pratap, M.D., for the provision of gastroenterology services, including, but not limited to: clinic coverage, consultation, on-call coverage, training and medical procedures at CCRMC for the period from September 15, 2016 through September 14, 2017.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring gastroenterology services at CCRMC will not have access to Contractor's services and may experience longer wait times for specialty services.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

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



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: August 1, 2017

Subject: Contract #74-446-5 with Neil Sachs, M.D.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #74-446-5 with Neil Sachs, M.D., an individual, in an amount not to exceed \$224,640, to provide outpatient psychiatric services to patients in West County, for the period from October 1, 2017 through September 30, 2018.

FISCAL IMPACT:

This Contract is funded 100% Mental Health Realignment. (Rate increase)

BACKGROUND:

On August 9, 2016, the Board of Supervisors approved Contract #74-446-4 with Neil Sachs, M.D. for the provision of outpatient psychiatric care including, but not limited to, diagnosis, counseling, evaluation, medical and therapeutic treatment, and medical and therapeutic staff training for adult patients in West County for the period from October 1, 2016 through September 30, 2017.

Approval of Contract #74-446-5 will allow the Contractor to continue providing psychiatric services through September 30, 2018.

☒ APPROVE

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☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: August 1, 2017

Contact: Cynthia Belon,
925-957-5201

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

By: , Deputy

cc: L Walker , M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring outpatient psychiatric care in West County will not have access to Contractor's services.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: August 1, 2017

Subject: Contract #74-505-2 with Anka Behavioral Health, Inc.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute on behalf of the County, Contract #74-505-2 with Anka Behavioral Health, Inc., a non-profit corporation, in an amount not to exceed \$990,080, to provide mental health services and support to adults with serious and persistent mental illness in Central Contra Costa County, for the period from July 1, 2017 through June 30, 2018. This Contract includes a six-month automatic extension through December 31, 2018, in an amount not to exceed \$495,040.

FISCAL IMPACT:

This Contract is funded 70% Mental Health Services Act and 30% Federal Medi-Cal. (Rate increase)

BACKGROUND:

This Contract meets the social needs of the County's population by providing mental health services to adults with serious mental illness who are homeless or at risk of homelessness, and/or who are high utilizers of mental health services.

On December 8, 2015, the Board of Supervisors approved Contract #74-505, as amended by Amendment Agreement #74-505-1, with Anka Behavioral Health, Inc., for the period from January 1, 2016 through June 30, 2017, which included a six-month automatic extension through December 31, 2017, for the provision of mental health services and support to adults with serious and persistent mental illness who are homeless or at risk of homelessness, and/

☒ APPROVE

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☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: August 1, 2017

Contact: Cynthia Belon,
925-957-5201

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

By: , Deputy

cc: L Walker , M Wilhelm

BACKGROUND: (CONT'D)

or who are high utilizers of mental health services in Central Contra Costa County.

Approval of Contract #74-505-2, will allow the Contractor to continue to provide mental health services through June 30, 2018.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, there will be fewer services provided to eligible adult clients in Contra Costa County through the MHSA Community Services and Support Program.



**Contra
Costa
County**

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: August 1, 2017

Subject: Amendment #27-697-5 with PRISM Services Group LLC

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute on behalf of the County, Amendment Agreement #27-697-5 with PRISM Services Group LLC (dba ClarusHealth Solutions), a limited liability company, effective September 1, 2017, to amend Contract #27-697-4 to increase the payment limit by \$100,000, from \$110,000 to a new payment limit of \$210,000, with no change in the original term through October 31, 2018.

FISCAL IMPACT:

This amendment is funded 100% by Contra Costa Health Plan Enterprise Fund II. (No rate increase)

BACKGROUND:

On March 1, 2016 the Board of Supervisors approved Contract #27-697-4 with PRISM Services Group LLC for the provision of consultation and technical assistance with regard to software maintenance for the Health Plan Provider Network's automated system, for the period from November 1, 2015 through October 31, 2018.

Approval of Amendment Agreement #27-697-5 will allow the Contractor to provide an additional level of service to include upgrade and enhancement services as mandated by the Department of Health Care Services (DHCS) under Senate Bill 137.

☒ APPROVE

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COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Patricia Tanquary,
925-313-6004

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

By: , Deputy

cc: L Walker , M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, Health Plan's automated provider network will not meet the requirements of the DHCS.



**Contra
Costa
County**

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: August 1, 2017

Subject: Amendment #24-773-25 with Mountain Valley Child and Family Services, Inc.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute on behalf of the County, Contract Amendment Agreement #24-773-25 with Mountain Valley Child and Family Services, Inc., a non-profit corporation, effective December 1, 2016, to amend Novation Contract #24-773-23, to increase the payment limit by \$309,426, from \$839,450 to a new payment limit of \$1,148,876, with no change in the original term of July 1, 2016 through June 30, 2017, and to increase the automatic extension payment limit by \$154,713, from \$419,725 to a new payment limit of \$574,438 through December 31, 2017.

FISCAL IMPACT:

This amendment will be funded 50% Federal Medi-Cal; 50% Mental Health Realignment (No rate increase)

BACKGROUND:

On September 13, 2016, the Board of Supervisors approved Novation Contract #24-773-22, as amended by Contract Amendment Agreement #24-773-23, with Mountain Valley Child and Family Services, Inc., formerly known as Milhous Children's Services, Inc., for

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Cynthia Belon,
925-957-5201

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

By: , Deputy

cc: L Walker , M Wilhelm

BACKGROUND: (CONT'D)

the period from July 1, 2016 through June 30, 2017, which included a six-month automatic extension through December 31, 2017, for the provision of a day treatment program, Therapeutic Behavioral Services (TBS), and mental health services for Seriously Emotionally Disturbed (SED) adolescents and latency-age children.

Mountain Valley Child and Family Services, Inc. has expanded their program to include Contra Costa clients who reside in group homes located in rural communities in the central San Joaquin Valley, as well as, opening a TBS office in Concord to serve clients in Central County. Therefore, services provided by this contractor have increased resulting in higher than anticipated utilization of the original contract.

Approval of Contract Amendment Agreement #24-773-25 will allow the Contractor to provide additional residential day treatment, mental health and TBS for SED adolescents and latency-age children through December 31, 2017.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, there will be fewer placement options for clients that require day treatment services.

CHILDREN'S IMPACT STATEMENT:

This program supports the following Board of Supervisors' community outcomes: "Children Ready For and Succeeding in School"; "Families that are Safe, Stable, and Nurturing"; and "Communities that are Safe and Provide a High Quality of Life for Children and Families". Expected program outcomes include an increase in positive social and emotional development as measured by the Child and Adolescent Functional Assessment Scale (CAFAS).



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: August 1, 2017

Subject: Contract #74-544 with Barbara Swarzenski, M.D.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #74-544 with Barbara Swarzenski, M.D., an individual, in an amount not to exceed \$199,680, to provide outpatient psychiatric services at the East County Mental Health Clinic, for the period from September 1, 2017 through August 30, 2018.

FISCAL IMPACT:

This Contract is funded 50% Federal Medi-Cal; 50% Mental Health Realignment.

BACKGROUND:

For a number of years the County has contracted with Medical, Dental and Mental Health Specialists to provide specialized professional services, which are not otherwise available.

Approval of Contract #74-544 will allow the Contractor to provide outpatient psychiatric services at the West County Children's Clinic through August 30, 2018.

☒ APPROVE

☐ OTHER

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☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: August 1, 2017

Contact: Cynthia Belon
925-957-5201

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

By: , Deputy

cc: D Morgan, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, County's clients will not have access to Contractor's psychiatric services.

CHILDREN'S IMPACT STATEMENT:

This program supports the following Board of Supervisors' community outcomes: "Children Ready For and Succeeding in School"; "Families that are Safe, Stable, and Nurturing"; and "Communities that are Safe and Provide a High Quality of Life for Children and Families". Expected program outcomes include an increase in positive social and emotional development as measured by the Child and Adolescent Functional Assessment Scale (CAFAS).



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: August 1, 2017

Subject: Contract #26-140-2 with East Bay Audiologists, A Professional Corporation

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #26-140-2 with East Bay Audiologists, A Professional Corporation, in an amount not to exceed \$1,048,000, to provide audiology evaluation services at Contra Costa Regional Health Center and Contra Costa Health Centers (CCRMC), for the period from September 1, 2017 through August 31, 2019.

FISCAL IMPACT:

This Contract is funded 100% by Hospital Enterprise Fund I. (Rate increase)

BACKGROUND:

On August 18, 2015, the Board of Supervisors approved Contract #26-140 (as amended by Amendment Agreement #26-140-1) with East Bay Audiologists, A Professional Corporation, for the provision of audiology services including hearing evaluations, hearing aid evaluations, fitting, dispensing and procurement of hearing aids and supplies at CCRMC for the period from September 1, 2015 through August 31, 2017.

Approval of Contract #26-140-2 will allow the Contractor to continue to provide audiology services at CCRMC through August 31, 2019.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

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

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring audiology services at CCRMC will not have access to Contractor's services.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: August 1, 2017

Subject: Contract #77-077 with Children's Hospital & Research Center at Oakland

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #77-077 with Children's Hospital & Research Center at Oakland, a corporation, in an amount not to exceed \$13,000,000, to provide pediatric inpatient and outpatient healthcare services for Contra Costa Health Plan (CCHP) members for the period from August 1, 2017 through December 31, 2018.

FISCAL IMPACT:

This Contract is funded 100% Contra Costa Health Plan Enterprise Fund II. (No rate increase)

BACKGROUND:

Under Contract #77-077, the Contractor will provide pediatric inpatient and outpatient healthcare services for CCHP members for the period from August 1, 2017 through December 31, 2018.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, Contra Costa Health Plan members will not receive the benefits of hospital services from the Contractor.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

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



Contra
Costa
County

To: Board of Supervisors
From: Sharon Offord Hymes, Risk Manager
Date: August 1, 2017

Subject: Contract with Essential Staffing Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of Risk Management to execute a contract with Essential Staffing, Inc. for workers' compensation staffing services for the period from July 1, 2017 through June 30, 2018 in an amount not to exceed \$500,000.

FISCAL IMPACT:

Costs for workers' compensation services are funded through the Workers' Compensation Internal Service Fund.

BACKGROUND:

Essential Staffing, Inc. specializes in providing highly experienced workers' compensation claims adjusters and clerical support staff. Using these temporary staffing services has resulted in a reduction of claims inventory to industry standards and an excellent audit rating by the California State Association of Counties Excess Insurance Authority as well as increased confidence levels to the internal service fund.

☒ APPROVE

☐ OTHER

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☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

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:

Risk Management will not have adequate technical assistance and staff to process workers' compensation claims in a timely manner and satisfy current regulations.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: August 1, 2017

Subject: Purchase Order Amendment with US Foods, Inc.

RECOMMENDATION(S):

Approve and authorize the Purchasing Agent, on behalf of the Health Services Department, to execute, on behalf of the County, an amendment to Purchase Order with US Foods, Inc., to add \$50,000 to a new total not to exceed \$149,000, for the weekly purchases of food for clients of County's Discovery House Treatment Facility, with no change in the term through September 30, 2017.

FISCAL IMPACT:

100% Substance Abuse Prevention Program and Treatment Block Grant (SAPT-BG).

BACKGROUND:

This purchase order meets the mandated licensing requirements set forth by the Department of Health Care Services, Substance Use Disorders branch, to provide three (3) nutritious meals per day for clients at County's Discovery House Substance Use Disorders (SUD) Residential Treatment Facility for men.

CONSEQUENCE OF NEGATIVE ACTION:

If this Purchase Order Amendment is not approved, Discovery House will be out of license compliance as mandated by the Department of Health Care Services, and could result in removal of license to operate.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Fatima Matal Sol,
925-335-3307

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

By: , Deputy

cc: Tasha Scott, Marcy Wilhelm, Mary McLain



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: August 1, 2017

Subject: Amend & Extent Professional Accounting Services Contract with BPM, LLP

RECOMMENDATION(S):

APPROVE and AUTHORIZE the County Administrator, or designee, to execute a contract amendment with Burr Pilger Mayer Inc., effective July 31, 2017, to extend the term from August 1, 2017 through June 30, 2018 and increase the payment limit by \$31,000 to a new payment limit of \$198,580, for professional accounting services.

FISCAL IMPACT:

The fees for the professional accounting services are charged to the cost center for County Building Costs. (100% County General Fund)

BACKGROUND:

On April 9, 2012, the County issued a Request for Proposals (RFP) for qualified certified public accountant firms to prepare financial statements for the Contra Costa County Public Financing Authority (the "PFA"). As part of the County's annual financial reporting and auditing process, the PFA is required to develop stand-alone financial statements. These statements are then included in the County's larger audited annual financial report.

The County Administrator's Office is therefore requesting to renew the current contract for one additional year. In 2018, this contract along with a companion contract for audit services will be put out to bid.

CONSEQUENCE OF NEGATIVE ACTION:

The Public Financing Authority will not have the expertise necessary to prepare their annual financial statements.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Timothy Ewell, (925)
335-1036

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: August 1, 2017

Subject: Correct July 18, 2017 Board Order Item #C.109 with R.E.A.C.H. Project

RECOMMENDATION(S):

Approve clarification of Board action of July 18, 2017 (Item C.109), which authorized the Health Services Director to execute a contract with R.E.A.C.H. Project to provide substance use disorder prevention treatment services to Medi-Cal eligible County residents, to change the payment limit amount to \$185,380, with no change in the term of July 1, 2017 through June 30, 2018.

FISCAL IMPACT:

This contract is funded 54% CalWORKS Alcohol and Other Drugs Services; 46% CalWORKS Mental Health.

BACKGROUND:

On July 18, 2017, the Board of Supervisors approved Contract #74-535-1 with R.E.A.C.H. Project, for the provision of substance use disorder prevention treatment services to Medi-Cal eligible County residents, for the period from July 1, 2017 through June 30, 2018 with a payment limit of \$120,000.

The purpose of this Board Order is to clarify and correct the payment limit as \$185,380, instead of \$120,000 as previously submitted by the Department and approved by the Board. Approval of this Board Order

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

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

BACKGROUND: (CONT'D)

will allow the Contractor to provide substance use disorder prevention services, through June 30, 2018 with the payment limit that reflects the original intent of the Contractor and the County.

CONSEQUENCE OF NEGATIVE ACTION:

If this correction is not approved, the contract payment limit set forth in the previous Board Order would not match the intent of the County and Contractor.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: August 1, 2017

Subject: Purchase Order for Med One Capital, Inc.

RECOMMENDATION(S):

Approve and authorize the Purchasing Agent, on behalf of the Health Services Department, to execute a Purchase Order with Med One Capital, Inc. in an amount not to exceed \$136,000, for lease of the Flex Lock with Temp Check for use by the pharmacy at Contra Costa Regional Medical Center (CCRMC), for the period of August 1, 2017 through July 31, 2022.

FISCAL IMPACT:

100% funded by Hospital Enterprise Fund I.

BACKGROUND:

CCRMC has used Omnicell since 2005 in the hospital and clinics. These Flex locks with Temp Check are used to secure the medication refrigerators to the Omnicell and also monitor the temperature of the refrigerator. CCRMC will be leasing the Omnicell equipment through Med One Capital Funding. CCRMC has been satisfied with Omnicell as a vendor over the past 10 years and wishes to continue using this company. Omnicell has assisted CCRMC to reach the Medication Safety and Patient Safety goals set for patient population and has brought CCRMC to the compliance with the regulatory requirements.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Anna Roth,
925-370-5101

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

By: , Deputy

cc: Tasha Scott, Marcy Wilhelm, Margaret Harris

CONSEQUENCE OF NEGATIVE ACTION:

If this Purchase Order is not approved, there will be a lack of a safe and effective medication storage and distribution system which could result in unsafe medication practices, potential costly regulatory citations, or patient harm.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: August 1, 2017

Subject: Purchase Order with Groupware Technology Inc. for Cisco Equipment

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Health Services Department, to execute (1) a Purchase Order with Groupware Technology Inc., in an amount not to exceed \$1,322,389, and (2) a letter agreement with Cisco Systems, Inc., for the purchase of computer hardware and support and maintenance for the period from August 1, 2017 through July 31, 2020.

FISCAL IMPACT:

100% funding is included in the Hospital Enterprise I Fund budget.

BACKGROUND:

Contra Costa Health Services (CCHS) current infrastructure consists of Cisco equipment. Much of the network infrastructure equipment used to support the hospital, clinics, and ancillary sites is more than eight years old and has reached end of life support with Cisco. Equipment such as the network core and servers at the Martinez Data Center requires a refresh and CCHS Information Technology Unit will be replacing old systems in support of the EPIC System.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: David Runt,
925-313-6228

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

By: , Deputy

cc: Tasha Scott, Marcy Wilhelm, Renee Nunez

CONSEQUENCE OF NEGATIVE ACTION:

Failure to replace aging and end of support equipment increases the risk of an unexpected failure, possibly an extended outage, and could put patient lives at risk because old systems will not be supported any longer.



Contra
Costa
County

To: Board of Supervisors
From: Melinda Cervantes, County Librarian
Date: August 1, 2017

Subject: Bibliotheca LLC Equipment and Software Maintenance Renewal

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the County Librarian, a purchase order with Bibliotheca, LLC, in an amount not to exceed \$185,000, and a Service and Maintenance Agreement with Bibliotheca, LLC for software and equipment maintenance for library book and media security and inventory equipment, and customer self-service equipment, for the period July 1, 2017 through June 30, 2018.

FISCAL IMPACT:

The cost is appropriated in the Library's FY 2017/2018 budget.

BACKGROUND:

Bibliotheca, LLC equipment is used throughout the library's 26 locations. The Service and Maintenance Agreement covers equipment plus software and includes labor, parts, and equipment modifications. Service can be requested via an 800 number 24 hours 7 days a week. The equipment under the Service and Maintenance Agreement is used for book/media security equipment, inventory equipment, and customer self-service equipment.

In accordance with Administrative Bulletin No 611.0, County Departments are required to obtain Board approval for single item purchases over \$100,000. The County Administrator's Office has reviewed this request and recommends approval.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☒ 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: August 1, 2017

Contact: Chad Helton,
925-608-7728

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

This support is a critical to maintaining book/media security and inventory equipment, and customer self-service equipment. Without it, the Library would be unable to resolve issues that arise during the normal course of County business.



Contra
Costa
County

To: Board of Supervisors

From: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

Date: August 1, 2017

Subject: Comment Letter to the Contra Costa Transportation Authority Regarding the 2017 Countywide Transportation Plan Update

RECOMMENDATION(S):

AUTHORIZE the Chair of the Board of Supervisors to sign a letter to the Contra Costa Transportation Authority providing comments on the May 24, 2017 DRAFT "2017 Countywide Comprehensive Transportation Plan", as recommended by the Transportation, Water, and Infrastructure Committee.

FISCAL IMPACT:

None.

BACKGROUND:

The Transportation, Water, and Infrastructure Committee (TWIC) and the Board of Supervisors (BOS) reviewed, discussed and provided input on the update to the Contra Costa Transportation Authority's (Authority's) Countywide Transportation Plan (CTP) from 2014 through 2016. For a portion of this time the discussion was in conjunction with the development of the Measure X Transportation Expenditure Plan (TEP). Ultimately, CTP development was suspended in 2016 and TEP development proceeded independently.

While the CTP and TEP were under development, the Board of Supervisors received numerous staff reports and the County submitted several comment letters to the Authority. The Authority was responsive to County input and the majority of our revisions were incorporated in to the CTP. For background purposes those staff reports and letters are compiled in a list of links at the bottom of this report.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☒ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: John Cunningham (925)
674-7833

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

By: , Deputy

cc: John Barclay

BACKGROUND: (CONT'D)

This May 2017 version of the CTP is, in part, picking up where the Authority left off before development of the document was suspended. However, the document has been reformatted and some content has been changed. That said, staff's proposed comments on the CTP are brief given the Authority's prior responsiveness to the County.

The following chapters from Authority's Countywide Transportation Plan are attached (CTP Excerpts: Executive Summary, Introduction, Vision-Goals-Strategies) to this report: Executive Summary, Introduction, Challenges and Opportunities, and Visions, Goals, and Strategies. The full document is available here:

<http://2017ctpupdate.net/>

Draft Letter: A draft comment letter (attached: BOS to CCTA reCTP) on the May 24, 2017 DRAFT "2017 Countywide Comprehensive Transportation Plan" from the Board of Supervisors to the Authority is attached. TWIC, at their July 10, 2017 meeting, approved sending the letter to the full Board of Supervisors for their consideration and approval. The staff report and letter reviewed by TWIC focused on two topics, the **1) Northern Waterfront Economic Development Initiative**, and **2) Accessible Transit**.

Two new issues, **3) Expanded Regional Transportation Mitigation Program**, and **4) Project List Comments** were raised subsequent to the TWIC meeting. Those issues are addressed below and raised in the attached draft letter. The new information on this topic below and in the attached letter has not been reviewed by TWIC. There are two attached letters, one track changes version showing revisions subsequent to the TWIC meeting and one clean, final draft.

1) Northern Waterfront Economic Development Initiative: As reflected in the draft letter, the CTP supports the County's Northern Waterfront Economic Development Initiative. The comments in the letter are intended to ensure that some tangible actions are included in the CTP.

The concept of "Priority Production Areas" (PPAs) has been discussed at, and has some support with the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC). PPAs, according to ABAG, are areas that "...would be locally designated zones where manufacturing, warehousing, distribution and repair services would be a priority consideration in determining future land use." County staff believes that we would benefit from a formal, funded PPA program at the regional level to assist with our Northern Waterfront efforts. This would be similar to Priority Development Areas (PDAs) and Priority Conservation Areas (PCAs) which are established programs with, most critically, associated funding priorities.

2) Accessible Transit: The message in the letter related to accessible transit is a departure from the County's past practice in addressing accessible transit issues. With earlier versions of the CTP update and development of the TEP, the County provided expansive, well-documented rationale including data, history, best practices, etc, in advocating for proactively and strategically addressing accessible transit needs. These reports and letters can be accessed at the links at the bottom of this report.

The County's detailed engagement is due to numerous factors which suggest greater County involvement is appropriate: **1)** the County has obligations under the the Older Americans Act that includes transportation, **2)** the Contra Costa Health Plan (CCHP) has significant patient transportation responsibilities^[1], **3)** the County's efforts to fill the responsibility gap observed in an earlier report to the BOS on the CTP which states, "barriers to progress on this issue are...accessible transit responsibilities are diffused (geographically and organizationally) throughout the county resulting in no single agency or organization falling naturally into a leadership role..."* and **4)** general, countywide obligations related to public health.

At this point in the CTP update staff believes that relative to accessible transit: **1)** the BOS position on this issue is reflected in the record, **2)** the rationale for making changes on this type of transit service is well-established, and **3)** there is a general understanding among some decision makers that action needs to be taken. Considering all of this information, the CTP comments proposed by staff are brief and to the point which is to see some progress on

the issue after years of advocacy.

With this letter the County's options for using the CTP/TEP process to catalyze changes in the accessible transit system appear to be exhausted.

3) Expanded Regional Transportation Mitigation Program: Concerns with the following concept from the "Maintaining the System" section in the CTP were raised at the July 14th TRANSPAC meeting: "...the Authority proposes to expand the Regional Transportation Mitigation Program to ensure that fees collected cover the costs of ongoing maintenance...". This concept was the subject of a message (attached: 7-13-17 Email BIA to TRANSPAC Re_CTP Fee Program.pdf) from the Building Industry Association of the Bay Area to the Chair of the TRANSPAC Committee (Supervisor Karen Mitchoff).

In response to these concerns and in consultation with Supervisor Mitchoff in her capacity as the County's Authority representative, staff revised the letter. In summary, the primary concerns with the concept are 1) there does not appear, on the face of it, any mechanism by which the proposal could be implemented given the current statutes related to imposing mitigation fees, and 2) a proposal of this significance requires substantially more vetting at the various collaborative public forums established for these issues, the Regional Transportation Planning Committees, Technical Coordinating Committee, in addition to the City/Town Councils and the Board of Supervisors.

4) Project List Comments

The transportation project list published in the 2017 CTP is missing two projects that were present in the 2014 project list, the Vasco Road Safety Improvements (Phase 2) and Northern Waterfront Goods Movement Infrastructure. As seen in the attached, the County is requesting that these projects be added back in.

[1] Transportation and healthcare are becoming more interrelated as research shows that poor transportation is a significant barrier to adequate health care and a cost effective system. (National Institutes of Health (NIH): Traveling Towards Disease: Transportation Barriers to Healthcare Access, 2013 - NIH Barriers to Health Care Access Among the Elderly, 2011) Without access to adequate transportation preventative medical appointments are often missed resulting in untreated chronic conditions resulting in degradation to the point where emergency medical care and transport is necessary. Recognizing this issue, legislation has been recently introduced to impose transportation requirements on healthcare providers. The Affordable Care Act included transportation coverage and California AB 2394 (2016 - Medi-Cal Non-Medical Transportation) increases transportation obligations to health insurance providers.

The unintended consequence of these requirements is further balkanization of transportation systems and providers which has long been acknowledged to confound cost saving coordination efforts thereby increasing costs through duplication of services. (United States Government Accountability Office (GAO), "Transportation Disadvantaged Populations: Coordination Efforts are Underway, but Challenges Continue", GAO: "Transportation Coordination: Benefits and Barriers Exist, and Planning Efforts Progress Slowly" 1999, GAO: "Transportation Disadvantaged Populations: Some Coordination Efforts Among....Transportation...Obstacles Persist" 2003, GAO: "Services for the Elderly - Longstanding Transportation Problems Need More Federal Attention" 1991, GAO: "Transportation Disadvantaged Populations: Federal Coordination Efforts Could be Further Strengthened" 2012, GAO: "Public Transit: Challenges in Funding....and Coordinating Services" 2014.

Previous Reports and Letters on the Contra Costa Transportation Authority's Countywide Transportation Plan Update and Transportation Expenditure Plan:

March 8, 2016 Staff Report to the BOS: [Update on the Status of the Contra Costa Transportation Authority's Development of a Transportation Expenditure Plan](#)

*September 15, 2015 Staff Report to the BOS: [Report on the Development of a Transportation Expenditure Plan and potential sales tax ballot measure by the Contra Costa Transportation Authority](#)

November 3, 2015 Letter: [BOS to CCTA Re: Transportation Expenditure Plan & Potential Sales Tax Measure](#)

October 21, 2014 Staff Report to the BOS: [Comment Letter on the Contra Costa Transportation Authority's](#)

[DRAFT 2014 Countywide Transportation Plan Update](#)

October 21, 2014 Letter from the BOS to the CCTA: [2014 Countywide Transportation Plan Update](#)

White Paper on Accessible Transit in Contra Costa County

CONSEQUENCE OF NEGATIVE ACTION:

If action is not taken, the County's policy priorities will not be communicated to the Contra Costa Transportation Authority for inclusion in the Countywide Transportation Plan.

ATTACHMENTS

BOS to CCTA reCTP(redline-strikeout)

BOS to CCTA reCTP

7-13-17 Email BIA to TRANSPAC Re_CTP Fee Program

CTP Excerpts: Executive Summary, Introduction, Vision-Goals-Strategies

The Board of Supervisors

County Administration Building
651 Pine Street, Room 106
Martinez, California 94553

John Gioia, 1st District
Candace Andersen, 2nd District
Diane Burgis, 3rd District
Karen Mitchoff, 4th District
Federal D. Glover, 5th District

August 1, 2017

Tom Butt, Chair
Contra Costa Transportation Authority
2999 Oak Road, Suite 100
Walnut Creek, CA 94597

Contra Costa County



David Twa
Clerk of the Board
and
County Administrator
(925) 335-1900

Subject: 2017 Countywide Transportation Plan Update

Dear Chair Butt:

On ~~July 18, August 1~~, 2017, the Board of Supervisors authorized me to transmit this comment letter on the May 24, 2017 *Draft Final Contra Costa Countywide Transportation Plan* (CTP). The Board of Supervisors would like to thank the Contra Costa Transportation Authority (Authority) for the substantial time and effort put into the CTP.

The County has ~~Our~~ comments ~~focus~~ on the County's Northern Waterfront Economic Development Initiative, ~~and issues related to~~ accessible transit issues, and the proposal to expand the Regional Transportation Mitigation Program.

Northern Waterfront/Freight Movement

We appreciate the support for the Northern Waterfront Economic Development Initiative found the CTP. This multijurisdictional effort would be more effective with additional tangible actions. We request that the following concepts be included in the CTP:

- At the regional level, continued Authority advocacy for the expedited development and funding of a Priority Production Area program would be helpful in project implementation.
- At the local level, the addition of Authority support for a shortline rail study in the Northern Waterfront area would be welcome.

Accessible Transit

In the County's November 3, 2015 letter on the CTP we highlighted the fact that accessible transit costs in Contra Costa are increasing while areas with a more coordinated transit system are seeing decreasing costs. Addressing this longstanding issue would be consistent with the "invest wisely", and "new potential funding sources" principles espoused in the CTP.

Given this, we are requesting that the Authority ~~act on~~ take action relative to the statement in the February 19, 2015 -2014-Draft ~~Final~~ CTP regarding accessible transit and mobility management, "...this is an area where the Authority can exhibit leadership" and request that the Authority initiate the Accessible

Transportation Service Strategic Plan originally proposed in Measure X. This would be a concrete action that would fulfill the Authority's commitment found in -Goal 3.7 "*Serving All Contra Costa Residents. Support the expansion of a coordinated system of transit and paratransit service...*". If the accessible transit system is to perform adequately, we will need to ~~take action and cannot provide leadership and not solely~~ rely on the private sector's ability (or interest) to *adapt to senior's mobility challenges*¹.

Expanded Regional Transportation Mitigation Program

The County has concerns with the proposal to "...expand the Regional Transportation Mitigation Program to ensure that fees collected cover the costs of ongoing maintenance..." found in the "Maintaining our System" section of the CTP. We believe this proposal should receive more examination and discussion before being included in the CTP. We hope that the Authority will consider removing this language and initiating outreach to your member agencies and the public to more thoroughly vet the proposal.

CTP – Volume 2: 10 and 20 Year Project Priority Lists

The following projects were in the Draft 2014 CTP project list but were removed in the 2017 document: Northern Waterfront Goods Movement Infrastructure, and Vasco Road Safety Improvements, Phase 2. We are requesting the reinstatement of these critical projects in the subject document.

We support the Plan and appreciate the Authority's past responsiveness to comments from the County on the previous versions of the CTP.

Sincerely,

Federal D. Glover, Chair
Contra Costa County Board of Supervisors
Supervisor, District I

C:
Janet Abelson, Chair - WCCTAC
Amy R. Worth, Chair – SWAT
Sal Evola, Chair, TRANSPLAN
Ron Leone, Chair – TRANSPAC

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File: Transportation > Projects > CCTA > CTP 2014-15
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¹ Page ES-3: *Volume I, Countywide Transportation Plan*, May 24, 2017

The Board of Supervisors

County Administration Building
651 Pine Street, Room 106
Martinez, California 94553

John Gioia, 1st District
Candace Andersen, 2nd District
Diane Burgis, 3rd District
Karen Mitchoff, 4th District
Federal D. Glover, 5th District

August 1, 2017

Tom Butt, Chair
Contra Costa Transportation Authority
2999 Oak Road, Suite 100
Walnut Creek, CA 94597

Contra Costa County



David Twa
Clerk of the Board
and
County Administrator
(925) 335-1900

Subject: 2017 Countywide Transportation Plan Update

Dear Chair Butt:

On August 1, 2017, the Board of Supervisors authorized me to transmit this comment letter on the May 24, 2017 *Draft Final Contra Costa Countywide Transportation Plan* (CTP). The Board of Supervisors would like to thank the Contra Costa Transportation Authority (Authority) for the substantial time and effort put into the CTP.

The County has comments on the County's Northern Waterfront Economic Development Initiative, accessible transit issues, and the proposal to expand the Regional Transportation Mitigation Program.

Northern Waterfront/Freight Movement

We appreciate the support for the Northern Waterfront Economic Development Initiative found the CTP. This multijurisdictional effort would be more effective with additional tangible actions. We request that the following concepts be included in the CTP:

- At the regional level, continued Authority advocacy for the expedited development and funding of a Priority Production Area program would be helpful in project implementation.
- At the local level, the addition of Authority support for a shortline rail study in the Northern Waterfront area would be welcome.

Accessible Transit

In the County's November 3, 2015 letter on the CTP we highlighted the fact that accessible transit costs in Contra Costa are increasing while areas with a more coordinated transit system are seeing decreasing costs. Addressing this longstanding issue would be consistent with the *"invest wisely"*, and *"new potential funding sources"* principles espoused in the CTP.

Given this, we are requesting that the Authority take action relative to the statement in the February 19, 2015 Draft CTP regarding accessible transit and mobility management, *"...this is an area where the Authority can exhibit leadership"* and request that the Authority initiate the *Accessible Transportation Service Strategic Plan* originally proposed in Measure X. This would be a concrete action that would fulfill the

Authority's commitment found in Goal 3.7 *"Serving All Contra Costa Residents. Support the expansion of a coordinated system of transit and paratransit service..."*. If the accessible transit system is to perform adequately, we will need to provide leadership and not solely rely on the private sector's ability (or interest) to *adapt to senior's mobility challenges*¹.

Expanded Regional Transportation Mitigation Program

The County has concerns with the proposal to *"..expand the Regional Transportation Mitigation Program to ensure that fees collected cover the costs of ongoing maintenance..."* found in the *"Maintaining our System"* section of the CTP. We believe this proposal should receive more examination and discussion before being included in the CTP. We hope that the Authority will consider removing this language and initiating outreach to your member agencies and the public to more thoroughly vet the proposal.

CTP – Volume 2: 10 and 20 Year Project Priority Lists

The following projects were in the Draft 2014 CTP project list but were removed in the 2017 document: Northern Waterfront Goods Movement Infrastructure, and Vasco Road Safety Improvements, Phase 2. We are requesting the reinstatement of these critical projects in the subject document.

We support the Plan and appreciate the Authority's past responsiveness to comments from the County on the previous versions of the CTP.

Sincerely,

Federal D. Glover, Chair
Contra Costa County Board of Supervisors
Supervisor, District I

C:

Janet Abelson, Chair - WCCTAC
Amy R. Worth, Chair – SWAT
Sal Evola, Chair, TRANSPLAN
Ron Leone, Chair – TRANSPAC

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File: Transportation > Projects > CCTA > CTP 2014-15
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¹ Page ES-3: *Volume I, Countywide Transportation Plan*, May 24, 2017

From: Lisa Vorderbrueggen lvorderbrueggen@biabayarea.org
Subject: Today's TRANSPAC meeting ..
Date: Jul 13, 2017, 7:27:15 AM
To: Karen Mitchoff
Bcc: Julie Pierce

Hi Karen,

I planned to attend this morning's TRANSPAC meeting but my back has gone out and I am, unfortunately, going nowhere for a few days.

Here are the details of what I planned to address at the TRANSPAC meeting today.

Specifically, BIA is very concerned about the draft 2017 Contra Costa Countywide Plan's call to expand the regional fee mitigation program to include ongoing maintenance and operations and transit service.

Expanding the regional mitigation fee potentially adds thousands of dollars to the already impossibly high cost of new housing and burdens new homebuyers and renters at disproportionately higher levels of financial responsibility for the maintenance and operations of the transportation system than existing residents. It would also price more families out of Contra Costa's housing market, exacerbating congestion as they buy in less expensive areas such as San Joaquin and Solano counties and commute into the Bay Area. The regional mitigation fee in East Contra Costa, for example, is already \$18,000 for a single-family home.

BIA|Bay Area will be asking the Contra Costa Transportation Authority to remove the references to the expansion of the regional mitigation fee from the 2017 CTP.

First, Gov't Code Section 65913.8 (attached) expressly prohibits the use of development fees charged for capital facility improvements on maintenance or operations:

"A fee, charge or other form of payment imposed by a governing body of a local agency for a public capital facility improvement related to a development project may not include an amount for the maintenance or operation of an improvement when the fee, charge, or other form of payment is required as a condition of the approval of a development project, or required to fulfill a condition of the approval."

The first reference to the fee mitigation expansion appears in Volume 1 on

page ES-12 and it does not appear to reflect state law:

"The 2017 CTP includes new strategies to establish effective preventive maintenance and reduce the backlog of transportation rehabilitation and maintenance needs. Creating a stable funding source for long-term maintenance costs is a Plan priority. With this in mind, the Authority intends to expand the Regional Transportation Mitigation Program to ensure that fees collected cover the costs of ongoing maintenance. New facilities should not be built if they cannot be maintained."

The second reference is on page 1-5. This would appear to add transit service to what has been a capital improvements fee program and again does not reflect the statute:

"Investigating opportunities to extend the Regional Development Mitigation Program to include support for a Transit Mitigation Fund, which could support service expansion, as needed, and programmatic reductions in vehicle miles traveled (VMT) to mitigate the impacts of development."

The third reference appears to suggest that local jurisdictions would be required to condition development approvals on establishment of road maintenance/operations funding agreements as part of the RTMP, which has serious implications for local land-use decision-making authority. The references are on pages 3-21 and 3-22:

"With this in mind, the Authority will be looking at ways to expand the current Regional Transportation Mitigation Program (RTMP) to ensure that fees include the costs of ongoing maintenance for a stated period of time if assessment districts or other funding arrangements will not be in place. The basic idea is that local jurisdictions should not build new transportation facilities if they cannot take care of them. More complicated, as noted in Strategies 4.2 and 4.3, is funding the backlog for pavement rehabilitation and related projects."

... What the Authority can do to ensure long-term maintenance of all new improvements. One option is to require commitments to long-term maintenance of new improvement as a condition of approval of a development mitigation program. Modifications of the RTMP program

requirements would be needed to accomplish this."

... What the Authority can do to assist with deferred maintenance of existing facilities. Funding will be available through the Local Streets Maintenance and Improvements (LSM&I) Program and subregional programs created to meet the needs of specific areas within Contra Costa. The Authority also will provide guidance on best practices and may require commitments to putting in place policies and procedures for long-term maintenance as a condition of continuing eligibility for LSM&I Program funds."

The fourth reference is on Page 3-25. To my knowledge, there are no prohibitions on using existing fee revenues on streetscape infrastructure or bicycle facilities (as long as there is a nexus and the projects are analyzed in the nexus studies) but the law does not permit the fees to be used for ongoing operations costs:

"To bolster Measure J sales tax revenues, the Authority will investigate the feasibility of augmenting its Regional Transportation Mitigation Program (RTMP), so additional revenues could be used to support transit services as well as street and highway improvements and also be available to pay for bicycle facilities and streetscape infrastructure. If, based on public input, this initiative seems worth pursuing, the Authority could commission a "nexus" study and an economic feasibility study."

Counties and cities will soon start receiving additional revenues for local streets and roads maintenance.

Gov. Jerry Brown signed SB 1 bill on June 30, 2017, that will raise the gas tax 20 cents a gallon to 36 cents a gallon starting Nov. 1, 2017. Cities and counties will then start collecting tens of millions more dollars a year for local road repairs and maintenance. CCTA may go the polls again in the next two or four years and ask voters to consider a sales tax extension and the expenditure plan will almost certainly -- as it did in 2016 -- include a large percentage of return-to-source money for the cities and the county to use on local road maintenance.

Granted, neither of these taxes will bring in enough money. There is never enough money, it seems, for transportation. But making housing even more

expensive will not close the transportation funding gap and it will worsen an already horrific housing crisis.

Feel free to call or email if you would like to talk about this in more detail. I am preparing a detailed comment letter for CCTA and will speak at the CCTA meeting on July 19, 2017.

Thanks! LisaV

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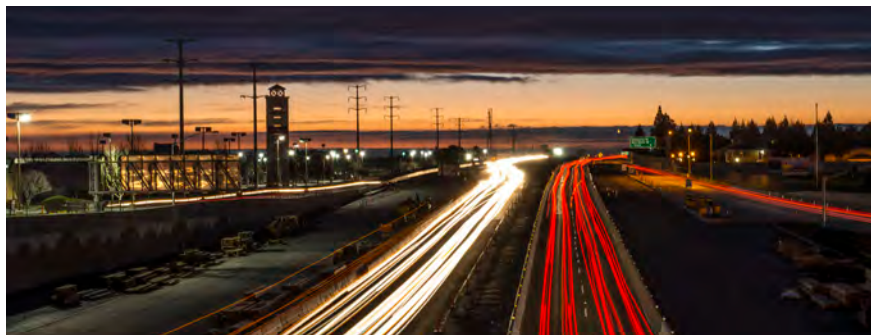
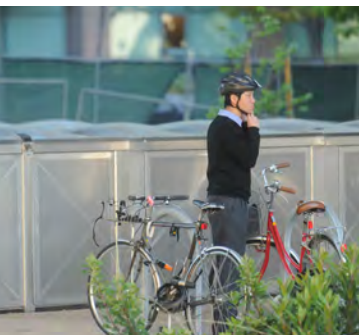
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2017 Countywide Comprehensive Transportation Plan

Volume I

May 24, 2017

**PUBLIC
REVIEW
DRAFT**



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2017 Countywide Comprehensive Transportation Plan

Volume I

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REVIEW
DRAFT**

May 24, 2017



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Table of Contents

Executive Summary	ES-1
Innovation is the Key.....	ES-2
Challenges and Opportunities.....	ES-2
Public Engagement; Outreach Activities	ES-7
Vision, Goals and Strategies.....	ES-9
Implementing the Plan.....	ES-12
 I Introduction.....	 I-1
The Authority's Role.....	I-2
Growth Management Program	I-2
Congestion Management Program.....	I-5
Partnerships	I-6
Relationship to Other Plans and Regulations	I-9
The Comprehensive Transportation Plan.....	I-12
Outreach	I-15
Preparing and Adopting the CTP	I-17
 2 Challenges and Opportunities	 2-1
Challenges	2-2
Opportunities.....	2-19
Past Successes and Potential Improvements	2-23
 3 Vision, Goals and Strategies.....	 3-1
Finding the Right Balance.....	3-2
Goals	3-2
Strategies	3-3

4	Investment Program.....	4-1
	Funding the Investment Program	4-2
	Setting Priorities	4-9
	Investment Program	4-11
	What will the Long-Range Transportation Investment Program Accomplish?	4-19
	Refining the LRTIP.....	4-25
5	Implementation Program	5-1
	Roles and Responsibilities	5-2
	Detailed Implementation Tasks	5-2
6	Appendices.....	6-1
	Appendix A: Routes of Regional Significance	6-3
	Appendix B: Glossary	6-9

Executive Summary

The Contra Costa Countywide Transportation Plan, or CTP, is the blueprint for Contra Costa's transportation system over the coming decades. This long-range vision for transportation identifies the projects, programs, and policies that the Authority Board hopes to pursue. The CTP identifies goals for bringing together all modes of travel, networks and operators, to meet the diverse needs of Contra Costa and to support Plan Bay Area.

By improving the transportation system, we can help to address the challenges that a growing population, more jobs, and more traffic will bring. We also see new opportunities—from technological innovation to the benefits of active transportation—to address the challenges of growth and change without more roads. The CTP lays out a vision for our transportation future, the goals and strategies for achieving that vision, and the future transportation investments needed to promote a growing economy, advance technological changes, protect the environment, and improve our quality of life.

INNOVATION IS THE KEY

Innovation is the guiding theme for this CTP, with the Authority taking the lead on introducing and managing new technology, funding and constructing improvements to the county's transportation infrastructure, and overseeing ongoing transportation programs. These new initiatives, coupled with current programs and projects and the Authority's growth management program, will reduce congestion, improve air quality, and provide mobility options for all residents without undertaking major expansion projects. Since 1989 the Authority has been actively and successfully engaged in long-range planning for critical transportation infrastructure projects and programs that connect our communities, foster a strong economy, manage traffic, expand transit service, and safely and efficiently get people to their destination of choice. Building on prior CTPs, the 2017 CTP sets forth a viable, transformative framework to continue this mission, using technology and innovation to make the best use of available resources.

To be effective and responsive, the Authority works closely with the Regional Transportation Planning Committees (RTPCs), local jurisdictions, transit agencies and paratransit providers and regional and state partners – MTC, ABAG, the Bay Area Air Quality Management District, the Bay Conservation and Development Commission, Caltrans, and the California Air Resources Board, among others.

CHALLENGES AND OPPORTUNITIES

The population of Contra Costa and the region will continue to grow. Nearly 300,000 new people, 88,000 new households and 122,000 new jobs are expected in Contra Costa County by 2040, accounting for between 10 and 13 percent of total growth for the region. Increased population and jobs will place new demands on our transportation system, but we also have new tools and innovative approaches to help meet those demands.

Challenges

The challenges will be to plan for future needs in areas of growth, facilitate economic development, and help local jurisdictions respond to and facilitate new technologies, including electric vehicles, transportation network companies, and connected/autonomous vehicles, to serve development and respond to changing demographics and travel patterns. Responding to environmental mandates, particularly

air quality, and concerns about rising tides, public health, and equity also will be important. And finally, maintaining and operating the system we have remains a pressing challenge.

Projected Growth in Population and Jobs

While the rate of growth in Contra Costa is slowing, the Authority still expects substantial growth through 2040. A 27 percent increase in our population, a 31 percent increase in our workforce, and a 36 percent increase in the number of jobs is expected by 2040 in Contra Costa. To accommodate that growth, Contra Costa will need to provide housing, as well as the schools, stores and other services needed to support the projected population increase.

Table ES-1: ABAG Projections 2013 for Contra Costa County 2010 and 2040

	2010	2040	Change	% Change
Population	1,049,000	1,328,000	279,000	27%
Households	375,000	464,000	89,000	24%
Employed Residents	442,000	580,000	138,000	31%
Jobs	345,000	468,000	123,000	36%

Source: ABAG Projections 2013.

While both jobs and population will increase throughout Contra Costa, growth will be faster in some areas of the county than others. Population growth in West, Central, and East County is expected to be the highest. Job growth in East and Central County is expected to outpace other areas, with the lowest rate of growth found in the Lamorinda subarea.

The demographics of the county will change as well. The median age of the county is likely to increase as “Baby Boomers” age. Seniors may rely more on transit and paratransit than the working population because of mobility challenges. For them, services provided by transportation network companies such as Lyft and Uber and, over the longer term, shared autonomous vehicles, will be a real benefit. However, these private operations will need to adapt to senior’s mobility challenges, or the impact on publicly funded paratransit services will be substantial.

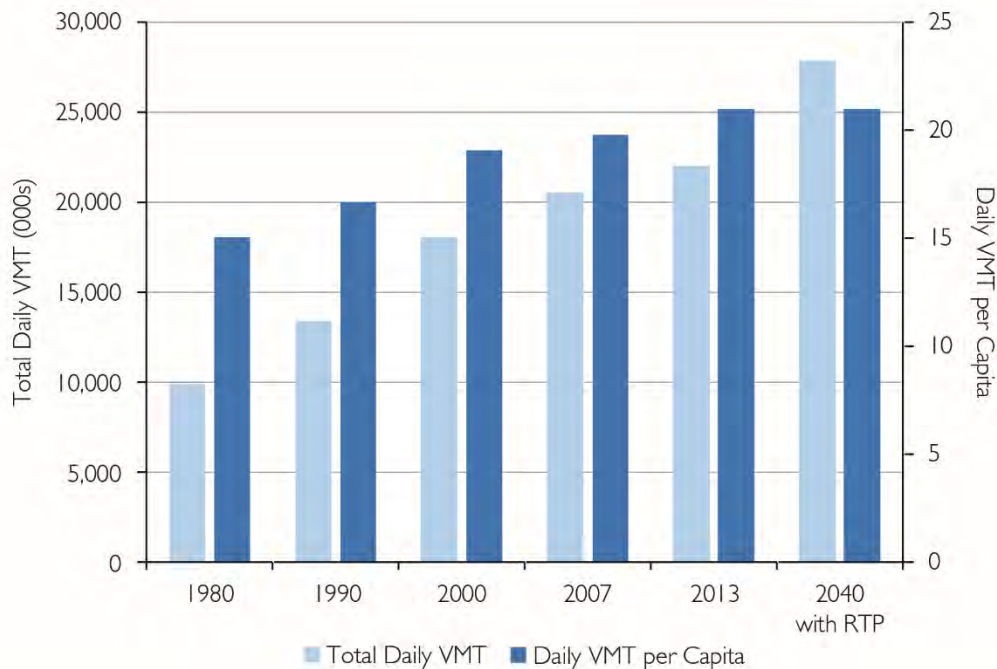
In addition, as more families move to Contra Costa County, especially into the East County, Central, and Tri-Valley areas, safe transportation options for school children

will become increasingly important. The “millennials,” as the generation born after 1980 is known, are driving less frequently than older generations, but whether this is a trend or only a short-term phenomenon is not yet clear. Partly, they are responding to the high cost of owning and operating a vehicle, and also many are choosing to live in close-in, walkable neighborhoods. If this trend continues, and it may not, it would mean that forecasts of increased congestion may be excessively dire; however, we also expect more delay on our roadways, especially those used for the daily commute to work.

How Will Growth Affect Travel and Congestion?

The increase in population will increase travel demand throughout the transportation system; it also will affect congestion throughout the county. The share of trips taken by car is expected to remain at about 92 percent of all trips. Therefore, vehicle miles traveled (VMT) will continue to increase even though the amount individuals drive, VMT per capita, is expected to level off, as shown in Figure ES-1. But an increase in total VMT does not translate into more air pollutants; as more electric and clean-fuel vehicles take to the road, tailpipe emissions will become cleaner.

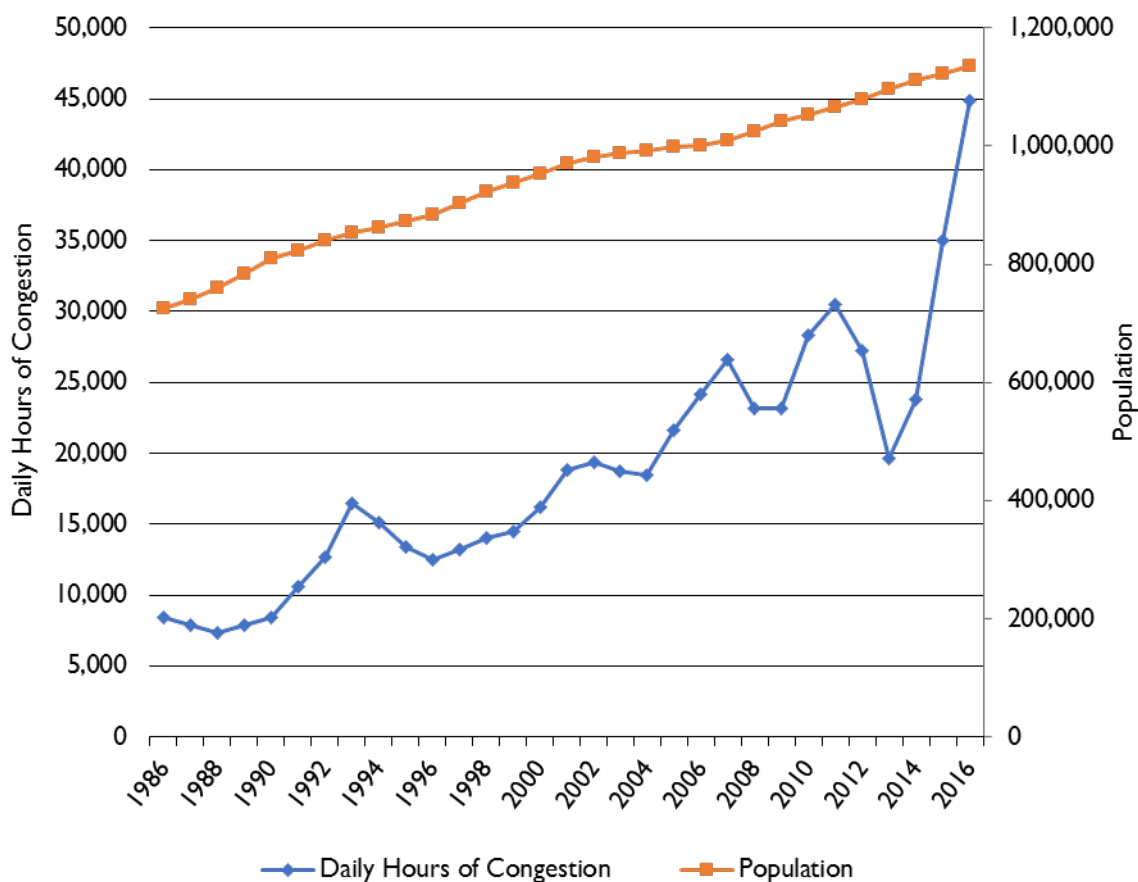
Figure ES-1: Average Weekday VMT and VMT per Capita in Contra Costa County 1980-2040



Source: Year 1980 estimated based on ARB Almanac 2007; Years 1990-2007 from 2005 MTC Travel Forecasts; Year 2013 and 2040 from Fehr and Peers and Dyett & Bhatia, 2015.

Over the past 30 years, overall traffic congestion has increased at a faster rate than population growth, as shown in Figure ES-2. In 1986, for example, drivers in the county experienced about 8,400 hours of delay on streets and highways; by 2012, this delay had increased over three-fold to 27,300 hours. More recently, the past three years show average vehicle hours of delay increasing by 50 percent over 2012. Downturns in the growth trend occurred during economic recessions. The County's population, by contrast, only grew 43 percent during this same time period. Before the fourth bore of the Caldecott tunnel opened at the end of 2013, the SR-24 bottleneck in Orinda was one of the Bay Area's top ten list of worst bottlenecks. The SR-4 widening from four to eight lanes, which was completed in 2015, lessened congestion on this segment of the highway, but further east and in the I-680 corridor, traffic congestion remains an issue.

Figure ES-2: Population Growth and Average Daily Hours of Congestion in Contra Costa County, 1986-2016



Data Sources: Caltrans District 4, 1986-2008 Hi-Comp Report; 2009-2016 Mobility Performance Report

While these improvements added new capacity to our roadway system, and eliminated some bottlenecks, latent demand added new traffic, somewhat offsetting the perceived benefits of these projects. Corridor management techniques, such as the Integrated Corridor Management approach used on I-80, can serve to meter new demand and reduce congestion.

Looking ahead to 2040, congestion is expected to continue to increase with average vehicle delay more than doubling. New roadway and vehicle technologies, however, can serve to reduce vehicle delay and mitigate lost time and productivity spent in traffic. This would be a significant economic benefit.

Environment and Health; the “Vision Zero” Concept

The transportation system affects our environment and public health. It is responsible for about 40 percent of the greenhouse gas (GHG) emissions in California. The system also is vulnerable to the effects of climate change, most notably rising tides, and more needs to be done to make the system resilient to these changes. Air pollution from mobile sources, especially diesel engines, increases the risk of asthma and lung diseases. Traffic collisions cause fatalities and injuries, and time spent in cars directly relates to increased rates of obesity. However, more opportunities for active transportation, and advanced vehicle technology (electric cars and zero emissions vehicles) and better vehicle connectivity can reduce pollution, improve public health, and reduce accidents.

Vision Zero is an international approach to road safety thinking, which originated in Sweden in the mid-1990s and continues to evolve. It can be summarized in one sentence: No loss of life is acceptable. The Vision Zero approach has proven highly successful as a guiding principle for many transportation organizations and plans. For example, the Intelligent Transportation Society of America (ITSA) has adopted Vision Zero as a primary driver towards intelligent transportation technologies that can improve safety. Indeed, a key part of travel safety is vehicle technology, such as connected/autonomous vehicles, but safety also is provided by roadway design, traffic controls, connectivity, education and training. Increased mobility depends on effective road safety, and this concept is a fundamental component of the CTP.

Equity

The Authority is committed to the principle of fairness, meaning benefits and burdens that occur from transportation investments should be equally distributed to all residents. The Authority also invites all residents to participate in the decision-making processes through outreach activities, which are described on the following pages.

The equity implications of the Long-Range Transportation Investment Program presented in this CTP were evaluated using MTC's performance targets. The results of this analysis are contained in Volume 2. Overall the 2017 CTP supports *Plan Bay Area's* equity targets for the Regional Transportation Plan (RTP) by offering equitable transportation opportunities for all residents, including those living in Communities of Concern and for minority and low-income residents.

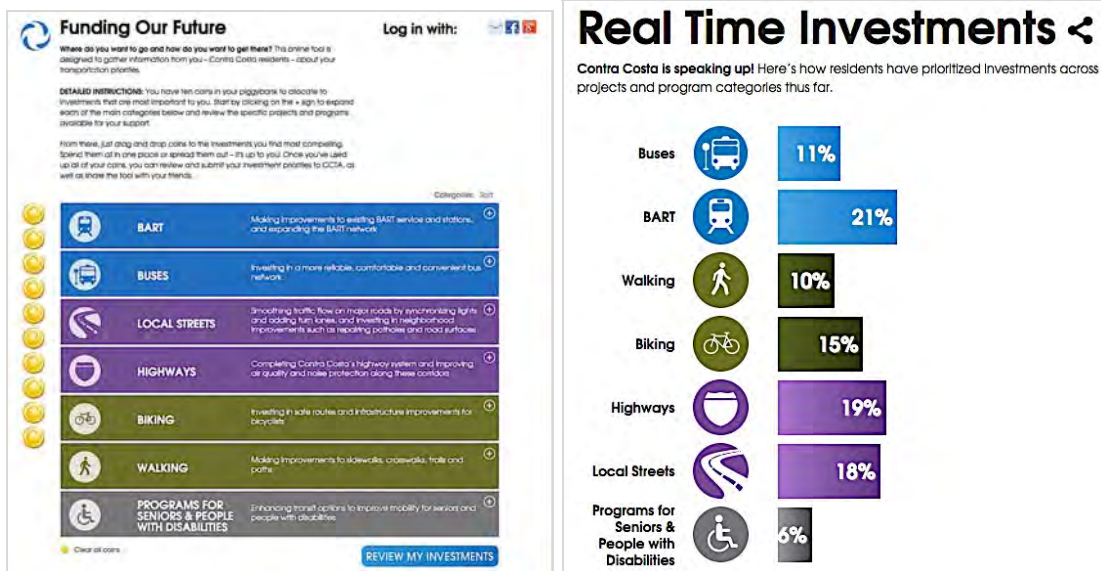
Opportunities

The CTP supports improvements to the efficiency of existing infrastructure, strategic investments in new capacity, advanced technology, and new potential funding sources to provide opportunities to improve the mobility and accessibility in Contra Costa. New technology, which supports express lanes and integrated corridor management, coupled with proven technologies for traffic signal coordination and ramp metering, is already improving the efficiency of existing roads and freeways. Shared-use mobility services through transportation network companies that facilitate carpooling are filling unused seating capacity of the vehicles traveling on the roads. And the technology on the horizon, such as fully connected and autonomous vehicles, provides huge opportunities for improved efficiency through potential reduction of accidents and increased roadway capacity.

PUBLIC ENGAGEMENT; OUTREACH ACTIVITIES

The CTP has been prepared with substantial public input since work began on the update in 2014. The Authority's outreach spanned the gamut from traditional forums, public meetings and newsletters to new technologies, including social media. This extensive outreach effort enabled the Authority to learn how residents generally viewed the Plan's proposals and transportation needs. An online public engagement survey/comment tool and a telephone Town Hall, one of the first in the Bay Area, offered individuals the opportunity to engage with the Authority's Board members and

senior staff. The Authority also hosted a website portal that enabled residents to express their priorities by showing how they would allocate funding and prioritize investments across an array of projects and programs.



Those participating in the outreach activities supported a broad range of projects and programs; many also expressed concerns about congestion on arterial corridors and highways across the county; funding for bicycle and pedestrian projects; and climate change. These comments guided Authority staff in making revisions that have been incorporated into the 2017 CTP.

Following release of the Draft 2017 CTP, the Authority will initiate a public engagement process that will allow Contra Costa's residents to weigh in on the Draft Plan. This effort will include:

- Countywide workshops using an "open house" format to facilitate participation;
- Meetings with the Authority's Citizens Advisory Committee;
- Public meetings starting in June to enable the Authority to hear comments from residents and others on the Draft Plan and the Environmental Impact Report (EIR) on the Plan;
- Focus group and stakeholder outreach;

- Workshops and study sessions with the Regional Transportation Planning Committees (RTPCs); and
- Presentations to City Councils, boards and commissions, upon request; and
- An online open house from the end of May through July for residents to learn more about the Plan and provide feedback.

VISION, GOALS AND STRATEGIES

The following vision encapsulates the role the transportation system will play in supporting the people, economy, and environment of Contra Costa:

Strive to preserve and enhance the quality of life of local communities by promoting a healthy environment and strong economy to benefit all people and areas of Contra Costa, through (1) a balanced, safe, and efficient transportation network, (2) cooperative planning, and (3) growth management. The transportation network should integrate all modes of transportation to meet the diverse needs of Contra Costa.

To achieve this vision, the Authority identified five goals for the 2017 CTP.

1. Support the efficient, safe, and reliable movement of people and goods using all available travel modes;
2. Manage growth to sustain Contra Costa's economy, preserve its environment and support its communities;
3. Expand safe, convenient and affordable alternatives to the single-occupant vehicle;
4. Maintain the transportation system; and
5. Continue to invest wisely to maximize the benefits of available funding.

For each of these goals, the Authority has identified strategies for achieving them.

Investing Wisely

One of the Authority's goals is to "invest wisely", because our funding needs far exceed our funding resources. Creating a "wise" investment package will require using our funds to attract funds from other sources and evaluating proposed projects to identify those that best meet the Authority's vision.

The 2017 CTP outlines the investment priorities proposed by the Authority. It begins with the priorities expressed in MTC's 2013 RTP, and uses that as a building block to establish new priorities through the Action Plans developed by the RTPCs, from public and stakeholder input, and from recently completed studies that focus on specific corridor issues. It reflects a "bottoms-up" approach, drawing together all of the suggestions for funding that have been submitted since the last CTP was adopted in 2009. Priorities were reviewed with the RTPCs, stakeholders, and the Authority's advisory committees, and the results of packages of project and programs were evaluated and compared using performance measures established by MTC. The building blocks for the Long-Range Transportation Investment Program (LRTIP) included in the CTP reflects the consensus that emerged from these discussions and Authority direction on a preferred approach.

Measure C and Measure J together have made a substantial dent in funding needed for projects and programs, not only from the revenues they generated, but also the funding they attracted from other sources. The following table shows Measure C/J expenditures by category, including the amount of funds leveraged, for a total of 6.5 billion in Year of Expenditure (YOE) dollars.

Table ES-2: Measures C and J Past and Future Project Expenditures (Year of Expenditure Dollars in Millions)			
Measure C and Measure J	Past	Future	Total
Roadway (highways, arterials and maintenance)	\$755	\$1,031	\$1,785
Transit (rail, bus, ferry, express bus, paratransit, commute alternatives)	\$434	\$738	\$1,171
Pedestrian & Bicycle, including Transportation for Livable Communities, trails, safe transport for children, and subregional needs	\$11	\$323	\$334
Other	\$144	\$373	\$517
Subtotal	\$1,344	\$2,464	\$3,808
Leveraged funds on Measure C & J projects	\$1,721	\$970	\$2,691
TOTAL FUNDS	\$3,065	\$3,434	\$6,499
Note: Past expenditures are through FY 2014-15 up to June 30, 2015.			

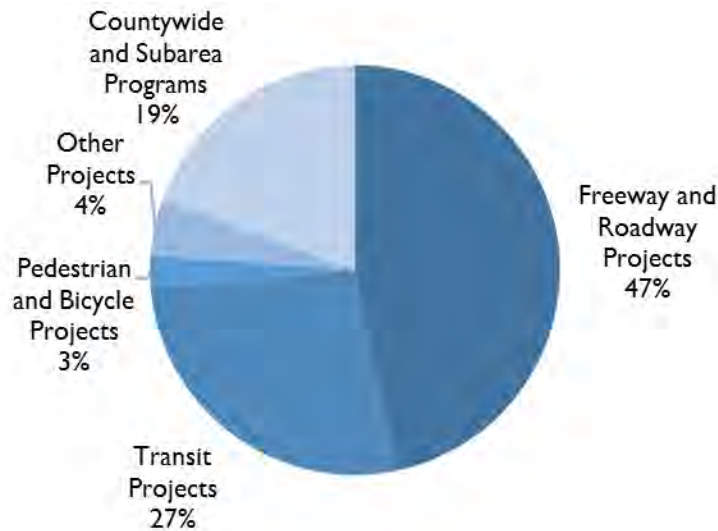
The Authority maintains a “master” project list that includes all projects – completed, under construction, and proposed. Called the Comprehensive Transportation Project List, or CTPL, this financially-unconstrained project list is used to track all potential projects and their funding status. All told, over \$29 billion in new projects and programs have been identified to maintain and improve our roads, freeways, transit systems, and bicycle and pedestrian facilities, meaning there is a significant unfunded need.

Table ES-3 presents the proposed 2040 funding program that has been developed by the Authority. It reflects a combination of existing and new potential revenue sources and leverage of local sources through State and federal grant programs, with priority given to those programs and projects that will help transform and maintain the transportation system with technology and innovation.

Table ES-3: LRTIP Funding Overview (2017 \$ in Millions)		
	Total Cost	% of Total
Freeway and Roadway Projects	\$3,742	47%
Transit Projects	\$2,150	27%
Pedestrian and Bicycle Projects	\$200	3%
Other Projects	\$355	4%
Countywide and Subarea Programs	\$1,555	19%
Subtotal (Additional Revenues)	\$8,002	100%
2013 RTP Projects Total (Assumed Revenues)	\$3,672	
TOTAL FUNDS	\$11,674	
Note: Numbers may not sum precisely due to rounding.		

Figure ES-3 shows a high-level summary of the funding allocations in the LRTIP, including the split between projects and programs and the travel modes supported. Public feedback on these allocations will help the Authority determine whether any adjustments should be made in the final plan to be considered for adoption.

Figure ES-3: Funding Allocations in the LRTIP (excluding 2013 RTP)



Maintaining our System

One of the Authority's greatest challenges is to ensure adequate maintenance of the transportation system, so the capital investments that have been and will be made are not compromised. The 2017 CTP includes new strategies to establish effective preventive maintenance and reduce the backlog of transportation rehabilitation and maintenance needs. Creating a stable funding source for long-term maintenance costs is a Plan priority. With this in mind, the Authority intends to expand the Regional Transportation Mitigation Program to ensure that fees collected cover the costs of ongoing maintenance. New facilities should not be built if they cannot be maintained. Deferred maintenance of existing facilities also is addressed, along with the role of external partnerships, such as the California Transportation Infrastructure Priorities Work Group among others, in helping secure needed funding.

IMPLEMENTING THE PLAN

The 2017 CTP will play an important role in shaping our transportation policy and investment decisions. But how will the Plan be carried out? The CTP outlines the strategies, the partnerships and the guidelines essential for a smooth transition from concept to reality. The Authority will need to work with many agencies to fund and prioritize the programs and projects in the LRTIP. New revenue sources will be

investigated. The potential for public-private partnership also will be explored as they have proven particularly effective in the Bay Area and elsewhere.

Detailed implementation tasks to follow through on the goals and strategies listed in the CTP are grouped into the following eight broad categories:

- Implement Measure J funding programs
- Plan for Contra Costa's transportation future
- Respond to State and federal legislative mandates
- Support Growth Management Program
- Design and construct transportation improvements
- Improve systems management and maintenance
- Build and maintain partnerships
- Secure long-term funding for transportation improvements

The 2017 CTP represents the Authority's long-term plan for investment in our transportation system, cooperative planning, and growth management. Working with its partner agencies, the Authority will apply the strategies outlined in the 2017 CTP to achieve this vision.

Introduction

A well-designed, safe, and efficient network of roads, streets, freeways, transit services, and bicycle and pedestrian facilities is essential to the economic and environmental health of Contra Costa. The Authority has a strong track record of working with its partners to plan, fund, and deliver the transportation projects and programs necessary to establish and maintain a strong network of facilities and services.

The 2017 CTP provides the policy framework and steps necessary for the Authority to achieve its vision. It includes an analysis of challenges and opportunities; a definition of the vision, goals, and strategies; and defines how the Plan will be carried out through a Long-Range Transportation Investment Program and an Implementation Program, with defined responsibilities and a schedule of activities.

THE AUTHORITY'S ROLE

The Authority's role in government is to plan, fund, design, and build transportation improvements to enhance the quality of life, promote a healthy environment, and build a strong economy. In fulfilling this role, the Authority works to:

- Deliver the voter-approved projects and programs in Measure C and J;
- Implement the Measure J Growth Management Program (GMP);
- As the Congestion Management Agency for Contra Costa, participate in MTC's programs and oversee implementation of State and federal programs; and
- Create innovative solutions to address growing congestion and air quality issues.

The Countywide Comprehensive Transportation Plan, or CTP, is the Authority's broadest policy and planning document. Besides outlining the Authority's vision and goals, the CTP outlines the various strategies for addressing transportation and growth management issues within Contra Costa and presents a Long-Range Transportation Investment Program.

Part of the Authority's vision for a balanced, safe, and efficient transportation network includes the encouragement of bicycling and walking in Contra Costa County. The Authority adopted its first Countywide Bicycle and Pedestrian Plan (CBPP) in 2009 in recognition of the benefits of walking and bicycling and to provide support for these transportation modes. The CBPP underwent a minor update in 2013 and is currently undergoing a full update.

GROWTH MANAGEMENT PROGRAM

The Authority has been implementing its Growth Management Program (GMP) since Measure C was enacted. Under both Measure C and presently Measure J, the Authority has three primary responsibilities to carry out the GMP. First, the Authority must prepare the Countywide Comprehensive Transportation Plan, and encourage cooperative planning among the jurisdictions within Contra Costa. Second, the Authority is responsible for developing and carrying out a Regional Transportation Mitigation Program. The Authority's program is built from the fees and impact

programs adopted by the RTPCs. Third, the Authority also develops and maintains computer models for analyzing the effects of land use changes and transportation improvements.

CCTA AWARDS

Since the last CTP was adopted, the Authority has received numerous awards for its work. Some of the most notable are listed below.

- California Engineering Excellence Award from the American Council of Engineering Companies, 2017
- Platinum Certificate of Achievement for Excellence in Financial Reporting Award from the Government Finance Officers Association, five consecutive years
- Partnering Champion Award from the International Partnering Institute, 2017
- Executive Director Randell Iwasaki named in the “Top 10 Public Sector Transportation Innovator’s List” by the ENO Center for Transportation, 2016
- Organization of the Year by the California Transportation Foundation, 2016
- Most Innovative Use of Social Media Award from the Center for Digital Government, 2015
- AAA credit rating from Fitch Ratings, 2015
- National Project Achievement Award from the Construction Management Association of America, 2015

Overview and Program Components

Under Measure J, the GMP remains in effect through 2034. Measure J establishes the overall goal for the Growth Management Program:

...to preserve and enhance the quality of life and promote a healthy, strong economy to benefit the people and areas of Contra Costa through a cooperative, multi-jurisdictional process for managing growth, while maintaining local authority over land use decisions.¹

This goal emphasizes both the breadth of the Authority’s objectives and the need for collaboration in achieving them.

As approved, the Measure J GMP has four objectives:

¹ Contra Costa Transportation Authority, *Measure J Expenditure Plan*, p. 23. July 2004.

- Assure that new residential, business and commercial growth pays for the facilities required to meet the demands resulting from that growth.
- Require cooperative transportation and land use planning among local jurisdictions.
- Support land use patterns within Contra Costa that make more efficient use of the transportation system, consistent with the General Plans of local jurisdictions.
- Support infill and redevelopment in existing urban and brownfield areas.

To receive its share of Local Streets Maintenance and Improvement funds and to be eligible for Contra Costa Transportation for Livable Communities (TLC) funds, each jurisdiction must:

- Adopt a growth management element, as part of its General Plan, that outlines how the jurisdiction will comply with the other requirements listed below;
- Adopt a development mitigation program that ensures that new growth pays for its share of the costs associated with that growth;
- Address housing options by demonstrating reasonable progress in providing housing options for people of all income levels in a report on the implementation of actions outlined in the adopted Housing Element;
- Participate in an ongoing, cooperative planning process with other jurisdictions and agencies in Contra Costa to create a balanced, safe, and efficient transportation system and to manage the impacts of growth;
- Adopt an Urban Limit Line (ULL) that complies with the Countywide, voter-approved ULL or the local jurisdiction's voter-approved ULL;
- Develop a five-year capital improvement program that outlines the capital projects needed to meet the goals of the local jurisdiction's General Plan; and
- Adopt a transportation systems management (TSM) ordinance or resolution to promote carpools, vanpools and park and ride lots.

After completing a compliance checklist and receiving approval by the Authority that the requirements of the GMP have been fulfilled, the Authority allocates to each

jurisdiction its share of Local Streets Maintenance and Improvement funding (and TLC funding, if applicable and available). Jurisdictions may use funds allocated under this provision to comply with administrative requirements.

CONGESTION MANAGEMENT PROGRAM

Since 1990, following passage of Proposition 111, the Authority has served as the Congestion Management Agency, or CMA, for Contra Costa. As CMA, the Authority is responsible for preparing, and updating every other year, a Congestion Management Program (CMP). The CMP identifies, among other things, performance measures for a network of State highways and principal arterials, a land use evaluation program, and a seven-year capital improvement program.

Perhaps of greater significance, serving the CMA for Contra Costa gives the Authority a voice in discussions of transportation policy and funding at the regional level. In the last five years, the Authority worked together with other CMAs in the development of *Plan Bay Area*. This role also gives the Authority the responsibility for allocating various federal and State transportation funding to a wide range of transportation projects. The Authority also allocated funding to projects throughout Contra Costa through the One Bay Area Grant (OBAG) and Regional Safe Routes to School (SR2S) programs.

New strategies the Authority will pursue as part of its CMA role include:

- Supporting development of a Monitoring “Dashboard” application to help local jurisdictions track development trends in Priority Development Areas and in Communities of Concern and implement the Sustainable Communities Strategies in *Plan Bay Area*.
- Investigating opportunities to extend the Regional Development Mitigation Program to include support for a Transit Mitigation Fund, which could support service expansion, as needed, and programmatic reductions in vehicle miles traveled (VMT) to mitigate the impacts of development.
- Reporting on transportation projects and any related housing impacts that affect Communities of Concern as part of support for MTC’s Regional Active Transportation Program (ATP) and statewide guidelines for ATPs adopted by the California Transportation Commission.

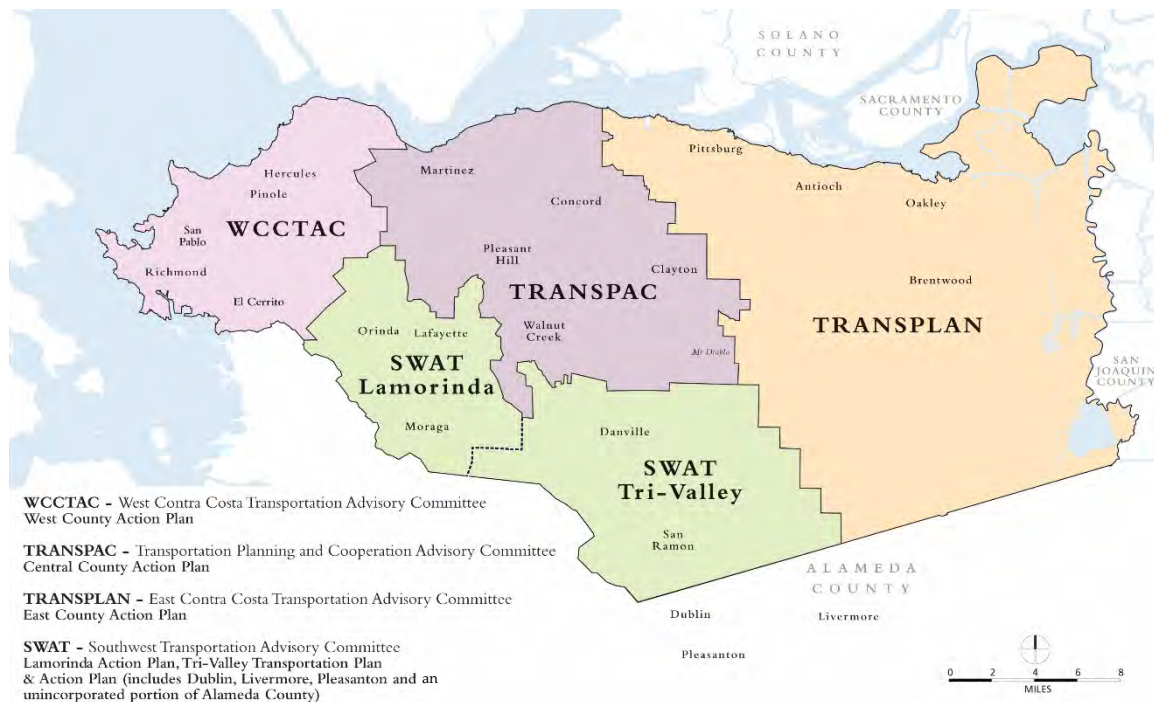
PARTNERSHIPS

Local Jurisdictions

The Authority works with local jurisdictions to prioritize and manage the construction and maintenance of local streets and roads along with investments that support active transportation, particularly walking and biking, and access to transit. In addition, local jurisdictions have authority over land use, which is integral to the planning and efficiency of the transportation system.

Regional Transportation Planning Committees

The Regional Transportation Planning Committees (RTPCs) are made up of elected and appointed representatives from each jurisdiction within that region. Figure 1-1 shows these regional boundaries. Officials from transit agencies and planning commissions also serve on some of the RTPCs, either as voting or ex-officio non-voting members. Each RTPC oversees one Action Plan, except for Southwest Area Transportation Committee (SWAT), which oversees two. In addition to their responsibilities for preparing and updating the Action Plans, the RTPCs are involved in various transportation planning efforts. Central Contra Costa Transportation Committee, also known as the Transportation Planning and Cooperation Advisory Committee (TRANSPAC), for example, was involved in the I-680 High-Occupancy Vehicle (HOV) Express Bus Study, while West Contra Costa Transportation Advisory Committee (WCCTAC) worked with Alameda County jurisdictions on the I-80 Integrated Corridor Management Project. In East County, TRANSPLAN is participating in the development of a BART extension, and in SWAT, the City of San Ramon and the Town of Danville have developed a new school bus program under Measure J.

Figure I-1: Regional Transportation Planning Committees

Metropolitan Transportation Commission and Association of Bay Area Governments

The Metropolitan Transportation Commission (MTC) is the transportation planning, coordination, and financing agency for the nine-county San Francisco Bay Area. MTC functions as both the regional transportation planning agency (RTPA)—a state designation—and for federal purposes as the region’s metropolitan planning organization (MPO). In these roles, MTC is responsible for the Regional Transportation Plan (RTP), including the Sustainable Communities Strategy to meet regional GHG reduction targets.

While MTC is responsible for transportation planning in the Bay Area, the Association of Bay Area Governments, known by its acronym ABAG, is responsible for more general planning. ABAG also develops population and economic forecasts, which are used for the Bay Area’s Sustainable Communities Strategy and by the Authority in its computer modeling.

In addition, ABAG is responsible for allocating to each local jurisdiction within the Bay Area a share of the region's housing needs, as part of the state's Regional Housing Needs Assessment. Each jurisdiction uses their allocation to prepare their state-mandated housing elements, which are intended to encourage production of housing for low and moderate income households. Compliance with State Housing Element law is an important component of the Growth Management Program.

State of California and Caltrans

The California Department of Transportation (Caltrans) manages more than 50,000 miles of highway and freeway lanes and provides intercity rail services. The Authority partners with Caltrans on design and construction of our interstates and highways, including I-80, I-680, and SR-4 in Contra Costa. In addition, the state provides important funding for transportation projects. For example, the State Transportation Improvement Program funds projects that expand capacity; the State Highway Operation and Protection Program provides funding for maintenance; and the Active Transportation Program focuses funding on bicycle and pedestrian mobility projects.

The Bay Area Air Quality Management District and California Air Resources Board

The Bay Area Air Quality Management District (BAAQMD) in close consultation with the California Air Resources Board (CARB) has prepared plans designed to achieve and maintain federal and State standards for air quality within the Bay Area. These plans—the Air Quality Plan designed to meet federal requirements and the *2010 Bay Area Clean Air Plan* designed to meet the requirements of the California Clean Air Act—include transportation control measures (TCMs) that affect the Authority and other CMAs within the region. CARB is responsible for the State implementation plan required by the federal Clean Air Act; it also has prepared *Vision for California: A framework for Air Quality and Climate Planning*, *Goods Movement Emissions Reduction Plan*, and reports on transportation strategies and air quality.

Transit Providers

Various agencies provide transit services—including rail, bus, ferries, and paratransit—within Contra Costa. Rail service is provided both by the Bay Area Rapid Transit District (BART), the Altamont Corridor Express (ACE), which serves the Alameda County portion of the Tri-Valley, and Amtrak, which runs the Capitol Corridor train to Sacramento and beyond. Four bus providers—AC Transit, WestCAT, the County Connection, and Tri Delta Transit—serve Contra Costa itself and Wheels serves Tri-Valley. Ferry service is available from Larkspur and Vallejo in adjoining counties and service from Richmond to San Francisco will be re-instated in 2018. Paratransit service is also available throughout Contra Costa. The Authority works with these transit providers to achieve its mission through joint committees and other working relationships and through funding for services and improvements.

RELATIONSHIP TO OTHER PLANS AND REGULATIONS

Action Plans for Routes of Regional Significance

In preparing the CTP, the Authority relies on the preparation of “Action Plans” by the RTPCs. The Action Plans, prepared by the RTPCs for these sub-areas, set goals, objectives, and actions to guide sub-area planning and local activities. The Action Plans include Multimodal Transportation Service Objectives (MTSOs) for designated Routes of Regional Significance and specific actions to be implemented by each jurisdiction. The Action Plans also include procedures for reviewing the impacts of proposed local General Plan amendments that could affect the achievement of MTSOs and a process for consultation on environmental documents among jurisdictions. Summaries of the Action Plans are included in Volume 2 as part of the CTP.

Countywide Bicycle and Pedestrian Plan

Contra Costa’s Countywide Bicycle and Pedestrian Plan (CBPP) of 2009 grew out of the Authority’s 2000 update to the CTP. The CBPP establishes goals, describes existing conditions, prioritizes bike corridors and pedestrian improvements, and outlines implementation tasks. The analysis of and recommendations for pedestrian and bicycle facilities helped to guide the selection of strategic investments in the 2017 CTP update.

Express Bus Study

The Draft Contra Costa Express Bus Study Update (currently underway) assesses service needs and emerging trends in the county. The express bus recommendations are designed to complement BART service with inter-community routes along corridors not served by rail. There is growing support for express bus systems as the public is resistant to congested highways yet in need of alternative means of transportation.

Ferry Service Study

The 2014 Financial Feasibility of Contra Costa Ferry Service examined the financial feasibility of four direct ferry service lines from Richmond, Hercules, Martinez, and Antioch. The study found that under current conditions, only the proposed service route from Richmond could operate under the existing Water Emergency Transportation Authority (WETA) farebox recovery threshold for ferry service without further funding from the State or other sources. The Richmond service is moving forward.

The Regional Transportation Plan / Sustainable Communities Strategy

State and federal law requires MTC to prepare and update a Regional Transportation Plan (RTP) and update it every four years. Similar to the CTP, the RTP is a long-range plan of at least 20 years into the future that specifies the strategies and investments to maintain, manage, and improve the region's transportation network, including bicycle and pedestrian facilities, local streets and roads, public transit systems, and highways.

With the passage of California's Sustainable Communities and Climate Protection Act (SB 375) in 2008, a Sustainable Communities Strategy (SCS) must be developed as part of the RTP. It must outline an integrated transportation and land use plan that can be implemented within the expected financial constraints over the next 25 years, accommodate projected population growth, and reduce GHG emissions.

CTPs must "consider" the most recently adopted RTP, and the CTPs form the basis for the next RTP. To obtain funding through many State and federal sources, projects must be included in the RTP. The most recent RTP, *Plan Bay Area*, was adopted in 2013. The 2017 RTP Update is currently underway and is scheduled to be adopted by MTC in July 2017.

CTP Guidelines

In preparing the CTP, the Authority has followed the CTP Guidelines that MTC updated in November 2014. MTC's Guidelines affirm the close relationship between the CTP and the RTP (discussed above), while they also recognize the need for some local flexibility. The Guidelines also call for 10-year and 20-year lists of projects reflecting funding priorities; these are in Appendix C of Volume 2.

Priority Development Areas, Communities of Concern, and CARE Communities

Plan Bay Area focuses investments on maintaining the Bay Area's transportation system, and this focus is carried forward into the strategies of the CTP. In addition, the land use distribution approach utilized by *Plan Bay Area* uses Priority Development Areas (PDAs) and transit priority projects (TPPs) to meet the sustainability goals of the State. PDAs are intended to encourage development near high-quality transit as a key transportation investment of *Plan Bay Area*. Most TPP-eligible areas are within PDAs or within close proximity to transit. In addition, as part of *Plan Bay Area*, Priority Conservation Areas (PCAs) were identified to strategically protect natural resources.

As part of the 2013 *Plan Bay Area* planning process, an equity analysis was conducted to evaluate the transportation and land use planning in relation to environmental justice and equity policy priorities. It identified Communities of Concern, communities that have "multiple overlapping potential disadvantage factors" or concentrations of both low-income and minority populations, throughout the Bay Area. In planning for the transportation system in Contra Costa, it is essential to provide equitable transportation opportunities to the populations in these communities.

In addition, the Bay Area Air Quality Management District (BAAQMD) initiated the Community Air Risk Evaluation (CARE) program in 2004, which aimed to evaluate and reduce health risks associated with exposure to outdoor toxic air contaminants and fine particulate matter in the Bay Area. The program examines and characterizes potential risks associated with toxic air contaminants and fine particulate matter from stationary and mobile sources, and develops and implements mitigation measures to achieve cleaner air, with a focus on priority communities (CARE Communities). Figure 1-2 shows PDAs, Communities of Concern, and the CARE Communities in Contra Costa. Planning for all of these areas is incorporated into the 2017 CTP.

THE COMPREHENSIVE TRANSPORTATION PLAN

The Countywide Comprehensive Transportation Plan (CTP) is one of the Authority's key planning tools. As approved by the voters in 1988, Measure C requires the Contra Costa Transportation Authority to:

Support efforts to develop and maintain an ongoing planning process with the cities and the county through the funding and development of a Comprehensive Transportation Plan.²

The Authority adopted its first CTP in 1995. The first major update occurred in 2000, and a comprehensive update tied to renewal of the sales tax was adopted in 2004. In 2009, as Measure J began to go into effect, the 2009 CTP, the third major update, was adopted. This document — the 2017 CTP — represents the fourth major update.

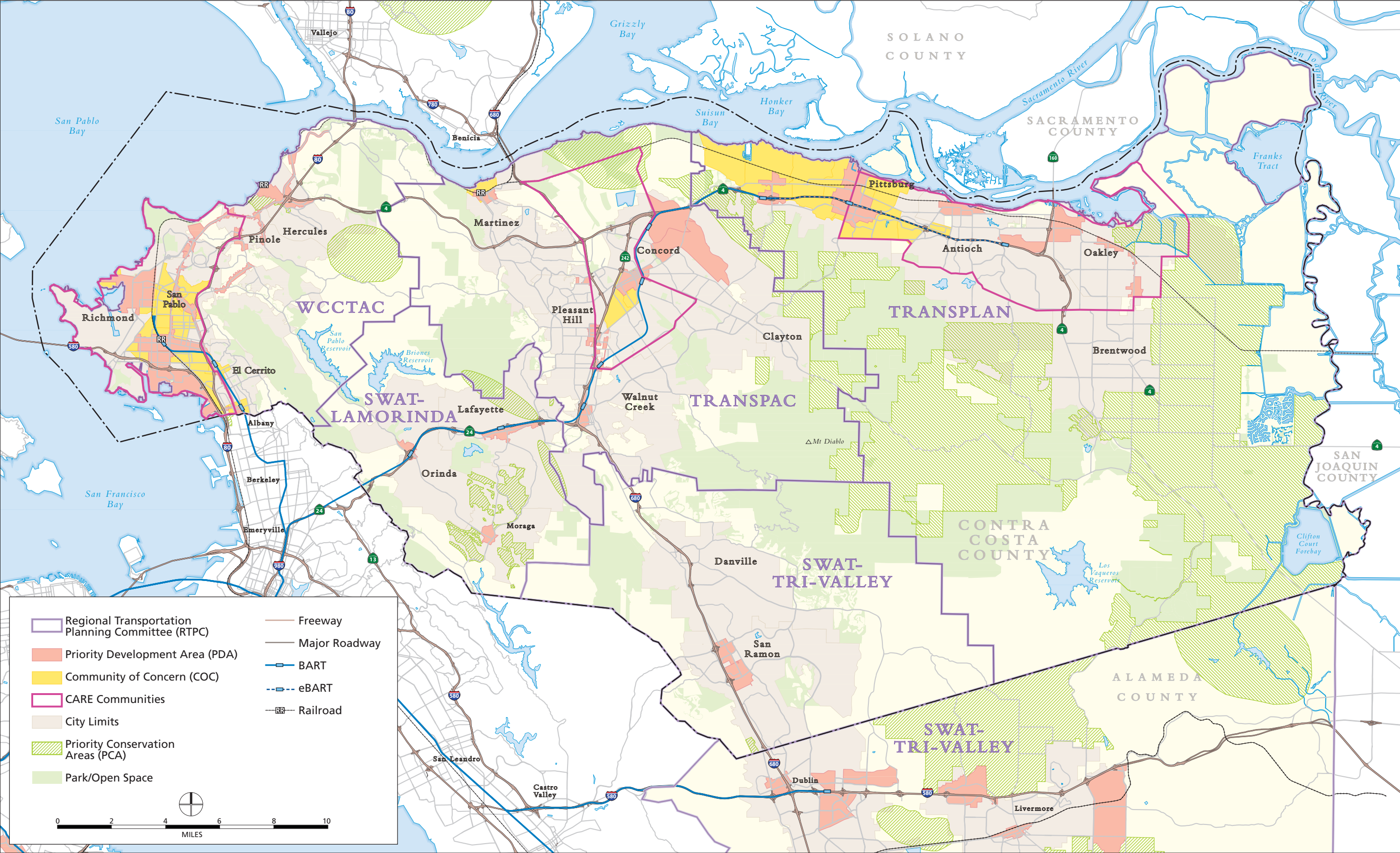
The CTP provides the overall direction and a coordinated approach for achieving and maintaining a balanced and functional transportation system within Contra Costa, while strengthening links between land use decisions and transportation. It outlines the Authority's vision for Contra Costa and its transportation system, along with the goals, strategies, and specific projects and other actions for achieving that vision. The CTP also outlines the Authority's short- and long-range priorities for investing expected revenues, including projects recommended for inclusion in the Regional Transportation Plan prepared by MTC.

The CTP is presented in two volumes:

- **Volume 1:** Includes the vision, goals and strategies, the Long-Range Transportation Investment Program (LRTIP) and the implementation program.
- **Volume 2:** Includes details on the transportation system, summaries of the Action Plans for Routes of Regional Significance, 10-year and 20-year funding targets, and an evaluation of the performance of major projects in the LRTIP, measured against MTC performance targets and an equity analysis.

² Contra Costa Transportation Authority, *Measure C Expenditure Plan*, Section 5.C.4, 1988, as amended and restated by Ordinance 06-02 (Measure J), in 2006.

Figure 1-2: PDAs, COCs, and CARE Communities



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OUTREACH

In mid-2014, the Authority undertook an extensive outreach effort to learn how residents view the Plan's proposals and transportation needs in general. The feedback varied throughout the county with positive comments on many of the proposed projects. The outreach effort continued through 2015 and early 2016, to support the Authority's development of a Transportation Expenditure Plan.

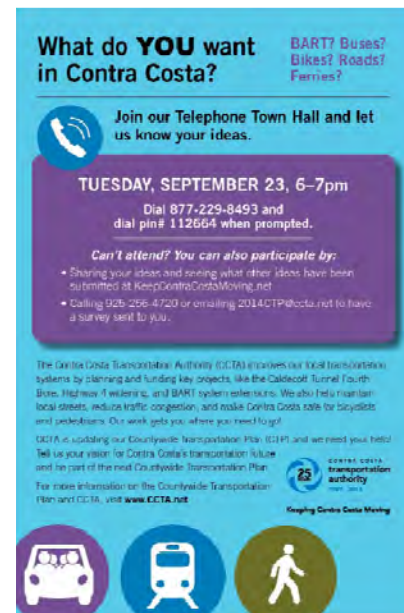
Activities and Participation

A variety of techniques were used to reach a broad cross-section of the community, including public workshops, an online public engagement survey/comment tool, and a telephone Town Hall, offering callers the opportunity to engage with the Authority's senior staff. All told, 156 people attended the workshops, 1,378 callers participated in the Town Hall, and over 4,000 unique visitors were recorded as logging in to the website. This was a significant increase in participation compared with prior CTP updates.

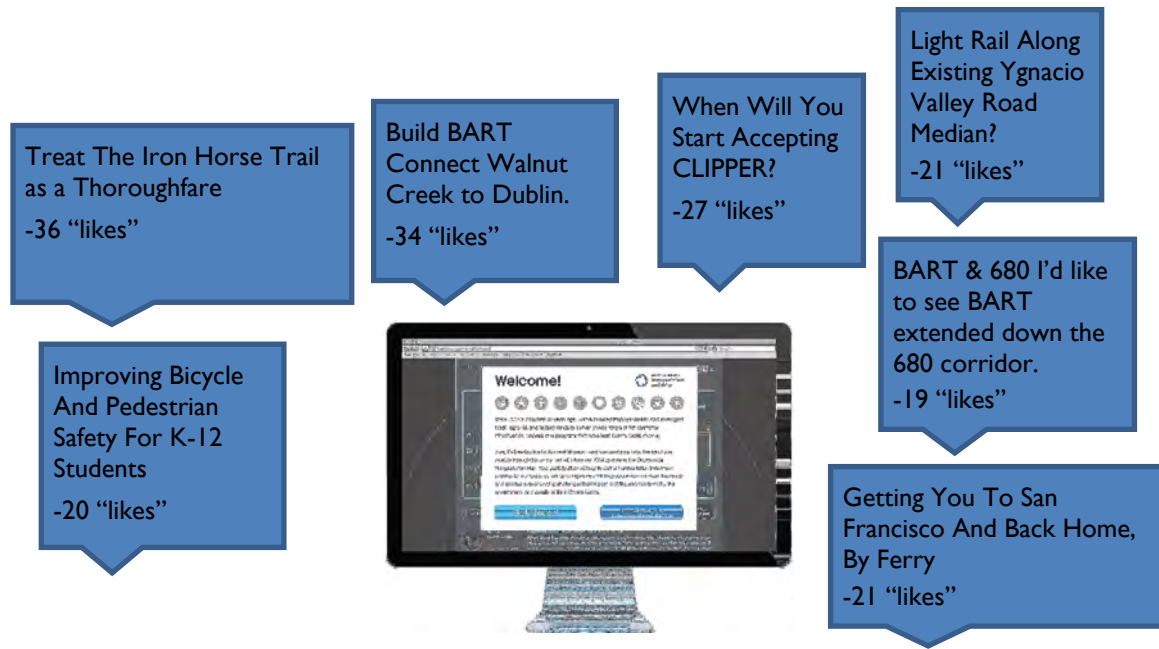
Public Workshop and Online Feedback

Workshops were held across the regions in the county, and feedback from the public workshops was generally rather specific to each region:

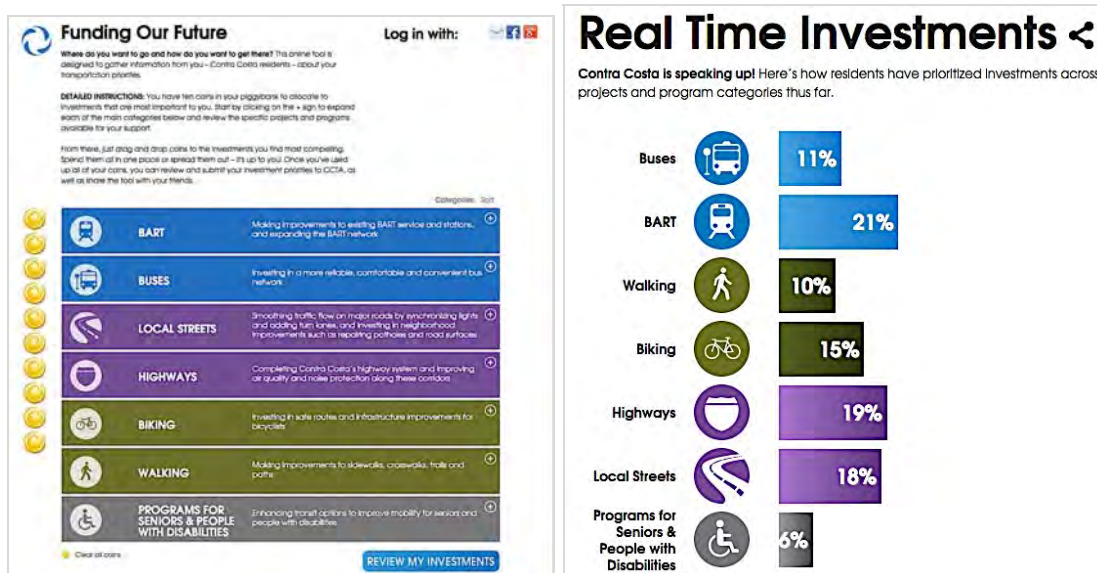
- Those attending the Southwest & Central workshops were concerned about congestion on I-680 and the need for new travel alternatives, including BART, bus, bicycle, and pedestrian facilities.
- In West County, strong support was expressed for improved transit options, such as bus, BART, and ferry, to help ease I-80 congestion, without a strong preference for a single solution.
- In Eastern Contra Costa, workshop attendees spoke positively about proposals to improve Vasco Road and other connections to I-580 like Tri-Link.



The online feedback was more project-specific, with “likes” for many projects in the CTP.



Following these efforts, the Authority hosted a website portal called *Funding our Future*, which enabled residents to express their priorities by showing how they would spend money and prioritize investments across an array of programs. The feedback received helped the Authority to develop a Transportation Expenditure Plan for voter consideration in November 2016. Choices included BART and bus projects, improvements to local streets and highways, investments in biking and walking facilities, and investments in programs for seniors and people with disabilities. The results were compiled in “real time”, so those responding could compare their choices with how other community members were investing.



This public input guided Authority staff in making revisions that have been incorporated into the 2017 CTP. In summary, there was strong support for transit expansion down the I-680 corridor; BART extensions; expanded parking and transit access to BART stations; bus service expansion and improvements; ferry service; improved access to schools; and maintenance improvements on local streets and roads. Those participating in the outreach activities also expressed concerns about congestion on arterial corridors and highways across the county; funding for bicycle and pedestrian projects; and climate change.

PREPARING AND ADOPTING THE CTP

The 2017 CTP was prepared in close collaboration with local jurisdictions in Contra Costa and with regional partners and State agencies. The CTP builds on the five Action Plans for Routes of Regional Significance, joining these together to create a unified network of programs and projects. The Action Plans also provided an important foundation for the investment program in the CTP. Throughout the process, stakeholders provided input on interim working products. MTC and ABAG also were invaluable sources of technical information.

Because the CTP is subject to the California Environmental Quality Act (CEQA), the Authority is required to prepare an environmental assessment of the Plan's impacts through development of an Environmental Impact Report (EIR). In addition to covering

the impacts of the overall plan, the CTP EIR will enable tiering of subsequent environmental documents for following-on projects during Plan implementation.



Supporting the efficient and reliable movement of people and goods, one of the strategies of the CTP, has been accomplished through projects such as the Highway 4 Corridor project.

Following are the key steps for the review and approval process for this Plan Update:

1. Authority releases the Draft 2017 CTP on May 24, 2017.
2. Authority releases the Draft Environmental Impact Report (DEIR) on June 12, 2017.
3. Public and RTPC review: June and July 2017.
4. Close of comment period: July 28, 2017.
5. Review comments on Draft 2017 CTP and EIR and prepare proposed final 2017 CTP Update: July 2017 –August 2017.
6. Authority certifies Final EIR and adopts the Final 2017 CTP Update: September 20, 2017.

2 Challenges and Opportunities

As more people choose to live and work in the Bay Area, every county in the region is expected to continue to grow. Contra Costa's future growth – in the form of new jobs, households, and residents – will strain current transportation resources and increase travel and commute time within the transportation network. Concerns about environmental issues and mandates, public health, and ensuring equitable opportunities for all of Contra Costa's residents are likely to grow as residents, households, and jobs increase in the county.

To minimize these impacts, it is vital that our future transportation network address the challenges of a growing and changing population; we must be innovative and respond to the opportunities of new technology, changing demographics, and emerging travel patterns. The CTP outlines how the Authority will do this to ensure that the transportation system continues to meet Contra Costa's needs through 2040.

CHALLENGES

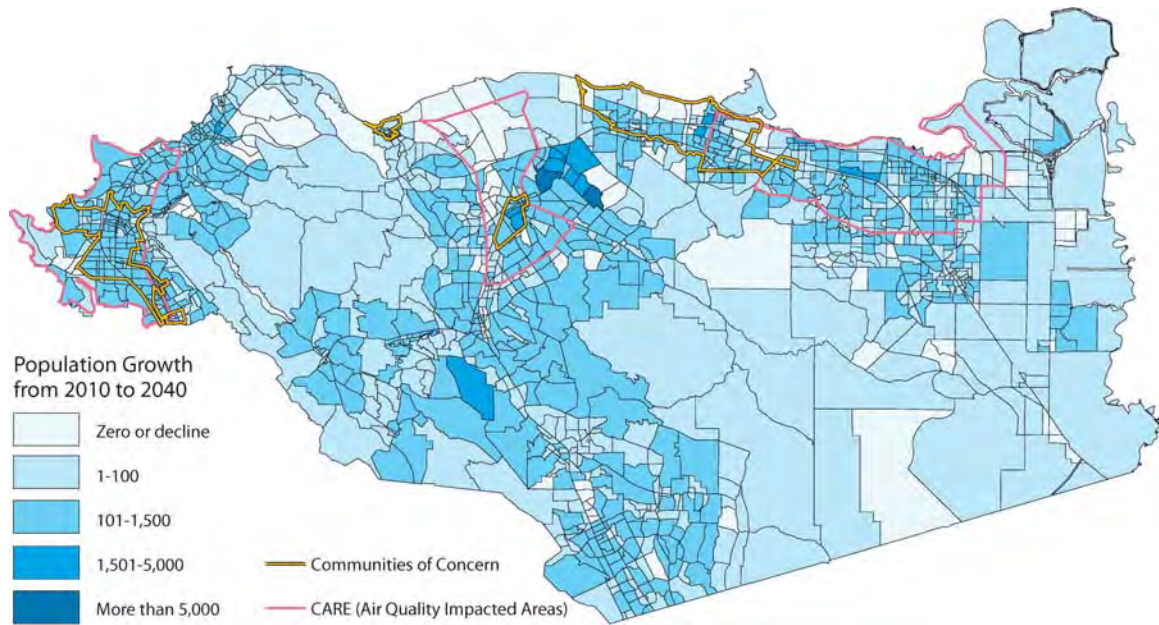
Nine key challenges are anticipated through 2040, including expected population, household, and job growth; an aging population; travel patterns; travel choices; maintenance of the transportation system; climate change and sea level rise; safety; environmental impacts on communities; and equity issues associated with meeting the transportation needs of all of Contra Costa's residents.

Growth Through 2040

Overall, while the *rate* of growth is expected to slow from the substantial growth of the post-World War II period, Contra Costa is still expected to add 279,000 residents by 2040, a 27 percent increase over 30 years, as the Bay Area overall will grow by 700,000 households over the same time period. Some areas of the county are expected to grow faster than others. Much of the population and household growth is expected in West, Central and East County areas. Job growth is expected to speed up, with the addition of 123,000 jobs by 2040, a 36 percent increase in the county. The number of employed residents is expected to increase as well. Therefore, the ratio of workers to jobs will remain roughly unchanged, with many workers having to commute outside of Contra Costa to get to their jobs,

The growth in out-commuting over the Richmond Bridge, not foreseen a decade ago, is likely to continue with strong demand for service employment in Marin County.

Tables 2-1 and 2-2 show the growth in population, jobs, and employed residents from 2010 to 2040 for each subregion. Figures 2-1 and 2-2 show the expected increase in population and employment growth for the county, by Traffic Analysis Zone (TAZ).

Figure 2-1: Expected Population Growth in Contra Costa County, 2010-2040**Table 2-1: Population Growth from 2010 to 2040, By Subarea**

RTPC	2013 Population Projections		Change 2010-2040	% Change 2010-2040
	2010	2040		
West	250,419	323,904	73,485	29%
Central	303,490	391,494	88,003	29%
East	293,913	379,989	86,076	29%
Lamorinda	59,118	68,585	9,467	16%
Tri-Valley: Contra Costa	142,085	164,487	22,402	16%
Subtotal	1,049,025	1,328,459	279,433	27%
Tri-Valley: Alameda	202,133	270,375	68,242	34%
Total	1,251,158	1,598,834	347,675	28%

Source: ABAG Projections 2013; Plan Bay Area

Figure 2-2: Expected Employment Growth in Contra Costa County, 2010-2040

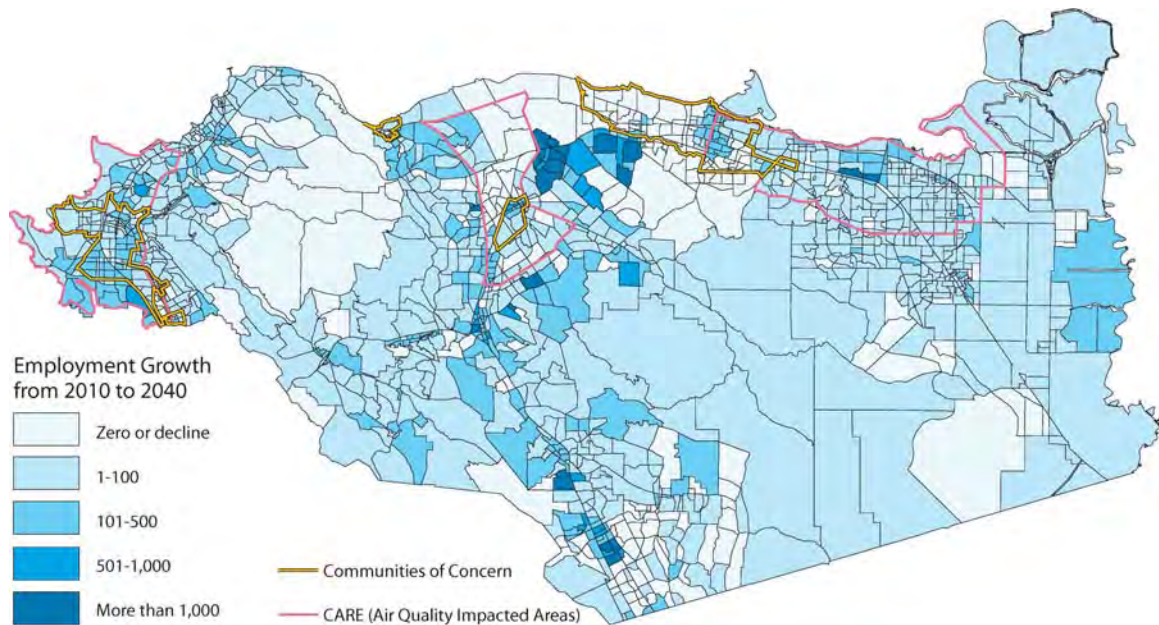


Table 2-2: Jobs and Employed Residents, 2010 and 2040, By Subarea

RTPC	2013 Projections		Change 2010-2040	% Change 2010-2040
	2010	2040		
Jobs				
West	62,571	85,193	22,622	36%
Central	146,331	199,879	53,548	37%
East	51,205	71,473	20,269	40%
Lamorinda	20,707	25,927	5,220	25%
Tri-Valley: Contra Costa	64,087	85,605	21,518	34%
Subtotal	344,901	468,077	123,177	36%
Tri-Valley: Alameda	120,007	169,445	49,438	41%
Total	464,908	637,522	172,615	37%
Employed Residents				
West	104,492	139,041	34,549	33%
Central	137,040	192,459	55,419	40%
East	114,718	147,017	32,299	28%
Lamorinda	24,594	31,961	7,368	30%
Tri-Valley: Contra Costa	61,460	69,768	8,307	14%
Subtotal	442,304	580,246	137,942	31%
Tri-Valley: Alameda	88,163	124,838	36,675	42%
Total	530,467	705,084	174,617	33%

Source: ABAG Projections 2013; Plan Bay Area

Changing Demographics – An Aging Population

Table 2-3 shows the expected growth of the Contra Costa population over 65. The number of Contra Costans above the age of 65 will nearly triple. As the “Baby Boomers” grow older, we can expect to see changes in the coming years. Many may choose to “age in place,” which could increase the median age in the county. The mobility challenges of a growing senior population need to be considered as they are expected to rely more on transit and paratransit than the working population. In addition, with more families moving to Contra Costa County, providing safe transportation options for children, including bus service and safe routes to walk and bike, will be important. Improving the transportation system to meet the needs of Contra Costa’s diverse communities is a key consideration in the 2017 CTP.

Table 2-3: Growth in Population Over 65 in Contra Costa County, 2010-2040

Age Group	Estimate 2010	Projected 2040	% Increase
65-74	71,635	158,671	121%
75-84	40,546	140,797	247%
85+	19,524	73,976	279%
65+	131,705	373,444	184%

Projections Prepared by Demographic Research Unit, California Department of Finance

Travel Patterns

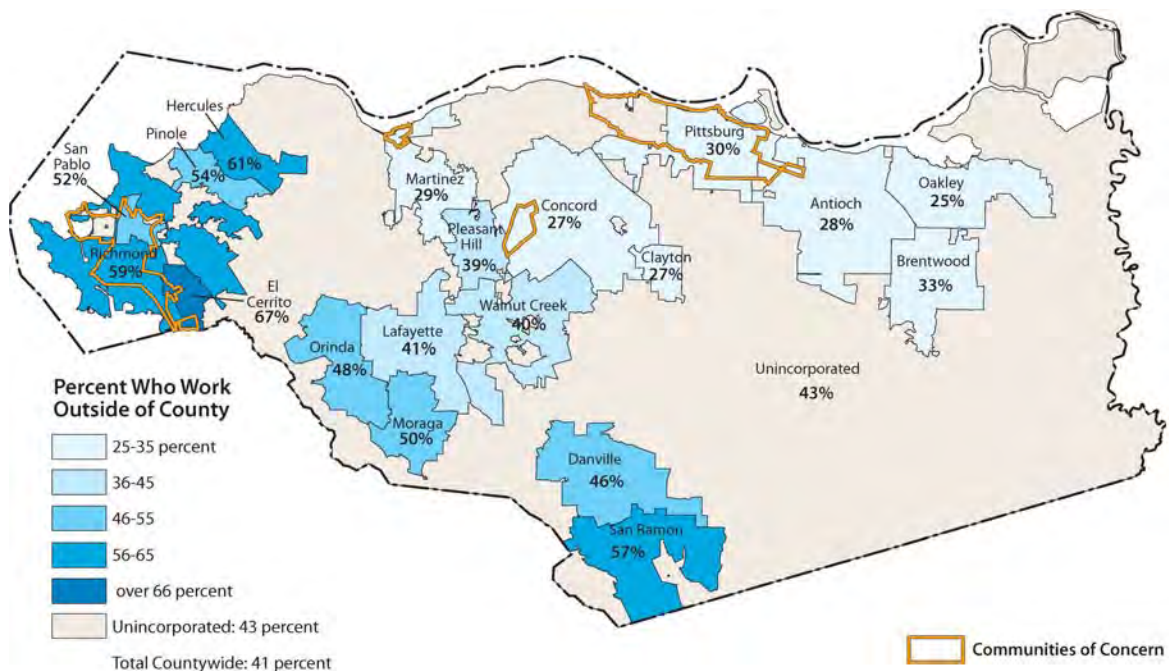
In 2013, just under 260,000 persons, representing about 60 percent of employed Contra Costa residents, commuted out of the county for their primary work, as shown in Table 2-4. This is a higher rate than all counties in the Bay Area except Solano County, and it is about the same rate as Marin and San Mateo counties. Figure 2-3 shows the percentage of residents who commute out of the county for work by jurisdiction. Notably, in many cities in West County, Lamorinda, and Tri-Valley, over half of the residents commute to work outside of Contra Costa. Commuting out of the county, or “out-commuting,” is less common in Central and East County cities, where only a quarter to a third of residents generally commute to work outside the county.

Each day, around 259,000 of Contra Costa’s employed residents commuted out of the county in 2013, while 159,000 workers living outside the county commuted in. One decade earlier, in the year 2003, fewer people commuted in and out, and more residents stayed within the county for their work (166,000 vs. 159,000).

Table 2-4: Contra Costa In-Commute and Out-Commute in 2003 and 2013

	Reside in Contra Costa		Reside Outside of Contra Costa	
	2003	2013	2003	2013
Commute out of Contra Costa	219,177	258,691	N/A	N/A
Stay in or Commute into Contra Costa	165,903	159,254	137,846	158,896

Source: Source: U.S. Census Bureau, OnTheMap Application and LEHD Origin-Destination Employment Statistics.

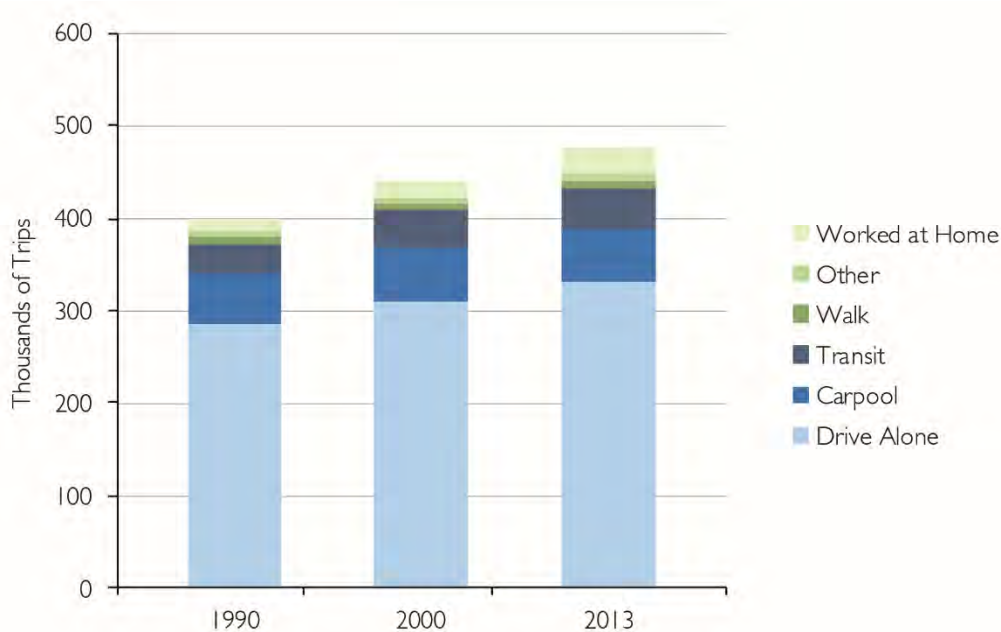
Figure 2-3: Percentage of 2013 Population in Contra Costa Cities Who Commute Out of the County


Travel Choices

Contra Costa's complex transportation system includes facilities for a range of transportation modes for residents, including highways, streets, transit, bicycle lanes, sidewalks and trails. With the exception of an increase in the percentage of people working from home, mode share of work commutes has been relatively constant since 1990, even as the number of commuters in Contra Costa has increased by about 20 percent during this period. Shown in Figure 2-4, as of 2013, about 70 percent of commuters drive alone, 12-14 percent carpool, and 8-9 percent took transit.

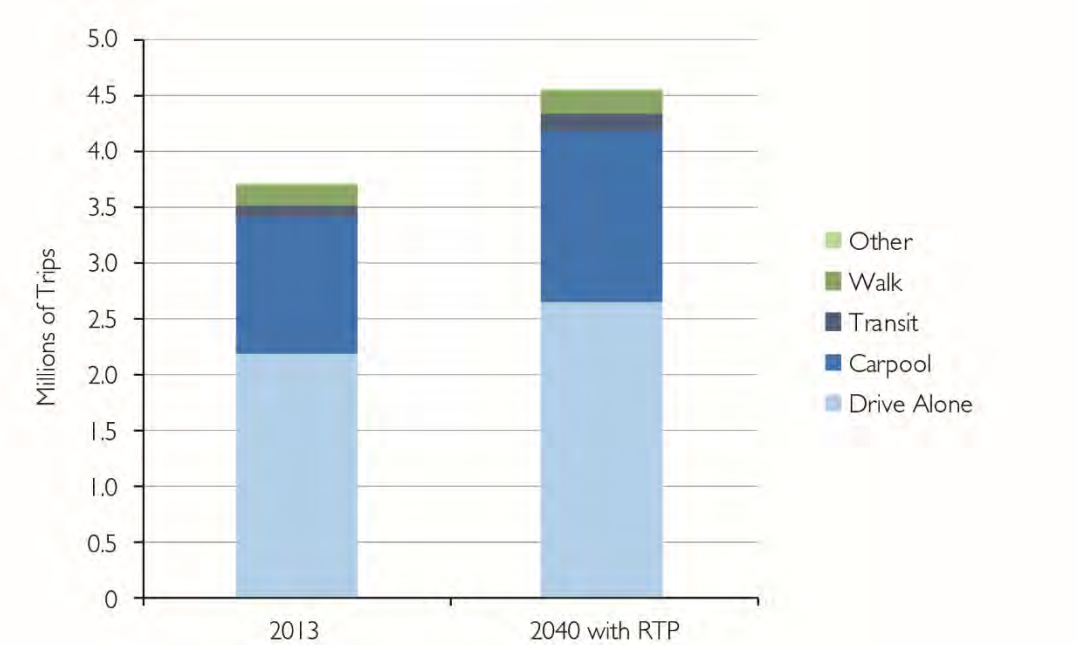
Figure 2-5 shows that the mode share of all trips including shopping, recreational, school, and other types of travel, is expected to stay about the same through 2040, with roughly 58-59 percent of trips made in single-occupant vehicles, 33-34 percent in carpools, and 3 percent on transit. The low transit percentage is not unexpected because, typically, many non-work trips are not on transit, which does not run at night or as frequently on weekends and, if roads are not congested and parking is free, the car is a more convenient mode of travel.

Figure 2-4: Mode Share of Work Commute Trips in Contra Costa County in 1990, 2000, and 2013



Source: 2004 CCTA CTP EIR; 2009-2013 American Community Survey

Figure 2-5: Mode Share of All Trips in Contra Costa County in 2013 and 2040



Source: Fehr & Peers, 2015

Figures 2-6 to 2-8 show the means of transportation to work in 2013 in Contra Costa. The highest percentages of solo drivers are in Central, East, and Tri-Valley cities, where transit is less accessible. About 9 percent commute by public transit, with higher percentages in West County and Lamorinda cities. Over 3 percent of residents use active transportation or other modes to get to work, though percentages are over 5 percent in El Cerrito and Walnut Creek. Continuing to maintain and improve our roads, freeways, transit, and pedestrian and bicycle facilities in ways that sustain our economy, our environment, and our quality of life is a primary concern of the 2017 CTP.

Figure 2-6: Percentage of 2013 Population in Contra Costa Cities Who Drive Alone to Work

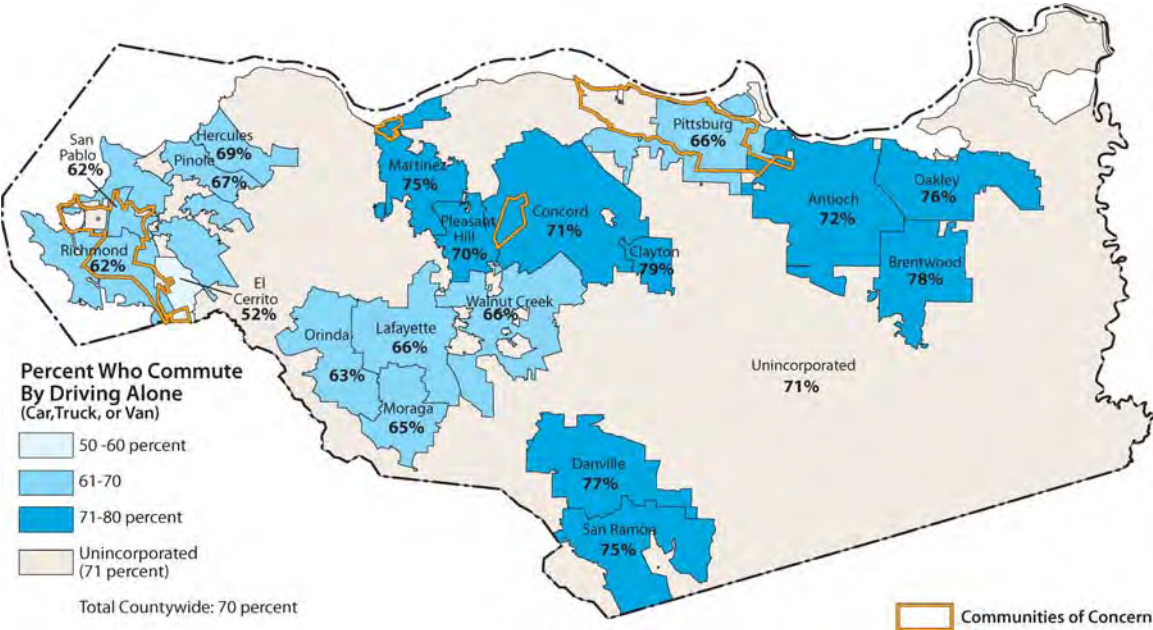


Figure 2-7: Percentage of 2013 Population in Contra Costa Cities Who Commute to Work by Public Transit

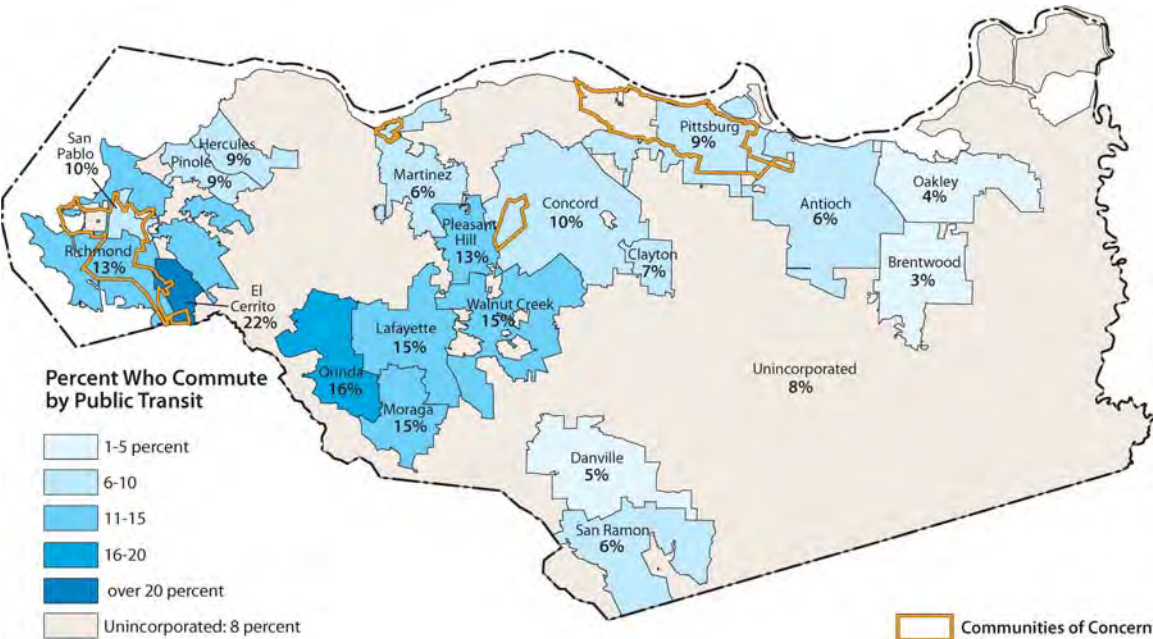
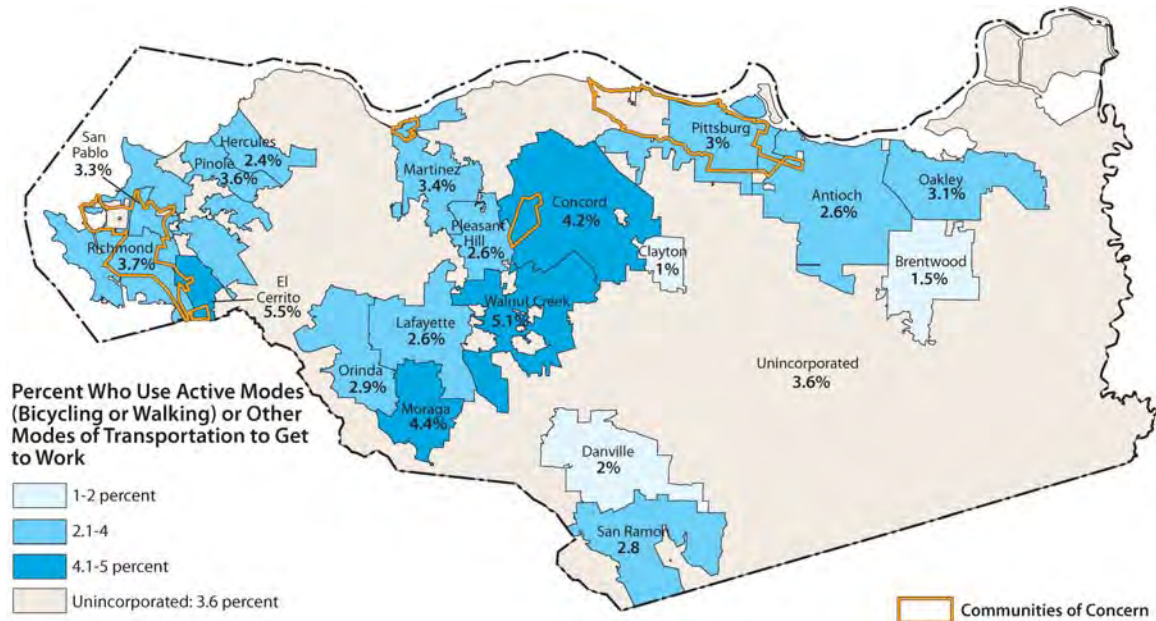
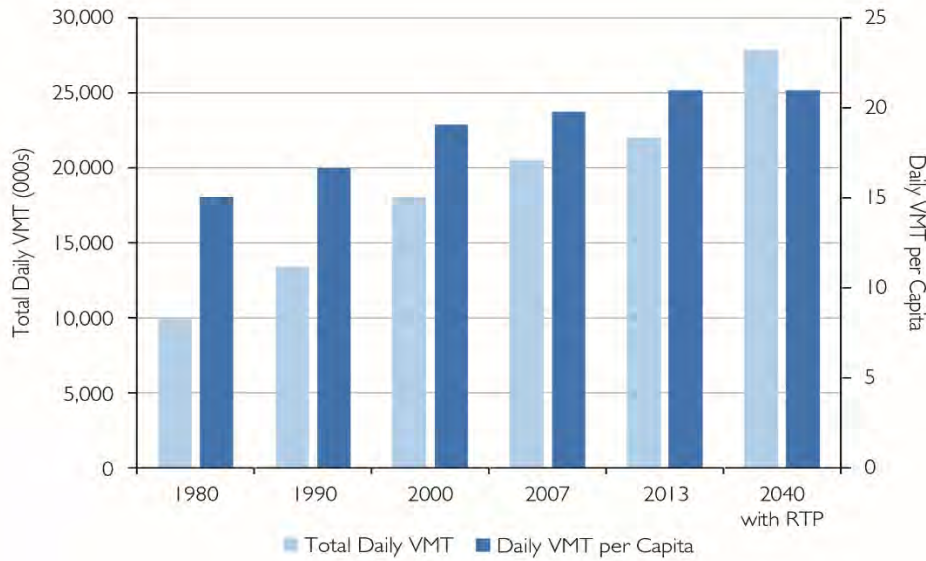


Figure 2-8: Percentage of 2013 Population of Contra Costa Cities Who Use Active Modes (Bicycling or Walking) or Other Modes of Transportation to Get to Work



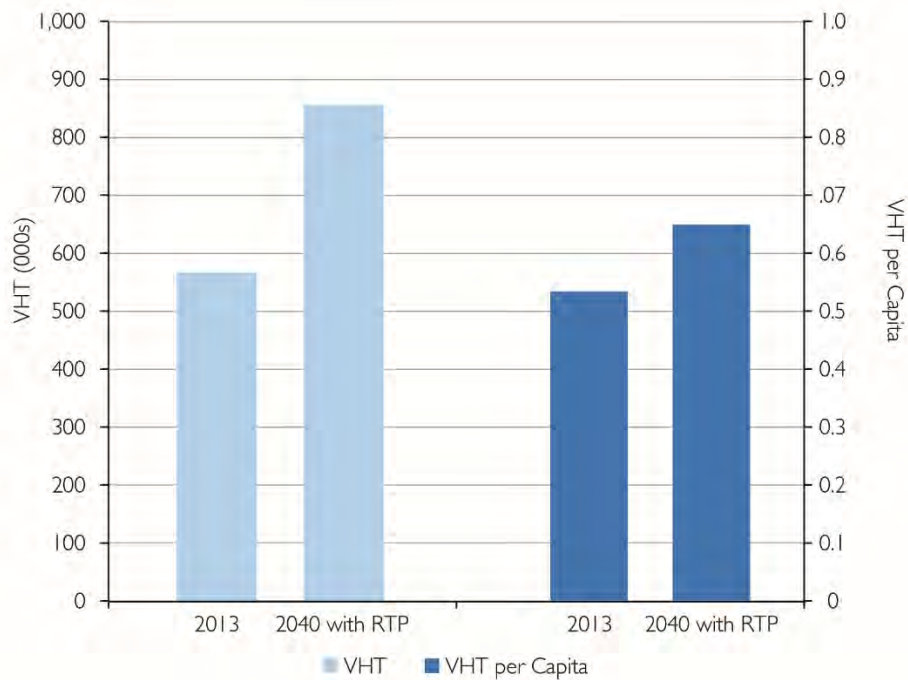
The average amount of weekday driving (measured by vehicle miles traveled or VMT) has increased over the past couple of decades, and this trend is expected to continue through 2040, as shown in Figure 2-9. However, Figure 2-9 also shows that VMT per capita is expected to level off in the future, so that VMT growth will be caused by population growth rather than an increase in the amount individuals drive. Similarly, Figure 2-10 shows that vehicle hours of travel (VHT) is expected to increase, yet VHT per capita is expected to increase by a lesser amount. In addition, total vehicle hours of delay (VHD) due to congestion is projected to increase between 2013 and 2040 as population increases. With more delays on roadways, transit use is likely to increase.

Figure 2-9: Average Weekday VMT and VMT per Capita in Contra Costa County 1980-2040



Source: Year 1980 estimated based on ARB Almanac 2007; Years 1990-2007 estimated based on total VMT data from 2005 MTC Travel Forecasts; Year 2013 and 2040 from Fehr and Peers 2015.

Figure 2-10: AM Peak Period VHT and VHT per Capita in Contra Costa County 2013 and 2040



Source: Fehr and Peers 2015 based on 4-Hour AM Peak Period.

Maintenance of the Transportation System

Over the last century, the Authority, along with the State and federal governments, has invested billions of dollars to create the transportation system that serves our needs today. But now that it is mostly constructed, millions of dollars are needed to maintain it and ensure that it continues to serve us into the future. In particular, the county's local streets and roads are aging, but they must accommodate more trucks, more traffic, and multiple transportation modes. According to the 2014 California Statewide Local Streets and Roads Needs Assessment report, Contra Costa's average pavement condition of local streets and roads has worsened in the past decade and is now considered "at risk" and could fall into "poor" condition without adequate maintenance and repair.³ Funding improvements to repair and maintain local streets and roads can help ensure our transportation network functions safely, smoothly, and reliably in the future. However, the decision to fund maintenance must be balanced with addressing growth and the need for additional and improved transportation facilities.

Adapting to Rising Tides

The Contra Costa County Adapting to Rising Tides Program, led by the San Francisco Bay Conservation and Development Commission, has been helping local jurisdictions assess the complex climate change issue, in particular the hazards of sea level rise and storm surge. This is one of the biggest challenges facing the planet today, and transportation is one of the largest contributors to climate change through the emission of GHGs. In California, the transportation sector is responsible for almost 40 percent of the state's GHG emissions. There are three main ways to reduce emissions from the transportation sector:

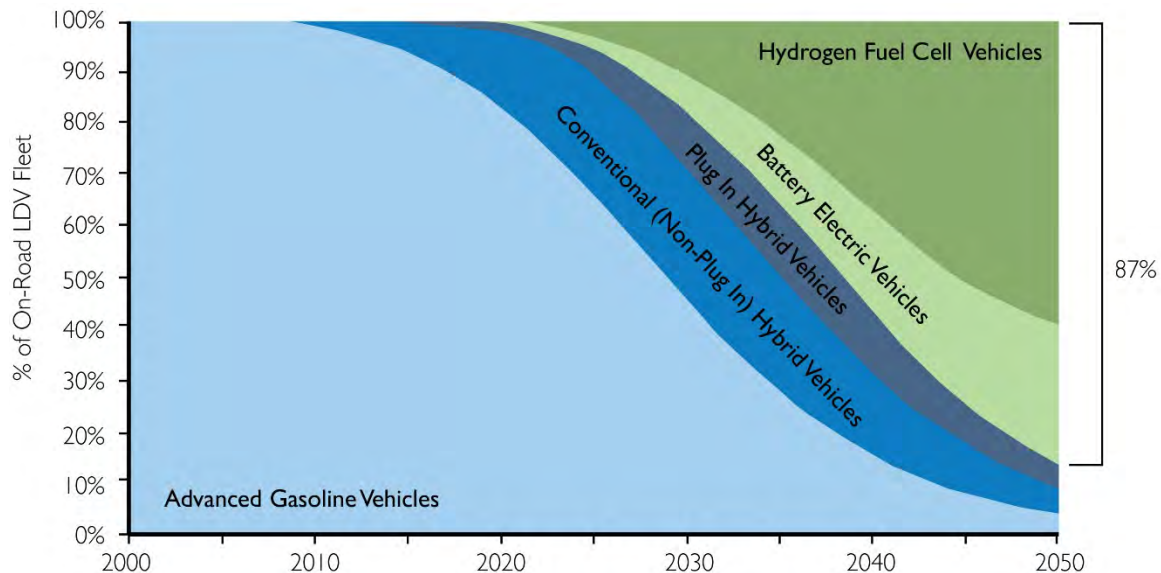
- Increase vehicle efficiency;
- Increase fuel efficiency; and
- Improve transportation options to reduce vehicle miles traveled.

To achieve greater emission reductions than we have in the past and reduce future hazards affecting the transportation system, greater penetration of zero emission

3 California Local Streets and Roads Needs Assessment, 2014 Update, www.savecaliforniasstreets.org.

vehicles will be needed in California's vehicle fleet. In fact, according to the California Air Resources Board, zero emissions vehicles will need to comprise 87 percent of the fleet by 2050 to meet the GHG target established by the Governor's Executive Order B-16-2012, as shown in Figure 2-11. This calculation does not make any assumptions about future changes in travel patterns or VMT per capita.

Figure 2-11: On Road Light Duty Vehicle Scenario to Reach 2050 Goal



Source: California Air Resources Board, 2013.

Figure 2-12 shows the additional reductions in GHG emissions for the transportation sector in Contra Costa that may be achieved by 2050 with implementation of State, regional and local climate action plans. More specifically, these additional reductions in GHG emissions are anticipated due to increases in the number of zero emissions vehicles in the fleet and additional reductions from the projected 2040 VMT per capita, which are both reasonably expected by 2050 with additional State regulations and incentives to achieve transformation for cars and trucks through deployment of cleaner technologies. A 60 percent reduction from the 2040 total annual GHG emissions in the transportation sector, resulting from a combination of 58 percent zero emission vehicle penetration in the fleet and a 15 percent reduction from projected 2040 VMT per capita (from 21.0 to 17.1), would allow Contra Costa to achieve the SB 32 (2016) amendments to the California Global Warming Solutions Act of 2006, mandating a 40 percent reduction in GHG emissions below the 1990 level by 2030, and the Governor's Executive Order B-

16-2012 to reduce transportation sector GHG emissions to 80 percent below 1990 levels by 2050.

As currently conceived, the CTP's LRTIP, presented in Chapter 4, would provide funding for investments in transportation innovation in Contra Costa, which could be used to accelerate the deployment of clean car and clean truck technology into the vehicle fleet. Accelerated clean vehicle deployment would likely result in faster achievement of the 2050 target, as represented in the green line in Figure 2-12. The California Air Resources Board's 2030 *Target Scoping Plan* underscored the importance of such local actions as critical to achieving federal and State air quality standards and the State's climate goals.

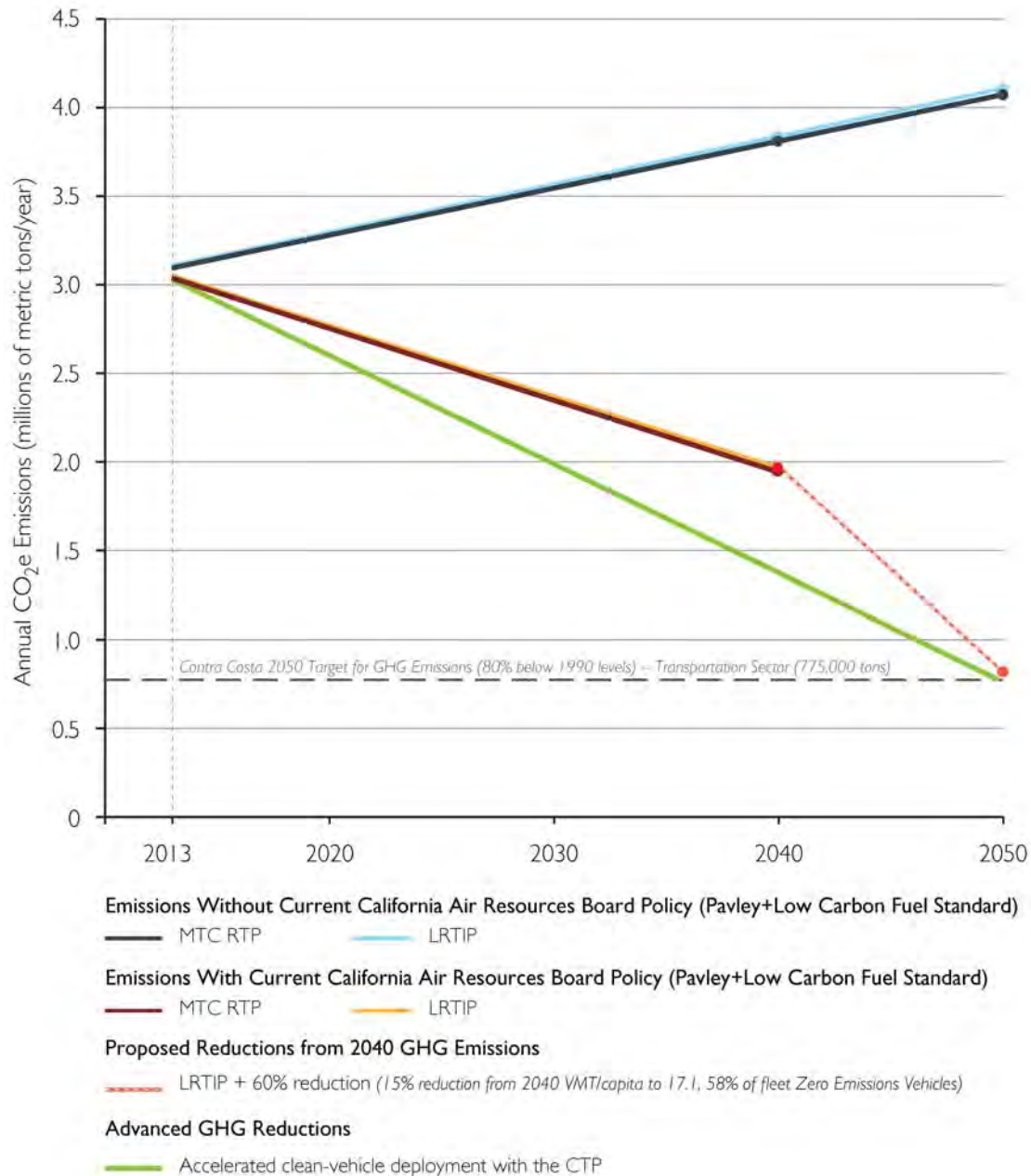
Without such initiatives, the impacts of climate change, especially rising tides, wind-driven waves, Delta freshwater inflows, and storm surge, would threaten the transportation system fronting on San Francisco Bay. For example, with a 1.0-meter rise in sea level, 1,460 miles of roadways and 140 miles of railways in the Bay Area are at risk of a 100-year flood, due to an increase in the frequency and intensity of flooding.⁴ According to the Bay Conservation and Development Commission (BCDC), climate change also may affect the frequency and/or intensity of coastal storms, El Nino cycles, and related weather and processes⁵. Strategies to make the system more resilient and adapt to rising tides include realignment of corridors and structural improvements, such as engineered flood protection, embankments, and increased permeable surfaces.

Plan Bay Area identifies an integrated land use and transportation system that will meet regional GHG emission reduction targets approved by the State: a 7 percent per capita reduction by 2020 and 15 percent reduction by 2035 under 2005 levels. *Plan Bay Area* is projected to achieve the targets through a variety of strategies, including improving transit service; providing infrastructure for walking and bicycling; and shifting land use patterns so that jobs, housing, and other destinations are more accessible by all modes of transportation and vehicle miles traveled are reduced.

⁴ Pacific Institute, *The Impacts of Sea Level Rise on the San Francisco Bay*, 2012.

⁵ Pg. 2-3, San Francisco Bay Conservation and Development Commission, *Adopting to Rising Tides - Contra Costa Sea Level Rise Vulnerability Assessment*, 2016.

Figure 2-12: Governor's Executive Order B-16-2012: GHG Emissions Target for Contra Costa's Transportation Sector, 2013-2050



Source: Ramboll Environ, 2016; Dyett & Bhatia, 2016.

In the coming years, Contra Costa County will see increased efforts to stem GHG emissions and address vulnerabilities to climate change. In parallel, efforts to increase resiliency of the transportation system in preparation for possible changes in weather and tide pattern will contribute to the long-term health and economy of Contra Costa.

Health and Safety

The transportation system affects public health in several ways. Traffic collisions are the leading cause of death in the United States for people under the age of 34.⁶ Fortunately, studies show that policy, safety education, and improved transportation options that reduce reliance on automobiles can effectively reduce traffic injuries.⁷

Dependency on automobiles for mobility is also associated with other health concerns. According to one study, every hour spent each day in a car increases a person's risk of being obese (and thus of developing heart disease and diabetes) by six percent; in contrast, every hour walked each day decreases a person's risk of being obese by five percent.⁸ For these public health reasons, MTC has adopted a performance target in the RTP to increase the average time each person spends walking or biking for transportation daily by 70 percent for an average of 15 minutes per person per day.

Vision Zero

The Vision Zero (zero vehicle and pedestrian fatalities) movement, which started in Sweden in the mid-1990s and most recently has been embraced by 15 countries, has been growing across the US, with significant interest in many California cities and counties. It can be summarized in one sentence: No loss of life is acceptable. The Vision Zero has proven highly successful as a guiding principle for many transportation organizations and plans. For example, the Intelligent Transportation Society of America (ITSA) has adopted Vision Zero as a primary driver towards intelligent transportation technologies that can improve safety.

The Authority supports Vision Zero, but the challenge is how to implement this concept in a diverse county. Some communities have seen resistance to traffic calming measures and lower speed limits, which improve traffic safety but are viewed as constraining

6 Centers for Disease Control and Prevention. National Center for Health Statistics, National Vital Statistics System, produced by: Office of Statistics and Programming, National Center for Injury Prevention and Control, Ten Leading Causes of Death and Injury, 2006.

7 Ewing, Schmid, Killingsworth, Zlot, Raudenbush, Relationship between Urban Sprawl and Physical Activity, Obesity, and Morbidity, *American Journal of Health Promotion* 18: 47–57, 2003.

8 Ewing, Frank, Kreutzer, *Understanding the Relationship Between Public Health and the Built Environment: A Report to the LEED-ND Core Committee*, 2006.

mobility. Through this CTP, the Authority hopes to become a leader in scaling Vision Zero, capitalizing on its longstanding role in facilitating coordination and collaboration between local jurisdictions and our partners and expanding on what has already been done to promote Intelligent Transportation Systems (ITS), Transportation for Livable Communities, and traffic safety. We have the resources and through the LRTIP, the RTPCs and the Action Plans, the ability to support investments in technology for improved traffic safety, alternative modes, and active transportation which, together, will further the Vision Zero effort. Many of these initiatives are beyond the capacity of local cities to handle on their own due to a lack of necessary funding and limited staff resources and expertise.

Environmental Impacts on Communities

The construction of transportation facilities and subsequent use of the transportation system can affect the environment and, in particular, air quality and noise levels. Air pollutants from mobile sources that are of greatest concern include ozone, fine particulate matter, and toxic air contaminants. These are largely caused by highway traffic, and people who live and work near pollution sources often have the greatest exposure to these harmful pollutants. Large areas of San Pablo, Concord, Antioch, and other jurisdictions in Contra Costa are impacted communities. The 2017 CTP strives to reduce and mitigate impacts on these communities with funding for cleaner transportation technology and reduced emissions and health risks along major trade corridors.

Equity Concerns

Meeting the diverse transportation needs of all of Contra Costa's residents, including those with limited resources and limited choices, is an important priority for the 2017 CTP. The Equity Analysis prepared for the 2017 CTP was informed by Title VI of the Civil Rights Act of 1964 and environmental justice considerations. It included analysis of the overall performance of the Long-Range Transportation Investment Program in relation to equity policy considerations (see Volume 2 for details). The ultimate goal was to help policymakers, local partners, and the general public understand the equity implications of implementing the 2017 CTP for disadvantaged Communities of Concern (as defined by MTC for the 2014 *Plan Bay Area*), by examining the distribution of benefits

and burdens between Communities of Concern and the rest of the county under the 2017 CTP⁹. With its Action Plan update process, the Authority created a collaborative planning process that involves residents in low-income communities, community- and faith-based organizations that serve low income communities, transit operators, and stakeholders.

Focus on Contra Costa's Communities of Concern

In 2014 MTC identified seven Communities of Concern in the county, and they provide a home for 17.6 percent of the total population¹⁰. Compared to the county as a whole, residents in these communities are predominantly minority (85 percent) and low-income (41 percent). The percentage of households who do not own a car is three to four times higher than the average in the balance of the County. The data on how residents travel to work shows a greater use of transit by residents of Communities of Concern than the average resident. Table 2-5 summarizes the commute mode for all workers in each of the Communities of Concern.

Table 2-5: Modes of Transportation in Communities of Concern, 2013				
% of Workers by Modes of Transportation				
Contra Costa County	Drive Alone/ Carpool	Public Transportation	Walk	Bike/Taxi/ Motorcycle/Work at Home/Other
El Cerrito	56%	32%	2%	10%
Richmond	78%	16%	3%	4%
San Pablo/North Richmond	82%	12%	2%	4%
Martinez	73%	14%	11%	2%
Concord	77%	12%	6%	6%
Bay Point/Pittsburg/Antioch	84%	9%	2%	5%
Overall County	82%	9%	2%	9%

Source: 2009 American Community Survey; 2013 American Community Survey.

⁹ For the State's Cap and Trade Program, designations of "disadvantaged communities" are used, which are derived from the California Communities Environmental Health Screening Tool developed by the Office of Environmental Health Hazard Assessment to identify communities most burdened by pollution from multiples sources and most vulnerable to its effects, taking into account socioeconomic characteristics and underlying health status. How the 2017 CTP would specifically serve these communities was not separately analyzed.

¹⁰ While the CoC boundaries are those used for the 2014 Plan Bay Area, the demographic data used in the Equity Analysis for the 2017 CTP was updated to reflect the 2013 American Community Survey.

OPPORTUNITIES

Environmental Impacts

Currently, the State is updating how transportation-related environmental impacts are measured under the California Environmental Quality Act (CEQA) to be more consistent with the State's goals to reduce GHG emissions. A new metric for environmental impacts is the amount of vehicle travel resulting from a project (vehicle miles traveled) instead of the amount of automobile congestion (Level of Service). More specifically, Senate Bill (SB) 743 (Steinberg, 2013) changed the way that transportation impacts are analyzed under CEQA. Specifically, SB 743 required the Governor's Office of Planning and Research (OPR) to amend the CEQA Guidelines to provide an alternative to LOS for evaluating transportation impacts. Particularly within areas served by transit, those alternative criteria must promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses. Measurements of transportation impacts may include vehicle miles traveled, vehicle miles traveled per capita, automobile trip generation rates, or automobile trips generated. Once the CEQA Guidelines are amended to include those alternative criteria, auto delay will no longer be considered a significant impact under CEQA.

Transportation impacts related to air quality, noise and safety must still be analyzed under CEQA where appropriate. SB 743 also amended congestion management law to allow cities and counties to opt out of LOS standards within certain infill areas. In response to this legislation, the Authority is reviewing and will update as necessary, its Technical Procedures and Implementation Guide to conform to the amendments to CEQA Guidelines.

Technology

Evolving transportation technology is an important consideration in addressing the needs of Contra Costa's transportation system and will help the Authority be "transformative" in response to the challenges we face. Technology helps make vehicles cleaner by reducing emissions; it also can connect vehicles to each other and to active traffic management operations, which will help achieve the goal of traffic safety. Ridesharing is easier with smart phone "apps". Bus operations can be enhanced with better communications equipment and scheduling software, particularly those offering express service. Intercity freight and urban goods movement can also benefit from

technology supporting better logistics, scheduling, drop-offs, and pick-ups. Harnessing this potential will be central to successful implementation of the CTP.

Connected Vehicles and Vehicle Automation

Connected Vehicles and Autonomous Vehicles (CV/AV) and shared autonomous vehicles (SAVs) will have a profound impact on both the safety and efficiency of our roadways. Already, a certain level of CV/AV technology is incorporated in some new cars, including collision warning and automatic braking. Future improvements in CVs, AVs, and SAVs would allow vehicles to communicate with each other to inform drivers of roadway conditions, traffic, and accidents well in advance and will enable greater lane capacity on freeways with “platooning”, meaning vehicles would be more closely spaced. AV technology promises to deliver cars that can drive themselves without any human control in the coming decades.

To help transition CV/AVs from a science-fiction dream to reality, in October 2014, the Authority helped establish a test facility for self-driving vehicles, called GoMentum Station, at the site of the former Concord Naval Weapons Station. Contra Costa’s CV/AV vehicle testing facility is built on a public/private partnership model, allowing the private sector space to innovate and test while providing the public sector with access to new technologies as they are being developed. The work being carried out at GoMentum Station helps to inform policy, regulation, and planning decisions around the technology.

Intelligent Transportation Systems

Intelligent transportation systems (ITS) can also benefit Contra Costa’s transportation network by improving safety and efficiency. ITS encompasses many techniques, including electronic toll collection (such as FasTrak in the Bay Area), ramp metering, traffic signal coordination, demand-responsive transit, real-time information sharing, and traveler information systems, for freeways, arterials and transit systems. The I-80 Integrated Corridor Management (ICM) and the I-680 Enhanced Transit and Innovative Transportation Systems Management projects (“Innovate I-680”), which incorporate these and other improvements, are expected to improve freeway operations and safety and express bus operations.

Shared-Use Mobility

Technology has also allowed for a burgeoning new industry in shared-use mobility services. Transportation network companies facilitate ride services, demand-responsive paratransit serves those with limited access to vehicles, and car-share programs, like ZipCar® and Getaround®, allow drivers to gain access to cars in their neighborhood on-demand, rather than owning their own vehicles.¹¹ Ride services that employ smartphone-based applications, or “apps,” such as Uber® and Lyft®, are revolutionizing the taxi and limousine service industries, and quickly innovating new services, such as new carpool options. In Contra Costa, pilot programs have made traditional carpooling easier by helping match drivers and passengers.



As technology advances, it is shifting the ways that people access and use the transportation system.

Fully automated vehicles and shared autonomous vehicles also may have the ability to provide first-and-last-mile connections for transit users, for example, picking up and drop off passengers at transit connections. This concept was specifically explored in Innovate I-680 (the 2015 Transit Investment and Congestion Relief Options Study).

¹¹ Shaheen *Greenhouse Gas Impacts of Carsharing in North America*, 2010.



Easy Mile provides driverless shuttle services at Bishop Ranch in San Ramon.

Hybrid and Electric Vehicles

California has always been a national front-runner in low-emissions vehicle technology. In 2014, the Governor signed the Charge Ahead Initiative to put one million electric vehicles on the road within ten years, a target that has since been increased to 1.5 million zero-emission and plug-in hybrid vehicles by 2025. More hybrid and electric cars in the fleet will reduce harmful air pollution and GHG emissions, help achieve the 2050 GHG reduction targets, and provide fuel savings for households. In Contra Costa, hybrid buses, such as those in the County Connection fleet, will reduce fuel costs and GHG emissions by about 20 percent, which will support efforts to meet the Governor's Executive Order B-16-2012 previously discussed.

The Authority is strongly committed to the accelerated deployment of Zero Emission Vehicles in Contra Costa to achieve the statewide GHG emission reduction goal. As we will see in Chapter 4, a separate category for innovation is established to help with this effort.



CCTA-funded EV charging station at Pleasant Hill City Hall.

PAST SUCCESSES AND POTENTIAL IMPROVEMENTS

Delivery Record

Since adoption of the last CTP in 2009, all of Contra Costa has benefitted from the transportation improvements funded by Measure C and J and federal, State and regional funding available to the Authority. The Caldecott Tunnel Fourth Bore; the widening of State Route 4; a BART extension in East County; new BART parking; high occupancy vehicle (HOV) lanes; railroad grade separations; and the Hercules, Martinez, and Pacheco inter-modal centers have all been funded at least in part using local sales tax dollars. Measures C and J also support funding of local street maintenance, transit and paratransit operations, school bus services, commute alternative programs, express buses, and Transportation for Livable Communities programs.

Other accomplishments include:

- Completion of all of the SR 4 East freeway widening out to Antioch
- Completion of the SR 4 Bypass
- Implementation of ramp metering on SR 4

- I-80 Smart Corridor improvements and activation
- SR 4/SR 160 connector ramps
- HOV – lane extension on southbound I-680 in Walnut Creek
- Completion of the I-680 auxiliary lanes from Sycamore Valley Road to Crow Canyon Road
- Richmond Intermodal Transit Center and Richmond BART parking structure
- Parking expansion at the Martinez Intermodal Station
- Tri Delta Transit Dynamic Routing Pilot Program
- Support for Safe Routes to Schools and Transportation for Livable Communities
- Support for Lifeline Transportation Program
- Construction of the Riverside Elementary school overcrossing over I-80
- Deployment of Realtime Ridesharing pilot programs

In addition to projects, the Authority completed a number of studies:

- SR 4 Integrated Corridor Analysis
- I-680 Transit Investment and Congestion Relief Study, which fed into the Innovate I-680 Initiative
- In partnership with the Water Emergency Transit Authority (WETA), completed the Ferry Study for Contra Costa
- Sustainability Study and SR 239 Feasibility Study
- Countywide Bicycle and Pedestrian Plan (October 2009) and Comprehensive Wayfinding System for West County BART stations

The Authority has also been working closely with ABAG, MTC, and local jurisdictions on implementation of the Priority Development Area (PDA) Investment and Growth Management Strategy.

Funding

Funding is critical to meeting the stated goals of the CTP and helping Contra Costa remain one of the most desirable places to live and work in the Bay Area. Measure C and Measure J together have made a substantial dent in funding needed for projects and programs, not only from the revenues they generated, but also the funding they

attracted from other sources. The following table shows that total past and future expenditures on projects, including the State and federal funds leveraged by the two measures, total \$6.5 billion. Future funding sources are discussed in Chapter 4, Investment Program.

Table 2-6: Measures C and J Past and Future Project Expenditures

Measure C and Measure J (Year of Expenditure Dollars in Millions)	Past	Future	Total
Roadways (highways, arterials, and maintenance)	\$755	\$1,031	\$1,785
Transit (bus, ferry, express bus, paratransit, commute alternatives)	\$434	\$738	\$1,171
Pedestrian & Bicycle Facilities (including Transportation for Livable Communities, trails, safe transportation for children, and subregional needs)	\$11	\$323	\$334
Other	\$144	\$373	\$517
Subtotal	\$1,344	\$2,464	\$3,808
Leveraged funds on Measures C & J projects	\$1,721	\$970	\$2,691
Percent Leveraged	128%	TBD	TBD
TOTAL FUNDS	\$3,065	\$3,434	\$6,499

Potential Improvements

Making new improvements, while maintaining what we have, is a prominent issue for the 2017 CTP. Each component of Contra Costa's transportation system – roads, freeways, transit, ferries, bicycle and pedestrian facilities, goods movement facilities – could be improved to help achieve the Authority's vision and goals.

Each RTPC proposed improvements to the transportation system as part of their Action Plans. Overall, the updated Action Plans demonstrate an increased concern for intra-regional routes and the impact of traffic diverting from inter-regional routes to local streets. They also recognize BART and the BART extension from Antioch to Brentwood, and freeway management as important inter-regional strategies. The RTPCs' strategies and priorities are supported in the 2017 CTP.

Many of Contra Costa's highways and major arterials face heavy traffic volumes throughout the day, and making improvements to increase safety and efficiency is a priority for the Authority. However, resources and right-of-way are limited, making substantial expansion of Contra Costa's major arterials and highways unlikely beyond what will be done through the SR 239 (Tri-Link) project in East County. Evolving

transportation technology can play a role in improving and facilitating traffic flow and providing transit and highway information as well as trip alternatives. The 2017 CTP considers how evolving transportation technology should be incorporated into our transportation system and what needs to be done to capitalize on the benefits offered by technological innovation.

Improvements to transit facilities and operations are another important component of the 2017 CTP. These include support for BART operations and maintenance, bus service improvements, and paratransit service. Facilities for active transportation, emphasized in the 2017 CTP, provide alternative choices for residents to move around the county. Lastly, funding improvements to repair and maintain local streets and roads will help ensure Contra Costa's transportation network functions safely, smoothly, and reliably in the coming decades. In fact, maintenance of transportation infrastructure is more cost-effective and beneficial than allowing the obligations of deferred maintenance to mount and then having to spend more to completely rebuild system components.

3 Vision, Goals and Strategies

Looking ahead to the year 2040, we can begin to identify some of the difficulties that continued growth in population and employment and associated increases in traffic will bring, but it is up to us to identify a vision for where we want to end up. For the Authority, that Vision is:

Strive to preserve and enhance the quality of life of local communities by promoting a healthy environment and strong economy to benefit all people and areas of Contra Costa, through (1) a balanced, safe, and efficient transportation network, (2) cooperative planning, and (3) growth management. The transportation network should integrate all modes of transportation to meet the diverse needs of Contra Costa.

The goals and strategies in this Chapter show how the Vision will be realized.

FINDING THE RIGHT BALANCE

Achieving the Vision will require the Authority to find the right balance among the different, and sometimes competing, needs of Contra Costa's residents and businesses, including:

- Improving the regional system of roads, transit and pathways, while ensuring that the existing system is well maintained;
- Balancing the needs of through traffic with the access needs and quality of life in adjoining neighborhoods and business areas;
- Recognizing the differing needs and situations of Contra Costa's residents and subareas, while developing a workable approach to countywide and regional initiatives;
- Where feasible and beneficial, improve the capacity of roadways, while recognizing that these improvements will not, in the long run, eliminate congestion; and
- Supporting and encouraging the use of transit, carpools, bicycling and walking, often within limited rights-of-way.

All of these needs are important, and the goals and strategies contained in the 2017 CTP are designed to meet them. Finding the right balance among these needs, however, will require perseverance, cooperation among the jurisdictions of Contra Costa, and the support of residents and the business community.

GOALS

The Authority has adopted five goals for the CTP:

1. Support the efficient, safe, and reliable movement of people and goods using all available travel modes;
2. Manage growth to sustain Contra Costa's economy, preserve its environment and support its communities;
3. Expand safe, convenient and affordable alternatives to the single-occupant vehicle;
4. Maintain the transportation system; and
5. Continue to invest wisely to maximize the benefits of available funding.

To achieve these goals, the Authority will pursue the following strategies:

STRATEGIES

GOAL 1. Support the efficient, safe, and reliable movement of people and goods using all available travel modes

Getting people and goods safely, efficiently and reliably to where they need to go is a primary goal of every transportation system. The Authority has established the following strategies to provide this accessibility.

1.1. EFFICIENCY: Increase the efficiency of highways and arterial roads through capital investments, operational enhancements, and use of technology.

The efficiency of the transportation system is based on how well our system and investments are used. With funding remaining under Measure J, the Authority plans to commit \$3.67 billion for projects and programs to improve the transportation system. This will include funding for capital projects that will increase efficiency on highways and roadways, such as by interchange improvements to reduce weaving and congestion at the I-680 and SR-4 interchange, and operational improvements proposed by the Innovate I-680 project for transit investment and congestion relief through enhanced bus service and use of technology to support connected and autonomous vehicles. The I-80 SMART Corridor (previously known as the I-80 Integrated Corridor Mobility (ICM) project) has created a network of electronic signs, ramp meters, and other state-of-the-art elements between the Carquinez Bridge and the Bay Bridge to enhance motorist safety, improve travel time reliability, and reduce accidents and associated congestion. Similar projects for more active traffic management are in the Innovate I-680 initiative, which also proposes bus-on-shoulder operations, allowing buses to bypass congestion while staying close to the freeway entrances and exits.¹² Implementation of an ICM project on SR-4 is also underway. The Authority recently received a U.S. Department of Transportation (DOT) grant to help fund this project.

¹² Contra Costa Transportation Authority, I-680 Transit Investment and Congestion Relief Study, November 2015.

In addition, the Authority will use technology to improve efficiency. One example of this is GoMentum Station, recently named one of the ten National Automated Vehicle Proving Grounds by the U.S. DOT. The idea is to facilitate testing and information sharing around automated vehicle technologies, foster innovation that can safely transform personal and commercial mobility, expand capacity, and open new doors to disadvantaged people and communities. In fact, GoMentum Station is one of the largest secure proving grounds in the country, enabling the Authority's partners to safely push their technologies to its limits while testing vehicles there.

1.2. PARTNERSHIPS: Engage in partnerships with jurisdictions, stakeholders, and other agencies to identify and implement strategies for managing congestion and increasing multimodal mobility.

Users of Contra Costa's transportation system want a seamless system and do not overly differentiate among streets or transit facilities they use or jurisdictions they travel through. They just want to get to their destinations safely and reliably. Given this, partnering with other agencies at the federal, State, regional and local level will be essential to achieving the Authority's goals and meeting our users' needs.

For example, partnerships for the I-80 SMART Corridor project and the Innovate I-680 initiative involve Caltrans and local jurisdictions in the corridor as well as MTC. Similarly, the Authority is working closely with BART on the extension of rail transit to East County and with the Water Emergency Transportation Authority on starting ferry service from Richmond. For implementation of the Countywide Bicycle and Pedestrian Plan, partners include the East Bay Regional Park District and the Countywide Bicycle Network among others. Our partnerships with local jurisdictions have led to increased cooperation among them and establishment of development mitigation programs to help fund projects that address the impacts of growth and the needs in PDAs.

In the future, the Authority will continue to engage with our partners and a diverse group of stakeholders to:

- Secure support for improvements needed in disadvantaged communities, and neighborhoods affected by poor air quality due to transportation emissions;
- Expand Express Lanes on I-680 and elsewhere;
- Undertake advance planning for regional mitigation;
- Help improve freight mobility and urban goods movement;
- Maintain our existing transportation system; and
- Improve safety and connectivity.

1.3. SEAMLESS NETWORKS: Eliminate gaps in the existing highway and arterial system, especially those in the regional high-occupancy vehicle (HOV) lane and express lane network.¹³

Building on MTC's express lanes plan and the Authority's own plans for I-680, the Authority has been working closely with the RTPCs to identify needed additions and then determine which of these makes the most sense from a performance perspective and cost basis. Plans to eliminate I-680 gaps are well underway; I-680 Express Lanes in the northbound direction are about to open, and engineering for southbound Express Lanes is underway. The Authority also will fund local bicycle and trails projects that will eliminate gaps and improve connections in these systems.

1.4. STREET AND ROADWAY IMPROVEMENTS. Improve the highway and arterial system to influence the location and nature of anticipated growth in accordance with the General Plans of local jurisdictions and consistent with the Authority's adopted Countywide Transportation Plan.

Linking land use and transportation is a fundamental concept for the Authority. It underpins the Growth Management Program, which brings these relationships together through a cooperative transportation and land use planning effort among Contra Costa's local jurisdictions, transportation agencies, and other partners. This process involves the RTPCs, relies upon the Action Plans, and

¹³ Express Lanes (formerly known as High-occupancy Toll (HOT) lanes) are HOV lanes that have been modified to allow single occupant vehicles to travel in the HOV lane, provided they pay a toll.

incorporates the PDAs to support local land use patterns that make more efficient use of the regional transportation system. Similarly, the requirement for five-year local Capital Improvement Programs, coupled with the Authority's Measure J Regional Transportation Mitigation Program (RTMP), ensures that needed transportation improvements are supportive of proposed land use changes.

This strategy has been implemented through projects such as the Caldecott Tunnel Fourth Bore, the BART extension in East County, the State Route 4 widening and interchange improvements, the I-80 and I-680 projects mentioned earlier, the Marina Bay Parkway grade separation project in Richmond, and the 23rd Street Specific plan improvements in San Pablo, all of which support plan growth with the urban limit lines (ULLs) and regional connections between communities. In addition, Authority support for the Measure J Transportation for Livable Communities program along with funding under MTC's One Bay Area Grant program has funded many local transportation improvement projects needed to serve planned development within local jurisdictions. The 2017 CTP will continue and expand on these funding commitments, with support for complete streets, Geary Road improvements, and Contra Costa Boulevard.

1.5. *FREIGHT MOVEMENT. Identify new strategies to improve freight movement on freeways and rail lines to improve air quality and the safety and efficiency of goods movement.*

The Authority has been working closely with the California Freight Advisory Committee on the California Freight Mobility Plan and the Sustainable Freight Action Plan to develop strategies and funding for freight-related transportation improvements. Additional insights are provided through the Authority's representation on the National Freight Advisory Committee. These efforts will support economic growth, minimize congestion, reduce air pollution, improve the safety, security and resilience of the State's freight system, and encourage innovation. The Northern Waterfront Revitalization Study explores strategies that will help bring green jobs to the area along the Carquinez Straits to make it competitive in the 21st century global economy. Other Authority-supported projects from the improved freight movement include the Marina Bay Parkway grade separation in Richmond, which has been completed, and truck climbing lanes on Kirker Pass.

For freight-related air quality improvements, the Authority will use funding from the California Air Resources Board to help local agencies reduce emissions and health risks along major trade corridors. This program will help owners of equipment used in freight movement upgrade to cleaner technologies. Looking ahead, the Authority will evaluate new strategies on goods movement being developed by MTC, and determine which ones are best for Contra Costa.

GOAL 2. Manage growth to sustain Contra Costa's economy, preserve its environment and support its communities

The proponents of Measure C, the precursor of Measure J, realized that a coordinated approach to growth management involving all jurisdictions in Contra Costa was essential to realize the full benefits of transportation investments. This goal expresses multiple facets that need to be considered: economic vitality, environmental protection, and the quality of life of our communities. Supporting local communities also means providing equitable opportunities for all residents and avoiding disparate impacts on low-income and minority residents. The Authority has established the following strategies to achieve this goal.

2.1. COOPERATIVE PLANNING. *Continue to require cooperative transportation and land use planning among Contra Costa County, cities, towns, and transportation agencies.*

Multi-jurisdictional cooperative planning will continue to be one of the key principles underlying the Authority's Growth Management Program (GMP), which has been in place since Measure C passed in 1988. The drafters of Measure C, with its requirement for the GMP, recognized that no one jurisdiction by itself can address countywide or regional problems. It requires jurisdictions working together to address mutual transportation and planning issues. The SR-4 Integrated Corridor Analysis and the I-680 Transit Investment and Congestion Reduction Study are examples of such cooperative planning.

Cooperative planning has a number of benefits. Jurisdictions come together to support corridor improvement plans, cooperate on school bus service, coordinate connections between local street plans and bike and trail systems, and create regional development mitigation programs. Having growth management elements in local General Plans facilitates the process by providing a common

reference point and shared understanding of actions that further the goals of the CTP.

The RTPCs play a key role in this process, preparing Action Plans that set multi-modal transportation service objectives and include projects and implementation actions to achieve these objectives, reviewing local General Plan amendments, and working together on plans and studies.



RTPC study sessions facilitate cooperative planning.

2.2. REGIONAL PLANNING. *Participate in a regional cooperative land use planning process with agencies both within and outside of Contra Costa.*

The Authority will continue to work with MTC and ABAG on matters of mutual concern related to *Plan Bay Area* - the Regional Transportation Plan and the Sustainable Communities Strategy. The regional planning process is particularly helpful in addressing air basin-wide strategies that are needed to achieve State emissions reduction targets and coordinate planning for coastal hazards such as rising tides and storm surge. This cooperative process includes coordination on submitting projects for funding under State and federal programs and referrals of General Plan amendments, as required by the Growth Management Program.

INNOVATE I-680: AN INTEGRATED APPROACH TO IMPROVING MOBILITY

Along with the economic recovery, commuters have experienced increasing congestion levels on the I-680 corridor. Through the CTP public outreach effort the community has told the Authority that improved transit service in the I-680 corridor should be a priority. In response, consistent with Goals 1 and 2, CCTA conducted a study in 2015 on potential transportation investments in the I-680 corridor that could relieve congestion and improve transit. The study builds on the I-680 Investment Options Analysis (2003), ongoing Measure J investments, and MTC investments in express lanes along the I-680 corridor.

The study was conducted in collaboration between CCTA staff and consultants, a Policy Advisory Committee, and a Technical Advisory Committee. The initial investment options considered five modes: connected vehicles/autonomous vehicles, bus transit, light rail, ultra-light rail, and BART. The projected performance of the initial options was assessed using a set of evaluation criteria, and then the highest-performing options were checked for financial feasibility with potential new funding sources. The recommended investment strategy focuses on improved transit service and freeway operations, with technology and infrastructure investments to enhance mobility. The key features of the recommended strategy are grouped into four categories:

- **Enhanced Bus Service:** Improve and expand transit with investments including new park-and-ride facilities with shuttle service to BART, addition of auxiliary and shoulder lanes for exclusive bus use, and expanded school bus services.
- **Connected and Autonomous Vehicle Support on I-680:** Facilitate limited self-driving automation with enhanced pavement markings, vehicle-to-infrastructure communication radios and processors, and increased roadway maintenance.
- **Active Traffic Management:** Provide technology to collect data and communicate with drivers including roadside digital signs, vehicle detection and surveillance, adaptive ramp metering, and in-vehicle smart-corridor traffic management.
- **Demand-Responsive Transit Service:** Provide demand-responsive service between park-and-ride locations and other destinations with investments in electric Shared Autonomous Vehicles (SAVs) and infrastructure.

Coupled with proposed spot improvements at key bottlenecks, these strategies and investments – collectively known as Innovate I-680, are expected to reduce congestion for single-occupant vehicles, enable greater use HOV express lanes, and increase travel options for transit users. The Authority is now working to secure funding and implement these recommendations.

- 2.3. *LAND USE., Support land use patterns within Contra Costa that make more efficient use of the transportation system, consistent with the General Plans of local jurisdictions.*

The Authority implements this strategy through its Measure J Growth Management Program and the required ULLs and its participation in *Plan Bay Area* and the Priority Development Area (PDA) Growth and Investment Program. In addition, the Transportation for Livable Communities (TLC) Program funds projects that enable efficient use of transportation systems through supportive land use. TLC funding is available for transportation projects that facilitate, support and/or catalyze the developments of affordable housing and transit-oriented or mixed-use development and that encourage use of alternatives to the single occupant vehicle, or promote walking, bicycling and/or transit usage. Typical investments have included pedestrian, bicycle, and streetscape facilities, traffic calming, and transit access improvements.

- 2.4. *DEVELOPMENT IMPACTS. Require local jurisdictions to (i) evaluate and report on the impacts of land use decisions on the transportation system, (ii) identify capital and/or operational improvements needed for development, and (iii) have new growth pay its fair share of the cost of such improvements.*

The Authority's *Implementation Guide* and the *Model Growth Management Element* provide details on how local jurisdiction can meet the Growth Management Program (GMP) requirements. Under Measure J, jurisdictions are to "evaluate changes to local General Plans and the impacts of major development projects for their effects on the local and regional transportation system and the ability to achieve the Multimodal Transportation Service Objectives established in the Action Plans." The methods for evaluating these changes are spelled out in the Authority's *Technical Procedures*. The GMP also requires jurisdictions to identify needed projects and programs through their capital improvement programs and through the Action Plans. Finally, the GMP requires jurisdictions to establish mitigation programs, both individual programs for local improvements and subarea programs for each RTPC. These programs require that traffic impacts be minimized or eliminated by on-site or off-site improvements or payment of a fee in lieu of constructing improvements that can be used to fund local or regional mitigation. Over more than 25 years, these programs have generated millions of dollars for transportation projects and hundreds of individual improvements,

which overall have substantially reduced the impacts of development on the transportation system.

- 2.5. *LAND USE-TRANSPORTATION LINKAGES. Link transportation investments to support (i) a voter-approved urban limit line endorsed by voters in the County and each city and town, (ii) new developments which enhance transportation efficiency and economic vitality, and (iii) infill and redevelopment in existing urban and brownfield areas.*

Voter-approved ULLs were put in place after Measure J was approved, and local General Plans and related transportation improvements must be consistent with and respect these lines in order to qualify for Local Streets and Maintenance (“return to source”) funding. Furthermore, through the development mitigation programs that local jurisdictions established under the GMP, this linkage is now part of their development approval process. The Authority confirms that these actions have taken place through the biennial GMP “checklist” process. For the second and third criteria listed above, the Authority has put in place a number of funding programs that pay for supportive investments.

- 2.6. *SUSTAINABILITY. Ensure that new transportation projects are environmentally sustainable and fiscally viable, increase safety, respect community character, promote environmental justice, and maintain or enhance the quality of life for our communities.*

All of these factors are criteria the Authority uses in priority-setting and project screening for funding over which the Authority has discretion. These factors also reflect the performance measures set forth in *Plan Bay Area*. For the 2017 CTP, two criteria were added to express explicitly the Authority’s commitment to meeting its obligations under federal and State law: “increase safety” and “promote environmental justice”.

GOAL 3. Expand safe, convenient and affordable alternatives to the single-occupant vehicle

To meet this goal, the CTP sets forth a comprehensive set of strategies to support alternative modes of travel, including expansion of transit and paratransit services and funding for “active transportation”, meaning walking and biking. Active transportation is a CTP priority because it will provide community health benefits as well as help

achieve reductions in GHG emissions and realize air quality improvements. The Authority uses the following strategies to promote alternative modes of travel.

- 3.1. *TRANSIT SERVICE EXPANSION. Help fund the expansion of existing transit services and regional express lanes, and maintenance of existing operations, including BART, bus transit, school buses, and paratransit.*

Five Measure J-funded programs support this strategy: BART Parking Access and Other Improvements, Bus Services, Express Bus, Commute Alternatives, and Safe Transportation for Children. Additional funding for these programs is included in the Long-Range Transportation Investment Program. Details are in Chapter 4.

- 3.2. *TRANSIT SERVICE COORDINATION. Link transit investments to increased coordination and integration of public transit services, and improved connections between travel modes.*

Measure J explicitly added the concept of “multi-modal” to the definition of transportation service objectives, so the idea of this linkage has underpinned work on the Action Plan updates as well as development of the 2017 CTP.

The Authority is working with local agencies to address specific multi-modal transportation issues and identify potential approaches and recommended actions to address them. This includes studies of potential transit options in West County and along the I-680 Corridor in Central and Southwestern Contra Costa County and system-wide opportunities for improving express bus services.

The Draft 2016 Express Bus Study Update included development of service assessment criteria; a review of existing Express Bus service and infrastructure; an assessment of current funding and opportunities for new funding; and identification of priority areas that are likely to have high transit use. The study focused on strategic operational improvements for existing service providers based in Contra Costa. Information on the regional network, including service providers from Solano and Alameda Counties, was provided by MTC’s Transit Consolidation Study. In addition to infrastructure and service adjustments, the potential for bus on shoulder operations, bus on ramp and in-line stations, real-time information sharing among operators, alternative fuel and electric bus and autonomous vehicle technologies were examined. Service improvement

recommendations were developed and evaluated using performance measures and equity criteria. After public review, the Authority will support the service improvements that are cost-effective, viable from operators' perspectives, and best meet residents' needs.

- 3.3. *COMPLETE STREETS. Require local jurisdictions to incorporate policies and standards for "complete streets" that support transit, bicycle and pedestrian access in new developments, infill development areas ("Priority Development Areas"), and transit priority areas.*

The GMP *Implementation Guide* requires that local jurisdictions incorporate policies and standards into their development approval processes that support transit, bicycle, and pedestrian access in new developments. The State also has required that "complete streets" concepts be incorporated into any General Plan that is updated after 2011, and that General Plan Circulation Elements include a balanced, multi-modal transportation network that meets the needs of all users. The San Pablo Avenue Specific Plan is one example of a "complete street" retrofit within an urban area, while CCTA's 2012 Appian Way Alternatives Analysis and Complete Streets Study shows what can be done in a less developed setting. The focus on Priority Development Areas has been reinforced by adoption of *Plan Bay Area*, while planning for transit priority areas was codified by State legislation in 2011 (see Government Code Section 65470). Whether to require specific zoning for transit priority areas and incentive programs for transit priority projects, particularly for BART extension station areas in East Contra Costa and Bus Rapid Transit Corridors, as part of the GMP or simply provide guidance on best practices will be determined by the Authority as part of CTP implementation.

- 3.4. *WALKWAYS AND TRAILS. Support transit-oriented and pedestrian-friendly developments, and invest in trails, walkways, and pedestrian-oriented improvements.*

Measure J specifically provides funding for pedestrian-friendly development with the Transportation for Livable Communities Program and funding for Pedestrian, Bicycle and Trail Facilities. The Contra Costa Countywide Bicycle and Pedestrian Plan (CBPP) identifies "pedestrian-priority" locations where the Authority will give funding priority for projects; it also illustrates what the countywide bicycle network would look like, with on-street and off-street

facilities, and describes how the CBPP will improve bicycling opportunities throughout Contra Costa by improving connections between neighborhoods, shopping areas, employment centers, transit hubs, schools, parks and recreational facilities. Finally, the CBPP explains how local jurisdictions can use the plan to become eligible for funds from the State's Bicycle Transportation Account and provides guidance on the application of the Americans with Disabilities Act to public rights-of-way. Figure 3-1 shows the Bicycle Master Plan for Contra Costa, including existing and proposed bike facilities.

3.5. *ALTERNATE MODES. Promote the formation of more carpools and vanpools, and greater use of transit, bicycling, and walking.*

Support for alternative modes of transportation is a key priority for the CTP. As part of the GMP, CCTA requires local jurisdictions to adopt and implement a Transportation Systems Management ordinance or an alternative mitigation program. CCTA also provides funding for travel demand management efforts through the Commute Alternatives program and for school bus programs. And, through "Complete Streets" policies in General Plans, project and programs that support use of transit, bicycle, and walking are being implemented. Funding for specific improvements that implement this strategy comes from the Transportation for Livable Communities and the Pedestrian, Bicycle and Trails programs.

3.6. *ELECTRIC VEHICLES. Help local jurisdictions develop a connected and coordinated network for electric vehicles.*

The Authority has funded installation of 43 charging stations for electric vehicles with money from the Bay Area Air Quality Management District's (BAAQMD's) Transportation Fund for Clean Air. Additional funding will be available through the Authority's Local Streets and Maintenance Program. Building a connected and coordinated system of charging stations will help meet the target of 1.5 million zero-emission vehicles (ZEVs) on the road in California by 2025 and, by 2050, the targeted reductions in GHG emissions statewide.¹⁴ Further work on

¹⁴ Established by Executive Order B-16-2012. The Order also establishes specific targets for ZEVs in new state vehicle fleet purchases: 10 percent by 2015 and 25 percent by 2020.

network development will come through the Authority's support for technological innovation and GoMentum Station and through local jurisdictions amendments of their parking regulations to require a minimum number of charging stations in lots serving non-residential development.



Source: NRG eVgo at Flickr Creative Commons

CCTA has funded 43 electric vehicle-charging stations with grant money from the Transportation Fund for Clean Air.

- 3.7. **SERVING ALL CONTRA COSTA RESIDENTS.** *Support the expansion of a coordinated system of transit and paratransit service to address the mobility needs of low-income, elderly, young and disabled travelers, households without cars, single-parent households, and people paying more than 50 percent of their income for rent.*

Measure J established funding for several specific programs for this strategy, including Bus Services, Transportation for Seniors and People with Disabilities, and Safe Transportation for Children, including the Low Income Student Bus Pass Program in West County. The Authority facilitates coordination among these programs and, through the RTPCs, also supports subregional planning to ensure that the mobility needs of these groups are considered in the Action Plans and calls for projects for funding under the Regional Transportation Plan. The Authority also supports and helps fund transportation services operated by local non-profit organizations that help provide mobility to people who, due to frailty or disability, cannot reasonably access public transit or paratransit. As previously noted, support for transportation network companies, shared autonomous

vehicles, and micro transit, will help meet the mobility needs of many people. The 2017 CTP continues and expands on these commitments.

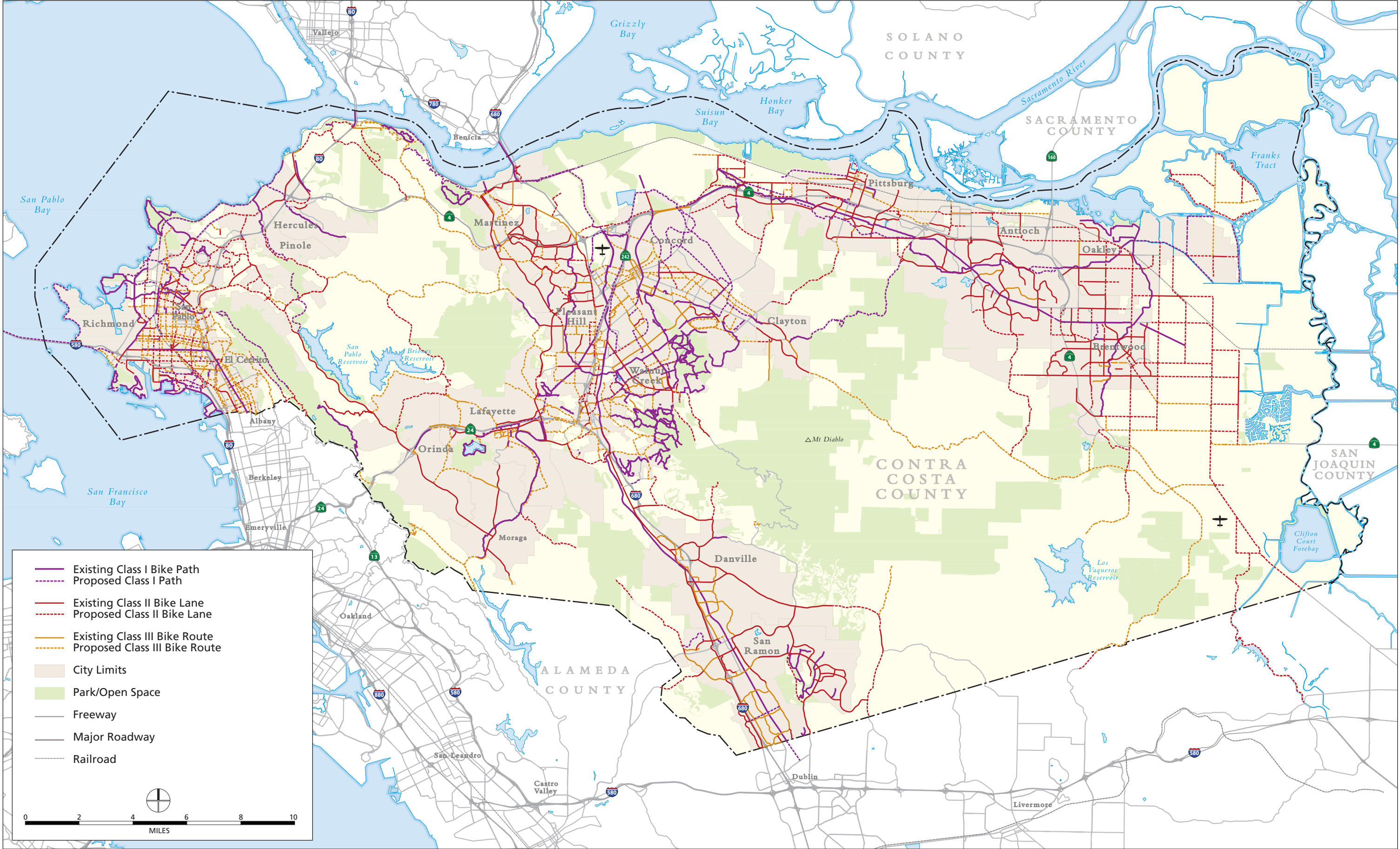


Bike to Work Day in the City of Richmond.

- 3.8. **EXPANDED BICYCLE FACILITIES.** *Encourage local jurisdictions and other agencies to develop a connected and coordinated system of bicycle facilities through financial assistance, technical support, other aid, and encouragement.*

Measure J specifically provides funding for these improvements with up to \$30 million available. The CBPP describes how local jurisdictions can use the Authority's CBPP to become eligible for funds from the State's Bicycle Transportation Account. Finally, mapping done for the CBPP helps local jurisdictions plan connections to the countywide system.

Figure 3-1:
Bicycle Master Plan



Source: Contra Costa Countywide Bicycle and Pedestrian Plan, 2013 Update

3.9. PRICING PROGRAMS. *Support congestion pricing and parking pricing programs, transportation demand management programs and other innovative strategies that reduce greenhouse gas emissions.*

In the *GMP Implementation Guide*, the Authority has a Model Transportation System Management Ordinance to help local jurisdictions craft policies and procedures for transportation demand management that will demonstrate compliance with Measure J's GMP requirements. The basic idea is to use transportation demand management tools to accomplish one or more of the following outcomes:

- Reduce single occupant vehicle use;
- Spread peak-hour trip-making to off-peak time periods; and
- Shift trips to alternate modes;

Looking ahead, these transportation demand measures, coupled with technological innovation and vehicle automation, will help improve air quality and support regional and State efforts to reduce GHG emissions.

Congestion pricing and parking pricing programs have been successful in other metropolitan areas. With this in mind, the Authority will be considering the lessons learned from these programs, as well as their costs, as it determines how it might initiate additional actions, in concert with its partners. A specific implementation task is included for this effort in Chapter 5.

3.10. SAFE ROUTES TO SCHOOLS. *Support Safe Routes to Schools projects and programs.*

There is sustained and growing interest in Safe Routes to School efforts throughout Contra Costa. Safe Routes to School (abbreviated as SR2S) activities can take many forms, but all have the basic objective of improving safety for pedestrians and cyclists around schools. The benefits of having more children walk or bike to school include reduced vehicular traffic around schools, improved public health outcomes through increased physical activity, and an enhanced sense of community for the neighborhood around the school.

Authority support for SR2S falls into two categories: (1) capital projects that enhance the physical infrastructure around schools to allow for safer and more convenient walking and bicycling; and (2) programs that promote safety and encourage walking and bicycling activities through student and parent education and outreach. To assess the overall need for SR2S projects and programs throughout Contra Costa, the Authority prepared a comprehensive assessment that estimated the overall costs of improving access to all public schools in Contra Costa. Examples of current programs include those run by Contra Costa Health Services, San Ramon Valley Street Smarts, and Street Smarts Diablo (supported by the Authority). In some instances, SR2S funding supports programs as an adjunct to a school bus program; in others, there is a separate program created.

Continued support for SR2S is a priority for the Authority, and additional funding is listed in the Chapter 4's LRTIP. The Authority also provides technical assistance on request to facilitate local planning and programming.

GOAL 4. Maintain the transportation system

Since passage of Measure C, the Authority has collectively invested billions to create the complex and extensive transportation system that serves Contra Costa's transportation needs. However, current levels of funding for public infrastructure are inadequate, and dealing with deferred maintenance is one of the greatest challenges we face. The following strategies are intended to help the Authority meet this goal.

4.1. STABLE FUNDING SOURCES. *Advocate for stable sources of funds for transit operations and other programs that support the transportation system.*

The Authority actively monitors State and federal legislative programs that have a bearing on transportation funding and testifies on key measures that have a direct bearing on our mission. What is most important, from the Authority's perspective, is that a dedicated and predictable source of future funding be created, as has been done with Measure J. In recent years, federal and State sources have been unstable. To correct this, the Legislature has been considering bills to address this need with a variety of strategies, including raising the gas tax and vehicle license fees (just done with SB 1), establishing a "carbon tax", and

using performance measures to administer funding. The Authority will be closely tracking this effort and advocating for CCTA's interests, as appropriate.

- 4.2. *MAINTENANCE. Require and fund programs for effective preventive maintenance and rehabilitation of the transportation system ("deferred maintenance").*

(Commentary below)

- 4.3. *LONG-TERM NEEDS. Secure funding that will maintain the long-term health of all components of the transportation system.*

Finding money for infrastructure maintenance is a top priority for local governments. While new development projects can be required to cover the capital costs of facilities needed to serve them, long-term maintenance costs are not always fully funded. While SB 1 will provide an estimated \$52 billion over a ten-year period to help rebuild the State's infrastructure, it does fall short in the backlog of repairs needed for the transportation system, which exceed \$137 billion¹⁵. The 18 percent "return to source" funding for the Measure J Local Streets Maintenance and Improvement Program has been a welcome revenue stream, but it does not cover all local needs.¹⁶ With this in mind, the Authority will be looking at ways to expand the current Regional Transportation Mitigation Program (RTMP) to ensure that fees include the costs of ongoing maintenance for a stated period of time if assessment districts or other funding arrangements will not be in place. The basic idea is that local jurisdictions should not build new transportation facilities if they cannot take care of them. More complicated, as noted in Strategies 4.2 and 4.3, is funding the backlog for pavement rehabilitation

¹⁵ Pg. 4, Next 10, *Beyond the Gas Tax, Funding California Transportation in the 21st Century*, 2017.

¹⁶ Using cost data from the 2013 Caltrans State of the Pavement Report, total cost for pavement reconstruction of 740 miles of roads in Contra Costa classified as "at risk" and "poor/failed" would be about \$1.9 billion, which far exceeds the 18 percent allowance for the Local Streets and Maintenance Program under Measure J. If only roads rated as "poor/failed" are reconstructed the cost would be on the order of \$1.2 billion. The ultimate cost could be 50 to 100 percent higher because of the difficulties involved in local street reconstruction, including accommodations needed for utilities, equipment staging, traffic re-routing, maintaining grade, and ADA requirements, which are not as large a cost factor on the state highway system. For more information, please see the Introduction of Volume 2 of the CTP.

and related projects. The Authority's implementation actions for these three strategies will focus on:

- *What the Authority can do to ensure long-term maintenance of all new improvements.* One option is to require commitments to long-term maintenance of new improvement as a condition of approval of a development mitigation program. Modifications of the RTMP program requirements would be needed to accomplish this.
- *What the Authority can do to assist with deferred maintenance of existing facilities.* Funding will be available through the Local Streets Maintenance and Improvements (LSM&I) Program and subregional programs created to meet the needs of specific areas within Contra Costa. The Authority also will provide guidance on best practices and may require commitments to putting in place policies and procedures for long-term maintenance as a condition of continuing eligibility for LSM&I Program funds.
- *What the Authority can do through external partners.* The California Transportation Infrastructure Priorities Work Group among others has been investigating how Road User Charges and other mechanisms might be used to provide a secure source of funding for maintenance, rehabilitation and reconstruction needs at the local level. At a regional level, the OBAG program also will help meet these needs.

Each of these actions will be undertaken in close consultation with the RTPCs and local jurisdictions and with opportunities for public input at key decision points.

GOAL 5. Continue to invest wisely to maximize the benefits of available funding

The Authority will seek to obtain the greatest benefits for Contra Costa residents from the funding it has available by using performance measures and calculations of return on investment in its decision-making. The benefits of these investments also will need to be fairly allocated, so there are no disparate impacts on low-income or minority residents. The following strategies reflect this commitment.

5.1. PERFORMANCE MEASURES. *Use performance measures to evaluate and compare transportation investments.*

Since Measure J was passed, the Authority has been using multi-modal transportation service objectives in the Action Plans. More recently, after adoption of *Plan Bay Area*, MTC's performance measures have been used to compare projects and programs in the evaluation of transportation investment options that led to creation of the Investment Program in Chapter 4. Chapter 4 also includes a summary of this analysis, with details related to the 2017 CTP Update contained in Volume 2. The performance criteria used address not only traditional system measures of transportation efficiency, as expressed by vehicles miles travelled per capita, vehicle hours of delay, access and travel modes, and transit ridership, but also the indirect effects on transportation and housing affordability, displacement, and support for the Priority Development Areas Growth and Investment Program. The Authority also uses performance measures in evaluating projects requesting funding through different programs, such as OBAG and the Measure J Pedestrian, Bicycle, and Trail Facilities program. The latter measures are found in the Countywide Bicycle and Pedestrian Plan.

5.2. MATCHING FUNDS FOR LEVERAGING. *Seek matching funds, whenever possible, to leverage Measure J funds, and offer incentives and priority funding to projects that provide greater return on investment.*

The Authority has always used its sales tax revenues to attract funding from other sources. The leveraging that these revenues can provide has helped us secure the funding necessary to build most of the major projects in the Measure J expenditure plan. More specifically, leveraging refers to the amount of additional new funds that can be garnered from State and federal programs using revenues from the Measure J sales tax. By way of example, the Caldecott Tunnel, which cost \$417 million, was constructed using \$119 million in Measure J funds. The Authority received additional funding in the amount of \$194.3 million through the American Recovery and Reinvestment Act, and \$103.7 million from other sources. Overall, the Measure J funding allocated to the Caldecott Tunnel project was leveraged 2.5:1. That is, for each Measure J dollar expended, the Authority received 2.5 additional dollars in funding from other sources.

Another example of leveraging is the BART extension to Antioch. The cost of this project is \$526.4 million, of which \$140.6 million came from Measure J. This project is leveraged at 2.75, with additional funding from Proposition 1B, Regional Measures 1 and 2, AB 1171, subregional fees (ECCRFFA), State Transit Assistance, Traffic Congestion Relief Program, and the Regional Transportation Improvement Program (RTIP).

A third example of leveraging can be seen in the funding received for the Transportation for Livable Communities and the Pedestrian, Bicycle and Trails programs. In this instance, the additional funding (\$28 million versus \$22 million in Measure J funding allocated to these programs to date) represents a leveraging ratio of 1.27:1. About 46 percent of the additional funding is federal, 29 percent local, six percent State, and 19 percent from impact fees, developer contributions, and the like.

More can be done to offer incentives and prioritize funding, but for this to happen, the Authority will need to develop a consistent approach and methodology for measuring returns on investment. A fair and explicit procedure is essential so all applicants know what the rules are and how they will be applied. As part of CTP implementation, the Authority will investigate methodologies used by other transportation agencies and then determine what specific calculations should be done and what evaluation criteria will be used. The findings of this work will be incorporated in the *Implementation Guide* and the Authority's procedures for project funding.

5.3. ***PUBLIC-PRIVATE FUNDING PARTNERSHIP. Develop public-private partnerships and pursue innovative financing mechanisms to accelerate project delivery.***

State law allows regional transportation agencies, such as the Authority, and Caltrans to enter into public-private partnerships (P3s) to develop and operate transportation projects to accelerate goods movement, improve air quality and facilitate California's economic development. The Presidio Parkway is one example of a successful partnership executed by the San Francisco County Transportation Authority. P3s have been used for decades with great success in Europe, Canada and Australia. In Southern California two toll roads (SR91 and

SR125) are P3s, and lessons learned from these projects could inform the Authority's consideration of how best to approach P3s.

The Tri-Link Study explored a P3 to fund a \$750 million freeway project to connect Tracy to Brentwood in East County. The Authority continues to oversee this effort. Since at this time public funding is not available for project development and construction, the Authority is exploring the feasibility of private funding sources with revenues through tolling.

In the near to mid-term, the Authority will investigate the feasibility of initiating one or more specific projects that could capitalize on the P3 model. These projects may use either a "user fee" model where the private partner received a return on investment through fees paid by users of the facility, or an "availability" model, with payments tied to the public access and use of the facility and deductions in payments due the private sector partner when performance standards are not met. Under this latter model, there is no risk related to an inadequate number of users to generate a reasonable rate of return.

To bolster Measure J sales tax revenues, the Authority will investigate the feasibility of augmenting its Regional Transportation Mitigation Program (RTMP), so additional revenues could be used to support transit services as well as street and highway improvements and also be available to pay for bicycle facilities and streetscape infrastructure. If, based on public input, this initiative seems worth pursuing, the Authority could commission a "nexus" study and an economic feasibility study.

5.4. *EQUITY. Consider the needs of all areas and communities in Contra Costa in funding decisions to ensure fairness in the Authority's transportation investments.*

This strategy is rooted in the basic concept of fairness in terms of the distribution of benefits and burdens that occur from transportation investments, and seeks to involve all residents in Contra Costa in the decision-making processes that affect them. To accomplish this, the Authority embraces three fundamental equity principles:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations;
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process; and
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

The Authority will monitor all of its project funding and collect data to inform the public and decision-makers about the presence and extent of any inequities in transportation funding based on race and income and to describe what actions could be employed to minimize disproportionate impact.

In all of its planning activities, the Authority uses a collaborative process that involves residents in low-income communities, community- and faith-based organizations that serve them, transit operators, regional agencies, and stakeholders. Several of the performance measures that the Authority has used in the 2017 CTP also reflect these equity priorities, including reducing auto-related injuries and increasing walkability, preserving and increasing affordable housing in growth areas, and improving local access to schools. More specifically, transportation investment scenarios – packages of projects and programs – were evaluated using these measures, and the results have informed the Authority’s work on its Long-Range Transportation Investment Program described in Chapter 4.



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: August 1, 2017

Subject: Continue Extension of Emergency Declaration Regarding Homelessness

RECOMMENDATION(S):

CONTINUE the emergency action originally taken by the Board of Supervisors on November 16, 1999 regarding the issue of homelessness in Contra Costa County.

FISCAL IMPACT:

None.

BACKGROUND:

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 July 11, 2017, the Board of Supervisors reviewed and approved the emergency declaration.

With the continuing high number of homeless individuals and insufficient funding available to assist in sheltering all homeless individuals and families, it is appropriate for the Board to continue the declaration of a local emergency regarding homelessness.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☒ 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: August 1, 2017

Contact: Enid Mendoza, (925)
335-1039

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: August 1, 2017

Subject: Setting Special Tax Levy for County Service Areas P-6 Zones

RECOMMENDATION(S):

SET the special tax levy for police services Zones in County Service Area P-6 for Fiscal Year 2017-2018 as set forth in Exhibit A.

FISCAL IMPACT:

It is estimated the department will receive \$2 million cumulative revenue for all zones within County Service Area (CSA) P-6 in fiscal year 2017/18. This amount reflects a 3.8% increase from the fiscal year 2016/17 cumulative amount of approximately \$1.9 million. Revenue from the zones within CSA P-6 is adjusted annually based on the April Urban Area Consumer Price Index (CPI-U) for the San Francisco Bay Area.

BACKGROUND:

The above action fixes the tax rates per parcel in the P-6 Zones as outlined in their respective ordinances. In July of each calendar year, the Board of Supervisors sets the special tax levy for parcels in each CSA P-6 zone based on the April CPI-U indicator released by the Bureau of Labor Statistics (BLS) as discussed in the fiscal impact section.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☒ 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: August 1, 2017

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

CONSEQUENCE OF NEGATIVE ACTION:

The special tax levy will not be authorized by the Board of Supervisors, and the taxes will not be included on the 2017/2018 Property Tax Roll.

CHILDREN'S IMPACT STATEMENT:

No impact.

ATTACHMENTS

Exhibit A

Attachment A

Exhibit A

SET the special tax levy for police services in County Service Area P-6 for Fiscal Year 2017-2018 as follows:

Zone 200

Vacant Lot (Use Codes 17-18, 20, 30, 50)	-	\$210.12
Single, small or large multiple residential (Use Codes 11-16, 19, 21-24, 29)	-	\$420.19
Apartments 5 to 24 units (Use Codes 25-26)	-	\$840.40
Apartments 25 to 59 units (Use Code 27)	-	\$1,260.60
Apartments 60+ units (Use Code 28)	-	\$1,680.81
Commercial/Industrial/Institutional (Use Codes 33-36, 38-40, 43, 46-49, 52-54, 56, 70, 73-75)	-	\$840.40
Commercial/Industrial/Institutional (Use Codes 31-32, 41, 44-45, 55, 76)	-	\$1,260.60
Commercial/Industrial/Institutional (Use Codes 37, 42, 51, 78)	-	\$1,680.81
Land (Use Codes 61-62)	-	\$420.19
Miscellaneous (Use Codes 88-89, 99)	-	\$420.19
Miscellaneous (Use Codes 85, 87)	-	\$840.40

This zone is in its 28th year of levy. Levy determined by the initial tax rates set in the County ordinance authorizing the special tax levy (see Attachment A), property use codes, and changes in the Consumer Price Index.

Zones 201, 1000, 1600, 2700

Vacant Lot (Use Codes 17-18, 20, 30, 50)	-	\$185.55
Single, small or large multiple residential (Use Codes 11-16, 19, 21-24, 29)	-	\$371.07
Apartments 5 to 24 units (Use Codes 25-26)	-	\$742.18
Apartments 25 to 59 units (Use Code 27)	-	\$1,113.25
Apartments 60+ units (Use Code 28)	-	\$1,484.33
Commercial/Industrial/Institutional (Use Codes 33-36, 38-40, 43, 46-49, 52-54, 56, 70, 73-75)	-	\$742.18
Commercial/Industrial/Institutional (Use Codes 31-32, 41, 44-45, 55, 76)	-	\$1,113.25
Commercial/Industrial/Institutional (Use Codes 37, 42, 51, 78)	-	\$1,484.33
Land (Use Codes 61-62)	-	\$371.07
Miscellaneous (Use Codes 88-89, 99)	-	\$371.07
Miscellaneous (Use Codes 85, 87)	-	\$742.18

Exhibit A

These zones are in their 24th year of levy. Levy determined by the initial tax rates set in the County ordinance authorizing the special tax levy (see Attachment A), property use codes, and changes in the Consumer Price Index.

Zones 500, 700, 1100, 1500, 1601, 1800, 2300, 2600, 2601, 2900

Vacant Lot (Use Codes 17-18, 20, 30, 50)	-	\$181.27
Single, small or large multiple residential (Use Codes 11-16, 19, 21-24, 29)	-	\$362.50
Apartments 5 to 24 units (Use Codes 25-26)	-	\$725.03
Apartments 25 to 59 units (Use Code 27)	-	\$1,087.53
Apartments 60+ units (Use Code 28)	-	\$1,450.04
Commercial/Industrial/Institutional (Use Codes 33-36, 38-40, 43, 46-49, 52-54, 56, 70, 73-75)	-	\$725.03
Commercial/Industrial/Institutional (Use Codes 31-32, 41, 44-45, 55, 76)	-	\$1,087.53
Commercial/Industrial/Institutional (Use Codes 37, 42, 51, 78)	-	\$1,450.04
Land (Use Codes 61-62)	-	\$362.50
Miscellaneous (Use Codes 88-89, 99)	-	\$362.50
Miscellaneous (Use Codes 85, 87)	-	\$725.03

These zones are in their 23rd year of levy. Levy determined by the initial tax rates set in the County ordinance authorizing the special tax levy (see Attachment A), property use codes, and changes in the Consumer Price Index.

Zones 202, 1501, 1602, 1603, 1604, 1801, 2701, 3000, 3100

Vacant Lot (Use Codes 17-18, 20, 30, 50)	-	\$178.44
Single, small or large multiple residential (Use Codes 11-16, 19, 21-24, 29)	-	\$356.86
Apartments 5 to 24 units (Use Codes 25-26)	-	\$713.71
Apartments 25 to 59 units (Use Code 27)	-	\$1,070.58
Apartments 60+ units (Use Code 28)	-	\$1,427.43
Commercial/Industrial/Institutional (Use Codes 33-36, 38-40, 43, 46-49, 52-54, 56, 70, 73-75)	-	\$713.71
Commercial/Industrial/Institutional (Use Codes 31-32, 41, 44-45, 55, 76)	-	\$1,070.58
Commercial/Industrial/Institutional (Use Codes 37, 42, 51, 78)	-	\$1,427.43
Land (Use Codes 61-62)	-	\$356.86

Exhibit A

Miscellaneous (Use Codes 88-89, 99)	-	\$356.86
Miscellaneous (Use Codes 85, 87)	-	\$713.71

These zones are in their 22nd year of levy. Levy determined by the initial tax rates set in the County ordinance authorizing the special tax levy (see Attachment A), property use codes, and changes in the Consumer Price Index.

Zones 400, 701, 702, 1200, 1502, 2500, 2901

Vacant Lot (Use Codes 17-18, 20, 30, 50)	-	\$172.06
Single, small or large multiple residential (Use Codes 11-16, 19, 21-24, 29)	-	\$344.12
Apartments 5 to 24 units (Use Codes 25-26)	-	\$688.26
Apartments 25 to 59 units (Use Code 27)	-	\$1,032.39
Apartments 60+ units (Use Code 28)	-	\$1,376.52
Commercial/Industrial/Institutional (Use Codes 33-36, 38-40, 43, 46-49, 52-54, 56, 70, 73-75)	-	\$688.26
Commercial/Industrial/Institutional (Use Codes 31-32, 41, 44-45, 55, 76)	-	\$1,032.39
Commercial/Industrial/Institutional (Use Codes 37, 42, 51, 78)	-	\$1,376.52
Land (Use Codes 61-62)	-	\$344.12
Miscellaneous (Use Codes 88-89, 99)	-	\$344.12
Miscellaneous (Use Codes 85, 87)	-	\$688.26

These zones are in their 21st year of levy. Levy determined by the initial tax rates set in the County ordinance authorizing the special tax levy (see Attachment A), property use codes, and changes in the Consumer Price Index.

Zones 1001, 1503, 1605, 1606

Vacant Lot (Use Codes 17-18, 20, 30, 50)	-	\$166.83
Single, small or large multiple residential (Use Codes 11-16, 19, 21-24, 29)	-	\$333.67
Apartments 5 to 24 units (Use Codes 25-26)	-	\$667.33
Apartments 25 to 59 units (Use Code 27)	-	\$1,000.99
Apartments 60+ units (Use Code 28)	-	\$1,334.64
Commercial/Industrial/Institutional (Use Codes 33-36, 38-40, 43, 46-49, 52-54, 56, 70, 73-75)	-	\$667.33
Commercial/Industrial/Institutional (Use Codes 31-32, 41, 44-45, 55, 76)	-	\$1,000.99

Exhibit A

Commercial/Industrial/Institutional (Use Codes 37, 42, 51, 78)	-	\$1,334.64
Land (Use Codes 61-62)	-	\$333.67
Miscellaneous (Use Codes 88-89, 99)	-	\$333.67
Miscellaneous (Use Codes 85, 87)	-	\$667.33

These zones are in their 20th year of levy. Levy determined by the initial tax rates set in the County ordinance authorizing the special tax levy (see Attachment A), property use codes, and changes in the Consumer Price Index.

Zones 1504, 1505, 1506, 1607, 1700, 1803, 2000, 2702

Vacant Lot (Use Codes 17-18, 20, 30, 50)	-	\$159.48
Single, small or large multiple residential (Use Codes 11-16, 19, 21-24, 29)	-	\$318.94
Apartments 5 to 24 units (Use Codes 25-26)	-	\$637.87
Apartments 25 to 59 units (Use Code 27)	-	\$956.81
Apartments 60+ units (Use Code 28)	-	\$1,275.74
Commercial/Industrial/Institutional (Use Codes 33-36, 38-40, 43, 46-49, 52-54, 56, 70, 73-75)	-	\$637.87
Commercial/Industrial/Institutional (Use Codes 31-32, 41, 44-45, 55, 76)	-	\$956.81
Commercial/Industrial/Institutional (Use Codes 37, 42, 51, 78)	-	\$1,275.74
Land (Use Codes 61-62)	-	\$318.94
Miscellaneous (Use Codes 88-89, 99)	-	\$318.94
Miscellaneous (Use Codes 85, 87)	-	\$637.87

These zones are in their 19th year of levy. Levy determined by the initial tax rates set in the County ordinance authorizing the special tax levy (see Attachment A), property use codes, and changes in the Consumer Price Index.

Zones 501, 1101, 1609, 1610, 1611, 1612, 2501, 2800

Vacant Lot (Use Codes 17-18, 20, 30, 50)	-	\$153.68
Single, small or large multiple residential (Use Codes 11-16, 19, 21-24, 29)	-	\$307.34
Apartments 5 to 24 units (Use Codes 25-26)	-	\$614.67
Apartments 25 to 59 units (Use Code 27)	-	\$922.00
Apartments 60+ units (Use Code 28)	-	\$1,229.33

Exhibit A

Commercial/Industrial/Institutional (Use Codes 33-36, 38-40, 43, 46-49, 52-54, 56, 70, 73-75)	-	\$614.67
Commercial/Industrial/Institutional (Use Codes 31-32, 41, 44-45, 55, 76)	-	\$922.00
Commercial/Industrial/Institutional (Use Codes 37, 42, 51, 78)	-	\$1,229.33
Land (Use Codes 61-62)	-	\$307.34
Miscellaneous (Use Codes 88-89, 99)	-	\$307.34
Miscellaneous (Use Codes 85, 87)	-	\$614.67

These zones are in their 18th year of levy. Levy determined by the initial tax rates set in the County ordinance authorizing the special tax levy (see Attachment A), property use codes, and changes in the Consumer Price Index.

Zones 1613, 2200, 2201, 2801

Vacant Lot (Use Codes 17-18, 20, 30, 50)	-	\$145.22
Single, small or large multiple residential (Use Codes 11-16, 19, 21-24, 29)	-	\$290.43
Apartments 5 to 24 units (Use Codes 25-26)	-	\$580.86
Apartments 25 to 59 units (Use Code 27)	-	\$871.30
Apartments 60+ units (Use Code 28)	-	\$1,161.73
Commercial/Industrial/Institutional (Use Codes 33-36, 38-40, 43, 46-49, 52-54, 56, 70, 73-75)	-	\$580.86
Commercial/Industrial/Institutional (Use Codes 31-32, 41, 44-45, 55, 76)	-	\$871.30
Commercial/Industrial/Institutional (Use Codes 37, 42, 51, 78)	-	\$1,161.73
Land (Use Codes 61-62)	-	\$290.43
Miscellaneous (Use Codes 88-89, 99)	-	\$290.43
Miscellaneous (Use Codes 85, 87)	-	\$580.86

These zones are in their 17th year of levy. Levy determined by the initial tax rates set in the County ordinance authorizing the special tax levy (see Attachment A), property use codes, and changes in the Consumer Price Index.

Zones 502, 1507, 1614, 1804, 2502, 2902

Vacant Lot (Use Codes 17-18, 20, 30, 50)	-	\$143.19
Single, small or large multiple residential (Use Codes 11-16, 19, 21-24, 29)	-	\$286.35
Apartments 5 to 24 units (Use Codes 25-26)	-	\$572.69

Exhibit A

Apartment 25 to 59 units (Use Code 27)	-	\$859.03
Apartment 60+ units (Use Code 28)	-	\$1,145.37
Commercial/Industrial/Institutional (Use Codes 33-36, 38-40, 43, 46-49, 52-54, 56, 70, 73-75)	-	\$572.69
Commercial/Industrial/Institutional (Use Codes 31-32, 41, 44-45, 55, 76)	-	\$859.03
Commercial/Industrial/Institutional (Use Codes 37, 42, 51, 78)	-	\$1,145.37
Land (Use Codes 61-62)	-	\$286.35
Miscellaneous (Use Codes 88-89, 99)	-	\$286.35
Miscellaneous (Use Codes 85, 87)	-	\$572.69

These zones are in their 16th year of levy. Levy determined by the initial tax rates set in the County ordinance authorizing the special tax levy (see Attachment A), property use codes, and changes in the Consumer Price Index.

Zones 900, 1509, 1510, 1511, 1615, 3101, 3102

Vacant Lot (Use Codes 17-18, 20, 30, 50)	-	\$140.54
Single, small or large multiple residential (Use Codes 11-16, 19, 21-24, 29)	-	\$281.07
Apartment 5 to 24 units (Use Codes 25-26)	-	\$562.14
Apartment 25 to 59 units (Use Code 27)	-	\$843.20
Apartment 60+ units (Use Code 28)	-	\$1,124.27
Commercial/Industrial/Institutional (Use Codes 33-36, 38-40, 43, 46-49, 52-54, 56, 70, 73-75)	-	\$562.14
Commercial/Industrial/Institutional (Use Codes 31-32, 41, 44-45, 55, 76)	-	\$843.20
Commercial/Industrial/Institutional (Use Codes 37, 42, 51, 78)	-	\$1,124.27
Land (Use Codes 61-62)	-	\$281.07
Miscellaneous (Use Codes 88-89, 99)	-	\$281.07
Miscellaneous (Use Codes 85, 87)	-	\$562.14

These zones are in their 15th year of levy. Levy determined by the initial tax rates set in the County ordinance authorizing the special tax levy (see Attachment A), property use codes, and changes in the Consumer Price Index.

Zones 203, 204, 503, 1002, 1004, 2602, 3103

Vacant Lot (Use Codes 17-18, 20, 30, 50)	-	\$139.27
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Exhibit A

Single, small or large multiple residential (Use Codes 11-16, 19, 21-24, 29)	-	\$278.51
Apartments 5 to 24 units (Use Codes 25-26)	-	\$557.01
Apartments 25 to 59 units (Use Code 27)	-	\$835.50
Apartments 60+ units (Use Code 28)	-	\$1,114.00
Commercial/Industrial/Institutional (Use Codes 33-36, 38-40, 43, 46-49, 52-54, 56, 70, 73-75)	-	\$557.01
Commercial/Industrial/Institutional (Use Codes 31-32, 41, 44-45, 55, 76)	-	\$835.50
Commercial/Industrial/Institutional (Use Codes 37, 42, 51, 78)	-	\$1,114.00
Land (Use Codes 61-62)	-	\$278.51
Miscellaneous (Use Codes 88-89, 99)	-	\$278.51
Miscellaneous (Use Codes 85, 87)	-	\$557.01

These zones are in their 14th year of levy. Levy determined by the initial tax rates set in the County ordinance authorizing the special tax levy (see Attachment A), property use codes, and changes in the Consumer Price Index.

Zones 504, 1003, 1201, 2202, 2203, 3001, 3104

Vacant Lot (Use Codes 17-18, 20, 30, 50)	-	\$135.62
Single, small or large multiple residential (Use Codes 11-16, 19, 21-24, 29)	-	\$271.23
Apartments 5 to 24 units (Use Codes 25-26)	-	\$542.43
Apartments 25 to 59 units (Use Code 27)	-	\$813.65
Apartments 60+ units (Use Code 28)	-	\$1,084.85
Commercial/Industrial/Institutional (Use Codes 33-36, 38-40, 43, 46-49, 52-54, 56, 70, 73-75)	-	\$542.43
Commercial/Industrial/Institutional (Use Codes 31-32, 41, 44-45, 55, 76)	-	\$813.65
Commercial/Industrial/Institutional (Use Codes 37, 42, 51, 78)	-	\$1,084.85
Land (Use Codes 61-62)	-	\$271.23
Miscellaneous (Use Codes 88-89, 99)	-	\$271.23
Miscellaneous (Use Codes 85, 87)	-	\$542.43

These zones are in their 13th year of levy. Levy determined by the initial tax rates set in the County ordinance authorizing the special tax levy (see Attachment A), property use codes, and changes in the Consumer Price Index.

Zones 205, 301, 2603, 2703

Exhibit A

Vacant Lot (Use Codes 17-18, 20, 30, 50)	-	\$131.34
Single, small or large multiple residential (Use Codes 11-16, 19, 21-24, 29)	-	\$262.66
Apartments 5 to 24 units (Use Codes 25-26)	-	\$525.31
Apartments 25 to 59 units (Use Code 27)	-	\$787.95
Apartments 60+ units (Use Code 28)	-	\$1,050.61
Commercial/Industrial/Institutional (Use Codes 33-36, 38-40, 43, 46-49, 52-54, 56, 70, 73-75)	-	\$525.31
Commercial/Industrial/Institutional (Use Codes 31-32, 41, 44-45, 55, 76)	-	\$787.95
Commercial/Industrial/Institutional (Use Codes 37, 42, 51, 78)	-	\$1,050.61
Land (Use Codes 61-62)	-	\$262.66
Miscellaneous (Use Codes 88-89, 99)	-	\$262.66
Miscellaneous (Use Codes 85, 87)	-	\$525.31

These zones are in their 12th year of levy. Levy determined by the initial tax rates set in the County ordinance authorizing the special tax levy (see Attachment A), property use codes, and changes in the Consumer Price Index.

Zones 206, 207, 208, 209, 1005, 1006, 1512, 1616, 2704, 3002, 3105, 3106, 3107

Vacant Lot (Use Codes 17-18, 20, 30, 50)	-	\$127.07
Single, small or large multiple residential (Use Codes 11-16, 19, 21-24, 29)	-	\$254.13
Apartments 5 to 24 units (Use Codes 25-26)	-	\$508.24
Apartments 25 to 59 units (Use Code 27)	-	\$762.35
Apartments 60+ units (Use Code 28)	-	\$1,016.47
Commercial/Industrial/Institutional (Use Codes 33-36, 38-40, 43, 46-49, 52-54, 56, 70, 73-75)	-	\$508.24
Commercial/Industrial/Institutional (Use Codes 31-32, 41, 44-45, 55, 76)	-	\$762.35
Commercial/Industrial/Institutional (Use Codes 37, 42, 51, 78)	-	\$1,016.47
Land (Use Codes 61-62)	-	\$254.13
Miscellaneous (Use Codes 88-89, 99)	-	\$254.13
Miscellaneous (Use Codes 85, 87)	-	\$508.24

These zones are in their 11th year of levy. Levy determined by the initial tax rates set in the County ordinance authorizing the special tax levy (see Attachment A), property use codes, and changes in the Consumer Price Index.

Exhibit A

Zones 210, 1513, 2604, 2605, 3003, 3004, 3108, 3109, 3110

Vacant Lot (Use Codes 17-18, 20, 30, 50)	-	\$121.95
Single, small or large multiple residential (Use Codes 11-16, 19, 21-24, 29)	-	\$243.89
Apartments 5 to 24 units (Use Codes 25-26)	-	\$487.75
Apartments 25 to 59 units (Use Code 27)	-	\$731.63
Apartments 60+ units (Use Code 28)	-	\$975.50
Commercial/Industrial/Institutional (Use Codes 33-36, 38-40, 43, 46-49, 52-54, 56, 70, 73-75)	-	\$487.75
Commercial/Industrial/Institutional (Use Codes 31-32, 41, 44-45, 55, 76)	-	\$731.63
Commercial/Industrial/Institutional (Use Codes 37, 42, 51, 78)	-	\$975.50
Land (Use Codes 61-62)	-	\$243.89
Miscellaneous (Use Codes 88-89, 99)	-	\$243.89
Miscellaneous (Use Codes 85, 87)	-	\$487.75

These zones are in their 10th year of levy. Levy determined by the initial tax rates set in the County ordinance authorizing the special tax levy (see Attachment A), property use codes, and changes in the Consumer Price Index.

Zones 211, 2503, 3005

Vacant Lot (Use Codes 17-18, 20, 30, 50)	-	\$121.68
Single, small or large multiple residential (Use Codes 11-16, 19, 21-24, 29)	-	\$243.34
Apartments 5 to 24 units (Use Codes 25-26)	-	\$486.67
Apartments 25 to 59 units (Use Code 27)	-	\$730.01
Apartments 60+ units (Use Code 28)	-	\$973.34
Commercial/Industrial/Institutional (Use Codes 33-36, 38-40, 43, 46-49, 52-54, 56, 70, 73-75)	-	\$486.67
Commercial/Industrial/Institutional (Use Codes 31-32, 41, 44-45, 55, 76)	-	\$730.01
Commercial/Industrial/Institutional (Use Codes 37, 42, 51, 78)	-	\$973.34
Land (Use Codes 61-62)	-	\$243.34
Miscellaneous (Use Codes 88-89, 99)	-	\$243.34
Miscellaneous (Use Codes 85, 87)	-	\$486.67

Exhibit A

These zones are in their ninth year of levy. Levy determined by the initial tax rates set in the County ordinance authorizing the special tax levy (see Attachment A), property use codes, and changes in the Consumer Price Index.

Zone 2606, 2903, 3112

Vacant Lot (Use Codes 17-18, 20, 30, 50)	-	\$114.91
Single, small or large multiple residential (Use Codes 11-16, 19, 21-24, 29)	-	\$229.80
Apartments 5 to 24 units (Use Codes 25-26)	-	\$459.59
Apartments 25 to 59 units (Use Code 27)	-	\$689.38
Apartments 60+ units (Use Code 28)	-	\$919.17
Commercial/Industrial/Institutional (Use Codes 33-36, 38-40, 43, 46-49, 52-54, 56, 70, 73-75)	-	\$459.59
Commercial/Industrial/Institutional (Use Codes 31-32, 41, 44-45, 55, 76)	-	\$689.38
Commercial/Industrial/Institutional (Use Codes 37, 42, 51, 78)	-	\$919.17
Land (Use Codes 61-62)	-	\$229.80
Miscellaneous (Use Codes 88-89, 99)	-	\$229.80
Miscellaneous (Use Codes 85, 87)	-	\$459.59

This zone is in its sixth year of levy. Levy determined by the initial tax rates set in the County ordinance authorizing the special tax levy (see Attachment A), property use codes, and changes in the Consumer Price Index.

Zone 1514

Vacant Lot (Use Codes 17-18, 20, 30, 50)	-	\$103.78
Single, small or large multiple residential (Use Codes 11-16, 19, 21-24, 29)	-	\$207.56
Apartments 5 to 24 units (Use Codes 25-26)	-	\$415.12
Apartments 25 to 59 units (Use Code 27)	-	\$622.68
Apartments 60+ units (Use Code 28)	-	\$830.23
Commercial/Industrial/Institutional (Use Codes 33-36, 38-40, 43, 46-49, 52-54, 56, 70, 73-75)	-	\$415.12
Commercial/Industrial/Institutional (Use Codes 31-32, 41, 44-45, 55, 76)	-	\$622.68
Commercial/Industrial/Institutional (Use Codes 37, 42, 51, 78)	-	\$830.23
Land (Use Codes 61-62)	-	\$207.56
Miscellaneous (Use Codes 88-89, 99)	-	\$207.56

Exhibit A

Miscellaneous (Use Codes 85, 87) - \$415.12

This zone is in its second year of levy. Levy determined by the initial tax rates set in the County ordinance authorizing the special tax levy (see Attachment A), property use codes, and changes in the Consumer Price Index.

Zone 212, 1515, 2504

Vacant Lot (Use Codes 17-18, 20, 30, 50) - \$100.00

Single, small or large multiple residential (Use Codes 11-16, 19, 21-24, 29) - \$200.00

Apartments 5 to 24 units (Use Codes 25-26) - \$400.00

Apartments 25 to 59 units (Use Code 27) - \$600.00

Apartments 60+ units (Use Code 28) - \$800.00

Commercial/Industrial/Institutional (Use Codes 33-36, 38-40, 43, 46-49, 52-54, 56, 70, 73-75) - \$400.00

Commercial/Industrial/Institutional (Use Codes 31-32, 41, 44-45, 55, 76) - \$600.00

Commercial/Industrial/Institutional (Use Codes 37, 42, 51, 78) - \$800.00

Land (Use Codes 61-62) - \$200.00

Miscellaneous (Use Codes 88-89, 99) - \$200.00

Miscellaneous (Use Codes 85, 87) - \$400.00

This zone is in its first year of levy. Levy determined by the initial tax rates set in the County ordinance authorizing the special tax levy (see Attachment A), property use codes, and changes in the Consumer Price Index.

Attachment A

Office of the Sheriff-Coroner

FY 2017/18 County Service Area P-6 Zones, Special Tax Levy

Zone Number and Involved Ordinance

Zone 200	Ord. No.	89-44	Zone 1504	Ord. No.	97-43	Zone 2501	Ord. No.	99-39
Zone 201	Ord. No.	93-45	Zone 1505	Ord. No.	98-37	Zone 2502	Ord. No.	00-37
Zone 202	Ord. No.	95-60	Zone 1506	Ord. No.	98-29	Zone 2503	Ord. No.	08-06
Zone 203	Ord. No.	03-29	Zone 1507	Ord. No.	01-15	Zone 2504	Ord. No.	16-13
Zone 204	Ord. No.	04-12	Zone 1509	Ord. No.	01-22	Zone 2600	Ord. No.	95-12
Zone 205	Ord. No.	04-37	Zone 1510	Ord. No.	02-11	Zone 2601	Ord. No.	93-81
Zone 206	Ord. No.	06-07	Zone 1511	Ord. No.	02-14	Zone 2602	Ord. No.	03-25
Zone 207	Ord. No.	06-23	Zone 1512	Ord. No.	06-08	Zone 2603	Ord. No.	04-41
Zone 208	Ord. No.	06-38	Zone 1513	Ord. No.	07-03	Zone 2604	Ord. No.	06-68
Zone 209	Ord. No.	06-67	Zone 1514	Ord. No.	15-07	Zone 2605	Ord. No.	07-12
Zone 210	Ord. No.	06-69	Zone 1515	Ord. No.	16-03	Zone 2606	Ord. No.	11-16
Zone 211	Ord. No.	08-21	Zone 1600	Ord. No.	94-06	Zone 2700	Ord. No.	93-44
Zone 212	Ord. No.	16-07	Zone 1601	Ord. No.	95-25	Zone 2701	Ord. No.	95-04
Zone 301	Ord. No.	04-42	Zone 1602	Ord. No.	95-10	Zone 2702	Ord. No.	97-40
Zone 400	Ord. No.	96-12	Zone 1603	Ord. No.	95-40	Zone 2703	Ord. No.	05-13
Zone 500	Ord. No.	94-18	Zone 1604	Ord. No.	96-23	Zone 2704	Ord. No.	06-03
Zone 501	Ord. No.	99-30	Zone 1605	Ord. No.	97-20	Zone 2800	Ord. No.	99-41
Zone 502	Ord. No.	01-12	Zone 1606	Ord. No.	97-26	Zone 2801	Ord. No.	00-16
Zone 503	Ord. No.	03-06	Zone 1607	Ord. No.	98-12	Zone 2900	Ord. No.	94-50
Zone 504	Ord. No.	04-21	Zone 1609	Ord. No.	99-38	Zone 2901	Ord. No.	96-15
Zone 700	Ord. No.	94-12	Zone 1610	Ord. No.	99-34	Zone 2902	Ord. No.	01-01
Zone 701	Ord. No.	96-16	Zone 1611	Ord. No.	99-33	Zone 2903	Ord. No.	13-13
Zone 702	Ord. No.	96-22	Zone 1612	Ord. No.	99-42	Zone 3000	Ord. No.	95-26
Zone 900	Ord. No.	02-18	Zone 1613	Ord. No.	00-28	Zone 3001	Ord. No.	04-34
Zone 1000	Ord. No.	94-19	Zone 1614	Ord. No.	01-14	Zone 3002	Ord. No.	06-41
Zone 1001	Ord. No.	98-17	Zone 1615	Ord. No.	02-10	Zone 3003	Ord. No.	07-04
Zone 1002	Ord. No.	03-27	Zone 1616	Ord. No.	06-02	Zone 3004	Ord. No.	07-05
Zone 1003	Ord. No.	04-02	Zone 1700	Ord. No.	98-20	Zone 3005	Ord. No.	08-01
Zone 1004	Ord. No.	05-11	Zone 1800	Ord. No.	95-11	Zone 3100	Ord. No.	96-17
Zone 1005	Ord. No.	06-15	Zone 1801	Ord. No.	95-50	Zone 3101	Ord. No.	01-24
Zone 1006	Ord. No.	06-42	Zone 1803	Ord. No.	98-47	Zone 3102	Ord. No.	02-21
Zone 1100	Ord. No.	94-07	Zone 1804	Ord. No.	01-08	Zone 3103	Ord. No.	03-07
Zone 1101	Ord. No.	99-21	Zone 2000	Ord. No.	98-30	Zone 3104	Ord. No.	04-29
Zone 1200	Ord. No.	95-45	Zone 2200	Ord. No.	99-53	Zone 3105	Ord. No.	06-01
Zone 1201	Ord. No.	03-35	Zone 2201	Ord. No.	00-02	Zone 3106	Ord. No.	06-24
Zone 1500	Ord. No.	95-24	Zone 2202	Ord. No.	04-35	Zone 3107	Ord. No.	06-27
Zone 1501	Ord. No.	95-49	Zone 2203	Ord. No.	04-36	Zone 3108	Ord. No.	07-13
Zone 1502	Ord. No.	96-29	Zone 2300	Ord. No.	94-69	Zone 3109	Ord. No.	07-38
Zone 1503	Ord. No.	98-04	Zone 2500	Ord. No.	96-14	Zone 3110	Ord. No.	07-39
						Zone 3112	Ord. No.	10-05



**Contra
Costa
County**

To: Board of Supervisors

From: David O. Livingston, Sheriff-Coroner

Date: August 1, 2017

Subject: Setting Special Tax Levy for County Service Areas P-2 Zone A (Blackhawk), P-2 Zone B (Alamo) and P-5 (Round Hill)

RECOMMENDATION(S):

SET the special tax levy for police services in County Service Areas P-2 (Zones A and B) and P-5 for Fiscal Year 2017-2018 as follows:

P-2 Zone A (Blackhawk):

Single residential: \$ 280 per parcel, per year

Small multiple residential: \$ 280 per parcel, per year

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☒ 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: August 1, 2017

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

RECOMMENDATION(S):
(CONT'D)

Large multiple residential:	\$ 280 per parcel, per year	
Commercial/Industrial/Institutional:		\$ 1,680 per parcel, per year
Commercial/Theater:		\$ 8,400 per parcel, per year
P-2 Zone B (Alamo):		
Single residential:		\$ 18 per parcel, per year
Small multiple residential:		\$ 27 per parcel, per year
Large multiple residential:		\$ 36 per parcel, per year
Commercial/Industrial/ Institutional:		\$ 54 per parcel, per year
P-5 (Round Hill)		
Commercial recreational:		\$ 792 per parcel, per year
All other:		\$ 330 per parcel, per year

FISCAL IMPACT: There is no impact on the County General Fund.

BACKGROUND: The above action for County Service Area P-2 Zone A is required by County Ordinance No. 95-55, as amended by County Ordinance No. 2005-09. The rates are the same as those in effect for Fiscal Year 2016-2017. Setting the special tax levy for police services will permit the Sheriff to continue to provide police services in the Blackhawk Area. It is estimated that the special tax levy will raise \$721,000 for Fiscal Year 2017-2018.

The above action for County Service Area P-2 Zone B is required by County Ordinance No. 81-16. The rates are the same as those in effect for Fiscal Year 2016-2017. Setting the special tax levy for police services will permit the Sheriff to continue to provide police services in the Alamo area. It is estimated that the special tax levy will raise approximately \$64,000 for Fiscal Year 2017-2018.

The above action for County Service Area P-5 is required by County Ordinance No. 2000-38. The rates are the same as those in effect for Fiscal Year 2016-2017. Parcels *not used* for commercial recreational purposes will have a special tax levy of \$330. The rate for parcels used for commercial recreational purposes is set at \$792, which is 240% of the levy for parcels *not used* for commercial recreational purposes, as required by Article III(1)(b) of the ordinance. Setting the special tax levy for police services will permit the Sheriff to continue to provide police services in the Round Hill area. It is estimated that the special tax levy will raise approximately \$255,000 for Fiscal Year 2017-2018.

CONSEQUENCE OF NEGATIVE ACTION:

The special tax levy will not be authorized by the Board of Supervisors resulting in the tax not being included on the 2017/18 Property Tax Roll.

CHILDREN'S IMPACT STATEMENT: No impact.



Contra
Costa
County

To: Board of Supervisors
From: INTERNAL OPERATIONS COMMITTEE
Date: August 1, 2017

Subject: REFER AVIATION ADVISORY COMMITTEE AT LARGE SEAT RECRUITMENT TO THE AIRPORTS COMMITTEE

RECOMMENDATION(S):

REFER to the Board's Airports Committee the recruitment to fill a vacant At Large seat on the Aviation Advisory Committee.

BACKGROUND:

In 2013, IOC reviewed Board Resolution Nos. 2011/497 and 2011/498, which stipulate that applicants for At Large/Non Agency-Specific seats on specified bodies are to be interviewed by a Board Committee. The majority of applications and candidates for these At Large seats are screened and/or interviewed by the Board's Internal Operations Committee (IOC), including those for the Aviation Advisory Committee.

In December 2016, the IOC recommended to the Board of Supervisors appointment of Emily Barnett (Pleasant Hill) and reappointment of DeWitt Hodge (incumbent, Pittsburg) to At Large seats on the Aviation Advisory Committee. However, the Board decided to appoint only Ms. Barnett, leaving new term of At Large #2 seat (held by DeWitt Hodges) open, and requested the Airports Committee to resolve the issue of Mr. Hodges having a business interest on the premises rather than a general community interest, and to return to the Board with a recommendation for an appointment to the remaining At Large seat.

In March 1, 2017, the At Large 2 seat term of office expired. The Airports Director opened a five-week recruitment, garnering only one application, from DeWitt Hodge, who attended the July 10 IOC meeting. At the July 10 IOC meeting, Airports Director Keith Freitas explained that there had been two applicants for the vacant At Large

☒ APPROVE

☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR

☒ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Julie DiMaggio Enea
(925) 335-1077

, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: IOC Staff, Airports Director

BACKGROUND: (CONT'D)

seat but on the day of packet distribution, one applicant withdrew, leaving only one candidate for the IOC's consideration. The candidate, DeWitt Hodge, who previously held the seat, commented that there was no written description or requirements for the At Large seats and therefore, no grounds on which to disqualify him.

Acknowledging that the Board of Supervisors is seeking community representation in the AAC At Large seats, the IOC requested the Airports Director to initiate a new recruitment with the goal of attracting a pool of candidates for further consideration. The IOC recommends to the Board that the new recruitment for this seat be referred to the Airports Committee, which has direct oversight of airport issues within the county.



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: August 1, 2017

Subject: Application to the Solar Energy Innovation Network

RECOMMENDATION(S):

AUTHORIZE the Chair of the Board of Supervisors to sign a letter of interest to The Solar Foundation in support of their application to the Solar Energy Innovation Network program of the U.S. Department of Energy and the National Renewable Energy Laboratory for funding to investigate how to remove institutional barriers to expanding deployment of solar energy.

FISCAL IMPACT:

Should The Solar Foundation be selected to participate in the Solar Energy Innovation Network, the County would be expected to make an in-kind contribution of staff time. The Department of Conservation and Development anticipates that two senior staff and one Deputy Director would each spend 2-3 hours per month on this project for 18 to 21 months, with one of them attending quarterly project team meetings to include travel costs. The Department would cover these staff expenses 50% from General Fund revenues allocated for the Sustainability Coordinator position and 50% from the Land Development Fund.

BACKGROUND:

The Solar Energy Innovation Network (SEIN) is a three-year program, sponsored by the U.S. Department of Energy (DOE) and the National Renewable Energy Laboratory (NREL), designed to remove soft cost (non-hardware cost) barriers to wide-scale integration of distributed solar photovoltaics (PV) within the U.S. electricity system. The program supports selected project teams that aim to address these barriers through in-person, facilitated peer-learning and targeted research and analysis over an 18-21 month period. Project teams will be grouped together based on common solar market challenges to facilitate peer exchange and address similar analytical needs. The program design

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Jody London,
925-674-7871

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

>

encourages development and replication of innovative solutions through active sharing of lessons-learned.

This program is designed to facilitate solutions to solar market barriers, recognizing that hardware price declines on their own are insufficient to achieve wide-scale integration of solar PV in the U.S. It has been developed in response to the increasing number of requests from states, counties, and local entities for data-based solutions. SEIN builds on successful elements of past and current programs at DOE and NREL, such as the SunShot Catalyst Energy Prize Program and the Solar Technical Assistance Team, which bring together diverse groups of stakeholders striving to bring novel solutions to bear in the market.

The Solar Foundation, a nonprofit, nonpartisan organization dedicated to advancing solar energy use worldwide, is putting together a team of local governments from across the country to examine how to overcome soft costs associated with greater deployment of solar energy and energy storage, particularly in the context of climate resiliency. Contra Costa County would help explore issues related to siting, zoning, and permitting. The Solar Foundation is interested in the work DCD is proposing be done with disadvantaged communities as part of an upcoming, proposed study of opportunities and constraints for expanding generation of renewable energy in the County.

Benefits to the County of participating in this project, if selected, include 1) helping Contra Costa County plan for larger and more complex renewable energy systems (i.e., including storage); 2) free access to the resources of the National Renewable Energy Laboratory for data, modelling, etc.; 3) learning from other local governments working on these issues; and 4) meeting with other teams working on related issues.

At this time, the County is being asked only to participate in The Solar Foundation's application, which is due August 1. The Solar Foundation asks for a letter of interest from each team member.

CONSEQUENCE OF NEGATIVE ACTION:

Failure by the County to participate in The Solar Foundation's application to the Solar Energy Innovation Network means the County would lose an opportunity to access the data and modeling resources of the National Renewable Energy Laboratory and receive other technical assistance that would support the County's climate action goals.

ATTACHMENTS

Letter of Interest

The Board of Supervisors

County Administration Building
651 Pine Street, Room 106
Martinez, California 94553-1293

John Gioia, 1st District
Candace Andersen, 2nd District
Diane Burgis, 3rd District
Karen Mitchoff, 4th District
Federal D. Glover, 5th District

Contra Costa County



David Twa
Clerk of the
Board
and
County
Administrator
(925) 335-1900

August 1, 2016

Ed Gilliland
Senior Director of Programs
The Solar Foundation
1717 Pennsylvania Ave., NW, Suite 750
Washington, DC 20006

RE: Commitment to TSF NREL SEIN Application

Dear Mr. Gilliland:

On behalf of The Contra Costa County Board of Supervisors I am writing you to convey that Contra Costa County would be pleased to be a part of The Solar Foundation (TSF) team for the National Renewable Energy Laboratory (NREL) Solar Energy Innovation Network (SEIN) application. We plan to work with the team to research baseline conditions for solar energy paired with energy storage systems and to exchange best practices with peer communities. This work will address soft cost barriers and result in a plan to integrate solar and storage into public and/or private sector solar investments.

One of the goals of the Contra Costa County *Climate Action Plan* is to increase the amount of renewable energy generated in the County. The County and the majority of the cities in the County are in the process of joining MCE, a community choice aggregator. One of the motivating factors for joining MCE is to increase the amount of locally generated renewable energy. The County is in the process of requesting and accepting a grant from the California Strategic Growth Council to identify opportunities and constraints for expanding generation of renewable energy in Contra Costa County, including analyzing if and how our zoning ordinances could and should be modified to facilitate deployment of more renewable energy. We also will work with disadvantaged communities to determine how they can benefit from renewable energy opportunities in the County.

Contra Costa County recently was named a SolSmart community. Through this program we will be working to better facilitate solar energy projects in our County and promote these opportunities to our residents and businesses.

Participating in the Solar Energy Innovation Network would allow Contra Costa County to accelerate our work to be a leader in renewable energy systems. We look forward to supporting the team and benefitting from sustained external support to boost our ideas, goals, and projects from early-stages towards implementation and scale.

Sincerely,

Federal Glover, Chair
Contra Costa County Board of Supervisors



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: August 1, 2017

Subject: Response to Civil Gran Jury Report No. 1705, Entitled "Funding Flood Control Infrastructure"

RECOMMENDATION(S):

ADOPT report as the Board of Supervisors' response to Civil Grand Jury Report No. 1705, entitled "Funding Flood Control Infrastructure" and DIRECT the Clerk of the Board to forward to the Superior Court no later than August 29, 2017.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The 2016/17 Civil Grand Jury filed the above-reference report attached, on May 31, 2017, which was reviewed by the Board of Supervisors and subsequently referred to the County Administrator and Public Works Department, who prepared the attached response that clearly specifies:

- A. Whether the finding or recommendation is accepted or will be implemented;
- B. If a recommendation is accepted, a statement as to who will be responsible for implementation and a definite target date;
- C. A delineation of the constraints if a recommendation is accepted but cannot be implemented within a six-month period; and
- D. The reason for not accepting or adopting a finding or recommendation.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Laura Strobel, (925)
335-1091

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

By: , Deputy

cc: Julie Burean, Public Works Director

BACKGROUND: (CONT'D)

FINDINGS

F1. Reserves have not been set aside for the replacement costs of the County flood control system.

Response: *The respondent agrees with the finding.*

F2. Presently, there is little public support to fund the replacement costs of the County flood control system.

Response: *The respondent neither agrees nor disagrees with the finding; however, based on presentations given to a wide variety of groups in Contra Costa County and the feedback received, there does not appear to be public support to raise revenue to fund replacement costs of Flood Control District facilities.*

F3. There is little sense of urgency among elected officials towards financing the replacement costs of flood control in California.

Response: *The respondent disagrees with the finding. The Contra Costa County Board of Supervisors understands the urgency to develop a funding source for replacement, however the solution includes modifying the California State Constitution. Senate Bill 231 by Hertzberg would define Sewer to include stormwater and flood control facilities and, therefore, be considered a utility and be allowed to raise rates similar to water and wastewater. The California State Association of Counties (CSAC) is committed to finding a funding solution for local stormwater programs. CSAC staff are working in coordination with county public works departments to build local political support with county Board of Supervisors and state legislators as well as to increase public awareness of this critical issue until a successful statewide solution is identified.*

F4. The older sections of the County flood control system are approaching their design life of 70 years.

Response: *The respondent agrees with the finding.*

F5. The current mechanism for funding flood control is not enough to maintain and eventually replace the system.

Response: *The respondent agrees with the finding. None of the Flood Control Zones have adequate funding to maintain and eventually replace the systems. For example, the County receives no money to maintain and replace the existing infrastructure for Pinole Creek, Zone 9 because the tax rate was set at zero when Proposition 13 went into effect.*

F6. The proposed California Water Conservation, Flood Control and Storm Water Management Act could provide revenues for County Flood Control to begin building financial reserves for full maintenance and eventual replacement of the system.

Response: *The respondent agrees with the finding. The proposed legislation is an effort to modify the California Constitution to allow stormwater to be treated as a utility similar to water or sewer. This proposed modification would allow a rate structure for stormwater to be used for maintenance or replacement of facilities.*

RECOMMENDATIONS

R1. The County Board of Supervisors, as the Governing Board of the Flood Control and Water Conservation District, should consider continuing to pursue efforts to educate elected officials about the urgency of passing the California Water Conservation, Flood Control and Storm Water Management Act.

Response: *The recommendation has been implemented. The Board of Supervisors is working with the California State Association of Counties and the League of Cities to outreach to elected officials and the public in general in California on the importance of stormwater funding.*

R2. The County Board of Supervisors, as the Governing Board of the Flood Control and Water Conservation District, should consider identifying funds to increase the Flood Control maintenance budget to begin reducing the deferred maintenance backlog, prior to January 2018.

Response: *The recommendation has been implemented. The Board of Supervisors is very involved in the ongoing efforts to identify funding to increase the Flood Control maintenance budget and is working closely*

with CSAC and state Legislators to determine the best course of action to address stormwater funding. It is not anticipated that currently proposed legislation will pass before January 2018.

R3. The County Board of Supervisors, as the Governing Board of the Flood Control and Water Conservation District, should consider identifying funds to begin building reserves to fund the reconstruction of the County flood control system, prior to January 2018.

Response: *The recommendation has been implemented. The Board of Supervisors has considered availability of funding and is closely following efforts in Sacramento to determine the best course of action to address stormwater funding. It is not anticipated that the proposed legislation would pass before January 2018.*

R4. The County Board of Supervisors, as the Governing Board of the Flood Control and Water Conservation District, should consider instructing Flood Control staff to prepare plans for a County wide campaign to educate the public on the need to replace the infrastructure.

Response: *The recommendation has been implemented. The Flood Control District is engaged in an ongoing outreach campaign to residents on the importance of stormwater infrastructure and the funding for installation, replacement and maintenance. District Staff regularly reports to the Board of Supervisors' Transportation Water and Infrastructure Committee on the outreach efforts and to the full Board of Supervisors annually and receives input and direction.*

CONSEQUENCE OF NEGATIVE ACTION:

In order to comply with statutory requirements, the Board of Supervisors must provide a response to the Superior Court no later than August 29, 2017. The Board must take timely action in order to comply with the statutory deadline.

ATTACHMENTS

Civil Grand Jury Report No. 1705

**A REPORT BY
THE 2016-2017 CONTRA COSTA COUNTY GRAND JURY**
725 Court Street
Martinez, California 94553

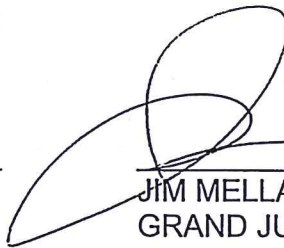
Report 1705

Funding Flood Control Infrastructure

APPROVED BY THE GRAND JURY:

Date: _____

6/8/17

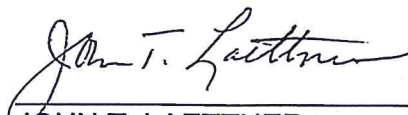


JIM MELLANDER
GRAND JURY FOREPERSON

ACCEPTED FOR FILING:

Date: _____

5/31/17



JOHN T. LAETTNER
JUDGE OF THE SUPERIOR COURT

Contra Costa County Civil Grand Jury Report 1705

Funding Flood Control Infrastructure

TO: Board of Supervisors, as the Governing Board of the Flood Control and Water Conservation District

SUMMARY

Most portions of the Contra Costa County (County) flood control system were built over 55 years ago. Because of its age, the system requires a high level of maintenance and will eventually need to be replaced. Currently, there is a shortfall in funds to adequately maintain the flood control system. Due to the lack of funds, the system has unmet maintenance needs. Deferred maintenance of the system not only reduces its efficiency, but could lead to failure of flood control components.

To prevent failure of the flood control system, immediate funding is needed to pay for deferred maintenance. The Contra Costa County Flood Control and Water Conservation District (Flood Control) lacks adequate sources of revenue to pay for these needs. State legislation has been proposed that would enable flood control to be funded as a utility through assessed fees.

The Grand Jury recommends that the County Board of Supervisors consider funding deferred maintenance, while continuing to support efforts to get State legislation passed allowing Flood Control to increase revenues for replacement of its aging infrastructure.

METHODOLOGY

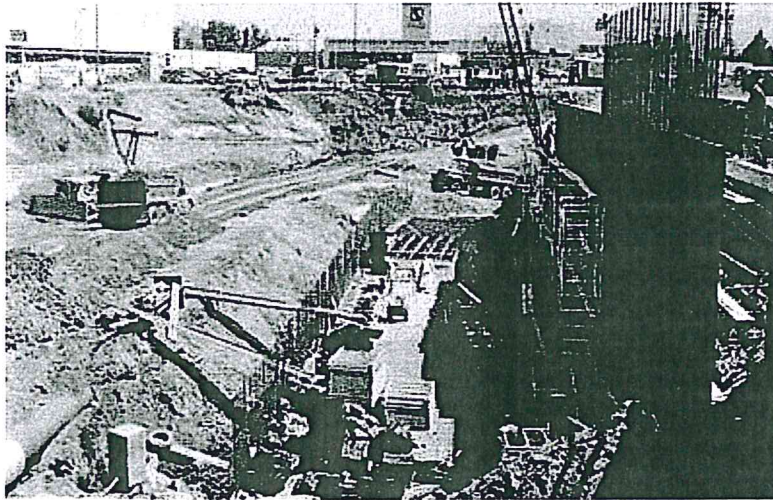
In the course of its investigation, the Grand Jury:

- Interviewed members of County Flood Control, County Public Works, the County Board of Supervisors and engineering consultants
- Reviewed Flood Control documents related to maintenance, capital

- improvement requirements, and financial management of the system
- Reviewed the Flood Control Fifty-Year Plan
- Attended a Flood Control report to the Board of Supervisors
- Participated in a tour of the Lower Walnut Creek Flood Control System

BACKGROUND

Flood Control was formed in 1951 in response to widespread flooding. In the late 1950s, the Army Corps of Engineers began construction of the flood control system, paid by federal funding. A series of flood control projects was constructed over the next 30 years. Today, the system is extensive, consisting of 75 miles of channels, 35 detention basins and 25 trash racks. The oldest sections of this system are over 55 years old.



Construction of the culvert under Broadway Plaza in the early 1960s
(Courtesy of the Walnut Creek Historical Society)

According to staff from Flood Control, most of its revenue for operations and maintenance is collected from an assessment of property taxes. Flood Control receives only 0.75% of the one percent of the property tax collected. The 0.75% rate has not changed since 1978.

Some other revenue sources include:

- Special assessments in some drainage areas to fund ongoing maintenance costs
- Impact fees from development projects within some drainage areas to fund construction of planned drainage facilities
- Fees for services related to hydraulic and hydrological analysis

The funding sources are insufficient to maintain and/or replace the flood control infrastructure. It requires an increasing amount of annual maintenance due to its age and will eventually need to be replaced. Required maintenance costs far exceed the money budgeted to properly maintain the system, resulting in a substantial backlog of maintenance requirements. Flood Control has no reserves set aside for the eventual replacement of the infrastructure. Past attempts to raise money for flood control improvements have not been successful.

In 2012 Flood Control tried to raise revenues to cover funding shortfalls through the Community Clean Water Initiative, which was placed on the ballot for Contra Costa County. Some of the monies from the proposed per-parcel fee would have helped to fund the flood control system, but County voters rejected the initiative.

In 2015, AB 1362 was introduced in the State Assembly as the first step in providing cities and counties with a mechanism to fund storm water related infrastructure and services. The introduced version of the bill was later changed to a different purpose, deleting the mechanism to fund flood control.

Two recent polls in Contra Costa County showed low public support for increased taxes or assessments to fund the reconstruction of the flood control system.

DISCUSSION

To varying degrees, the County flood control system prevents flooding every year. January 2017 was the wettest January on record in the County since 1973, and no major flooding occurred within the County during that month. This is a testament to the quality of maintenance that Flood Control and County Public Works have accomplished with limited funding.

Flood Control believes that the present level of flood deterrence cannot be maintained at current funding levels. As parts of the system age past their design life and maintenance fails to keep pace with needed repairs, flood control performance will be impacted negatively. Deferred maintenance of flood control structures leads to poor system performance and will eventually result in subsystem failures.

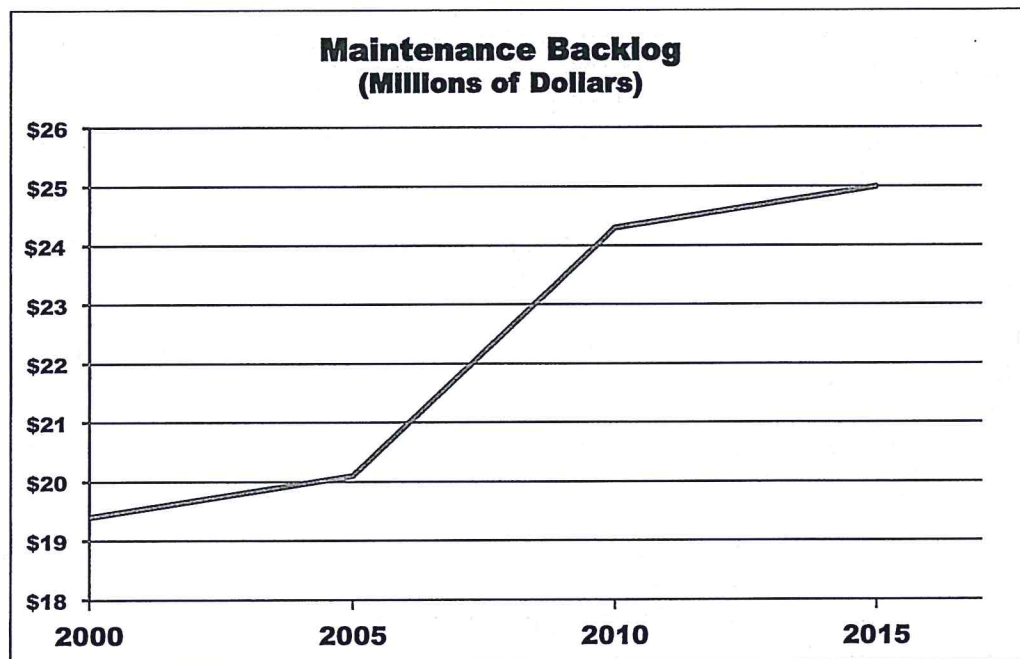
The design life of the flood control system's concrete-lined channels is approximately 70 years. This means that the system's older sections are approaching the time when deterioration will accelerate. The extent of the deterioration will depend upon the funding that Flood Control has available for maintenance.

A public poll conducted for Flood Control by Fairbank, Maslin, Metz & Associates in 2015 showed "a lack of understanding of the danger of flooding." The poll reflected low support (about 40%) for increased property or parcel taxes to fund future system needs.

Flood Control staff have sometimes referred to themselves as “stewards of forgotten infrastructure.”

Flood Control has implemented a seven-year program to assess the current condition of the system’s structures. The goal of this program is to prioritize the structures or portions of the system in greatest need of repair. The preliminary results, based on visual inspection techniques, have provided an average structural rating of ‘good,’ with an 80% confidence level. If properly maintained and needed repairs are made in a timely manner, many of the system’s newer sections could last several decades.

Flood Control estimates that to rebuild the entire system to its original standards would take 40 or more years and cost about \$2.4 billion, in 2016 dollars.



This graph is part of Flood Control's presentation to the County Board of Supervisors 2/7/17

The above graph shows the growing shortfall, since 2000, between flood control system maintenance needs and system maintenance revenues. Flood Control has a current annual maintenance and capital improvement budget of \$5.15 million. At the level of funding presently available, the growing backlog shortfall is projected to be over \$25 million dollars in 2017.

The County has no current reserves to fund an increased level of flood control system maintenance or to cover the much greater costs of future system reconstruction.

In 2016, The California State Association of Counties (CSAC), of which Contra Costa is a member, proposed a statewide ballot measure titled the California Water Conservation, Flood Control and Storm Water Management Act. Other interested statewide organizations included the League of California Cities, the County Engineers Association of California (CEAC) and the Association of California Water Agencies. The proposed State ballot measure would allow local governments to assess flood control services as a utility. Once the measure is passed, voters in a county would still be required to approve the change. To determine voter sentiment on the proposed legislation, a statewide poll was conducted by CSAC and CEAC. The polling results were negative, so the proposed ballot measure did not move forward in 2016.

FINDINGS

- F1. Reserves have not been set aside for the replacement costs of the County flood control system.
- F2. Presently, there is little public support to fund the replacement costs of the County flood control system.
- F3. There is little sense of urgency among elected officials towards financing the replacement costs of flood control in California.
- F4. The older sections of the County flood control system are approaching their design life of 70 years.
- F5. The current mechanism for funding flood control is not enough to maintain and eventually replace the system.
- F6. The proposed California Water Conservation, Flood Control and Storm Water Management Act could provide revenues for County Flood Control to begin building financial reserves for full maintenance and eventual replacement of the system.

RECOMMENDATIONS

- R1. The County Board of Supervisors, as the Governing Board of the Flood Control and Water Conservation District, should consider continuing to pursue efforts to educate elected officials about the urgency of passing the California Water Conservation, Flood Control and Storm Water Management Act.
- R2. The County Board of Supervisors, as the Governing Board of the Flood Control and Water Conservation District, should consider identifying funds to increase the

Flood Control maintenance budget to begin reducing the deferred maintenance backlog, prior to January 2018.

- R3. The County Board of Supervisors, as the Governing Board of the Flood Control and Water Conservation District, should consider identifying funds to begin building reserves to fund the reconstruction of the County flood control system, prior to January 2018.
- R4. The County Board of Supervisors, as the Governing Board of the Flood Control and Water Conservation District, should consider instructing Flood Control staff to prepare plans for a County wide campaign to educate the public on the need to replace the infrastructure.

REQUIRED RESPONSES

	Findings	Recommendations
Contra Costa County Board of Supervisors, as the Governing Board of the Flood Control and Water Conservation District	F1 to F6	R1 to R4

These responses must be provided in the format and by the date set forth in the cover letter that accompanies this report. An electronic copy of these responses in the form of a Word document should be sent by e-mail to ctadmin@contracosta.courts.ca.gov and a hard (paper) copy should be sent to:

Civil Grand Jury – Foreperson
725 Court Street
PO Box 431
Martinez CA 94553-0091



**Contra
Costa
County**

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: August 1, 2017

Subject: Unpaid Student Training Agreement #22-052-9 with Holy Names University

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Unpaid Student Training Agreement #22-052-9 with Holy Names University, an educational institution, to provide supervised field instruction in County's Public Health Division and Contra Costa Regional Medical Center and Contra Costa Health Centers to nursing students from November 1, 2017 through October 31, 2020.

FISCAL IMPACT:

None.

BACKGROUND:

The purpose of this agreement is to provide Holy Names University nursing students with the opportunity to integrate academic knowledge with applied skills at progressively higher levels of performance and responsibility. Supervised fieldwork experience for students is considered to be an integral part of both educational and professional preparation. The Health Services Department can provide the requisite field education, while at the same time, benefitting from the students' services to patients.

On September 29, 2014, the Board of Supervisors approved Contract #22-052-8 with Holy Names

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Dan Peddycord,
925-313-6712

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

By: , Deputy

cc: D Morgan, M Wilhelm

BACKGROUND: (CONT'D)

University for the provision of supervised fieldwork instruction experience for its nursing students with Health Services Department for the period from November 1, 2014 through October 31, 2017.

Approval of Unpaid Student Training Agreement #22-052-9 will allow Holy Names University students to receive supervised fieldwork instruction experience, in County's Public Health Division and Contra Costa Regional Medical Center and Contra Costa Health Centers, through October 31, 2020.

CONSEQUENCE OF NEGATIVE ACTION:

If this agreement is not approved, the students will not receive supervised fieldwork instruction experience in County's Public Health Division and Contra Costa Regional Medical Center and Contra Costa Health Centers.



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: August 1, 2017

Subject: Response to Civil Grand Jury Report No. 1702, "Emergency Mass Care and Shelter"

RECOMMENDATION(S):

APPROVE the response to Civil Grand Jury Report No. 1702, entitled "Emergency Mass Care and Shelter: Are We Ready?" and DIRECT the Clerk of the Board to forward the response to the Superior Court following Board action.

FISCAL IMPACT:

No fiscal impact. This is an informational report.

BACKGROUND:

On May 24, 2017, the County received 2016-17 Civil Grand Jury Report No. 1703, "Emergency Mass Care and Shelter: Are We Ready?". The report was received by the Board of Supervisors and subsequently referred to the County Administrator on the June 13, 2017 Board of Supervisor agenda (Item C. 84) who prepared the attached response that specifies:

- Whether the respondent agrees, or disagrees wholly or partially with each finding;
- If the respondent disagrees with a finding, a statement explaining the portion of the finding that is disputed and the reasons for the disagreement;
- Whether each recommendation has been either: implemented; not yet been implemented; will not be implemented and why; or requires further analysis with an explanation of the scope and anticipated time frame.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Enid Mendoza, (925)
335-1039

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

By: , Deputy

cc: Timothy Ewell, Sr. Deputy County Administrator, Clerk of the Board

CONSEQUENCE OF NEGATIVE ACTION:

In order to comply with statutory requirements, the Board of Supervisors must provide a response to the Superior Court no later than August 9, 2017 (90 days after the grand jury submits a final report). The Board must take action no later than the August 8, 2017 meeting in order to comply with the statutory deadline.

ATTACHMENTS

Response to Grand Jury Report No. 1702

Grand Jury Report No. 1702



CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT NO. 1702
"Emergency Mass Care and Shelter"

BOARD OF SUPERVISORS' RESPONSE

FINDINGS – *California Penal Code Section 933.05(a) requires a response to the designated findings of the Grand Jury.*

F1. The Bay Area Earthquake Plan of July 6, 2016, establishes operational planning and preparation criteria for each Bay Area county.

*Response: **Partially Disagree.** The Bay Area Earthquake Plan does serve as an important planning and preparation document. However, the Plan only includes high level strategies and does not include specific incident response strategies.*

F2. The Sheriff OES is charged with planning and coordinating the County's response to a disaster.

*Response: **Agree.***

F3. Sheriff OES Catastrophic Mass Care and Shelter Plan and other earthquake operational planning and preparation plans, dated 2010, do not meet the 2016 Bay Area Earthquake Plan requirements.

*Response: **Agree.** It is important to note that the County's 2010 Plan was written to link to the previous Bay Area Earthquake Plan. The County Plan has not been updated since the Bay Area Plan was updated in mid-2016.*

F5. EHSD 2016 Emergency Management Plan differs from the Sheriff OES 2010 Mass Care and Shelter Plan.

*Response: **Agree.***

F8. Sheriff OES does not have the resources to update all the operational planning and preparation plans as required by the 2016 Bay Area Earthquake Plan.

*Response: **Partially Disagree.** It would be an extremely difficult and costly task for the Sheriff's Office to continuously update the multitude of plans, policies and annexes currently administered by the OES Division in response to every update of Federal, State and/or regional plans. The Sheriff's Office ensures that legally required document updates occur when required and facilitate the update of other planning documents as needed.*

F9. Sheriff OES has no written procedures concerning selection, inspection and opening an emergency shelter.

Response: **Agree.** *This function is performed by the Employment and Human Services Department (EHSD).*

F10. Sheriff OES has no standard training program that covers how emergency shelters are selected, inspected, and opened.

Response: **Agree.** *This function is performed by EHSD.*

F11. The Sheriff OES recognizes the American Red Cross makes non-binding prearrangements for shelters and lists the shelters on the FEMA sponsored database, National Shelter System (NSS).

Response: **Agree.**

F12. Responsibility for determining whether a shelter is habitable and safe to use rests with the local jurisdiction or Sheriff OES.

Response: **Partially Disagree.** *The Sheriff's OES Division supports shelter coordination, but the responsibility for habitability and safety is building inspection and environmental health function.*

Potential shelter sites must be inspected and approved by a city or county building inspector prior to use as a shelter. Schools must be inspected and approved by California Department of Architects before occupancy.

F13. Sheriff OES can view, but not edit, data in the NSS.

Response: **Agree.**

F15. Sheriff OES does not receive regularly scheduled reviews and updates of shelter sites in NSS from American Red Cross.

Response: **Agree.**

F16. Sheriff OES has not received a NSS based shelter report from the American Red Cross since 2008.

Response: **Agree.**

RECOMMENDATIONS - California Penal Code Section 933.05(b) requires a response to the designated recommendations of the Grand Jury.

R1. Sheriff OES should consider creating a schedule for updating the Bay Area Earthquake Plan operational annexes by the end of 2017.

Response: **The recommendation will not be implemented because it is not warranted or not reasonable.** *Current Operational Area annexes should be updated to reflect the local, all hazards County Emergency Operations Plan.*

R3. Sheriff OES should consider developing a written Mass Care and Shelter protocol by July 1, 2018, that covers selection, inspection, and opening a shelter, and identifying funds to do so.

***Response:** The recommendation will not be implemented because it is not warranted or not reasonable. In Contra Costa County, the Employment and Human Services Department is responsible for this function. The American Red Cross plays a critical outside support role as well.*

R4. Sheriff OES should consider including shelter selection, inspection and preparation when it establishes the Emergency Operations Center for a simulated disaster as part of disaster exercises.

***Response:** The recommendation will not be implemented because it is not warranted or not reasonable. The Sheriff's Office does integrate shelter operations into exercises performed in the Emergency Operations Center. However, the responsibility for site selection, inspection and preparation rests with the Employment and Human Services Department for the unincorporated areas and the cities for disasters within city limits.*

R6. Sheriff OES should consider providing training to EHSD on how to use the NSS system after EHSD is granted access to view the NSS list.

***Response:** This recommendation has not yet been implemented, but will be implemented once EHSD obtains access to view the NSS data. It is important to note that the Sheriff's Office has "view only" access to the NSS data, so training would be limited to accessing the information only.*

R8. Sheriff OES and American Red Cross should consider inviting EHSD to their regular meetings regarding earthquake planning and review of associated policies.

***Response:** This recommendation has been implemented. EHSD currently coordinates quarterly meetings with Contra Costa County, American Red Cross (ARC), and the Sheriff's OES staff. The meetings focus on identifying gaps and seeking resolution, creating or modifying processes to streamline coordination efforts, offering assistance to one another with tasks and projects, and facilitate effective communications among the team that will respond in a disaster. These meetings are effective in ensuring that all parties responding to a disaster as it relates to mass care and shelter are familiar with each other's responsibilities and resources.*

R9. Sheriff OES should consider reviewing its plans to coordinate local jurisdictions, EHSD and the American Red Cross during an emergency, and develop procedures and provide training where deficiencies are identified.

***Response:** This recommendation is being implemented. The Sheriff's OES, ARC, EHSD, other County Departments and local jurisdictions meet from time to time and participate in exercises. All exercises are evaluated and lessons are learned. OES makes training available to the various entities.*

**A REPORT BY
THE 2016-2017 CONTRA COSTA COUNTY GRAND JURY**
725 Court Street
Martinez, California 94553

Report 1702

Emergency Mass Care and Shelter
Are We Ready?

APPROVED BY THE GRAND JURY:

Date: _____

5/11/17



JIM MELLANDER
GRAND JURY FOREPERSON

ACCEPTED FOR FILING:

Date: _____

May 19, 2017



JOHN T. LAETTNER
JUDGE OF THE SUPERIOR COURT

Contra Costa County Grand Jury Report 1702

Emergency Mass Care and Shelter

Are We Ready?

TO: Board of Supervisors, Office of the Sheriff

SUMMARY

The Contra Costa Office of the Sheriff, Office of Emergency Services (Sheriff OES), the Contra Costa County Employment and Human Services Department (EHSD), and the American Red Cross are responsible for establishing mass care and shelters in Contra Costa County following a disaster. These government agencies and the American Red Cross could be better prepared to reach that goal with more resources and a closer working relationship that includes improved communication and a coordinated shelter plan. Responsibility for coordinating such a shelter plan among EHSD, the American Red Cross and local jurisdictions, such as cities, special districts, and the County, rests with the Sheriff OES.

The 2016 Bay Area Earthquake Plan created new requirements that the Sheriff OES and EHSD must incorporate into the County's Mass Care and Shelter Plan. To meet the requirements of the 2016 Bay Area Earthquake Plan, EHSD needs access to view and update the National Shelter System (NSS). To incorporate these new requirements, the Sheriff OES also needs to develop a standard procedure for all local jurisdictions to establish mass care and shelter within its jurisdiction.

METHODOLOGY

The Grand Jury reviewed published documents from the United States Geological Survey, the California Governor's Office of Emergency Services, the Sheriff OES, EHSD, the American Red Cross, and the United States Department of Homeland Security Bay Area Urban Area Security Initiative (UASI).

The Grand Jury also interviewed representatives from the Sheriff OES, EHSD, the Bay Area UASI, and the American Red Cross.

BACKGROUND

Contra Costa County is highly vulnerable to earthquakes. The United States Geological Survey (USGS) predicts there is a 73 percent chance that a catastrophic earthquake of magnitude 6.7 or larger will occur in the San Francisco Bay Area within the next 30 years. There are three major faults in Contra Costa County: the Hayward Fault, the Calaveras Fault, and the Concord-Green Valley Fault. The San Andreas Fault, which is the largest fault in the Bay Area and could produce an earthquake up to magnitude 8.5, is also in close proximity to Contra Costa County. A major rupture along any of these four faults will cause catastrophic damage to communities in Contra Costa County.

The 2013-2014 Grand Jury produced an investigation report, "County Emergency Operations, Ready or Not?" The Grand Jury found that Contra Costa County did not have an approved Emergency Operations Plan. It made three recommendations:

1. The Sheriff should update the Emergency Operations Plan.
2. The Board of Supervisors should approve the updated Emergency Operations Plan.
3. The County should plan for and construct a permanent Emergency Operations Center if funds become available.

The Sheriff completed the first recommendation by updating the Emergency Operations Plan in early 2015. The Board of Supervisors completed the second recommendation when it approved the Contra Costa County Emergency Operations Plan in June 2015. The Board of Supervisors began addressing the third recommendation in August 2016 when it funded preliminary planning and design for a permanent Emergency Operations Center.

The 2016-2017 Grand Jury undertook an investigation to see whether the County is prepared for a catastrophic earthquake disaster. The Grand Jury focused on one area of preparation, the County's Emergency Mass Care and Shelter Plan. The Emergency Mass Care and Shelter Plan provides for the temporary shelter and feeding of victims of a major disaster. These plans take two or three days to activate and remain in operation until the disaster impacts are resolved, which can be from several months to several years.

After the disaster that resulted from Hurricane Katrina in 2005, the Federal Emergency Management Agency (FEMA) established disaster planning, preparedness, response and recovery requirements for all states, including a Mass Care and Shelter Plan.

In California, the Governor's Office of Emergency Services adopted and imposed the requirements for local jurisdictions, such as counties, cities and special districts.

FEMA, the State of California, and Bay Area governments also conducted earthquake planning and preparedness initiatives.

Since this time, there have been a series of planning efforts mandated and funded by varying sources. The result has been series of emergency operational plans that are inconsistent with each other, and failed to meet the requirements of the latest planning mandate. The following is a brief history of these planning efforts:

2005: FEMA establishes the National Response Framework and National Incident Management System. The National Response Framework is the standard framework for all states to follow in planning, preparing, responding, and recovering from a disaster. The National Incident Management System enables states to communicate and manage a disaster in a standardized manner. FEMA designates the health and human services departments of each respective state as the responsible agencies to ensure that Mass Care and Shelters Plans are operational. FEMA assigns the American Red Cross, a non-governmental agency, as the agency that is responsible for identifying and making prearrangements for the emergency shelters. Once local jurisdictions identify, inspect, and open shelters, the American Red Cross has the responsibility to operate them.

2008: FEMA and California publish the “California Catastrophic Incident Base Plan: Concept of Operations.” This plan provides greater detail in planning and preparation at the local jurisdiction level for a catastrophic earthquake. The Plan also establishes criteria for operational plans as part of the overall emergency operations plan. The Plan has since been superseded by the 2016 Bay Area Earthquake Plan.

2009: The California State Emergency Plan is adopted, which requires all counties to have an approved Emergency Operations Plan. As required by FEMA, the California State Emergency Plan designates the California Health and Human Services Department as the lead state agency to ensure that Mass Care and Shelter Plans are operational.

2010: The Sheriff OES publishes five earthquake operational plans, including the Catastrophic Mass Care and Shelter Plan, in response to the 2008 “California Catastrophic Incident Base Plan: Concept of Operations.” These operational plans supplement the County’s main Emergency Operations Plan. The operational plans are out of date but still in use.

2011: The County partners with other San Francisco Bay Area counties under the Bay Area Urban Area Security Initiative (UASI) as part of ongoing coordination and planning. A federal grant to Bay Area UASI provides funds that assist counties in preparing disaster response operational plans at the local level. These operational plans, including Mass Care and Shelter, are annexes (specific stand-alone operational plans) to the County Emergency Operations Plan.

2015: The County approves the Emergency Operations Plan. The 2015 Emergency Operations Plan designates EHSD as the lead County department responsible for ensuring that the Mass Care and Shelter Plan is operational. Under the Emergency Operations Plan, the Sheriff OES has overall responsibility for planning, preparing, responding and coordinating Contra Costa County's disaster response and recovery efforts.

2016: The 2016 Bay Area Earthquake Plan prepared by the Department of Homeland Security, FEMA, and California Office of Emergency Services supersedes the 2008 "California Catastrophic Incident Base Plan: Concept of Operations" and the 2011 UASI planning. The 2016 Bay Area Earthquake Plan has new and updated requirements that the Sheriff OES will need to implement. To comply with these requirements, the Sheriff OES will need to update all existing annexes and specific detailed operational plans or replace them with new plans.

DISCUSSION

Scientists and all Bay Area government agencies agree that a 6.7 magnitude or larger earthquake will occur in the San Francisco Bay Area, causing a catastrophic disaster. Three major faults run through Contra Costa County and a fourth passes nearby.

When a catastrophic earthquake occurs, many thousands of people will be homeless and in need of emergency shelter and care. The Mass Care and Shelter Plan establishes processes and procedures for sheltering and feeding those in need. Additionally, the 2016 Bay Area Earthquake Plan establishes new operational disaster response and recovery criteria based on worst-case scenarios. All Bay Area counties are required to comply with these criteria.

Lead Agencies for Contra Costa County

In Contra Costa County, the Sheriff OES is charged with planning and coordinating the County's response to a disaster. It also shares responsibility with EHSD for preparing and updating the Mass Care and Shelter Plan.

EHSD is responsible for executing the Mass Care and Shelter Plan and coordinating with the American Red Cross to operate the shelters. Although EHSD and the American Red Cross must coordinate their joint operations, they do not meet to discuss the logistics of the coordination.

The evolving plans and requirements surrounding emergency responses have resulted in agencies creating inconsistent emergency plans. EHSD 2016

Emergency Management Plan differs significantly from the Sheriff OES 2010 Catastrophic Mass Care and Shelter Plan, and the 2016 Bay Area Earthquake Plan.

The 2010 Sheriff OES Catastrophic Mass Care and Shelter Plan also does not comply with the 2016 Bay Area Earthquake format. Both EHSD and Sheriff OES also stated that a lack of resources in both agencies has led to minimal coordination between agencies regarding a Catastrophic Mass Care and Shelter plan.

Role of the American Red Cross

The lead nongovernmental agency is the American Red Cross, which is tasked with identifying and arranging for potential emergency shelter sites. The American Red Cross enters into non-binding memoranda of understanding with owners of buildings in Contra Costa County that could serve as emergency shelters. Each non-binding memorandum of understanding establishes the parameters of when a facility may be used as a shelter. Typical emergency shelters include schools, community centers, and armories.

The Red Cross then lists these shelters on the National Shelter System (NSS), which is a FEMA database that contains that location and contact information for all potential American Red Cross shelters. All local jurisdictions are granted access to the NSS if they apply for that access. During emergencies, this access helps a local jurisdiction to identify nearby shelter locations. The local jurisdiction next screens possible locations by consulting with its safety inspectors to determine whether the shelter is safe to operate. If the local jurisdiction chooses the site, the Incident Commander or Unified Command under the National Incident Management System then tasks the American Red Cross to operate the shelter. The American Red Cross is not responsible for selecting a shelter site or for determining whether the shelter is safe to use after a disaster occurs.

In Contra Costa County, the American Red Cross has three paid employees who routinely assist with emergencies. Due to limited staffing, the American Red Cross has not updated the NSS shelter list for Contra Costa County since 2008. While Sheriff OES can access and view data in the NSS, only the American Red Cross can modify the data. Sheriff OES does not know whether the list of sites is up to date or whether the listed shelters are operational. However, Sheriff OES and the American Red Cross do meet regularly so this could be a topic of discussion.

Emergency Plans for a Catastrophic Earthquake in Contra Costa County

When a catastrophic earthquake occurs, many dwellings, homes and apartment units, will be damaged or destroyed. There will be an urgent need to shelter and

feed displaced residents. For this reason, local agencies need to understand what resources the American Red Cross can provide to assist these residents.

During an emergency, the American Red Cross, at the direction of the Incident Commander or Unified Command under the National Incident Management System, will operate those shelters on the NSS list that have been determined to be safe to occupy. As described above, the American Red Cross has non-binding memoranda of understanding with the owners of each potential shelter concerning the building's use during an emergency

In Contra Costa County, the American Red Cross trains EHSD staff on shelter operations. Emergency plans call for EHSD to send employees to assist with these operations. However, EHSD does not currently have access to the NSS. To operate smoothly, EHSD needs access to NSS shelter locations in Contra Costa County and needs to work with the American Red Cross to keep the list up-to-date; ensuring that shelters are available if the need arises.

Additionally, to effectively open and manage mass care and shelters with the American Red Cross, the Sheriff and EHSD must coordinate their response. The Sheriff and EHSD do not have a standard procedure for identifying and establishing emergency shelters. To deliver a coordinated response, the Sheriff and EHSD must operate from the same plan. A standard written procedure is needed for the Sheriff and EHSD to follow in establishing shelters for the impacted population.

FINDINGS

- F1. The Bay Area Earthquake Plan of July 6, 2016, establishes operational planning and preparation criteria for each Bay Area county.
- F2. The Sheriff OES is charged with planning and coordinating the County's response to a disaster.
- F3. Sheriff OES Catastrophic Mass Care and Shelter Plan and other earthquake operational planning and preparation plans, dated 2010, do not meet the 2016 Bay Area Earthquake Plan requirements.
- F4. EHSD is responsible for executing the Mass Care and Shelter Plan and coordinating with the American Red Cross to operate emergency shelters.
- F5. EHSD 2016 Emergency Management Plan differs from the Sheriff OES 2010 Mass Care and Shelter Plan.
- F6. EHSD 2016 Emergency Management Plan does not meet the 2016 Bay Area Earthquake Plan requirements.

- F7. EHSD does not have the resources to continually work with the Sheriff OES to coordinate, plan and keep updated the Mass Care and Shelter Plan.
- F8. Sheriff OES does not have the resources to update all the operational planning and preparation plans as required by the 2016 Bay Area Earthquake Plan.
- F9. Sheriff OES has no written procedures concerning selection, inspection and opening an emergency shelter.
- F10. Sheriff OES has no standard training program that covers how emergency shelters are selected, inspected, and opened.
- F11. The Sheriff OES recognizes the American Red Cross makes non-binding pre-arrangements for shelters and lists the shelters on the FEMA sponsored database, National Shelter System (NSS).
- F12. Responsibility for determining whether a shelter is habitable and safe to use rests with the local jurisdiction or Sheriff OES.
- F13. Sheriff OES can view, but not edit, data in the NSS.
- F14. EHSD does not have access to the NSS.
- F15. Sheriff OES does not receive regularly scheduled reviews and updates of shelter sites in NSS from American Red Cross.
- F16. Sheriff OES has not received a NSS based shelter report from the American Red Cross since 2008.
- F17. EHSD does not receive regularly scheduled reviews and updates of shelter sites in NSS from ARC.
- F18. EHSD has not received a NSS based shelter report from the American Red Cross since 2008.

RECOMMENDATIONS

- R1. Sheriff OES should consider creating a schedule for updating the Bay Area Earthquake Plan operational annexes by the end of 2017.
- R2. The Board of Supervisors should consider identifying funds by July 1, 2018, to permit Sheriff OES and EHSD to coordinate and complete the Mass Care and Shelter Plan according to the schedule submitted by the Sheriff OES.

- R3. Sheriff OES should consider developing a written Mass Care and Shelter protocol by July 1, 2018, that covers selection, inspection, and opening a shelter, and identifying funds to do so.
- R4. Sheriff OES should consider including shelter selection, inspection and preparation when it establishes the Emergency Operations Center for a simulated disaster as part of disaster exercises.
- R5. EHSD should consider access to view the NSS list by the end of 2017.
- R6. Sheriff OES should consider providing training to EHSD on how to use the NSS system after EHSD is granted access to view the NSS list,
- R7. EHSD should consider periodic reviews of the currency of the data and make update recommendations and corrections to the American Red Cross after EHSD is granted access to view the NSS list.
- R8. Sheriff OES and American Red Cross should consider inviting EHSD to their regular meetings regarding earthquake planning and review of associated policies.
- R9. Sheriff OES should consider reviewing its plans to coordinate local jurisdictions, EHSD and the American Red Cross during an emergency, and develop procedures and provide training where deficiencies are identified.

REQUIRED RESPONSES

	Findings	Recommendations
Contra Costa County Board of Supervisors	F1 to F3, F5, F8 to 13, F15, F16	R1, R3, R4, R6, R8, R9
The Office of the Sheriff	F1, F4 to F7, F14, F17, F18	R2, R5, R7, R8, R9

These responses must be provided in the format and by the date set forth in the cover letter that accompanies this report. An electronic copy of these responses in the form of a Word document should be sent by e-mail to ctadmin@contracosta.courts.ca.gov and a hard (paper) copy should be sent to:

Civil Grand Jury – Foreperson
 725 Court Street
 P.O. Box 431
 Martinez, CA 94553-0091

APPENDIX

List of Organizations and Acronyms:

- Contra Costa County Office of the Sheriff
- Contra Costa County Office of the Sheriff, Office of Emergency Services (Sheriff OES)
- Contra Costa County Employment and Human Service Department (EHSD)
- Federal Emergency Management Agency (FEMA)
- Department of Homeland Security
- Department of Homeland Security Bay Area Urban Area Security Initiative (Bay Area UASI)
- United State Geological Survey (USGS)
- American Red Cross
- Contra Costa County Board of Supervisors (Board of Supervisors)
- National Shelter System (NSS)



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: August 1, 2017

Subject: Approve New and Recredentialing Providers in Contra Costa Health Plan's Community Provider Network

RECOMMENDATION(S):

Approve the list of providers recommended by Contra Costa Health Plan's Medical Director on June 16 and 28, 2017 and by the Health Services Director, as required by the State Departments of Health Care Services and Managed Health Care, and the Centers for Medicare and Medicaid Services.

FISCAL IMPACT:

Not Applicable.

BACKGROUND:

The National Committee on Quality Assurance (NCQA) requires that evidence of Board of Supervisors approval must be contained within each CCHP provider's credentials file. Approval of this list of providers as recommended by the CCHP Medical Director will enable the Contra Costa Health Plan to comply with this requirement.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, Contra Costa Health Plan's Providers would not be appropriately credentialed and not be in compliance with the NCQA.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Patricia Tanquary,
925-313-6004

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

By: , Deputy

cc: Tasha Scott, Marcy Wilhelm, Heather Wong

ATTACHMENTS

Attachment

Contra Costa Health Plan
Providers Approved by Medical Director
June 16, 2017

CREDENTIALING PROVIDERS JUNE 2017	
Name	Specialty
Fogelson, Julia, ASW	Mental Health Services
Shand, Katherine, MFT	Mental Health Services

Providers Approved by Medical Director
June 28, 2017

CREDENTIALING PROVIDERS JUNE 2017	
Name	Specialty
Ahlas, Andreas, M.D.	Primary Care Internal Medicine
Ankunding, Julia, M.D.	Anesthesiology
Barua, Upama, M.D.	Primary Care Internal Medicine
Brown, Cecilia, PA	Primary Care Family Medicine
Chabria, Khushboo, BCBA	Behavior Analysis
Chadalawada, Sudha, M.D.	Primary Care Family Medicine
Corley, Kristyn, BCBA	Behavior Analysis
Covarrubias, Maria del Carmen, BCBA	Behavior Analysis
Downing, Beverly, BCBA	Behavior Analysis
Freitas, Rachel, NP	Primary Care Family Medicine
Friedman, Rachel, NP	Primary Care Family Medicine
Gandhi, Reshma, M.D.	Primary Care Family Medicine
Garg, Anuja, M.D.	Primary Care Internal Medicine
Gillespie, Faye, BCBA	Behavior Analysis
Glenn, David, M.D.	Anesthesiology
Hadley, John, M.D.	Pulmonary Disease
Kallem, Priyanka, M.D.	Primary Care Family Medicine
Khabagnote, Farrah, Psy.D.	Mental Health Services
Khan, Qiratulanne, DO	Primary Care Family Medicine
Koerner, Benjamin, LCSW	Mental Health Services
Kraft, Charles, Ed.D.	Mental Health Services
Kurthausen-Bon, Nicole, OT	Occupational Therapy

CREDENTIALING PROVIDERS JUNE 2017	
Name	Specialty
Kwok-Oleksy, Christina, DPM	Podiatry
Laiblin, Megan, Psy.D.	Mental Health Services
Lay, Cho Cho, M.D.	Primary Care Family Medicine
Leach, Tamara, BCBA	Behavior Analysis
Liuska, Cynthia, MFT	Mental Health Services
Madsen, Mette, BCBA	Behavior Analysis
Martin, Sean, M.D.	Surgery - General
McGuinness, Brian, M.D.	Surgery - Colon & Rectal
Mehra, Soniya, M.D.	Primary Care Pediatrician
Miller, Deborah, M.D.	Primary Care Pediatrician
Moody, Dawnell, DO	Primary Care Pediatrician
Moreno, Jason, BCBA	Behavior Analysis
Munjal, Gunjan, M.D.	Primary Care Internal Medicine
Ngadon, Tenzin, NP	Primary Care Family Medicine
Perumal, Deepa, M.D.	Primary Care Family Medicine
Ritterman, Jeffrey, M.D.	Primary Care Internal Medicine
Rostai, Aklil, PA	Primary Care Family Medicine
Salehomoum, Negar, M.D.	Surgery - Colon & Rectal
Sanchez, Jennifer, PhD	Mental Health Services
Shrestha, Swechha, NP	Primary Care Family Medicine
Smeester, Daniel, M.D.	Addiction Medicine
Southwood, Jessica, M.D.	Otolaryngology
Tostenson, Lisa, NP	Primary Care Internal Medicine
Ubhayakar, Kiran, M.D.	Pulmonary Disease
Woolard, Jillian, BCBA	Behavior Analysis
Wright, Lisa, NP	Primary Care Family Medicine
Zafer, Sadaf, M.D.	Primary Care Family Medicine

CREDENTIALING ORGANIZATIONAL PROVIDERS JUNE 2017		
Provider Name	Provide the Following Services	Location
Amavi Home Health & Hospice Care Services, Inc.	Home Health/Hospice	Brentwood
Premier Healthcare Services, LLC dba: Premier Healthcare Services	Home Health	Concord

RE-CREDENTIALING PROVIDERS JUNE 2017	
Name	Specialty
Bharadwaj, Amitabh, M.D.	Ophthalmology
Brand, David, PA	Mid-Level – Orthopaedic Surgery Assistant
Castro, Laura, Psy.D.	Mental Health Services
Chang, Michael, DO	Physical Medicine & Rehabilitation
Coufal, Christopher, M.D.	Surgery – Orthopaedic
Davis, Laura M, NP	Mid-Level – Orthopaedic Surgery Assistant
Davis, Sally, M.D.	Cardiology
Kang, Eugenia, M.D.	Surgery – General
Kou, Joseph, M.D.	Surgery – Foot & Ankle
Lange, Douglas, M.D.	Surgery – Orthopaedic
McNeil, Sarah, M.D.	Family Planning
Merson, John, M.D.	Surgery – Orthopaedic
Moorthy, Murali, M.D.	Surgery – Foot & Ankle
Mozelsio, Nancy, M.D.	Allergy & Immunology
Pryde, Julie, PA	Mid-level – Orthopaedic Surgery Assistant
Qureshi, Abid A., M.D.	Surgery – Orthopaedic
Runyon, Theresa, NP	Mid-Level – Nephrology
Saba, Donna, NP	Mid-Level – Medical Oncology Assistant
Schilling, John., M.D.	Surgery – Orthopaedic
Sekhon, Roobal, DO	Psychiatry
Sheppard, Barry, M.D.	Surgery – Thoracic Cardiovascular
Taft, Wesley, M.D.	Primary Care Pediatrician
Teicher, Stacey, NP	Mid-Level – Medical Oncology Assistant

RECREDENTIALING PROVIDERS JUNE 2017	
Name	Specialty
Tischenko, George, M.D.	Surgery – Orthopaedic
Tung, Chiu, M.D.	Anesthesiology
Wiseman, Craig, M.D.	Surgery – Orthopaedic
Wyzkowski, Richard, M.D.	Surgery – Orthopaedic Hand and Upper Extremity
Yan, Min, M.D.	Hematology/ Oncology

RECREDENTIALING ORGANIZATIONAL PROVIDERS JUNE 2017		
Provider Name	Provide the Following Services	Location
Bay Area Laser Surgery Center	Outpatient Surgery	Pinole
Fresenius Medical Care Diablo Nephrology Clinics, LLC dba: Fresenius Medical Care - Diablo West Antioch	Dialysis	Antioch
Premier Healthcare Services, LLC dba: Premier Healthcare Services	Home Health	Sacramento

Bopl-June 28, 2017



**Contra
Costa
County**

To: Board of Supervisors
From: Candace Andersen, District II Supervisor
Date: August 1, 2017

Subject: RESPONSE TO CIVIL GRAND JURY REPORT NO. 1711, "Alamo Parks Planning and Development"

RECOMMENDATION(S):

1. APPROVE response to Civil Grand Jury Report No. 1711, "Alamo Parks Planning and Development", and
2. DIRECT the Clerk of the Board to forward the response to the Superior Court immediately following Board action.

FISCAL IMPACT:

No fiscal impact. This is an informational report.

BACKGROUND:

On June 15, 2017 the 2016/17 Civil Grand Jury filed the above-referenced report regarding Alamo Parks Planning and Development.

The Report was referred to the County Administrator by the Board of Supervisors on July 11, 2017 for response. The County Administrator and the District II Supervisor have prepared a response for consideration by the Board of Supervisors, which clearly specifies:

- Whether a finding or recommendation is accepted or will be implemented;
-

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☒ 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: August 1, 2017

Contact: Timothy Ewell, (925)
335-1036

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

If a recommendation is accepted, a statement as to who will be responsible for implementation and by what definite target date;

- A delineation of the constraints if a recommendation is accepted but cannot be implemented within a six-month period; and
- The reason for not accepting or adopting a finding or recommendation.

CONSEQUENCE OF NEGATIVE ACTION:

In order to comply with statutory requirements, the Board of Supervisors must provide a response to the Superior Court within ninety days of submission of the report.

CHILDREN'S IMPACT STATEMENT:

No impact.

ATTACHMENTS

Grand Jury Report No. 1711 "Alamo Parks Planning and Development"

Response to Grand Jury Report No. 1711

A REPORT BY
THE 2016-2017 CONTRA COSTA COUNTY GRAND JURY
725 Court Street
Martinez, California 94553

Report 1711

**Alamo Parks
Planning and Development**

APPROVED BY THE GRAND JURY:

Date: 6/15/17


JIM MELLANDER
GRAND JURY FOREPERSON

ACCEPTED FOR FILING:

Date: 6/16/17


JOHN T. LAETTNER
JUDGE OF THE SUPERIOR COURT

Contra Costa County Grand Jury Report 1711

Alamo Parks Planning and Development

TO: Contra Costa County Board of Supervisors

SUMMARY

Alamo is an unincorporated area of Contra Costa County (County). Because Alamo is not a city, it is governed by the Board of Supervisors (BOS). In 2009, the BOS approved the establishment of a Municipal Advisory Council (MAC) to act on behalf of the citizens of Alamo and to be a centralized voice for the community.¹

The MAC advises the BOS on community issues and holds monthly public meetings for residents. Land use requests for zoning or other variances are the primary topics of the meetings. MAC meetings are usually attended by those property owners and neighbors immediately affected by the variance requests under discussion.

A portion of the property taxes paid by Alamo property owners funds tax assessment district, R7, which is dedicated to parks and recreation. The MAC is involved in the decision-making process involving park use, site selection, design and construction, and serves as the BOS's advisor on park development. Despite the MAC's role, many residents are unaware of issues concerning park development, such as proposed changes, and learn of them after the fact.

The Grand Jury recommends that the BOS instruct the MAC to reach out to the community for more complete community input prior to submitting recommendations to the BOS. The MAC should identify and respond to the community's concerns and then research ways in which those concerns can best be addressed. The BOS should further instruct the MAC to limit the activities at Livorna Park in accordance with the County's General Plan, and utilize the larger Hap Magee Park for events for which it is better suited.

METHODOLOGY

In the course of its investigation, the Grand Jury:

- Researched the formation of the parks and the evolution of parks and recreation in Alamo
- Interviewed public officials, County employees, members of the Alamo Improvement Association (AIA), members of the Alamo Municipal Advisory Committee (MAC), and concerned citizens
- Attended MAC meetings and reviewed minutes of their meetings
- Reviewed County records, BOS minutes, budget reports and online postings

BACKGROUND

Alamo is an unincorporated community in Contra Costa County, which is governed by the County Board of Supervisors. Its population in 2016 was 14,570. ²

County Service Area R-7 (Alamo) Financials

	FY 15/16 Year End	FY 16/17 Year End (est)	FY 17/18 Budget (proposed)
Fund Balance	\$3,509,224	\$3,466,358	\$1,987,085
Revenue:			
Taxes	1,025,383	1,078,000	1,080,000
Measure WW	43,576	322,973	354,706
Other	23,401	18,365	19,300
Total Revenue	1,092,360	1,419,338	1,454,006
Expenses			
Grounds Maintenance	340,644	246,000	288,000
Hap Magee Operations	166,863	190,186	191,351
Trash/Custodial	14,658	17,700	33,000
Contracted Services	60,464	40,000	35,000
Recreation Supplies	9,851	10,000	10,800
Other	20,091	26,900	26,900
Capital Improvements			
Hap Magee Park Improvements	6,933	82,500	266,250
Hemme Station Park Construction	212,479	1,637,521	0
Livorna Park Bocce Courts Construction	186,356	533,495	0
Public Works Admin	116,886	114,409	148,900
Total Expenses	1,135,225	2,898,711	1,000,201
Net	(42,865)	(1,479,273)	453,805
Fund Balance	3,466,358	1,987,085	2,440,890

History of the CSA R7 Fund

On January 28, 1974, County Service Area (CSA) R7 was established by the BOS. In June of that same year, Alamo voters approved a measure authorizing CSA R7 to set aside funds to develop parks and recreation services in the community.^{3,4}

Measure WW, a \$500 million bond extension approved by voters in Alameda and Contra Costa counties, was another source of revenue in the amount of \$817,931 for CSA R7.⁵ By fiscal 2015-16, the balance of the CSA R7 fund had grown to \$3.5 million. The following chart shows fund balances, plus estimated revenues and expenses. It also shows estimated expenditures of \$719,851 for the proposed Livorna Park bocce courts. As of the writing of this report, there is no long-term plan for the use of CSA R7 funds.⁶

At one point, there had been an active discussion within the Alamo community about improving representation through incorporation. In March of 2009, the residents of Alamo voted not to incorporate.⁷ Subsequently, the BOS appointed a MAC, made up of seven residents. The Alamo MAC is intended to act as a voice for the community and provides recommendations to the BOS on new and existing projects, including 'parks and recreation' and the allocation of CSA R7 funds.

The Contra Costa County Advisory Body handbook explains MACs as follows:

These councils face two ways: toward the county, offering the views of the community; and toward the community, supplying information about county proposals... Although each of us has opinions and preferences, the role of the advisory body member is to consider and represent more than your personal opinion on the topics considered... It is the advisory body member's responsibility to represent the larger public interest by putting the needs, interests, and protection of the residents of the county as his or her primary concern.⁸

DISCUSSION

History of Livorna Park

In 1992, a development of 98 single family homes was proposed in a previously undeveloped area of Alamo adjacent to a small, quiet neighborhood. Throughout the approval process, a study was done to help mitigate the impact of the development on the surrounding community.⁹ Consideration was given to traffic, school resources, noise, lights, scenic impact, preservation of the surrounding landscape and the environmental impact on wildlife. To make the project more appealing to neighboring homeowners, the developer proposed replacing three proposed home sites with a 4.4-acre park, which separated the existing neighborhood and the development.¹⁰

In 1994, the Alamo Estates Subdivision was approved with 95 houses and a 4.4-acre neighborhood park.¹¹ This small neighborhood park would later be named Livorna Park.¹²

The County's General Plan outlines the criteria for a "neighborhood park." The site for a neighborhood park without a playground is 3 to 7 acres. If the park includes a playground, it should be 6 to 8 acres. Facilities in the park should be limited to landscaped open space (trees, grass, and shrubbery), benches, tables and walkways. A neighborhood park of this size generally services residents living within one half mile of the park.¹³

Livorna Park sits within a quiet residential area surrounded by single family homes. It was built to accommodate nearby residents and provides parking for 17 vehicles.

Over the years, amenities were added to Livorna Park without increasing its size. These additions included a playground, an active volleyball court, a gazebo, and in 2016 a bocce court facility. Activities at Livorna Park have also expanded in size and frequency to well beyond the park's intended purpose. Livorna Park now hosts summer concerts that are attended not only by residents of Alamo but by people from neighboring cities. The attendance can exceed 500 people.¹⁴ During these events, vendors are invited to set up concession stands. In addition to the noise, vehicles are illegally parked, alcohol is openly consumed and trash is left throughout the surrounding neighborhood. Further measures were deemed necessary to accommodate the large crowds, including the rental of Porta-Potties, a visible police presence and an ambulance.

Over the years, residents have expressed concerns and objections to the Alamo MAC about the size of the crowds and the impact on the surrounding neighborhood. Some residents believe their concerns are not being heard or addressed. For example, a sign at the Miranda Avenue entrance to Livorna Park was changed without notice to indicate increased evening park hours to 10 pm. Residents were not made aware of this change in advance.

There is a larger 16.3-acre park in Alamo named Hap Magee Park with parking for 89 vehicles. It is better suited for holding large events; however, the MAC continues to hold concerts and movies at Livorna Park.

The Alamo MAC

The MAC meets on the first Tuesday of every month at 6 pm at the Women's Club. MAC complies with the Brown Act by posting meeting agendas at park bulletin boards. However, it does not post agendas in downtown Alamo. Meetings are sparsely attended.¹⁵ In the past five years, the issue of public awareness has not been a MAC agenda item.

In 2010, the MAC sought community input by sending a survey to residents to determine how to spend the growing CSA R7 funds. While tabulating the result, it was

discovered that the survey results were flawed, because “[a]n unknown number of people who are not residents of Alamo filled out the survey...” rendering the results invalid.¹⁶ A corrected survey was not conducted and it does not appear that MAC made further efforts to seek input from Alamo residents about this subject.

Without a clear mandate from the residents of Alamo, the MAC recommended to the BOS that \$750,000 be spent planning and building bocce courts at Livorna Park in an area that would extend over an existing volleyball court.¹⁷ The local County Supervisor’s office, the MAC, and published newspaper articles indicate the results of the afore-mentioned survey as a rationale for approving the project.¹⁸

While the MAC only performed a single, flawed survey prior to adding the bocce courts, the MAC generally puts greater effort into promoting concerts and other large events. The MAC uses several promotional methods to encourage participation on concert and movie nights. These include numerous signs posted on busy corners throughout Alamo, postings in local papers, flyers at schools and advertisements on the radio.

Community Concerns

- In June 2015, concerned residents circulated a petition signed by over 50 residents, which objected to the installation of the bocce courts at Livorna Park. This petition was sent to the local County Supervisor’s office. No community meeting was held in response to the petition, and the issue did not appear on any subsequent MAC meeting agendas.
- In January 2016, following the posting of a flyer in the park about the bocce courts, a heated discussion ensued amongst citizens on a social networking site called Nextdoor.com. The focus of the discussion was the appropriateness of the bocce courts. The discussion included over 70 open comments and revealed that a significant number of residents were unaware of the project, and that some were opposed to it. The MAC did not re-evaluate the project.
- In the beginning of 2016, the County Parks Department performed an online survey. Its purpose was to obtain suggestions on the future development of the new Hemme Park. Out of 31 respondents, 13 used this opportunity to voice their objection to the plan to have bocce courts built at Livorna Park.¹⁹
- As of the date of the survey, no contracts had yet been signed and minimal financial commitment made to the development of the bocce courts. Yet, the MAC did not attempt to address the concerns about this project.
- On March 10, 2016, bids were due from contractors wishing to build the bocce facility at Livorna Park.²⁰
- Construction was finished on the bocce facility and it is expected to be open to the public in June 2017.

FINDINGS

- F1. There is no comprehensive long-term plan for the use of Alamo CSA R7 funds.
- F2. The residents living around Livorna Park were instrumental in the park's creation.
- F3. At the inception of Livorna Park, its design, size, amenities and parking facilities were all in accordance with the County's General Plan and designed to limit the activities at that park.
- F4. Livorna Park is currently being used in a manner that exceeds its original purpose and use.
- F5. The events held at Livorna Park have increased in size and frequency since its inception.
- F6. The events held at Livorna Park are not consistent with that of a quiet neighborhood park.
- F7. The County General Plan indicates that a 4.4-acre park, the size of Livorna Park, should only have trees, grass, shrubs, benches, tables and walks. Amenities suitable for much larger parks have been added over the years.
- F8. The MAC has recommended changes and activities that run contrary to Livorna Park's initial purpose.
- F9. The MAC has not sufficiently considered the impact of recommended changes and activities to Livorna Park on the residents of the surrounding neighborhood.
- F10. A sign at the Miranda Avenue entrance to Livorna Park was changed to increase park hours to 10 pm without consulting with the neighbors.
- F11. Hap Magee Park is larger than Livorna Park and has more parking.
- F12. The Alamo MAC moved building bocce courts forward at Livorna Park without fully addressing residents' concerns or obtaining strong community support.
- F13. The MAC does not adequately solicit input from Alamo residents to determine the needs of the community prior to recommending actions to the BOS.
- F14. The MAC widely and actively promotes concerts, movies and other events at Livorna Park.

RECOMMENDATIONS

- R1. The Board of Supervisors should consider developing a written, long-term plan for the CSA R7 funds.
- R2. The Board of Supervisors should consider instructing the MAC to use some of its CSA R7 funds to perform a survey of residents to ensure that long term plans for Alamo parks reflect the needs and concerns of the community.
- R3. Prior to funding any park projects, the Board of Supervisors should consider ensuring that improvements or land purchases are in accordance with the proposed long-term CSA R7 plan and the County's General Plan.
- R4. The Board of Supervisors should consider replacing the new sign at the Miranda Avenue entrance of Livorna Park to match the other existing sign, which indicates park hours from sunrise to sunset.
- R5. The Board of Supervisors should consider directing the MAC to hold large events at Hap Magee Park, rather than Livorna Park.
- R6. To ensure that the MAC's recommendations are supported by the community, the Board of Supervisors should consider instructing the MAC to provide a history of community outreach efforts and feedback to support their recommendations.

REQUIRED RESPONSES

	Findings	Recommendations
Contra Costa County Board of Supervisors	F1 to F14	R1 to R6

These responses must be provided in the format and by the date set forth in the cover letter that accompanies this report. An electronic copy of these responses in the form of a Word document should be sent by e-mail to ctadmin@contracosta.courts.ca.gov and a hard (paper) copy should be sent to:

Civil Grand Jury – Foreperson
725 Court Street
P.O. Box 431
Martinez, CA 94553-0091

REFERENCES

1. July 30, 2009 – Supervisor Piepho recommends to the Board of Supervisors the creation of the Alamo MAC. The MAC is being formed to provide an opportunity for a focused voice and input from the unincorporated area.
2. <https://suburbanstats.org/population/california/how-many-people-live-in-alamo>
3. <http://www.co.contra-costa.ca.us/2298/Alamo-Parks-and-Recreation>
4. <http://www.co.contra-costa.ca.us/DocumentCenter/View/27027>
5. <http://www.ebparks.org/about/planning/ww>
6. http://www.alamore.org/alamomacfolder/R-7A_FinanceReportsQ2.pdf
7. <http://www.eastbaytimes.com/2009/03/03/alamo-incorporation-measure-soundly-defeated/>
8. Contra Costa County Advisory Body handbook - <http://www.co.contra-costa.ca.us/DocumentCenter/View/7614>
9. Alamo Estates Response to comments for Environmental Impact Report
10. Contra Costa Community Development Department memo: March 23, 1992
Re: Alamo Estates Draft EIR, Park Dedication
11. Addendum #2 to the Final EIR for the Alamo Estates Subdivision Project
12. Alamo Estates Draft Environmental Impact Report SCH#91033039
13. Contra Costa County General Plan 2005 – 2020
14. Alamo MAC Record of Actions July 7, 2015
15. <http://www.co.contra-costa.ca.us/3595/Alamo>
16. Alamo Parks and Recreation Survey Summary – January 2011 Report to Alamo Municipal Advisory Council
17. <http://www.cccounty.us/DocumentCenter/View/25531>
18. https://issuu.com/theeditors/docs/april_2017_-_alamo_today
19. <http://www.co.contra-costa.ca.us/5404/Alamo-Parks>
20. <http://www.contracosta.ca.gov/6075/Livorna-Park-Improvements>



CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT NO. 1711

"Alamo Parks Planning and Development"

BOARD OF SUPERVISORS' RESPONSE

FINDINGS – *California Penal Code Section 933.5(a) requires a response to the designated findings of the Grand Jury.*

F1. There is no comprehensive long-term plan for the use of Alamo CSA R7 funds.

Response: **Disagree.** The Alamo Municipal Advisory Council (MAC) has carefully considered and planned for the use of this money and made recommendations to the Board of Supervisors accordingly.

Each quarter, the County Service Area (CSA) R-7 budget is reviewed with the Alamo MAC and the Special Districts division of the County Public Works Department. On an annual basis, a budget plan for maintenance and upkeep of existing parks is prepared by the Special Districts division of the Public Works Department and presented to the Alamo MAC. Ultimately, the annual budget plan is incorporated into the County Recommended Budget for consideration and approval by the Board of Supervisors.

Given the recent level of CSA R-7 funding committed to park construction and capital improvements, future revenue will only be sufficient to fund ongoing maintenance of existing park facilities and to sponsor future recreation activities. There currently is no need for any greater detailed long-term plan.

F2. The residents living around Livorna Park were instrumental in the park's creation.

Response: **Partially Disagree.** Most homes surrounding Livorna Park did not exist at the time of its development. The Alamo residents who were instrumental in the creation of Livorna Park were the members of the CSA R-7. The members had been looking for land to purchase to create a community park in Alamo. As part of the development of the Alamo Estates subdivision, the developer donated the land, which ultimately became Livorna Park. Subsequently, the park was developed using CSA R-7 funding for the benefit of all Alamo residents. Had the Park only been created for the benefit of residents within the Alamo Estates subdivision, CSA R-7 funds would not have been utilized. Rather, an alternative governance model, such as a Homeowner's Association, would have been tasked with the oversight and funding of ongoing maintenance.

- F3. At the inception of Livorna Park, its design, size, amenities and parking facilities were all in accordance with the County's General Plan and designed to limit the activities at that park.**

Response: Partially Disagree. The original design of Livorna Park included a sport court, gazebo, large playground and sand volleyball court, which was developed in consultation with the CSA R-7 Committee and then existing neighbors. Several community meetings were held to discuss the development and design of the Park. Ultimately, the size of the Park was the primary factor limiting recreational activities.

- F4. Livorna Park is currently being used in a manner that exceeds its original purpose and use.**

Response: Disagree. Livorna Park was designed as a community park. Although smaller than other community parks operated by the County, the parcel of land donated by the developer was the largest piece of land that became a feasible alternative to a community park. The amenities currently offered in the park have been available since its inception, with the exception of the bocce ball courts, which replaced the original volleyball court. Additionally, the original playground equipment has been upgraded. Summer concerts have been held at the park since 1998.

- F5. The events held at Livorna Park have increased in size and frequency since its inception.**

Response: Partially Agree. The first large-scale, community activities and concerts were authorized in 1998. While we do not keep strict attendance counts, it is likely that attendance has increased at these community events consistent with the growth of the Alamo community. The Alamo MAC has been responsive to the concerns of neighbors and has requested that amplifiers be turned lower during concerts and that concerts end before dark. The Alamo MAC also agreed that during the month of August there would be no CSA R-7 sponsored community events in the Park.

- F6. The events held at Livorna Park are not consistent with that of a quiet neighborhood park.**

Response: Partially Disagree. There is no general plan designation defining a "quiet neighborhood park." There is no prohibition from having a community concert or movie at a County park the size of Livorna Park. Although the General Plan defines a neighborhood park as being between 3-7 acres, or 6-8 acres with a playground, from its inception this park was never intended to be for the exclusive use of the neighbors immediately surrounding the park, but for the entire Alamo community. The seven Alamo MAC/CSA R-7 sponsored community events that take place each year do not create an undue burden on neighbors. The events have been very positively received by the community and very few complaints have been received historically.

- F7. The County General Plan indicates that a 4.4-acre park, the size of Livorna Park, should only have trees, grass, shrubs, benches, tables and walks. Amenities suitable for much larger parks have been added over the years.**

Response: Disagree. While the General Plan may include that advisory guideline, from its inception, Livorna Park was developed with the majority of the current

amenities in place today. The exceptions would be those amenities previously discussed in the response to F4 above, including replacement of a more active and noise producing amenity (the sand Volleyball Court) for a quieter, more passive use amenity (Bocce Ball).

F8. The MAC has recommended changes and activities that run contrary to Livorna Park's initial purpose.

Response: **Disagree.** Livorna Park was not built to only serve residents of the Alamo Estates subdivision. Rather, its initial purpose was to serve as a gathering place for all Alamo residents. All Alamo property owners paid for the development of the park and continue to pay for its maintenance through CSA R-7.

F9. The MAC has not sufficiently considered the impact of recommended changes and activities to Livorna Park on the residents of the surrounding neighborhood.

Response: **Disagree.** All Alamo MAC decisions regarding the use of CSA R-7 money are made at a publicly noticed meeting in full compliance with the Ralph M. Brown Act. Contrary to the attached report, Alamo MAC meeting agendas are posted downtown at Andrew H. Young Park, at Livorna Park, online on the County's website (both on the homepages of Supervisor Andersen and the County Public Works Department), and notice is emailed to anyone who requests receipt of the meeting agendas. More recently, Alamo MAC agendas are being posted on the social media site, Nextdoor.com. The Alamo MAC has afforded an opportunity to neighbors to provide input into all capital improvement decisions impacting Livorna Park since inception.

F10. A sign at the Miranda Avenue entrance to Livorna Park was changed to increase park hours to 10 pm without consulting with the neighbors.

Response: **Agree.** County Public Works staff changed the signs to be consistent with County Ordinance Code § 1110-2.802, which covers all County owned parks and prohibits anyone from being in a County park between 10 pm and 6 am.

F11. Hap Magee Park is larger than Livorna Park and has more parking.

Response: **Agree.** Although Hap Magee Park is larger than Livorna Park, there are a wide variety of amenities already in place, including a house, two cottages, a barn, a large children's playground and splash area, two dog parks, a labyrinth, and a community garden. In addition, ownership of Hap Magee Park is shared with the Town of Danville and activities are limited pursuant to a Joint Exercise of Powers Agreement.

F12. The Alamo MAC moved building bocce courts forward at Livorna Park without fully addressing residents' concerns or obtaining strong community support.

Response: **Disagree.** The Alamo MAC obtained community support for building bocce ball courts by conducting a survey mailed to every property owner in Alamo. The survey results were printed in the town's monthly newspaper, Alamo Today, which enjoyed wide readership in Alamo at the time. Property owners answering the survey expressed a strong preference for bocce ball courts as a needed amenity for

Alamo parks. The assertion that this survey was flawed is false and the only “out of town voters” in this survey were property owners in Alamo, who ultimately pay taxes supporting Alamo parks.

All discussion of the creation of bocce ball courts at Livorna Park was held in publicly noticed Alamo MAC meetings, held in full compliance with the Ralph M. Brown Act. Several community members did attend the meetings and participate in the discussions. For example, decisions such as whether or not to light the courts for evening play were made in response to community input received at the meetings.

F13. The MAC does not adequately solicit input from Alamo residents to determine the needs of the community prior to recommending actions to the BOS.

Response: **Disagree.** The Alamo MAC makes every effort possible to encourage Alamo residents to attend MAC meetings and participate. Alamo MAC meeting agendas are posted downtown at Andrew H. Young Park, at Livorna Park, online on the County’s website (both on Supervisor Andersen’s Alamo webpage and the County Public Works department’s Alamo Parks and Recreation webpage), and notice is emailed to anyone requesting receipt of meeting agendas. More recently, Alamo MAC agendas are being posted on the social media site, Nextdoor.com.

Alamo MAC meetings are held on the first Tuesday of each month at the Alamo Women’s Club, which has sufficient capacity for community members to attend and provide input. Meeting attendance varies depending upon the topic. When it is anticipated that community interest could exceed the meeting capacity of the Alamo Women’s Club, meetings are typically moved to local elementary school multipurpose rooms to accommodate the larger groups.

F14. The MAC widely and actively promotes concerts, movies and other events at Livorna Park.

Response: **Partially Disagree.** While initially there was widespread distribution of Livorna Park event schedules in surrounding communities (such as Danville and Walnut Creek), publicity has been scaled back once it was determined that event capacity was being reached each year. Publicity for these events appeared in the recently discontinued Alamo Today (local publication), and continue to be advertised in Supervisor Andersen’s newsletter and through postings at the local parks.

RECOMMENDATIONS - *California Penal Code Section 933.05(b) requires a response to the designated recommendations of the Grand Jury.*

R1. The Board of Supervisors should consider developing a written, long-term plan for the CSA R7 funds.

Response: **The recommendation has been implemented.** Each quarter, a report is provided to the Alamo MAC by the Special Districts division of the Public Works Department regarding the maintenance and upkeep of existing parks. Similarly, on an annual basis, a budget plan for maintenance and upkeep of existing parks is prepared by the Special Districts division of the Public Works Department and presented to the Alamo MAC. Ultimately, the annual budget plan is incorporated into

the County Recommended Budget for consideration and approval by the Board of Supervisors. Given the fact that future CSA R-7 funds will be committed to the maintenance and upkeep of existing facilities and recreational activities, there currently is no need for any greater detailed long-term plan.

- R2. The Board of Supervisors should consider instructing the MAC to use some of its CSA R7 funds to perform a survey of residents to ensure that long term plans for Alamo parks reflect the needs and concerns of the community.**

Response: **This recommendation will not be implemented because it is not warranted or is not reasonable.** There will not be sufficient funds for the establishment of new parks and current CSA R-7 funding has been programmed for the maintenance and upkeep of existing parks and to sponsor recreation activities. However, in the future, should a park bond or grant (for example, the East Bay Regional Park District Measure WW) make park funding available to Alamo, the Alamo MAC will seek public input on how to best spend those funds and make a recommendation to the Board of Supervisors

- R3. Prior to funding any park projects, the Board of Supervisors should consider ensuring that improvements or land purchases are in accordance with the proposed long-term CSA R7 plan and the County's General Plan.**

Response: **The recommendation has been implemented.** Prior to the purchase or development of a park or capital improvements in an existing park, County Public Works staff reviews the project for consistency with the County's General Plan.

- R4. The Board of Supervisors should consider replacing the new sign at the Miranda Avenue entrance of Livorna Park to match the other existing sign, which indicates park hours from sunrise to sunset.**

Response: **The recommendation will not be implemented because it is not warranted or is not reasonable.** Signage around Livorna Park has already been replaced to be consistent with County Ordinance Code § 1110-2.802 and other County parks and which prohibits park use between 10 pm and 6 am.

- R5. The Board of Supervisors should consider directing the MAC to hold large events at Hap Magee Park, rather than Livorna Park.**

Response: **The recommendation will not be implemented because it is not warranted or is not reasonable.** Hap Magee park is operated jointly by the Town of Danville and Contra Costa County under a Joint Exercise of Powers Agreement. The Board of Supervisors and/or the MAC cannot unilaterally decide to hold any events, including concerts, at Hap Magee Ranch Park. The Town of Danville has the right to approve or veto any concerts or events and has stated that they would not agree to any large-scale, community events at this park. Further, in the Hap Magee Ranch Park Master Plan, approved in May 1988 by the Joint Planning & Operation Committee, Danville Parks and Leisure Services Commission, and the County Service Area R7A Advisory Committee. It states "General use of the park at night should be prohibited."

- R6. To ensure that the MAC's recommendations are supported by the community, the Board of Supervisors should consider instructing the MAC to provide a history of community outreach efforts and feedback to support their recommendations.**

Response: **The recommendation has been implemented.** Each year, the Alamo MAC files an annual report with the Board of Supervisors describing its activities, pursuant to the Better Government Ordinance. Alamo MAC meeting agendas are posted downtown at Andrew H. Young Park, at Livorna Park, online on the County's website (both on Supervisor Andersen's Alamo webpage and the County Public Works department's Alamo Parks and Recreation webpage), and notice is emailed to anyone requesting receipt of meeting agendas. More recently, Alamo MAC agendas are being posted on the social media site, Nextdoor.com. Further, Supervisor Andersen's office provides staff support to the Alamo MAC, and, accordingly, the Supervisor's office is aware of the community input received on all recommendations forwarded by the Alamo MAC.



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: August 1, 2017

Subject: Authorization to seek legislation to change the West Contra Healthcare District's board of directors from an elected board to an appointed board

RECOMMENDATION(S):

AUTHORIZE the County Administrator to seek legislation to modify the Health and Safety Code to change the Board of Directors for the West Contra Costa Healthcare District from an elected board of directors to a board of directors that is appointed by the Board of Supervisors.

FISCAL IMPACT:

The costs of seeking legislation are minimal. Because the West Contra Costa Healthcare District will remain a distinct legal entity, separate from the County, all costs pertaining to the West Contra Costa Healthcare District's governance will be paid from its funds.

BACKGROUND:

The West Contra Costa Healthcare District (the "District") filed for chapter 9 bankruptcy on October 20, 2016. Through the bankruptcy, the District is seeking the bankruptcy court's approval of a plan that will allow the District to modify its debts and on-going costs so that it may emerge from bankruptcy. After the District emerges from bankruptcy, which is estimated to occur by the end of 2017, it will begin the process of repaying creditors. Certain payments under the proposed plan will be made over a series of years. For example, the District's obligations related to certain bonds will not be retired until approximately 2042.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/01/2017** ☐ 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: August 1, 2017

Contact: Rebecca Hooley (925)
335-1854

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

By: , Deputy

cc: Robert Campbell, Auditor-Controller

BACKGROUND: (CONT'D)

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The District is governed by a board of directors that is elected pursuant to Health and Safety Code sections 32100 *et seq.* The cost that the District incurs in paying for these elections can be substantial. For instance, in 2014, the cost of the election for the District's board of directors was \$108,000.

To minimize the District's operating costs under the plan, the District would like to change from an elected board of directors to a board of directors that is appointed by the Board of Supervisors. To assist the District emerge from bankruptcy, the County Administrator recommends seeking legislation that would support such a change. The legislation could be draft to permit one or more members of the Board of Supervisors sit as on the District's Board of Directors.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board of Supervisors does not approve this recommendation, then the District will have more difficulty emerging from bankruptcy.