



Agenda

FINANCE COMMITTEE

August 16, 2017

2:00 P.M.

651 Pine Street, Room 101, Martinez

Supervisor Karen Mitchoff, Chair
Supervisor John Gioia, Vice Chair

Agenda Items:

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

1. Introductions
2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).
3. CONSIDER approving the Record of Action for the June 26, 2017, Finance Committee meeting (Tim Ewell, Senior Deputy County Administrator)
4. CONSIDER accepting a report on the Transient Occupancy Tax (TOT) regarding short-term rentals such as Airbnb and consider any additional information requests of staff and a potential recommendation to the Board of Supervisors. (John Kopchik, DCD Director)
5. CONSIDER accepting a report on funding an immigrants rights program in Contra Costa, and DIRECT staff on next steps (Ali Saidi, Contra Costa Immigrant Rights Alliance).
6. The next meeting is currently scheduled for September 25, 2017.
7. Adjourn

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

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

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

For Additional Information Contact:

Lisa Driscoll, Committee Staff
Phone (925) 335-1021, Fax (925) 646-1353
lisa.driscoll@cao.cccounty.us



Contra Costa County Board of Supervisors

Subcommittee Report

FINANCE COMMITTEE

3.

Meeting Date: 08/16/2017

Subject: Record of Action for June 26, 2017 Finance Committee Meeting

Submitted For: FINANCE COMMITTEE,

Department: County Administrator

Referral No.: N/A

Referral Name: Record of Action

Presenter: Tim Ewell, Senior Deputy
County Administrator

Contact: Tim Ewell, Senior Deputy County
Administrator 925-335-1036

Referral History:

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

Referral Update:

Attached for the Committee's consideration is the Record of Action for its June 26, 2017 meeting.

Recommendation(s)/Next Step(s):

Staff recommends approval of the Record of Action for the June 26, 2017 meeting.

Fiscal Impact (if any):

No fiscal impact.

Attachments

Draft Record of Action June 26, 2017



Agenda

FINANCE COMMITTEE

June 26, 2017

9:00 A.M.

651 Pine Street, Room 101, Martinez

Supervisor Karen Mitchoff, Chair

Supervisor John Gioia, Vice Chair

Agenda Items:

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

Present: Karen Mitchoff, Chair
John Gioia, Vice Chair

Staff Present: Lisa Driscoll, Finance Director
Annie O, Chief of Staff, District IV
Tim Ewell, Senior Deputy County Administrator
Ali Saidi, Public Defenders Office

Attendees: Greg Colley, Catholics United for Justice
Debra Bernstein, Monument Impact

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

There were no comments from the Public on any items not on the agenda.

3. Staff recommends approval of the Record of Action for the April 24, 2017 meeting.

The Record of Action for the April 24, 2017 meeting was approved as recommended.

AYE: Chair Karen Mitchoff, Vice Chair John Gioia
Passed

4. ACCEPT Quarterly Capital Projects update.

Ramesh Kanzaria presented the Quarterly Capital Report. Mr. Kanzaria reviewed the summary page in detail. There are currently 67 projects funded at \$284.0 million. There were 7 new projects since the last report totaling \$2.6 million and 12 projects were completed (\$14.9 million). In addition there are 19 Facilities Life-Cycle Investment Program (FLIP) projects under Capital Projects management totaling \$19.6 million and nine FLIP projects in progress under facilities maintenance. Highlights were provided of some of the major projects currently underway. Supervisor Mitchoff asked that a list of all Department of Conservation and Development satellites offices be included in the minutes. The Department has two satellite offices: 3685 Mt Diablo Blvd, Suite 120, Lafayette (1,700 square feet) and 1120 2nd Street, Brentwood, Suite 101 (570 square feet). The Department of Conservation and Developments pays the rent on both satellites. There were no further questions.

5. Accept report, and DIRECT staff regarding next steps of assessing local needs, learning from other models, and deciding what is best for Contra Costa.

Karen Mitchoff requested that Ali Saidi give an update on the proposal under review and consideration for funding an immigrants rights program in Contra Costa. Mr. Saidi thanked the Committee and indicated the East Bay Community Foundation may give them funding for plan design. He had recently attended a regional meeting on the topic and was excited about the possibility of forming a new coalition alliance in Contra Costa. Mr. Saidi informed the Committee that program design would take approximately thirty days to complete. Mr. Greg Colley of Catholics United for Justice spoke in favor of a Contra Costa program. He said that his organization was aligned with the Bishops to urge adoption of a program that aligns with the values of Catholic families. Debra Bernstein of Monument Impact echoed Mr. Colley's comments. She stressed urgency and said that funding a program was the most positive thing the County can do for the community. Supervisor Mitchoff said that the County Board was concerned and sympathetic to this issue. She reminded the audience that the Board had recently funded Contra Costa Cares by explaining how health impacts the entire community. The Committee scheduled the next Finance Committee meeting for August 16, 2017 at 2:00 to hear the updated proposal.

AYE: Chair Karen Mitchoff, Vice Chair John Gioia
Passed

6. The next meeting is scheduled for July 31, 2017 (rescheduled from July 24).

The July 31 meeting was cancelled and a new meeting date was set for August 16 at 2:00.

7. Adjourn

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Contra Costa County Board of Supervisors

Subcommittee Report

FINANCE COMMITTEE

4.

Meeting Date: 08/16/2017

Subject: Transient Occupancy Tax Collection for Short Term Rentals (Airbnb)

Submitted For: FINANCE COMMITTEE,

Department: County Administrator

Referral No.: 5-9-17 C.49

Referral Name: Electronic Hosting Platform Rental Revenues

Presenter: John Kopchik, Department of Conservation and
Development Director

Contact: 925-674-7819

Referral History:

On May 9, 2017, the Board of Supervisors referred to the Finance Committee the issue of exploring opportunities for revenue from AirBNB rentals and similar electronic hosting platform rentals in the unincorporated areas.

Referral Update:

See attached report from the Department of Conservation and Development.

Recommendation(s)/Next Step(s):

ACCEPT report on the Transient Occupancy Tax (TOT) regarding short-term rentals such as Airbnb and consider any additional information requests of staff and a potential recommendation to the Board of Supervisors.

Attachments

Report on TOT Collection for Short Term Rentals (Airbnb)

Transient Occupancy Tax Ordinance 64-4

City of Santa Monica Regulations

City of Richmond Regulations



**CONTRA COSTA COUNTY
DEPT. OF CONSERVATION AND DEVELOPMENT
30 Muir Road
Martinez, CA 94553**

DATE: August 16, 2017

TO: Finance Committee
Supervisor Karen Mitchoff, District IV, Chair
Supervisor John Gioia, District I, Vice Chair

FROM: John Kopchik, Director, Department of Conservation and Development
By: Kristine Solseng, Principal Planner

SUBJECT: Transient Occupancy Tax Collection for Short Term Rentals (Airbnb)

RECOMMENDATIONS

ACCEPT report on the Transient Occupancy Tax (TOT) regarding short-term rentals such as Airbnb and **CONSIDER** any additional information requests of staff and a potential recommendation to the Board of Supervisors.

Background

On May 9, 2017 the Board of Supervisors referred to the Finance Committee the issue of exploring opportunities for revenue from Airbnb within the unincorporated areas of the County. This report explores mechanisms and issues related to collecting TOT and other revenue from these types of rentals.

Contra Costa County has a transient occupancy tax ("TOT") ordinance (see attached) which authorizes the collection of a 10% tax on the rent charged. Currently, the following hotels in the unincorporated area) are subject to the TOT: Embassy Suites (unincorporated Walnut Creek area), Crowne Plaza (unincorporated Concord area), Burlington Hotel (Port Costa), and The Renaissance Club Sport Hotel (unincorporated Walnut Creek area. The county collects between \$2 to \$2.5 million per year from the TOT.

There have been an increasing number of short-term, online rental services providing accommodations in private homes and apartments similar to those historically provided only by traditional hotels and motels. Airbnb is the most popular web based service, which allows individuals to list, find, and rent lodging. There are similar electronic hosting platforms such as Homeway/VRBO and TurnKey. Currently, there is no revenue collected from these short-term home and apartment rentals.

TOT Collection and Short-Term Rentals

- **Current TOT Collection:**

The County collects TOT from “operators” of “hotels.” The County's TOT ordinance defines the terms “hotel” and “operator.” In the view of staff, Airbnb rentals appear to fall into the County's definition of “hotel.” The term “operator” is defined as “the person who is proprietor of the hotel, whether in the capacity of owner, lessee, sub-lessee, mortgagee in possession, licensee, or any other capacity. Where the operator performs his functions through a managing agent of any type or character other than an employee, the managing agent shall also be deemed an operator for the purposes of this chapter and shall have the same duties and liabilities as his principal.”

The TOT Ordinance Code requires hotel operators to register with the tax administrator and obtain a certificate. The Ordinance also requires operators to make quarterly reports to the tax administrator of the total rents charged and taxes collected. The administrative burden of requiring every individual who wants to use their property as an Airbnb rental to fulfill the registration and reporting requirements would likely be cost prohibitive. Presumably, this is why local agencies have sought to have the electronic hosting platform collect the tax.

- **Local Agency Approaches to Collecting TOT on Short-Term Rentals:**

There are two approaches to collecting TOT from Short-Term Rentals. One is require hosts and hosting sites to collect and remit TOT to local agencies, and the other is to enter into a Voluntary Compliance Agreement with the hosting site.

- **Short Term Rental TOT Collection by Ordinance:**

Some jurisdictions have enacted laws to require the collection of TOT from short-term rentals. In June of 2015, the City of Santa Monica established a "Home-Sharing Ordinance" (see attached). This ordinance requires hosts (property owners) and hosting platforms, such as Airbnb and VRBO, to be responsible for collecting TOT. Santa Monica's regulations specify that:

“If the Hosting Platform collects payment for the rental, the hosting platform and the host shall both have legal responsibility for the collection of all applicable TOT and remittance of the collected tax to the City on a monthly basis.”

- **Airbnb Voluntary Compliance Agreement:**

A number of jurisdictions (e.g., San Jose, Richmond, Pinole, Sonoma County) have entered into Voluntary Compliance Agreements (VCA) with Airbnb whereby the hosting platform agrees to collect the TOT on behalf of the property owner and pay it to the city or county. As part of the VCA terms, Airbnb will provide a quarterly summary of TOT collected, but it does not provide information about specific hosts or rental units. Some jurisdictions have concerns over the lack of transparency about who is hosting and where the units are located. Staff was unable to find similar agreement with Home Away/VBRO. This may be because VRBO has been a marketing platform versus Airbnb's business model as a transactional service. A copy of the City of Richmond's Airbnb Voluntary Compliance Agreement is attached.

- **Potential Revenue from Short-Term Rentals**

The revenue generated from an agreement depends on the number of Airbnb units rented in unincorporated Contra Costa County. Based on a preliminary review of Airbnb listings, there

are an estimated 200 listings in unincorporated Contra Costa County. Considering a very conservative estimate of \$80/night with a two-night stay and each unit rented twice a month, the County would receive about \$76,800 in additional revenue annually.

- **State Laws Imposing Collection Obligations on Airbnb:**

California State Senator McGuire introduced legislation in both 2015 and 2016 to regulate short-term rentals, in particular collection of TOT. Neither bill was passed and some of the unresolved issues include:

- Role of the State and local jurisdictions in the collection of TOT and regulating short term rentals;
- Level of transparency required by hosting sites to state and local jurisdictions; and
- Conflicting interests from hotel/labor organizations and hosting site/hosts.

Other Regulatory Issues

- **Zoning:**

In considering whether to impose TOT on short-term rentals, some jurisdictions have elected to change their ordinances to remove prohibitions against renting out property on a short-term basis, thus allowing greater access to Airbnb services. Other jurisdictions have limited short-term rental by requiring additional permitting/registration, restricting the type of unit allowed to be rented (hosted vs non-hosted), restricting the duration a unit may be rented, and requiring additional conditions related to health/safety. The Board has directed the Department of Conservation and Development to review current zoning regulations and further examine the need for additional regulation of short-term rentals. It is anticipated DCD will report to the Board on this issue in September 2017. The Board may wish to consider coordinating the exploration of the zoning issue with its review of revenue actions from these types of rentals.

- **Business Tax:**

The Ordinance Code requires anyone operating a business in the unincorporated area to obtain a business license. If the estimated 200 hosts in unincorporated Contra Costa County are required to pay the Business License Tax, it could generate \$20,000 annually. However, this may be a very optimistic amount because businesses with annual gross receipts of less than \$20,000 per year are exempt from the Business License Tax. Additionally, hosting sites may not release the names of their hosts providing a challenge for enforcement.

Chapter 64-4 - TRANSIENT OCCUPANCY TAX

Sections:

Article 64-4.2. General Provisions

64-4.202 - Title.

This chapter shall be known as the "uniform transient occupancy tax ordinance of Contra Costa County."

(Prior code § 2530).

64-4.204 - Definitions.

Except where the context otherwise requires, the definitions given in this section govern the construction of this chapter:

- (1) "Person" means any individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit.
- (2) "Hotel" means any structure, or any portion of any structure, which is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes, and includes any hotel, inn, tourist home or house, motel, studio hotel, bachelor hotel, lodging house, rooming house, apartment house, dormitory, public or private club, mobile home or house trailer at a fixed location, or other similar structure or portion thereof.
- (3) "Occupancy" means the use or possession, or the right to the use or possession of any room or rooms or portion thereof, in any hotel for dwelling, lodging or sleeping purposes.
- (4) "Transient" means any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of thirty consecutive calendar days or less, counting portions of calendar days as full days, and excluding tenancies from month to month. Any such person so occupying space in a hotel shall be deemed to be a transient until the period of thirty days has expired unless there is an agreement in writing between the operator and the occupant providing for a longer period of occupancy. In determining whether a person is a transient, uninterrupted periods of time extending both prior and subsequent to the effective date of this chapter may be considered.
- (5) "Rent" means the consideration charged, whether or not received, for the occupancy of space in a hotel valued in money, whether to be received in money, goods, labor or otherwise, including all receipts, cash, credits and property and services of any kind or nature, without any deduction therefrom whatsoever.
- (6) "Operator" means the person who is proprietor of the hotel, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee, or any other capacity. Where the operator performs his functions through a managing agent of any type or character other than an employee, the managing agent shall also be deemed an operator for the purposes of this chapter and shall have the same duties and liabilities as his principal. Compliance with the provisions of this chapter by either the principal or the managing agent shall, however, be considered to be compliance by both.
- (7) "Tax administrator" means the Contra Costa County treasurer-tax collector and his duly appointed deputies.

(Ord. 1891: prior code § 2530.1).

Article 64-4.4. Imposition and Administration

64-4.402 - Rate.

For the privilege of occupancy in any hotel, each transient is subject to and shall pay a tax in the amount of ten percent of the rent charged by the operator. This tax constitutes a debt owed by the transient to the county which is extinguished only by payment to the operator or to the county. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy space in the hotel. If for any reason the tax due is not paid to the operator of the hotel, the tax administrator may require that such tax shall be paid directly to the tax administrator.

(Ords. 90-102, § 1; 83-38, § 1; 80-73, § 1; prior code § 2530.2: Ord. 1891).

64-4.404 - Imposition - Exemptions.

No tax shall be imposed upon:

- (1) Any person as to whom, or any occupancy as to which, it is beyond the power of the county to impose the tax herein provided;
- (2) Any federal or state of California officer or employee when on official business;
- (3) Any officer or employee of a foreign government who is exempt by reason of express provision of federal law or international treaty.

No exemption shall be granted except upon a claim therefor made at the time rent is collected and under penalty of perjury upon a form prescribed by the tax administrator.

(Ords. 1891: prior code § 2530.3).

64-4.406 - Administration - Operator's duties.

Each operator shall collect the tax imposed by this chapter to the same extent and at the same time as the rent is collected from every transient. The amount of tax shall be separately stated from the amount of the rent charged, and each transient shall receive a receipt for payment from the operator. No operator of a hotel shall advertise or state in any manner, whether directly or indirectly, that the tax or any part thereof will be assumed or absorbed by the operator, or that it will not be added to the rent, or that, if added any part will be refunded except in the manner hereinafter provided.

(Ord. 1891: prior code § 2530.4).

64-4.408 - Administration-Registration of hotel.

Within thirty days after the effective date of this chapter, or within thirty days after commencing business, whichever is later, each operator of any hotel renting occupancy to transients shall register the hotel with the tax administrator and obtain from him a "transient occupancy registration certificate" to be at all times available upon demand on the premises by a transient or the tax administrator. Whenever there is a change in the identity of the owner or operator of any such hotel, the operator must secure a new "transient occupancy registration certificate" for the premises and the tax administrator may require the payments of all approved transient occupancy taxes, whether due or not as a condition to the issuance of such new certificate. The certificate shall, among other things, state the following:

- (1) The name and address of the operator;
- (2) The name and address of the owner;
- (3) The name and address of the hotel;
- (4) The date upon which the certificate was issued;
- (5) "This Transient Occupancy Registration Certificate signifies that the operator named on the face hereof has fulfilled the requirements of the Uniform Transient Occupancy Tax Ordinance by registering with the Tax Administrator for the purpose of collecting from transients the Transient Occupancy Tax and remitting said tax to the Tax Administrator. This certificate does not authorize any person to conduct any unlawful business or to conduct any lawful business in an unlawful manner, nor to operate a hotel without strictly complying with all local applicable laws, including but not limited to those requiring a permit from any board, commission, department or office of this county. This certificate does not constitute a permit."

(Ord. 1891: prior code § 2530.5).

64-4.410 - Administration — Reporting and remitting.

Each operator shall, on or before the last day of the month following the close of each calendar quarter, or at the close of any shorter reporting period which may be established by the tax administrator, make a return to the tax administrator, on forms provided by him, of the total rents charged and received and the amount of tax collected for transient occupancies. At the time the return is filed the full amount of the tax collected shall be remitted to the tax administrator. Returns and payments are due immediately upon cessation of business for any reason. All taxes collected by operators pursuant to this chapter shall be held in trust for the account of the county until payment thereof is made to the tax administrator.

(Ord. 1891: prior code § 2530.6).

Article 64-4.6. Penalties and Interest

64-4.602 - Penalties and interest—Generally.

- (a) **Original Delinquency:** Any operator who fails to remit any tax imposed by this chapter and collected by the operator, within the time required, shall pay a penalty of ten percent of the amount of the tax in addition to the amount of the tax.
- (b) **Continued Delinquency:** Any operator who fails to remit any delinquent tax and accrued penalty on or before a period of thirty days following the date on which such tax first became delinquent shall pay a second delinquency penalty of ten percent of the amount of the tax in addition to the amount of the tax and the ten percent penalty first imposed.
- (c) **Fraud:** If the tax administrator makes a written finding of facts showing that the nonpayment of any tax or penalties due under this chapter is due to fraud, a penalty of twenty-five percent of the amount of the tax shall be added thereto in addition to the penalties stated in subsections (a) and (b).
- (d) **Interest:** In addition to the penalties imposed, any operator who fails to remit any tax imposed by this chapter shall pay interest at the rate of one-half of one percent per month or fraction thereof on the amount of the tax, exclusive of penalties, from the date on which the remittance first became delinquent until paid.
- (e) **Penalties Merged With Tax:** Every penalty imposed and such interest as accrues under the provisions of this section shall become a part of the tax herein required to be paid.

(Ord. 1891: prior code § 2530.7).

64-4.604 - Penalties and interest—Failure to collect and report.

If any operator shall negligently fail or wilfully refuse to collect the tax or to make, within the time provided in this chapter, any report and remittance of the tax or any portion thereof required by this chapter, the tax administrator shall proceed in such manner as he may deem best to obtain facts and information on which to base his estimate of the tax due. As soon as the tax administrator shall procure such facts and information as the assessment he is able to obtain upon which to base the assessment of any tax imposed by this chapter and payable by any operator who has negligently failed or wilfully refused to collect the same or to make such report and remittance, he shall proceed to determine and assess against such operator the tax, interest and penalties provided for by this chapter. In case such determination is made, the tax administrator shall give a notice of the amount so assessed by serving it personally or by depositing it in the United States mail, postage prepaid, addressed to the operator so assessed at his last known place of address. Such operator may within ten days after the serving or mailing of such notice make application in writing to the tax administrator for a hearing on the amount assessed. If application by the operator for a hearing is not made within the time prescribed, the tax, interest and penalties, if any, determined by the tax administrator shall become final and conclusive and immediately due and payable. If such application is made, the tax administrator shall give not less than five days' written notice in the manner prescribed herein to the operator to show cause at a time and place fixed in the notice why the amount specified therein should not be fixed for such tax, interest and penalties. At such hearing, the operator may appear and offer evidence why such specified tax, interest and penalties should not be so fixed. After such hearing the tax administrator shall determine the tax to be remitted and shall thereafter give written notice to the person in the manner prescribed herein of such determination and the amount of such tax, interest and penalties. The amount determined to be due shall be payable after fifteen days unless an appeal is taken as provided in Section 64-4.606.

(Ord. 1891: prior code § 2530.8).

64-4.606 - Penalties and interest—Appeal.

Any operator aggrieved by any decision of the tax administrator with respect to the amount of such tax, interest and penalties, if any, may appeal to the board of supervisors by filing a notice of appeal with the county clerk within fifteen days of the serving or mailing of the determination of tax due. The board of supervisors shall fix a time and place for hearing such appeal, and the county clerk shall give notice in writing to such operator at his last known place of address. The findings of the board of supervisors shall be final and conclusive shall be served upon the appellant in the manner prescribed above for service of notice of hearing. Any amount found to be due shall be immediately due and payable upon the service of notice.

(Ord. 1891: prior code § 2530.5).

Article 64-4.8. Collection

64-4.802 - Collection—Records.

It is the duty of every operator liable for the collection and payment to the county of any tax imposed by this chapter to keep and preserve, for a period of three years, all records as may be necessary to determine the amount of such tax as he may have been liable for the collection of and payment to the county, which records the tax administrator shall have the right to inspect at all reasonable times.

(Ord. 1891: prior code § 2530.10).

64-4.804 - Collection—Refunds—Claim filing required.

Whenever the amount of any tax, interest or penalty has been overpaid or paid more than once or has been erroneously or illegally collected or received by the county under this chapter it may be refunded as provided in Sections 64-4.806 and 64-4.808, provided a claim in writing therefor, stating under penalty of perjury the specific grounds upon which the claim is founded, is filed with the tax administrator within one year of the date of payment. The claim shall be on forms furnished by the tax administrator.

(Ords. 96-5 § 1, 1891: prior code § 2530.11(a)).

64-4.806 - Collection—Refunds—Operator claims.

An operator may claim a refund or take as credit against taxes collected and remitted the amount overpaid, paid more than once or erroneously or illegally collected or received when it is established that the person from whom the tax has been collected was not a transient; provided, however, that neither a refund nor a credit shall be allowed unless the amount of the tax so collected has either been refunded to the transient or credited to rent subsequently payable by the transient to the operator.

(Ord. 1891: prior code § 2530.11(b)).

64-4.808 - Collection Refunds—Transient claims.

A transient may obtain a refund of taxes overpaid or paid more than once or erroneously or illegally collected or received by the county by filing a claim in the manner provided in Section 64-4.804, but only when the tax was paid by the transient directly to the tax administrator, or when the transient having paid the tax to the operator, the operator has not obtained a refund or credit for such tax.

(Ord. 1891: prior code § 2530.11(c)).

64-4.810 - Collection—Refunds—Written record required.

No refund shall be paid under the provisions of Sections 64-4.804—64-4.810 unless the claimant establishes his right thereto by written records showing entitlement thereto.

(Ord. 1891: prior code § 2530.11(d)).

64-4.812 - Collection—Actions.

Any tax required to be paid by any transient under the provisions of this chapter shall be deemed a debt owned by the transient to the county. Any such tax collected by an operator which has not been paid to the county shall be deemed a debt owed by the operator to the county. Any person owing money to the county under the provisions of this chapter shall be liable to any action brought in the name of the county for the recovery of such amount.

(Ord. 1891: prior code § 2530.12).



CITY OF SANTA MONICA HOME-SHARING ORDINANCE RULES

Effective: June 12, 2015

SCOPE AND INTENT

These rules and regulations ("Rules") established pursuant to Santa Monica Municipal Code Section 6.20 shall be followed by hosts and hosting platforms as applicable. All staff responsible for the administration and/or enforcement of the Home-Sharing Ordinance must implement and enforce the program in keeping with these rules. These Rules are not intended to be duplicative.

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- I) DEFINITIONS
- II) HOME-SHARING HOSTS REQUIREMENTS AND BUSINESS LICENSE
CONDITIONS
- III) HOME-SHARING HOSTS APPLICATION PROCEDURES
- IV) HOSTING PLATFORM REQUIREMENTS

I) DEFINITIONS

- a) CITY means the City of Santa Monica.
- b) SMMC means the Santa Monica Municipal Code.
- c) ACCESSORY STRUCTURE means living quarters, including lawfully permitted second units as defined by the Zoning Ordinance on the same premises as a single family residence. Rent Control Bootleg Units as defined in section 9.27.090 of the SMMC are not considered Accessory Structures for the purpose of the Home Sharing Ordinance.
- d) DWELLING UNIT means one or more rooms designed, occupied or intended for occupancy as separate living quarters. A dwelling unit includes a single-family residence, an apartment or other leased premises, or residential condominium unit. A dwelling unit shall include a detached Accessory Structure (e.g. guest house) that is intended for human habitation (i.e. living quarters) when the entire property is designated for a single family residential use. Dwelling unit does not include individual hotel/motel guest rooms, condominium timeshare units, cabins, or similar guest accommodations rented to transient guests in a hotel, inn, or similar transient lodging establishment operated by an innkeeper.
- e) GUEST or VISITOR means a person who rents a home-share and/or vacation rental
- f) HOME-SHARE means an activity whereby the resident(s) host visitors in their homes, for compensation, for periods of 30 consecutive days or less, while at least one of the dwelling unit's primary residents lives on-site, in the dwelling unit, throughout the visitors' stay.
- g) HOST means a person engaged in providing a home-sharing and/or vacation rental.
- h) HOSTING PLATFORM means a marketplace in whatever form or format which facilitates the Home-Sharing or Vacation Rental, through advertising, match-making or any other means, using any medium of facilitation, and from which the operator of the hosting platform derives revenues, including booking fees or advertising revenues, from providing or maintaining the marketplace.
- i) HOUSE SWAPPING means the exchange of a house by one owner with another owner in a different city for short periods of time by agreement between both parties to exchange homes for a specified period of time without compensation.

- j) LIVES ON SITE means being present in the dwelling unit where the home-sharing is being offered, which includes but is not limited to sleeping overnight, preparing and eating meals, entertaining, and engaging in other activities in the dwelling unit that are typically enjoyed by a person in their home.
- k) SHORT-TERM RENTAL means any rental of any living accommodation that is 30 consecutive days or less, including hotels, motels, bed and breakfasts, home-sharing and vacation rentals.
- l) RESIDENT means primary resident of a dwelling unit, when a person occupies a dwelling, typically a house or an apartment, that serves as their primary residence, though they may share the residence with other people. A person may only have one primary residence. A primary residence is considered to be a legal residence for the purpose of income tax and/or acquiring a mortgage.
- m) TRANSIENT OCCUPANCY TAX means local transient tax as set forth in Chapter 6.68 of the SMMC. The tax is paid by the guest when paying for their rental. The collected TOT is then remitted to the City.
- n) VACATION RENTAL means a rental of any dwelling unit, in whole or in part, within the City of Santa Monica, to any person(s) for exclusive transient use of 30 consecutive days or less, whereby the unit is only approved for permanent residential occupancy and not approved for transient occupancy or Home-Sharing as authorized by Chapter 6.20 of the SMMC.

II) HOME-SHARING HOSTS REQUIREMENTS AND BUSINESS LICENSE CONDITIONS

A host must comply with the following conditions:

- a) A Home-Share may only be offered in a space intended for human habitation. For example, a host may not rent a space in an Accessory Structure that is a storage shed or garage as a Home-Share.
- b) A host may not advertise their home-sharing business in any area that is exterior to the dwelling unit where the home-sharing is occurring. This includes common interior areas.
- c) A host must clearly advertise the unit as a shared space. The unit may not be advertised as an "entire home" or "entire unit." This applies even in cases in which the home-sharing takes place in a guest house.
- d) In any advertisement of the Home-Share a host must include the Business License number issued by the City.

- e) A host must provide guests with information related to emergency exit routes if the unit is part of a multifamily building of more than one story.
- f) Transient Occupancy Taxes (TOT) shall be collected on all Home-Sharing rentals. If a Hosting Platform does not collect payment for the rental, hosts are solely responsible for the collection of all applicable TOT and remittance of the collected tax to the City on a monthly basis. If a Hosting Platform does collect payment for rentals, then it and the host shall both have legal responsibility for the collection and remittance of the TOT.
- g) A Home-Sharing applicant must provide the following as part of his/her application:
 - 1) Address where the Home-Sharing will take place.
 - 2) Type of dwelling unit (e.g. single family home, apartment, condominium).
 - 3) Whether the applicant is a tenant or owner of the dwelling unit.
 - 4) The total number of full time occupants of the dwelling unit.
 - 5) A list of all persons that will be hosting.
 - 6) Contact information for each person that will be hosting (e.g. email, cell phone).
 - 7) A list of each bedroom, office, den, living room, etc., in the dwelling unit. The list shall include for each room:
 - i Whether or not the room will be rented
 - ii The maximum number of overnight guests that will be allowed
 - 8) Whether or not the unit is rent controlled.
 - 9) A link to the advertisement of the rental.
 - 10) An affidavit certifying that the host will comply with all of the provisions of the Home-Sharing Ordinance, Business License Conditions for operating a Home-Share as outlined in these rules, and all relevant laws or be subject to revocation of their Business License.

III) HOME-SHARING HOSTS APPLICATION PROCEDURES

Any person who intends on operating a Home-Share from their primary residence shall complete the Home-Sharing Registration Package (HSRP). The HSRP shall include all instructions, check-lists, applications, and other educational materials related to the Home-Sharing Ordinance and relevant local laws that the host is

required to comply with. Home-Share applications are exempt from the Zoning Conformance Review fee and Home Occupancy Permitting requirements.

The applicant must submit all of the following to the Business License unit to register:

- a) Business License Home-Sharing Application.
- b) Proof of Residency. Acceptable forms of proof include: copy of a current utility bill, cable bill, phone bill, credit card bill or bank statement showing your name and current Santa Monica residential address. Leases, rental agreements, or IDs may not be accepted as proof.

IV) HOSTING PLATFORM REQUIREMENTS

- a) The operator of a hosting platform shall report quarterly to the City, in an electronic comma-delimited format or similar format such as MS Excel, the following information:
 - 1) The address of each residential unit that was offered on the operator's hosting platform for occupancy for tourist or transient use and was occupied for that use during that quarterly reporting period.
 - 2) The total number of nights that the residential unit was occupied for tourist or transient use.
 - 3) The amounts paid for the occupancy of that residential unit listed.
 - 4) The name(s) of the person(s) responsible for each unit listed.
- b) If the Hosting Platform collects payment for the rental, the hosting platform and the host shall both have legal responsibility for the collection of all applicable TOT and remittance of the collected tax to the City on a monthly basis.
- c) A Hosting Platform must provide its Santa Monica host clients or potential host clients the following disclosure:

"On May 12, 2015, the Santa Monica City Council adopted the Home-Sharing Ordinance reiterating its ban on the rental of entire units as vacation rentals. The Home-Sharing Ordinance also legalized the short term rental of a portion of a person's home when the host lives on-site throughout the visitor's stay and when the host obtains a business license. Hosts are also required to

collect and remit Transient Occupancy Tax (TOT) if not collected and remitted by the hosting platform.”

Santa Monica, Calif., Wrestles with Airbnb Regulations

City officials are considering a measure that would ban most of the vacation rentals listed on Airbnb and websites like it, and set up strict new restrictions for those who want to rent out space.

BY TIM LOGAN, LOS ANGELES TIMES / APRIL 28, 2015



Santa Monica, Calif.

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(TNS) -- As cities across Southern California struggle with how best to regulate the booming short-term rental industry, Santa Monica is poised to take the hardest line yet.

Officials in the beachfront city are considering a measure that would ban most of the vacation rentals listed on Airbnb and websites like it, and set up strict new regulations for those who want to rent out space in their homes.

The use of short-term rentals has exploded in recent years, especially in tourist-friendly spots such as Santa Monica, in large part from the growth of websites such as Airbnb, which allows people to rent space in their homes, or an entire house, to visitors.

Although advocates say the sites help hosts earn extra cash and provide travelers and tourists with an alternative to traditional hotels, critics say many Airbnb units are operated like full-time hotels, and complaints have grown about noise, strangers and even their effect on rents.

In most of Santa Monica, rentals of less than 30 days have long been technically illegal, said Salvador Valles, the city's acting chief administrative officer for Planning and Community Development. But enforcement is sparse and city regulations have struggled to keep pace with the changing technology.

"We've been concerned for some time, and we know enforcement is difficult," Valles said. "The council seems to think it's time to hit the brakes."

Santa Monica is not the only local city wrestling with the issue. This year, West Hollywood reaffirmed its ban on short-term rentals. Malibu last month reached an agreement with Airbnb to collect taxes on rentals there. Los Angeles city officials have been studying short-term rental regulations for months, though no specific proposals have yet been made. San Francisco and Portland, Ore., among other large cities, have also enacted new rules, to mixed effects.

In Santa Monica, council members two weeks ago asked city staff to propose new regulations. Those will be debated Tuesday evening and could get a final vote as soon as next month.

The proposal would explicitly prohibit vacation rentals where the primary occupant of a home or apartment is not present; that covers about 1,400 of the 1,700 units in the city currently advertised on major short-term rental websites, Valles said.

It would allow so-called home-sharing, in which the host stays in the house and rents out a spare bedroom, couch space or other quarters, but only if the occupant filed for a city business license and pays Santa Monica's 14 percent hotel tax. And it would require rental sites such as Airbnb and VRBO to report to the city who is hosting, where and how much they charge.

"We've come up with a strategy that we think will help us to address the issues more directly," Valles said.

Santa Monica's move comes in the wake of a report issued last month by labor-backed research group Los Angeles Alliance for a New Economy, which suggested that thousands of apartments are being taken off the normal rental market across the Southland and instead being rented to tourists a few nights at a time. That, the group said, is exacerbating a housing shortage that's especially acute in high-demand, tourist-friendly areas such as Santa Monica.

The city has already seen rents soar in recent years, in part from an influx of well-paid tech industry workers. Losing more units — some of which are covered by rent control — risks making Santa Monica an even harder place to afford, said Denny Zane, co-chair of Santa Monicans for Renters' Rights.

"We welcome visitors, but we shouldn't be losing our rental housing to them," he said. "This is the latest in a series of threats to our existing rental market. We think local government has to take it very seriously."

Airbnb had no Santa Monica-specific data but has released figures in the past suggesting that the number of units listed full-time on the site in Southern California is quite small. And, it notes, many hosts rent out a spare bedroom or other space in their home to help pay the rent and stay in expensive markets like Santa Monica.

The company had little comment on the proposed rules, but a spokeswoman said Airbnb would notify its local hosts about Tuesday's council meeting and said it expected some hosts to turn up to comment.

Meanwhile, the company, which emphasizes home-sharing in its marketing, has taken some steps lately to push back against operators of multiple vacation rentals, booting several big Los Angeles-area vacation rental firms from its site last month.

But spokeswoman Alison Schumer said Airbnb is strongly opposed to a part of the measure that would require short-term rental websites to submit to the city data on hosts, stays and pricing. The company is fighting similar statewide legislation in Sacramento and has pushed back against similar proposals elsewhere, citing the privacy of hosts.

“We are deeply concerned about proposals that fundamentally alter the online privacy protections Santa Monica residents have come to expect,” Schumer said. “Santa Monica should adopt clear, fair rules that enable residents to share their homes and we look forward to working with lawmakers in Santa Monica.”

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PROGRAM UNDERWRITERS

**VOLUNTARY COLLECTION AGREEMENT
FOR
CITY OF RICHMOND, CALIFORNIA, TRANSIENT OCCUPANCY TAX**

THIS VOLUNTARY COLLECTION AGREEMENT (the "**Agreement**") is dated April 26, 2017 and is between AIRBNB, INC., a Delaware corporation ("**Airbnb**") and the CITY OF RICHMOND, CALIFORNIA, a California municipal corporation (the "**Taxing Jurisdiction**"). Each party may be referred to individually as a "**Party**" and collectively as the "**Parties**."

RECITALS:

WHEREAS, Airbnb represents that it provides an Internet-based platform (the "**Platform**") through which third parties offering accommodations ("**Hosts**") and third parties booking such accommodations ("**Guests**") may communicate, negotiate and consummate a direct booking transaction for accommodations to which Airbnb is not a party ("**Booking Transaction**");

WHEREAS, the Taxing Jurisdiction and Airbnb enter into this Agreement voluntarily in order to facilitate the reporting, collection and remittance of applicable transient occupancy taxes ("**TOT**") imposed under applicable City of Richmond law (the applicable "**Code**"), on behalf of Hosts for Booking Transactions completed by Hosts and Guests on the Platform for accommodations located in the City of Richmond (the "**Taxable Booking Transactions**");

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS, PROMISES AND AGREEMENTS CONTAINED HEREIN, THE PARTIES AGREE AS FOLLOWS:

(A) Solely pursuant to the terms and conditions of this Agreement, including only for periods in which this Agreement is effective (defined below), and solely for Taxable Booking Transactions completed on the Platform, Airbnb agrees contractually to assume the duties of a TOT collector as described in the Code solely for the collection and remittance of TOT (hereinafter referred to as a "**Collector**"). The assumption of such duties shall not trigger any other registration requirements to which Airbnb is not otherwise subject.

(B) Starting on JUNE 15, 2017 (the "**Effective Date**"), Airbnb agrees to commence collecting and remitting TOT on behalf of Hosts, pursuant to the terms of this Agreement, at the applicable rate, on Taxable Booking Transactions. Except as set forth in Paragraph (L) below, Airbnb shall not assume any obligation or liability to collect TOT for any period or for any transaction prior to the Effective Date or termination of this Agreement.

REMITTANCE OF TOT

(C) Airbnb agrees reasonably to report aggregate information on the tax return form prescribed by the Taxing Jurisdiction, including an aggregate of gross receipts, exemptions and adjustments, and taxable receipts of all TOT that is subject to the provisions of this Agreement. Airbnb shall remit all TOT collected from Guests in accordance with this Agreement and Airbnb's Terms of Service (www.airbnb.com) (the "TOS") in the time and manner described in the Code or as otherwise agreed to in writing.

AIRBNB LIABILITY

(D) Pursuant to the terms of this Agreement, Airbnb agrees contractually to assume liability for any failure to report, collect and/or remit the correct amount of TOT, including, but not limited to, penalties and interest, lawfully and properly imposed in compliance with the Code. Nothing contained herein nor any action taken pursuant to this Agreement shall impair, restrict or prevent Airbnb from asserting that any TOT and/or penalties, interest, fines or other amounts assessed against it were not due, are the subject of a claim for refund under applicable law or otherwise bar it from enforcing any rights accorded by law.

(E) During any period for which Airbnb is not in breach of its obligations under this Agreement, the Taxing Jurisdiction agrees to audit Airbnb on the basis of TOT returns and supporting documentation, and agrees not to directly or indirectly audit any individual Guest or Host relating to Taxable Booking Transactions unless and until an audit of Airbnb by the Taxing Jurisdiction has been exhausted with the matter unresolved. The Taxing Jurisdiction reserves the right to audit any individual Airbnb Host for activity that has been brought to the attention of the Taxing Jurisdiction in the form of a complaint or other means independent of this Agreement or independent of data or information provided pursuant to this Agreement.

(F) The Taxing Jurisdiction agrees to audit Airbnb on an anonymized transaction basis for Taxable Booking Transactions. Except as otherwise agreed herein, Airbnb shall not be required to produce any personally identifiable information relating to any Host or Guest or relating to any Booking Transaction without binding legal process served only after completion of an audit by the Taxing Jurisdiction of Airbnb with respect to such users. The Taxing Jurisdiction agrees that it will not audit or issue an assessment against Airbnb more than once per

any consecutive forty-eight month period and that such audit or assessment will be limited to a consecutive twelve-month period within the forty-eight month period.

(G) Airbnb, Inc. agrees to register as a Collector for the sole purpose of reporting, collection and remittance of TOT under this Agreement and will be the registered Collector on behalf of any affiliate or subsidiary collecting TOT.

GUEST AND HOST LIABILITY

(H) During any period in which this Agreement is effective relating to Taxable Booking Transactions, provided Airbnb is in compliance with its obligations herein, Hosts shall be relieved of any obligation to collect and remit TOT on Taxable Booking Transactions, and shall be permitted but not required to register individually with the Taxing Jurisdiction to collect, remit and/or report TOT. Nothing in this Agreement shall relieve Guests or Hosts from any responsibilities with respect to TOT for transactions completed other than on the Platform, or restrict the Taxing Jurisdiction from investigating or enforcing any provision of applicable law against such users for such transactions.

WAIVER OF LOOK-BACK

(I) The Taxing Jurisdiction expressly releases, acquits, waives and forever discharges Airbnb, its current or past affiliated parent or subsidiary companies, directors, shareholders investors, employees and other agents, and/or Hosts or Guests from any and all actions, causes of action, indebtedness, suits, damages or claims arising out of or relating to payment of and/or collection of TOT or other tax indebtedness, including but not limited to penalties, fines, interest or other payments relating to TOT on any Taxable Booking Transactions prior to the Effective Date. Nothing contained in this Paragraph of this Agreement will constitute a release or waiver of any claim, cause of action or indebtedness that the Jurisdiction may have or claim to have against any Host or Guest unrelated to Taxable Booking Transactions under this Agreement.

NOTIFICATION TO GUESTS AND HOSTS

(J) Airbnb agrees, for the purposes of facilitating this Agreement, and as required by its TOS, that it will notify (i) Hosts that TOT will be collected and remitted to the Taxing Jurisdiction as of the Effective Date pursuant to the terms of this Agreement; and (ii) Guests and Hosts of the amount of TOT collected and remitted on each Taxable Booking Transaction.

LIMITATION OF APPLICATION

(K) This Agreement is solely for the purpose of facilitating the administration and collection of the TOT with respect to Taxable Booking Transactions and, except with respect to the rights and liabilities set forth herein, the execution of or actions taken under this Agreement shall not be considered an admission of law or fact or constitute evidence thereof under the Code or any other provisions of the laws of the United States of America, of any State or subdivision or municipality thereof. Neither Party waives, and expressly preserves, any and all arguments, contentions, claims, causes of action, defenses or assertions relating to the validity or interpretation or applicability of the Code, regulations or application of law.

DURATION/TERMINATION

(L) This Agreement may be terminated by Airbnb or the Taxing Jurisdiction for convenience on 30 day written notification to the other Party. Such termination will be effective on the first day of the calendar month following the 30 day written notification to the other Party. Any termination under this Paragraph shall not affect the duty of Airbnb to remit to the Taxing Jurisdiction any TOT collected from Guests up through and including the effective date of termination of this Agreement, even if not remitted by Airbnb to the Taxing Jurisdiction as of the date of termination.

MISCELLANEOUS

(M) CHOICE OF LAW. This Agreement, its construction and any and all disputes arising out of or relating to it, shall be interpreted in accordance with the substantive laws of the State of California without regard to its conflict of law principles.

(N) MODIFICATION. No modification, amendment, or waiver of any provision of this Agreement shall be effective unless in writing and signed by both Parties.

(O) MERGER AND INTEGRATION. This Agreement contains the entire agreement of the Parties with respect to the subject matter of this Agreement, and supersedes all prior negotiations, agreements and understandings with respect thereto.

(P) COUNTERPARTS. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, and all of which, when taken together, shall constitute one and the same instrument. The Agreement shall become effective when a counterpart has been signed by each Party and delivered to the other Party, in its original form or by electronic mail, facsimile or other electronic means. The Parties hereby consent to the use of

electronic signatures in connection with the execution of this Agreement, and further agree that electronic signatures to this Agreement shall be legally binding with the same force and effect as manually executed signatures.

(Q) RELATIONSHIP OF THE PARTIES. The Parties are entering into an arm's-length transaction and do not have any relationship, employment or otherwise. This Agreement does not create nor is it intended to create a partnership, franchise, joint venture, agency, or employment relationship between the Parties. There are no third-party beneficiaries to this Agreement.

(R) WAIVER AND CUMULATIVE REMEDIES. No failure or delay by either Party in exercising any right under this Agreement shall constitute a waiver of that right or any other right. Other than as expressly stated herein, the remedies provided herein are in addition to, and not exclusive of, any other remedies of a Party at law or in equity.

(S) FORCE MAJEURE. Neither Party shall be liable for any failure or delay in performance under this Agreement for causes beyond that Party's reasonable control and occurring without that Party's fault or negligence, including, but not limited to, acts of God, acts of government, flood, fire, civil unrest, acts of terror, strikes or other labor problems (other than those involving Airbnb employees), computer attacks or malicious acts, such as attacks on or through the Internet, any Internet service provider, telecommunications or hosting facility. Dates by which performance obligations are scheduled to be met will be extended for a period of time equal to the time lost due to any delay so caused.

(T) ASSIGNMENT. Neither Party may assign any of its rights or obligations hereunder, whether by operation of law or otherwise, without the prior written consent of the other Party (which consent shall not be unreasonably withheld). Notwithstanding the foregoing, Airbnb may assign this Agreement in its entirety without consent of the other Party in connection with a merger, acquisition, corporate reorganization, or sale of all or substantially all of its assets.

(U) MISCELLANEOUS. If any provision of this Agreement is held by a court of competent jurisdiction to be contrary to law, the provision shall be modified by the court and interpreted so as best to accomplish the objectives of the original provision to the fullest extent permitted by law, and the remaining provisions of this Agreement shall remain in effect.

NOTICES

(V) All notices under this Agreement shall be in writing and shall be deemed to have been given upon: (i) personal delivery; (ii) the third business day after first class mailing postage prepaid; or (iii) the second business day after sending by overnight mail or by facsimile with telephonic confirmation of receipt. Notices shall be addressed to the attention of the following persons, provided each Party may modify the authorized recipients by providing written notice to the other Party:

To Airbnb:

Airbnb, Inc.
Attn: General Counsel
888 Brannan Street, 4th Fl.
SF, CA 94103
legal@airbnb.com

Airbnb, Inc.
Attn: Global Head of Tax
888 Brannan Street, 4th Fl.
SF, CA 94103
tax@airbnb.com

To the Taxing Jurisdiction:

City of Richmond
Finance Department
450 Civic Center Plaza
Richmond, CA 94804
Phone: 510-620-6741
Fax: 510-620-6522
E-mail: abanuelos@ci.richmond.ca.us

(Signatures follow on next page)

IN WITNESS WHEREOF, Airbnb and the Taxing Jurisdiction have executed this Agreement effective on the date set forth in the introductory clause.


AIRBNB, INC., a Delaware corporation

By: 
Signature of Authorized Representative

Beth Adair, Global Tax Director

Name and Title of Authorized Representative

CITY OF RICHMOND, CALIFORNIA, a California
Municipal Corporation

By: 
Signature

William Lindsay, City Manager
Name and Title



Contra Costa County Board of Supervisors

Subcommittee Report

FINANCE COMMITTEE

5.

Meeting Date: 08/16/2017

Subject: Immigrants Rights Program in Contra Costa

Submitted For: FINANCE COMMITTEE,

Department: County Administrator

Referral No.: 5-9-17 D.7

Referral Name: Immigrants Rights

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

Referral History:

On May 9, 2017, as part of the action to adopt the FY 2017/18 Recommended Budget, the Board of Supervisors referred to the Finance Committee for review and consideration a proposal for funding an immigrants rights program in Contra Costa.

The item was heard for the first time by the Finance Committee on June 26, 2017. Karen Mitchoff requested that Ali Saidi give an update on the proposal under review and consideration for funding an immigrants rights program in Contra Costa. Mr. Saidi thanked the Committee and indicated the East Bay Community Foundation may give them funding for plan design. He had recently attended a regional meeting on the topic and was excited about the possibility of forming a new coalition alliance in Contra Costa. Mr. Saidi informed the Committee that program design would take approximately thirty days to complete. Mr. Greg Colley of Catholics United for Justice spoke in favor of a Contra Costa program. He said that his organization was aligned with the Bishops to urge adoption of a program that aligns with the values of Catholic families. Debra Bernstein of Monument Impact echoed Mr. Colley's comments. She stressed urgency and said that funding a program was the most positive thing the County can do for the community. Supervisor Mitchoff said that the County Board was concerned and sympathetic to this issue. She reminded the audience that the Board had recently funded Contra Costa Cares by explaining how health impacts the entire community. The Committee scheduled the next Finance Committee meeting for August 16, 2017 at 2:00 to hear the updated proposal.

Referral Update:

The proposal prepared for the Finance Committee by the Contra Costa Immigrant Rights Alliance is Attachment A. The original proposal submitted to the Board of Supervisors on May 9, 2017 is Attachment B.

Recommendation(s)/Next Step(s):

Accept report, and DIRECT staff regarding next steps.

Fiscal Impact (if any):

The proposal requests that the Board of Supervisors authorize the Office of the Public Defender to establish Stand Together CoCo as a pilot project. The requested allocation is \$500,000 in FY 17/18 funding to support operations in the January-June 2018 first phase, with a further commitment that the County will provide \$500,000 in annual support in each of fiscal years 2018-19 and 2019-20. Working with key local partners, Stand Together CoCo will then use this commitment to generate funding from other public and private sources.

Attachments

Attachment A - Proposal for Stand Together CoCo

Attachment B - Original Proposal Submitted to Board of Supervisors on April 18

Stand Together CoCo

One County, One Community, United

“The impact of deportation ripples outward,
creating a climate of fear and paralysis in the entire community –
children whose classmates are separated from their parents;
businesses who lose valued workers;
families who become scared to seek health care,
to use public services or even to drive.”¹



A PROPOSAL PREPARED FOR
THE FINANCE COMMITTEE OF THE CONTRA COSTA COUNTY BOARD OF SUPERVISORS
SUBMITTED BY THE CONTRA COSTA IMMIGRANT RIGHTS ALLIANCE, AUGUST 16, 2017
REPORT WRITTEN AND PRODUCED FOR CCIRA BY REBECCA BROWN, REENTRY SOLUTIONS GROUP,
WITH SUPPORT FROM THE Y & H SODA FOUNDATION

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I. EXECUTIVE SUMMARY

The Contra Costa Immigrant Rights Alliance (CCIRA) proposes that Contra Costa County establish *Stand Together CoCo*, a rapid response and community education project to support safety and justice for immigrant families in Contra Costa.

The mission of Stand Together CoCo is to ensure that all people in Contra Costa County, regardless of citizenship or immigration status, are afforded the rights established by the United States Constitution, and are protected from actions or policies that result in disparate, discriminatory, or unlawful treatment.

A project conducted in partnership with community-based organizations to be selected through a competitive process, Stand Together CoCo will provide culturally competent, no-cost rapid response support, legal defense services and clinics, and immigrant rights education and training to support families impacted by anti-immigrant policies and practices affecting Contra Costa County residents.

Stewarded by a multi-sector Steering Committee of local stakeholders, Stand Together CoCo will operate as a 2.5-year pilot project managed by the Office of the Public Defender during its pilot period, spanning January 1, 2018 to June 30, 2020.

Stand Together CoCo will launch its first phase from January 2018-June 2018, on a six-month budget of \$573,557. In this first phase, approximately 85% of all funds will be passed through to community-based organizations selected via a competitive Request for Qualifications (RFQ) issued in October 2017, to provide community-based training, support services, and legal representation. The Y & H Soda Foundation, which champions this effort, has committed \$75,000 to support the six-month first phase, contingent on a \$500,000 contribution by Contra Costa County to underwrite costs from Jan-June 2018.

As of the full fiscal year beginning July 1, 2018, the project will operate at an estimated annual budget of \$1,062,415. With the project in development during fall 2017 and in operation as of January 2018, Stand Together CoCo will work with the Soda Foundation, other private funders, Contra Costa leaders, and allies to raise a target of \$560,000 in annual commitments from private sources, to augment proposed annual \$500,000 grants made by the County in each of the pilot's three fiscal years.

As a public/private collective impact initiative staffed by trained community leaders and community-based immigration defense attorneys, and deploying across the county's three geographic regions, Stand Together CoCo will build on Contra Costa's outstanding record of success in developing bold and innovative solutions to advance justice and equity for all of its residents.

II. OUR REQUEST

We ask the Contra Costa County Board of Supervisors to authorize the Office of the Public Defender to establish Stand Together CoCo as a pilot project.

We further ask the Board of Supervisors to allocate \$500,000 in FY 17/18 funding to support operations in the Jan-June 2018 first phase, with a further commitment that the County will provide \$500,000 in annual support in each of fiscal years 2018-19 and 2019-20.

Working with key local partners, Stand Together CoCo will then use this commitment to generate funding from other public and private sources; we are already in conversation with leading regional funders that are eager to support this work, pending commitment from County authorities.

III. PROJECT DELIVERABLES

In its first six months, the project will provide direct services conservatively valued at \$626,900. Of course, this direct-service value does not begin to calculate or reflect larger economic benefits garnered for individuals, families, and Contra Costa County as a whole through the prevention of unnecessary detentions or improper deportations. For a survey of these economic costs, see Sections IV and V below.

A. COMMUNITY WORKSHOPS, CLINICS, AND TRAININGS

- Workshops & Presentations: Conduct four workshops per region over the course of six months (on topics such as Know Your Rights, Your Rights as a Tenant, and Protecting Your Employee Rights), reaching an average of 45 people per workshop, totaling 540 people in the first six months (45 people at each of four events per region for three regions); these events will also be live-streamed, conservatively reaching an additional 500 people, thus **serving a total of 1,040 people in six months**, for a value conservatively estimated at \$26,000 (\$25/per person, per workshop)
- In-reach to County jails: Provide or coordinate monthly informational presentations on due-process rights and immigration processes and resources for people detained in the West County jail as ICE detainees, reaching an estimated 30 people per month, **reaching a total of 180 people in custody** in the first six months, for a value conservatively estimated at \$9,000 (180 people @ \$50/meeting)
- Clinical Consultations: Conduct Ask an Attorney/Case Review events, providing individualized legal consultations, advising on legal rights and forms of relief, arranging structured and customized referrals for pro-bono or low-cost legal services. An estimated **468 residents and families** will receive free legal consultations, for a value conservatively estimated at \$140,400 (assuming six consultations per lawyer per week for 26 weeks @ \$300 per consultation)
- Train the Trainer/ Leadership Development: 12 stipended Community Responders will be trained in relevant areas (e.g. group facilitation, participatory decision-making, and immigrant rights, deportation procedures, community defense and education), and will lead monthly Local Leadership Council meetings involving an additional 10 (volunteer) Peer Responders per region (both documented and undocumented); each LLC will develop an Operating Agreement that outlines areas of responsibility and duty, including shifts on dispatch and response (**12 stipended Community Responders, at least 30 volunteer Peer Responders = 42 people**), for a value conservatively estimated at \$84,000 (42 people @ \$2,000 in trainings)

B. PUBLIC EDUCATION AND OUTREACH

- Print materials: In first six months, **produce 6,000 Know Your Rights cards** which will include the Rapid Response hotline number, in Spanish, Chinese, Tagalog, Persian, Arabic, Vietnamese, and Laotian; reprint, as needed, in each of the subsequent years

- Churches, mosques, radio, Univision: Conduct outreach and information interviews, and provide informational materials and Know Your Rights cards, through **at least 36 faith-based organizations** in the project's first six months
- Provide single points of contact **with at least 10 school districts across the county** in the first six months, to foster communication and enhance family capacity and preparedness to respond to immigration enforcement concerns and actions

C. COMMUNITY RAID VERIFICATION AND RESPONSE

- One paid Community Response Coordinator, three paid Community Leaders, and 12 stipended Community Responders, supported by 30 volunteer Peer Responders/Local Leadership Council members, will staff a Rapid Response hotline 24 hours a day, seven days a week, to provide information, support, and response for Contra Costa County residents who are threatened with deportation or who are impacted by immigration enforcement activity.

D. REPRESENTATION IN IMMIGRATION PROCEEDINGS

- In the project's first six months, provide legal representation for **60 detained individuals** in pursuing bond or release, or in removal defense and applications for relief at Executive Office of Immigration Review, for a value conservatively estimated at \$367,500 (at a blended value of \$6,125/client for 60 clients)

IV. PROJECT NEED

The United States' federal immigration enforcement and removal model has long relied on an array of community-targeted tactics to identify, locate, detain, and deport non-citizen residents of the United States. These tactics include large worksite raids, immigration-related interrogations for people held in state and local prisons and jails, vehicle patrols canvassing certain communities, and Immigration and Customs Enforcement (ICE) foot patrols to target people going about their daily lives, such as in shops and workplaces, as well as at government sites such as the DMV, social service agencies, and courthouses.

Under the new Presidential administration, such actions have dramatically broadened and intensified, developing not only new tactics but expanding the net of targeted individuals. A recent federal memo issued by the Department of Homeland Security instructs ICE agents to "take enforcement action against all removable aliens encountered in the course of their duties," whether or not they are an identified ICE target or have any criminal history at all.ⁱⁱ At the same time, the federal government has formally adopted **stricter policies against releasing detainees** pending their deportation process, thus "expanding detention space to support the E.O.'s **termination of 'catch-and-release' policies**" (Albanese, 2, emphasis added).

In the popular imagination, people detained by ICE have no legal basis or process by which to challenge their deportation. But the fact of the matter is that *all* residents of the United States have constitutionally-protected rights of due process. For example, immigrants detained by ICE are legally entitled to file an "application for relief, to argue that the judge should let them stay in the country because of family and community ties, or because they fear persecution abroad."ⁱⁱⁱ

Yet the effort to protect due process rights in immigration proceedings is a daunting task. As explained in a 2014 study by Northern California Collaborative for Immigrant Justice, "To stay in the United States with their families,

immigrants detained in Northern California must navigate complex and intricate immigration laws and procedures” (NJJIC, 10).

It is important to note that under current U.S. immigration laws and policies, people caught up in the deportation system are not legally entitled to a lawyer if they cannot afford one – unless they can pay for a lawyer or find someone to represent them for free, respondents in deportation proceedings must proceed without an attorney. But it is almost impossible to traverse the complex deportation system without counsel – including counsel in the very first moments of the detention and removal process. Custodial detention is a frightening and confusing experience; decisions made in the intimidating confines of ICE custody – such as unknowingly signing away your rights, or failing to request due process

like a bond hearing – can have irreparable and lifelong effect. As reported in a recent study in California, for example, “the odds of being granted bond [for release from detention] are more than 3.5 times higher for detainees represented by attorneys than those who appeared pro se, net of other relevant factors,” while “non-detained and represented immigrants succeeded approximately four times as often as those who lacked counsel.”^{iv}

Yet in San Francisco’s Immigration Court, “roughly 2/3 of detained immigrants had no legal representation at any point in their removal proceedings” (NCCIJ, 9). The financial barriers are less daunting than the barriers to representation; the typical immigration bond nationally is slightly less than \$6,500.^v



Lacking access to proper legal counsel, therefore, many thousands of people are detained and deported as the result of missed due-process opportunities all along the way: due to failure to request or be awarded bond, or on the basis of erroneous facts, or due to erroneous interpretation of facts, or resulting from improper application of law, or without consideration of their potential relief from deportation related to their specific histories and circumstances. And the judicial logjam is only growing: In fiscal year 2014, for instance, the eighteen immigration judges of the San Francisco Immigration Court faced a backlog of 23,969 pending cases (NCCIJ, 12) – and this, it should be noted, was *before* the advent of the new administration’s intensified policies.

What this means is that millions of people across America, and potentially tens of thousands of people in Contra Costa, are subject to wrongful deportation – typically, due to lack of access to immediate counsel.

Given backlogs of this magnitude, it should come as no surprise that federal immigration judges recognize the importance of legal representation for people in immigration proceedings. “In a recent survey of the nation’s immigration judges, 92% of the judges agreed that ‘When the [immigrant] has a competent lawyer, I can conduct the adjudication more efficiently and quickly.’ In other words, representation “affects the efficiency of adjudicative proceedings” (NCCIJ, 12).

A recent data study estimated that there are 65,000 undocumented residents in Contra Costa,^{vi} with Spanish, Chinese, Tagalog, and Persian as the primary non-English languages spoken at home.^{vii} These immigrants and their families are essential elements of the vibrant mosaic that is Contra Costa County.

In the face of intensified federal immigration enforcement efforts, and in order to ensure due process while supporting vulnerable communities, the Contra Costa Immigrant Rights Alliance has spearheaded the creation of a new initiative to support, advocate for, and protect Contra Costa's vulnerable immigrant communities. Thus, and with the active support of Contra Costa County's elected leaders, Stand Together CoCo was born.

V. PROJECT SCOPE AND IMPACT

Immigrants – regardless of their immigration status – are, with their families, inextricably woven into California's history and fabric: in our economies, our neighborhoods, our businesses, and our schools.

It is imperative to realize that *all* non-citizen immigrants (including people who hold “green-cards”^{viii} and visas,^{ix} and whether or not they have any criminal convictions *or even arrests*) are subject to the expanded federal policies and actions now being implemented across the United States. According to an official memorandum dated February 21, 2017, “DHS will no longer exempt classes or categories of removable aliens from potential



enforcement”; those who are prioritized for removal include people who have “committed acts which constitute a chargeable criminal offense” (whether or not they’ve been arrested, charged, or convicted), have “abused any program related to receipt of public benefits” (without clarifying the standards of evidence for making such a claim), or “in the judgment of an immigration officer, otherwise pose a risk to public safety” (Albanese 2), thereby widening the net to limitless expanse.

With this expansion and intensification of federal immigration deportation efforts, it should come as no surprise that, within Contra Costa as well as across our nation, community leaders and elected officials are developing new local resources and solutions to mitigate deportation's destructive effect on families, communities, and economies.

A wealth of research^x has made it clear: “The [detention or] deportation of a family's breadwinner or primary caregiver has devastating consequences for the spouse and children who depend on his earnings, including harm to their financial, educational, physical, and mental wellbeing. Deportation of a parent can cause children to enter the child welfare system, and result in children suffering lasting psychological harm that impacts their long-term economic and social stability. **These social and economic costs of deportation are largely borne by Northern California's counties, which administer public health, education, and social services**” (NCCIJ, 7, emphasis added). In addition to the severe local economic and social impacts of deportation, a recent report asserts that each deportation by ICE costs taxpayers an average of \$10,874.^{xi}

Blended-Status Families: Many non-citizens are members of “blended status” families, in which one parent, or all of the children, may be United States citizens. Across the state, the “vast majority of children...are U.S. citizens (96 percent), a small amount (2 percent) are lawfully residing immigrants, and very few children (2 percent) are undocumented immigrants.”^{xii}

Locally, blended families include children who are legal citizens; “While only 1 in 14 children [in Alameda and Contra Costa Counties] is an immigrant, nearly half have at least one immigrant parent, and 30% of households are headed by immigrant[s].... [E]stimates suggest that 72% of unauthorized residents...are living with citizens, and 34% are living with their own citizen children.”^{xiii}

Thus, although deportation focuses on individuals, its effects ripple with substantial consequence across their families, and thus across our broader community.

Children’s Well-Being: Children are especially vulnerable to the detrimental effects of a hostile immigration enforcement environment: “Although undocumented immigrant parents may try to protect their children from adults’ worries, children are highly cognizant of the implications of immigration status on their everyday lives. Even if family members are not actually detained or deported, immigrant families live in constant fear of being separated from loved ones that keeps them from fully participating in American society,” such as going to the doctor, driving a child to school, or visiting public places like parks (Effect, 2).



Multiple studies confirm that a parent’s detention or deportation increases depression and anxiety in children, negatively affects physical health and school performance, decreases family income, increases housing and food insecurity, and increases risk of child-welfare involvement (Effect, 2). Further, many immigrant parents of children citizens hesitate to apply for essential public benefits to which their children are entitled – such as Medi-Cal – out of fear of navigating the systems or that the information may be used against them (Effect, 3).

Further, an estimated 12,000 young people in Contra Costa County^{xiv} are eligible for administrative relief from deportation under the Deferred Action for Childhood Arrivals (DACA) program,^{xv} which is now being threatened under President Trump’s administration.

And when children miss school, our local school districts lose federal and state funding tied to Average Daily Attendance rates, while parents may be required to appear at truancy court proceedings; further, when individuals are afraid to engage with authorities, they may be unwilling to report crimes, whether as a victim or a witness, thus diminishing public safety overall.

Economy: Notwithstanding divisive rhetoric claiming that undocumented immigrants are a drain on the economy, a study by the Institute on Taxation and Economic Policy found that undocumented immigrants “collectively contribute an estimated \$11.74 billion to state and local coffers each year via a combination of sales and excise, personal income, and property taxes.... On average, the nation’s estimated 11 million undocumented immigrants pay 8 percent of their incomes in state and local taxes every year.”^{xvi}

The vast majority of undocumented immigrants hold wage-earning jobs,^{xvii} with workforce participation rates higher than those of non-citizens.^{xviii} A recent paper published by the National Bureau of Economic Research found that “the economic contribution of unauthorized workers to the U.S. economy is substantial, at approximately 3%

of private-sector GDP annually, which amounts to close to \$5 trillion over a 10-year period”; the paper further found that “legalization of unauthorized workers would increase their contribution to 3.6% of private-sector GDP. The source of these gains stems from the productivity increase arising from the expanded labor market opportunities for these workers which, in turn, would lead to an increase in capital investment by employers.”^{xix}

These macroeconomic effects prove true at the microeconomic level of individual families, as well -

“[I]mmigration-related arrests cause household income to fall to half on average, and leave one-fourth of households without anyone earning wages.... The Urban Institute’s 2010 study of families of detainees found that 28.3% of families suffered from insufficient food access after six months” (NCCIJ 13). Yet people can be held in detention for many months; according to one survey of people detained in ICE custody for at least six months, the average length of detention was 273 days; of these people, 90% had been employed immediately prior to detention, with collective wages lost to families and the local economies calculated at more than \$11 million (CA Due Process Crisis, 10-11).



And for every person who has lost a job, there’s an employer who has lost an employee. “[W]hen employees are detained or deported, businesses must bear the costs of this turnover. A review of 30 previous studies of turnover costs showed that these costs are regularly 20 percent of annual wages for workers earning less than \$50,000.... Deportation and detention-related employee turnover thus places a huge financial burden on California employers, especially given that noncitizens comprise such a large proportion of California’s workforce” (CA Due Process, 11).

And the ripples widen: for every family that has lost one parent, there’s another parent (or relative or friend or child) who must shoulder additional demands, which in turn affects their own abilities to go to work, or school, or care for their families.

VI. LOCAL PRECEDENTS

Contra Costa County has both proven and recent experience in undertaking successful pilot initiatives to develop new approaches to meet urgent needs that require coordinated responses. In the County’s history, these initiatives are typically conceived as time-limited, cross-agency demonstration pilot projects that leverage established infrastructure and are supported by dedicated public funding sufficient to test these new solutions.

Local examples of Contra Costa’s commitment to innovative pilot projects include the County’s new Office of Reentry and Justice, originally proposed in May 2016 by the AB109 Community Advisory Board and now a pilot initiative operating inside the County Administrator’s Office; the Zero Tolerance for Domestic Violence initiative (now known as Families Thrive), established at the direction of the County Board of Supervisors and housed within the Employment and Human Services division; and the Family Justice Alliance, which began as a cross-sector, community-based pilot and is now an independent 501c3 organization operating in partnership with public and private agencies and our County Board of Supervisors.

Further, Stand Together CoCo will build on Contra Costa's commitment to bold, coordinated, public/private solutions – such as Contra Costa CARES – developed to meet the distinct needs of undocumented Contra Costa residents. Launched as a twelve-month pilot in November 2015, Contra Costa CARES continues operating today, providing access to essential primary medical care for low-income adult undocumented residents. The CARES project was launched with \$1 million in initial funding, of which Contra Costa County provided \$500,000. Today, the project operates on an annual budget of \$1.5 million for fiscal 2017-18.

Taken as a whole, these initiatives came into being as the result of forward-thinking partnerships of community stakeholders, the County Board of Supervisors, and public and private agencies. Each of them reflects Contra Costa's demonstrated commitment to acknowledging and meeting the urgent challenges confronting some of our most vulnerable and marginalized community members.

The proposed project, Stand Together CoCo, builds on this legacy of extraordinary leadership and partnership.

VII. PROJECT RATIONALE

As an interdisciplinary, multi-sector initiative, Stand Together CoCo is designed to maximize the value of each element while augmenting collective capacity through intentional synergies.

- Grounded in community-based leadership development, capacity building, and community empowerment, Stand Together CoCo elicits, values, and enhances grassroots expertise, cultivates established and emergent community leaders, and advances community empowerment and agency.
- Partnering with experienced, established nonprofit organizations and legal service providers with deep ties to affected communities will advance trust and acceptance, while stewarding funds and augmenting capacity in the most cost-effective manner possible.
- Placing the project inside the Public Defender's Office will ensure a level of expertise, capacity, and visibility that will foster both excellence and accountability.
- The project's endorsement by the Contra Costa County Board of Supervisors will send a clear message of leadership, commitment, and compassion for our most vulnerable residents – and their allies – who are confronting terrifying new realities.

VIII. PROGRAMMATIC OVERVIEW

Stewarded by a Steering Committee and informed by regional Local Leadership Councils in each of the County's three geographic regions, Stand Together CoCo will provide three essential functions:

A. IMMIGRATION-RELATED INFORMATION AND RAID VERIFICATION, RAPID RESPONSE DISPATCH

Supported by a 24-hour Stand Together hotline built on an established web-based platform and augmented by an on-demand multi-language translation service, regional teams of trained Stand Together Community Leaders, stipended Community Responders, and volunteer Peer Responders will be dispatched to accomplish three goals:

1. Verify and provide accurate information about immigration-related actions reported in the community, in order to dispel inaccurate information while concentrating attention and resources in response to actions undertaken by agents of Immigration and Customs Enforcement (ICE)
2. Serve as trained Legal Observers to witness and document actions being undertaken by ICE in Contra Costa
3. Provide immediate support and systems navigation for families and individuals in Contra Costa who have been targeted by/detained by ICE

B. LEGAL REPRESENTATION, CLINICAL CONSULTATIONS, AND TECHNICAL ASSISTANCE

1. Rapid Response Legal Representation

Alerted by the Stand Together Dispatch, and in partnership with Community Leaders, a team of experienced immigration defense attorneys will provide Contra Costa residents with rapid-response legal representation at three critical moments in the deportation process:

- During the determination of eligibility for release from detention on bond
- During the judicial process to address or challenge grounds for deportation
- During the judicial process to determine eligibility for relief from deportation

2. Community-Based Clinical Consultations

The impact and consequence of the lack of access to legal services extends beyond the question of custody and bond, spilling into everyday life for non-detained immigrants and their families, as well. In the absence of reliable and accessible legal advice about rights and risks, thousands of families are trapped in the shadows, afraid to seek help or counsel.

This chronic condition – the lack of personal financial resources and uncertainty about who they can trust – is further exacerbated by the relatively limited pool of qualified immigration removal defense attorneys in Contra Costa County.

Thus, Stand Together CoCo, and its partners, will design and conduct community events to offer legal consultations and services. As part of this work, Stand Together CoCo lawyers will provide structured referrals to relevant nonprofit and public services to help address those needs. Such customized consultations will ensure that all Contra Costa residents have access to legal advice regarding the options and issues specific to each case and circumstances.

Conducted in partnership with existing community-based initiatives, these events will maximize the breadth and value of complementary resources such as the County's Clean Slate/Prop 47/Prop 64 legal remedies projects.

By embedding multi-partner "one stop" immigrant-resource events in trusted community-based settings, Stand Together CoCo will mitigate some of the most challenging barriers currently faced by these vulnerable residents – knowing where to start and how to get help.

3. Technical Assistance

In addition to providing direct representation and clinical services, the Stand Together CoCo attorneys will also provide community partners with technical assistance regarding new or complex developments of immigration law. To advance collective capacity, they will provide issues analysis on relevant developments in immigration law; provide training and job-shadowing opportunities to help Community Leaders and Responders understand the methods and procedures of immigration court; and review and assist in the development of content for legal rights workshops, such as those described below.

C. COMMUNITY EDUCATION AND LEGAL RIGHTS WORKSHOPS

Working in partnership with proven community-based partners, the multi-disciplinary Stand Together CoCo team will organize an ongoing array of culturally-responsive Community Education and Legal Services workshops, clinics, and trainings held in safe, trusted community-based sites across Contra Costa County.

Developed by Stand Together Community Leaders and Stand Together lawyers, and supported by stipended Community Responders and volunteer Peer Responders, these events will serve three primary functions:

1. **Workshops:** Advance equity, strengthen collective purpose, and equip Contra Costa families and individuals with essential tools and information to protect their families and exercise their Constitutional rights, which apply to all residents of the United States, regardless of their citizenship status

Hands-on workshops will help families prepare and equip themselves for potential targeting by ICE, offering practical and user-friendly guidance on topics such as: Let's Make a Family Preparedness Plan; Know Your Rights; Know Your Immigration-Status Options; What To Do if ICE Approaches You; Tenant Rights; and Employee Rights (including wage theft)

2. **Train the Trainer Capacity-Building:** Expand both individual and collective capacity to advance safety and justice for immigrant families in Contra Costa

In the Train the Trainer events, project staff will advance community capacity through technical trainings such as "Raid Verification Protocols," "Navigating the Immigration Bond Process," "Developing Family Preparedness Plans," and "How to be a Safe and Effective Legal Observer."

These events will also be co-convened with relevant partners and projects in order to maximize the reach and impact of existing community-based legal efforts, such as the County's Misdemeanor Early Representation Project, which is piloting to great success in both Antioch and Richmond.

3. **Leadership Development:** Create a structured continuum of development and leadership opportunities to identify, recruit, invest in, and organize an array of impacted community members.

At initial scale, this continuum will be led by three Community Leaders (paid, full-time) who will cultivate and work with twelve Local Responders (stipended, part-time), who will in turn provide engagement opportunities for an estimated 30-36 Local Leadership Council members (volunteers from impacted communities in each of the three geographic regions).

Facilitated by each region's Community Leaders and Local Responders, the Local Leadership Councils will provide safe and accessible methods to share essential information directly with and from the affected communities.

IX. PROJECT GOVERNANCE

Hosted by the Office of the Public Defender during its pilot phase, Stand Together CoCo will be administratively managed by Deputy Public Defender/Immigration Attorney Ali Saidi, in stewardship with a multi-stakeholder Steering Committee representing public agencies, nonprofit organizations, and community members.

To augment and inform the work of this body, the three regional Community Response Leaders will organize and manage Local Leadership Councils in each region. Co-facilitated by the Community Response Leaders and each region's stipended Community Responders, these Local Leadership Councils will provide structured opportunities to gather and disseminate information, identify areas of local concern, recruit and train volunteer responders, provide mutual support in what can be an isolating and terrifying environment, and inform project design and operations.

This governance structure – Host, Steering Committee, and Local Leadership Councils – encourages shared leadership, aligns public and community resources, and cultivates regional insights and meaningful peer-leadership development opportunities



X. COMMUNITY-BASED ORGANIZATIONS: RFQS AND TIMELINE

In its pilot phase, the project will be hosted at the Office of the Public Defender, which will provide in-kind occupancy and indirect resources to supervise the project. Under the umbrella of the Public Defender's Office, the bulk of the project's day-to-day activities will be undertaken by community-based organizations selected via a competitive Request for Qualifications (RFQ) process.

The RFQ process will be managed by an RFQ Team, which will include representatives of the Public Defender's Office, County leadership, and community members with expertise in the immigrant experience, community-based service delivery, community organizing, and immigration defense.

We propose the following timeline:

- Tuesday, September 12, 2017: Board of Supervisors approves Stand Together CoCo and commits funding
- By Friday, October 20, 2017: Assemble an RFQ Team, develop a Request for Qualifications, prepare for dissemination (pending approval/authorization by the Board of Supervisors)
- By Friday, November 10, 2017: Receive and vet responses, select proposed grantees
- On Tuesday, November 14, 2017: Present recommendations to Board of Supervisors
- By Monday, December 11, 2017: Finalize contracts
- By Friday, December 29, 2017: Develop basic policy documents and operating agreements
- Tuesday, January 2, 2018: Begin operations

XI. ATTACHMENTS

See attached Gantt chart, organizational chart, budget, and infographic for additional information.

i Family Unity, Family Health: How Family-Focused Immigration Reform Will Mean Better Health for Children and Families, Human Impact Partners, June 2013, Foreword.

ii Albanese, Matthew T., Memorandum Implementing the President's Border Security and Interior Immigration Enforcement Policies, February 21, 2017, page 1, accessed at <https://assets.documentcloud.org/documents/3889695/doc00801320170630123624.pdf>

iii Access to Justice for Immigrant Families and Communities, Northern California Collaborative for Immigrant Justice, October 2014, page 19; hereafter NCCIJ.

iv California's Due Process Crisis: Access to Legal Counsel for Detained Immigrants, The California Coalition for Universal Representation," June 2016.

v <https://www.immigrantbailfund.org>

vi National and County Estimates of the Unauthorized Immigrant Population, 2010-14, Migration Policy Institute, <http://www.migrationpolicy.org/programs/data-hub/deferred-action-childhood-arrivals-daca-profiles>

vii <http://statisticalatlas.com/county/California/Contra-Costa-County/Languages>

viii https://www.uscis.gov/sites/default/files/USCIS/Green%20Card/GreenCard_Comparison_EN.PDF

ix <https://www.irs.gov/individuals/international-taxpayers/immigration-terms-and-definitions-involving-alien>

x Satinsky, Sara, et al., Family Unity, Family Health: How Family-Focused Immigration Reform Will Mean Better Health for Children and Families, Human Impact Partners, June 2013, available at <http://www.familyunityfamilyhealth.org/uploads/images/FamilyUnityFamilyHealth.pdf> at 8

xi Blanco, Octavio, How Much It Costs ICE to Deport an Undocumented Immigrant, CNN, April 13, 2017, <http://money.cnn.com/2017/04/13/news/economy/deportation-costs-undocumented-immigrant/index.html>

xii The Effect of Hostile Immigration Policies on Children's Mental Health, The Children's Partnership: California Immigrant Policy Center, March 2017, page 1.

xiii Pastor, Manuel, et al., California Immigrant Education Scorecard, Center for the Study of Immigrant Integration, University of Southern California, September 2012, page 5.

xiv County Level Information on Undocumented Population, Deferred Action for Childhood Arrivals (DACA) Data Tools, Migration Policy Institute, <http://www.migrationpolicy.org/programs/data-hub/deferred-action-childhood-arrivals-daca-profiles>

xv "Deferred Action for Childhood Arrivals (DACA) is a kind of administrative relief from deportation. The purpose of DACA is to protect eligible immigrant youth who came to the United States when they were children from deportation. DACA gives young undocumented immigrants: 1) protection from deportation, and 2) a work permit. The program expires after two years, subject to renewal." Source: Undocumented Student Program, University of California at Berkeley, <https://undocu.berkeley.edu/legal-support-overview/what-is-daca/>

xvi Undocumented Immigrants' State and Local Tax Contributions, Institute on Taxation and Economic Policy, March 2, 2017, <https://itep.org/immigration/>

xvii Profile of the Unauthorized Population: United States, Migration Policy Institute, Data Hub. MPI's estimates are based on analysis of U.S. Census Bureau data from the 2014 American Community Survey (ACS), 2010-2014 ACS pooled, and the 2008 Survey of Income and Program Participation (SIPP), available at <http://www.migrationpolicy.org/data/unauthorized-immigrant-population/state/US>.

xviii The Effect of Hostile Immigration Policies on Children's Mental Health, The Children's Partnership: California Immigrant Policy Center, March 2017, page 2.

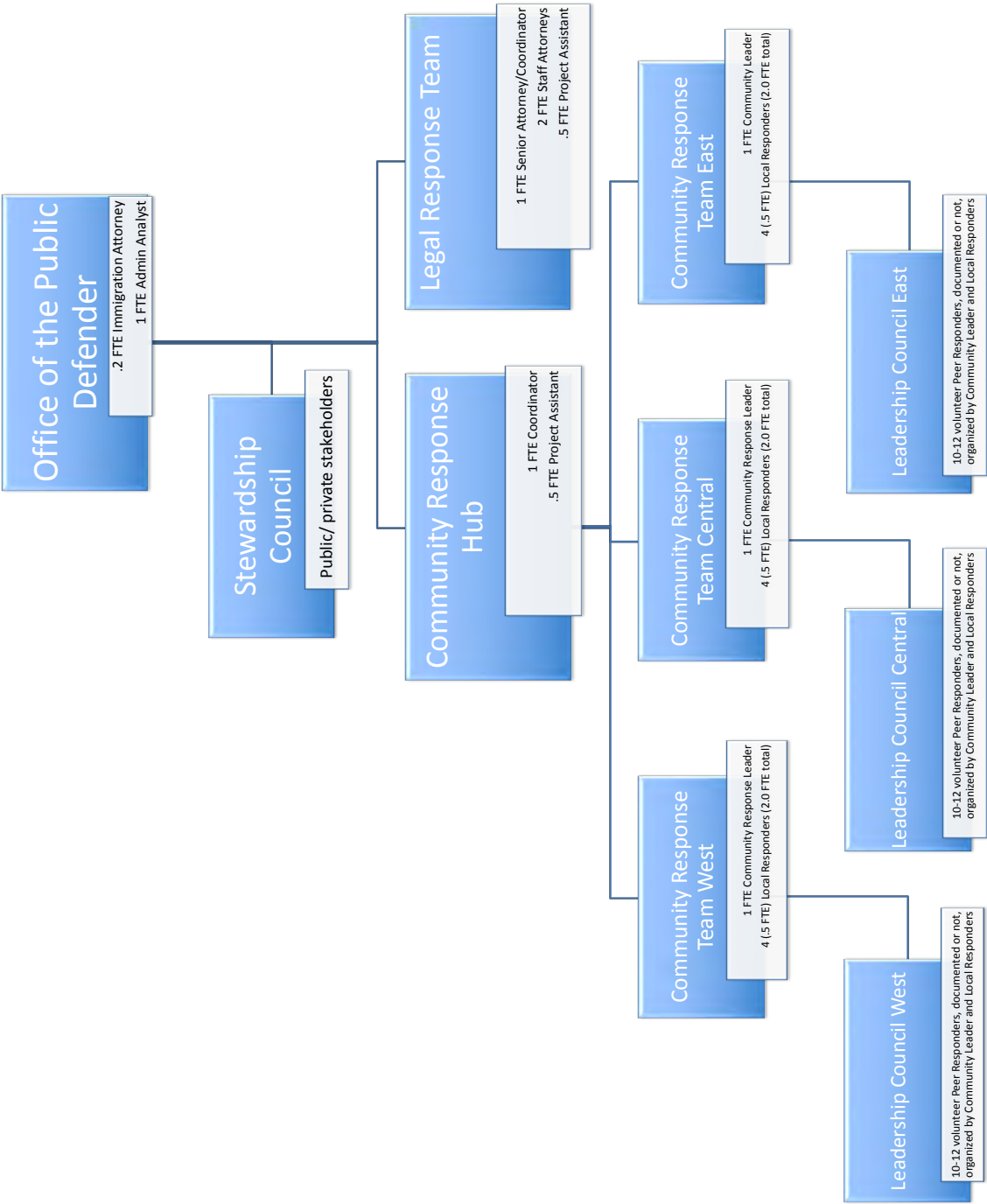
xix Edwards, Ryan, and Francesc Ortega, The Economic Contribution of Unauthorized Workers: An Industry Analysis, National Bureau of Economic Research, Working Paper No. 22834, Issued November 2016.

Stand Together CoCo, Budget					
Costs	Annual cost per FTE	FTE on project	Year 1 (FY17-18) (6 months)	Year 2 (FY18-19)	Year 3 (FY19-20)
Host					
Project Director Ali Saidi (provided in-kind by Public Defender)	\$ -	0.20	\$ -	\$ -	\$ -
Administrative Analyst-Project APW1 (\$50K + 50% benefits)	\$ 75,000	1.00	\$ 37,500	\$ 75,000	\$ 75,000
Team/Council meeting costs @ 1 meeting /region/month for 3 regions @ \$75/meeting			\$ 1,350	\$ 2,700	\$ 2,700
Community Education and Legal Rights Workshops and Clinics: One/region/quarter, @ \$750 ea			\$ 4,500	\$ 9,000	\$ 9,000
Translation equipment			\$ 1,500	\$ -	\$ -
Website design and ongoing TA			\$ 15,000	\$ 1,200	\$ 1,200
Hotline infrastructure @ \$50/month plus one-time set-up fee of \$10,000			\$ 10,300	\$ 600	\$ 600
Technical assistance (implementation/operations support)			\$ 18,000	\$ 7,500	\$ -
Costs for Host		1.20	\$ 88,150	\$ 96,000	\$ 88,500
Stand Together Community Team					
Stand Together Coordinator @ \$60K plus benefits	\$ 60,000	1.00	\$ 30,000	\$ 60,000	\$ 60,000
Community Leaders @ \$40K plus benefits	\$ 40,000	3.00	\$ 60,000	\$ 120,000	\$ 120,000
Project Assistant @ \$32K plus benefits	\$ 32,000	0.50	\$ 8,000	\$ 16,000	\$ 16,000
Benefits	22%		\$ 21,560	\$ 43,120	\$ 43,120
Local Responders (12 people, 4 per region, each at .5 FTE, stipended, \$14/hr)	\$ 28,000	6.00	\$ 84,000	\$ 168,000	\$ 168,000
Print materials @ \$1,500 for Spanish, and \$500 per language in the top six languages			\$ 4,500	\$ 5,000	\$ 5,000
Cell phones (per FTE, @ \$50/ FTE /month			\$ 3,150	\$ 6,300	\$ 6,300
Local mileage for Community Action Unit @ 250 miles/month/FTE @ \$.535/mile			\$ 8,426	\$ 16,853	\$ 16,853
Indirect @ 10% of all program costs	10%		\$ 21,964	\$ 43,527	\$ 43,527
Costs for Community Action Unit		10.50	\$ 241,600	\$ 478,800	\$ 478,800
Legal Services					
Senior Attorney/Legal Services Coordinator @ \$120K plus benefits	\$ 120,000	1.00	\$ 60,000	\$ 120,000	\$ 120,000
Staff Attorney @ \$92K plus benefits	\$ 92,000	2.00	\$ 92,000	\$ 184,000	\$ 184,000
Legal Services Team assistant @ \$32K plus benefits	\$ 32,000	0.50	\$ 8,000	\$ 16,000	\$ 16,000
Benefits @ 25%	22%		\$ 33,440	\$ 66,880	\$ 66,880
Cell phones @ \$50/FTE/month (2 in Year 1, 3 in subsequent years)			\$ 1,050	\$ 2,100	\$ 2,100
Document translation costs			\$ 2,500	\$ 5,000	\$ 5,000
Local mileage for Attorneys @ 200 miles/month/FTE @ \$.535/mile (2 in Yr 1, 3 after)			\$ 1,926	\$ 3,852	\$ 4,494
Indirect @ 10% of all program costs (excluding consultants and non-recurring costs)	10%		\$ 19,892	\$ 39,783	\$ 39,847
Costs for Legal Services Unit		3.50	\$ 218,808	\$ 437,615	\$ 438,321
Flexible legal defense funds/litigation expenses including expert witnesses (assumes \$1,250/case for 40 cases/year)			\$ 25,000	\$ 50,000	\$ 50,000
Total Operating Costs			\$ 573,557	\$ 1,062,415	\$ 1,055,621

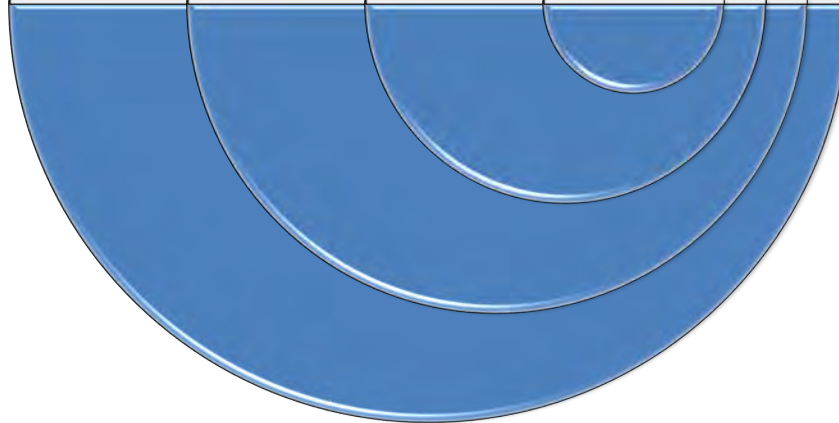
Stand Together CoCo, Timeline, as of August 8, 2017		Q3 2017	Q4 2017	Q1 2018	Q2 2018	Q3 2018	Q4 2018	Q1 2019	Q2 2019
Administrative Processes									
Receive project approval and funding appropriation from CoCo Board of Supervisors		x							
Complete internal County processes to establish the project within Public Defenders Office			x						
Hire Project Legal/Admin Assistant			x						
Launch Team									
Establish and convene Launch Team		x							
Develop initial Team charter, governance and decision-making rules		x	x						
Review, finalize, and approve budgets for RFQ services			x						
Convene RFQ Team, outline RFQ process and timeline			x						
Draft and approve RFQ			x						
Submit RFQ to County for approval			x						
Release RFQ, review responses, make funding recommendations			x						
Submit funding recommendations through County processes (PPC? Counsel? CAO? BOS?)			x						
Execute contracts			x						
Develop and document operating protocols		x	x						
Begin implementing project activities				x					
Technical									
Identify hotline provider, negotiate scope and costs		x	x						
Identify need/function for website, social media technical assistance		x	x						
Identify translation resources (language, equipment)		x	x						
Identify needs for training, identify providers and costs		x	x						
Identify method for text-messaging, identify provider and cost		x	x						
Identify information management platform and protocols		x	x						
Implement data system, website, and hotline platforms			x						
Steering Committee									
Draft Steering Committee charter and composition		x							
Conduct outreach and recruitment for the Steering Committee			x						
Convene and orient the Steering Committee			x						
Develop MOUs (incl privacy, data-management and reporting, and data-sharing agreements)			x	x					
Review and approve community-responder training needs, curriculum			x	x					
Hold quarterly Steering Committee meetings				x	x			x	x
Conduct mid-course project reviews				x				x	
Local Leadership Councils									
Develop Local Leadership Council charters, composition			x	x					
Recruit and convene LLC in each region				x					
Conduct monthly LLCs in each region					x	x	x	x	x

Stand Together CoCo: One County, One Community, Together

A rapid response and community capacity-building project to support safety and justice for non-citizen individuals and families in Contra Costa County



Stand Together CoCo: One County, One Community, United



Stand Together CoCo Community Responders	<ul style="list-style-type: none"> • Observe and Witness: Organized, trained, and supported by Community Leaders, serve as legal observers to ICE activities • Accompany and Support: Assist family members to navigate bond processes, gather defense-related information for lawyers
Stand Together CoCo Community Leaders	<ul style="list-style-type: none"> • Recruit, organize and manage teams of Community Responders • Organize and conduct community events and clinics, with lawyers and community responders
Stand Together CoCo Community Lawyers	<ul style="list-style-type: none"> • Provide rapid-response bond representation for people in ICE detention • Provide representation for deportation eligibility and eligibility for relief • Conduct community events and clinics, with Community Leaders and Community Responders
Stand Together CoCo Hotline/Info Team	<ul style="list-style-type: none"> • Receive and confirm info on ICE enforcement activities • Deploy Community Leaders to verify and respond to enforcement activities • Align and coordinate resources and information with other immigrant networks

ONE EVENT CAN HAVE MANY CONSEQUENCES



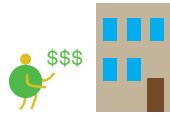
Jorge Garcia is an undocumented resident of the U.S. He came here in search of a better life. He lives with his partner **Elise**, a U.S. citizen. Because Jorge entered the country without documentation he cannot gain status through marriage.



THE GARCIAS ARE A PART OF THEIR COMMUNITY



Jorge works at a factory.
Elise is a teacher.



He pays rent to a landlord.



Elise buys food and clothing at the local store.



Their children, **Nina** and **Ben** go to grade school in town.



They volunteer with their local church.

BUT, THEN ONE DAY ...



Jorge is pulled over for having a broken taillight. The police realize he doesn't have papers and **he** is arrested.



He is detained for several months in an out-of-state prison.



He is eventually deported, never to return.

SO...



Jorge stops coming to work. Other workers are afraid they might get picked up. Some stop coming to work too.



Without the support of **Jorge's** income, **Elise** cannot afford the rent. She is evicted and moves in with cousins who live in a different town. The psychological strain is enormous because **she** is financially strained and her **kids** have become despondent and worried.

AND...



Employers lose experienced workers. Families lose income. Landlords lose tenants. Storeowners lose revenue. The small town starts to lose its tax base, people begin to leave and the town's economic activity declines.



Nina and **Ben** switch schools suddenly because of the move. They feel abandoned and isolated in their new environment.



Nina and **Ben's** friends and former classmates hear of the deportation, become fearful and miss days of school.



Elise's cousins are stretched thin and overcrowded with three new family members, their household goes from four to seven overnight.*

*Nina and Ben were lucky to have two parents present. At any given moment 5,000 foster care children are children of deported parents.

DEPORTATION POLICY CREATES A CLIMATE OF FEAR AND PARALYSIS IN COMMUNITIES.



People are afraid to drive,



afraid to use parks and exercise outdoors,



afraid to use public services like clinics



and afraid to get involved in their communities.

Draft Proposal for Funding: Contra Costa County Immigrant Legal and Education Partnership

I. Summary of Request

Given the anti-immigrant rhetoric and stated detention and deportation policies of President Trump, we are requesting that the County of Contra Costa join us in an immediate showing of solidarity in support of immigrant communities and families. Our group of legal services and community based organizations are coming together to provide critical legal and support services to Contra Costa families facing the immediate threat of separation due to deportation. We will serve all immigrants and families throughout Contra Costa County to provide services to protect those impacted by Executive Orders and/or additional actions or policies that infringe on due process rights, divide communities, increase the use of detention, and/or result in the disparate treatment of individuals based on factors that include nationality, religion, country of origin, and sexual orientation.

Together, this diverse group of organizations requests that the County of Contra Costa contribute to help us reach a total budget of \$1,002,750 annually for rapid response coordination, a rapid response hotline, community responders, know your rights education, family preparedness planning, and legal services. A detailed budget is provided in Section V below. If Contra Costa County makes an investment in these critically needed services, several local and regional foundations that currently support immigration legal and educational services in the East Bay are prepared to consider additional matching investments in this Contra Costa Immigrant Legal and Education Partnership.

II. Overview of Need

More than ever, immigrants will need experienced and qualified attorneys to ensure that immigrants and their families in Contra Costa County receive due process given the expected surge of deportation and detention. In addition, we simultaneously need resources to create a meaningful rapid response network to make sure the community is aware of their rights and can access counsel as soon as they are detained by ICE. A report by the Stanford Law School Immigrants' Rights Clinic, on behalf of the Northern California Collaborative for Immigrant Justice (NCCIJ) explains the already dire need for removal defense representation in the Bay Area.ⁱ The report found that over 50% of the represented detained individuals had lived in the United States for over a decade; 77% were separated from family members as a result of their detention (approximately half of them were separated from children); and 65% had been gainfully employed prior to their detention.ⁱⁱ Research shows that the removal of these (often) primary breadwinners from the family unit pushes families toward the brink of poverty and homelessness, and can leave U.S. citizen children without parents to care for them.ⁱⁱⁱ Public health insurance programs, foster care services, and other city and county social assistance programs suffer increased costs as a consequence.^{iv} In addition to the deleterious economic impacts of losing a family member to detention, studies have found that children whose parents

were detained and facing the threat of deportation exhibited significant negative behavioral and emotional changes.^v As such, not only do families in our local communities experience economic hardship, they also endure psychological turmoil when a family member is detained and/or deported.^{vi}

The NCCIJ report examined two specific data sets and analyzed the impact of having a lawyer on a detained individual's ability to remain in the United States and avoid deportation. The first data set was provided directly from the Department of Justice, Executive Office for Immigration Review (the San Francisco Immigration Court). The second data set was a result of a survey of all of the Bay Area nonprofit immigration legal services providers who were engaged in removal defense for detained individuals. Notably, the DOJ EOIR report showed that only 11% of detained and unrepresented immigrants were successful in challenging their deportation.^{vii} By contrast, the detained individuals who were represented by Bay Area non-profits were successful 83% of the time.^{viii} The impact of these statistics goes well beyond the actual number of individuals who are actually expelled from the United States. This is because the detained individual's family and community are also significantly impacted.

The ability of non-profit organizations serving Contra Costa County residents to effectively represent immigrants who are threatened with permanent banishment from the United States and their families is at a cross roads due to current limited resources, which will only be further stretched going forward. In order to keep families together, Contra Costa residents need to be educated about their legal rights and when faced with the threat of imminent deportation, be immediately connected to and provided with legal counsel.

III. Local Impact

According to the most recent census (2010), nearly *a quarter* of Contra Costa County residents were foreign-born (23.9%).^{ix} By any estimation, the number of immigrants has continued to grow since the last census - and much of this growth has been amongst persons without documented status. In addition, over 34% of Contra Costa County residents speak a language other than English at home.^x Such diverse immigrant populations exist throughout our region and have long made Contra Costa County their home. As of the most recently available data from 2014, within Contra Costa County, over 47% of children live with one or more foreign-born parents.^{xi} Recent studies show the extremely damaging psychological and physical impact on children if their parents are apprehended detained and/or deported.^{xii} In addition to the severe psychological impact of depression, inability to focus in or attend school, children also are physically impacted in that they engaged in self-harm.^{xiii}

IV. Proposed Services and Deliverable Outcomes

The Partnership will provide a rapid response to the legal needs of Contra Costa residents and families facing imminent deportation or other adverse action as a result of immigration enforcement activities like raids in homes, workplaces, schools, and other sensitive locations. The network will house four (4) attorneys at legal services organizations, a Rapid Response and

Know Your Rights Coordinator at an established community organization and four (4) Community Responders at community based organizations.

A Rapid Response and Know Your Rights Coordinator will lead four Community Responders in managing a hotline where affected individuals and community members can call to report immigration enforcement actions. Community Responders will be deployed to those locations to document the enforcement activity, gather information about the affected individuals and report that information back to the Coordinator. The Coordinator and Responder will then contact the point person at a legal service agency who will send one of the four attorneys to immediately enter their appearance as the affected individual's attorney before ICE and advocate to prevent their immediate deportation. The attorney will then provide ongoing legal representation to the affected individual before the San Francisco Immigration Court. The Coordinator will connect the affected individuals' family with emergency support services.

The Coordinator will also work with the legal service providers and develop presentations to be conducted weekly at schools, places of worship, health clinics, and other trusted community locations. In addition to critical education regarding legal rights, during these presentations the Know Your Rights ("KYR") coordinator will provide Contra Costa residents with the hotline information and guidance on individual family emergency planning.

The weekly presentations will occur throughout Contra Costa County on a rotating basis to ensure geographic equity. The partnership organizations will continue and add additional formalized partnerships with community centers and faith based locations throughout the entirety of Contra Costa County.

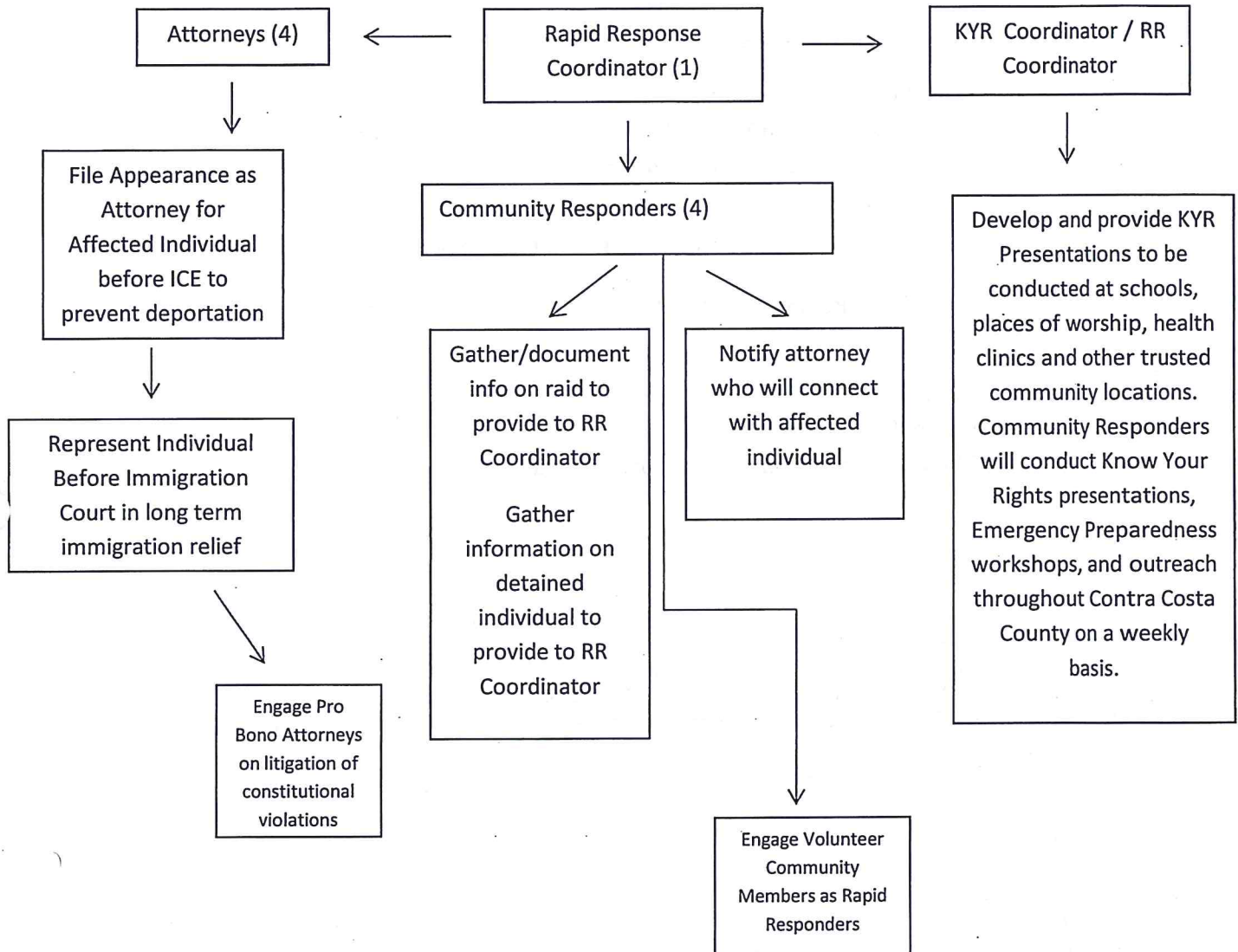
The organizations will continue existing and will add additional formalized partnerships with unified school districts and individual schools throughout the county so that they have regular Know Your Rights presentations and a clear point of contact if any enforcement actions occur so that children and families have immigration legal and support services as needed.

The organizations will continue existing and add additional formalized partnerships with community health clinics and other medical or mental health providers throughout the county so that they have regular Know Your Rights presentations and a clear point of contact for any Contra Costa County residents who need immigration legal and support services.

Once the network has been established, both legal service organizations and community based organizations will engage pro bono attorneys and non-legal volunteers for additional support. Pro bono attorneys will be leveraged to challenge constitutional violations of Contra Costa County residents who are detained by ICE and denied due process. Non-legal volunteers will be recruited to assist Community Responders and the Coordinator by immediately dispatching to locations where there have been raids or other immigration enforcement activity to assist in information gathering.

The Partnership will provide the following legal and rapid response services in a one-year period:

- 4 Community Responders will staff emergency hotline six hours a day, five days a week for Contra Costa county residents who are threatened with deportations or who are impacted by immigration enforcement activity;
- Rapid Response / Know Your Rights Coordinator and Community Responders will conduct weekly presentations at schools, places of worship, health clinics, and other trusted community locations and create relevant informational and referral materials in multiple languages;
- 2000 Contra Costa County residents will receive Know Your Rights presentations;
- 1000 Contra Costa County residents and families will receive free legal consultations;
- 200 Contra Costa County residents and families will receive free legal representation in removal proceedings;
- Coordinate with school districts and individual schools throughout Contra Costa County to have a dedicated partnerships and points of contact for legal and support services;
- Coordinate with health clinics and other medical and mental health service providers throughout Contra Costa County to have a dedicated partnership and points of contact for legal and support services;
- Coordinate with faith based leaders throughout Contra Costa County to have a dedicated partnership and points of contact for legal and support services;
- Engage Pro Bono Attorneys on litigation of constitutional violations;
- Engage Volunteer Community Members as Rapid Responders; and
- Community based organization partners will meet on a monthly basis to review services provided and ensure coordination of services.

Partnership Structure

V. One Year Budget

Amounts include support for **salary, benefits, overhead, and supervision** for each employee

- 4 attorneys: \$495,000
 - i. 1 Senior Attorney: \$150,000
 - ii. 3 Staff Attorneys: \$345,000
- Litigation Expenses: \$50,000
- Rapid Response and Know Your Rights Coordinator and hotline costs: \$150,000
- 4 Community Responders: \$260,000
- TOTAL: **\$955,000**
- Administrative cost to partnership Fiscal Lead (5% of total): \$47,750

TOTAL EXPENSE: \$1,002,750

FUNDING SOURCES:

Contra Costa County

Matching funds from Foundations and major donors

i Northern California Collaborative for Immigrant Justice (NCCIJ), Access to Justice for Immigrant families and Communities (Oct. 2014) (Hereinafter referred to as “NCCIJ Report”), *available at* <https://media.law.stanford.edu/organizations/clinics/immigrant-rights-clinic/11-4-14-Access-to-Justice-Report-FINAL.pdf>. (last accessed May 25, 2016).

ii NCCIJ Report at 7, 23 n. 69, 70, 71, 72.

iii NCCIJ Report at 13 n. 43, 44, 45.

iv NCCIJ Report at 13 n. 46.

v NCCIJ Report at 13 n. 48, 49.

vi NCCIJ Report at 7 n. 9, 10.

vii NCCIJ Report at 9, 18.

viii NCCIJ Report at 9.

ix <https://www.census.gov/quickfacts/table/POP645215/06013,00>

x Id.

xi <http://www.kidsdata.org/topic/573/foreign-parents250/table#fmt=786&loc=2,127,331,171,345,357,324,369,362,360,337,364,356,217,328,354,320,339,334,365,343,367,344,366,368,265,349,361,4,273,59,370,326,341,338,350,342,359,363,340,335&tf=79>

xii <http://www.migrationpolicy.org/research/health-and-social-service-needs-us-citizen-children-detained-or-deported-immigrant-parents>

xiii Id.