CALENDAR FOR THE BOARD OF SUPERVISORS

CONTRA COSTA COUNTY

AND FOR SPECIAL DISTRICTS, AGENCIES, AND AUTHORITIES GOVERNED BY THE BOARD

BOARD CHAMBERS ROOM 107, ADMINISTRATION BUILDING, 651 PINE STREET
MARTINEZ, CALIFORNIA 94553-1229

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

DAVID J. TWA, CLERK OF THE BOARD AND COUNTY ADMINISTRATOR, (925) 335-1900

PERSONS WHO WISH TO ADDRESS THE BOARD DURING PUBLIC COMMENT OR WITH RESPECT TO AN ITEM THAT IS ON THE AGENDA, WILL BE LIMITED TO TWO (2) MINUTES.

The Board Chair may reduce the amount of time allotted per speaker at the beginning of each item or public comment period depending on the number of speakers and the business of the day. Your patience is appreciated.

A lunch break or closed session may be called at the discretion of the Board Chair.

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

SPECIAL MEETING
AGENDA
March 27, 2018
Note Time Change*

9:30 A.M. Convene and announce adjournment to closed session in Room 101.

Closed Session

A. CONFERENCE WITH LABOR NEGOTIATORS

1. Agency Negotiators: David Twa and Richard Bolanos.

Employee Organizations: Contra Costa County Employees' Assn., Local No. 1; Am. Fed., State, County, & Mun. Empl., Locals 512 and 2700; Calif. Nurses Assn.; Service Empl. Int'l Union, Local 1021; District Attorney's Investigators Assn.; Deputy Sheriffs Assn.; United Prof. Firefighters, Local 1230; Physicians' & Dentists' Org. of Contra Costa; Western Council of Engineers; United Chief Officers Assn.; Service Employees International Union Local 2015; Contra Costa County Defenders Assn.; Probation Peace Officers Assn. of Contra Costa County; Contra Costa County Deputy District Attorneys' Assn.; and Prof. & Tech. Engineers, Local 21, AFL-CIO; Teamsters Local 856.

2. Agency Negotiators: David Twa.

Unrepresented Employees: All unrepresented employees.

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

1. *Cynthia Slezak v. County of Contra Costa, et al.*, Contra Costa County Superior Court

Case No. C17-02454

10:00 A.M. Call to order and opening ceremonies.

Inspirational Thought- *"We cannot seek achievement for ourselves and forget about progress and prosperity for our community. Our ambitions must be broad enough to include the aspirations and needs of others, for their sakes and for our own."* ~ Cesar Chavez

CONSIDER CONSENT ITEMS (Items listed as C.1 through C.94 on the following agenda) – Items are subject to removal from Consent Calendar by request of any Supervisor or on request for discussion by a member of the public. **Items removed from the Consent Calendar will be considered with the Discussion Items.**

PRESENTATIONS (5 Minutes Each)

PR.1 PRESENTATION recognizing the 2018 Youth Hall of Fame Awards. (Melinda Cervantes, County Librarian)

PR.2 PRESENTATION honoring Denice Dennis for her many years of service to Contra Costa County upon her retirement. (Dan Peddycord, Public Health Director)

DISCUSSION ITEMS

D. 1 CONSIDER Consent Items previously removed.

D. 2 PUBLIC COMMENT (2 Minutes/Speaker)

D. 3 CONSIDER reports of Board members.

11:00 A.M.

25th Annual Cesar E. Chavez Commemorative Celebration

D.4 Cesar Chavez Celebration Program

ADJOURN

CONSENT ITEMS

Road and Transportation

C. 1 AWARD and AUTHORIZE the Public Works Director, or designee, to execute a construction contract in the amount $4,560,410 with Bridgeway Civil Constructors, Inc. for the Marsh Creek Road Bridge Replacement Project, Clayton area. (100% Local Road Funds)

C. 2 APPROVE the Rio Vista Elementary School Pedestrian Connection Project and AUTHORIZE the Public Works Director, or designee, to advertise the Project, Bay Point area. (76% Active Transportation Program-Safe Routes to School Funds and 24% South Local Road Funds)

Engineering Services

C. 3 ADOPT Resolution No. 2018/68 accepting completion of improvements for road acceptance RA07-01234 for a project developed by Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (100% Developer Fees)

C. 4 ADOPT Resolution No. 2018/100 accepting an Offer of Dedication for Roadway Purposes for minor subdivision MS16-0004, for a project being developed by Gary K. Spitz and Cherl I Spitz, Trustees, as recommended by the Public Works Director, Alamo area. (No fiscal impact)

C. 5 ADOPT Resolution No. 2018/101 approving the Parcel Map and Subdivision Agreement for minor subdivision MS16-0004, for project being developed by Gary and Cherl Spitz, as recommended by the Public Works Director, Alamo area. (No fiscal impact)

C. 6 ADOPT Resolution No. 2018/102 accepting an Offer of Dedication for Roadway Purposes for minor subdivision MS15-0002, for a project being developed by Alamo Glen, LLC, as recommended by the Public Works Director, Alamo area. (No fiscal impact)

C. 7 ADOPT Resolution No. 2018/103 approving the Stormwater Management Facilities Operation and Maintenance Agreement for minor subdivision MS15-0002, for a project being developed by Alamo Glen, LLC, as recommended by the Public Works Director, Alamo area. (No fiscal impact)

C. 8 ADOPT Resolution No. 2018/105 approving the Parcel Map and Subdivision Agreement for minor subdivision MS15-0002, for project being developed by Alamo Glen, LLC, as recommended by the Public Works Director, Alamo area. (No fiscal impact)

Special Districts & County Airports

C. 9 ADOPT Resolution No. 2018/77 of Initiation ordering the preparation of an Engineer's Report and related proceedings for the levy and collection of the Fiscal Year 2018-19 assessments for Countywide Landscaping District AD 1979-3 (LL-2), as recommended by the Public Works Director. (100% Countywide Landscaping District AD 1979-3 (LL-2) Funds)

C. 10 APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a Consulting Services Agreement with Callander Associates Landscape Architecture, Inc., in an amount not to exceed $250,000, for the period April 1, 2018 through March 31, 2021, to provide on-call landscape architecture services, Countywide. (100% Special Revenue Funds)

C. 11 APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a Consulting Services Agreement with A.S. Dutchover (dba Dutchover & Associates), in an amount not to exceed $250,000, for the period April 1, 2018 through March 31, 2021, to provide on-call landscape architecture services, Countywide. (100% Special Revenue Funds)

C. 12 APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a Consulting Services Agreement with David L. Gates & Associates, Inc., in an amount not to exceed $250,000, for the period April 1, 2018 through March 31, 2021, to provide on-call landscape architecture services, Countywide. (100% Special Revenue Funds)

C. 13 APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a Consulting Services Agreement with Stantec Consulting Services, Inc., in an amount not to exceed $250,000, for the period April 1, 2018 through March 31, 2021, to provide on-call landscape architecture services, Countywide. (100% Special Revenue Funds)

C. 14 APPROVE and AUTHORIZE the Chief Engineer or his designee to execute an agreement with American Rivers, Inc., for construction of the Three Creeks Restoration Project, a component of the Three Creeks Parkway Restoration Project; APPROVE the Three Creeks Parkway Restoration Project and DIRECT the filing of a Notice of Determination; and related actions under the California Environmental Quality Act, as recommended by the Chief Engineer, Flood Control & Water Conservation District, Brentwood area. (100% Flood Control Drainage Area 130 Funds)

C. 15 APPROVE and AUTHORIZE the Director of Airports to terminate Tiedown Permit for space H-15 with Walter Lyall and AUTHORIZE County Counsel to pursue legal action (100% Airport Enterprise Fund).

C. 16 APPROVE and AUTHORIZE the Chair, Board of Supervisors, to execute on behalf of the County, a Grant Deed conveying County property located at 505 Discovery Bay Boulevard in Discovery Bay, identified as Assessor's Parcel Number 009-200-013, to Discovery Bay Community Services District, as recommended by the Public Works Director, Discovery Bay area. (No Fiscal Impact)

C. 17 APPROVE the Buchanan Field Airport East Ramp F Row Hangar Improvement Project and take related actions under CEQA, as recommended by the Public Works Director (100% Airport Enterprise Fund)

Claims, Collections & Litigation

C. 18 RECEIVE report concerning the final settlements of LeRhonda Birden vs. Contra Costa County; and AUTHORIZE payment from the Workers' Compensation Internal Service Fund in an amount not to exceed $145,000, as recommended by the Director of Risk Management. (100% Workers' Compensation Internal Service Fund)

C. 19 DENY claims filed by HLN, a minor, by and through parent Reed E. Mclnroy.

Honors & Proclamations

C. 20 ADOPT Resolution No. 2018/98 recognizing Don Jenkins as the 2018 Lafayette Citizen of the Year, as recommended Supervisor Andersen.

C. 21 ADOPT Resolution No. 2018/104 recognizing the 2018 Youth Hall of Fame Honorees of the 25th Annual Cesar E. Chavez Commemorative Celebration, as recommended by the Cesar Chavez Committee.

C. 22 ADOPT Resolution No. 2018/111 to SUPPORT Proposition 68: The California Clean Water & Safe Parks Act, as recommended by Supervisor Burgis.

C. 23 ADOPT Resolution No. 2018/113 honoring Denice Dennis for her many years of service to Contra Costa County upon her retirement, as recommended by the Health Services Director.

C. 24 ADOPT Resolution No. 2018/107 recognizing Service of Deputy Chief Derek Krause upon his retirement from the San Ramon Valley Fire Protection District, as recommended by Supervisor Andersen.

Appointments & Resignations

C. 25 ACCEPT the resignation of Scott Warfe, DECLARE a vacancy in the Education/Research seat on the Sustainability Commission, and DIRECT the Clerk of the Board to post the vacancy, as recommended by the Conservation and Development Director.

C. 26 ACCEPT the resignation of Arthur Walenta, DECLARE a vacancy in the District 1 seat on the Assessment Appeals Board, and DIRECT the Clerk of the Board to post the vacancy, as recommended by Supervisor Gioia.

C. 27 APPROVE the medical staff appointments and reappointments, additional privileges, advancements, voluntary resignations and prenatal care privileges as recommend by the Medical Staff Executive Committee and the Health Services Director.

C. 28 REAPPOINT Joseph Motta to the Appointee 3 seat, Steve Nelson to the Appointee 5 seat, Diane Barley to the Appointee 7 seat and APPOINT Clark Johnson to the Appointee 9 seat on the Alamo Police Services Advisory Committee, as recommended by Supervisor Andersen.

C. 29 APPOINT Ally Fattore to the 1st Alternate seat on the County Service Area P-5 Citizens Advisory Committee, as recommended by Supervisor Andersen.

C. 30 APPOINT Marjorie Hanson to the Private/Non-Profit Sector 2 seat on the Economic Opportunity Council, as recommended by the Employment and Human Services Director.

C. 31 APPOINT Deborah St. Pierre to the District IV Alternate seat on the County Library Commission as recommended by Supervisor Mitchoff.

Appropriation Adjustments

C. 32 Emergency Services (0362): APPROVE Appropriation and Revenue Adjustment No. 5059 authorizing new revenue in the amount of $105,000 in the Sheriff's Office - Emergency Services Division (0362) and app appropriating it for the purchase of cybersecurity hardware and software. (100% State) (Consider with C.84)

Intergovernmental Relations

C. 33 ADOPT proposed amendments to the adopted 2018 State Legislative Platform to support an increase to the CalWORKS Maximum Aid Payment (MAP), the annual funding of a CalWORKS cost of living adjustment (COLA), and a revision of the budgeting methodology for the CalWORKS Single Allocation, and opposing legislative and budgetary actions that result in reduced level of services to families, children, vulnerable adults and or that lead to preemption of local control.

Personnel Actions

C. 34 ADOPT Position Adjustment Resolution No. 22189 to add one Account Clerk Supervisor (represented) position and cancel one Administrative Analyst (represented) position in the Health Services Department. (100% Hospital Enterprise Fund I)

C. 35 ADOPT Position Adjustment Resolution No. 22249 to add one Clerk-Experienced Level (represented) position and cancel one Intermediate Typist Clerk-Project (represented) position in the Health Services Department. (Cost savings)

C. 36 ADOPT Position Adjustment Resolution No. 22255 to add three Public Health Nutritionist positions (represented) and cancel three Senior Public Health Nutritionists positions (represented) in the Health Services Department. (Cost savings)

C. 37 ADOPT Resolution No. 2018/120 to abolish nine (9) positions and activate theTactical Employment Team Program (TETP) to mitigate the number of employees laid off from the Workforce Development Board.

Grants & Contracts

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

C. 38 APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with the California Department of Community Services and Development to extend the term end date from March 31, 2018 to December 31, 2018 for the Low Income Home Energy Assistance Program with no change to the payment limit of $4,315,658. (No fiscal impact.)

C. 39 APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to apply for and accept funding from the U.S. Department of Health and Human Services, Administration for Children and Families, Office of Head Start, in an amount not to exceed $85,800 for a supplemental, one-time grant to provide quality enhancement improvements at Head Start program centers. (80% Federal, 20% In-kind County match, budgeted)

C. 40 APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with the California Department of Community Services and Development to increase the payment limit by $1,401,999 to a new payment limit of $3,321,891 for Low Income Home Energy Assistance Programs with no change to the term of October 1, 2017 through December 31, 2018. (No County match)

C. 41 APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to apply for and accept grant funding in an amount not to exceed $900,000 from the U.S. Department of Justice, Office of Violence Against Women's Improving Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Stalking Grant to work collaboratively with the community to identify problems and share ideas that will result in effective responses that ensure victim safety and offender accountability for the period October 1, 2018 through September 30, 2021. (No County match.)

C. 42 APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a contract with the State of California, 23rd District Agricultural Association, including full indemnification of the State of California, to pay the County an amount not to exceed $35,000 to provide law enforcement services at the Contra Costa County Fair for the period of May 16, 2017 through May 20, 2017. (100% State)

C. 43 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract containing modified indemnification language with the California Department of Public Health Office of AIDS, to pay the County in an amount not to exceed $25,727 per client per calendar year, to provide the AIDS Medi-Cal Waiver Program for the period January 1, 2018 through December 31, 2020. (No County match)

C. 44 APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to accept funding in an amount not to exceed $17,978 from the City of Richmond, Richmond Police Department, for the provision of a trained forensic interviewer at the Children's Interview Center for the period July 1, 2018 through June 30, 2019. (No County match.)

C. 45 APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, on behalf of the Workforce Development Board, to apply for and accept Title V Vocational Rehabilitation grant funding in an amount not to exceed $250,000 from the California Department of Rehabilitation, Employment Training Panel to design, develop, and implement work experience and job preparation training for students with disabilities, ages 16-21 years, for the period April 1, 2018 through March 30, 2019. (No County match)

C. 46 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract containing modified indemnification language with the California Department of Health Care Services, to pay the County an amount not to exceed $50,000 to develop policies and procedures for palliative care services for Contra Costa Health Plan's Medi-Cal beneficiaries for the period February 1, 2018 through June 30, 2018. (No County match)

C. 47 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract containing modified indemnification language with the California Department of Public Health, to pay the County an amount not to exceed $1,609,085 to provide oral health services for the County's low-income population for the period January 1, 2018 through June 30, 2022. (No County match)

C. 48 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract containing modified indemnification language with the California Department of Public Health, Immunization Program, to pay the County an amount not to exceed $1,593,320 to provide services to prevent and control vaccine-preventable diseases in Contra Costa County for the period July 1, 2017 through June 30, 2022. (No County match)

C. 49 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract containing modified indemnification language with the California Department of Health Care Services, to pay the County an amount not to exceed $21,000,000 to improve availability and accessibility of Medi-Cal services to eligible and potentially eligible individuals and their families for the period July 1, 2018 through June 30, 2021. (No County match)

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

C. 50 APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with LSA Associates, Inc., effective March 27, 2018, in an amount not to exceed $183,335, for the period March 27, 2018 through March 27, 2021, for the Marsh Drive Bridge Replacement over Walnut Creek Channel-Environmental Technical Studies Project, Concord area. (89% Federal Highway Bridge Replacement Funds and 11% Local Road and Transportation Funds)

C. 51 APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Agurto Corporation (dba Pestec Exterminator Co.), in an amount not to exceed $1,400,000 for the period April 1, 2018 through March 31, 2021, for structural integrated pest management services, Countywide. (100% General Fund)

C. 52 APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Public Works Director, a purchase order amendment with Royal Wholesale Electric Co., to increase the payment limit by $200,000 to a new payment limit of $390,000 for the period of May 1, 2016 through April 30, 2020, for will call electrical parts and supplies, Countywide. (100% General Fund)

C. 53 APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to continue a Software License Maintenance Agreement with Teleosoft, Inc., increasing the payment limit by $215,000 from $177,140 to a new amount of $392,140 to provide civil case processing software for the Sheriff's Office - Civil Unit. (100% General Fund)

C. 54 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment effective January 31, 2018 with Acusis, LLC, to increase the payment limit by $29,273 to a new payment limit of $329,273 with no change to the term of March 1, 2017 through February 28, 2018, for additional medical and dictation transcription services at Contra Costa Regional Medical Center and Health Centers. (100% Hospital Enterprise Fund I)

C. 55 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Behavioral Health Works, Inc., in an amount not to exceed $1,500,000 to provide applied behavioral analysis services to Contra Costa Health Plan members for the period March 1, 2018 through February 29, 2020. (100% Contra Costa Health Plan Enterprise Fund II)

C. 56 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Mauricio Kuri, M.D., P.C. in an amount not to exceed $200,000 to provide plastic and reconstructive surgery services to Contra Costa Health Plan members for the period April 1, 2018 through March 31, 2020. (100% Contra Costa Health Plan Enterprise Fund II)

C. 57 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Friendly Cab Company, Inc., in an amount not to exceed $125,000 to provide non-medical transportation services to Contra Costa Health Plan members for the period April 1, 2018 through March 31, 2020. (100% Contra Costa Health Plan Enterprise Fund II)

C. 58 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Bay Area Surgical Specialists Services, LLC, in an amount not to exceed $2,000,000 to provide ambulatory surgery services to Contra Costa Health Plan members for the period March 1, 2018 through February 29, 2020. (100% Contra Costa Health Plan Enterprise Fund II)

C. 59 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with VVS Primary Care Medical Group, Inc. (dba Piedmont Primary Care), in an amount not to exceed $400,000 to provide primary care services to Contra Costa Health Plan members for the period May 1, 2018 through April 30, 2020. (100% Contra Costa Health Plan Enterprise Fund III)

C. 60 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Viet H. Ho, M.D., A Professional Corporation, in an amount not to exceed $250,000 to provide ophthalmology services to Contra Costa Health Plan members for the period May 1, 2018 through April 30, 2020. (100% Contra Costa Health Plan Enterprise Fund III)

C. 61 APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a contract amendment with West Advanced Technologies, Inc., to extend the term of the contract by one-year, from June 30, 2018 to a new term of June 30, 2019 for specialized design development, programming, and maintenance and support for the Automated Regional Information Exchange System. (80% Federal, 20% Agency User fees)

C. 62 ALLOCATE $85,000 from the Livable Communities Trust (District II portion), including $75,000 to the Public Works Department for the Newell Avenue Pathway project and $10,000 to the Innovation Tri-Valley Leadership Group for the Tri-Valley Rising Report and take related actions under the California Environmental Quality Act, as recommended by Supervisor Andersen. (100% Livable Communities Trust Fund, District II portion)

C. 63 APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment with DKS Associates, effective April 1, 2018, to increase the payment limit by $100,000 to a new payment limit of $250,000 and extend the term from April 1, 2018 through April 1, 2019, to provide on-call transportation engineering services, Countywide. (100% Local Road and Transportation Funds)

C. 64 APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment with Fehr & Peers, effective April 1, 2018, to increase the payment limit by $100,000 to a new payment limit of $250,000 and extend the term from April 1, 2018 through April 1, 2019, to provide on-call transportation engineering services, Countywide. (100% Local Road and Transportation Funds)

C. 65 APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment with Kimley-Horn and Associates, Inc., effective April 1, 2018, to increase the payment limit by $100,000 to a new payment limit of $250,000 and extend the term from April 1, 2018 through April 1, 2019, to provide on-call transportation engineering services, Countywide. (100% Local Road and Transportation Funds)

C. 66 APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment with Stantec Consulting Services Inc., effective April 1, 2018, to increase the payment limit by $100,000 to a new payment limit of $250,000 and extend the term from April 1, 2018 through April 1, 2019, to provide on-call transportation engineering services, Countywide. (100% Local Road and Transportation Funds)

C. 67 APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment with Whitlock & Weinberger Transportation, Inc., effective April 1, 2018, to increase the payment limit by $100,000 to a new payment limit of $250,000 and extend the term from April 1, 2018 through April 1, 2019, to provide on-call transportation engineering services, Countywide. (100% Local Road and Transportation Funds)

C. 68 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment effective January 1, 2018 with Diablo Valley Oncology & Hematology Medical Group, Inc. (dba West Coast Medical Surgical Associates Medical Group), to add clinical support services and correct the rate for surgical assists at Contra Costa Regional Medical Center and Health Centers, with no change in the payment limit of $421,000 nor the term of January 1 through December 31, 2018. (100% Hospital Enterprise Fund I)

C. 69 APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order amendment with Integrated Commercialization Solutions, LLC, to increase the payment limit by $100,000 to a new payment limit of $199,000 with no change to the term of December 1, 2016 through November 30, 2018, for clinical medical supplies including intrauterine contraceptive devices for the Contra Costa Regional Medical Center and Health Centers. (100% Hospital Enterprise Fund I)

C. 70 APPROVE and AUTHORIZE the Human Resources Director, or designee, to execute the second of two possible one-year extensions to the Administrative Services Agreement with the Massachusetts Mutual Life Insurance Company (MassMutual), effective April 1, 2018, to extend the term from April 1, 2018 to March 31, 2019 to continue to provide plan administration for the 457 Deferred Compensation Plan. (100% Plan Participant Fees)

C. 71 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Lisa Wang, M.D., in an amount not to exceed $174,720 to provide outpatient psychiatric services for adult patients in West County for the period July 1, 2018 through June 30, 2019. (100% Mental Health Realignment)

C. 72 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Discharge Resource Group in an amount not to exceed $420,000 to provide temporary medical social workers at Contra Costa Regional Medical Center and Health Centers for the period March 1, 2018 through February 28, 2019. (100% Hospital Enterprise Fund I)

C. 73 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract containing modified indemnification language with Vibra Hospital of Sacramento, LLC, in an amount not to exceed $95,000 to provide long-term care hospital services to Contra Costa Health Plan members for the period February 1, 2018 through January 31, 2019. (100% Contra Costa Health Plan Enterprise Fund II)

C. 74 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract containing modified indemnification language with The Regents of the University of California, San Francisco in an amount not to exceed $5,850 to provide specialized training for the County's Behavioral Health Services Division's Mental Health Staff for the period July 1, 2018 through June 30, 2019. (100% Mental Health Services Act)

C. 75 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with the United States Department of Veterans Affairs Northern California Health Care System in an amount not to exceed $474,000 to provide nuclear medicine services at Contra Costa Regional Medical Center and Health Centers for the period April 1, 2018 through March 31, 2019. (100% Hospital Enterprise Fund I)

C. 76 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Robert Stuart Streett, M.D., in an amount not to exceed $174,720 to provide outpatient psychiatric services to adults in Central County for the period June 1, 2018 through May 31, 2019. (100% Mental Health Realignment)

C. 77 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Applied Remedial Services, Inc., effective April 1, 2018, to increase the payment limit by $40,000 to a new payment limit of $490,000, to provide additional hazardous waste and chemical removal services from Contra Costa Regional Medical Center and Health Centers for the period January 1 through December 31, 2018. (100% Hospital Enterprise Fund I)

C. 78 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Daniel May, M.D., in an amount not to exceed $232,960 to provide outpatient psychiatric services for adult patients in West County for the period May 1, 2018 through April 30, 2019. (100% Mental Health Realignment)

C. 79 APPROVE and AUTHORIZE the Human Resources Director, or designee, to execute a three-year contract, including modified indemnification language, not to exceed $150,000 with Segal Marco Advisors to provide fiduciary consulting services for the County's 457 Deferred Compensation Plan effective April 1, 2018, to March 31, 2021, with the option of two (2) one-year renewal periods. (100% Plan Participant Fees)

Other Actions

C. 80 ACCEPT the February 2018 update of the operations of the Employment and Human Services Department, Community Services Bureau, as recommended by the Employment and Human Services Department Director.

C. 81 ACCEPT the Contra Costa County 2017 General Plan Annual Progress Report and DIRECT staff to forward the report to the Governor's Office of Planning and Research and the California Department of Housing and Community Development, as recommended by the Conservation and Development Director.

C. 82 APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to seek reimbursement from the California Department of Education in an amount not to exceed $2,096, to maintain Child Days of Enrollment during emergency closures at partner site, We Care Services for Children, during FY 2017-18. (No County match.)

C. 83 ACCEPT the 2017 Annual Housing Element Progress Report, as recommended by the Conservation and Development Director.

C. 84 APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute a purchase order on behalf of the Sheriff-Coroner with Optiv Security, Inc. in the amount of $135,000 for the purchase of Palo Alto Networks Firewall for the Office of the Sheriff. (78% State, 22% General Fund) (Consider with C.32)

C. 85 AUTHORIZE Contra Costa County's participation as a member of the Bay Area Urban Manufacturing Initiative, a regional public-private partnership that supports manufacturing as an opportunity to retain and increase the supply of middle-class jobs in the Bay Area, as recommended by the Conservation and Development Director. (No fiscal impact)

C. 86 APPROVE the list of providers recommended by the Contra Costa Health Plan's Medical Director and by the Health Services Director, as required by the State Departments of Health Care Services and Managed Health Care, and the Centers for Medicare and Medicaid Services.

C. 87 APPROVE and AUTHORIZE the County Administrator, or designee, to execute the Maintenance of Effort Certification Form for Fiscal Year 2017/18 as required by Chapter 886, Statutes of 1994 to receive Proposition 172 (public safety sales tax increment) funds, and to submit the Certificate to the County Auditor-Controller, as recommended by the County Administrator. (100% State Proposition 172 Funds)

C. 88 ACCEPT the 2017 annual report from the Transportation, Water and Infrastructure Committee, as recommended by the Committee.

C. 89 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment effective March 20, 2018 with American Red Cross, to provide specialized blood products at Contra Costa Regional Medical Center, with no change in the payment limit of $1,500,000 nor in the term through March 31, 2020. (100% Hospital Enterprise Fund I)

C. 90 ACCEPT and DECLARE the results of the Special Mail Election conducted on March 6, 2018 on file in the Contra Costa Elections Division for the East Contra Costa Fire Protection District Measure A and Diablo Community Services District Measure B, as recommended by the Clerk-Recorder. (No fiscal impact)

C. 91 ADOPT Resolution No. 2018/112 recognizing Janissa Rowley for 38 years of service to Contra Costa County as recommended by the Employment and Human Services Department Director.

C. 92 CONTINUE the emergency action originally taken by the Board of Supervisors on November 16, 1999, and most recently approved by the Board on March 13, 2018, regarding the issue of homelessness in Contra Costa County, as recommended by the Health Services Director. (No fiscal impact)

C. 93 APPROVE the amended Conflict of Interest Code for the Central Contra Costa Transit Authority, including the list of designated positions. (No fiscal impact)

C. 94 ADOPT Resolution No. 2018/122 approving the Side Letter between Contra Costa County and the California Nurses Association modifying the Preamble and Section 64 Duration of Agreement of the Memorandum of Understanding to extend the contract from March 31, 2018 through May 31, 2018, as recommended by the County Administrator.

GENERAL INFORMATION

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

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

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

Persons who wish to speak on matters set for PUBLIC HEARINGS will be heard when the Chair calls for comments from those persons who are in support thereof or in opposition thereto. After persons have spoken, the hearing is closed and the matter is subject to discussion and action by the Board. Comments on matters listed on the agenda or otherwise within the purview of the Board of Supervisors can be submitted to the office of the Clerk of the Board via mail: Board of Supervisors, 651 Pine Street Room 106, Martinez, CA 94553; by fax: 925-335-1913.

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

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

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

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

www.co.contra-costa.ca.us

STANDING COMMITTEES

The **Airport Committee** (Supervisors Diane Burgis and Karen Mitchoff) meets quarterly on the second Wednesday of the month at 11:00 a.m. at the Director of Airports Office, 550 Sally Ride Drive, Concord.

The **Family and Human Services Committee** (Supervisors Candace Andersen and John Gioia)

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

The **Finance Committee** (Supervisors Karen Mitchoff and John Gioia) meets on the fourth Monday of the month at 9:00 a.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

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

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

The **Legislation Committee** (Supervisors Karen Mitchoff and Diane Burgis) meets on the second Monday of the month at 10:30 a.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

The **Public Protection Committee** (Supervisors John Gioia and Federal D. Glover) meets on the first Monday of the month at 10:30 a.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

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

Airports Committee	June 13, 2018	11:00 a.m.	See above
Family & Human Services Committee	April 23, 2018	10:30 a.m.	See above
Finance Committee	April 23, 2018	9:00 a.m.	See above
Hiring Outreach Oversight Committee	April 2, 2018	1:00 p.m.	See above
Internal Operations Committee	April 9, 2018	1:00 p.m.	See above
Legislation Committee	April 9, 2018	10:30 a.m.	See above
Public Protection Committee	April 2, 2018 Canceled April 12, 2018 Special Meeting	10:30 a.m. 9:00 a.m.	See above

Transportation, Water & Infrastructure Committee	April 9, 2018	9:00 a.m.	See above

AGENDA DEADLINE: Thursday, 12 noon, 12 days before the Tuesday Board meetings.

Glossary of Acronyms, Abbreviations, and other Terms (in alphabetical order):

Contra Costa County has a policy of making limited use of acronyms, abbreviations, and industry-specific language in its Board of Supervisors meetings and written materials. Following is a list of commonly used language that may appear in oral presentations and written materials associated with Board meetings:

AB Assembly Bill
ABAG Association of Bay Area Governments
ACA Assembly Constitutional Amendment
ADA Americans with Disabilities Act of 1990
AFSCME American Federation of State County and Municipal Employees
AICP American Institute of Certified Planners
AIDS Acquired Immunodeficiency Deficiency Syndrome
ALUC Airport Land Use Commission
AOD Alcohol and Other Drugs
ARRA American Recovery & Reinvestment Act of 2009
BAAQMD Bay Area Air Quality Management District
BART Bay Area Rapid Transit District
BayRICS Bay Area Regional Interoperable Communications System
BCDC Bay Conservation & Development Commission
BGO Better Government Ordinance
BOS Board of Supervisors
CALTRANS California Department of Transportation
CalWIN California Works Information Network
CalWORKS California Work Opportunity and Responsibility to Kids
CAER Community Awareness Emergency Response
CAO County Administrative Officer or Office
CCE Community Choice Energy
CCCPFD (ConFire) Contra Costa County Fire Protection District
CCHP Contra Costa Health Plan
CCTA Contra Costa Transportation Authority
CCRMC Contra Costa Regional Medical Center
CCWD Contra Costa Water District
CDBG Community Development Block Grant
CFDA Catalog of Federal Domestic Assistance
CEQA California Environmental Quality Act
CIO Chief Information Officer
COLA Cost of living adjustment
ConFire (CCCFPD) Contra Costa County Fire Protection District
CPA Certified Public Accountant
CPI Consumer Price Index

CSA County Service Area
CSAC California State Association of Counties
CTC California Transportation Commission
dba doing business as
DSRIP Delivery System Reform Incentive Program
EBMUD East Bay Municipal Utility District
ECCFPD East Contra Costa Fire Protection District
EIR Environmental Impact Report
EIS Environmental Impact Statement
EMCC Emergency Medical Care Committee
EMS Emergency Medical Services
EPSDT Early State Periodic Screening, Diagnosis and Treatment Program (Mental Health)
et al. et alii (and others)
FAA Federal Aviation Administration
FEMA Federal Emergency Management Agency
F&HS Family and Human Services Committee
First 5 First Five Children and Families Commission (Proposition 10)
FTE Full Time Equivalent
FY Fiscal Year
GHAD Geologic Hazard Abatement District
GIS Geographic Information System
HCD (State Dept of) Housing & Community Development
HHS (State Dept of) Health and Human Services
HIPAA Health Insurance Portability and Accountability Act
HIV Human Immunodeficiency Virus
HOME Federal block grant to State and local governments designed exclusively to create affordable housing for low-income households
HOPWA Housing Opportunities for Persons with AIDS Program
HOV High Occupancy Vehicle
HR Human Resources
HUD United States Department of Housing and Urban Development
IHSS In-Home Supportive Services
Inc. Incorporated
IOC Internal Operations Committee
ISO Industrial Safety Ordinance
JPA Joint (exercise of) Powers Authority or Agreement
Lamorinda Lafayette-Moraga-Orinda Area
LAFCo Local Agency Formation Commission
LLC Limited Liability Company
LLP Limited Liability Partnership
Local 1 Public Employees Union Local 1
LVN Licensed Vocational Nurse
MAC Municipal Advisory Council
MBE Minority Business Enterprise
M.D. Medical Doctor
M.F.T. Marriage and Family Therapist
MIS Management Information System
MOE Maintenance of Effort

MOU Memorandum of Understanding
MTC Metropolitan Transportation Commission
NACo National Association of Counties
NEPA National Environmental Policy Act
OB-GYN Obstetrics and Gynecology
O.D. Doctor of Optometry
OES-EOC Office of Emergency Services-Emergency Operations Center
OPEB Other Post Employment Benefits
OSHA Occupational Safety and Health Administration
PACE Property Assessed Clean Energy
PARS Public Agencies Retirement Services
PEPRA Public Employees Pension Reform Act
Psy.D. Doctor of Psychology
RDA Redevelopment Agency
RFI Request For Information
RFP Request For Proposal
RFQ Request For Qualifications
RN Registered Nurse
SB Senate Bill
SBE Small Business Enterprise
SEIU Service Employees International Union
SUASI Super Urban Area Security Initiative
SWAT Southwest Area Transportation Committee
TRANSPAC Transportation Partnership & Cooperation (Central)
TRANSPLAN Transportation Planning Committee (East County)
TRE or **TTE** Trustee
TWIC Transportation, Water and Infrastructure Committee
UASI Urban Area Security Initiative
VA Department of Veterans Affairs
vs. versus (against)
WAN Wide Area Network
WBE Women Business Enterprise
WCCTAC West Contra Costa Transportation Advisory Committee

Contra
Costa
County

To: Board of Supervisors

From: David Twa, County Administrator

Date: March 27, 2018

Subject: 25th Annual Cesar E. Chavez Commemorative Celebration

RECOMMENDATION(S):
CONDUCT the 25th Annual Cesar E. Chavez Commemorative Celebration.

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
See attached program for more information.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Barb Riveira
925.335.1018

By: , Deputy

cc:

ATTACHMENTS

Cesar Chavez 2018
Program

Contra Costa County Board of Supervisors

Announces the 25th Annual

Cesar E. Chavez

COMMEMORATIVE CELEBRATION

Strengthening and Nourishing the Community

Tuesday, March 27, 2018

Chavez's Life...

1927: Cesar Estrada Chavez is born on March 31, 1927 in Yuma, Arizona.

1938: The Chavez family loses its farm during the Great Depression and begins following crops as migrant farm workers in Arizona and California.

1944-45: Cesar Chavez serves in the Navy in the Pacific during World War II.

1947: Influenced by his father's involvement in labor issues, Cesar joins his first union, the National Agricultural Workers Union.

1952: Cesar is recruited to work with Saul Alinsky's Community Service Organization (CSO), designed to help Latinos who have problems with immigration and police.

1958: Cesar is named General Director of CSO.

1962: Cesar leaves CSO after it refuses to form a farm-workers union and, in Delano, starts the National Farm Workers Association, the precursor to the United Farm Workers Union (UFW).

1965, Sept. 8: Filipino grape pickers in Delano go on strike for higher wages.

1965, Sept. 16: Cesar's union joins the strike against grape growers.

1966, March 17: Cesar and 70 strikers begin a march on Sacramento to drum up support for the union effort.

1966, April 11: The Chavez-led group marches to the State Capitol swelled to as many as 10,000 supporters from around the nation.

1968, Feb. 14: Cesar begins 25-day fast to garner support for non-violence in union-organizing efforts.

1968, March 10: Cesar breaks fast in Delano with supporters, including Senator Robert F. Kennedy.

1968, March 24: Cesar announces in Los Angeles plans for a "worldwide boycott" of California grapes.

1968, July: More than 100 grape growers and shippers sue Chavez and the UFW, claiming $25 million in losses because of the boycott.

1970: Contract agreements between UFW and most major grape growers is reached. Lettuce boycott begins.

1972: Cesar conducts a 24-day fast to protest right-to-work law.

1973: Cesar organizes the United Farm Workers of Americas Union, and a new round of boycotts begins when grape growers fail to renew contracts.

1988, August 21: Cesar ends a 36-day fast to protest pesticide use. The fast is the longest for the labor leader and leaves him severely weakened.

1993, April 23: Cesar Estrada Chavez dies in San Luis, Arizona, near where he was born 66 years ago.

2000, August: The State of California officially establishes the Cesar E. Chavez holiday.

2003: The U.S. Postal Service unveils a Cesar E. Chavez postage stamp.

2012: The US Navy Military Sealift Command christens the USNS Cesar Chavez (T-AKE-14) and activates and dedicates the ship in honor of Cesar Chavez.

Cesar E. Chavez

25th Annual Commemorative Celebration
& Youth Hall of Fame Awards

March 27, 2018

Mistress of Ceremonies

Melinda Cervantes, County Librarian

Welcome

Karen Mitchoff, Chair, Board of Supervisors

Musical Performance

Mariachi Monumental

Keynote Speaker

Larry Sly

Entertainment

Ballet Folklorico Netzahualcoyotl

Introduction and Presentation of 2018 Youth Hall of Fame Honorees

Acknowledgement & Adjournment

Refreshments immediately following ceremony in foyer

Keynote Speaker

Larry Sly

After graduating from UC Berkeley, Larry joined the Food Bank of Contra Costa and Solano and soon became the organization's Executive Director. He has guided the Food Bank's development from an organization that distributed 36,000 pounds of food in its first year to one that distributed over 20 million pounds of food last year.

Larry has served as vice chair of the board of directors of Feeding America, the national food bank network, and on the National Council, an elected group of food bank leaders who serve as the voice of the network for Feeding America. He also serves on the board of directors of the California Association of Food Banks and chairs the Emergency Food and Shelter board that allocates Federal funds to hunger and shelter agencies in Contra Costa County. Larry has served on State advisory committees on hunger and has served on task forces for Feeding America. He is also a member of the Rotary Club of Concord.

Past Speakers & Presentations

YEAR	SPEAKER / PLAY
2017	Dr. Cesar A. Cruz, Ed.D., educator and Dr. G. Reyes, Ph.D., scholar and activist
2016	Blanca Hernandez, Immigrants' rights activist
2015	Frances Montalvo Palacios, president of Palacios Productions and founder of atruelatina.com
2014	Alvaro Ramirez, Ph. D., Professor, Department of Modern Languages St. Mary's College
2013	Juan Coria, Deputy Regional Administrator, U.S. Department of Labor
2012	María Leticia Gómez, Journalist
2011	Blas G. Guerrero, Ph.D., Dean of Student Development, Los Medanos College
2010	Jane C. Garcia, CEO of La Clínica De La Raza
2009	Gonzalo Rucobo, Bay Area Peacekeepers
2008	Jim Hernandez, Youth Violence Prevention Specialist Johnny Rodriguez, One Day at a Time, Founder
2007	State Senator, Liz Figueroa (D-Fremont)
2006	Honorable Judge Maria Rivera
2005	Nicolas Vaca, PhD., Attorney-at-Law
2004	Ruben Rosalez, Assistant District Director, U.S. Department of Labor
2003	Peter Garcia, President, Los Medanos College
2002	Dolores Huerta, VFW Co-founder with Cesar Chavez
2001	Paul R. Chavez, Grandson of Cesar Chavez
2000	Paul Ramirez, Federal Investigator, Department of Labor
1999	Teresa Delgado, 1st Granddaughter of Cesar Chavez
1998	Play, "Maria," written by Richard Martinez, Director of Contra Costa County Housing Authority
1997	Play, "Los Regalos," (The Gifts), written by Richard Martinez
1996	Play, "The Warriors," written by Richard Martinez,

Entertainment

Mariachi Monumental

Founded in 2005 under the leadership of Victorio Fregoso, Mariachi Monumental is a group of eight musicians originally from the state of Jalisco, Mexico. They are residents of Oakley, Brentwood, Bay Point and Antioch. This group brings the culture and sound of their Mexican roots by performing traditional mariachi music at private and public venues.

Ballet Folklorico Netzahualcoyotl

Founded in 1996 by Director Netzahualcoyotl Vidal, Ballet Folklorico Netzahualcoyotl is composed of thirty students of all ages. Their goals include researching folklore and sharing with the world some of Mexico's most prized gifts: its dances, customs and traditions.

Contra County County Youth Hall of Fame 2018 Honorees

Good Samaritan: Mackinsey (Kinsey) Mascali – 12th grade, San Ramon Valley High School, San Ramon

Kinsey's desire to care for others started at seven years old when she and her sister started Packs with Love, a program to help students in the West County School District that can't afford backpacks or school supplies. They started with 50 backpacks and now give out more than 800 backpacks to those in need. She also hosts Halloween and Easter parties for kids at a local homeless shelter. In her sophomore year, Kinsey started working as a teacher's aide helping students with special needs. Wanting to make more of an impact, she taught herself Braille and took a class in sign language to better communicate with low spectrum students. Kinsey has not been without struggles of her own. When she transferred to San Ramon Valley High School, she had undiagnosed dyslexia and struggled in her studies. Once assessed, she learned strategies that have helped her to succeed.

Volunteerism: Ryan Saechao – 10th grade, Richmond High School, Richmond

Ryan Saechao spends many hours volunteering in his community. As the vice president of the Kiwins Club at his school, a student-led club dedicated to service and volunteerism, he has organized and participated in events including, feeding the homeless at a local shelter, building bikes for underprivileged kids, fundraising for medical bills for babies in intensive care, cheering on racers in breast cancer runs and facilitating free pictures with Santa Claus at the mall. He still finds time to serve as the manager of the girls' basketball team, as well as a school board student panelist, advocating for better salaries and housing for teachers. He is a sharp math student and is frequently observed assisting his classmates and explaining complex concepts. Ryan is also a talented illustrator and performer. He can dance, sing and act and is clearly more than a just a triple threat.

Teamwork: Cei-Lai Fong – 12th grade, San Ramon Valley High, San Ramon

Cei-Lai Fong has used her self-awareness and compassion to expand consciousness about the LGBTQ community at her high school. She is an active member of the District Equality Committee and a Fair Act Consultant. She has helped to expand the Gay Straight Alliance into the Gender Sexuality Alliance which now includes more than 100 students. Having experienced bullying when she was 11, she is using her platforms to advocate for the installation of gender neutral bathrooms as part of a campus remodel. In a courageous TEDx talk describing her experiences, Cei-Lai says, "I am unafraid to express myself and to use my own comfort in my identity to help others." She plans to continue her role of inspiring and championing others by studying political science or pre-law in college. She has a rigorous academic load, is involved in 4-H, water sports, and the jazz ensemble and as a highly respected member of the school community was crowned Homecoming Queen, helping to change the conversation about beauty and popularity.

Honorees continued on next page...

Youth Hall of Fame, 2018 Honorees

Creativity: Evan Chen – 11th grade, Campolindo High School, Moraga

In 2016, Evan Chen approached staff at the Lafayette Library hoping to teach classes about computer programming. Though he was only a freshman, they were impressed with his professional proposal and his first class in SCRATCH computer language programming was launched soon after. Evan quickly expanded the subject matter and difficulty of his classes which drew participation from all over the East Bay. He also expanded geographically, offering his classes at the San Pablo Library, lending his time, passion and experience to teaching underrepresented students. By imparting his knowledge and dedication for programming and technology to communities, Evan has given his peers the tools to expand their skills and think independently and creatively.

Perseverance: Ashley Koehler – 7th grade, Antioch Middle School, Antioch

When Ashley started at her middle school, as a seventh grader, she had recently been placed into foster care. Despite a rough start, her resilience paid off and she developed a solid group of friends and became an honor roll student. Ashley has become a leader in her counseling group, touching base with new foster students as they arrive at school and inviting them to join the group. She actively helps her counselor come up with activities for the group that deal with expressing anger, anxiety, building trust, and college and career readiness. Having endured difficult circumstances with such maturity and strength, Ashley clearly has the wherewithal to achieve her dream of becoming a child psychologist and helping children survive similar experiences.

Sponsors

Contra Costa County Board of Supervisors

Contra Costa Health Services Department

Contra Costa Employment & Human Services Department

Contra Costa Public Works Department

IBEW Local Union 302

Local 152 Carpenters

Laborers International Union Local 324

Acknowledgements

Arts & Culture Commission of Contra Costa County

Catering: *Los Panchos Restaurant*

Display: *Raymond Martinez*

Flowers: *Gracie Lerma, Public Defender's Office*

Poster Design / Flyer / Program Design: *Vien Tran*

Public Works: *Print & Mail*

Visual Support services: *CCTV*

Set-up: *Rey Torralba, Clerk-Recorder-Elections*

2017 Cesar E. Chavez Committee

Contra Costa County Library

Melinda Cervantes
Amy Mockoski
Sarah Spindle
Walter Beveridge
Brooke Converse

Public Defender's Office

Gracie Lerma

Clerk-Recorder-Elections

Eren Mendez

County Administrator's Office

Nancy Yee

Conservation & Development

Trish Dominguez

Health Services

Bryan Thomas
Lorena Barajas
Monica Gutierrez

Office of the Sheriff

Lieutenant Ben Alldritt

Board of Supervisors

Sonia Bustamante
Lia Bristol

Employment and Human Services Department

Amrita Kaur
Teresa Gonzalez

"We need to help students and parents cherish and preserve the ethnic and cultural diversity that nourished and strengthens this community – and this nation."

Cesar Chavez

Thank you for Attending

Contra Costa County

To: Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: March 27, 2018

Subject: Marsh Creek Road Bridge Replacement Project, Clayton area.

RECOMMENDATION(S):

(1) APPROVE plans, specifications, and design for the Marsh Creek Road Bridge Replacement Project, Clayton area. County Project No. 0662-6R4079, Federal Project No. BRLS 5928 (107), (District III)

(2) DETERMINE that the bid submitted by Bridgeway Civil Constructors, Inc. (Bridgeway), exceeded the Disadvantaged Business Enterprise (DBE) Goal for this project and that Bridgeway has submitted the lowest responsive and responsible bid for this project

(3) AWARD the construction contract for the above project to Bridgeway in the listed amount ($4,560,410.00) and the unit prices submitted in the bid, and DIRECT that Bridgeway shall present two good and sufficient surety bonds, as indicated below, and that the Public Works Director, or designee, shall prepare the contract.

(4) ORDER that, after the contractor has signed the contract and returned it, together with the bonds as noted below and any required certificates of insurance or other required documents, and the Public Works Director has reviewed and found them to be sufficient, the Public Works Director, or designee, is authorized to sign the contract for this Board.

(5) ORDER that, in accordance with the project specifications and/or

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Kevin Emigh
925.313.2233

cc:

RECOMMENDATION(S): (CONT'D)

upon signature of the contract by the Public Works Director, or designee, and bid bonds posted by the bidders are to be exonerated and any checks or cash submitted for security shall be returned.

(6) ORDER that, the Public Works Director, or designee, is authorized to sign any escrow agreements prepared for this project to permit the direct payment of retentions into escrow or the substitution of securities for moneys withheld by the County to ensure performance under the contract, pursuant to Public Contract Code Section 22300.

(7) DELEGATE, pursuant to Public Contract Code Section 4114, to the Public Works Director, or designee, the Board's functions under Public Contract Code Sections 4107 and 4110.

(8) DELEGATE, pursuant to Labor Code Section 6705, to the Public Works Director or to any registered civil or structural engineer employed by the County the authority to accept detailed plans showing the design of shoring, bracing, sloping, or other provisions to be made for worker protection during trench excavation covered by that section.

(9) DECLARE that, should the award of the contract to Bridgeway be invalidated for any reason, the Board would not in any event have awarded the contract to any other bidder, but instead would have exercised its discretion to reject all of the bids received. Nothing in this Board Order shall prevent the Board from re-awarding the contract to another bidder in cases where the successful bidder establishes a mistake, refuses to sign the contract, or fails to furnish required bonds or insurance (see Public Contract Code Sections 5100-5107).

FISCAL IMPACT:

The construction contract and associated fees of this project will be funded by Local Road Funds (100%). Federal Highway Bridge Program Funds may later become available to reimburse the Road Funds up to 88.53% of participating costs.

BACKGROUND:

The above project was previously approved by the Board of Supervisors, plans and specifications were filed with the Board, and bids were invited by the Public Works Director. On March 13, 2018, the Public Works Department received bids from the following contractors:

BIDDER, TOTAL AMOUNT, BOND AMOUNTS

Bridgeway Civil Constructors, Inc., $4,560,410.00; Payment: $4,560,410.00; Performance: $4,560,410.00
Gordon N. Ball, Inc., $4,892,272.65
Disney Construction, Inc., $4,938,374.50
Golden State Bridge, Inc., $5,243,079.59
DMZ Builders, $5,495,800.05
MCM Construction, Inc., $5,662,856.30
Viking Construction Company, Inc., $5,911,967.40
Myers & Sons Construction, LP, $5,926,506.90
Granite Rock Company, $5,999,991.60
Proven Management, Inc., $6,433,333.00

The bidder listed first above, Bridgeway, submitted the lowest responsive and responsible bid, which is $331,862.65 less than the next lowest bid.

This is a federally funded project subject to a Disadvantaged Business Enterprise (DBE) contract goal and requirements. The Public Works Director reports that the lowest monetary bidder, Bridgeway, attained DBE participation of 13.73% to meet the DBE goal (12.00%) and requirements for this project. The Public Works Director recommends that the Board determine that Bridgeway has complied with the DBE requirements for this project and recommends that the construction contract be awarded to Bridgeway.

The Public Works Director recommends that the bid submitted by Bridgeway is the lowest responsive and responsible bid, and this Board concurs and so finds.

The Board of Supervisors previously adopted the Mitigated Negative Declaration and Mitigation and Monitoring Reporting Program on May 24, 2016 in compliance with the California Environmental Quality Act (CEQA), and a Notice of Determination was filed with the County Clerk on May 24, 2016.

The general prevailing rates of wages, which shall be the minimum rates paid on this project, have been filed with the Clerk of the Board, and copies will be made available to any party upon request.

The Marsh Creek Road Bridge is located on Marsh Creek Road between Clayton and Brentwood, connecting east Contra Costa County and Central Contra Costa County. The road is a public road and experiences approximately 6,000 vehicle trips per day. The road is part of the County's unincorporated road network that the County is responsible for maintaining and receives gas tax funding to do so.

CONSEQUENCE OF NEGATIVE ACTION:

Construction of this project would be delayed, and the project might not be built.

Contra Costa County

To: Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: March 27, 2018

Subject: Advertise Rio Vista Elementary School Pedestrian Connection Project, Bay Point area.

RECOMMENDATION(S):
APPROVE the Rio Vista Elementary School Pedestrian Connection Project and AUTHORIZE the Public Works Director, or designee, to advertise the Project, Bay Point area.
(Project No. 0662-6R4141) (District V)

FISCAL IMPACT:
The Project will be funded by 76% Active Transportation Program-Safe Routes to School Funds and 24% Local Road Funds.

BACKGROUND:
The purpose of this Project is to provide pedestrian facilities along a segment of Pacifica Avenue, which students at Rio Vista Elementary School, Shore Acres Elementary School and Riverview Middle School use to walk to and from the school sites. The project will extend the distance of sidewalk along Pacifica Avenue, provide improved access for the mobility impaired and provide paved area for bicyclists. Overall, the project will improve the surrounding neighborhood.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Kevin Emigh, 925.313.2233

cc: Kevin Emigh, Public Works

BACKGROUND: (CONT'D)

The project will provide 525 linear feet of 5-foot-wide sidewalk, curb, gutter, driveways, driveway conforms, storm drain improvements and a 5-foot-wide bike lane on the north side of Pacifica Avenue, from Mariners Cove Drive to 525 feet west.

On October 6, 2015, the Board approved the Project as a Categorical Environmental Quality Act (CEQA), Class 1(c) Categorical Exemption, pursuant to Article 19, Section 15301 of the CEQA Guidelines.

CONSEQUENCE OF NEGATIVE ACTION:

Delay in approving the Project will result in a delay of construction and will jeopardize the funding.

Contra Costa County

To: Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: March 27, 2018

Subject: Accepting completion of public improvements for road acceptance RA07-01234, San Ramon (Dougherty Valley) area.

RECOMMENDATION(S):

ADOPT Resolution No. 2018/68 accepting completion of improvements for road acceptance RA07-01234 (cross-reference subdivision SD13-09247) for a project developed by Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The developer has completed the improvements per the Road Improvement Agreement, and in accordance with the Title 9 of the County Ordinance Code.

CONSEQUENCE OF NEGATIVE ACTION:

The completion of improvements will not be accepted.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Lori Leontini
(925)313-2352

By: , Deputy

cc: J. LaRocque, Chris Hallford, Mapping, Sherri Reed, Lori Leontini, Michael Mann, Finance, Tickler File-June 13, 2019, Shapell Industries, Inc. , North American Specialty Insurance Company

ATTACHMENTS

Resolution No.
2018/68

Bond Rider

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 03/27/2018 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:

Resolution No. 2018/68

IN THE MATTER OF**:** Accepting completion of improvements for road acceptance RA07-01234 (cross-reference subdivision SD13-09247) for a project developed by Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

The Public Works Director has notified this Board that the improvements in road acceptance RA07-01234 (cross-reference subdivision SD13-09247) have been completed as provided in the Road Improvement Agreement with Shapell Industries, Inc., a Delaware Corporation, heretofore approved by this Board.

WHEREAS, these improvements are approximately located near Alpine Blue Drive and Poinsettia Street.

NOW, THEREFORE, BE IT RESOLVED that the improvements have been COMPLETED as of March 13, 2018, thereby establishing the six-month terminal period for the filing of liens in case of action under said Road Improvement Agreement:

DATE OF AGREEMENT: October 17, 2017

NAME OF SURETY: North American Specialty Insurance Company

BE IT FURTHER RESOLVED the payment (labor and materials) surety for $745,650.00, Bond No. 2202339 issued by the above surety be RETAINED for the six-month lien guarantee period until September 13, 2018, at which time the Board AUTHORIZES the release of said surety less the amount of any claims on file.

BE IT FURTHER RESOLVED that public trail improvements and pedestrian bridges, dedicated for public use and conveyed by separate instrument, recorded on September 7, 2017, recording series number DOC-2017-0163144, Official Records of Contra Costa County, State of California, are ACCEPTED.

BE IT FURTHER RESOLVED that upon acceptance by the Board of Supervisors, the San Ramon City Council shall accept the improvements for maintenance and ownership in accordance with the Dougherty Valley Memorandum of Understanding.

BE IT FURTHER RESOLVED that the beginning of the warranty period is hereby established, and the $1,507,300.00 cash deposit (Auditor's Deposit Permit No. 720350, dated September 22, 2016) made by Shapell Industries, Inc., a Delaware Corporation, and the performance/maintenance surety bond rider for $223,695 Bond No. 2202339 issued by North American Specialty Insurance Company be RETAINED pursuant to the requirements of Section 94-4.406 of the Ordinance Code until release by this Board.

Contact: Lori Leontini (925)313-2352

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

ATTESTED: March 27, 2018

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

By: , Deputy

cc: J. LaRocque, Chris Hallford, Mapping, Sherri Reed, Lori Leontini, Michael Mann, Finance, Tickler File-June 13, 2019, Shapell Industries, Inc. , North American Specialty Insurance Company

Decrease PENALTY RIDER

PERFORMANCE BOND NO. 2202339

To be attached and form a part of Bond No. 2202339 dated the 29th day of August, 2016, executed by North American Specialty Insurance Company as surety, on behalf of Shapell Industries, Inc., a Delaware Corporation as current principal of record, and in favor of County of Contra Costa, as Obligee, and in the amount of One Million Four Hundred Ninety One Thousand Three Hundred Dollars and 00/100 ($1,491,300.00).

In consideration of the agreed premium charged for this bond, it is understood and agreed that North American Specialty Insurance Company hereby consents that effective from the 27th day of February, 2018, said bond shall be amended as follows:

THE BOND PENALTY SHALL BE Decreased:

FROM: One Million Four Hundred Ninety One Thousand Three Hundred Dollars and 00/100 ($1,491,300.00)

TO: Two Hundred Twenty Three Thousand Six Hundred Ninety Five Dollars and 00/100 ($223,695.00)

The Decrease of said bond penalty shall be effective as of the 27th day of February, 2018, and does hereby agree that the continuity of protection under said bond subject to changes in penalty shall not be impaired hereby, provided that the aggregate liability of the above mentioned bond shall not exceed the amount of liability assumed by it at the time the act and/or acts of default were committed and in no event shall such liability be cumulative.

Signed, sealed and dated this 28th day of February, 2018.

Shapell Industries, Inc., a Delaware Corporation
PRINCIPAL

BY: _____

North American Specialty Insurance Company
SURETY

BY: _____
Daniel P. Dunigan, ATTORNEY-IN-FACT

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

Civil Code § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfullness, accuracy or validity of that document.

State of PENNSYLVANIA

County of CHESTER

On February 28, 2018 (Date) before me, ARLENE OSTROFF, Notary Public (Name and Title of Notary)

personally appeared DANIEL P. DUNIGAN (Name and or Names of Signer(s))

Who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Signature _____ (Notary Public Signature)

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
ARLENE OSTROFF, Notary Public
Willistown Township, Chester County
My Commission Expires December 3, 2020

Place Notary Public Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to the persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document _____

Document Date _____ Number of Pages: _____

Signer's Name: _____

☐ Individual
☐ Corporate Officer – Title(s): _____
☐ Partner - ☐ Limited ☐ General
☐ Guardian or Conservator
☒ Attorney-in-Fact
☐ Trustee
☐ Other: _____
Signer is representing _____
North American Specialty Insurance Company

RIGHT THUMBPRINT OF SIGNER
Top of thumb

☐ Individual
☐ Corporate Officer – Title(s): _____
☐ Partner - ☐ Limited ☐ General
☐ Guardian or Conservator
☐ Attorney-in-Fact
☐ Trustee
☐ Other: _____
Signer is representing _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb

SWISS RE CORPORATE SOLUTIONS

NORTH AMERICAN SPECIALTY INSURANCE COMPANY
WASHINGTON INTERNATIONAL INSURANCE COMPANY
WESTPORT INSURANCE CORPORATION

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, THAT North American Specialty Insurance Company, a corporation duly organized and existing under laws of the State of New Hampshire, and having its principal office in the City of Overland Park, Kansas and Washington International Insurance Company a corporation organized and existing under the laws of the State of New Hampshire and having its principal office in the City of Overland Park, Kansas, and Westport Insurance Corporation, organized under the laws of the State of Missouri, and having its principal office in the City of Overland Park, Kansas each does hereby make, constitute and appoint:

WILLIAM F. SIMKISS, DANIEL P. DUNIGAN, BRIAN C. BLOCK, JOSEPH W. KOLOK JR., JAMES L. HAHN, and RICHARD J. DECKER

JOINTLY OR SEVERALLY

Its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver, for and on its behalf and as its act and deed, bonds or other writings obligatory in the nature of a bond on behalf of each of said Companies, as surety, on contracts of suretyship as are or may be required or permitted by law, regulation, contract or otherwise, provided that no bond or undertaking or contract or suretyship executed under this authority shall exceed the amount of:

ONE HUNDRED TWENTY FIVE MILLION ($125,000,000.00) DOLLARS

This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Boards of Directors of North American Specialty Insurance Company and Washington International Insurance Company at meetings duly called and held on March 24, 2000 and Westport Insurance Corporation by written consent of its Executive Committee dated July 18, 2011.

"RESOLVED, that any two of the President, any Senior Vice President, any Vice President, any Assistant Vice President, the Secretary or any Assistant Secretary be, and each or any of them hereby is authorized to execute a Power of Attorney qualifying the attorney named in the given Power of Attorney to execute on behalf of the Company bonds, undertakings and all contracts of surety, and that each or any of them hereby is authorized to attest to the execution of any such Power of Attorney and to attach therein the seal of the Company; and it is

FURTHER RESOLVED, that the signature of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be binding upon the Company when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached."

NORTH AMERICAN SPECIALTY INSURANCE COMPANY CORPORATE SEAL 1973 NEW HAMPSHIRE

WASHINGTON INTERNATIONAL INSURANCE COMPANY CORPORATE SEAL NEW HAMPSHIRE

By _____
Steven P. Anderson, Senior Vice President of Washington International Insurance Company
& Senior Vice President of North American Specialty Insurance Company
& Senior Vice President of Westport Insurance Corporation

By _____
Michael A. Ito, Senior Vice President of Washington International Insurance Company
& Senior Vice President of North American Specialty Insurance Company
& Senior Vice President of Westport Insurance Corporation

WESTPORT INSURANCE CORPORATION CORPORATE SEAL MISSOURI

IN WITNESS WHEREOF, North American Specialty Insurance Company, Washington International Insurance Company and Westport Insurance Corporation have caused their official seals to be hereunto affixed, and these presents to be signed by their authorized officers this this 27th day of November, 20 17.

North American Specialty Insurance Company
Washington International Insurance Company
Westport Insurance Corporation

State of Illinois
County of Cook ss:

On this 27th day of November, 20 17, before me, a Notary Public personally appeared Steven P. Anderson, Senior Vice President of Washington International Insurance Company and Senior Vice President of North American Specialty Insurance Company and Senior Vice President of Westport Insurance Corporation and Michael A. Ito Senior Vice President of Washington International Insurance Company and Senior Vice President of North American Specialty Insurance Company and Senior Vice President of Westport Insurance Corporation, personally known to me, who being by me duly sworn, acknowledged that they signed the above Power of Attorney as officers of and acknowledged said instrument to be the voluntary act and deed of their respective companies.

OFFICIAL SEAL
M. KENNY
Notary Public - State of Illinois
My Commission Expires
12/04/2021

M. Kenny, Notary Public

I, Jeffrey Goldberg, the duly elected Vice President and Assistant Secretary of North American Specialty Insurance Company, Washington International Insurance Company and Westport Insurance Corporation do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney given by said North American Specialty Insurance Company, Washington International Insurance Company and Westport Insurance Corporation which is still in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the seals of the Companies this 28TH day of FEBRUARY, 20 18.

Jeffrey Goldberg, Vice President & Assistant Secretary of Washington International Insurance Company &
North American Specialty Insurance Company & Vice President & Assistant Secretary of Westport Insurance Corporation

NORTH AMERICAN
SPECIALTY INSURANCE COMPANY

NORTH AMERICAN SPECIALTY INSURANCE COMPANY
A New Hampshire Corporation

BALANCE SHEET AS OF DECEMBER 31, 2016
(Statutory Basis)

Valuation of securities on National Association of Insurance Commissioner Basis

ASSETS		LIABILITIES	
Cash	40,207,469	Reserve for Unearned Premiums	72,163
Bonds	240,509,787	Reserve for Losses and Loss Adjustment Expenses	28,030,468
Other Invested Assets	80,052,190	Funds Withheld	9,932,818
Other Admitted Assets	127,294,582	Taxes and Other Liabilities	136,388,049
		Surplus	313,640,530
TOTAL ADMITTED ASSETS	488,064,028	TOTAL LIABILITIES & POLICYHOLDERS' SURPLUS	488,064,028

The undersigned, being duly sworn, says: That he is Senior Vice President of North American Specialty Insurance Company, Schaumburg, Illinois that said company is a corporation duly organized, existing by virtue of the Laws of the State of New Hampshire and that said Company has also complied with and is duly qualified to act as Surety under the Act of Congress approved; July 1947 6 U.S.C. sec. 6-13; and that to the best of his knowledge and belief the above statement is a full, true and correct statement of the financial condition of the said Company on the 31st day of December, 2016.

Michael A. Ito
North American Specialty Insurance Company

Subscribed and sworn before me,
this 30th day of March, 2017

Notary Public

OFFICIAL SEAL
M KENNY
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 12/04/2017

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Alameda)

On March 8, 2018 before me, Sonia Padilla, Notary Public
(insert name and title of the officer)

personally appeared Steve Savage,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

SONIA PADILLA
Notary Public – California
Alameda County
Commission # 2214608
My Comm. Expires Sep 17, 2021

WITNESS my hand and official seal.

Signature _____ **(Seal)**

Contra Costa County

To: Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: March 27, 2018

Subject: Accept an Offer of Dedication for Roadway Purposes for minor subdivision MS16-0004, Alamo area.

RECOMMENDATION(S):
ADOPT Resolution No. 2018/100 accepting an Offer of Dedication for Roadway Purposes for minor subdivision MS16-0004, for a project being developed by Gary K. Spitz and Cherl I. Spitz, Trustees, as recommended by the Public Works Director, Alamo area. (District II)

FISCAL IMPACT:
No fiscal impact

BACKGROUND:
The Offer of Dedication for Roadway Purposes is required per Condition of Approval No. #49.

CONSEQUENCE OF NEGATIVE ACTION:
The Offer of Dedication for Roadway Purposes will not be recorded.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Craig Standafer
(925)313-2018

By: , Deputy

cc: Jocelyn LaRocque, Sean Tully- DCD, Dante Morabe, Design/Construction, Craig Standafer, Engineering Services, Lori Leontini, Engineering Services, Renee Hutchins, Records, Michael Mann, Finance, Gary and Cheryl Spitz, Developers Surety and Indemnity Company

ATTACHMENTS

Resolution No. 2018/100

Offer of Dedication for Roadway Purposes

Recorded at the request of: **Craig Standafer (925)313-2018**
Return To: **Simone Saleh**

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

Adopted this Resolution on 03/27/2018 by the following vote:

AYE:	
NO:	
ABSENT:	
ABSTAIN:	
RECUSE:	

Resolution No. 2018/100

IN THE MATTER OF accepting an Offer of Dedication for Roadway Purposes for minor subdivision MS16-0004, for a project being developed by Gary K. Spitz and Cherl I. Spitz, Trustees, as recommended by the Public Works Director, Alamo area. (District II)

NOW, THEREFORE, BE IT RESOLVED that the following instrument is hereby ACCEPTED FOR RECORDING ONLY:

INSTRUMENT: Offer of Dedication for Roadway Purposes

REFERENCE: APN 187-232-029

GRANTOR: Gary K. Spitz and Cherl I. Spitz, Trustees

AREA: Alamo

DISTRICT: II

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

Contact: Craig Standafer (925)313-2018

ATTESTED: March 27, 2018

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

By: , Deputy

cc: Jocelyn LaRocque, Sean Tully- DCD, Dante Morabe, Design/Construction, Craig Standafer, Engineering Services, Lori Leontini, Engineering Services, Renee Hutchins, Records, Michael Mann, Finance, Gary and Cheryl Spitz, Developers Surety and Indemnity Company

Recorded at the request of:
Contra Costa County
Board of Supervisors
Return to:
Public Works Department
Engineering Services Division
Records Section

Area: 2
Road: Livorna Heights Road
Co. Road No.: 4447B
Development No.: MS16-0004
APN: 187-232-029

OFFER OF DEDICATION - ROAD PURPOSES

Gary K. Spitz and Cherl I. Spitz, Trustees, the undersigned, being the present title owner of record of the herein described parcel of land, do hereby make an irrevocable offer of dedication to **Contra Costa County**, a political subdivision of the State of California and its successors or assigns, for street, highway landscaping and other public purposes, including maintenance thereof, the fee title to real property situated in the County of Contra Costa, State of California, as described in Exhibit "A" (written description) and as shown on Exhibit "B" (plat map) attached hereto.

It is understood and agreed that **Contra Costa County** and its successors or assigns shall incur no liability with respect to such offer of dedication, and shall not assume any responsibility for the offered parcel of land or any improvements thereon or therein, until such offer has been accepted by appropriate action of the Board of Supervisors, or of the local governing bodies of its successors or assigns.

The provisions hereof shall inure to the benefit of **Contra Costa County** and its successors or assigns and will be binding upon the title owner of record and that owner's heirs, successors or assigns.

The undersigned executed this instrument on 2-13-18 _____.
(Date)

Gary K. Spitz and Cherl I. Spitz, Trustees of the
Gary K. Spitz and Cherl I. Spitz Family
Trust Agreement dated May 5, 2003

_____
(Name of owner as shown in title report)

(Signature) _____ 2-13-18
(Print Name & Title) Gary K Spitz

(Signature) Cherl I. Spitz 2/13/18
(Print Name & Title) Cherl I Spitz

(See attached notary)

JD:lad:rm
G:\GrpData\EngSvc\Forms\OF WORD\OF-6.doc
Rev. May 1, 2003
Approved by County Counsel – 4/29/03

SEE ATTACHMENT
JURAT/ACKNOWLEDGMENT

CALIFORNIA ALL- PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of CONTRA COSTA }

On FEB 13, 2018 before me, ELIZABETH DENHAM, NOTARY PUBLIC
(Here insert name and title of the officer),

personally appeared GARY K. SPITZ AND CHERL I. SPITZ,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public Signature (Notary Public Seal)

ELIZABETH DENHAM
COMM. # 2197892
NOTARY PUBLIC • CALIFORNIA
ALAMEDA COUNTY
Commission Expires MAY 19, 2021
SSC1 SSC1

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

OFFER OF DEDICATION –
(Title or description of attached document)

ROAD PURPOSES
(Title or description of attached document continued)

Number of Pages 3 Document Date 02/13/18

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
- ☐ Corporate Officer
  _____ (Title)
- ☐ Partner(s)
- ☐ Attorney-in-Fact
- ☒ Trustee(s)
- ☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they,~~ is /~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.

MS16-0004
(Dev. No. reference)

EXHIBIT "A"

All that real property situated in the County of Contra Costa, State of California, described as follows:

The easterly portion of Parcel A designated as 5-foot dedication to Contra Costa County for Roadway Purposes, shown on the parcel map of Subdivision MS16-0004, on file at the County Recorder's Office as follows:

Date: _____

Book: _____

Page: _____

JD:mw
G:\engsvc\Land Dev\MS\MS 16-0004\Offer of Dedication\EXHIBIT-A --MS16-0004.doc
Rev. August 30, 1999

Contra Costa County

To: Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: March 27, 2018

Subject: Approve the Parcel Map and Subdivision Agreement for minor subdivision MS16-0004, Alamo area.

RECOMMENDATION(S):
ADOPT Resolution No. 2018/101 approving the Parcel Map and Subdivision Agreement for minor subdivision MS16-0004, for project being developed by Gary and Cherl Spitz, as recommended by the Public Works Director, Alamo area. (District II)

FISCAL IMPACT:
No fiscal impact

BACKGROUND:
The Public Works Department has reviewed the conditions of approval for minor subdivision MS16-0004 and has determined that all conditions of approval for Parcel Map approval have been satisfied.

CONSEQUENCE OF NEGATIVE ACTION:
The Parcel Map and the Subdivision Agreement will not be approved and recorded.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Craig Standafer
(925)313-2018

By: , Deputy

cc: Jocelyn LaRocque, Dante Morabe, Design/Construction, Craig Standafer, Engineering Services, Lori Leontini, Renee Hutchins, Records, Chris Hallford, Mapping, Michael Mann, Finance, Sean Tully- DCD, Gary and Cheryl Spitz, Developers Surety and Indemnity Company, T-01/27/2019

ATTACHMENTS

Resolution No. 2018/101

Parcel Map

Subdivision Agreement & Bond Agreement

Tax Letter & Bond

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 03/27/2018 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:

Resolution No. 2018/101

IN THE MATTER OF approving the Parcel Map and Subdivision Agreement for minor subdivision MS16-0004, for project being developed by Gary and Cherl Spitz, as recommended by the Public Works Director, Alamo area. (District II)

WHERE AS, the following documents were presented for board approval this date:

I. Map

The Parcel Map of minor subdivision MS16-0004, property located in the Alamo area, Supervisorial District II, said map having been certified by the proper officials.

II. Subdivision Agreement

A subdivision agreement with Gary and Cherl Spitz, principal, whereby said principal agrees to complete all improvements as required in said subdivision agreement within 2 years from the date of said agreement. Accompanying said subdivision agreement is security guaranteeing completion of said improvements as follows:

A. Cash Bond

Performance amount: $1,000

Auditor's Deposit Permit No. DP755290 Date: February 7, 2018

Submitted by: Gary and Cherl Spitz

B. Surety Bond

Bond Company: Developer's Surety and Indemnity Company

Bond Number: 651463P Date: February 8, 2018

Performance Amount: $21,000

Labor & Materials Amount: $11,000

Principal: Gary and Cherl Spitz

III. Tax Letter

Letter from the County Tax Collector stating that there are no unpaid County taxes heretofore levied on the property included in said map and that the 2017-2018 tax lien has been paid in full and the 2018-2019 tax lien, which became a lien on the first day of January 2018, is estimated to be $17,450, with security guaranteeing payment of said tax lien as follows:

- Tax Surety

Bond Company: Developers Surety and Indemnity Company

Auditor's Deposit Permit Number: DP755290 Date: February 7, 2018

Amount: $17,540.00

Submitted by/Principal: Gary Spitz and Cherl Spitz

NOW, THEREFORE, BE IT RESOLVED:

1. That said subdivision, together with the provisions for its design and improvement, is DETERMINED to be consistent with the County's general and specific plans.
2. That said Parcel Map is APPROVED and this Board does hereby *accept subject to installation and acceptance of improvements* on behalf of the public any of the streets, paths, or easements shown thereon as dedicated to public use.
3. That said Subdivision Agreement is also APPROVED.

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

Contact: Craig Standafer (925)313-2018

ATTESTED: March 27, 2018

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

By: , Deputy

cc: Jocelyn LaRocque, Dante Morabe, Design/Construction, Craig Standafer, Engineering Services, Lori Leontini, Renee Hutchins, Records, Chris Hallford, Mapping, Michael Mann, Finance, Sean Tully- DCD, Gary and Cheryl Spitz, Developers Surety and Indemnity Company, T-01/27/2019

PARCEL MAP

SUBDIVISION MS 16-0004

A RE-SUBDIVISION OF PARCEL A, AS SHOWN ON PARCEL MAP MS 112-75, FILED OCTOBER 28, 1977 IN BOOK 59 OF PARCEL MAPS, PAGE 3 CONTRA COSTA COUNTY RECORDS

CONTRA COSTA COUNTY, CALIFORNIA

ISAKSON & ASSOCIATES INC
CIVIL ENGINEERING & LAND SURVEYING
2255 YGNACIO VALLEY ROAD SUITE 'C'
WALNUT CREEK, CALIFORNIA

OCTOBER, 2017

OWNER'S STATEMENT

THE UNDERSIGNED, BEING THE ONLY PARTIES HAVING A RECORD TITLE INTEREST IN THE LANDS DELINEATED AND EMBRACED WITHIN THE HEAVY BLACK LINE ON THIS MAP, DOES HEREBY CONSENT TO THE MAKING AND RECORDATION OF THE SAME; AND DO HEREBY DEDICATE IN FEE TO CONTRA COSTA COUNTY FOR PUBLIC USE THOSE PORTIONS OF LAND DESIGNATED AS "5' WIDE AREA DEDICATED TO CONTRA COSTA COUNTY FOR ROADWAY PURPOSES".

THE UNDERSIGNED WILL GRANT BY SEPARATE INSTRUMENT THE AREAS DESIGNATED AS "P.S.S.E", AS SHOWN UPON THIS MAP, FOR PRIVATE SANITARY SEWER EASEMENTS, FOR THE CONSTRUCTION, MAINTENANCE, USE AND OPERATION OF SANITARY SEWERS, AND ALL THE NECESSARY APPURTENANCES THERETO, INCLUDING CLEARING OF OBSTRUCTIONS AND VEGETATION AS NECESSARY, TOGETHER WITH FULL RIGHTS OF ACCESS THERETO. NO BUILDING OR STRUCTURE MAY BE PLACED ON SAID EASEMENT, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY INTERFERE WITH GRANTEES' (PARCEL 'A') FULL ENJOYMENT OF SAID EASEMENT.

THIS MAP SHOWS ALL THE EASEMENTS ON THE PREMISES OR OF RECORD.

GARY K. SPITZ AND CHERL I. SPITZ FAMILY TRUST AGREEMENT DATED MAY 5, 2003

BY:_____ DATE:_____
GARY K. SPITZ TRUSTEE

BY:_____ DATE:_____
CHERL I. SPITZ TRUSTEE

OWNER'S ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF CONTRA COSTA

ON _____, BEFORE ME, _____, A NOTARY PUBLIC,

PERSONALLY APPEARED _____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT

WITNESS MY HAND:

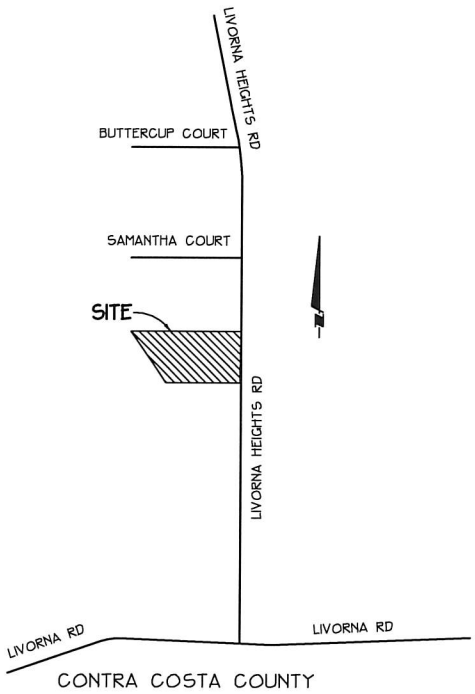
SIGNATURE _____

PRINTED NAME _____
NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE

PRINCIPAL COUNTY OF BUSINESS: _____

COMMISSION EXPIRES: _____

COMMISSION # OF NOTARY:_____



VICINITY MAP
NOT TO SCALE

TRUSTEE'S STATEMENT

THE UNDERSIGNED, UNION BANCAL MORTGAGE CORPORATION, A CALIFORNIA COPORATION, AS TRUSTEE UNDER THE DEED OF TRUST DATED OCTOBER 20, 2016 AND RECORDED NOVEMBER 1, 2016, SERIES NO. 2016-234784, CONTRA COSTA COUNTY, CALIFORNIA, HEREBY CONSENTS TO THE PREPARATION AND RECORDATION OF THIS FINAL MAP AND JOINS IN ALL OFFERS OF DEDICATION THEREIN.

UNION BANCAL MORTGAGE CORPORATION
A CALIFORNIA CORPORATION

BY:_____
DATE:_____

PRINT NAME:_____

TITLE: _____

TRUSTEE'S ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF CONTRA COSTA

ON _____, BEFORE ME, _____, A NOTARY PUBLIC,

PERSONALLY APPEARED _____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT

WITNESS MY HAND:

SIGNATURE _____

PRINTED NAME _____
NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE

PRINCIPAL COUNTY OF BUSINESS: _____

COMMISSION EXPIRES: _____

COMMISSION # OF NOTARY:_____

PARCEL MAP
SUBDIVISION MS 16-0004

A RE-SUBDIVISION OF PARCEL A, AS SHOWN ON PARCEL MAP MS 112-75, FILED OCTOBER 28, 1977 IN BOOK 59 OF PARCEL MAPS, PAGE 3 CONTRA COSTA COUNTY RECORDS

CONTRA COSTA COUNTY, CALIFORNIA

ISAKSON & ASSOCIATES INC
CIVIL ENGINEERING & LAND SURVEYING
2255 YGNACIO VALLEY ROAD SUITE 'C'
WALNUT CREEK, CALIFORNIA

OCTOBER, 2017

TRUSTEE'S STATEMENT

THE UNDERSIGNED, HAMPTON HOUSE FINANCIAL CORPORATION, A CALIFORNIA COPORATION, AS TRUSTEE UNDER THE DEED OF TRUST DATED JUNE 16, 1964 AND RECORDED JULY 3, 1964, BOOK 4652 OR 122, CONTRA COSTA COUNTY, CALIFORNIA, HEREBY CONSENTS TO THE PREPARATION AND RECORDATION OF THIS FINAL MAP AND JOINS IN ALL OFFERS OF DEDICATION THEREIN.

HAMPTON HOUSE FINANCIAL CORPORATION
A CALIFORNIA CORPORATION

BY:_____
DATE:_____

PRINT NAME:_____

TITLE: _____

TRUSTEE'S ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF CONTRA COSTA

ON _____, BEFORE ME, _____, A NOTARY PUBLIC,

PERSONALLY APPEARED _____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT

WITNESS MY HAND:

SIGNATURE _____

PRINTED NAME _____
NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE

PRINCIPAL COUNTY OF BUSINESS: _____

COMMISSION EXPIRES: _____

COMMISSION # OF NOTARY:_____

CLERK OF THE BOARD OF SUPERVISORS STATEMENT

STATE OF CALIFORNIA)
COUNTY OF CONTRA COSTA) S.S.

I, DAVID TWA, CLERK OF THE BOARD OF SUPERVISORS AND COUNTY ADMINISTRATOR OF THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING SUBDIVISION MAP, ENTITLED "SUBDIVISION MS 16-0004" WAS PRESENTED TO SAID BOARD OF SUPERVISORS, AS PROVIDED BY LAW, AT A REGULAR MEETING THEREOF HELD ON THE _____ DAY OF _____ , 201_, AND THAT SAID BOARD OF SUPERVISORS, DID THEREUPON BY RESOLUTION DULY PASSED AND ADOPTED AT SAID MEETING, APPROVE SAID SUBDIVISION MAP AND DID ACCEPT SUBJECT TO INSTALLATION AND ACCEPTANCE OF IMPROVEMENTS ON BEHALF OF THE PUBLIC ALL OF THE STREETS, ROADS, AVENUES, OR EASEMENTS SHOWN THEREON AS DEDICATED TO PUBLIC USE.

I FURTHER CERTIFY THAT ALL TAX LIENS HAVE BEEN SATISFIED AND THAT ALL BONDS AS REQUIRED BY LAW TO ACCOMPANY THE WITHIN MAP HAVE BEEN APPROVED BY THE BOARD OF SUPERVISORS' OF CONTRA COSTA COUNTY, AND FILED IN MY OFFICE.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS _____ DAY

OF _____ , 201__.

DAVID TWA _____.
CLERK OF THE BOARD OF SUPERVISORS
AND COUNTY ADMINISTRATOR

BY:_____
DEPUTY CLERK

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF GARY AND CHERL SPITZ IN NOVEMBER 2013 AND IS TRUE AND COMPLETE AS SHOWN. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP. I FURTHER STATE THAT THE MONUMENTS SHOWN HEREON ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR WILL BE SET IN THOSE POSITIONS ON OR BEFORE JANUARY 1, 2019, AND WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

DATED: _____ _____
DAVID O. ISAKSON,
R.C.E. 21764

REGISTERED PROFESSIONAL ENGINEER
DAVID O. ISAKSON
NO. 21764
CIVIL
STATE OF CALIFORNIA

COUNTY RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 2017, AT _____ __M. IN BOOK _____ OF PARCEL MAPS, AT PAGE ___, AT THE REQUEST OF NORTH AMERICAN TITLE COMPANY. RECORDER'S SERIES NO. _____

JOSEPH E. CANCIAMILLA
COUNTY RECORDER
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

BY:_____
DEPUTY COUNTY RECORDER

COUNTY SURVEYOR'S STATEMENT

THIS MAP WAS EXAMINED BY ME AND IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF. ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND OF ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH. I AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT.

BY: _____
JAMES A STEIN DATE
COUNTY SURVEYOR
P.L.S. NO.: 6571

PARCEL MAP
SUBDIVISION MS 16-0004

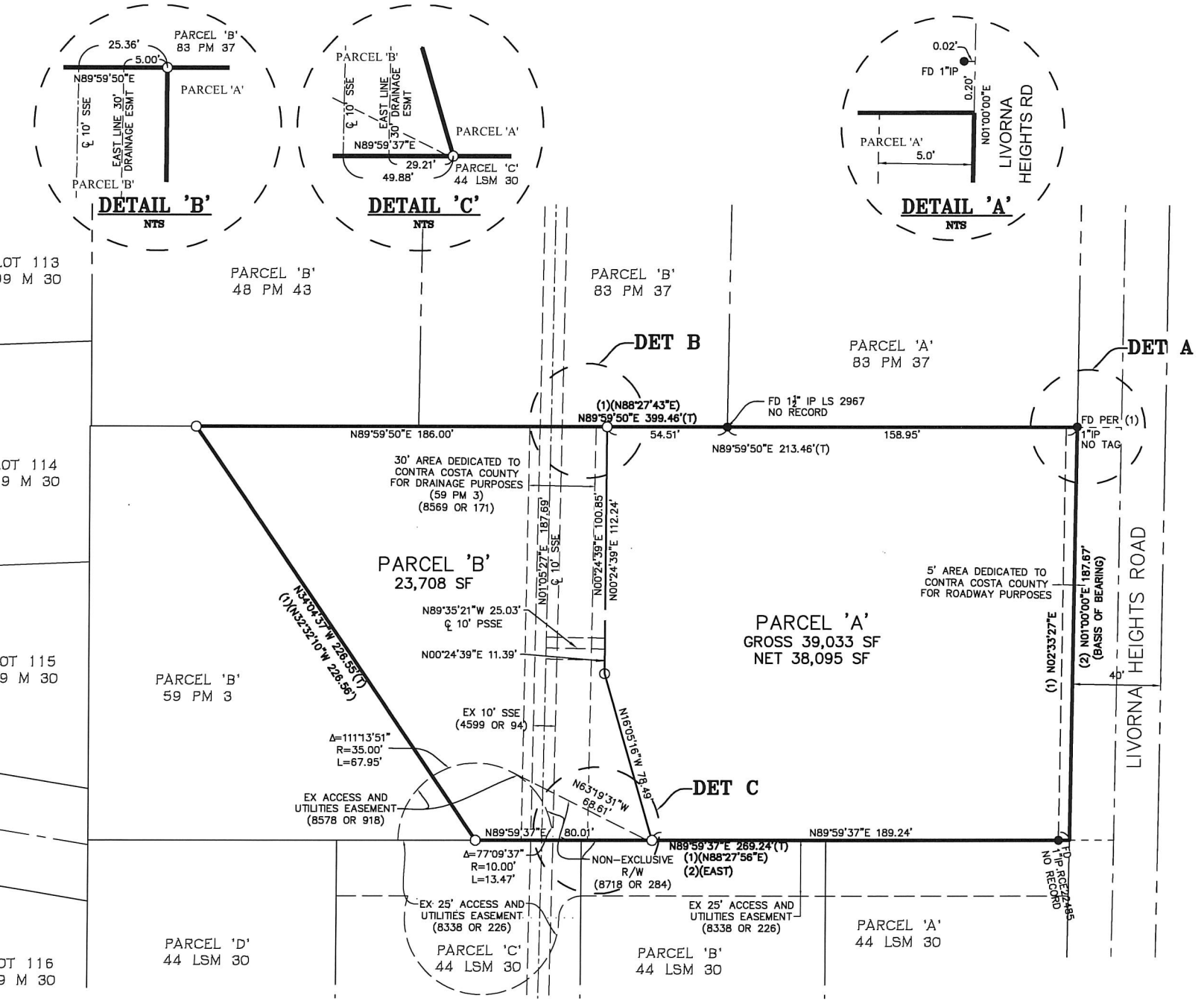
A RE-SUBDIVISION OF PARCEL A, AS SHOWN ON PARCEL MAP MS 112-75, FILED OCTOBER 28, 1977 IN BOOK 59 OF PARCEL MAPS, PAGE 3 CONTRA COSTA COUNTY RECORDS

CONTRA COSTA COUNTY, CALIFORNIA

ISAKSON & ASSOCIATES INC
CIVIL ENGINEERING & LAND SURVEYING
2255 YGNACIO VALLEY ROAD SUITE 'C'
WALNUT CREEK, CALIFORNIA

OCTOBER, 2017 SCALE: 1"=30'

150 0 15 30 60
(IN FEET)
1 INCH = 30 FT.



LEGEND

═══	SUBDIVISION BOUNDARY LINE
───	RIGHT-OF-WAY LINE
- - - -	EXISTING RIGHT-OF-WAY LINE
───	LOT LINE
─ - ─	CENTERLINE
●	FOUND IRON PIPE OR REBAR AS NOTED
○	SET 1/2" REBAR WITH PLASTIC CAP, R.C.E. 21764
(R)	RADIAL
(T)	TOTAL
( )	RECORD DATA
SF	SQUARE FEET
SSE	SANITARY SEWER EASEMENT
PSSE	PRIVATE SANITARY SEWER EASEMENT

BASIS OF BEARINGS

WEST LINE OF LIVORNA HIEGHTS ROAD TAKEN AS N01°00'00"E SHOWN ON THE PARCEL MAP MS 125-71 RECORDED AUGUST 25, 1971 IN BOOK 18 OF PARCEL MAPS AT PAGE 2, BETWEEN IRON PIPE MONUMENTS SHOWN THEREON.

REFERENCES:

NO.	REF.	BOOK/PAGE
(1)	M.S. 112-75	59 PM 3
(2)	M.S. 125-71	18 PM 2
(3)	GRANT DEED	DOC-2014-0070582-00

SUBDIVISION AGREEMENT
(Gov. Code, §§ 66462 and 66463)

Subdivision: MS 16-0004 **Effective Date:** 2/3/2018

Subdivider: Gary and Cherl Spitz **Completion Period:** 2/3/2020

THESE SIGNATURES ATTEST TO THE PARTIES' AGREEMENT HERETO:

CONTRA COSTA COUNTY

Brian M. Balbas, Public Works Director

By: _____

RECOMMENDED FOR APPROVAL:

By: _____
Engineering Services Division

FORM APPROVED: Silvano B. Marchesi, County Counsel

SEE ATTACHED

SUBDIVIDER
Gary and Cherl Spitz

_____
Print Name Gary Spitz
Print Title Owner Trustee

_____
Print Name: Cherl Spitz
Print Title: Owner Trustee

[Note: If Subdivider is a corporation, two officers must sign. The first must be the chairman of the board, president or any vice president; the second must be the secretary, assistant secretary, chief financial officer or any assistant treasurer. (Corp. Code, § 313; Civ. Code, § 1190.) If Subdivider is a limited liability company, Subdivider shall sign in the manner required of corporations, or by two managers, or by one manager, pursuant to the articles of organization (see Corp. Code, §§ 17151, 17154, 17157.) If Subdivider is a partnership, any authorized partner may sign. Signatures by Subdivider must be notarized.]

---

1. PARTIES & DATE. Effective on the above date, the County of Contra Costa, California (hereinafter "County"), and the above-mentioned Subdivider mutually promise and agree as follows concerning this Subdivision:

2. IMPROVEMENTS. Subdivider agrees to install certain road improvements (both public and private), drainage improvements, signs, street lights, fire hydrants, landscaping and such other improvements (including appurtenant equipment) as required in the improvement plans for this Subdivision as reviewed and on file with the Contra Costa County Public Works Department, as required by the Conditions of Approval for this Subdivision, and in conformance with the Contra Costa County Ordinance Code, including future amendments thereto (hereinafter "Ordinance Code").

Subdivider shall complete said improvements (hereinafter "Work") within the above completion period from date hereof, as required by the California Subdivision Map Act (Gov. Code, §§ 66410 et. seq.) in a good workmanlike manner, in accordance with accepted construction practices and in a manner equal or superior to the requirements of the Ordinance Code and rulings made thereunder; and where there is a conflict among the improvement plans, the Conditions of Approval and the Ordinance Code, the stricter requirements shall govern.

3. IMPROVEMENTS SECURITY. Upon executing this Agreement, the Subdivider shall, pursuant to Gov. Code § 66499 and the County Ordinance Code, provide as security to the County:

A. For Performance and Guarantee: $ 1,000 cash, plus additional security, in the amount of $ 21,000, which together total one hundred percent (100%) of the estimated cost of the Work. Such additional security is presented in the form of:

_____ Cash, certified check or cashier's check.
X Acceptable corporate surety bond.
_____ Acceptable irrevocable letter of credit.

With this security, Subdivider guarantees performance under this Agreement and maintenance of the Work for one year after its completion and acceptance against any defective workmanship or materials or any unsatisfactory performance.

B. For Payment: Security in the amount: $ 11,000, which is fifty percent (50%) of the estimated cost of the Work. Such security is presented in the form of:

_____ Cash, certified check, or cashier's check
X Acceptable corporate surety bond.
_____ Acceptable irrevocable letter of credit.

With this security, Subdivider guarantees payment to the contractor, to its subcontractors and to persons renting equipment or furnishing labor or materials to them or to the Subdivider.

Upon acceptance of the Work as complete by the Board of Supervisors and upon request of Subdivider, the amounts held as security may be reduced in accordance with Sections 94-4.406 and 94-4.408 of the Ordinance Code.

Form Approved by County Counsel
[Rev. 8/08]

4. GUARANTEE AND WARRANTY OF WORK. Subdivider guarantees that the Work shall be free from defects in material or workmanship and shall perform satisfactorily for a period of one (1) year from and after the Board of Supervisors accepts the Work as complete in accordance with Article 96-4.6, "Acceptance," of the Ordinance Code. Subdivider agrees to correct, repair, or replace, at Subdivider's expense, any defects in said Work.

The guarantee period does not apply to road improvements for private roads that are not to be accepted into the County road system.

5. PLANT ESTABLISHMENT WORK. Subdivider agrees to perform plant establishment work for landscaping installed under this Agreement. Said plant establishment work shall consist of adequately watering plants, replacing unsuitable plants, doing weed, rodent and other pest control and other work determined by the Public Works Department to be necessary to ensure establishment of plants. Said plant establishment work shall be performed for a period of one (1) year from and after the Board of Supervisors accepts the Work as complete.

6. IMPROVEMENT PLAN WARRANTY. Subdivider warrants the improvement plans for the Work are adequate to accomplish the Work as promised in Section 2 and as required by the Conditions of Approval for the Subdivision. If, at any time before the Board of Supervisors accepts the Work as complete or during the one year guarantee period, said improvement plans prove to be inadequate in any respect, Subdivider shall make whatever changes are necessary to accomplish the Work as promised.

7. NO WAIVER BY COUNTY. Inspection of the Work and/or materials, or approval of the Work and/or materials or statement by any officer, agent or employee of the County indicating the Work or any part thereof complies with the requirements of this Agreement, or acceptance of the whole or any part of said Work and/or materials, or payments therefor, or any combination or all of these acts, shall not relieve the Subdivider of its obligation to fulfill this Agreement as prescribed; nor shall the County be thereby stopped from bringing any action for damages arising from the failure to comply with any of the terms and conditions hereof.

8. INDEMNITY. Subdivider shall defend, hold harmless and indemnify the indemnitees from the liabilities as defined in this section:

A. The indemnitees benefitted and protected by this promise are the County and its special districts, elective and appointive boards, commissions, officers, agents and employees.

B. The liabilities protected against are any liability or claim for damage of any kind allegedly suffered, incurred or threatened because of actions defined below, and including personal injury, death, property damage, inverse condemnation, or any combination of these, and regardless of whether or not such liability, claim or damage was unforeseeable at any time before County reviewed said improvement plans or accepted the Work as complete, and including the defense of any suit(s), action(s), or other proceeding(s) concerning said liabilities and claims.

C. The actions causing liability are any act or omission (negligent or non-negligent) in connection with the matters covered by this Agreement and attributable to Subdivider, contractor, subcontractor, or any officer, agent, or employee of one or more of them.

D. Non-Conditions. The promise and agreement in this section are not conditioned or dependent on whether or not any indemnitee has prepared, supplied, or approved any plan(s) or specification(s) in connection with this Work or Subdivision, or has insurance or other indemnification covering any of these matters, or that the alleged damage resulted partly from any negligent or willful misconduct of any indemnitee.

9. COSTS. Subdivider shall pay, when due, all the costs of the Work, including but not limited to the costs of relocations of existing utilities required thereby; inspections; material checks and tests; and other costs incurred by County staff arising from or related to the Work, and prior to acceptance of the Work as complete or expiration of any applicable warranty periods, whichever is later.

10. SURVEYS. Subdivider shall set and establish survey monuments in accordance with the filed map and to the satisfaction of the County Road Commissioner-Surveyor before acceptance of the Work as complete by the Board of Supervisors.

11. NON-PERFORMANCE AND COSTS. If Subdivider fails to complete the Work within the time specified in this Agreement, and subsequent extensions, or fails to maintain the Work, County may proceed to complete and/or maintain the Work by contract or otherwise and Subdivider agrees to pay all costs and charges incurred by County (including, but not limited to, engineering, inspection, surveys, contract, overhead, etc.) immediately upon demand.

Once action is taken by County to complete or maintain the Work, Subdivider agrees to pay all costs incurred by County, even if Subdivider subsequently completes the Work.

Should County sue to compel performance under this Agreement or to recover costs incurred in completing or maintaining the Work, Subdivider agrees to pay all attorney's fees, staff costs and all other expenses of litigation incurred by County in connection therewith, even if Subdivider subsequently proceeds to complete the Work.

12. INCORPORATION/ANNEXATION. If, before the Board of Supervisors accepts the Work as complete, the Subdivision is included in territory incorporated as a city or is annexed to an existing city, except as provided in this paragraph, County's rights under this Agreement and/or any deposit, bond, or letter of credit securing said rights shall be transferred to the new or annexing city. Such city shall have all the rights of a third party beneficiary against Subdivider, who shall fulfill all the terms of this Agreement as though Subdivider had contracted with the city originally. The provisions of paragraph 8 (Indemnity) shall continue to apply in favor of the indemnitees listed in paragraph 8.A. upon any such incorporation or annexation.

13. RECORD MAP. In consideration hereof, County shall allow Subdivider to file and record the final map or parcel map for said Subdivision.

14. RIGHT OF ENTRY. Subdivider hereby consents to entry onto the Subdivision property, and onto any other property over which Subdivider has land rights and upon which any portion of the Work is to be installed pursuant to the improvement plans, by County and its forces, including contractors, for the purpose of inspection, and, in the event of non-performance of this Agreement by Subdivider, completion and/or maintenance of the Work.

CALIFORNIA ACKNOWLEDGMENT CERTIFICATE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State Of: **California**
County Of: **Contra Costa**

On March 6th, **2018** before me, **Stephanie A. Islas,** Notary Public, personally appeared, Cherl Spitz and Gary Spitz who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that ~~she/he~~/they executed the same in ~~her/his~~/their authorized capacity(ies), and that by ~~her/his~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: **Stephanie A. Islas**

STEPHANIE A. ISLAS
COMM. #2140287
NOTARY PUBLIC • CALIFORNIA
SANTA CLARA COUNTY
Commission Expires JAN 16, 2020

Seal

Title of Document: Subdivsn. Agmnt. MS 16-0004

Total Number of Pages including Attachment: 3 : Three

Notary Commission Expiration Date: Jan. 16, 2020

Notary Commission Number: 2140287

Subdivision: MS16-0004
Bond No.: 651463P
Premium: 420.00
Any claim under this Bond should be sent
to the following address:
2300 Contra Costa Blvd. #375
Pleasant Hill, CA 94523
925-852-0428

IMPROVEMENT SECURITY BOND
FOR SUBDIVISION AGREEMENT
(Performance, Guarantee and Payment)
(Gov. Code, §§ 66499-66499.10)

1. **RECITAL OF SUBDIVISION AGREEMENT.** The Principal has executed an agreement with the County of Contra Costa (hereinafter "County") to install and pay for street, drainage and other improvements in Subdivision 16-0004 as specified in the Subdivision Agreement, and to complete said work within the time specified for completion in the Subdivision Agreement, all in accordance with State and local laws and rulings thereunder in order to satisfy conditions for filing of the Final Map or Parcel Map for said subdivision. Under the terms of the Subdivision Agreement, Principal is required to furnish a bond to secure the faithful performance of the Subdivision Agreement and payment to laborers and materialmen.

2. **OBLIGATION.** Gary and Cherl Spitz, as Principal, and Developers Surety and Indemnity Company, a corporation organized and existing under the laws of the State of CA and authorized to transact surety business in California, as Surety, hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors and assigns to the County of Contra Costa, California to pay it:

(A. Performance and Guarantee) Twenty-One Thousand and no/xx Dollars ($ 21,000) for itself or any city assignee under the above Subdivision Agreement.

(B. Payment) Eleven Thousand and no/xx Dollars ($ 11,000) to secure the claims to which reference is made in Title XV (commencing with Section 3082) of Part4 of Division III of the Civil Code of the State of California.

3. **CONDITION.** This obligation is subject to the following condition.

A. The condition of this obligation as to Section 2.(A) above is such that if the above bounded Principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the County of Contra Costa (or city assignee), its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the County of Contra Costa (or city assignee) in successfully enforcing such obligation, and to be taxed as costs and included in any judgment rendered.

B. The condition of this obligation, as to Section 2.(B) above, is such that said Principal and the undersigned as corporate surety are held firmly bound unto the County of Contra Costa and all contractors, subcontractors, laborers, materialmen and other persons employed in the performance of the aforesaid Subdivision Agreement and referred to in the aforesaid Civil Code for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to this work or labor, and that the Surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the County of Contra Costa (or city assignee) in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Should the condition of this bond be fully performed, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

C. No change, extension of time, alteration, or addition to the terms of said Subdivision Agreement or the work to be performed thereunder or any plan or specifications of said work, agreed to by the Principal and the County of Contra Costa (or city assignee) shall relieve any Surety from liability on this bond; and consent is hereby given to make such change, extension of time, alteration or addition without further notice to or consent by Surety; and Surety hereby waives the provisions of Civil Code Section 2819 and holds itself bound without regard to and independently of any action against the Principal whenever taken.

SIGNED AND SEALED on February 8, 20 18.

Principal: Gary and Cherl Spitz	Surety: Developers Surety and Indemnity Company
Address: 281 Livorna Heights Road	Address: 2300 Contra Costa Blvd. #375
Alamo, CA Zip: 94507	Pleasant Hill, CA Zip: 94523
By: Cherl Spitz	By:
Print Name: Gary Spitz Cherl Spitz	Print Name: Peter Holley
Title: owners	Title: Attorney-in-Fact

SEE ATTACHMENT
JURAT/ACKNOWLEDGMENT

[Note: All signatures must be acknowledged. For corporations, two officers must sign. The first signature must be that of the chairman of the board, president, or vice-president; the second signature must be that of the secretary, assistant secretary, chief financial officer, or assistant treasurer. (Civ. Code, § 1190 and Corps. Code, § 313.)]

Form Approved by County Counsel
[Rev. 1/06]

H:\Final\PW\ImpSecBond.1.06.wpd

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT **CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Contra Costa)

On February 8, 2018 before me, Misty Rose Hemje, Notary Public,
Date *Here Insert Name and Title of the Officer*

personally appeared Peter Holley
Name(s) of Signer(s)

,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

MISTY ROSE HEMJE
Commission # 2137940
Notary Public - California
Contra Costa County
My Comm. Expires Dec 21, 2019

Signature Misty Rose Hemje
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Subdivsion Bond Document Date: 2/8/2018
Number of Pages: 1 Signer(s) Other Than Named Above: N/A

Capacity(ies) Claimed by Signer(s)

Signer's Name: Peter Holley
☐ Corporate Officer — Title(s):
☐ Partner — ☐ Limited ☐ General
☐ Individual ☒ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other:
Signer Is Representing:
Developers Surety and Indemnity Company

Signer's Name:
☐ Corporate Officer — Title(s):
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other:
Signer Is Representing:

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POWER OF ATTORNEY FOR
DEVELOPERS SURETY AND INDEMNITY COMPANY
INDEMNITY COMPANY OF CALIFORNIA
PO Box 19725, IRVINE, CA 92623 (949) 263-3300

KNOW ALL BY THESE PRESENTS that except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, do each hereby make, constitute and appoint:

Sandra DeMartini, Linda J. Giffin, Jerrry Katopodis, Peter Holley, jointly or severally

as their true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporations, as sureties, bonds, undertakings and contracts of suretyship giving and granting unto said Attorney(s)-in-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as each of said corporations could do, but reserving to each of said corporations full power of substitution and revocation, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolutions adopted by the respective Boards of Directors of DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, effective as of January 1st, 2008.

RESOLVED, that a combination of any two of the Chairman of the Board, the President, Executive Vice-President, Senior Vice-President or any Vice President of the corporations be, and that each of them hereby is, authorized to execute this Power of Attorney, qualifying the attorney(s) named in the Power of Attorney to execute, on behalf of the corporations, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of either of the corporations be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporations when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA have severally caused these presents to be signed by their respective officers and attested by their respective Secretary or Assistant Secretary this 6th day of February, 2017.

By: Daniel Young
Daniel Young, Senior Vice-President

By: Mark Lansdon
Mark Lansdon, Vice-President

DEVELOPERS SURETY AND INDEMNITY COMPANY INCORPORATED 1936 CALIFORNIA

INDEMNITY COMPANY OF CALIFORNIA INCORPORATED OCT. 5 1967 CALIFORNIA

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange

On February 6, 2017 (Date) before me, Lucille Raymond, Notary Public (Here Insert Name and Title of the Officer)

personally appeared Daniel Young and Mark Lansdon (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

LUCILLE RAYMOND
Commission # 2081945
Notary Public - California
Orange County
My Comm. Expires Oct 13, 2018

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Place Notary Seal Above

Signature Lucille Raymond
Lucille Raymond, Notary Public

CERTIFICATE

The undersigned, as Secretary or Assistant Secretary of DEVELOPERS SURETY AND INDEMNITY COMPANY or INDEMNITY COMPANY OF CALIFORNIA, does hereby certify that the foregoing Power of Attorney remains in full force and has not been revoked and, furthermore, that the provisions of the resolutions of the respective Boards of Directors of said corporations set forth in the Power of Attorney are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, this 8th day of February, 2018

By: Cassie J. Berrisford
Cassie J. Berrisford, Assistant Secretary

DEVELOPERS SURETY AND INDEMNITY COMPANY INCORPORATED 1936 CALIFORNIA

INDEMNITY COMPANY OF CALIFORNIA INCORPORATED OCT. 5 1967 CALIFORNIA

ATS-1002 (02/17)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT **CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Contra Costa)

On February 12th 2018 before me, **LISA DAVIS-HERNANDEZ, NOTARY PUBLIC**,
Date *Here Insert Name and Title of the Officer*

personally appeared Gary Spitz and Cheri Spitz
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

LISA DAVIS-HERNANDEZ
NOTARY PUBLIC - CALIFORNIA
COMMISSION # 2058144
CONTRA COSTA COUNTY
My Comm. Exp. February 14, 2018

Signature
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Improvement Security Bond for Subdivision Agreement
Document Date: 2/12/18 Number of Pages: 1
Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name:	Signer's Name:
☐ Corporate Officer — Title(s):	☐ Corporate Officer — Title(s):
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other:	☐ Other:
Signer Is Representing:	Signer Is Representing:

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3/30/18

$ 47.00

Tax Collector's Office
625 Court Street
Finance Building, Room 100
P. O. Box 631
Martinez, California 94553-0063
(925) 957-5280
(925) 957-2898 (FAX)

Contra Costa County

Russell V. Watts
County Treasurer-Tax Collector

Brice B. Bins
Chief Deputy Treasurer-Tax Collector

Lulis Lopez
Assistant Tax Collector

Date: 2/13/2018

IF THIS TRACT IS NOT FILED PRIOR TO THE DATE TAXES ARE OPEN FOR COLLECTION (R&T CODE 2608) ***THIS LETTER IS VOID.***

This will certify that I have examined the map of the proposed subdivision entitled:

Tract / MS #	City	T.R.A.
16-0004	**ALAMO**	**66009**
Parcel #:	**187-232-029-4**	

and have determined from the official tax records that there are no unpaid County taxes heretofore levied on the property included in the map.

The 2017-2018 tax lien has been paid in full. Our estimate of the 2018-2019 tax lien, which became a Lien on the 1st day of January, 2018 is :

$17,450.00

This tract is not subject to a 1915 Act Bond.

The amount calculated is ***void*** 45 days from the date of this letter, unless this letter is accompanied with security approved by the Contra Costa County Tax Collector ***Subdivision bond must be presented to the County Tax Collector for review and approval of adequacy of security prior to filing with the Clerk of the Board of Supervisors.***

RUSSEL V. WATTS
Treasurer-Tax Collector

By: _____

PRINCIPAL	TITLE COMPANY	SURETY
Gary Spitz and Cherl Spitz		Developers Surety and Indemnity Company
281 Livorna Heights Road		2300 Contra Costa Blvd., Ste 375
Alamo		Pleasant Hill
CA 94507		CA 94523
Attn: Gary and Cherl Spitz	Attn:	Attn: Bond Department

BOND NO. 651464C
PREMIUM: $349.00

BOND AGAINST TAXES

KNOW ALL MEN BY THESE PRESENTS:

THAT Gary Spitz and Cherl Spitz, as Principal and (Surety) Developers Surety and Indemnity Company, a corporation organized and existing under the laws of the State of CA and authorized to transact surety business in California as surety are held and firmly bound unto the County of Contra Costa, State of California, in the penal sum of Seventeen Thousand Four Hundred Fifty Dollars and 00/100 Dollars ($ 17,450.00), to be paid to said County of Contra Costa, for the payment of which will and truly be made, we and each of us bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents.

Sealed with our Seals and dated this 14th day of February 2018.

The conditions of the above obligation is such that WHEREAS, the above bounded principal is about to file a map entitled MS # 16-0004 Parcel # 187-232-029-4 and covering a subdivision of a tract of land in said County of Contra Costa, and there are certain liens for taxes and special assessments collected as taxes, against the said tract of land covered by said map, which taxes and special assessments collected as taxes, are not as yet due or payable.

NOW, THEREFORE, if the said Gary Spitz and Cherl Spitz shall pay all of taxes and special assessments collected as taxes which are a lien against said tract of land covered by said map, at the time of the filing of said map of said tract, then this obligation shall be void and of no effect, otherwise it shall remain in full force and effect.

(Approved Stamp)

SEE ATTACHED

Gary Spitz and Cherl Spitz

By: _____
Principal

(Attach Acknowledgement by Principal)

Developers Surety and Indemnity Company

(Attach Acknowledgement by Surety)

By: _____
Peter Holley
Surety
Attorney-in-Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

Civil Code § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfullness, accuracy or validity of that document.

State of CA

County of Contra Costa

On February 14, 2018 (Date) before me, Misty Rose Hemje, Notary Public (Name and Title of Notary)

personally appeared Peter Holley (Name and or Names of Signer(s))

Who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

MISTY ROSE HEMJE
Commission # 2137940
Notary Public - California
Contra Costa County
My Comm. Expires Dec 21, 2019

Witness my hand and official seal.

Signature Misty Rose Hemje
Misty Rose Hemje (Notary Public Signature)

Place Notary Public Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to the persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document Bond Against Taxes

Document Date 2/14/18 Number of Pages: 1

Signer's Name: Peter Holley

- ☐ Individual
- ☐ Corporate Officer – Title(s):
- ☐ Partner - ☐ Limited ☐ General
- ☐ Guardian or Conservator
- ☒ Attorney-in-Fact
- ☐ Trustee
- ☐ Other:

Signer is representing Developers Surety and Indemnity Company

RIGHT THUMBPRINT OF SIGNER
Top of thumb

- ☐ Individual
- ☐ Corporate Officer – Title(s):
- ☐ Partner - ☐ Limited ☐ General
- ☐ Guardian or Conservator
- ☐ Attorney-in-Fact
- ☐ Trustee
- ☐ Other:

Signer is representing

RIGHT THUMBPRINT OF SIGNER
Top of thumb

POWER OF ATTORNEY FOR
DEVELOPERS SURETY AND INDEMNITY COMPANY
INDEMNITY COMPANY OF CALIFORNIA
PO Box 19725, IRVINE, CA 92623 (949) 263-3300

KNOW ALL BY THESE PRESENTS that except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, do each hereby make, constitute and appoint:

Sandra DeMartini, Linda J. Giffin, Jerrry Katopodis, Peter Holley, jointly or severally

as their true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporations, as sureties, bonds, undertakings and contracts of suretyship giving and granting unto said Attorney(s)-in-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as each of said corporations could do, but reserving to each of said corporations full power of substitution and revocation, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolutions adopted by the respective Boards of Directors of DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, effective as of January 1st, 2008.

RESOLVED, that a combination of any two of the Chairman of the Board, the President, Executive Vice-President, Senior Vice-President or any Vice President of the corporations be, and that each of them hereby is, authorized to execute this Power of Attorney, qualifying the attorney(s) named in the Power of Attorney to execute, on behalf of the corporations, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of either of the corporations be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporations when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA have severally caused these presents to be signed by their respective officers and attested by their respective Secretary or Assistant Secretary this 6th day of February, 2017.

By: Daniel Young
Daniel Young, Senior Vice-President

By: Mark Lansdon
Mark Lansdon, Vice-President

DEVELOPERS SURETY AND INDEMNITY COMPANY INCORPORATED 1936 CALIFORNIA

INDEMNITY COMPANY OF CALIFORNIA INCORPORATED OCT. 5 1967 CALIFORNIA

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange

On February 6, 2017 (Date) before me, Lucille Raymond, Notary Public (Here Insert Name and Title of the Officer)

personally appeared Daniel Young and Mark Lansdon (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Lucille Raymond
Lucille Raymond, Notary Public

LUCILLE RAYMOND
Commission # 2081945
Notary Public - California
Orange County
My Comm. Expires Oct 13, 2018

Place Notary Seal Above

CERTIFICATE

The undersigned, as Secretary or Assistant Secretary of DEVELOPERS SURETY AND INDEMNITY COMPANY or INDEMNITY COMPANY OF CALIFORNIA, does hereby certify that the foregoing Power of Attorney remains in full force and has not been revoked and, furthermore, that the provisions of the resolutions of the respective Boards of Directors of said corporations set forth in the Power of Attorney are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, this 14th day of February, 2018.

By: Cassie J. Berrisford
Cassie J. Berrisford, Assistant Secretary

DEVELOPERS SURETY AND INDEMNITY COMPANY INCORPORATED 1936 CALIFORNIA

INDEMNITY COMPANY OF CALIFORNIA INCORPORATED OCT. 5 1967 CALIFORNIA

ATS-1002 (02/17)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Contra Costa)

On 2-13 2018 before me, B.Ohm, A Notary Public
(insert name and title of the officer)

personally appeared Gary Kelvin Spitz,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

B. OHM
COMM. # 2152400
NOTARY PUBLIC • CALIFORNIA
CONTRA COSTA COUNTY
Commission Expires MAY 8, 2020

Signature _____ **(Seal)**

SEE ATTACHED

Contra Costa County

To: Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: March 27, 2018

Subject: Accept an Offer of Dedication for Roadway Purposes for minor subdivision MS15-0002, Alamo area.

RECOMMENDATION(S):
ADOPT Resolution No. 2018/102 accepting an Offer of Dedication for Roadway Purposes for minor subdivision MS15-0002, for a project being developed by Alamo Glen, LLC, as recommended by the Public Works Director, Alamo area. (District II)

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
The Offer of Dedication for Roadway Purposes is required per Condition of Approval No. #43.

CONSEQUENCE OF NEGATIVE ACTION:
The Offer of Dedication for Roadway Purposes will not be recorded.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Randy Sanders (925) 313-2111

cc: Jocelyn LaRocque, Randy Sanders, Sharon Gong - DCD, Renee Hutchins, Records, Alamo Glen, LLC

ATTACHMENTS

Resolution No. 2018/102

Offer of Dedication -Road Purposes

Recorded at the request of: **Randy Sanders (925)313-2111**
Return To: **Simone Saleh (925)313-2170**

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

Adopted this Resolution on 03/27/2018 by the following vote:

AYE:	
NO:	
ABSENT:	
ABSTAIN:	
RECUSE:	

Resolution No. 2018/102

IN THE MATTER OF accepting an Offer of Dedication for Roadway purposes for minor subdivision MS15-0002, for a project being developed by Alamo Glen, LLC, as recommended by the Public Works Director, Alamo area. (District 11)

NOW, THEREFORE, BE IT RESOLVED that the following instrument is hereby ACCEPTED FOR RECORDING ONLY:

INSTRUMENT: Offer of Dedication for Roadway Purposes

REFERENCE: APN 193-210-008 and APN 193-861-022

GRANTOR: Alamo Glen, LLC

AREA: Alamo

DISTRICT: II

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

Contact: Randy Sanders (925) 313-2111

ATTESTED: March 27, 2018

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

By: , Deputy

cc: Jocelyn LaRocque, Randy Sanders, Sharon Gong - DCD, Renee Hutchins, Records, Alamo Glen, LLC

Recorded at the request of:
Contra Costa County
Public Works Department
Return to:
Public Works Department
Engineering Services Division
Records Section

Area: Alamo
Road: Royal Oaks Drive
Co. Road No.: 4437AG
Development No.: MS15-0002
APN: 193-210-008, 193-861-022

OFFER OF DEDICATION - ROAD PURPOSES

Alamo Glen, LLC, a California limited liability company, the undersigned, being the present title owners of record of the herein described parcel of land, do hereby make an irrevocable offer of dedication to **Contra Costa County**, a political subdivision of the State of California and its successors or assigns, for street, highway landscaping and other public purposes, including maintenance thereof, the fee title to real property situated in the County of Contra Costa, State of California, as described in Exhibit "A" (written description) attached hereto.

It is understood and agreed that **Contra Costa County** and its successors or assigns shall incur no liability with respect to such offer of dedication, and shall not assume any responsibility for the offered parcel of land or any improvements thereon or therein, until such offer has been accepted by appropriate action of the Board of Supervisors, or of the local governing bodies of its successors or assigns.

The provisions hereof shall inure to the benefit of **Contra Costa County** and its successors or assigns and will be binding upon the title owner of record and that owner's heirs, successors or assigns.

The undersigned executed this instrument on September 11, 2017.

Alamo Glen, LLC, a California limited liability company

By: _____
Print Name: Myron Zimmerman
Title: Manager

[Note: All Property Owner signatures must be notarized. If Property Owner is a limited liability company, Property Owner must sign in accordance with one of the following, as applicable: (1) Two managers must sign, or, if the articles of organization indicate that the limited liability company is managed by only one manager, one manager must sign (Corp. Code, § 17703.01, subd. (d)); or (2) subject to the articles of organization, two officers must sign, the first being the chairperson of the board, president or any vice president and the second being any secretary, any assistant secretary, the chief financial officer or any assistant treasurer. (Corp. Code, § 17704.07, subd. (w).)

(See attached notary)

EXHIBIT'A'
LEGAL DESCRIPTION

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE UNINCORPORATED AREA OF COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING ALL OF PARCEL ONE AS SAID PARCEL IS DESCRIBED IN THE DEED TO ALAMO GLEN, LLC RECORDED ON JUNE 20,2014 UNDER RECORDERS SERIES NUMBER 2014-0101315 IN THE IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PARCEL ONE (2014-0101315) THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL ONE NORTH 88°06'02" EAST, 13.25 FEET TO THE SOUTHWEST CORNER OF LOT 13 AS SAID LOT IS SHOWN ON THE MAP OF SUBDIVISION 6703 FILED ON MARCH 21, 1988 IN BOOK 320 OF MAPS AT PAGE 45 IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA;

THENCE, ALONG A NON-TANGENT CURVE TO THE RIGHT WHICH RADIUS POINT BEARS SOUTH 87°07'15" WEST, WITH A RADIUS OF 418.00 FEET, THROUGH A CENTRAL ANGLE OF 08°19'57", AND AN ARC LENGTH OF 60.79 FEET;

THENCE SOUTH 05°27'10" WEST, 202.25 FEET;

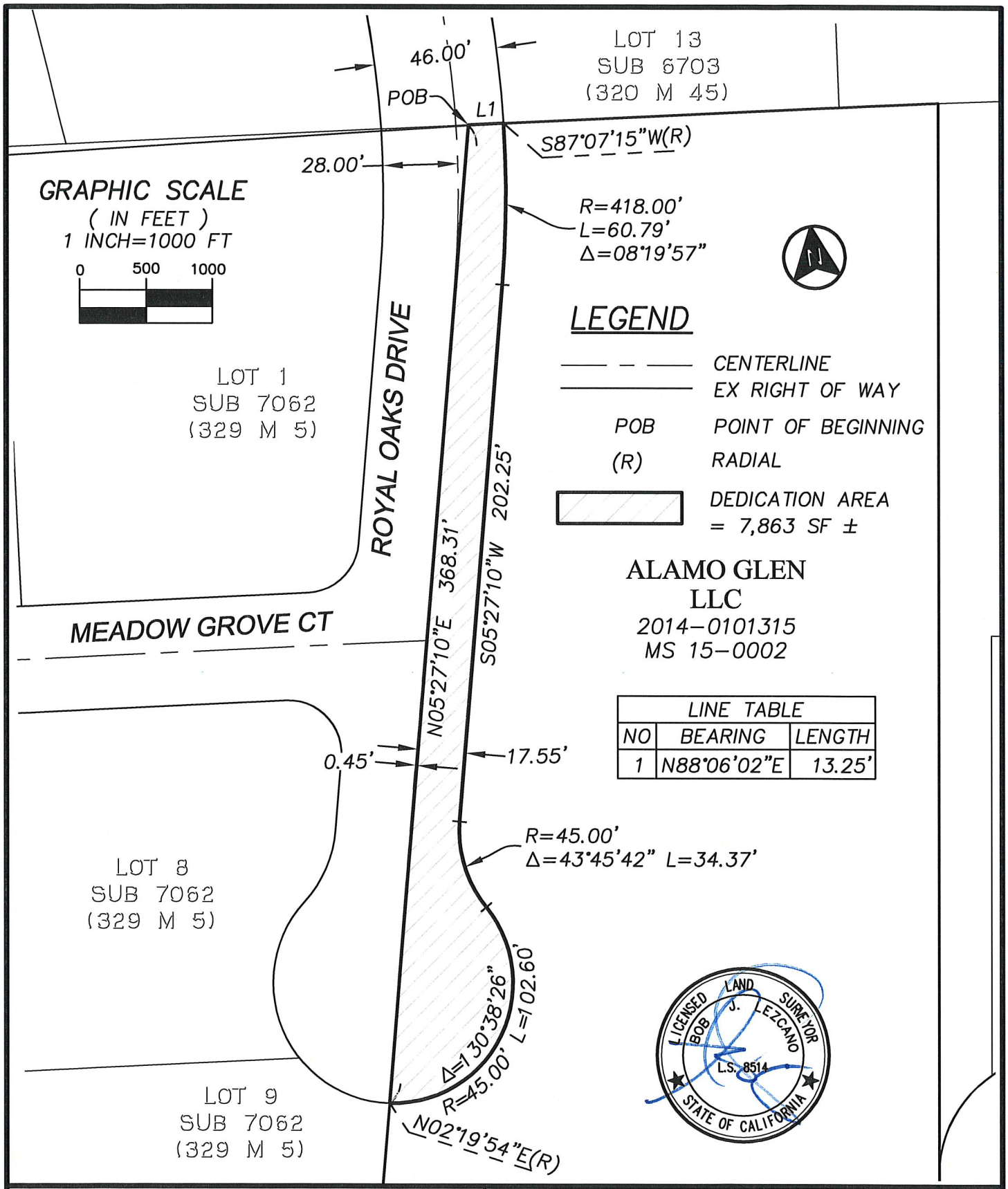
THENCE, ALONG A TANGENT CURVE TO THE RIGHT, WITH A RADIUS OF 45.00 FEET, THROUGH A CENTRAL ANGLE OF 43°45'42", AND AN ARC LENGTH OF 34.37 FEET;

THENCE, ALONG A REVERSE TANGENT CURVE TO THE LEFT, WITH A RADIUS OF 45.00 FEET, THROUGH A CENTRAL ANGLE OF 130°38'26", AND AN ARC LENGTH OF 102.60 FEET TO A POINT ON THE WESTERLY LINE OF SAID PARCEL ONE (2014- 0101315);

THENCE NORTH 05°27'10" EAST, 368.31 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 7,863 SQUARE FEET OF LAND, MORE OR LESS.

LICENSED LAND SURVEYOR
BOB J. LEZCANO
PLS 8514
STATE OF CALIFORNIA



LINE TABLE		
NO	BEARING	LENGTH
1	N88°06'02"E	13.25'

APEX
CIVIL ENGINEERING & LAND SURVEYING

817 Arnold Drive Ste. 50
Martinez, CA 94553
Ph: (925) 476-8499

EXHIBIT 'B'

PLAT TO ACCOMPANY LEGAL DESCRIPTION

DRAWN BY: RJL	SHEET 1 OF 1
PROJECT NO: 14042	
SCALE: 1"=50'	DATE: 6-23-17

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of San Francisco)

On September 11, 2017 before me, Lorenza G. Sandoval-Essl, a Notary Public ,

personally appeared Myron Zimmerman, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal. (SEAL)

LORENZA G. SANDOVAL-ESSL
Notary Public - California
San Francisco County
Commission # 2179884
My Comm. Expires Jan 20, 2021

Signature _____
Lorenza G. Sandoval-Essl

My Commission Expires: January 20, 2021

Contra Costa County

To: Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: March 27, 2018

Subject: Approve the Stormwater Management Facilities Operation and Maintenance Agreement for minor subdivision MS15-0002, Alamo area.

RECOMMENDATION(S):
ADOPT Resolution No. 2018/103 approving the Stormwater Management Facilities Operation and Maintenance Agreement for minor subdivision MS15-0002, for a project being developed by Alamo Glen, LLC, as recommended by the Public Works Director, Alamo area. (District II)

FISCAL IMPACT:
No fiscal impact

BACKGROUND:
The Stormwater Management Facilities Operation and Maintenance Agreement is required by Condition of Approval No. #62.

CONSEQUENCE OF NEGATIVE ACTION:
The agreement will not be recorded and the Contra Costa County may not be in full compliance with its National Pollutant

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Randy Sanders
(925)313-2111

By: , Deputy

cc: Jocelyn LaRocque, Randy Sanders- Engineering Services, Cece Sellgren, Watershed Program, Flood Control, Renee Hutchins, Records, Alamo Glen, LLC

CONSEQUENCE OF NEGATIVE ACTION: (CONT'D)

Discharge Elimination System (NPDES) permit and Stormwater Management Discharge Control Ordinance.

ATTACHMENTS

Resolution No. 2018/103

Stormwater Management Facilities Operation & Maintenance Agreement, and Right of Way

Recorded at the request of: **Randy Sanders (925)313-2111**
Return To: **Simone Saleh (925)313-2170**

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

Adopted this Resolution on 03/27/2018 by the following vote:

AYE:	
NO:	
ABSENT:	
ABSTAIN:	
RECUSE:	

Resolution No. 2018/103

IN THE MATTER OF approving the Stormwater Management Facilities Operation and Maintenance Agreement for minor subdivision MS15-0002 (APN 193-210-008 and APN 193-861-022), Alamo area. (District II)

WHEREAS the Public Works Director has recommended that he be authorized to execute the Stormwater Management Facilities Operation and Agreement with Alamo Glen, LLC, as required by the Conditions of Approval for minor subdivision MS15-0002. This agreement would ensure the operation and maintenance of the stormwater facilities in accordance with the approved Stormwater Control Plan and approved Operation and Maintenance Plan for minor subdivision MS15-0002, which is located at 20 Alamo Glen Trail in the Alamo area.

NOW, THEREFORE, BE IT RESOLVED that the recommendation of the Public Works Director is APPROVED.

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

Contact: Randy Sanders (925)313-2111

ATTESTED: March 27, 2018

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

By: , Deputy

cc: Jocelyn LaRocque, Randy Sanders- Engineering Services, Cece Sellgren, Watershed Program, Flood Control, Renee Hutchins, Records, Alamo Glen, LLC

Recording Requested By:
COUNTY OF CONTRA COSTA

When Recorded, Return To:
COUNTY OF CONTRA COSTA
Contra Costa County Public Works Department
Attn: County Watershed Program
255 Glacier Drive
Martinez, CA 94553

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

Document Title

COUNTY OF CONTRA COSTA

**COVENANT RUNNING WITH THE LAND,
STORMWATER MANAGEMENT FACILITIES OPERATION
AND MAINTENANCE AGREEMENT, AND RIGHT OF ENTRY**

PROJECT: MS15-0002

PROPERTY OWNER: Alamo Glen, LLC

ASSESSOR'S PARCEL NUMBERS: 193-210-008 and 193-861-022

COVENANT RUNNING WITH THE LAND,
STORMWATER MANAGEMENT FACILITIES
OPERATION AND MAINTENANCE AGREEMENT,
AND RIGHT OF ENTRY

This Covenant Running with the Land, Stormwater Management Facilities Operation and Maintenance Agreement, and Right of Entry ("Agreement") is made and entered into this _____ day of _____, 20_____, by and between Alamo Glen, LLC, and the County of Contra Costa, a political subdivision of the State of California.

DEFINITIONS

The following terms used in this Agreement have the meanings specified below:

County: The term **"County"** means the County of Contra Costa and its authorized officers, agents, and employees.

County Engineer: The term "**County Engineer**" means the Public Works Director for the County or his/her designee.

Lot: The term **"Lot"** and **"Lots"** means the individual lots or parcels shown on the Map.

Map: The term "**Map**" means the final map or parcel map of the Project filed in the Official Records of the Contra Costa County Recorder.

Maintain: The terms "**maintain,**" **"maintained,"** or **"maintenance"** mean taking all actions reasonably necessary to keep the Stormwater Facilities in first-class operation, condition, and repair, as described in the Stormwater Control Plan and the Operation and Maintenance Plan, which actions include but are not limited to annual inspection and reporting, painting, cleaning, refinishing, repairing, replacing, and reconstructing the Stormwater Facilities, the payment of any applicable County fees, and in the case of landscaping, plant replacement, mulch replacement, irrigating, trimming, mowing, and fertilizing the landscaping.

NPDES Permit: The term "**NPDES Permit**" means the National Pollutant Discharge Elimination System (NPDES) Permit No. CAS612008 issued to the County and other co-permittees by the San Francisco Regional Water Quality Control Board, as amended, and as may be superseded by subsequent NPDES permits that are issued from time to time.

Operation and Maintenance Plan: The term "**Operation and Maintenance Plan**" means the Stormwater Control Operation and Maintenance Plan for the Property prepared by Apex Civil Engineering & Land Surveying, Inc., and deemed consistent with the Ordinance by the County, which may only be modified when, upon written application for such changes, the County Engineer, in his/her sole discretion, provides written consent to such changes. The Operation and Maintenance Plan and any approved changes are on file at the County Public Works Department.

Ordinance: The term "**Ordinance**" means Division 1014 of Title 10 of the Contra Costa County Code (Stormwater Management and Discharge Control), as may be amended from time to time.

Project: The term **"Project"** means MS15-0002, which is being developed on the Property by the Property Owner.

Property: The term "**Property**" means that real property, including all Lots, shown on the Map and described in Exhibit A attached to this Agreement.

Property Owner: The terms "**Property Owner**" and "**Property Owners**" mean Alamo Glen, LLC, and all heirs, successors, executors, administrators, and assigns of any interest in the Property, it being the intent of the parties that the obligations under this Agreement, as provided in Civil Code Section 1468, run with the Lots shown on the Map.

Stormwater Control Plan: The term "**Stormwater Control Plan**" means the Stormwater Control Plan prepared by Apex Civil Engineering & Land Surveying, Inc., and deemed consistent with the Ordinance by the County, which may only be modified when, upon written application for such changes, the County Engineer, in his/her sole discretion, provides written consent to such changes. The Stormwater Control Plan and any approved changes are on file at the County Public Works Department.

Stormwater Facilities: The term "**Stormwater Facilities**" means the permanent stormwater management facilities and appurtenant design features located and constructed on the Property, as described in the Stormwater Control Plan and/or the Operation and Maintenance Plan.

RECITALS

This Agreement is made and entered into with reference to the following facts:

A. The Property Owner is the owner of the Property and intends to develop the Property with impervious surfaces.

B. The County is the owner of real property commonly known as Hap Magee Ranch Park (Assessor's Parcel Nos. 197-050-004, 197-240-003 and 197-240-004), and of real property interests in Meadow Grove Court and Royal Oaks Drive and associated storm drains that are in the vicinity of the Property, and the County is required to ensure that stormwater runoff from the Property meets the requirements of the NPDES Permit.

C. To meet its obligations under the NPDES Permit, the County has required the Property Owner to construct the Stormwater Facilities.

D. To meet its obligations under the NPDES Permit, the County has approved the Property Owner's Operation and Maintenance Plan and the Stormwater Control Plan for the Stormwater Facilities.

E. To meet the County's obligations under the NPDES Permit, the County's Ordinance requires proper operation and maintenance in perpetuity of the Stormwater Facilities constructed on the Property.

F. The Operation and Maintenance Plan and/or the Stormwater Control Plan include an annual inspection and reporting requirement and a continuing maintenance requirement for the Stormwater Facilities constructed on the Property.

AGREEMENT

NOW, THEREFORE, in consideration of the above premises, the sufficiency of which is acknowledged, the mutual covenants contained in this Agreement, and the following terms and conditions, the County and the Property Owner agree as follows:

SECTION 1

Responsibility for Operation and Maintenance: The Property Owner represents and warrants that the Stormwater Facilities have been designed and installed in strict accordance with the Stormwater Control Plan, the Operation and Maintenance Plan, and the Ordinance. No portion of the Stormwater Facilities may be altered in any manner that is inconsistent with the Stormwater Control Plan or the Operation and Maintenance Plan without the prior, written consent of the County Engineer. The Property Owner shall continuously maintain the Stormwater Facilities in first-class operating condition, in strict accordance with the Stormwater Control Plan, the Operation and Maintenance Plan, and the Ordinance, and in compliance with all applicable federal, state, and local laws and regulations, as they may be amended from time to time.

The Property Owner shall engage a licensed landscape contractor or other licensed professional acceptable to the County Engineer to undertake the following maintenance activities on the Property, unless the Property Owner receives prior, written approval of an alternative method from the County Engineer:

1. Diagnosis and correction of the Stormwater Facilities malfunctions that cannot be corrected through routine maintenance,
2. Application of fertilizer and/or pest control products within, under, or above the Stormwater Facilities,
3. Repair of private drainage system (including rain gutters, downspouts, area drains, risers, inlets, outlets, overflows, clean-outs, connectors, earthen and concrete conveyance swales, check dam/retaining walls, and catch basins),
4. Maintenance of irrigation system that may affect stormwater reaching the Stormwater Facilities,
5. Modification of site topography through yard and driveway grading that may affect stormwater reaching the Stormwater Facilities,
6. Subdrain cleaning/replacement (including perforated drain pipe), and
7. Replacement of engineered soil and mulch.

The County Engineer may, at any time, revoke approval of an alternate method for the maintenance of the Stormwater Facilities and require the Property Owner to hire a licensed landscape contractor or other licensed professional acceptable to the County Engineer to undertake any of the activities mentioned in this section.

If a dispute should arise between the Property Owner with respect to the necessity for maintenance, the standard of maintenance, the contractor(s) to be engaged to perform any repair or maintenance work, or any other matters pertaining to the operation or maintenance of the Stormwater Facilities, the dispute may be submitted to the County Engineer, in which case the decision of the County Engineer shall be final.

The County recognizes that the Operation and Maintenance Plan may provide for the allocation of Property Owner responsibilities for the maintenance of Stormwater Facilities located on various Lots. However, regardless of the allocation of maintenance responsibilities, the Property Owner of each Lot is responsible for compliance with all of the obligations contained in this Agreement, and all Property Owners will be jointly and severally liable for failure to comply with the terms and conditions set forth in this Agreement and in the Ordinance.

The County may require the Property Owner to amend the Stormwater Control Plan and/or the Operation and Maintenance Plan whenever the County deems amendments necessary to maintain compliance with the NPDES Permit. In that case, the Property Owner shall have the amendments prepared by a licensed engineer and promptly submit the amendments to the County Engineer for review and approval. All amendments proposed by the Property Owner are subject to the prior, written approval of the County Engineer. Whenever the Property Owner requests amendments to the Stormwater Control Plan and/or the Operation and Maintenance Plan, the Property Owner shall pay the County in advance for all staff time spent reviewing and taking action with respect to such request, whether or not the County Engineer approves the proposed amendments. All approved amendments to the Stormwater Control Plan and the Operation and Maintenance Plan will be kept on file at the County Public Works Department. The Property Owner shall promptly comply with all requirements of the Stormwater Control Plan and the Operation and Maintenance Plan, including any approved amendments.

SECTION 2

Inspection by Property Owner: The Property Owner shall inspect, at least annually, the Stormwater Facilities in accordance with this Agreement, including the requirements of the Operation and Maintenance Plan, the Stormwater Control Plan, and the Ordinance. The annual inspection shall include completion of the reporting form(s) required by the County, which form(s) will be provided annually to the Property Owner by the County. The Property Owner or a licensed landscape contractor or other licensed professional acceptable to the County Engineer must submit the reporting form(s) to the County Engineer no later than the deadline indicated on the form(s). Upon review, the County may require additional information from either the Property Owner or an appropriately-licensed contractor.

SECTION 3

Right of Entry and Stormwater Facilities Inspection by the County: The Property Owner hereby grants permission to the County and its contractors and other agencies with an interest in the Stormwater Facilities, such as the Contra Costa County Flood Control and Water Conservation District, the Contra Costa Mosquito and Vector Control District, and the Regional Water Quality Control Board, to enter upon the Property at any reasonable time to inspect, assess, or observe the Stormwater Facilities for the purpose of ensuring that the Stormwater Facilities are being properly maintained and are continuing to perform in an adequate manner to protect water quality and the public health and safety. This includes the right to enter upon the Property whenever the County or other agency has a reasonable basis to believe that a violation of

this Agreement, the Operation and Maintenance Plan, the Stormwater Control Plan, the Ordinance, or the NPDES Permit has occurred or is threatening to occur. It also includes the right for the County and its contractors to enter upon the Property to perform any maintenance or other obligations required of the Property Owner under this Agreement or to abate any nuisance in connection with the Stormwater Facilities. The County and the other agencies shall endeavor to provide reasonable notice to the Property Owner before entering the Property.

SECTION 4

Failure to Perform Required Stormwater Facilities Repairs or Maintenance by the Property Owner: If the Property Owner fails to maintain the Stormwater Facilities in good working order and in accordance with the approved Operation and Maintenance Plan, the Stormwater Control Plan, and the Ordinance, the County, with prior notice, may enter the Property to return the Stormwater Facilities to good working order. The County is under no obligation to maintain or repair the Stormwater Facilities, and this Agreement may not be construed to impose any such obligation on the County. If the County, under this section, performs any work to return Stormwater Facilities to good working order, the Property Owner shall reimburse the County for all the costs incurred by the County, including administrative costs. The County will provide the Property Owner with an itemized invoice of the County's costs and the Property Owner will have 30 days to pay the invoice. If the Property Owner fails to pay the invoice within 30 days, the County may secure a lien against the Property in the amount of such costs. In addition, the County may make the cost of abatement of the nuisance caused by the failure to maintain the Stormwater Facilities a special assessment against the Property, which assessment may be collected on the tax roll in accordance with applicable law. This section does not prevent the County from pursuing other remedies against the Property or the Property Owner, including but not limited to those in the Ordinance and the nuisance abatement procedures in Division 14 of Title 1 (or successor provisions) of the Contra Costa County Ordinance Code.

If the Property Owner fails to maintain the Stormwater Facilities in accordance with this Agreement, the Operation and Maintenance Plan, the Stormwater Control Plan, or the Ordinance, the Property Owner shall be responsible for: (a) the costs of any code enforcement or nuisance abatement actions commenced by the County; and (b) the payment of, or reimbursement to the County for, any fines or penalties that may be levied against the County by the Regional Water Quality Control Board or any other regulatory agency, to the extent that the fines or penalties result from the Property Owner's failure to properly maintain the Stormwater Facilities. The County may recover such costs, fines, or penalties from the Property Owner in the same manner as provided in the preceding paragraph.

SECTION 5

Indemnity: The Property Owner agrees to defend, indemnify, save, and hold harmless the County and its governing board from any and all demands, losses, claims, costs, suits, liabilities, and expenses for any property damage, personal injury, or death arising directly or indirectly from or connected with the design, construction, use, operation or maintenance of the Stormwater Facilities by the Property Owner or the presence or existence of the Stormwater Facilities on the Property, except for claims, costs, or liabilities resulting from the sole negligence or sole willful misconduct of the County. The Property Owner's obligations under this section shall include the payment of penalties, fines, attorneys' fees, experts' fees, costs, and litigation expenses, as well as liability for the release or existence of any hazardous materials on, under, or in the Property. If any action or proceeding is brought against any of the indemnitees, the

Property Owner shall reimburse the indemnitees for any expenditures, including reasonable attorneys' fees and costs, incurred by the indemnitees and, if requested by any of the indemnitees, shall defend the action or proceeding at the Property Owner's sole expense with counsel reasonably acceptable to the indemnitees.

SECTION 6

Covenant Running with the Land: The covenants of the Property Owner set forth above shall run with the land, and the burdens of the covenants shall be binding upon each and every part of the Property and the Lots and upon the Property Owner and the Property Owner's successors and assigns in ownership (on any interest in the Property) for the benefit of Hap Magee Ranch Park, Meadow Grove Court and Royal Oaks Drive and associated storm drain(s) and each and every part thereof. Said covenants shall inure to the benefit of and be enforceable by the County and its successors and assigns in ownership of each and every part of the above-referenced road(s) and storm drains.

SECTION 7

Severability: Invalidation of any one of the provisions of this Agreement shall in no way affect any other provisions and all other provisions shall remain in full force and effect.

SECTION 8

No Dedication for Public Use: The provisions of this Agreement shall not be construed to constitute a dedication for public use, either express or implied, and any actions by the County to enforce this Agreement, including without limitation code enforcement or nuisance abatement actions, shall not be deemed to involve the exercise by the County of dominion or control over the Stormwater Facilities or the Property.

SECTION 9

Notices: All notices required by this Agreement or by law shall be in writing and shall be delivered in person or sent by certified mail, postage pre-paid.

Notices required to be given to the County shall be addressed as follows:

Contra Costa County Public Works Department
Attention: County Watershed Program
255 Glacier Drive
Martinez, CA 94553

Notices required to be given to the Property Owner, including any heirs, successors, or assigns, will be sent to the mailing address for the Property Owner that is on file with the Contra Costa County Assessor. The Property Owner may request in writing that notices be sent to an additional address.

Any party may change its address or contact person by notice in writing to the other party and thereafter notices shall be addressed and transmitted to the new address and/or new contact person.

SECTION 10

Effective Date and Modification: This Agreement is effective upon the date stated at the beginning of this Agreement. This Agreement shall not be modified except by written instrument executed by the County and the Property Owner at the time of modification. Such modifications shall be effective upon the date of execution and shall be recorded.

County of Contra Costa

By: _____
Brian M. Balbas, Public Works Director

RECOMMENDED FOR APPROVAL:

Brian M. Balbas, Public Works Director

By: _____
Deputy Director

APPROVED AS TO FORM:

Sharon L. Anderson
County Counsel

By: _____
Deputy County Counsel

Attachments: Exhibit A (Legal Description)
Exhibit B (Plat Map)
Acknowledgment

Property Owner
ALAMO GLEN, LLC

By: _____
Print Name: MYRON ZIMMERMAN
Manager_____

[Note: All Property Owner signatures must be notarized. If Property Owner is a limited liability company, Property Owner must sign in accordance with one of the following, as applicable: (1) Two managers must sign, or, if the articles of organization indicate that the limited liability company is managed by only one manager, one manager must sign (Corp. Code, § 17703.01, subd. (d)); or (2) subject to the articles of organization, two officers must sign, the first being the chairperson of the board, president or any vice president and the second being any secretary, any assistant secretary, the chief financial officer or any assistant treasurer. (Corp. Code, § 17704.07, subd. (w).)]

H:\Public Works\WatershedProgram\OMAg.MS15-0002.2.14.18.docx

EXHIBIT'A'
LEGAL DESCRIPTION

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE UNINCORPORATED AREA OF COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING ALL OF PARCEL ONE AS SAID PARCEL IS DESCRIBED IN THE DEED TO ALAMO GLEN, LLC RECORDED ON JUNE 20,2014 UNDER RECORDERS SERIES NUMBER 2014-0101315 IN THE IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA, AND ALL OF PARCEL 'B' AS SAID PARCEL IS SHOWN ON THE MAP ENTITLED "SUBDIVISION 7063" FILED ON APRIL 13, 1989 IN BOOK 332 OF MAPS AT PAGE 29 IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL ONE (2014-0101315) THENCE ALONG THE EASTERLY LINE OF SAID PARCEL ONE SOUTH 00°50'34" WEST, 558.36' FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 'B' (332 M 29)

THENCE ALONG THE SOUTHERLY LINE OF SAID PARCEL 'B' AND THE SOUTHERLY LINE OF SAID PARCEL ONE (2014-0101315) NORTH 76°41'11" WEST, 222.84 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL ONE (2014-0101315) ;

THENCE ALONG THE WEST LINE OF SAID PARCEL NORTH 05°27'10" EAST, 503.38 FEET TO THE NORTHWEST CORNER OF SAID PARCEL;

THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL NORTH 88°06'02" EAST, 177.32 FEET TO THE POINT OF BEGINNING.

CONTAINING 105,007 SQUARE FEET OR 2.41 ACRES OF LAND, MORE OR LESS.

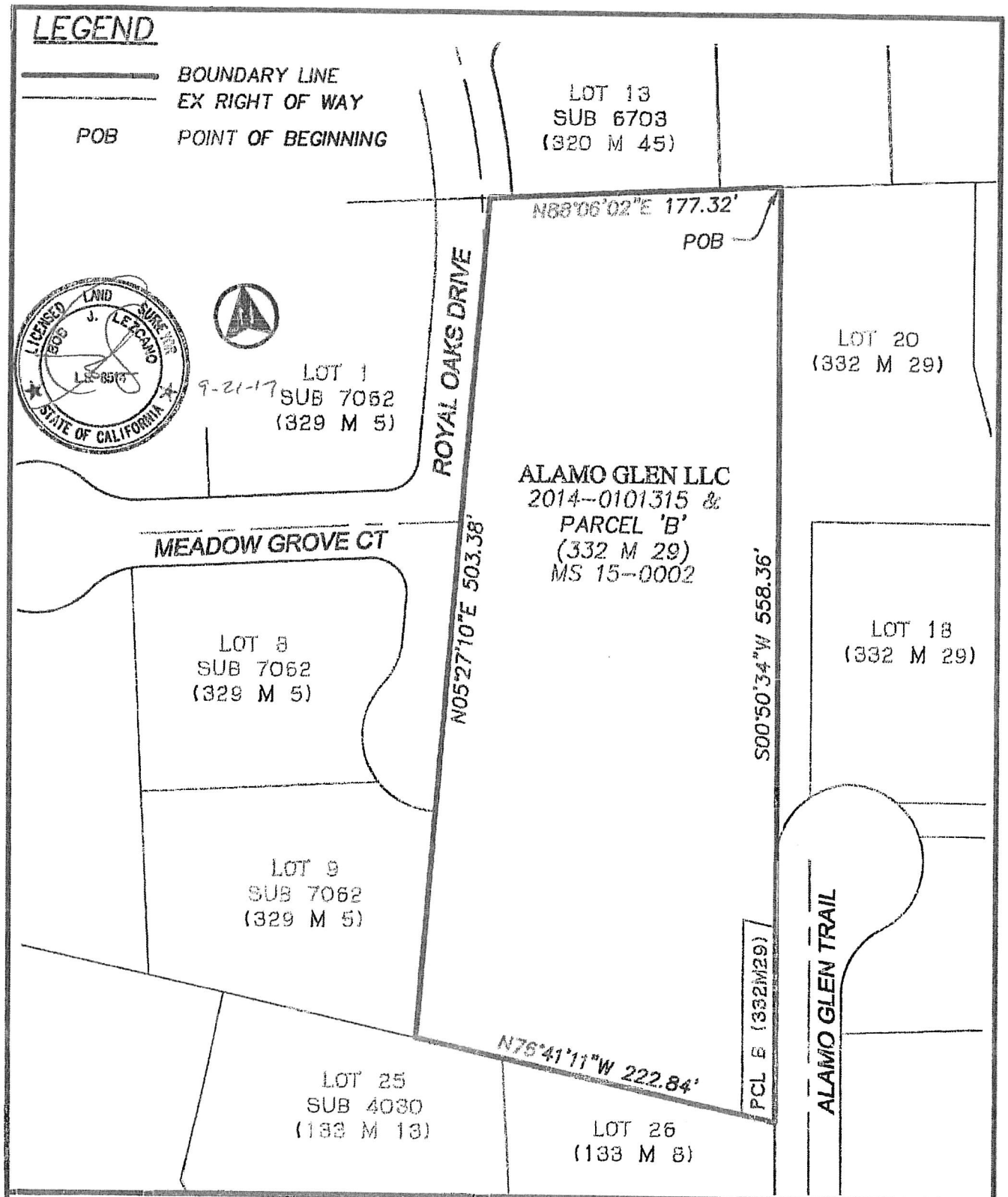
BEING SUBDIVISION MS 15-0002

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT

9-21-17

BOB J. LEZCANO-LS8514 DATE

LICENSED LAND SURVEYOR
BOB J. LEZCANO
LS 8514
STATE OF CALIFORNIA



APEX
CIVIL ENGINEERING & LAND SURVEYING

817 Arnold Drive Ste. 50
Martinez, CA 94553
Ph: (925) 476-8499

EXHIBIT 'B'
PLAT TO ACCOMPANY LEGAL DESCRIPTION

DRAWN BY: RJL	SHEET 1 OF 1
PROJECT NO: 14042	
SCALE: 1"=80'	DATE: 6-26-17

Contra Costa County

To: Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: March 27, 2018

Subject: Approve the Parcel Map and Subdivision Agreement for minor subdivision MS15-0002, Alamo area.

RECOMMENDATION(S):
ADOPT Resolution No. 2018/105 approving the Parcel Map and Subdivision Agreement for minor subdivision MS15-0002, for project being developed by Alamo Glen, LLC, as recommended by the Public Works Director, Alamo area. (District II)

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
The Public Works Department has reviewed the conditions of approval for minor subdivision MS15-0002 and has determined that all conditions of approval for Parcel Map approval have been satisfied.

CONSEQUENCE OF NEGATIVE ACTION:
The Parcel Map and the Subdivision Agreement will not be approved and recorded.

☑ APPROVE ☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Randy Sanders (925) 313-2111

By: , Deputy

cc: Jocelyn LaRocque, Dante Morabe, Design/Construction, Randy Sanders- Engineering Services, Lori Leontini, Chris Hallford, Mapping, Sharon Gong - DCD, Michael Mann, Finance, Renee Hutchins, Records, T-01/27/2019, Alamo Glen, LLC, Chicago Title Insurance Company

ATTACHMENTS

Resolution No.
2018/105

Maps

Subdivision Agreement

Tax Letter

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 03/27/2018 by the following vote:

AYE:	
NO:	
ABSENT:	
ABSTAIN:	
RECUSE:	

Resolution No. 2018/105

IN THE MATTER OF approving the Parcel Map and Subdivision Agreement for minor subdivision MS15-0002, for project being developed by Alamo Glen, LLC, as recommended by the Public Works Director, Alamo area. (District II)

WHERE AS, the following documents were presented for board approval this date:

I. Map

The Parcel Map of minor subdivision MS15-0002, property located in the Alamo area, Supervisorial District II, said map having been certified by the proper officials.

II. Subdivision Agreement

A subdivision agreement with Alamo Glen, LLC, principal, whereby said principal agrees to complete all improvements as required in said subdivision agreement within 2 years from the date of said agreement. Accompanying said subdivision agreement is security guaranteeing completion of said improvements as follows:

A. Cash Bond

Performance amount: $2,020.00

Auditor's Deposit Permit No. 7562220 Date: February 22, 2018

Submitted by: Alamo Glen, LLC

B. Surety Bond

Performance amount: $199,980.00

Labor & Materials Amount: $101,000.00

Auditor's Deposit Permit No. 7562220 Date: February 22, 2018

Submitted by: Alamo Glen, LLC

III. Tax Letter

Letter from the County Tax Collector stating that there are no unpaid County taxes heretofore levied on the property included in said map and that the 2017-2018 tax lien has been paid in full and the 2018-2019 tax lien, which became a lien on the first day of January 2018, is estimated to be $36,330..00, with security guaranteeing payment of said tax lien as follows:

- Tax Surety

Auditor's Deposit Permit Number: DP756176 Date: February 21, 2018

Amount: $36,330.00

Submitted by/Principal: Alamo Glen, LLC

NOW, THEREFORE, BE IT RESOLVED:

1. That said subdivision, together with the provisions for its design and improvement, is DETERMINED to be consistent with

the County's general and specific plans.

2. That said Parcel Map is APPROVED and this Board does hereby *accept subject to installation and acceptance of improvements* on behalf of the public any of the streets, paths, or easements shown thereon as dedicated to public use.
3. That said Subdivision Agreement is also APPROVED.

Contact: Randy Sanders (925) 313-2111

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

ATTESTED: March 27, 2018

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

By: , Deputy

cc: Jocelyn LaRocque, Dante Morabe, Design/Construction, Randy Sanders- Engineering Services, Lori Leontini, Chris Hallford, Mapping, Sharon Gong - DCD, Michael Mann, Finance, Renee Hutchins, Records, T-01/27/2019, Alamo Glen, LLC, Chicago Title Insurance Company

PARCEL MAP
SUBDIVISION MS 15-0002

BEING ALL OF PARCEL ONE AS DESCRIBED IN THE DEED RECORDED ON JUNE 20, 2014 UNDER RECORDERS SERIES NO. 2014-0101315, AND ALL OF PARCEL 'B' AS SHOWN ON THE MAP OF SUB 7063 (332 M 29), A PORTION OF THE NW ¼ OF THE NE ¼ SEC. 17, T1SR1W, MDBM FILED IN THE OFFICE OF THE RECORDER OF CONTRA COSTA COUNTY

CONTRA COSTA COUNTY, CALIFORNIA

APEX
CIVIL ENGINEERING & LAND SURVEYING
817 Arnold Drive, Ste. 50
Martinez, CA 94553
Ph: (925) 476-8499
www.apexce.net

FEBRUARY, 2018

OWNER'S STATEMENT

THE UNDERSIGNED, BEING THE ONLY PARTIES HAVING A RECORD TITLE INTEREST IN THE LANDS DELINEATED AND EMBRACED WITHIN THE HEAVY BLACK LINES UPON THIS PARCEL MAP, DO HEREBY CONSENT TO THE MAKING AND RECORDATION OF THE SAME, AND DOES HEREBY DEDICATE IN FEE TO THE PUBLIC FOR PUBLIC USE AND TO THE COUNTY OF CONTRA COSTA, FOR ROADWAY PURPOSES THOSE PORTIONS OF SAID LANDS DESIGNATED ON SAID MAP AS: ROYAL OAKS DRIVE.

THE AREA SHOWN AS "PRIVATE STORM DRAIN EASEMENT" (PSDE) IS NOT OFFERED FOR DEDICATION TO THE GENERAL PUBLIC, BUT IS FOR THE USE OF THE OWNERS OF PARCELS 'A' 'B' AND 'C' OF THIS SUBDIVISION FOR STORM DRAINAGE PURPOSES, AND IS TO BE MAINTAINED BY THE OWNERS OF SAID PARCELS .

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES: THE AREAS DESIGNATED "PUBLIC UTILITIES EASEMENT" OR "P.U.E." ARE HEREBY DEDICATED TO PUBLIC UTILITIES FOR UNDERGROUND ELECTRIC, GAS, CABLE TV, TELEPHONE, FIBER OPTIC, STREET LIGHT, SIDEWALKS AND OTHER RELATED APPURTENANCES, INCLUDING THE CONSTRUCTION, ACCESS AND MAINTENANCE OF THE IMPROVEMENTS.

THIS MAP SHOWS ALL EASEMENTS ON THE PREMISES OR OF RECORD.

ALAMO GLEN, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

BY:_____

PRINT NAME:_____

TITLE:_____

OWNER'S ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA)
COUNTY OF CONTRA COSTA) SS

ON_____, 20__, BEFORE ME, _____, A PERSONALLY APPEARED _____ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.

WITNESS MY HAND

SIGNATURE NOTARY:_____

NAME (PRINTED OR TYPED):_____

MY COMMISSION EXPIRES:_____

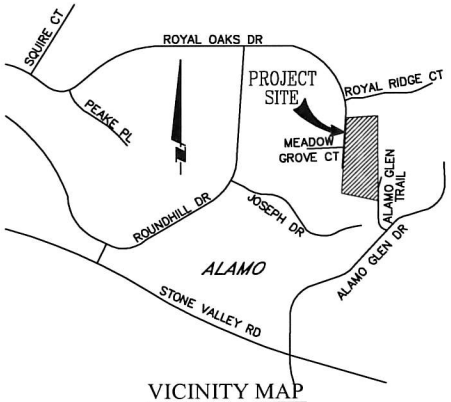
COUNTY OF NOTARY:_____

PRINCIPAL PLACE OF BUSINESS:_____

SIGNATURE OF OMMISSIONS

IN ACCORDANCE WITH SECTION 66436 OF THE SUBDIVISION MAP ACT, THE SIGNATURES OF THE FOLLOWING HOLDERS OF RIGHTS OF WAY OR EASEMENTS, WHICH CANNOT RIPEN INTO FEE, HAVE BEEN OMITTED:

1. PACIFIC GAS AND ELECTRIC COMPANY-POLE & PIPELINE EASEMENT PER BOOK 458 OR 466 & 5830 OR 132
2. CONTRA COSTA COUNTY-STORM DRAIN EASEMENT PER BOOK 14842 OR 76
3. CENTRAL CONTRA COSTA SANITARY DISTRICT-SEWER EASEMENT PER BOOK 15365 OR 93



VICINITY MAP
NOT TO SCALE

SURVEYOR'S STATEMENT

THIS MAP CORRECTLY REPRESENTS A SURVEY, MADE BY ME OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF PORTFOLIO DEVELOPMENT, IN MARCH OF 2014. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONAL APPROVED TENTATIVE MAP, IF ANY. ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

BOB J. LEZCANO, LS 8514 DATED

LICENSED LAND SURVEYOR BOB J. LEZCANO NO. 8514 STATE OF CALIFORNIA

CLERK OF THE BOARD OF SUPERVISORS' CERTIFICATE

STATE OF CALIFORNIA,
CONTRA COSTA COUNTY

I, DAVID TWA, CLERK OF THE BOARD OF SUPERVISORS AND COUNTY ADMINISTRATOR OF CONTRA COSTA, STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING MAP ENTITLED "PARCEL MAP MS 15-0002" WAS PRESENTED TO SAID BOARD OF SUPERVISORS, AS PROVIDED BY LAW, AT A REGULAR MEETING THEREOF HELD ON THE _____ DAY OF_____, 20___, AND THAT SAID BOARD OF SUPERVISORS DID THEREUPON BY RESOLUTION DULY PASSED AND ADOPTED AT SAID MEETING APPROVE SAID MAP, AND DID ACCEPT SUBJECT TO INSTALLATION AND ACCEPTANCE OF IMPROVEMENTS, ON BEHALF OF THE PUBLIC ALL OF THE STREETS, ROADS, AVENUES OR EASEMENTS SHOWN THEREON AS DEDICATED TO PUBLIC USE.

I FURTHER CERTIFY THAT ALL TAX LIENS HAVE BEEN SATISFIED AND THAT ALL BONDS AS REQUIRED BY LAW TO ACCOMPANY THE WITHIN MAP HAVE BEEN APPROVED BY THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, AND FILED IN MY OFFICE.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS DAY _____ OF _____, 20____

DAVID TWA
CLERK OF THE BOARD OF SUPERVISORS AND
COUNTY ADMINISTRATOR
CONTRA COSTA COUNTY
STATE OF CALIFORNIA

BY: _____
DEPUTY CLERK

COUNTY SURVEYOR'S STATEMENT

THIS MAP WAS EXAMINED BY ME AND IS SUBSTANTIALLY THE SAME AS IT APPEARS ON THE TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF. ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND OF ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH, AND I AM SATISFIED THAT THE SAME IS TECHNICALLY CORRECT.

DATE: _____ BY: _____
JAMES A. STEIN, LS 6571
COUNTY SURVEYOR

COUNTY RECORDER'S STATEMENT

THIS MAP ENTITLED "SUBDIVISION MS15-0002" IS HEREBY ACCEPTED FOR RECORDATION SHOWING A CLEAR TITLE PER LETTER OF TITLE WRITTEN BY CHICAGO TITLE COMPANY, DATED _____, AND AFTER EXAMINING THE SAME, I DEEM THAT SAID MAP COMPLIES IN ALL RESPECTS WITH THE PROVISIONS OF STATE LAW AND LOCAL ORDINANCES GOVERNING THE FILING OF SUBDIVISION MAPS.

FILED THIS ___ DAY OF _____, 20___, AT_____ __M. IN BOOK_____ OF PARCEL MAPS, AT PAGE _____, AT THE REQUEST OF CHICAGO TITLE COMPANY.

JOSEPH E. CANCIAMILLA
COUNTY RECORDER
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

BY:_____
DEPUTY COUNTY RECORDER

PARCEL MAP
SUBDIVISION MS 15-0002

BEING ALL OF PARCEL ONE AS DESCRIBED IN THE DEED RECORDED ON JUNE 20, 2014 UNDER RECORDERS SERIES NO. 2014-0101315, AND ALL OF PARCEL 'B' AS SHOWN ON THE MAP OF SUB 7063 (332 M 29), A PORTION OF THE NW ¼ OF THE NE ¼ SEC. 17, T1SR1W, MDBM FILED IN THE OFFICE OF THE RECORDER OF CONTRA COSTA COUNTY

CONTRA COSTA COUNTY, CALIFORNIA

APEX
CIVIL ENGINEERING & LAND SURVEYING
817 Arnold Drive, Ste. 50
Martinez, CA 94553
Ph: (925) 476-8499
www.apexce.net

FEBRUARY, 2018 SCALE: 1"=40'

40 0 20 40 80
(IN FEET)
1 INCH = 40 FT.

LEGEND

- SUBDIVISION BOUNDARY LINE
- EXISTING RIGHT-OF-WAY LINE
- EXISTING ADJOINERS LINE
- LOT LINE
- CENTERLINE
- EASEMENT LINE
- FND STD STREET MONUMENT
- SET STD STREET MONUMENT, LS 8514
- SET 1/2" REBAR AND CAP, LS 8514
- (M-B) MONUMENT TO BOUNDARY
- (M-M) MONUMENT TO MONUMENT
- (T) TOTAL
- ( ) RECORD DATA
- CALC CALCULATED
- ESMT EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- PSDE PRIVATE STORM DRAIN EASEMENT
- SSE SANITARY SEWER EASEMENT

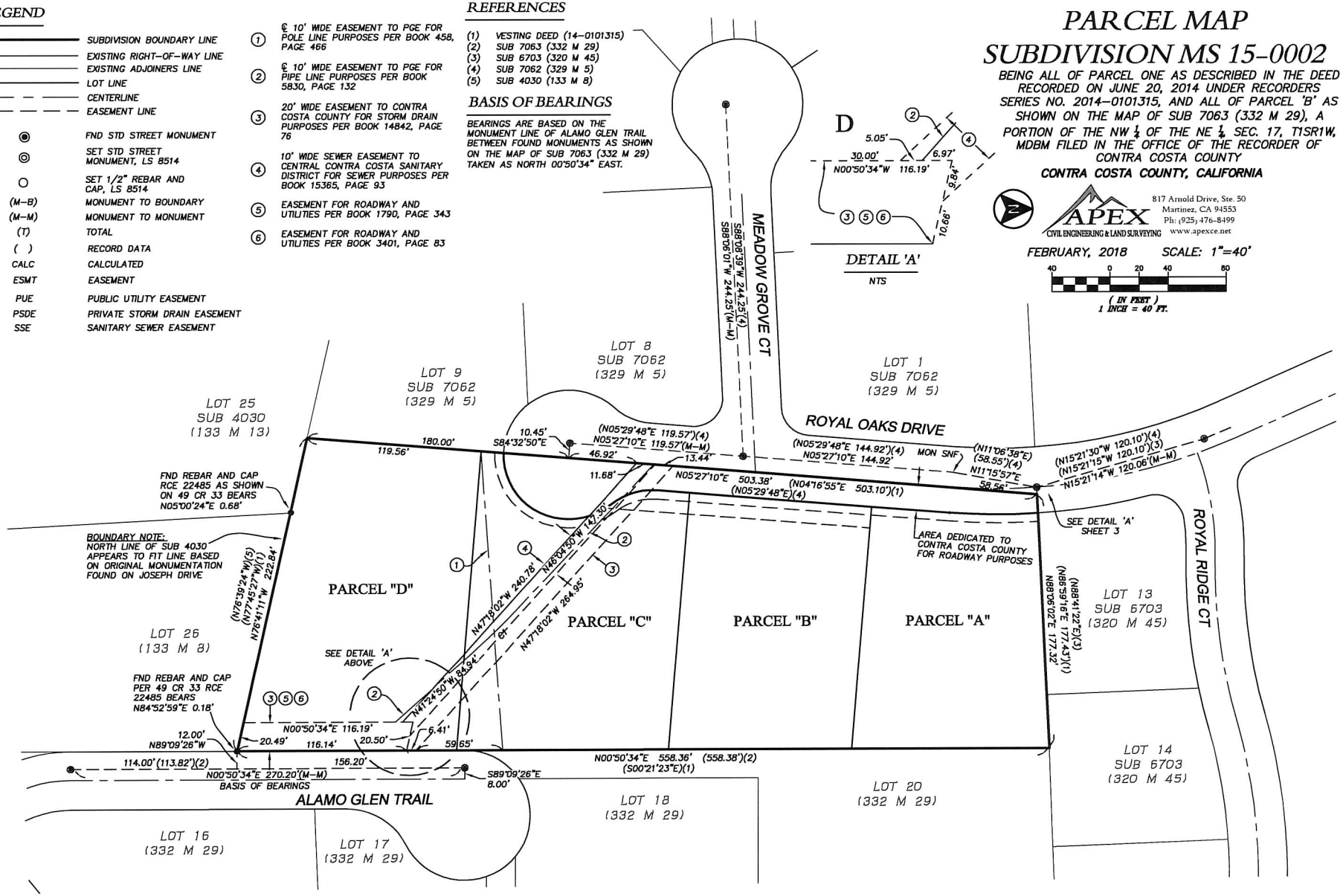
1. ℄ 10' WIDE EASEMENT TO PGE FOR POLE LINE PURPOSES PER BOOK 458, PAGE 466
2. ℄ 10' WIDE EASEMENT TO PGE FOR PIPE LINE PURPOSES PER BOOK 5830, PAGE 132
3. 20' WIDE EASEMENT TO CONTRA COSTA COUNTY FOR STORM DRAIN PURPOSES PER BOOK 14842, PAGE 76
4. 10' WIDE SEWER EASEMENT TO CENTRAL CONTRA COSTA SANITARY DISTRICT FOR SEWER PURPOSES PER BOOK 15365, PAGE 93
5. EASEMENT FOR ROADWAY AND UTILITIES PER BOOK 1790, PAGE 343
6. EASEMENT FOR ROADWAY AND UTILITIES PER BOOK 3401, PAGE 83

REFERENCES

(1) VESTING DEED (14-0101315)
(2) SUB 7063 (332 M 29)
(3) SUB 6703 (320 M 45)
(4) SUB 7062 (329 M 5)
(5) SUB 4030 (133 M 8)

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE MONUMENT LINE OF ALAMO GLEN TRAIL BETWEEN FOUND MONUMENTS AS SHOWN ON THE MAP OF SUB 7063 (332 M 29) TAKEN AS NORTH 00°50'34" EAST.



PARCEL MAP
SUBDIVISION MS 15-0002

BEING ALL OF PARCEL ONE AS DESCRIBED IN THE DEED RECORDED ON JUNE 20, 2014 UNDER RECORDERS SERIES NO. 2014-0101315, AND ALL OF PARCEL 'B' AS SHOWN ON THE MAP OF SUB 7063 (332 M 29), A PORTION OF THE NW ¼ OF THE NE ¼ SEC. 17, T1SR1W, MDBM FILED IN THE OFFICE OF THE RECORDER OF CONTRA COSTA COUNTY

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FEBRUARY, 2018 SCALE: 1"=30'

30 0 15 30 60
(IN FEET)
1 INCH = 30 FT.

LEGEND

———	SUBDIVISION BOUNDARY LINE
———	EXISTING RIGHT-OF-WAY LINE
———	LOT LINE
— · —	CENTERLINE
— — —	EASEMENT LINE
◉	FND STD STREET MONUMENT
◎	SET STD STREET MONUMENT, LS 8514
○	SET 1/2" REBAR AND CAP, LS 8514
(M-B)	MONUMENT TO BOUNDARY
(M-M)	MONUMENT TO MONUMENT
(T)	TOTAL
( )	RECORD DATA
CALC	CALCULATED
ESMT	EASEMENT
PUE	PUBLIC UTILITY EASEMENT
PSDE	PRIVATE STORM DRAIN EASEMENT
SSE	SANITARY SEWER EASEMENT

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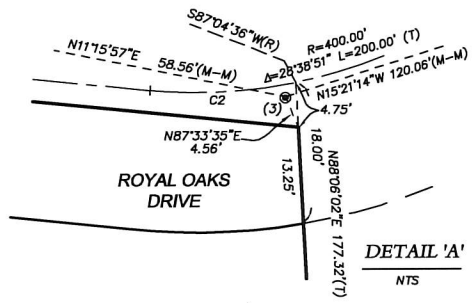

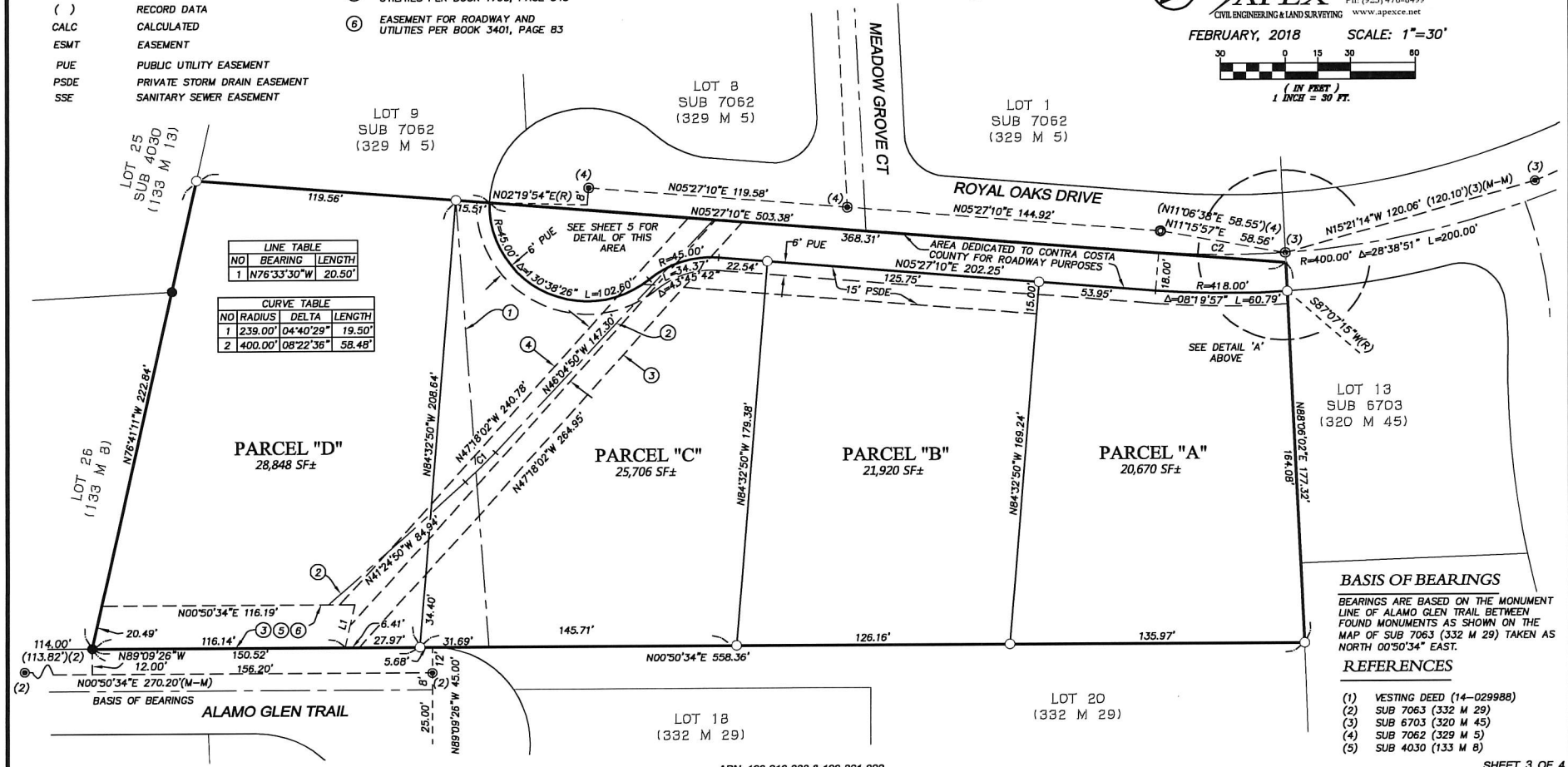

LINE TABLE		
NO	BEARING	LENGTH
1	N76°33'30"W	20.50'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
1	239.00'	04°40'29"	19.50'
2	400.00'	08°22'36"	58.48'

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE MONUMENT LINE OF ALAMO GLEN TRAIL BETWEEN FOUND MONUMENTS AS SHOWN ON THE MAP OF SUB 7063 (332 M 29) TAKEN AS NORTH 00°50'34" EAST.

REFERENCES

(1) VESTING DEED (14-029988)
(2) SUB 7063 (332 M 29)
(3) SUB 6703 (320 M 45)
(4) SUB 7062 (329 M 5)
(5) SUB 4030 (133 M 8)

PARCEL MAP
SUBDIVISION MS 15-0002

BEING ALL OF PARCEL ONE AS DESCRIBED IN THE DEED RECORDED ON JUNE 20, 2014 UNDER RECORDERS SERIES NO. 2014-0101315, AND ALL OF PARCEL 'B' AS SHOWN ON THE MAP OF SUB 7063 (332 M 29), A PORTION OF THE NW ¼ OF THE NE ¼ SEC. 17, T1SR1W, MDBM FILED IN THE OFFICE OF THE RECORDER OF CONTRA COSTA COUNTY

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FEBRUARY, 2018 SCALE: 1"=10'

10 0 5 10 20
(IN FEET)
1 INCH = 10 FT.

LEGEND

SUBDIVISION BOUNDARY LINE		( )	RECORD DATA
EXISTING RIGHT-OF-WAY LINE		CALC	CALCULATED
LOT LINE		ESMT	EASEMENT
CENTERLINE		SSE	SANITARY SEWER EASEMENT
EASEMENT LINE		PSDE	PRIVATE STORM DRAIN EASEMENT
FND STD STREET MONUMENT		PAUE	PRIVATE ACCESS & UTILITY EASEMENT
SET STD STREET MONUMENT, LS 8514			
SET 1/2" REBAR AND CAP, LS 8514			
MONUMENT TO BOUNDARY	(M-B)		
MONUMENT TO MONUMENT	(M-M)		
TOTAL	(T)		

REFERENCES

(1) VESTING DEED (14-029988)
(2) SUB 7063 (332 M 29)
(3) SUB 6703 (320 M 45)
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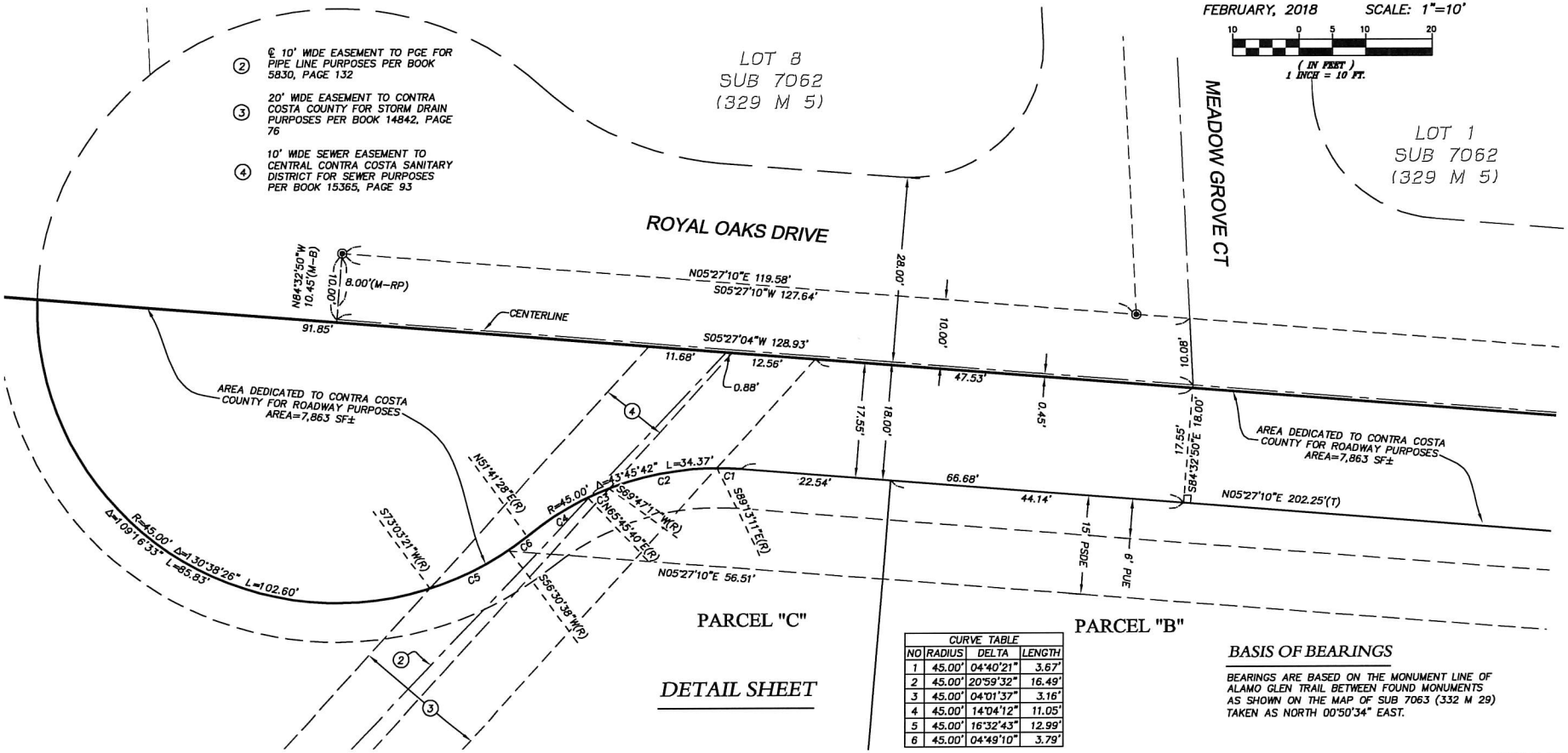

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
1	45.00'	04°40'21"	3.67'
2	45.00'	20°59'32"	16.49'
3	45.00'	04°01'37"	3.16'
4	45.00'	14°04'12"	11.05'
5	45.00'	16°32'43"	12.99'
6	45.00'	04°49'10"	3.79'

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE MONUMENT LINE OF ALAMO GLEN TRAIL BETWEEN FOUND MONUMENTS AS SHOWN ON THE MAP OF SUB 7063 (332 M 29) TAKEN AS NORTH 00°50'34" EAST.

SUBDIVISION AGREEMENT
(Gov. Code, §§ 66462 and 66463)

Subdivision: MS15-0002 **Effective Date:** _____

Subdivider: ALAMO GLEN, LLC **Completion Period:** Two (2) years

THESE SIGNATURES ATTEST TO THE PARTIES' AGREEMENT HERETO:

CONTRA COSTA COUNTY

Brian Balbas, Public Works Director

By: _____

RECOMMENDED FOR APPROVAL:

By: _____
Engineering Services Division

FORM APPROVED: Silvano B. Marchesi, County Counsel

SUBDIVIDER
ALAMO GLEN, LLC

_____

Print Name MYRON ZIMMERMAN

Print Title MANAGER

_____

Print Name: _____

Print Title: _____

[Note: If Subdivider is a corporation, two officers must sign. The first must be the chairman of the board, president or any vice president; the second must be the secretary, assistant secretary, chief financial officer or any assistant treasurer. (Corp. Code, § 313; Civ. Code, § 1190.) If Subdivider is a limited liability company, Subdivider shall sign in the manner required of corporations, or by two managers, or by one manager, pursuant to the articles of organization (see Corp. Code, §§ 17151, 17154, 17157.) If Subdivider is a partnership, any authorized partner may sign. Signatures by Subdivider must be notarized.]

---

1. PARTIES & DATE. Effective on the above date, the County of Contra Costa, California (hereinafter "County"), and the above-mentioned Subdivider mutually promise and agree as follows concerning this Subdivision:

2. IMPROVEMENTS. Subdivider agrees to install certain road improvements (both public and private), drainage improvements, signs, street lights, fire hydrants, landscaping and such other improvements (including appurtenant equipment) as required in the improvement plans for this Subdivision as reviewed and on file with the Contra Costa County Public Works Department, as required by the Conditions of Approval for this Subdivision, and in conformance with the Contra Costa County Ordinance Code, including future amendments thereto (hereinafter "Ordinance Code").

Subdivider shall complete said improvements (hereinafter "Work") within the above completion period from date hereof, as required by the California Subdivision Map Act (Gov. Code, §§ 66410 et. seq.) in a good workmanlike manner, in accordance with accepted construction practices and in a manner equal or superior to the requirements of the Ordinance Code and rulings made thereunder; and where there is a conflict among the improvement plans, the Conditions of Approval and the Ordinance Code, the stricter requirements shall govern.

3. IMPROVEMENTS SECURITY. Upon executing this Agreement, the Subdivider shall, pursuant to Gov. Code § 66499 and the County Ordinance Code, provide as security to the County:

A. For Performance and Guarantee: $ 2,020.00 cash, plus additional security, in the amount of $ 199,980.00, which together total one hundred percent (100%) of the estimated cost of the Work. Such additional security is presented in the form of:

X Cash, certified check or cashier's check.
_____ Acceptable corporate surety bond.
_____ Acceptable irrevocable letter of credit.

With this security, Subdivider guarantees performance under this Agreement and maintenance of the Work for one year after its completion and acceptance against any defective workmanship or materials or any unsatisfactory performance.

B. For Payment: Security in the amount: $ 101,000.00, which is fifty percent (50%) of the estimated cost of the Work. Such security is presented in the form of:

X Cash, certified check, or cashier's check
_____ Acceptable corporate surety bond.
_____ Acceptable irrevocable letter of credit.

With this security, Subdivider guarantees payment to the contractor, to its subcontractors and to persons renting equipment or furnishing labor or materials to them or to the Subdivider.

Upon acceptance of the Work as complete by the Board of Supervisors and upon request of Subdivider, the amounts held as security may be reduced in accordance with Sections 94-4.406 and 94-4.408 of the Ordinance Code.

4. GUARANTEE AND WARRANTY OF WORK. Subdivider guarantees that the Work shall be free from defects in material or workmanship and shall perform satisfactorily for a period of one (1) year from and after the Board of Supervisors accepts the Work as complete in accordance with Article 96-4.6, "Acceptance," of the Ordinance Code. Subdivider agrees to correct, repair, or replace, at Subdivider's expense, any defects in said Work.

The guarantee period does not apply to road improvements for private roads that are not to be accepted into the County road system.

5. PLANT ESTABLISHMENT WORK. Subdivider agrees to perform plant establishment work for landscaping installed under this Agreement. Said plant establishment work shall consist of adequately watering plants, replacing unsuitable plants, doing weed, rodent and other pest control and other work determined by the Public Works Department to be necessary to ensure establishment of plants. Said plant establishment work shall be performed for a period of one (1) year from and after the Board of Supervisors accepts the Work as complete.

6. IMPROVEMENT PLAN WARRANTY. Subdivider warrants the improvement plans for the Work are adequate to accomplish the Work as promised in Section 2 and as required by the Conditions of Approval for the Subdivision. If, at any time before the Board of Supervisors accepts the Work as complete or during the one year guarantee period, said improvement plans prove to be inadequate in any respect, Subdivider shall make whatever changes are necessary to accomplish the Work as promised.

7. NO WAIVER BY COUNTY. Inspection of the Work and/or materials, or approval of the Work and/or materials or statement by any officer, agent or employee of the County indicating the Work or any part thereof complies with the requirements of this Agreement, or acceptance of the whole or any part of said Work and/or materials, or payments therefor, or any combination or all of these acts, shall not relieve the Subdivider of its obligation to fulfill this Agreement as prescribed; nor shall the County be thereby stopped from bringing any action for damages arising from the failure to comply with any of the terms and conditions hereof.

8. INDEMNITY. Subdivider shall defend, hold harmless and indemnify the indemnitees from the liabilities as defined in this section:

A. The indemnitees benefitted and protected by this promise are the County and its special districts, elective and appointive boards, commissions, officers, agents and employees.

B. The liabilities protected against are any liability or claim for damage of any kind allegedly suffered, incurred or threatened because of actions defined below, and including personal injury, death, property damage, inverse condemnation, or any combination of these, and regardless of whether or not such liability, claim or damage was unforeseeable at any time before County reviewed said improvement plans or accepted the Work as complete, and including the defense of any suit(s), action(s), or other proceeding(s) concerning said liabilities and claims.

C. The actions causing liability are any act or omission (negligent or non-negligent) in connection with the matters covered by this Agreement and attributable to Subdivider, contractor, subcontractor, or any officer, agent, or employee of one or more of them.

D. Non-Conditions. The promise and agreement in this section are not conditioned or dependent on whether or not any indemnitee has prepared, supplied, or approved any plan(s) or specification(s) in connection with this Work or Subdivision, or has insurance or other indemnification covering any of these matters, or that the alleged damage resulted partly from any negligent or willful misconduct of any indemnitee.

9. COSTS. Subdivider shall pay, when due, all the costs of the Work, including but not limited to the costs of relocations of existing utilities required thereby; inspections; material checks and tests; and other costs incurred by County staff arising from or related to the Work, and prior to acceptance of the Work as complete or expiration of any applicable warranty periods, whichever is later.

10. SURVEYS. Subdivider shall set and establish survey monuments in accordance with the filed map and to the satisfaction of the County Road Commissioner-Surveyor before acceptance of the Work as complete by the Board of Supervisors.

11. NON-PERFORMANCE AND COSTS. If Subdivider fails to complete the Work within the time specified in this Agreement, and subsequent extensions, or fails to maintain the Work, County may proceed to complete and/or maintain the Work by contract or otherwise and Subdivider agrees to pay all costs and charges incurred by County (including, but not limited to, engineering, inspection, surveys, contract, overhead, etc.) immediately upon demand.

Once action is taken by County to complete or maintain the Work, Subdivider agrees to pay all costs incurred by County, even if Subdivider subsequently completes the Work.

Should County sue to compel performance under this Agreement or to recover costs incurred in completing or maintaining the Work, Subdivider agrees to pay all attorney's fees, staff costs and all other expenses of litigation incurred by County in connection therewith, even if Subdivider subsequently proceeds to complete the Work.

12. INCORPORATION/ANNEXATION. If, before the Board of Supervisors accepts the Work as complete, the Subdivision is included in territory incorporated as a city or is annexed to an existing city, except as provided in this paragraph, County's rights under this Agreement and/or any deposit, bond, or letter of credit securing said rights shall be transferred to the new or annexing city. Such city shall have all the rights of a third party beneficiary against Subdivider, who shall fulfill all the terms of this Agreement as though Subdivider had contracted with the city originally. The provisions of paragraph 8 (Indemnity) shall continue to apply in favor of the indemnitees listed in paragraph 8.A. upon any such incorporation or annexation.

13. RECORD MAP. In consideration hereof, County shall allow Subdivider to file and record the final map or parcel map for said Subdivision.

14. RIGHT OF ENTRY. Subdivider hereby consents to entry onto the Subdivision property, and onto any other property over which Subdivider has land rights and upon which any portion of the Work is to be installed pursuant to the improvement plans, by County and its forces, including contractors, for the purpose of inspection, and, in the event of non-performance of this Agreement by Subdivider, completion and/or maintenance of the Work.

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of San Francisco)

On February 20, 2018 before me, Lorenza G. Sandoval-Essl, a Notary Public ,

personally appeared Myron Zimmerman, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal. (SEAL)

LORENZA G. SANDOVAL-ESSL
Notary Public - California
San Francisco County
Commission # 2179884
My Comm. Expires Jan 20, 2021

Signature Lorenza G. Sandoval-Essl
Lorenza G. Sandoval-Essl

My Commission Expires: January 20, 2021

VOID AFTER 4/2/18

Alamo Glen $47.00

Tax Collector's Office
625 Court Street
Finance Building, Room 100
P. O. Box 631
Martinez, California 94553-0063
(925) 957-5280
(925) 957-2898 (FAX)

Contra Costa County

Russell V. Watts
County Treasurer-Tax Collector

Brice B. Bins
Chief Deputy Treasurer-Tax Collector

Lulis Lopez
Assistant Tax Collector

Date: 2/16/2018

IF THIS TRACT IS NOT FILED PRIOR TO THE DATE TAXES ARE OPEN FOR COLLECTION (R&T CODE 2608) ***THIS LETTER IS VOID.***

This will certify that I have examined the map of the proposed subdivision entitled:

Tract / MS #	City	T.R.A.
15-0002	**ALAMO**	**66072**
Parcel #:	**193-210-008-2**	**193-861-022-5**

and have determined from the official tax records that there are no unpaid County taxes heretofore levied on the property included in the map.

The 2017-2018 tax lien has been paid in full. Our estimate of the 2018-2019 tax lien, which became a lien on the first day of January, 2018 is

$36,330.00

This tract is subject to a 1915 Act Bond. If subject to a 1915 Act Bond, the original principal to calculate a segregation is

The amount calculated is ***void*** 45 days from the date of this letter, unless this letter is accompanied with security approved by the Contra Costa County Tax Collector
Subdivision bond must be presented to the County Tax Collector for review and approval of adequacy of security prior to filing with the Clerk of the Board of Supervisors.

RUSSELL V. WATTS,
Treasurer-Tax Collector

By: Danielle R. Dover

COUNTY OF CONTRA COSTA

ELECTRONIC DEPOSIT PERMIT

OFFICE OF COUNTY AUDITOR-CONTROLLER
MARTINEZ, CALIFORNIA

DEPARTMENT NAME
TREASURER-TAX COLLECTOR

FISCAL YEAR
2017 - 2018

ORGANIZATION NUMBER **15**

DESCRIPTION OF DEPOSIT	FUND/ORG NO.	SUB ACCT	TASK	OPT	ACTIVITY	AMOUNT	TOTAL
SUBDIVISION GUARANTEE tax collector special - subdivision guarantee	831400	0803				$36,330.00	
							$36,330.00

TOTAL DEPOSIT: **$36,330.00**

GENERAL DEPOSIT NOTES:

SITE OF DEPOSIT: BANK **ACCOUNT DEPOSITED:** Wells Fargo Bank - Tax Collector

CASH: $0.00 **CHECKS:** $0.00 **BANK DEPOSIT:** $36,330.00

Bank Receipt: LO **Date:** 02/21/2018 **NOTES: SUBDIVISION GUARANTEE**

SECTION 26901 GOVERNMENT CODE
I HEREBY SWEAR THAT THIS IS A TRUE AND CORRECT RECORD OF THE TOTAL AMOUNT OF MONEY AS DESCRIBED ABOVE FOR DEPOSIT INTO THE COUNTY TREASURY

Feb 21, 201801:23:21PM

leodegario olazo
USER VALIDATION

USER PHONE NO.
9259572837

USER NAME
leodegario olazo

THE A-C OF CCC, HEREBY CERTIFIES THAT THE AMOUNT DUE THE TREASURER OF SAID COUNTY FOR MONIES COLLECTED BY **TREASURER-TAX COLLECTOR -WELLS FARGO BANK - TAX COLLECTOR** IN SETTLEMENT OF THE ABOVE DESCRIBED ACCOUNTS IS THE SUM OF **$36,330.00**

NOT PROCESSED

NOT SIGNED
AUDITOR'S VALIDATION

RECEIPT OF ABOVE AMOUNT IS HEREBY ACKNOWLEDGED.

NOT PROCESSED

NOT SIGNED
TTC VALIDATION

SUBMIT DATE
Feb 21, 2018 01:23:21PM

EDP NO
DP756176

Contra Costa County

To: Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: March 27, 2018

Subject: ADOPT Resolution of Initiation ordering the preparation of an Engineer's Report for Countywide Landscaping District AD 1979-3 for Fiscal Year 2018-19

RECOMMENDATION(S):

ADOPT Resolution No. 2018/77 of Initiation ordering the preparation of an Engineer's Report and related proceedings for the levy and collection of the Fiscal Year 2018-19 assessments for Countywide Landscaping District AD 1979-3 (LL-2), as recommended by the Public Works Director, or designee. (All Districts)

FISCAL IMPACT:

100% Countywide Landscaping District AD 1979-3 (LL-2) funds.

BACKGROUND:

The existing Countywide Landscaping District contains thirty (30) benefit zones comprised of frontage and median landscaping, pedestrian bridges, parks and recreational facilities installed by developers as a condition of their development. The annual assessments associated with the Countywide Landscaping District 1979-3 (LL-2) fund the operation, maintenance, and capital replacement of the facilities within the various

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Victoria Skerritt
(925)313-2272

By: , Deputy

cc: Carl Roner, Rochelle Johnson, Special District, Laura Strobel, County Administrator, CAO, Robert R. Campbell, Auditor Controller, Sharon Anderson, County Counsel, Gus Kramer, County Assessor, Brian Brown, Francisco & Associates, Inc., Warren Lai, Engineering Services, Wanda Quever, PWD, Finance, Victoria Skerritt, PWD, Special Districts

BACKGROUND: (CONT'D)
benefit zones.

The Landscaping and Lighting Act of 1972 requires that an annual Engineer's Report be prepared each fiscal year to identify any changes in the improvements and to set the ensuing assessment rates.

The Fiscal Year 2018-19 assessments will be calculated by considering all anticipated expenditures for operation, maintenance, utilities, administration, and capital replacement costs of such facilities. If excess revenue from a benefit zone is available from the previous fiscal year, it will be credited against the proposed expenses for that benefit zone. The assessment rates may or may not change from fiscal year to fiscal year, dependent upon projected costs to maintain the facilities within each benefit zone. However, the assessment rates cannot exceed the maximum amount set when the benefit zone was originally formed, plus an annual cost of living adjustment, if a Cost Price Index (CPI) was established when the benefits zone was originally formed.

In accordance with the Landscape and Lighting Act of 1972, the assessment amounts proposed to be levied for the Fiscal Year 2018-2019 tax year, will be shown in the Preliminary and Final Engineer's Reports, which will be filed with the Board of Supervisors in May and June 2018, respectively. The June 2018 Board meeting will be a noticed public hearing to confirm the Fiscal Year 2018-19 assessment rates.

CONSEQUENCE OF NEGATIVE ACTION:
Without Board of Supervisors' approval there would be no initiation of the process to prepare the Engineer's Report and to assess levies for the Countywide Landscape District AD 1979-3 (LL-2) for Fiscal Year 2018-2019, and thus funds would not be available to maintain the landscaping and other improvements in the benefit zones throughout the County.

ATTACHMENTS
Resolution No. 2018/77

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 03/27/2018 by the following vote:

AYE:	
NO:	
ABSENT:	
ABSTAIN:	
RECUSE:	

Resolution No. 2018/77

IN THE MATTER OF Resolution No. 2018/77 of Initiation ordering the preparation of an Engineer's Report for Countywide Landscaping District AD 1979-3 (LL-2) and related proceedings for levy and collection of assessments for Fiscal Year 2018-19, as recommended by the Public Works Director, or designee, (Countywide Landscaping District AD 1979-3 (LL-2).

WHEREAS the Board of Supervisors of Contra Costa County FINDS THAT:

1. Section 22622 of the California Streets and Highways Code requires the Board of Supervisors to adopt a Resolution of Initiation generally describing any proposed new improvements or substantial changes in existing improvements to be included in the determination of the annual assessments levied for any assessment district created under the Landscaping and Lighting Act of 1972, and

2. Section 22622 of the California Streets and Highways Code further requires that the Board of Supervisors order the preparation of an Engineer's Report prior to initiating the proceedings to set the annual levy of assessments for any such district. The Engineer's Report shall contain 1) plans and specifications for the improvements, 2) estimate of the costs for the improvements, 3) diagrams of each assessment district, and 4) description of the method used to spread the costs of improvements to the benefiting parcels.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors ORDERS as follows:

1. The improvements to be made in the assessment district are generally described as the operation, maintenance and servicing of frontage and median landscaping, pedestrian bridges, parks and recreational facilities within street rights of way and other public areas; and

2. The Engineer of Work for the Contra Costa County Countywide Landscaping District 1979-3 (LL2) is hereby directed to file an Engineer's Report in accordance with the provisions of the Landscaping and Lighting Act of 1972.

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

Contact: Victoria Skerritt (925)313-2272

ATTESTED: March 27, 2018

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

By: , Deputy

cc: Carl Roner, Rochelle Johnson, Special District, Laura Strobel, County Administrator, CAO, Robert R. Campbell, Auditor Controller, Sharon Anderson, County Counsel, Gus Kramer, County Assessor, Brian Brown, Francisco & Associates, Inc., Warren Lai, Engineering Services, Wanda Quever, PWD, Finance, Victoria Skerritt, PWD, Special Districts

Contra Costa County

To: Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: March 27, 2018

Subject: APPROVE a contract with Callander Associates Landscape Architecture, Inc. for On-Call Landscape Architect Services, Countywide.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a Consulting Services Agreement with Callander Associates Landscape Architecture, Inc. in an amount not to exceed $250,000, to provide on-call landscape architecture services, for the period April 1, 2018 to March 31, 2021, Countywide. (All Districts) Project No.: Various

FISCAL IMPACT:

100% Special Revenue Funds

BACKGROUND:

The Public Works Department is involved in the development and review of landscape improvement projects throughout the County. As part of this regular work, consultant services are required to augment Public Works staff and provide special technical assistance on an on-call basis. After a solicitation process, Callander Associates was one of four firms selected to provide landscape architecture services. These services include the managing, inspecting and overseeing of developer and County landscape projects, as well as performing the duties of a landscape designer, landscape architect, landscape plan checker, landscape construction field inspector, grounds and facilities inspector and/or playground safety inspector. The consultant will be involved in projects primarily for areas within the Countywide Landscaping District (LL-2) and County Service Areas (CSAs).

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Rochelle Johnson, 925-313-2299

By: , Deputy

cc: Warren Lai, Engineering Services, Carl Roner, Rochelle Johnson, Special District, Scott Anderson, Paulette Denison- Finance

CONSEQUENCE OF NEGATIVE ACTION:

Without the approval of the Board of Supervisors, this Consulting Services Agreement would not be executed. This would delay implementation of landscape improvements within various special districts in the County, and may delay approval of right of way landscape improvements in private developments.

Contra Costa County

To: Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: March 27, 2018

Subject: APPROVE a contract with A.S. Dutchover for On-Call Landscape Architect Services, Countywide.

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a Consulting Services Agreement with A.S. Dutchover (dba Dutchover & Associates) in an amount not to exceed $250,000, to provide on-call landscape architecture services, for the period April 1, 2018 to March 31, 2021, Countywide. (All Districts) Project No.: Various

FISCAL IMPACT:
100% Special Revenue Funds.

BACKGROUND:
The Public Works Department is involved in the development and review of landscape improvement projects throughout the County. As part of this regular work, consultant services are required to augment Public Works staff and provide special technical assistance on an on-call basis. After a solicitation process, Dutchover & Associates was one of four firms selected to provide landscape architecture services. These services include the managing, inspecting and overseeing of developer and County landscape projects, as well as performing the duties of a landscape designer, landscape architect, landscape plan checker, landscape construction field inspector, grounds and facilities inspector and/or playground safety inspector. The consultant will be involved in projects primarily for areas within the Countywide Landscaping District (LL-2) and County Service Areas (CSAs).

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: March 27, 2018

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

Contact: Rochelle Johnson, 925-313-2299

By: , Deputy

cc: Warren Lai, Engineering Services, Carl Roner, Rochelle Johnson, Special District, Scott Anderson, Paulette Denison- Finance

CONSEQUENCE OF NEGATIVE ACTION:

Without the approval of the Board of Supervisors, this Consulting Services Agreement would not be executed. This would delay implementation of landscape improvements within various special districts in the County, and may delay approval of right of way landscape improvements in private developments.

Contra Costa County

To: Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: March 27, 2018

Subject: APPROVE a contract with David L. Gates & Associates, Inc for On-Call Landscape Architect Services, Countywide.

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a Consulting Services Agreement with David L. Gates & Associates, Inc. in an amount not to exceed $250,000, to provide on-call landscape architecture services, for the period April 1, 2018 to March 31, 2021, Countywide. (All Districts) Project No.: Various

FISCAL IMPACT:
100% Special Revenue Funds.

BACKGROUND:
The Public Works Department is involved in the development and review of landscape improvement projects throughout the County. As part of this regular work, consultant services are required to augment Public Works staff and provide special technical assistance on an on-call basis. After a solicitation process, David L. Gates & Associates, Inc. was one of four firms selected to provide landscape architecture services. These services include the managing, inspecting and overseeing of developer and County landscape projects, as well as performing the duties of a landscape designer, landscape architect, landscape plan checker, landscape construction field inspector, grounds and facilities inspector and/or playground safety inspector. The consultant will be involved in projects primarily for areas within the Countywide Landscaping District (LL-2) and County Service Areas (CSAs).

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Rochelle Johnson, 925-313-2299

By: , Deputy

cc: Warren Lai, Engineering Services, Carl Roner, Rochelle Johnson, Special District, Scott Anderson, Paulette Denison- Finance

CONSEQUENCE OF NEGATIVE ACTION:

Without the approval of the Board of Supervisors, this Consulting Services Agreement would not be executed. This would delay implementation of landscape improvements within various special districts in the County, and may delay approval of right of way landscape improvements in private developments.

Contra Costa County

To: Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: March 27, 2018

Subject: APPROVE a contract with Stantec Consulting Services, Inc. for On-Call Landscape Architect Services, Countywide.

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a Consulting Services Agreement with Stantec Consulting Services, Inc. in an amount not to exceed $250,000, to provide on-call landscape architecture services, for the period April 1, 2018 to March 31, 2021, Countywide. (All Districts) Project No.: Various

FISCAL IMPACT:
100% Special Revenue Funds.

BACKGROUND:
The Public Works Department is involved in the development and review of landscape improvement projects throughout the County. As part of this regular work, consultant services are required to augment Public Works staff and provide special technical assistance on an on-call basis. After a solicitation process, Stantec Consulting Services, Inc. was one of four firms selected to provide landscape architecture services. These services include the managing, inspecting and overseeing of developer and County landscape projects, as well as performing the duties of a landscape designer, landscape architect, landscape plan

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Rochelle Johnson, 925-313-2299

By: , Deputy

cc: Warren Lai, Engineering Services, Carl Roner, Rochelle Johnson, Special District, Scott Anderson, Paulette Denison- Finance

BACKGROUND: (CONT'D)

checker, landscape construction field inspector, grounds and facilities inspector and/or playground safety inspector. The consultant will be involved in projects primarily for areas within the Countywide Landscaping District (LL-2) and County Service Areas (CSAs).

CONSEQUENCE OF NEGATIVE ACTION:

Without the approval of the Board of Supervisors, this Consulting Services Agreement would not be executed. This would delay implementation of landscape improvements within various special districts in the County, and may delay approval of right of way landscape improvements in private developments.

Contra Costa County

To: Contra Costa County Flood Control District Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: March 27, 2018

Subject: Approve Project, CEQA Findings, and Funding Agreement with American Rivers for the Three Creeks Parkway Restoration Project. (Project No. 7562-6D8490)

RECOMMENDATION(S):

1. CONSIDER the approved Initial Study/Mitigated Negative Declaration ("IS/MND") for the Three Creeks Parkway Restoration Project, attached hereto, together with proposed Addendum No. 1 thereto, and any comments received during the public review process.

2. ADOPT Addendum No. 1 to the IS/MND, attached hereto.

3. FIND, on the basis of the whole record, including the IS/MND and Addendum No. 1 thereto, and any comments received and staff responses thereto, that there is no substantial evidence the Three Creeks Parkway Restoration Project will have a significant effect on the environment, and that the IS/MND, together with Addendum No. 1 thereto, reflects the independent judgment and analysis of the lead agency.

4. APPROVE and AUTHORIZE the Chief Engineer or his designee to execute an agreement with American Rivers, Inc., for implementation of the Three Creeks Restoration Project, a component of the Three Creeks Parkway Restoration Project, substantially in the form attached hereto.

5. APPROVE the Three Creeks Parkway Restoration Project.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Gus Amirzehni, (925) 313-2128

cc: Tim Jensen, Flood Control, Paul Detjens, Flood Control, Gus Amirzehni, Flood Control, Claudia Gemberling, Environmental, Catherine Windham, Flood Control, Mike Carlson, Public Works

RECOMMENDATION(S): (CONT'D)
>
6. DIRECT the Director of Conservation and Development to file a Notice of Determination with the County Clerk.

7. SPECIFY that the Chief Engineer is the custodian of the documents and other material that constitute the record of proceedings upon which the Board's decision is based and that the record of proceedings is located at 255 Glacier Drive, Martinez, CA.

8. AUTHORIZE the Chief Engineer, or designee, to arrange for payment of $2,280.75 for California Department of Fish and Wildlife fees, a $50 fee to the County Clerk for filing the Notice of Determination, and a $25 fee to the Department of Conservation and Development for processing.

FISCAL IMPACT:
The estimated total cost of the Three Creeks Restoration Project, including planning, engineering, construction and project management, is $2,738,954. The Flood Control District ("District") will have a $25,000 share of the total cost, in the form of staff's environmental review services, to be funded by Flood Control Drainage Area 130 funds. The California Department of Water Resources ("DWR") is providing $744,404 in grant funding, and American Rivers, Inc. ("American Rivers"), is providing $1,969,550. Payment of the required $2,355.75 in fees will also be funded by Flood Control Drainage Area 130 funds.

BACKGROUND:

The Project

Marsh Creek flows 30 miles from the eastern slope of Mt. Diablo through the communities of Brentwood and Oakley and into the Sacramento-San Joaquin Delta, which serves as the water supply for more than 20 million people. Marsh Creek provides habitat for numerous endangered and declining aquatic species, such as Delta smelt, Sacramento splittail, Chinook salmon, red-legged frog and western pond turtle. Several years ago, American Rivers, a nonprofit corporation that works to restore rivers and critical wildlife habitat, approached the District to propose a project to restore a segment of Marsh Creek, with the bulk of funding to be provided by public and private grants. In 2014, American Rivers and the District jointly applied for a grant from DWR for the project. The DWR grant was awarded, on August 16, 2016, the District and American Rivers jointly entered into an agreement with DWR ("Grant Agreement"), in which DWR agreed to provide a $744,404 grant to improve habitat along a 1,400-foot reach of Marsh Creek from the Union Pacific Railroad to the confluence with Sand Creek (the "Lower Reach"). The proposed improvements to the Lower Reach would involve widening the existing creek channel to allow for the planting of native vegetation along the creek corridor. This project is known as the "Three Creeks Restoration Project." The obligations of the District and American Rivers under the Grant Agreement were expressly conditioned upon the District's completion of the environmental review and Board approval of the project.

The location and timing of the Three Creeks Restoration Project provided a unique opportunity for the District to integrate a separate, long-planned channel widening project upstream of Sand Creek. Shortly after execution of the Grant Agreement, District staff and American Rivers began discussing whether the Three Creeks Restoration Project could be combined with the channel widening project. Discussions led to planning and the design of channel improvements in segments upstream from the Lower Reach, including a segment from Sand Creek to Deer Creek (the "Middle Reach") and from Deer Creek to Dainty Avenue (the "Upper Reach"). The Three Creeks Restoration Project and the proposed

improvements in the Middle Reach and Upper Reach have become known collectively as the Three Creeks Parkway Restoration Project ("Project" hereafter). In all, the Project would include the widening and planting of approximately 4,000 feet of Marsh Creek from the Union Pacific Railroad to Dainty Avenue, and improvement of stormwater conveyance capacity in the Middle Reach and Upper Reach. It has been proposed that American Rivers would pay a share of the costs through grants from public agencies and private entities, and that the District would pay a share of the costs with Drainage Area 130 funds. The scope of the Project may need to be limited in order to not exceed the available funds.
It has also been proposed that District would complete the civil/earth work within the District's channel, while American Rivers would complete and landscaping part of the Project and provide for three years of maintenance.

Environmental Review

The Project was reviewed under the California Environmental Quality Act and an Initial Study/Mitigated Negative Declaration was prepared. On September 27, 2016, the Board considered and adopted the IS/MND and a Mitigation and Monitoring Program for the Project. Subsequently, District and American Rivers staff proposed several changes to the Project, which necessitated the preparation of an addendum to the approved IS/MND. As described in Addendum No. 1, the changes include: 1) the incorporation of an adjacent water quality basin and related access improvements within the City of Brentwood Sungold Park; 2) the use of an adjoining parcel as a potential staging area and to place excavated materials; 3) the construction of a pedestrian bridge across Marsh Creek; and 4) the use of temporary creek crossings during construction.

As discussed in Addendum No. 1, no new significant impacts or impacts of substantially greater severity would result from the construction and operation of the updated Project, and there have been no changes in circumstances in the Project area that would result in new significant environmental impacts or substantially more severe impacts. Additionally, no new information has come to light that would indicate the potential for new significant impacts or substantially more severe impacts than were analyzed in the September 27, 2016 IS/MND.

Agreement with American Rivers

Although significant progress has been made in the planning and design of the Project, American Rivers has not yet secured sufficient funding for its share of the cost. For this reason, American Rivers and the District are not prepared at this time enter into an agreement that outlines their respective cost shares and responsibilities for Project work. However, American Rivers and the District can proceed with an agreement that spells out their respective obligations under the Grant Agreement as to the work in the Lower Reach component of the Project. The attached Agreement Between Contra Costa County Flood Control & Water Conservation District and American Rivers, Inc., for the Three Creeks Restoration Project ("Agreement"), which has been executed by American Rivers and is presented for Board approval today, sets forth that American Rivers will be responsible for funding and implementing the Three Creeks Restoration Project, except for a $25,000 cost share provided by the District to contribute toward the environmental review process.

Under the Agreement, American Rivers would be responsible for preparing construction documents, including plans and specifications, constructing all civil/earth work improvements and performing all of the landscaping and planting work, for the Lower Reach Project. The proposed agreement also includes insurance, bonding and indemnification requirements that protect the District, and mutual indemnity obligations that protect each party from liabilities caused by the actions of the other party.

District staff anticipates that if negotiations in the coming months are successful, a new agreement will

be prepared to outline responsibilities of the District and American Rivers in all three reaches of the Project. A new agreement may negate the need for, and supersede, this Agreement.

Project Approval

Notwithstanding ongoing negotiations regarding the Project, the completion of the environmental review of the Project, coupled with approval of the Agreement, provide the Board with an opportunity to approve the Project. Approval of the Project includes approval of the Three Creeks Restoration Project component of the Project. The Project approval triggers the obligations of both the District and American Rivers under the Grant Agreement, but does not commit either party to proceed with other components of the Project. Project approval is recommended at this time because of conditions imposed by the Sacramento-San Joaquin Delta Conservancy, which has approved a grant to American Rivers for the Project. District staff have been advised that unless the Project is approved, and a Notice of Determination filed, before the end of March, that grant funding may be lost.

CONSEQUENCE OF NEGATIVE ACTION:

If the Agreement and Project are not approved, grant funding for the Three Creeks Restoration Project will be lost and the Project will not be implemented.

ATTACHMENTS

Agreement for the THree Creeks Restoration Project

Addendum No. 1 Three Creeks Parkway Restoration Projection Mitigated Negative Declaration, Dec 2017

Three Creeks Parkway Restoration Projection Initial Study/Mitigated Negative Declaration, Sept 2016

AGREEMENT
BETWEEN CONTRA COSTA COUNTY FLOOD CONTROL
& WATER CONSERVATION DISTRICT AND AMERICAN RIVERS, INC.,
FOR THE THREE CREEKS PARKWAY RESTORATION PROJECT

This Agreement Between Contra Costa County Flood Control & Water Conservation District and American Rivers, Inc., For The Three Creeks Parkway Restoration Project ("Agreement") is entered into on _____, 2018 (the "Effective Date"), by the Contra Costa County Flood Control & Water Conservation District, a body corporate and politic created under laws of the State of California ("District"), and American Rivers, Inc., a non-profit corporation organized and existing under laws of the District of Columbia ("American Rivers"). The parties hereto may be referred to collectively as the "Parties" or individually as a "Party."

RECITALS

A. American Rivers is a non-profit corporation headquartered in the District of Columbia whose purpose is the restoration of rivers and critical wildlife habitat.

B. District, created by the Contra Costa County Flood Control and Water Conservation District Act (West's Wat. Code Appen., § 63-1 et seq.) ("the Act), is the owner of portions of Marsh Creek, a watercourse that runs 30 miles from the eastern slope of Mt. Diablo to the San Joaquin Delta, including the portions of Marsh Creek referenced herein.

C. District has legal authority to enter into this Agreement under Section 5(b) of the Act. (West's Water Code Appen., § 63-5.)

D. On or about August 16, 2016, District, American Rivers and the Department of Water Resources of the State of California ("DWR") entered into Grant Agreement No. 4600011176 ("Grant Agreement"), in which DWR agreed to provide a grant in an amount not to exceed $744,404 to fund a portion of an estimated $2,738,954 in costs associated with the "Three Creeks Restoration Project" (hereafter "Grant Project"). American Rivers is the sponsor of the Grant Project, and District is the co-sponsor. American Rivers and District are collectively referred to in the Grant Agreement as the "Grantee."

E. The Grant Project generally involves the planning, design, environmental review, excavation, and planting of a segment of the Marsh Creek channel in the Brentwood area, along with associated project and construction management activities, community involvement, monitoring and maintenance. The channel segment in question begins at the Union Pacific Railroad crossing over Marsh Creek and ends at the Marsh Creek confluence with Sand Creek, and will be referred to as the "Lower Reach." As set forth

in the Grant Agreement, construction would involve the removal of approximately 12,000 cubic yards of earth along 1,400 linear feet of the east bank of the creek, creating approximately one acre of new floodplain surfaces up to 40 feet in width. The new floodplains and east bank of the channel segment would then be planted with native riparian vegetation. Thereafter, the new vegetation would be monitored and maintained under a plan to be developed and agreed upon by the Parties.

F. The Grant Project is one of two projects in which the District is involved concerning Marsh Creek. The other is a project to increase stormwater conveyance capacity by widening the Marsh Creek channel upstream of the creek segment described in Recital E. In 2000, District completed the first phase of what, at that time, was a two-phase project to widen the channel from its confluence with Deer Creek to Summer Circle. The first phase segment began at Dainty Avenue and ended at Summer Circle. The second phase segment is to begin at the Deer Creek confluence and end at Dainty Avenue. This segment will be referred to as the "Upper Reach."

G. District and American Rivers now propose to link the channel widening project with the Grant Project. This would involve, first, adding a third creek segment to the widening project, beginning at the terminus of the Grant Project segment – the Sand Creek confluence – and ending at the Deer Creek confluence. This segment will be referred to as the "Middle Reach." The originally planned 15 feet of widening would then be expanded to approximately 30 feet to accommodate the planting of native riparian vegetation.

H. Under the revised proposal, in the Middle Reach, approximately 2,500 cubic yards of earth would be excavated along 800 linear feet of creek bank, creating floodplains up to 15 feet in width. Similar to the Grant Project, native riparian plantings would be planted and established. Other work and improvements are also proposed for the Middle Reach, including (1) the relocation of the Marsh Creek trail; (2) acquisition of fee title to an approximately one-half acre portion of a 10.2 acre parcel on the west side of Marsh Creek, between Sand Creek and Deer Creek, formerly known as the "Griffith Parcel" and now commonly known as the "Hancock Parcel" (APN 017-110-011), which is needed for the widening of this creek segment; acquisition of land rights to use other undeveloped portions of the Hancock Parcel as a as a staging area and for placement of excavated material; and (3) construction of a clear-span pedestrian bridge. The work and improvements described in this Recital will be collectively referred to as the "Middle Reach Work." Similar to the Grant Project, the plantings in the Middle Reach would be monitored and maintained under a plan to be agreed upon by the Parties.

I. In the Upper Reach, the revised proposal calls for approximately 10,500 cubic yards of earth to be excavated along 1600 linear feet of creek bank, creating floodplains up to 15 feet in width, and native riparian plantings would be planted, established, monitored and maintained in accordance with an agreed-upon plan. Other work and improvements in the Upper Reach include (1) construction of a retaining wall on the west bank at Central

Avenue and (2) relocation of the Marsh Creek trail. The work and improvements described in this Recital will be collectively referred to as the "Upper Reach Work." Similar to the Grant Project, the plantings in the Upper Reach would be monitored and maintained under a plan to be agreed upon by the Parties.

J. The planning, design, environmental review and construction of the Middle Reach Work and the Upper Reach Work, and the associated monitoring and maintenance, will be referred to as the "Marsh Creek Widening Project."

K. District and American Rivers also propose to revise the improvements planned for the Lower Reach from what is described in the Grant Agreement. Under this proposal, approximately 4,655 cubic yards of earth would be excavated along 1600 linear feet of the east bank of the channel and approximately 8,065 cubic yards would be excavated to incorporate an existing water quality basin into the Project. Additional improvements would include a new unpaved foot-trail within the new floodplain, and improvements to the City of Brentwood's Sungold Park, including a trail, landscaping and a creek overlook area. The modifications described in this Recital will be referred to as the "Lower Reach Work Modifications."

L. The Grant Project, Marsh Creek Widening Project and Lower Reach Work Modifications are collectively known as the "Three Creeks Parkway Restoration Project" and will be referred to in this Agreement as the "Project."

M. The purpose of this Agreement is to set forth the respective obligations of the Parties that would become effective upon the District's approval of the Project.

NOW, THEREFORE, for and in consideration of the mutual promises and agreements contained herein, the Parties agree as follows.

AGREEMENT

1. Term. This Agreement becomes effective on the Effective Date and continues in full force and effect until terminated in accordance with Section 19.

2. Condition Precedent. Party obligations set forth in this Agreement take effect only upon District's approval of the Project.

3. American Rivers Grant Project Obligations.

a. American Rivers will be solely responsible to DWR for ensuring compliance with, and shall comply with, all obligations of American Rivers and District, either individually or collectively as the Grantee, that are set forth in the Grant Agreement, including without limitation all tasks described in the Work Plan attached to the Grant Agreement as Exhibit A, except as otherwise set forth in this Agreement.

b. American Rivers will promptly provide District with copies of all reports submitted by American Rivers to DWR under the Grant Agreement.

4. Environmental Review. District will serve as lead agency and satisfy all applicable environmental review requirements applicable to the Project under the California Environmental Quality Act (CEQA).

5. Design.

a. Plans and specifications.

(1) Preparation. American Rivers will prepare two sets of final (100%) plans, specifications and cost estimates for the Project. One set of plans, specifications and cost estimates will pertain to the civil/earth work generally described in Exhibit A, attached hereto and incorporated herein by reference, and will be referred to as the "Civil Set." The second set of plans, specifications and cost estimates will pertain to the landscaping work generally described in Exhibit B, attached hereto and incorporated herein by reference, and will be referred to as the "Landscaping Set." Plans and specifications must conform to industry standards and be in accordance with this Agreement, the current Contra Costa County Public Works Department Standard Plans, the Caltrans Standard Plans (2015), and the State of California Standard Specifications (2015).

(2) Warranty. American Rivers warrants that the plans will be adequate to accomplish the Project, and if they prove to be inadequate in any respect, American Rivers shall make whatever changes are necessary to accomplish the Project, subject to District review and approval.

(3) District Review and Approval. American Rivers will obtain District's approval of the Civil Set and Landscape Set before solicitation of any bids or selection of any contractors to perform any Project Work. The plans and specifications contained in the approved Civil Set will be referred to as the "Civil Plans." The approved plans and specifications contained in the approved Landscaping Set will be referred to as the "Landscaping Plans." The improvements set forth in the Civil Plans will be referred to as the "Civil/Earth Work." The improvements set forth in the Landscaping Plans will be referred to as the "Landscaping Work." The Civil/Earth Work and Landscaping Work may be referred to collectively as the "Project Work."

b. Changes.

(1) After Civil Plans have been approved by District, field orders or change orders that affect the original design upon which the Civil Plans are based, the intent of the original design, or American Rivers' share of costs, require American Rivers' advance approval in writing. Civil/earth work that is not set forth in the approved Civil Plans, but is agreed to in advance in writing by the Parties, will be referred to as "Additional Civil/Earth Work."

(2) After Landscaping Plans have been approved by District, field orders or change orders that affect the original design upon which the Landscaping Plans are based, the intent of the original design, or costs, require District's advance approval in writing. Landscaping work that is not set forth in the approved Landscaping Plans, but is agreed to in advance in writing by the Parties, will be referred to as "Additional Landscaping Work."

(3) American Rivers will not change the Project's design professionals without first obtaining District's written consent.

6. Acquisitions.

a. District will utilize its best efforts to obtain fee title to an approximately half-acre portion of the Hancock Parcel that is approximately 30 feet in width and shares the length of the eastern boundary of the parcel, from Sand Creek to Deer Creek (the "Hancock Property"). Notwithstanding anything in this Agreement to the contrary, in the event the District fails to obtain the Hancock Property, District will have no obligation to construct any portion of the Middle Reach Work.

b. District will utilize its best efforts to acquire rights to use a different, undeveloped portion of the Hancock Parcel for the purpose of contractor staging and disposal of excavated material.

c. District will utilize its best efforts to acquire all rights of entry necessary to complete the Project.

d. Costs of acquisition of the above land and land rights will be paid as specified in Section 13 of this Agreement.

7. Contracting.

a. Selection.

(1) Civil/Earth Work. District will select and retain one or more contractors to perform the Civil/Earth Work, and provide any other labor or materials required to complete the Civil/Earth Work, in accordance with the Grant Agreement and all applicable legal requirements.

(2) Landscaping Work. American Rivers will select and retain one or more contractors to perform the Landscaping Work, and provide any other labor or materials required to complete the Landscaping Work, in accordance with the Grant Agreement and all applicable legal requirements. American Rivers will obtain District's approval of the contractor prior to execution of a contract between American Rivers and the contractor.

(3) Changes. American Rivers will not allow the substitution of Project contractors or subcontractors except with District's prior written consent.

b. Contracts.

(1) District contracts. To assist American Rivers in obtaining disbursements of funding under the Grant Agreement, in all of District's contracts for construction of Civil/Earth Work, District will require the contractor(s) to submit line item invoices that identify, by reference to the applicable reach and nearest station of Marsh Creek, the location of each unit of work.

(2) American Rivers contracts. In all of its contracts for construction of any Landscaping Work, American Rivers will include the following provision:

> "Pursuant to Labor Code section 1773, the Director of the Department of Industrial Relations has ascertained the general prevailing rates of wages per diem, and for holiday and overtime work, in the locality in which the Project work is to be performed for each craft, classification, or type of worker needed to execute the Project work. Contractor shall pay, and require all subcontractors to pay, at least these prevailing wage rates to all persons on the Project work."

8. Improvement Security. Prior to the commencement of any Project Work, American Rivers will provide as security to District:

a. Performance and Guarantee: Security in an amount equal to the sum of (1) 100% of the estimated cost of construction of the Landscaping Work and (2) $3,062,083, which is 100% of the estimated Civil/Earth Work costs to be reimbursed to District under Section 14.a. Such security shall consist of a corporate surety bond, in a form acceptable to District, issued by a surety admitted in California and naming District as co-obligee on the bond. With this security, American Rivers guarantees performance under this Agreement and acceptance against any defective materials or any unsatisfactory performance.

b. Payment: Security in an amount equal to 100% of the estimated cost of the Landscaping Work. Such security shall consist of a corporate surety bond, in a form acceptable to District, issued by a surety admitted in California and naming District as co-obligee on the bond. With this security, American Rivers guarantees payment to the contractor(s), to subcontractors, and to persons renting equipment or furnishing labor or materials to them or to American Rivers.

9. Insurance.

a. In all of its contracts for any Project Work, American Rivers will include provisions that require the contractor(s) to do all the following:

(1) Obtain, and maintain until completion of the Landscaping Work, Commercial General Liability Insurance, including blanket contractual (or contractual liability) coverage, broad form property damage coverage, and coverage for owned and non-owned

automobiles, with a minimum combined single-limit coverage of $1 million for all damages due to bodily injury, sickness or disease, or death to any person, and damage to property, including the loss of use thereof, arising out each accident or occurrence;

(2) Obtain, and maintain until completion of the Landscaping Work, Workers' Compensation Insurance pursuant to state law; and

(3) Provide endorsements, certificate(s) of insurance, or other evidence of insurance satisfactory to District, listing the coverages required under this Subsection, and naming District, Contra Costa County ("County"), City of Brentwood, East Bay Regional Park District and their governing bodies, officers, agents, and employees as additional insureds, and requiring 30 days' written notice to District and County of policy lapse or cancellation.

b. In addition, American Rivers will:

(1) Obtain prior to the commencement of any Landscaping Work, and maintain until District's acceptance of all Landscaping Work, Commercial General Liability Insurance, including blanket contractual (or contractual liability) coverage, broad form property damage coverage, and coverage for owned and non-owned automobiles, with a minimum combined single-limit coverage of $1 million for all damages due to bodily injury, sickness or disease, or death to any person, and damage to property, including the loss of use thereof, arising out of each accident or occurrence;

(2) Obtain prior to the commencement of any Landscaping Work, and maintain until District's acceptance of all Landscaping Work, Workers' Compensation Insurance pursuant to state law; and

(3) Provide to District endorsements, certificate(s) of insurance, or other evidence of insurance satisfactory to District listing the coverages required under this Subsection, and naming District, County, City of Brentwood, East Bay Regional Park District and their governing bodies, officers, agents, and employees as additional insureds, and requiring 30 days' written notice to District and County of policy lapse or cancellation.

c. Before allowing its contractor(s) to begin any Landscaping Work, American Rivers will submit to District the evidence of insurance required under Subsections 9.a. and 9.b. and will obtain District's approval to begin work.

10. Indemnification.

a. Indemnification by Contractors. In all of its contracts for any Landscaping Work, American Rivers will include the following indemnification provisions:

(1) Contractor promises to and shall defend, indemnify, save, and hold harmless the indemnitees from the liabilities as defined in this section.

(2) The indemnitees benefitted and protected by this promise are District, County, City of Brentwood and East Bay Regional Park District and their respective elective and appointive boards, commissions, offers, agents and employees.

(3) The liabilities protected against are any and all claims, demands, causes of action, damages, costs, expenses, actual attorney's fees, losses, or liabilities arising out of or in connection with the actions defined below for personal injury, sickness, disease, emotional injury, death, property damage (including loss of use), trespass, nuisance, inverse condemnation, patent infringement, or any combination of these, regardless of whether or not such liability, claim, or damage was foreseeable at any time before District approved the improvement plans or accepted the improvements as completed, and including the defense of any suit(s) or action(s) at law or equity concerning these.

(4) The actions causing liability are any act or omission (negligent or non-negligent) in connection with the matters covered by this contract and attributable to Contractor, subcontractor(s), supplier(s), trucker(s), anyone for whose acts Contractor may be liable, or any officer(s), agent(s), or employee(s) of one or more of them.

(5) The promise and agreement in this section is not conditioned or dependent on whether or not any indemnitee has prepared, supplied, or approved any plan(s), drawing(s), specification(s), or special provision(s) in connection with this work or has insurance or other indemnification covering any of these matters.

(6) Except as prohibited by Civil Code section 2782, Contractor's obligations under this section shall exist regardless of the existence or degree of fault of District or any other indemnitee.

(7) Contractor's obligations under this section shall extend to claims arising after the work is completed and accepted if the claims are related to alleged acts or omission that occurred during the course of the work. District's inspection is not a waiver of full compliance with these requirements.

(8) Contractor and Contractor's insurance carrier(s) shall respond within 15 days to the tender of any claim for defense and indemnity by District or County, unless this time has been extended by the indemnitee.

(9) With respect to third-party claims against Contractor, Contractor waives all rights of any kind to express or implied indemnity against the indemnitees.

(10) Nothing in this section is intended to establish a standard of care owed to any third party or to extend to any third party the status of third-party beneficiary.

b. <u>Indemnification by American Rivers</u>.

(1) To the extent not covered by the defense and indemnification provided by its contractor(s), American Rivers will defend, indemnify, save, and hold harmless District and

County and their officers, agents, and employees the same as required of the contractor(s) as described in Subsection 10.a., except that American Rivers' obligations shall also include any act or omission (negligent or non-negligent) attributable to American Rivers or its officers, agents or employees.

(2) American Rivers will defend, indemnify, save, and hold harmless District and its officers, agents, and employees from and against any and all claims, demands, causes of action, damages, costs, expenses, actual attorney's fees, losses, or liabilities arising from American Rivers' acts or omissions under this Agreement or the Grant Agreement.

c. Indemnification by District.

District will defend, indemnify, save, and hold harmless American Rivers and its officers, agents, and employees from and against any and all claims, demands, causes of action, damages, costs, expenses, actual attorney's fees, losses, or liabilities arising from District's acts or omissions under this Agreement or the Grant Agreement.

11. Permits.

a. American Rivers will apply for one or more encroachment permits from District to authorize the performance of the Landscaping Work, and all monitoring and maintenance thereof to be performed by American Rivers.

b. District will apply for all required permits, certifications and approvals for the Project from federal and state agencies, and local agencies other than District. American Rivers will prepare and provide to District all applications and other documents necessary for District to apply for and obtain the above described permits, certifications and approvals.

c. Permit costs will be paid in accordance with Section 13 of this Agreement.

12. Improvements.

a. Civil/Earth Work. After the issuance of all permits, certifications and approvals required for the Civil/Earth Work, District, by and through itself and its contractor(s), will complete the Civil/Earth Work in accordance with the Civil Plans, and will complete the Civil/Earth Work and any Additional Civil/Earth Work in a good and workmanlike manner, in accordance with accepted construction practices, the County Public Works Department Standard Plans and the Caltrans Standard Specifications (2015). Where there is a conflict between any of the foregoing, the stricter requirements shall govern.

b. Landscaping Work. After the issuance of all permits, certifications and approvals required for the Landscaping Work, American Rivers, by and through itself and its contractor(s), will complete the Landscaping Work in accordance with the Landscaping Plans, and will complete the Landscaping Work and any Additional Landscaping Work in a good and workmanlike manner, in accordance with accepted construction practices, the County Standard

Plans and the Caltrans Standard Specifications (2015). Where there is a conflict between any of the foregoing, the stricter requirements shall govern.

c. Guarantee and Warranty. American Rivers guarantees that all Landscaping Work will be free from defects in materials or workmanship and shall perform satisfactorily for a period of three years from after the Board of Supervisors accepts the Landscaping Work as complete. American Rivers agrees to promptly correct, repair, or replace, at its sole expense, any and all defects in the Landscaping Work, including without limitation any and all dead or dying vegetation.

d. No Waiver. Inspection of the Landscaping Work or materials, or approval of the Landscaping Work or materials, or statement by any officer, agent, or employee of District or County indicating that the Landscaping Work or any part of it complies with the requirements of this Agreement, or acceptance of the whole or any part of the Landscaping Work or materials, or any combination or all of these acts, shall not relieve American Rivers of its obligation to fulfill this Agreement as prescribed. Nor shall District be estopped by any such acts from bringing any action for damages arising from the failure to comply with any of the terms and conditions of this Agreement.

13. Costs.

a. American Rivers' Responsibility. Except for costs for which District is responsible as set forth in Section 13.b., American Rivers will be responsible for, and pay when due, all costs of the Project ("Project Costs"). Project Costs include, without limitation, any and all costs incurred by American Rivers and District, either prior to or after the Effective Date, in the planning, coordination, design, environmental review and mitigation, permitting, construction, monitoring and maintenance activities and acquisitions associated with the Project.

b. District's Responsibility.

(1) Environmental Review Costs. District is responsible for a total of 50 percent of the environmental review costs related to the Project. Of this amount, $25,000 will be allocated to the Grant Project, in accordance with the Grant Agreement. American Rivers is responsible for the remaining share of the environmental review costs.

(2) Acquisition Costs. District will be responsible for 50 percent of the cost of acquisition of the Hancock Property. All other costs of acquisition of the Hancock Property, and all other costs of acquisition of the land rights referenced in Sections 6.b. and 6.c., will be the responsibility of American Rivers.

(3) Permitting Costs. District will be responsible for 50 percent of the cost of all permits obtained by District for the Project. American Rivers will be responsible for the remaining share.

(4) Civil/Earth Work Costs.

(a) District will pay, when due, all costs owed to persons who contract with the District to perform Civil/Earth Work or Additional Civil/Earth Work on the Project.

(b) District is responsible for a share of the cost of completion of the Civil/Earth Work within the Middle Reach and Upper Reach of the Project ("District Civil/Earth Work Cost Share"). American Rivers will be responsible for the remaining share. American Rivers will also be responsible for the entire cost of completion of Civil/Earth Work within the Lower Reach. District's share will be calculated as follows:

(i) During construction of the Civil/Earth Work in the Middle Reach and Upper Reach, the District Civil/Earth Work Cost Share will be calculated based on assigned percentages for each item of work performed, as set forth in Exhibit C, attached hereto and incorporated by reference. Assigned percentages have been determined based on estimated work quantities and an agreed-upon analysis of the Party's proportional shares of the Middle Reach Work and Upper Reach Work.

(ii) After the Parties have agreed that the Civil/Earth Work in the Middle Reach and Upper Reach is complete, District will recalculate the percentages shown in Exhibit C, using actual quantities instead of estimated quantities, and then use those percentages to calculate District's adjusted share of the actual Civil Earth/Work costs incurred in the Middle Reach and Upper Reach ("Adjusted District Civil/Earth Work Cost Share"). If the Adjusted District Civil/Earth Work Cost Share is more than the sum of Civil/Earth Work costs related to the Middle Reach and Upper Reach that have been previously reimbursed to District, American Rivers will promptly pay the difference to District. If the Adjusted District Civil/Earth Work Cost Share is less than the sum of Civil/Earth Work costs related to the Middle Reach and Upper Reach that have been previously reimbursed to District, District will promptly pay the difference to American Rivers.

(c) District will be responsible for the share of the cost of completion of Additional Civil/Earth Work that the Parties agree in advance in writing that the District should pay. American Rivers will be responsible for the remaining share. The procedure set forth in Section 13.b.(4)(b)(ii) does not apply to Additional Civil/Earth Work costs.

(5) Project Management Costs. District will be responsible for 100 percent of its project management costs related to Civil/Earth Work in the Middle Reach and Upper Reach.

(6) Construction Management Costs. District will be responsible 34.7 percent of its construction management costs related to Civil/Earth Work in the Middle Reach and Upper Reach. American Rivers will be responsible for the remainder of District's construction management costs.

(7) Design Engineering Costs. District will be responsible for 29.4 percent of the cost of design engineering incurred by American Rivers that pertain to the Middle Reach and Upper Reach. American Rivers will be responsible for the remainder of its design engineering costs.

14. Reimbursements.

a. Reimbursements to District. All Project Costs incurred by District, other than Project Costs for which District is responsible under Section 13.b., are reimbursable to District ("Reimbursable Costs"). District will provide American Rivers with quarterly invoices that set forth District's Reimbursable Costs. District's invoices will be a format acceptable to American Rivers, and include such detail that American Rivers requests to substantiate its requests to DWR and other entities for grant disbursements. Prior to any work on the Project, American Rivers will provide District with a written explanation of the required invoice details and format. Within 60 days of receipt of an itemized invoice from District that identifies Reimbursable Costs, American Rivers will remit payment in full to District. American Rivers' obligation to reimburse District exists without regard to the status of requests by American Rivers to DWR or any other entities for grant disbursements or other monies to pay for these costs. In the event that American Rivers disputes a District invoice, the Parties agree to work together cooperatively to resolve the dispute and, if necessary, utilize alternative dispute resolution processes before seeking judicial intervention.

b. Reimbursements to American Rivers.

(1) American Rivers will provide District with an invoice for District's share of American Rivers' design engineering costs described in 13.b.(6). District will pay the invoice by deducting the balance due from one or more invoices to be provided by District to American Rivers under Section 14.a.

(2) If the environmental review costs incurred by American Rivers exceed its 50 percent share as described in Section 13.b.(1), American Rivers will provide District with an invoice for the difference, together with an accounting of all Project environmental review costs incurred by the Paries. District will pay the invoice by deducting the balance due from one or more invoices to be provided by District to American Rivers under Section 14.a.

15. Completion Deadline. Time is of the essence. American Rivers shall complete the Landscaping Work in accordance with the approved schedule under the Grant Agreement and in no event later than March 1, 2022. If American Rivers fails to complete the Landscaping Work by that date, and the Parties have not agreed in writing to an extension, District may proceed to complete the Landscaping Work, and in that event, American Rivers shall pay all costs of completing the Landscaping Work.

16. Monitoring and Maintenance.

a. Written Plan.

(1) Prior to the commencement of any Project Work, and in consultation with District, American Rivers will prepare and obtain District's approval of an Operations and Maintenance Manual and Monitoring Plan ("Plan") for the Project. The Plan will include all monitoring and maintenance tasks set forth in the Grant Agreement and, at a minimum, describe all of the following to the satisfaction of the Parties:

(a) Monitoring Component
- (i) Documentation of Project Area
- (ii) Development of vegetation monitoring plan
- (iii) Monitoring of topographic changes on floodplain channel
- (iv) Ten-year vegetation and geomorphic monitoring plan
- (v) Training of volunteers
- (vi) Routine monitoring requirements
- (vii) Party responsibilities

(b) Maintenance Component
- (i) Minimum maintenance during three-year establishment
- (ii) Retention of contractor to maintain and replace vegetation during three-year establishment and warranty period
- (iii) Terms of $150,000 long-term maintenance endowment
- (iv) Party responsibilities

b. Monitoring. The Parties will comply with their respective monitoring obligations under the approved Plan and as specifically set forth below:

c. Maintenance. The Parties will comply with their respective maintenance obligations under the approved Plan, including but not limited to the following:

(1) Commencing with approval of the Project by the District Board, American Rivers will provide three years of Project planting maintenance, including the limitation of invasive weeks and replacement of unsuccessful plantings with the same or similar species. District will assume all maintenance obligations following the three-year period.

(2) Prior to approval of the Project, American Rivers will establish and fund a $150,000 endowment for the purpose of funding long-term maintenance of Project plantings, to be controlled by District and utilized in accordance with the terms set forth in the Plan.

17. Documents; Accounting. Within 30 days of a written request by District, American Rivers will provide a written accounting of Project costs incurred in the preceding 30 days or other period of time specified by District, in a format acceptable to District.

18. Modification. This Agreement may be modified or amended only in a writing executed by the Parties.

19. Termination. This Agreement may be terminated by mutual, written consent of the Parties. Subsection 10.b. and 10.c. of this Agreement shall survive the termination of this Agreement.

20. Notices. All notices under this Agreement (including requests, demands, reports, approvals or other communications) will be in writing. A notice will be deemed to have been duly given and received when delivered by hand to the respective Party to whom the notice is directed, or when deposited by registered or certified mail, postage prepaid, in a sealed envelope addressed to the Party at its address as set forth below:

American Rivers: American Rivers, Inc.
120 Union Street
Nevada City, CA 95959
Attn: John Cain, Director of Conservation, CA Flood Management

District: Contra Costa County Flood Control and Water Conservation District
255 Glacier Drive
Martinez, CA 94553
Attn: Tim Jensen, Assistant Chief Engineer

A party may designate, by written notice to the other, a different address for notice.

21. Waiver. No waiver of any provision of this Agreement will be binding unless executed in writing by the Party making the waiver. No waiver of any provision of this Agreement will be deemed, or constitute, a waiver of any other provision, whether or not similar, nor will any waiver constitute a continuing waiver.

22. Assignment. This Agreement may not be assigned, assumed, pledged, or hypothecated without the advance, written consent of the other Party. Any attempt to circumvent this requirement shall be void and unenforceable.

23. No Third Party Beneficiaries. This Agreement is not intended to confer upon any person other than the Parties any rights or remedies thereunder and no person or entity other than the Parties shall have standing to enforce this Agreement.

24. Entire Agreement. This Agreement, together with the Grant Agreement, contains the entire understanding of the Parties relating to the subject matter of this Agreement, and supersedes all prior and contemporaneous agreements, representations and understandings of the Parties. Any alleged promise or representation by either Party shall be unenforceable unless it is set forth in this Agreement or in another written agreement or permit signed by the Parties.

25. Counterparts. This Agreement may be executed in counterparts and so executed shall constitute an Agreement which shall be binding upon all Parties hereto. A photocopy of the fully executed Agreement shall have the same force and effect as the original.

26. Signatures. By affixing his/her signature below, each of the persons signing this Agreement warrants and represents that he/she has read and understands this Agreement, that in signing on behalf of a Party he/she has full and complete authority from that Party to bind said Party to perform and comply with each and every term, obligation, condition and covenant set forth in this Agreement, and that the Party on behalf of whom he/she signs agrees to be bound by its terms.

CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By: _____
Brian M. Balbas
Chief Engineer

Approved as to Form:

Sharon L. Anderson
County Counsel

By: _____
Deputy

Attachments:
Exhibits A-C

AMERICAN RIVERS, INC.

By: _____
W. Robert Irvin
President

By: _____
Kristin M. May
Chief Financial Officer

Approved as to Form:

By: _____
Name_____
Title: _____

Attorneys for American Rivers

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Exhibit A

Project Civil/Earth Work

The Project's Civil/Earth Work will include approximately 26,000 cubic yards of excavation along approximately 4,000 linear feet of Marsh Creek, creating up to 1.0 acre of frequently inundated floodplain, 1.87 acres of woody riparian vegetation and 1.87 acres of grasslands and native scrub in the Lower Reach, Middle Reach and Upper Reach segments of the creek collectively. Improvements will be consistent with the Project descriptions set forth in the approved Mitigated Negative Declaration/Initial Study for the Project and Addendum 1 thereto. Specific work in each segment will include all of the following:

Lower Reach Work

- Excavation of approximately 13,000 cubic yards of earth along approximately 1,600 linear feet of the eastern bank, with no more than 4.25 acres of total area disturbed
- Creation of floodplains/benches 10 to 40 feet wide, with slopes of typically 3:1 or less, but never more than 2:1 maximum
- Creation of creekside mulch path in vicinity of a .7-acre linear water quality/detention basin located between Carmel Estates/Sungold Park and Marsh Creek ("Basin")
- Removing fences around the Basin and reinstallation of fence along western length of Basin
- Construction of new trail/access road in City of Brentwood Sungold Park
- Lowering eastern berm of Basin
- Construction of creek overlook with seating and interpretive area
- Reconfiguration of trail and access road at Sungold Park.
- Installation of permanent slope protection in the form of erosion control matting, armor, biotechnical methods or appropriate ground cover

Middle Reach Work

- Excavation of approximately 2,500 cubic yards of earth along 88 linear feet along both banks, with no more than 1.0 acre of total area disturbed
- Creation of floodplain benches of varying widths with slopes ranging from 2:1 to 3:1
- Construction of clear-span pedestrian bridge just upstream of Marsh Creek confluence with Sand Creek, near northeastern corner of Griffith parcel, approximately 10 feet wide and 1000 feet long

- Relocation of Marsh Creek trail to new top of eastern bank
- Construction of temporary creek crossings to facilitation construction access between east side of Marsh Creek and Griffith Parcel, consisting of culverts up to 60 feet in length

Upper Reach Work

- Approximately 10,500 cubic yards of excavation along 1,600 linear feet, with no more than 2.1 acres of total area disturbed
- Creation of flood plains/benches with widths ranging from 3 to 15 feet and slopes of 2:1 or 3:1
- Relocation of Marsh Creek trail to new top of eastern bank
- Installation of 250-foot retention wall along west bank at Central Boulevard
- Installation of permanent slope protection such as erosion control matting or other biotechnical methods on all benches and slopes

Exhibit B

Project Landscaping Work

Landscaping improvements by American Rivers are proposed in the Lower Reach, Middle Reach and Upper Reach of the Project. Improvements will be consistent with the Project descriptions set forth in the approved Mitigated Negative Declaration/Initial Study for the Project and Addendum 1 thereto, and include all of the following:

● The planting of native wetland forbs, grasses, shrubs and trees within approximately 3.5 acres along approximately 4,000 linear feet of Marsh Creek, as follows:

■ The planting of riparian trees along the banks, including valley oak, sycamore, live oak, blue oak, box elder, buckeye, cottonwood and willow.

● The planting of slopes and banks with grassland and scrub species, including creeping wild rye, California brome, purple needlegrass, dense-flowered lupine, mugwort, common fiddleneck, elegant clarkia and California poppy.

● The planting of floodplain areas with seasonal wetland species, including creek clover, Baltic rush and deer sedge.

● The installation of interpretive signs

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Exhibit C

The following table sets forth descriptions of labor and materials required to complete the Civil/Earth Work in the Middle Reach and Upper Reach of the Three Creeks Restoration Project. Costs of the Civil/Earth Work will be shared between District and American Rivers. Cost shares have been determined for each of the following items. For the purpose of calculating reimbursable shares to be invoiced during construction, District's share of costs for each item will be determined by multiplying the actual cost of the item by the applicable percentage shown below for that item. The remaining share would be reimbursable by American Rivers. These cost shares apply only to bid items in quantities that do not exceed the quantities set forth in the Civil Set.

Example: District will be responsible for 67 percent of the cost of the channel excavation within the Middle Reach and Upper Reach (Item 10). The remaining share would be reimbursable by American Rivers.

Item No.	Item Description	District's Share (%)
1	Mobilization	35%
2	Traffic Control System	35%
3	Job Site Management	35%
4	Prepare Water Pollution Control Program	35%
5	Temporary Silt Fence	100%
6	Temporary Construction Roadway (Stream Crossing)	100%
7	Remove Concrete	0%
8	Clearing And Grubbing	33%
9	Surplus Soil Placement	25%
10	Channel Excavation	67%
11	Rock Excavation	100%
12	Structure Excavation (Riprap Trench)	100%
13	Structure Excavation (Rock Slope Protection)	100%
14	Site Boulders	0%
15	Rootwad	0%
16	6" Plastic Pipe (Schedule 40)	0%
17	Fiber Rolls	100%
18	Class 2 Aggregate Base	15%
19	Hot Mix Asphalt (Type A)	0%
20	Remove Asphalt Concrete Pavement	0%
21	Remove Base And Surfacing	24%
22	Retaining Wall (Soldier Pile Wall)	100%
23	Steel Soldier Pile (W 8 X 24)	100%
24	Steel Soldier Pile (W 10 X 33)	100%
25	Steel Soldier Pile (W 12 X 53)	100%
26	24" Drilled Hole	0%
27	24" Cast-In-Drilled-Hole Concrete Piling	0%
28	Structural Concrete, Bridge Footing	0%
29	Minor Concrete (Minor Structure, Type J Inlet)	100%

30	Furnish Prefabrication Steel Bridge	0%
31	Erect Prefabricated Steel Bridge	0%
32	Remove Pedestrian Barricade (Bollard)	100%
33	Remove Retaining Wall (Wood)	100%
34	12” Plastic Pipe (Storm Drain, HDPE)	0%
35	18” Plastic Pipe (Storm Drain, HDPE)	0%
37	Class 2 Permeable Material	0%
39	Remove Pipe (Storm Drain)	100%
40	Remove Headwall	0%
41	Remove Manhole (Storm Drain)	0%
42	Adjust Manhole To Grade (Storm Drain)	0%
45	Rock Slope Protection (1/2 T, Class VII, Method A)	100%
46	Rock Slope Protection (60 LB, Class II, Method B)	100%
47	Concreted Rock Slope Protection (60 LB, Class II, Method B) (C	0%
48	Minor Concrete (Bridge Deck)	0%
50	Minor Concrete (Sidewalk)	0%
51	Temporary Fence (Type CL-6)	100%
52	Remove Chain Link Fence	0%
53	Pedestrian Railing	100%
54	Midwest Guardrail System (Wood Post)	100%

Addendum No. 1

Three Creeks Parkway Restoration Project Mitigated Negative Declaration

The following Addendum has been prepared in compliance with CEQA.

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1.0 INTRODUCTION

The Three Creeks Parkway Restoration Project in Brentwood, Contra Costa County is a project that is jointly proposed by the Contra Costa County Flood Control and Water Conservation District ("the District" or "CCCFCWCD") for flood protection and American Rivers, a national non-profit organization that protects wild rivers, restores damaged rivers and conserves clean water for people and nature. The California Environmental Quality Act (CEQA) (Pub. Resources Code, Section 21000, et seq.) requires local governments to conduct environmental review on public and private development projects. On September 27, 2016, the Contra Costa County Board of Supervisors adopted an Initial Study/Mitigated Negative Declaration for the project ("2016 IS/MND") (State Clearinghouse No. 2016082008) (on file with the District) on the basis of an Initial Study that was prepared and circulated for 30 days, pursuant to Section 15063 of the *CEQA Guidelines* (Title 14, California Code of Regulations, Sections 15000 et seq.). The project evaluated included proposed improvements to an approximately 4,000 linear foot section of Marsh Creek for flood conveyance capacity by widening the channel with a floodplain and floodplain benches and restoration of native vegetation of the creek banks and floodplain ("original project"). While the IS/MND was adopted by the County Board of Supervisors, the proposed project was not approved at that time.

Since then, there have been a few additions to the original project design. These include: (1) the incorporation of an existing water quality basin adjacent to the lower reach of Marsh Creek and improvements to the adjacent City of Brentwood Sungold Park, (2) the use of an adjoining parcel adjacent to the middle reach as a staging area and to place excavated materials, (3) the construction of a clear-span pedestrian bridge, and (4) the use of temporary creek crossings during construction ("updated project"). These proposed additions include a total of approximately 13.45 acres on three parcels that abut the original project area for the evaluation of the updated project.

2.0 PURPOSE OF ADDENDUM

The purpose of this Addendum is to analyze potential impacts that may result from the proposed additions to the original project and to document that the 2016 IS/MND for the original project adequately addresses the potential environmental impacts of the updated project pursuant to CEQA (Pub. Resources Code, Section 21000, et seq.), and that no subsequent or supplemental environmental document is required.

CEQA Guidelines Section 15164(b) states that an addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

CEQA Guidelines Section 15162(a) provides guidance in this matter and states that "when an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

> (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
>
> (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
>
> (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
>
>> (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
>>
>> (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
>>
>> (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
>>
>> (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more

> significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative."

CEQA Guidelines Section 15164(d) provides that the decision-making body shall consider the addendum in conjunction with the adopted negative declaration prior to making a decision on the project.

Based on the analysis in this Addendum No. 1, the District concludes that the updated project would not result in any new significant adverse impacts, nor an increase in the severity of significant impacts previously identified in the 2016 IS/MND for the original project. Nor would the updated project require the adoption of any new or considerably different mitigation measures or alternatives. Therefore, this Addendum No. 1 is the appropriate form of environmental review required under CEQA and has been prepared to satisfy the requirements of *CEQA Guidelines* Sections 15162 and 15164.

3.0 PROJECT DESCRIPTION

3.1 Summary of the Original Project

The original project is a multi-benefit flood control and creek restoration project to improve flood conveyance capacity and restore native vegetation along an approximately 4,000 linear foot section of Marsh Creek which includes widening the channel with a floodplain and floodplain benches and planting with native vegetation. When implementation is complete, the project would include up to 1.0 acre of frequently inundated floodplain (seasonal wetland), 1.87 acres of woody riparian vegetation, and 1.87 acres of grasslands and native scrub. The project would also enhance habitat and recreation within the watershed.

3.2 Proposed Additions to the Original Project

The District and American Rivers propose to update the original project to incorporate an existing water quality basin and make improvements to the adjacent City of Brentwood Sungold Park, use an adjoining parcel as a staging area and to place excavated materials, construct a clear-span pedestrian bridge across Marsh Creek, and to use temporary creek crossings during construction (**Figure 1**).

As detailed in **Table 1**, the amount of excavation has slightly decreased since the original project due to changes in assumptions regarding how wide the channel could be excavated and project refinements as the design advanced. In addition, with regard to the proposed project

additions, about 5,000 cubic yards of material would be excavated to incorporate the water quality basin. Thus, an increase of 2,000 cubic yards would be excavated as compared to the original project. A total of approximately 26,000 cubic yards of excavated materials would be placed on the Griffith parcel under the updated project.

SOURCE: Restoration Design Group, Inc. 2017

FIGURE 1

IMPACT SCIENCES

Updated Project Site Plan

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Table 1
Excavated Fill Material (in cubic yards)

Reach	Original Project	Project Refinements	Proposed Project Additions	Updated Project
Upper Reach	5,500	+5,000	n/a	10,500
Middle Reach	3,500	-1,000	n/a	2,500
Lower Reach	15,000	-7,000	+5,000	13,000
Total Excavation	**24,000**	**-3,000**	**+5,000**	**26,000**

Source: Walkling, 2017.

(1) Lower Reach - Incorporation of Water Quality Basin

There is an existing 0.7-acre linear water quality/detention basin (Assessor Parcel 017-670-040) located between Carmel Estates/Sungold Park and Marsh Creek to detain runoff from the Carmel Estates residential development for treatment before discharge into Marsh Creek (**Figure 2)**. The detention basin is enclosed on all sides by a fence. This basin would be incorporated into the project by adding native vegetation including trees and shrubs, creating a creekside mulch path, removing the fences, and lowering the eastern berm of the basin and western bank of the creek (**Figure 2A**). This would allow flood waters from the creek to spill into the basin as needed. The western fence may be reinstalled along the western length of the basin. In addition, a new trail, which would also serve as a District maintenance access road, would be added to the adjacent City of Brentwood Sungold Park (017-670-039, 017-450-065). Other improvements, such as landscaping and a creek overlook with seating and an interpretive area, would be added to showcase the environmental benefits of the project (**Figure 2A**). The total area of improvements would be approximately 3.25 acres.

(2) Middle Reach – Staging Area and Excavated Material Placement on the Griffith Parcel

The Griffith parcel (also known as DLT Ventures or the Hancock parcel) is a 10.2 acre undeveloped property located between Sand and Deer Creeks adjacent to the west side of the middle reach of Marsh Creek (017-110-011) **(Figure 3)**. The Griffith parcel is bounded on the north, south, and east by channelized creek and to the west by private residential property. These lands are strictly uplands and are located above the top of bank of all three creeks. The vacant Griffith parcel would be used as a staging area and the placement of excavated material (26,000 cubic yards) for the updated project. The excavated material would be spread across the parcel to elevate the ground surface (**Figure 3A**).

(3) Middle Reach – Pedestrian Bridge

The updated project anticipates the pedestrian bridge would be installed just upstream of Marsh Creek's confluence with Sand Creek near the northeastern corner of the Griffith parcel (**Figure 3**). It is anticipated that the bridge would be 10 feet wide and approximately 100 feet long and would clear-span the creek (there would be no footings in the creek).

(4) Temporary Creek Crossings

The updated project anticipates up to six temporary creek crossings to facilitate construction access between the excavation areas on the east side of Marsh Creek and the Griffith parcel on the west side of Marsh Creek. Temporary creek crossings are proposed across Marsh Creek near the water quality basin in the lower reach, and across Sand, Marsh and Deer creeks to the Griffith parcel on the west bank (**Figure 1**). While Figure 1 shows four crossings locations, the actual number, locations, and design will be determined by the project contractor.

The creek crossings would be installed by placing a temporary culvert in the channel and then placing fill (i.e., clean gravel) that is wrapped in geotextile fabric over the culvert. The fabric would keep the fill separated from the creek environment and would make the removal clean and quick, as the fill would be kept separate from the creek bed materials. The fill material utilized would be free of silt or other contaminants. Each culvert could be up to 60 feet in length. Total area of each crossing would be approximately 2,500 square feet and each crossing would require approximately 600 cubic yards of fill material. The culverts would extend below the ordinary high water mark (OHWM) but fill would be expected to remain mostly above.

The creek crossings would be in place only during the grading operations. Upon completion of grading, the earthen fill, fabric, and pipe would be removed and the original channel conditions restored. As explained further in **Section 4.2** below, any surface flows in these channels at the time of installation would be uninterrupted and Best Management Practices (BMPs) would be in place to ensure there is no release of sediment downstream. However, at least one creek crossing is proposed to remain in place through restoration planting to connect the Griffith parcel on the west side of Marsh Creek with the east side of the creek.

The proposed additions would not affect the duration of project construction; as with the original project, the updated project would still be constructed over a period of approximately two months during the dry season (between April and October) when creek flows are low and the chance of precipitation is low. Plant restoration would occur afterwards (i.e., November to February).

SOURCE: Restoration Design Group, Inc. 2017

FIGURE 2

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Lower Reach Improvements

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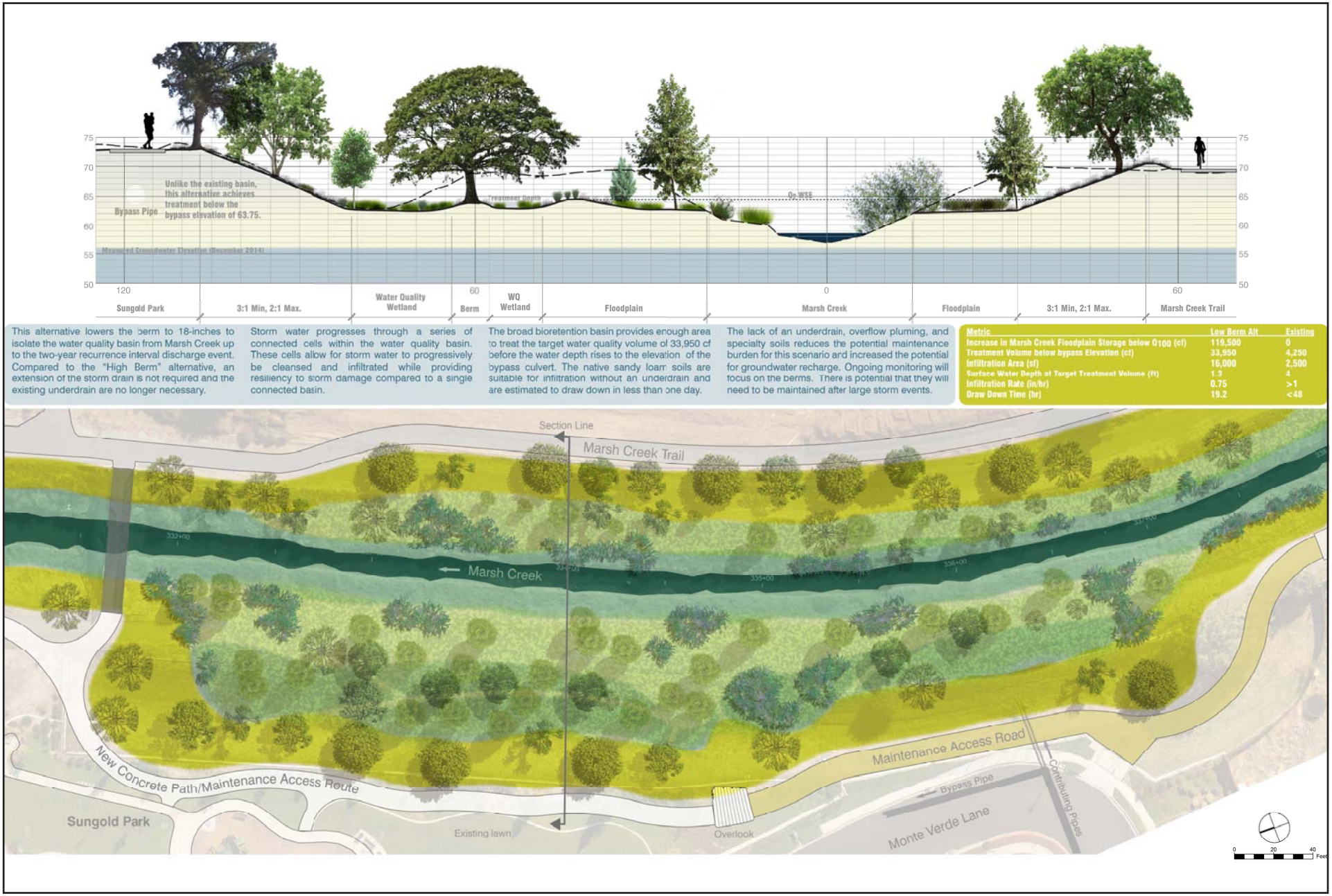

SOURCE: Restoration Design Group, Inc. 2017

FIGURE 2A

IMPACT SCIENCES

Incorporation of Water Quality Basin and Improvements to Sungold Park

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SOURCE: Restoration Design Group, Inc. 2017

FIGURE 3

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Middle Reach Improvements

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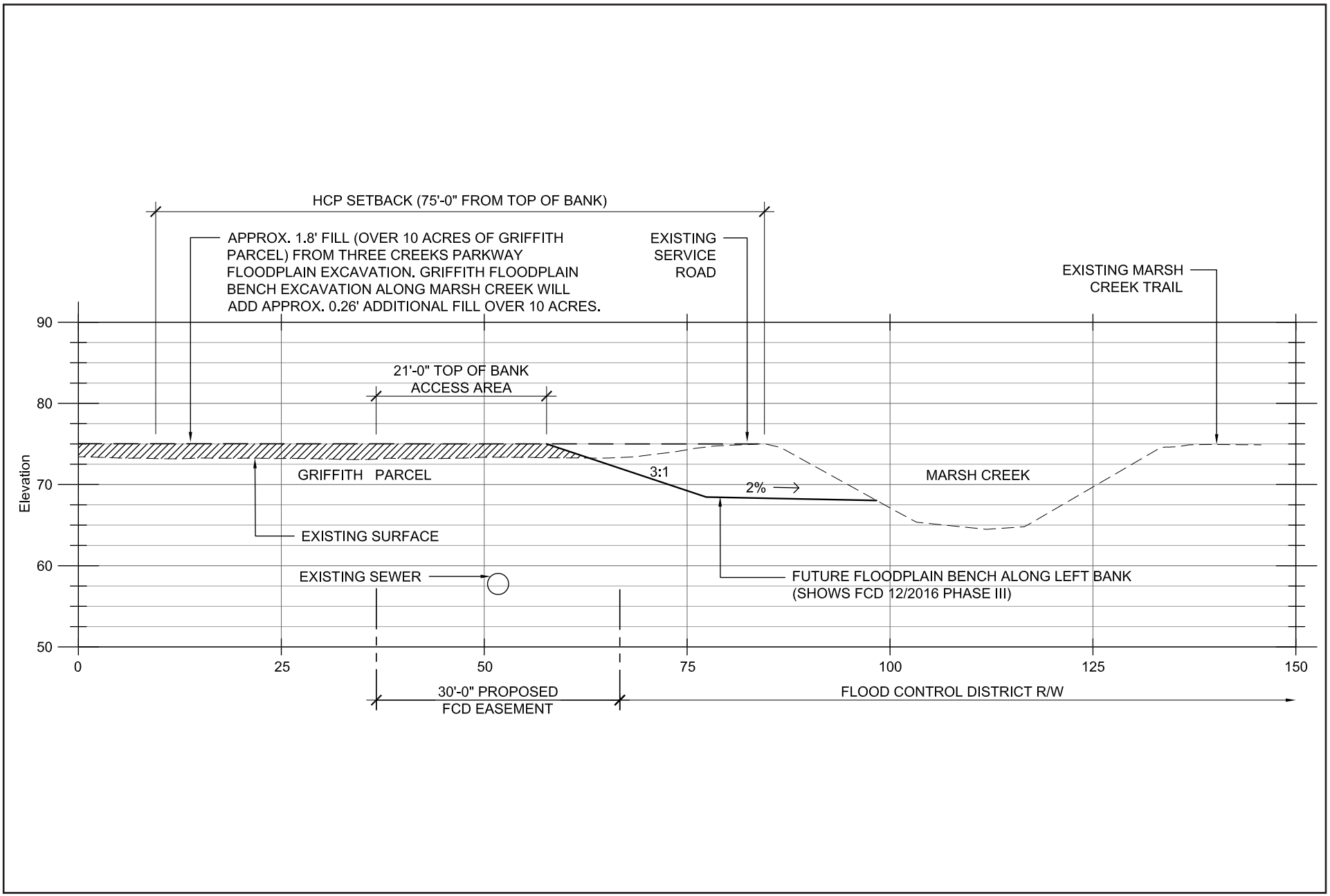

SOURCE: Restoration Design Group, Inc. 2017

FIGURE 3A

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Griffith Parcel Section

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4.0 ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT ADDITIONS

The 2016 IS/MND evaluated the potential environmental impacts of the original project under the 17 resource topics included in the CEQA Environmental Checklist. An examination of the proposed additions shows that the updated project would have the potential to affect the previous analysis for six of the 17 resource topics. Those six topics include air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, and noise. These six resource topics are examined further in detail in this Addendum. For the remaining 11 resource topics (aesthetics, agriculture and forestry resources, hazards and hazardous materials, hydrology/water quality, land use/planning, mineral resources, population/housing, public services, recreation, transportation/traffic, utilities/service systems), a brief explanation is provided below as to why they do not need to be examined in detail.

Aesthetics

Incorporation of the water quality basin, improvements to the adjacent City of Brentwood Sungold Park, and construction of the pedestrian bridge would not degrade the character of the project area but instead would enhance the aesthetic quality of the area. As the Griffith parcel is currently fallow and undeveloped, placing fill onto the parcel would not cause any significant visual changes. The proposed temporary creek crossings would be in place only during construction and the original channel conditions would be restored after the work is completed. Therefore, the updated project would not result in new or more severe aesthetic impacts; no further discussion in the Addendum is required.

Agriculture and Forestry Resources

The Farmland Mapping and Monitoring Program (FMMP) identifies the project site as Urban and Built-Up Land[1] (California Department of Conservation 2014) and thus, as with the original project, the updated project would not result in the conversion of land designated either as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural

---

1 Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

use. Therefore, the updated project would not result in new or more significant impacts on farmland; no further discussion in the Addendum is required.

Hazards and Hazardous Materials

According to an EnviroStor database search for known hazardous materials contamination, conducted on October 10, 2017, the project site is not located on a property associated with a hazardous site listed under Government Code Section 65962.5, also known as the Cortese List and thus as with the original project, the updated project would not create a significant hazard to the public or the environment associated with a hazardous site listed under Government Code Section 65962.5. Therefore the updated project would not result in new or more significant impacts related to hazardous materials; no further discussion in the Addendum is required.

Hydrology/Water Quality

Similar to the original project, the updated project would be constructed over a period of approximately two months during the dry season (between April and October) when creek flows are low and the chance of precipitation is low. The updated project would be subject to National Pollutant Discharge Elimination System (NPDES) requirements, and would be required to develop and implement a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP would identify measures (or BMPs) to be implemented during construction activities to control erosion and release of sediment and other pollutants. The SWPPP would also ensure that construction activities would not cause an exceedance of the Central Valley Regional Water Quality Control Board's (RWQCB) water quality standards. The updated project would not increase the amount of impervious surfaces over what was analyzed in the 2016 IS/MND. Therefore, the updated project would not increase the volume of runoff. Additionally, incorporation of the existing water quality basin would improve the water quality of Marsh Creek. Thus, the updated project would not result in new or more significant impacts related to hydrology and water quality; no further discussion in the Addendum is required.

Land Use and Planning

According to the City of Brentwood General Plan Land Use Map (2014), Marsh Creek is mapped as a waterway, Sungold Park is designated as Park (P), and the Griffith parcel and the area containing the water quality basin are designated as Residential-Low Density (R-LD). The updated project would not change the existing or the designated land uses of the affected parcels. Placing excavated fill onto the Griffith parcel would be consistent with the intended land use of the parcel since it would be utilized for development of low density residential housing. Utilizing the vacant and developed Griffith parcel as a temporary staging area would

not result in adverse land use impacts. Thus, the updated project would not result in new or more significant land use impacts; no further discussion in the Addendum is required.

Mineral Resources

There are no known mineral resources on the additional lands of the updated project site. No mineral extraction occurs or is known to have occurred on the updated project site. Therefore, the updated project would not result in new or more severe impacts related to mineral resources; no further discussion in the Addendum is required.

Population/Housing, Public Services, Recreation, Transportation/Traffic, Utilities/Service Systems

Incorporation of the water quality basin and the other proposed additions to the original project would not increase the area population and thus would not result in an increased demand for parks, public services, utilities, or energy resources nor result in increased traffic. The use of the Griffith parcel for a staging area and placement of excavated materials would, in fact, reduce vehicle trips during construction that would have resulted from traveling to a further staging area or off-hauling of excavated materials under the original project. Thus, the updated project would not result in new or more significant impacts related to any of these resource areas; no further discussion in the Addendum is required.

The impacts of the updated project as they relate to air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, and noise are examined further in detail below.

4.1 AIR QUALITY

4.1.1 Findings of the Adopted IS/MND

The 2016 IS/MND concluded that with mitigation, the original project would not result in significant air quality impacts or conflict with existing or future air quality planning efforts as follows:

- Construction emissions associated with excavation activities of approximately 24,000 cubic yards of material and associated off-haul trips for the original project were determined to be substantially below thresholds of significance for criteria pollutants. However, construction would result in significant short-term air quality impacts associated with particulate matter (dust). The 2016 IS/MND includes Mitigation Measure

AIR-1 to reduce impacts from dust generated by project construction to a less than significant level.

- Due to the size and nature of the original project, the potential was low for community health risk and hazards from construction-phase emissions of toxic air contaminants (TACs). However, sensitive receptors such as residences and a daycare center are located less than 50 feet, therefore the impact from TACs could be potentially significant and Mitigation Measure AIR-2 was set forth to ensure the impact would be less than significant. The daycare center has since been closed down and is no longer operating at this site.

- The impact from operational emissions of the original project would be less than significant as the land use would remain the same and minimal vehicle trips would be added related to monitoring and maintenance activities.

- Construction and operation would not cause or be affected by odors with incorporation of Mitigation Measure AIR-1 and AIR-2.

- Increases in temporary and long-term air pollutant emissions due to the original project would not result in a cumulatively considerable net increase of any of the pollutants for which the project region is in nonattainment status for federal or state ambient air quality standards with incorporation of Mitigation Measure AIR-1 and AIR-2.

4.1.2 Impact Analysis of Updated Project

The updated project would result in excavation of approximately 26,000 cubic yards of material, 2,000 cubic yards more than the original project. The original project planned for off-hauling the excavated materials approximately 5 miles off-site to the Dutch Slough project site in Oakley, but instead would be placed onto the adjacent Griffith parcel for the updated project.

Construction Phase Impacts

As stated above, the 2016 IS/MND found that construction phase emissions of the original project would be substantially below thresholds of significance for criteria pollutants. Due to the size and nature of the proposed small pedestrian bridge and up to six temporary creek crossings as well as the placement of excavated materials on Griffith parcel, the incremental emissions from additional construction activities would not be substantial enough to increase the total criteria pollutant emissions such that they would exceed the thresholds of significance

for criteria pollutants. Additionally, the 2016 IS/MND analysis of construction emissions included emissions that would be generated from the hauling of excavated materials to a site 5 miles away. With the updated project, even though an additional 2,000 cubic yards of materials would be excavated, instead of being off-hauled, all of the excavated materials would be deposited onto the adjacent Griffith parcel. Thus, the incremental emissions from additional excavation and ground disturbance would be offset by the elimination of off-hauling trips.

As with the original project, due to the scale and short duration of construction activities, there would be a low community health risk and hazard from construction-phase emissions of TACs associated with the updated project. However due to the proximity of sensitive receptors (residences) near the water quality basin and park improvement sites, Mitigation Measure AIR-2 would be implemented to ensure the impact would be less than significant.

In summary, the updated project would not substantially increase construction phase air quality impacts above what was analyzed in the 2016 IS/MND and the same mitigation measures would be implemented to ensure that the impact from the construction of the updated project would be less than significant.

Operational Impacts

Similar to the original project, the updated project would result in no change in land use and no significant permanent increase in vehicle trips. Therefore, similar to the conclusions of the 2016 IS/MND, operational emissions associated with the updated project would not change substantially from existing conditions, and would not exceed the applicable BAAQMD thresholds of significance for operational emissions. The impact from air pollutant emissions during operation would be less than significant.

Finding: The potential impacts of the updated project related to air quality would be similar to those analyzed in the 2016 IS/MND and no new or substantially increased substantially significant impacts would result. Thus, similar to the original project, the updated project would implement the mitigation measures for the original project to ensure construction-related impacts are reduced to a less-than-significant level. No new mitigation is required.

4.2 BIOLOGICAL RESOURCES

4.2.1 Findings of the Adopted IS/MND

The 2016 IS/MND concluded that with mitigation, the original project impacts would result in less-than-significant impacts on biological resources as follows:

- No special-status plant species are expected to occur on the project site due to the level of disturbance, the types of soils, lack of suitable habitat or substrate, and geographic isolation from known populations, and therefore, the impact was found to be less than significant.

- The potential exists for nine special-status wildlife species to occur on the project site and numerous other bird species that are protected under the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGC) to be present – silvery legless lizard, California red-legged frog, Pacific (western) pond turtle, Chinook salmon, steelhead (Central Valley distinct population segment [DPS]), burrowing owl, white-tailed kite, loggerhead shrike, Swainson's hawk, and many other migratory bird species. Implementation of Mitigation Measures BIO-1, BIO-2, and BIO-3 would reduce impacts to a less-than-significant level.

- Impact on sensitive natural communities and riparian habitat would be less than significant.

- Marsh Creek is expected to qualify as a water of the U.S. and a water of the State. Thus, impacts would result to jurisdictional waters and Mitigation Measure BIO-4 would be implemented to reduce the impact to less than significant.

- Implementation of Mitigation Measure BIO-2 would ensure that temporary impacts to wildlife movement would be less than significant.

- Would not conflict with local policies, ordinances protecting biological resources, or provisions of an adopted HCP/NCCP.

4.2.2 Impact Analysis of Updated Project

The updated project would have similar impacts as the original project. In August 2017, Wood Biological Consulting performed a site reconnaissance survey of the additional areas of disturbance for the updated project, including the water quality basin, the area where there

would be improvements to Sungold Park, and the Griffith parcel as summarized below. The survey report is on file with the District.

Special-Status Plant Species

The survey report concluded that there was potential of occurrence for two additional special-status plant species based on an updated search of the California Natural Diversity Database (CNDDB). Similar to the conclusions of the 2016 IS/MND, the survey report concluded that the presence of all special-status plants can be ruled out due to a lack of suitable habitat or substrate, geographic isolation from known populations, or the fact that they would have been detectable during the survey performed. Therefore, as with the original project, the updated project would not result in an impact on special-status plant species.

Special-Status Wildlife Species

The survey report concluded that there was potential of occurrence for five additional special-status wildlife species based on an updated search of the CNDDB. Similar to the conclusions of the 2016 IS/MND, implementation of the updated project could affect four federally and/or state listed, candidate or fully protected wildlife species including California red-legged frog, Central Valley steelhead, Swainson's hawk, and white-tailed kite, and five special-status wildlife species, including burrowing owl, Chinook salmon, loggerhead shrike, Pacific pond turtle, and silvery legless lizard. Mitigation Measures BIO-1 through BIO-3 in the 2016 IS/MND would still apply to the updated project to reduce the impact to a less-than-significant level.

Jurisdictional Waters

As noted in the 2016 IS/MND, Marsh Creek is expected to qualify as a water of the U.S. and a water of the State and some of the modifications to Marsh Creek would affect jurisdictional waters. Mitigation Measure BIO-4 is set forth to minimize the impact. Incorporation of the water quality basin would not involve work in an area involving jurisdictional waters. The pedestrian bridge would not impact the creek below the OHWM and it is anticipated that jurisdictional waters would not be affected by the future bridge as it would be clear-span. Placement of excavated materials on the Griffith parcel and using the parcel as a staging area would also not affect jurisdictional waters. Work in the stream channel to install temporary creek crossings could still result in a potential significant impact to jurisdictional waters. Similar to the original project, Mitigation Measure BIO-4 would be implemented to ensure impacts to jurisdictional waters would be reduced to a less-than-significant level.

Wildlife Corridors

The 2016 IS/MND evaluated the potential for the original project to affect wildlife movement, including the potential effects of work in the creek channel on fish movement. The culverts for the proposed temporary land bridges would be positioned in the active channel. However, to maintain channel flows, similar to the original project, Mitigation Measure BIO-4 will be implemented which requires construction in the active channels to be restricted to the dry season (April 15 through October 15). Thus, the culverts for the temporary creek crossings would be installed during the dry season when there are no or low flows and the impact on migratory fish would be less than significant. Furthermore, Mitigation Measure BIO-4 requires all work within the stream channel to be subject to BMPs, which would ensure there would be no release of sediment downstream.

Other Biological Resources

Due to the nature of the proposed project additions, the conclusions of the 2016 IS/MND would remain the same for the updated project in regards to sensitive natural communities, local policies or ordinances, and adopted HCP/NCCP. All impacts would be less than significant or less than significant with implementation of applicable mitigation measures found in the 2016 IS/MND.

Finding: The potential impacts of the updated project on biological resources would be the same as those analyzed in the 2016 IS/MND. As with the original project, the mitigation measures listed in the 2016 IS/MND would be implemented to ensure impacts would be less than significant. Therefore, no new or substantially increased significant impacts would result from the updated project beyond those discussed in the 2016 IS/MND. No new mitigation is required.

4.3 CULTURAL RESOURCES, INCLUDING TRIBAL CULTURAL RESOURCES

4.3.1 Findings of the Adopted IS/MND

The 2016 IS/MND concluded that with mitigation, the original project would not result in significant impacts on cultural resources as follows:

- The original project does not contain any historical resources.
- With regard to archaeological resources, no recorded archaeological resources are known from the project area and there is no evidence of prehistoric, historic deposits, or

prehistoric cultural soils on the project site. However, the banks of Marsh Creek and areas immediately adjacent to Marsh Creek are considered sensitive for prehistoric archaeological deposits and human remains. Thus, Mitigation Measure CUL-1 was set forth to reduce the impacts to unknown historic and prehistoric archaeological resources and human remains to a less than-significant level.

- Excavation on the project site could potentially unearth and inadvertently damage paleontological resources. Mitigation Measure CUL-2 was set forth to reduce the impact on paleontological resources to a less-than-significant level.

- No known tribal cultural resources were identified through contacts with the Native American tribes identified by Native American Heritage Commission (NAHC), and that with implementation of Mitigation Measures CUL-1 and CUL-2, the original project would not affect any unknown tribal cultural resources in the area and therefore, the impact was less than significant.

4.3.2 Impact Analysis of Updated Project

The updated project includes the addition of 13.45 acres of land that abut the original project footprint. William Self Associates (WSA) Staff Archaeologist Patrick Zingerella conducted a pedestrian archaeological examination of the additional areas affected by the updated project on August 28, 2017 (WSA 2017). The survey report is on file with the District. There are no structures on the additional project lands. Therefore, there is no potential for the updated project to affect historic resources. No prehistoric or historic deposits were observed and no evidence of prehistoric cultural soils (midden) was observed during the archaeological survey. Therefore, as with the original project, there would be no significant impacts on any known archaeological resources due to the updated project. However, there would still be a potential to encounter buried archaeological resources or human remains during excavation and grading and Mitigation Measure CUL-1 would apply to the updated project to avoid a significant impact on any resources that are encountered.

The District will need to obtain a permit from the U.S. Army Corps of Engineers (USACE) and other applicable agencies for work within the creek. As part of the review process, the USACE consults with applicable federal agencies. In conjunction with consultation with the State Historic Preservation Office (SHPO), pursuant to Section 106 of the National Historic Preservation Act, the SHPO recommended to the USACE to prepare a monitoring and post-review discovery treatment plan consistent with 36 CFR 800.13(a). Mitigation Measure CUL-1

required initial monitoring by a qualified archaeologist to determine an appropriate level of monitoring for the duration of the project. Since receiving the response from the SHPO requesting a monitoring and post-review discovery treatment plan, Mitigation Measure CUL-1 has been updated to be consistent with the direction provided by the SHPO. The updated Mitigation Measure CUL-1 is presented below with the new text added to the mitigation measure shown in double underline and deleted text shown in strikethrough. In addition, Mitigation Measure CUL-2 would apply to the updated project to avoid a significant impact on any paleontological resources that are encountered. Therefore, the updated project would not significantly impact any known or unknown cultural resources in the area, including tribal cultural resources, and there would be a less than significant impact.

Updated Mitigation Measure CUL-1:

> To manage any discoveries during construction, all construction crew workers shall following the procedures detailed in the Monitoring and Post Review Discovery Treatment Plan for the Three Creeks Parkway Restoration Project, Contra Costa County, California.
>
> This document includes provisions for crew training, determines an appropriate level of monitoring for the duration of the project, describes the identification of archaeological resources, and the protocols to follow in the case of accidental discoveries.
>
> ~~Crew training, initial monitoring by a qualified archaeologist to determine an appropriate level of monitoring for the duration of the project, and additional spot checks pending the results of the initial monitoring shall be conducted prior to and during ground disturbing activities.~~
>
> ~~A qualified archaeologist shall be present on the project site to monitor ground disturbing activities and inspect excavated soils to identify any cultural resources and human remains as deemed appropriate by the qualified archaeologist.~~
>
> ~~All construction crew workers shall attend a training session led by a qualified archaeologist that discusses (1) the reasons for archaeological resource monitoring; (2) regulatory policies protecting resources and human remains; (3) basic identification of archaeological resources; and (4) the protocol to follow in case of a discovery of such resources.~~

In accordance with CEQA Guideline §15064.5 (f), should any previously unknown historic or prehistoric resources, including but not limited to charcoal, obsidian or chert flakes, grinding bowls, shell fragments, bone, pockets of dark, friable soils, glass, metal, ceramics, wood, privies, trash deposits or similar debris, be discovered during ground disturbing activities, work within 25 feet of these materials should be stopped until a qualified professional archaeologist has an opportunity to evaluate the potential significance of the find and to consult with the lead agency about what appropriate mitigation would be appropriate to protect the resource.

In the event that human remains, or possible human remains, are encountered during project-related ground disturbance, in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, that the remains are not subject to the provisions of Section 27492 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of death, and the recommendations concerning treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code.

The County Coroner, upon recognizing the remains as being of Native American origin, is responsible to contact the NAHC within 24 hours. The Commission has various powers and duties, including the appointment of a Most Likely Descendant (MLD) to the project. The MLD, or in lieu of the MLD, and the NAHC, have the responsibility to provide guidance as to the ultimate disposition of any Native American remains.

Finding: The potential impacts of the updated project on cultural resources would be the same as those analyzed in the 2016 IS/MND, because similar to the original project, the updated project site has no structures that would be considered historic. The site is considered sensitive for archaeological resources due to its location along Marsh, Sand, and Deer Creeks. As with the original project, the mitigation measures listed above would be implemented to avoid significant impacts on previously unknown archaeological resources, human remains, and paleontological resources encountered during construction. With implementation of mitigation measures above, the updated project would not affect any known tribal cultural resources. Therefore, no new or substantially increased significant impacts on cultural and paleontological

resources would result from the updated project beyond those discussed in the 2016 IS/MND. No new mitigation is required.

4.4 GEOLOGY AND SOILS

4.4.1 Findings of the Adopted IS/MND

The 2016 IS/MND concluded that with mitigation, the original project would not result in significant impacts related to geology and soils as follows:

- Although the project site lies within a seismically active region, there are no known active faults crossing the project site and the site is not located within an Earthquake Fault Zone. Therefore, ground rupture is unlikely at the project site and the impact would be less than significant.

- The project site could experience ground shaking due to an earthquake of moderate to high magnitude generated within the San Francisco Bay Region and there could be a potentially significant impact. Implementation of Mitigation Measure GEO-1 would reduce the potential for slope deformation in the event of an earthquake and a less than significant impact from seismic ground shaking would occur. Implementation of Mitigation Measure GEO-1 would also ensure that the impact from expansive soils would be less than significant.

- Impact from liquefaction would be less than significant and no impact from landsides would occur.

- Potential soil erosion from construction activities would be controlled with compliance of the NPDES related to construction site runoff and therefore impacts would be less than significant. Further, erosion would be reduced following project completion due to project improvements such as restoration planting of the creek and water quality basin and therefore would be less than significant. The 2016 IS/MND found that the project site is not underlain by unstable soils and the impact would be less than significant.

- No septic tanks or alternative wastewater disposal systems are included in the original project, and there would be no impact.

4.4.2 Impact Analysis of Updated Project

Similar to the original project, the updated project would implement Mitigation Measure GEO-1, which would require all proposed improvements included in the updated project to be constructed in compliance with recommendations specified in Section 3.3 of the Geotechnical Report (ENGEO 2015; on file with the District). Implementation of Mitigation Measure GEO-1 would reduce impacts from seismic ground shaking and expansive soils to a less than significant level. As mentioned above, a SWPPP would be implemented which would include BMPs to control erosion and release of sediment and other pollutants from the project additions. Thus, similar to the conclusions of the 2016 IS/MND, the impact related to soil erosion during construction would be less than significant. All other impacts, similar to the conclusions of the 2016 IS/MND, would be less than significant.

Finding: The potential impacts of the updated project related to geology and soils would be the same as those analyzed in the 2016 IS/MND for the original project. The impacts would be less than significant with the implementation of the recommendations specified in Mitigation Measure GEO-1. Therefore, no new or substantially increased significant impacts would result from the updated project beyond those discussed in the 2016 IS/MND. No new mitigation is required.

4.5 GREENHOUSE GAS EMISSIONS

4.5.1 Findings of the Adopted IS/MND

The 2016 IS/MND concluded that the original project would not result in significant impacts related to greenhouse gas (GHG) emissions as follows:

- Estimation of greenhouse gas (GHG) emissions from operation of construction equipment and from construction worker vehicles and haul truck trips would generate approximately 44.6 $MTCO_2e$ during construction, which would not result in a significant impact in global climate change.

- The number of periodic vehicle trips for monitoring the success of the restoration plantings and long-term creek maintenance would be minimal and would not substantially increase operational GHG emissions and therefore impacts would be less than significant.

4.5.2 Impact Analysis of Updated Project

Construction of the updated project would slightly increase GHG emissions above what was analyzed in the 2016 IS/MND due to additional excavation and grading to incorporate the water quality basin, improvements to Sungold Park, construction of a pedestrian bridge, and the installation of up to six temporary creek crossings. However, GHG emissions would also decrease as the excavated materials would be placed on the adjacent Griffith parcel and the initially planned 5-mile off-haul trips would be eliminated. Therefore, similar to the conclusions of the 2016 IS/MND, the impact of the updated project's construction-phase GHG emissions would remain less than significant. The impact from operational emissions of the updated project would also remain unchanged from the previous analysis and would be less than significant.

Findings: The potential impacts of the updated project-related to GHG emissions are similar to those analyzed in the 2016 IS/MND. As with the original project, all impacts from GHG emissions would be less than significant. Therefore, no new or substantially increased significant impacts would result from the updated project beyond those discussed in the 2016 IS/MND. No new mitigation is required.

4.6 NOISE

4.6.1 Findings of the Adopted IS/MND

The 2016 IS/MND concluded that with mitigation, the original project would not result in significant impacts related to noise and vibration as follows:

- Noise from construction equipment could impact the surrounding residences, school and daycare center, and park facilities that are located less than 50 feet from various work areas along the creek section. The daycare center located adjacent to the project site has since been closed down. With implementation of Mitigation Measure NOISE-1, which requires compliance with the Brentwood Noise Ordinance and limits construction activities to daytime hours, the impact would be less than significant.

- Due to the nature of construction activities and the distance to the nearby receptors, the impact from construction phase groundborne vibration would be less than significant.

- There would be no increase in operational noise in the project area due to the original project and a less-than-significant impact would occur.

- The original project is not located within two miles of any public airport or private airstrip and would not expose people residing or working in the project area to excessive noise levels.

4.6.2 Impact Analysis of Updated Project

Construction Noise Impacts

Construction noise due to the updated project would slightly increase above what was analyzed in the 2016 IS/MND due to additional excavation and grading to incorporate the water quality basin, improvements to Sungold Park, construction of a pedestrian bridge, the installation of up to six temporary creek crossings, and the hauling of excavated materials to the Griffith parcel. However, the noise increase would be minimal and would not significantly increase noise levels above what was analyzed in the 2016 IS/MND. Furthermore, the updated project would implement Mitigation Measure NOISE-1, and the impact from construction noise would remain less than significant.

Similar to the original project, the updated project would not require pile-driving, blasting, or other activities that could cause substantial groundborne vibration. Haul trucks could result in some level of vibration while hauling materials to the Griffith parcel. However, the trucks would not travel outside the project site on roadways that are adjacent to sensitive receptors. Thus, similar to the conclusions of the 2016 IS/MND, the updated project would result in a less-than-significant impact from groundborne vibrations.

Operational Noise Impacts

Impacts from operational noise of the updated project would remain the same as with the original project and a less-than-significant impact would occur.

Finding: The potential noise impacts of the updated project are similar to those analyzed in the 2016 IS/MND for the original project. For reasons stated above, the updated project's potential impacts related to noise would be less than significant with mitigation measures incorporated. Therefore, no new or substantially increased significant impacts would result from the updated project beyond those discussed in the 2016 IS/MND. No new mitigation is required.

5.0 CONCLUSION

Based on the above analysis and discussion, no substantive revisions are needed to the 2016 IS/MND, because no new significant impacts or impacts of substantially greater severity would

result from the construction and operation of the updated project. Furthermore, there have been no changes in circumstances in the project area that would result in new significant environmental impacts or substantially more severe impacts; and no new information has come to light that would indicate the potential for new significant impacts or substantially more severe impacts than were analyzed in the 2016 IS/MND. Therefore, no further evaluation is required, and no Subsequent EIR is needed pursuant to State *CEQA Guidelines* Section 15162, and an Addendum to an adopted negative declaration has therefore appropriately been prepared, pursuant to Section 15164.

Pursuant to CEQA Guidelines § 15164(c), this Addendum will not be circulated for public review, but will be included in the public record file for the project approval.

6.0 SUPPORTING INFORMATION SOURCES

City of Brentwood. 2014. General Plan, Land Use Map.

ENGEO. 2015. Geotechnical Exploration Three Creeks Parkway Restoration Project, Brentwood. May 15.ENGEO

Impact Sciences. 2016. Three Creeks Parkway Restoration Project Initial Study/MND, SCH# 2016082008 August.

Walkling, Rich (Planning Director, Restoration Design Group). Personal communication with Angela Pan (Impact Sciences). November 29, 2017.

Wood Biological Consulting. 2017. Biological Resource Assessment for the Three Creeks Restoration Project at Marsh Creek. February 9, 2016, revised June 9, 2016, revised August 8, 2017.

WSA. 2017. Addendum to the Cultural Resources Assessment Report for the Three Creeks Parkway Restoration Project. September.

7.0 ADDENDUM PREPARERS

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CONTRA COSTA COUNTY ADDENDUM FINDINGS

MITIGATED NEGATIVE DECLARATION

THREE CREEKS PARKWAY RESTORATION PROJECT

The following information is added to the previously adopted IS/MND and is presented to comply with Section 15091 of the CEQA Guidelines for the IS/MND:

1. **Environmental Effect:** Modifications to the proposed project as described in this **Addendum** are minor technical changes or additions to the project and, based on the analysis in the **Addendum**, including the analysis of Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Greenhouse Gas Emissions and Noise impact, will not result in any additional environmental effects not previously discussed.

   Findings: There are no significant environmental impacts associated with the minor technical changes or additions for the proposed activity for which this **Addendum** was prepared.

2. **Statement of Facts:**

   a. The updated project to be developed pursuant to this **Addendum** to the IS/MND for the Three Creeks Parkway Restoration Project is substantially similar to the original project analyzed in the IS/MND.

   b. The IS/MND for the Three Creeks Parkway Restoration Project consists of the IS/MND, comments received, responses to the comments raised, and this **Addendum**. The IS/MND was completed in compliance with CEQA.

   c. There are no substantial changes in the updated project, pursuant to CEQA Guidelines Section 15162 (a)(1), that require major revisions of the IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The updated project is substantially similar to the original project analyzed in the MND.

   d. There are no substantial changes with respect to the circumstances, pursuant to CEQA Guidelines Section 15162 (a)(2), under which the updated project is undertaken which require major revisions of the previous IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Those

circumstances remain substantially similar to the circumstances analyzed in the IS/MND.

e. There is no new information of substantial importance, pursuant to CEQA Guidelines Section 15162 (a)(3), which shows that the updated project will have one or more significant effects not previously discussed in the IS/MND.

f. None of the conditions calling for the preparation of a subsequent or supplemental EIR have occurred (see items 1 c - e above). Therefore, it is appropriate to adopt this **Addendum** to the IS/MND to make the minor technical changes and additions discussed in the **Addendum** (CEQA Guidelines 15164). This **Addendum** shall be considered along with the IS/MND prior to the Board of Supervisors making a decision on the minor technical changes or additions to the project, and in considering these changes or additions, the Board is considering the identical or substantially similar underlying project.

The findings are supported by substantial evidence in the administrative record and are based on the IS/MND for the Three Creeks Parkway Restoration Project, which was subject to public review.

In accordance with CEQA Guidelines Section 15164(d), the County Board of Supervisors shall consider this **Addendum** along with the IS/MND prior to making a decision on the project. According to CEQA Guidelines Section 15164(c) an Addendum does not require circulation for public review but can be included in or attached to the Final IS/MND. This **Addendum** is attached to the Final IS/MND for the Three Creeks Parkway Restoration Project (CP# 16-39; SCH# 2016082008).

4.0 MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires that a Lead Agency establish a program to monitor and report on mitigation measures adopted as part of the environmental review process to avoid or reduce the severity and magnitude of potentially significant environmental impacts associated with project implementation. CEQA (Public Resources Code Section 21081.6 (a) (1)) requires that a Mitigation Monitoring and Reporting Program (MMRP) be adopted at the time that the public agency determines to approve a project for which an EIR or a Negative Declaration (ND) has been prepared, to ensure that mitigation measures identified in the EIR or ND are fully implemented.

The MMRP for the Three Creeks Parkway Restoration project is presented in **Table 4.0-1, Mitigation and Monitoring Reporting Program**. **Table 4.0-1** includes the full text of project-specific mitigation measures identified in the Initial Study/Mitigated Negative Declaration and Addendum No. 1. The MMRP describes implementation and monitoring procedures, responsibilities, and timing for each mitigation measure, including:

Number: Identifies the number of the mitigation measure.

Mitigation Measure: Provides full text of the mitigation measure as provided in the final Initial Study/Mitigated Negative Declaration and Addendum No. 1.

Monitoring/Reporting Action(s): Designates responsibility for implementation of the mitigation measure and when appropriate, summarizes the steps to be taken to implement the measure.

Mitigation Timing: Identifies the stage of the project during which the mitigation action will be taken.

Monitoring Schedule: Specifies procedures for documenting and reporting mitigation implementation.

The Contra Cost County Flood Control and Water Conservation District and American Rivers may modify the means by which a mitigation measure will be implemented, as long as the alternative means ensure compliance during project implementation. The responsibilities of mitigation implementation, monitoring, and reporting extend to several district departments and offices. The manager or department lead of the identified unit or department will be directly responsible for ensuring the responsible party complies with the mitigation. The Contra Costa County Flood Control and Water Conservation District is responsible for the overall administration of the program and for assisting relevant departments and project managers in their oversight and reporting responsibilities. The Contra Costa County Flood

Control and Water Conservation District is also responsible for ensuring the relevant parties understand their charge and complete the required procedures accurately and on schedule.

Table 1
Mitigation Monitoring and Reporting Program

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
AIR QUALITY				
AIR-1:	The construction contractor(s) shall implement the following BMPs during project construction: • All exposed surfaces (e.g., parking areas, staging areas, soil stockpiles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. • All vehicle speeds on unpaved roads shall be limited to 15 mph. • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible and feasible. • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. • All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be	Contra Costa County Flood Control and Water Conservation District Include in construction contract(s)	Monitor compliance during construction	Confirm and document during construction

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	running in proper condition prior to operation. • Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.			
AIR-2:	All diesel-powered off-road equipment larger than 50 horsepower and operating on the site for more than two days continuously during the duration of construction shall, at a minimum, meet U.S. EPA emissions standards for Tier 2 engines or equivalent.	Contra Costa County Flood Control and Water Conservation District Include requirement in construction contract(s)	During construction	Confirm and document during construction
BIOLOGICAL RESOURCES				
BIO-1:	To avoid and minimize impacts to California red-legged frog, Pacific (Western) pond turtle, and silvery legless lizard during construction activities, the project will implement the following measures: **1.** Coverage under the HCP/NCCP. The project proponent shall apply for coverage under the HCP/NCCP. Participation in the HCP/NCCP, including implementation of appropriate avoidance and minimization measures and payment of applicable fees would provide the project proponent with incidental take coverage for California red-legged frog, Pacific (Western) pond turtle, and silvery legless lizard. **2.** Seasonal Avoidance. If required by the Streambed Alteration Agreement or Water Quality Certification, work shall be limited to the dry season, from April 15 to October 15. **3.** Minimize Nighttime Work. If required by the Streambed Alteration Agreement or Water Quality Certification, nighttime construction shall be restricted to avoid effects on nocturnally active species such as California red-legged frog.	Contra Costa County Flood Control and Water Conservation District File application, obtain HCP/NCCP coverage, and implement measures by including them in the construction contract(s)	Prior to start and during construction	Confirm and document during construction

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	4. Environmental Awareness Program. Prior to the commencement of construction activities, a qualified biologist shall present an environmental awareness program to all construction personnel working on site. At a minimum the training should include a description of special-status species that could be encountered, their habitats, regulatory status, protective measures, work boundaries, lines of communication, reporting requirements, and the implications of violations of applicable laws. **5.** Wildlife Exclusion Fencing. Prior to the start of construction, wildlife exclusion fencing (WEF) shall be installed as warranted and consistent with the HCP/NCCP to isolate the work area from any habitats potentially supporting special-status animals or through which such species may move. The final project plans shall indicate where and how the WEF is to be installed. The bid solicitation package special provisions shall provide further instructions to the contractor about acceptable fencing locations and materials. The fencing shall remain throughout the duration of the work activities, be regularly inspected and properly maintained by the contractor. Fencing and stakes shall be completely removed following project completion. **6.** Best Management Practices (BMPs). Prior to the initiation of work, BMPs shall be in place to prevent the release of any pollutants or sediment into the creek, storm drains, or tributaries; all BMPs shall be properly maintained. Leaks, drips, and spills of hydraulic fluid, oil, or fuel from construction equipment shall be promptly cleaned up to prevent contamination of water ways. All workers shall be properly trained regarding the importance of preventing and cleaning up spills of contaminants. Protective measures should include, at a minimum: No discharge of pollutants from vehicle and equipment cleaning should be allowed into any storm drains or watercourses. a. Spill containment kits should be maintained onsite at all times during construction operations and/or staging or fueling of equipment.			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	b. Coir rolls or straw wattles should be installed along or at the base of slopes during construction to capture sediment. **7.** Erosion Control. Graded areas shall be protected from erosion using a combination of silt fences, fiber rolls along toes of slopes or along edges of designated staging areas, and erosion control netting (such as jute or coir) as appropriate on sloped areas. **8.** Construction Site Restrictions. The following site restrictions shall be implemented to avoid adversely affecting sensitive habitats and harm or harassment to listed species: a. Any fill material shall be certified to be non-toxic and weed free. b. All food and food-related trash items shall be enclosed in sealed trash containers and removed completely from the site at the end of each day. c. No pets from project personnel shall be allowed anywhere in the project site during construction. d. No firearms shall be allowed on the project site except for those carried by authorized security personnel, or local, State or Federal law enforcement officials. e. All equipment shall be maintained such that there are no leaks of automotive fluids such as gasoline, oils or solvents and a Spill Response Plan shall be prepared. Hazardous materials such as fuels, oils, solvents, etc. shall be stored in sealable containers in a designated location that is isolated from wetlands and aquatic habitats. f. Servicing of vehicles and construction equipment including fueling, cleaning, and maintenance should occur only at sites isolated from any aquatic habitat unless separated by topographic or drainage barrier or unless it is an already existing gas station. Staging areas may occur closer to the project activities as required.			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	9. Proper Use of Erosion Control Devices. Plastic mono-filament netting (e.g., that used with erosion control matting) or similar material shall not be used within the project area; wildlife can become entangled or trapped in such non-biodegradable materials. Acceptable substitutes include coconut coir matting, tackified hydroseeding, blown straw, or other organic mulching material. **10.** Protocol for Species Observation – Pacific (Western) pond turtle and silvery legless lizard. If a Pacific (Western) pond turtle or silvery legless lizard is encountered in the project site, work in the area of the finding must cease immediately until the animal either moves out of harm's way of its own accord or is safely relocated well upstream or downstream of the project site. Only a qualified biologist with a scientific collection permit issued by the CDFW may handle and relocate Pacific (Western) pond turtle or silvery legless lizard. Any sightings and relocation of Pacific (Western) pond turtle and silvery legless lizard should be reported to the CDFW and the CNDDB.			
BIO-2:	To minimize and avoid impacts to Chinook salmon and steelhead, the following measures will be implemented: **1.** Seasonal Avoidance. In-stream work shall be limited to June 1 to October 31. **2.** In-Stream Activities: If in-stream construction or dewatering is required, the following precautionary measures should be implemented: a. A preconstruction survey of the aquatic environment shall be performed by a qualified biologist. b. A qualified biologist shall present an environmental awareness program working on site. c. A qualified biologist should monitor all in-stream activities. d. If dewatering is proposed, a qualified biologist should monitor the installation of coffer dams. During dewatering, a qualified biologist should check for stranded aquatic wildlife.	Contra Costa County Flood Control and Water Conservation District Retain qualified biologist to implement the measures.	Prior to start and during construction	Confirm and document during construction

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	Dewatering pumps must be fitted with intake screens with a mesh no greater than 5 mm (0.2 in) and BMPs will be installed to minimize sediment transport during installation of coffer dams. e. Native species (non-special-status fish species) should be relocated upstream or downstream of the cofferdams by a permitted biologist. Non-native species should be euthanized in accordance with the guidance of the CDFW. All wildlife encounters should be documented and reported to the CDFW. If listed salmonids are present, the NMFS shall be consulted to determine the appropriate measures to ensure conformance with ESA.			
BIO-3:	In order to avoid impacts to nesting Swainson's hawk, white-tailed kite, burrowing owl, loggerhead shrike, and other bird species protected under the MBTA and CFGC during project implementation, the measures outlined below shall be implemented. **1.** Environmental Awareness Program. Prior to the commencement of construction activities, a qualified biologist shall present an environmental awareness program to all construction personnel working on site. At a minimum the training shall include a description of special-status species that could be encountered, their habitats, regulatory status, protective measures, work boundaries, lines of communication, reporting requirements, and the implications of violations of applicable laws. **2.** Swainson's hawk is a federally listed threatened species and is covered under the HCP/NCCP. Nonetheless, every effort should be made to ensure that no take of Swainson's hawk occurs. Therefore, the measures outlined below should be implemented. a. The project proponent should apply for coverage under the HCP/NCCP. Participation in the HCP/NCCP would provide the applicant with incidental take coverage for Swainson's hawk and satisfy any requirements for mitigation for loss of habitat.	Contra Costa County Flood Control and Water Conservation District Retain qualified biologist to implement the measures.	Prior to start and during construction	Confirm and document during construction

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	b. Prior to any ground disturbance during the nesting season (March 15-September 15), a qualified biologist shall conduct a preconstruction survey no more than one month prior to construction to determine if there are any active Swainson's hawk nests within 305 meters (1,000 feet) of the project site. c. If there are no occupied nests within this buffer, no further action is needed. d. If an active nest is present within this buffer, the measures outlined below shall be followed. • Construction activities are not permitted within 305 meters (1,000 feet) of an occupied nest to prevent nest abandonment. However, if site-specific conditions or the nature of the activity warrant a small buffer, a qualified biologist should coordinate with CDFW and USFWS to determine the appropriate buffer size. • Construction activities may proceed prior to September 15 if the young Swainson's hawks have fledged, as determined by a qualified biologist. **3.** White-tailed kite is a state-listed fully protected species; it is not covered under the HCP/NCCP and incidental take of the species is not allowed. To ensure that no take of white-tailed kite or other migratory raptors occurs, the measures outlined below shall be implemented. a. Prior to any ground disturbance during the nesting season (February 1-August 31), a qualified biologist shall conduct a preconstruction survey no more than two weeks prior to construction to determine if there are any active nests of white-tailed kite or other migratory raptors within 76 meters (250 feet) of the project site. b. Prior to the removal or significant pruning of any trees, they shall be inspected by a qualified biologist for the presence of raptor nests. This is required during both the breeding season			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	and non-breeding season. If a suspected raptor nest is discovered, the CDFW shall be notified. Pursuant to CFGC Section 3503.5, raptor nests, whether or not they are occupied, may not be removed until approval is granted by the CDFW. c. If there are no occupied nests within this buffer, no further action is needed. d. If an active nest is present within this buffer, the measures outlined below shall be implemented. • Construction activities are not permitted within 76 meter (250 feet) of an occupied nest to prevent nest abandonment. However, if site-specific conditions or the nature of the activity warrant a small buffer, a qualified biologist should coordinate with the CDFW and/or USFWS to determine the appropriate buffer size. Nest monitoring may be warranted for activities that would occur within a smaller buffer. • Construction activities may proceed prior to August 31 if the young white-tailed kites or other raptor species have fledged, as determined by a qualified biologist. **4.** Burrowing owl is a State species of special concern and a covered species under the HCP/NCCP. To ensure that no take of burrowing owl occurs, the measures outlined below shall be implemented. a. Prior to any ground disturbance during the nesting season (February 1-August 31), a CDFW-approved biologist shall conduct a preconstruction survey of all suitable burrowing owl habitat that would be affected by the project. The survey shall be performed no more than 30 days prior to construction to determine if there are any active nests of burrowing owl within 153 m (500 ft) of the project site, access permitting. b. If there are no occupied nests within this buffer, no further action is needed. c. If an active nest is present within this buffer, the measures			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	outlined below shall be implemented. • If an occupied burrowing owl nest site is present within the limits of work, construction may not proceed. The taking of burrowing owls or occupied nests is prohibited under CFGC. Nest sites must be flagged and protected by a designated disturbance-free buffer zone of at least 76 meters (250 feet). • Construction activities are not permitted within 76 meters (250 feet) of an occupied nest to prevent nest abandonment. • Construction may proceed if a qualified biologist monitors the nest and determines that the adults have not begun egg-laying and incubation or that the juveniles have fledged. • Burrowing owls may be passively excluded from occupied burrows outside of the breeding season (i.e., September 1-January 31), in consultation with the CDFW. All owls should be passively excluded from burrows within 49 meters (160 feet) of the work site. Passive exclusion is achieved by installing one-way doors in the burrow entrances. Doors should be in place for at least 48 hours and the site should be monitored daily for at least one week to confirm that the burrow has been abandoned. **5.** Loggerhead shrike is a state species of special concern; it is not covered under the HCP/NCCP and incidental take of the species is not allowed. To ensure that no take of loggerhead shrike or any other migratory passerines occurs, the measures outlined below shall be implemented. a. If ground-disturbing activities (i.e., site clearing, disking, grading, etc.) can be performed outside of the nesting season (i.e., between September 1 and January 31), no additional surveys are warranted.			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	b. Prior to any ground disturbance during the nesting season (February 1-August 31), a qualified biologist should conduct a preconstruction survey no more than two weeks prior to construction to determine if there are any active nests of loggerhead shrike or any other migratory passerines nests within 30 meters (100 feet) of the project site. c. If there are no occupied nests within this buffer, no further action is needed. d. If an active nest is present within this buffer, the following measures shall be implemented. • Construction activities are not permitted within 30 meters (100 feet) of an occupied nest to prevent nest abandonment. However, if site-specific conditions or the nature of the activity warrant a smaller buffer, a qualified biologist should coordinate with the CDFW and USFWS to determine the appropriate buffer size. Nest monitoring may be warranted for activities that would occur within a smaller buffer. • Construction activities may proceed prior to August 31 if the young birds have fledged, as determined by a qualified biologist.			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
BIO-4:	In order to avoid, minimize and compensate for unavoidable impacts on waters of the U.S./waters of the State, the measures outlined below shall be implemented. 1. Impacts on waters of the U.S. will be avoided by restricting grading to an elevation above the OHWM; avoidance of impacts to waters of the State is not feasible. Long-term impacts shall be minimized by limiting the use of hardened structures (e.g., grouted riprap) in preference of bio-engineering solutions as much as is practicable. Surface water connections must not be permanently blocked or interrupted and the installation of drop-structures or other features that create barriers to wildlife movement shall be avoided. 2. Prior to construction, the project proponent will need to secure authorization from the USACE, RWQCB, and CDFW in conformance to the Clean Water Act and Lake and Streambed Alteration Program. 3. Participation in the HCP/NCCP is expected to satisfy the requirements of the regulatory agencies for compensatory mitigation for unavoidable impacts on stream channels, wetlands and riparian habitat. A Planning Survey Report shall be completed and submitted to the East Contra Costa County Habitat Conservancy. The submittal shall include detailed drawings illustrating all temporary and permanent impacts. 4. Per the terms of the adopted HCP/NCCP, a wetland mitigation fee or on-site habitat restoration will mitigate the impacts. If accepted by the regulatory agencies, no additional mitigation for wetland impacts is typically required. HCP/NCCP fee payment will occur at project contract award. 5. For all work within and adjacent to the stream channel and riparian habitat, best management practices (BMPs) must be incorporated into the project design to minimize environmental effects. These include the following: • Construction in the active channels shall be restricted to the dry	Contra Costa County Flood Control and Water Conservation District Obtain permits; obtain coverage under HCP/NCCP; include BMPs in construction contract (s)	Prior to start and during construction	Confirm and document during construction

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	season (April 15-October 15). • Personnel conducting ground-disturbing activities within or adjacent to the buffer zone of wetlands, ponds, streams, or riparian woodland/scrub shall be trained by a qualified biologist in these avoidance and minimization measures and the permit obligations. • If dewatering is necessary, water released downstream of work areas must be as clean or cleaner than flows entering the work area. Sediment-laden water shall be either pumped onto upland sites for infiltration or into Baker tanks for settling, prior to being released back into the channel. Coffer dams shall consist of clean, silt-free sand or gravel in sand bags, or a comparable material. All coffer dam materials must be promptly removed when no longer needed. • High visibility temporary construction fencing should be erected between the outer edge of the limits of construction and adjacent streams or habitats to be preserved. Temporary construction fencing will be removed upon the completion of work. • Grading or construction near channels shall be isolated with silt fencing or other BMPs to prevent sedimentation. BMPs shall be regularly inspected. • Vehicles and equipment shall be parked on existing roads or previously disturbed areas. • Equipment working in channels must be in good working order and free of leaks of fuel, oil, and hydraulic fluids. Drip pans shall be placed under vehicles and equipment over waterways and spill clean-up materials should be kept onsite at a convenient location. • Equipment maintenance and refueling shall be performed well away from the top of bank of any channel; storm drain inlets shall be protected from an accidental release of contaminants.			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	• Concrete washings or other contaminants must not be permitted to enter the stream channel or any storm drain inlet. • Any concrete structures or cured-in-place pipe linings shall be allowed to cure before coming in contact with surface flows. • Construction debris and materials shall be stockpiled away from watercourses. • Appropriate erosion-control measures (e.g., coconut coir matting, tackified hydroseeding, blown straw or other organic mulching material) shall be used on site to reduce siltation and runoff of contaminants into wetlands, ponds, streams, or riparian woodland/scrub. Plastic mono-filament netting (e.g., that used with erosion control matting) or similar material should not be used within the action area; wildlife can become entangled or trapped such non-biodegradable materials. Erosion-control measures shall be placed between the outer edge of the buffer and the project site. • Fiber rolls used for erosion control shall be certified as free of noxious weed seed. • Construction staging areas past the channel banks must be located away from any wetlands or other sensitive habitats as identified by a qualified biologist. • Newly graded earthen channel slopes shall be revegetated with a native seed mix developed by a qualified restorationist. Seed mixtures applied for erosion control shall not contain invasive nonnative species, and be composed of native species or sterile nonnative species. Straw or mulch shall also be applied to all bare surfaces. The seed mix and mulch shall be applied prior to the onset of the first winter-season rains. • Herbicide shall not be applied within 30 meters (100 feet) of wetlands, ponds, streams, or riparian habitat. However, where appropriate to control serious invasive plants, herbicides that have been approved by the U.S. EPA for use in or adjacent to			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	aquatic habitats may be used as long as label instructions are followed and applications avoid or minimize impacts on covered species and their habitats. In seasonal or intermittent stream or wetland environments, appropriate herbicides may be applied during the dry season to control nonnative invasive species. Herbicide drift should be minimized by applying the herbicide as close to the target area as possible and by avoiding applying during windy days. • Additional measures may be outlined in the conditions of the permits issued by the USACE, RWQCB, CDFW, and the Habitat Conservancy. All permit conditions must be conformed to.			
CULTURAL RESOURCES				
CUL-1:	• To manage any discoveries during construction, all construction crew workers shall following the procedures detailed in the Monitoring and Post Review Discovery Treatment Plan for the Three Creeks Parkway Restoration Project, Contra Costa County, California. • This document includes provisions for crew training, determines an appropriate level of monitoring for the duration of the project, describes the identification of archaeological resources, and the protocols to follow in the case of accidental discoveries.~~Crew training, initial monitoring by a qualified archaeologist to determine an appropriate level of monitoring for the duration of the project, and additional spot checks pending the results of the initial monitoring shall be conducted prior to and during ground disturbing activities.~~ ~~• A qualified archaeologist shall be present on the project site to monitor ground disturbing activities and inspect excavated soils to identify any cultural resources and human remains as deemed~~	Contra Costa County Flood Control and Water Conservation District Retain qualified archaeologist to implement identified measures; also include in construction contract(s)	Prior to start and during construction	Confirm and document during construction

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	~~appropriate by the qualified archaeologist.~~ • ~~All construction crew workers shall attend a training session led by a qualified archaeologist that discusses (1) the reasons for archaeological resource monitoring; (2) regulatory policies protecting resources and human remains; (3) basic identification of archaeological resources; and (4) the protocol to follow in case of a discovery of such resources.~~ • In accordance with CEQA Guideline §15064.5 (f), should any previously unknown historic or prehistoric resources, including but not limited to charcoal, obsidian or chert flakes, grinding bowls, shell fragments, bone, pockets of dark, friable soils, glass, metal, ceramics, wood, privies, trash deposits or similar debris, be discovered during ground disturbing activities, work within 25 feet of these materials should be stopped until a qualified professional archaeologist has an opportunity to evaluate the potential significance of the find and to consult with the lead agency about what appropriate mitigation would be appropriate to protect the resource. • In the event that human remains, or possible human remains, are encountered during project-related ground disturbance, in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, that the remains are not subject to the provisions of Section 27492 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of death, and the recommendations concerning treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. • The County Coroner, upon recognizing the remains as being of			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	Native American origin, is responsible to contact the NAHC within 24 hours. The Commission has various powers and duties, including the appointment of a Most Likely Descendant (MLD) to the project. The MLD, or in lieu of the MLD, the NAHC, has the responsibility to provide guidance as to the ultimate disposition of any Native American remains.			
CUL-2:	Prior to project construction, construction personnel shall be informed of the potential for encountering significant paleontological resources. All construction personnel shall be informed of the need to stop work in the vicinity of a potential discovery until a qualified paleontologist has been provided the opportunity to assess the significance of the find and implement appropriate measures to protect or scientifically remove the find. Construction personnel shall also be informed of the requirements that unauthorized collection resources are prohibited.	Contra Costa County Flood Control and Water Conservation District Include in construction contract(s)	Prior to start of construction	Confirm and document during construction
GEOLOGY AND SOILS				
GEO-1	The proposed project shall comply with all recommendations specified in Section 3.3 of the May 2015 Geotechnical Report prepared by ENGEO.	Contra Costa County Flood Control and Water Conservation District Follow recommendations of geotechnical report	During project design, prior to start of excavation, and during construction	Document compliance upon completion of construction
NOISE				
NOISE-1	The project contractor shall ensure that construction activities shall be limited to the hours set forth in Brentwood Municipal Code Section 9.32.050, as follows: Outside Heavy Construction: Monday-Friday 8:00 AM to 5:00 PM Saturday 9:00 AM to 4:00 PM	Contra Costa County Flood Control and Water Conservation District Include in construction contract(s)	During construction	Document compliance during construction

CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF DETERMINATION

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

☒ County Clerk
County of: Contra Costa

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

FILE COPY

State Clearinghouse Number: **SCH# 2016082008**

Project Title: **Three Creeks Parkway Restoration**
Project No. 7521 **-6D8176, CP# 16-39**

Project Applicant: Contra Costa County Flood Control and Water Conservation District

Project Location: Marsh Creek (Dainty Avenue to Union Pacific Railroad tracks), Brentwood, Contra Costa County

Project Description The Contra Costa County Flood Control and Water Conservation District (District) in partnership with American Rivers, a national non-profit organization that protects wild rivers, restores damaged rivers and conserves clean water for people and nature, proposes to improve flood conveyance capacity, to meet the District's standards for 100-year flood protection, and restore native vegetation along an approximately 4,000 linear foot section of Marsh Creek. When implementation is complete, the project would include up to 1.0 acre of frequently inundated floodplain (seasonal wetland), 1.87 acres of woody riparian vegetation, and 1.87 acres of grasslands and native scrub. The project would also enhance habitat and recreation within the watershed. The segment just upstream of Dainty Avenue (Phase I) was widened in 2000 by the District; native riparian vegetation may also be planted in this section as part of this project to provide a continuous riparian corridor with the existing riparian vegetation upstream of this segment. Placement of boulders and large woody debris would be placed in some portions of the low-flow channel to create in-stream habitat as well as rock to protect the banks and culvert outfalls. Real Property transactions, including right-of-way acquisition and temporary construction easements for access and staging areas and permanent easements for access and maintenance may be necessary in support of this project. Construction is anticipated to begin summer 2018 and may take up to two construction seasons to complete. Excavation and grading activities would occur during the dry season (July to October) with plant restoration occurring afterwards (November to December).

The District prepared an IS/MND which was adopted by the Contra Costa County Board of Supervisors on September 27, 2016. Since then, there have been a few additions to the original project design, including (1) the incorporation of an existing water quality basin adjacent to the lower reach of Marsh Creek and improvements to the adjacent City of Brentwood Sungold Park, (2) the use of an adjoining parcel adjacent to the middle reach as a staging area and to place excavated materials, (3) the construction of a clear-span pedestrian bridge, and (4) the use of temporary creek crossings during construction totaling approximately 13.45 acres on three parcels that abut the project segment. These proposed additions were re-evaluated under applicable sections of Appendix G of the CEQA Guidelines to determine if the additions resulted in a substantial change that would require major revisions of the IS/MND. Re-evaluation of the additions did not result in significant impacts that would warrant changes to the IS/MND and therefore a CEQA Addendum was prepared.

The project was approved on:

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   ☒ A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

Notice of Determination sent to Office of Planning and Research.*

This is to certify that the Mitigated Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Contra Costa County Public Works Department
255 Glacier Drive, Martinez, CA 94553

Signature (Contra Costa County): _____ Title: Principal Planner

Date: Jan. 12, 2018 Date Received for filing at OPR: _____

AFFIDAVIT OF FILING AND POSTING

I declare that on _____ I received and posted this notice as required by California Public Resources Code Section 21152(c). Said notice will remain posted for 30 days from the filing date.

Signature_____ Title: _____

Applicant:	**Department of Fish and Game Fees Due**	
Public Works Department 255 Glacier Drive Martinez, CA 94553 **Attn: Claudia Gemberling** **Environmental Services Division** **Phone: (925) 313-2192**	☐ EIR - $3,168.00 ☒ **Neg. Dec. - $2,280.75** ☐ DeMinimis Findings - $0 ☒ **County Clerk - $50** ☒ **Conservation & Development - $25**	**Total Due: $ 2,355.75** Total Paid $ _____ Receipt #: _____

*Notice of Determination may be sent by fax to (916) 323-3018, if followed up with a duplicate mailed copy.

G:\engsvc\ENVIRO\Flood Control\Three Creeks Parkway Restoration Project (WO#8490, 8176)\CEQA\Addendum\Final NOD (2018)_1-10-18.doc
Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

Form updated **December 27, 2017**

Contra Costa County

To: Board of Supervisors

From: Julia R. Bueren, Public Works Director/Chief Engineer

Date: September 27, 2016

Subject: ADOPTION OF Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Three Creeks Parkway Restoration Project (CEQA)

RECOMMENDATION(S):

1. CONSIDER the proposed Initial Study/Mitigated Negative Declaration for the Three Creeks Parkway Restoration Project (Project) together with any comments received during the public review process.

2. FIND on the basis of the whole record, including the proposed Initial Study/Mitigated Negative Declaration and any comments received and staff responses thereto, that there is no substantial evidence that the Project will have a significant effect on the environment, and that the Mitigated Negative Declaration reflects the independent judgment and analysis of the lead agency, Contra Costa County Flood Control & Water Conservation District (District).

3. ADOPT the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project.

4. SPECIFY that the Contra Costa County Conservation and Development Director is the custodian of the documents and other material that constitute the record of proceedings upon which the Board's decision is based, and that the record of proceedings is located at 30 Muir Road, Martinez, CA.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **09/27/2016** ☑ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Mary N. Piepho, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

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

ATTESTED: September 27, 2016

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

By: Stacey M. Boyd, Deputy

Contact: Claudia Gemberling (925) 313-2192

cc:

FISCAL IMPACT:

The cost of the environmental review of this Project totaled approximately $80,000, to be funded by the District with Flood Control Zone 1 funds (50 percent) and American Rivers, Inc. (American Rivers) State Grant Funds and other private funds (50 percent).

BACKGROUND:

During the 1960s and early 1970s, approximately 7.9 miles of Marsh Creek from the mouth of the creek near Big Break in Oakley to the Dry Creek confluence in Brentwood were channelized into steep earthen and armored trapezoidal flood control channels to provide conveyance capacity and riparian vegetation was removed. The channel was designed for a 50-year flood event in an agricultural setting. Over the last 25 years, the population of the lower Marsh Creek watershed has increased dramatically, transforming the watershed into a dense residential and commercial area, covering open space with impervious surfaces, substantially increasing runoff volume and degrading water quality. The District has constructed detention basins on each of Marsh Creek's three tributaries (Dry, Deer, and Sand Creeks) to accommodate increased run-off associated with urban development and impervious surfaces; however, urban and agricultural runoff remain issues.

The Three Creeks Parkway Project described in the Initial Study/Mitigated Negative Declaration (IS/MND) combines two separate projects. The first is the Three Creeks Restoration Project on Marsh Creek, in which the District partnered with American Rivers to apply for and receive $744,404 in DWR Urban Streams Grant Funding. The project limits of that project are from the Union Pacific Railroad tracks crossing of Marsh Creek to its confluence with Sand Creek (identified as the Lower Reach in the IS/MND). The second project is Phase 2 of the Marsh Creek Widening Project. The District is the sponsor of that project, and American Rivers is providing the District with State grant funds and other private funds to provide a multi-benefit flood control project. The project limits of the second project are from Sand Creek to just upstream of Dainty Avenue (identified as the Middle and Upper Reaches in the IS/MND). The two projects were addressed together because they are adjacent and cumulative impacts needed to be considered.

The objective of the Project would be to improve the ecological functions of Marsh Creek by reducing flow velocities, creating wetlands, and restoring riparian habitat. Although much of the watershed has been constrained by urbanization, the Project site is the longest remaining stretch of undeveloped land along the creek where there is still an opportunity to widen the channel and provide a more natural creek system that is connected to the historic floodplain that can be enjoyed by trail users.

The District, in partnership with American Rivers, developed the proposal to widen and restore approximately 4,000 linear feet of the Marsh Creek channel identified in three reaches (Upper, Middle, Lower) from Dainty Avenue downstream to the Union Pacific Railroad tracks with a floodplain (or in sections where more constrained, floodplain benches) that will meet the District's standards for 100-year flood protection and restore native riparian vegetation and enhance habitats and recreation. The segment just upstream of Dainty Avenue was widened in 2000 by the District. Native riparian vegetation may also be planted in this segment as part of the Project to provide a continuous riparian corridor with the existing riparian vegetation upstream of this segment.

The Project calls for widening the creek above the low-flow channel, but some areas will require work within the low-flow channel in order to create in-stream habitat using boulders and large woody debris, and to place rock slope protection. The Project would also include slight relocation of the existing East Bay Regional Park District Marsh Creek trail along the top of the eastern bank to the new top of grade from Dainty Avenue to Sand Creek (in the Upper and Middle Reaches). The trail from Sand Creek to the railroad tracks (in the Lower Reach) is to be relocated by the adjacent subdivision developer (Pulte) separately from the Project; however, the Project would reduce the gradient of the steep slope between the creek and the trail in this reach and would provide a new unpaved foot trail within the floodplain benches. The relocated trail section within the Upper Reach would be routed to pass under the Central Boulevard bridge.

Approval of the Project is not recommended at this time because the District and American Rivers have not yet completed their negotiation of a separate agreement that outlines their respective obligations under the DWR

completed their negotiation of a separate agreement that outlines their respective obligations under the DWR Urban Streams grant agreement (for the Three Creeks Restoration Project) and terms and conditions that will apply to the work that American Rivers plans to perform. Without this agreement, the District would become obligated to perform the obligations of both parties under the grant agreement upon approval of the Project. District staff also anticipates the need for an agreement that sets forth the District's and American Rivers' roles under the Marsh Creek Widening Phase 2 Project. District staff anticipates returning to the Board in February 2017 to seek Board approval of the agreement(s) and the Project.

CONSEQUENCE OF NEGATIVE ACTION:

If the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program are not adopted before October 1, 2016, American Rivers may lose conditionally-approved grant funding for the Project.

ATTACHMENTS

CEQA

Contra Costa County

PUBLIC WORKS DEPARTMENT INITIAL STUDY OF ENVIRONMENTAL SIGNIFICANCE

PROJECT NUMBER: **WO# 7562-6D8176**
CP# **16-39**

PROJECT NAME: **Three Creeks Parkway Restoration**

PREPARED BY: Claudia Gemberling, Environmental Analyst II DATE: July 13, 2016

APPROVED BY: _____ DATE: 7-28-16

RECOMMENDATIONS:

☐ Categorical Exemption: 1530x [Class x]

☐ Environmental Impact Report Required

☐ Negative Declaration

☒ **Mitigated Negative Declaration**

The project will not have a significant effect on the environment. The recommendation is based on the following: There is no substantial evidence that the project or any of its aspects may cause a significant effect on the environment pursuant to Section 15063(b)(2) of the CEQA guidelines.

What changes to the project would mitigate the identified impacts: N/A

USGS Quad Sheet: Brentwood	**Base Map Sheet #: L25**	**Parcel #: Numerous – listed in CEQA document**

GENERAL CONSIDERATIONS:

1. **Location:** The project is located in Brentwood [Figure 1].

2. **Project Description:** The Contra Costa County Flood Control and Water Conservation District (District) in partnership with American Rivers, a non-profit organization that protects rivers and restores damaged rivers, proposes to widen approximately 4,000 linear feet of the Marsh Creek channel in three reaches from Dainty Avenue downstream to an existing pedestrian bridge just before the Union Pacific Railroad (UPRR) tracks with a floodplain (or sections where more constrained, floodplain benches) which will meet the District's standards for 100-year flood protection, and restoring native riparian vegetation that will enhance habitat and recreation (Figure 2). The segment just upstream of Dainty Avenue (Phase I) was widened in 2000 by the District; native riparian vegetation may also be planted in this section as part of this project to provide a continuous riparian corridor with the existing riparian vegetation upstream of this segment and the proposed restoration of the project.

The Upper Reach (Dainty Avenue to Deer Creek) is approximately 1,600 linear feet and is constrained by development on both sides. Channel widening in this section would include excavation of both banks to construct a number of floodplain benches on both sides of the creek of varying widths with slopes ranging from 2:1 to 3:1 (Figure 4). The benches would be located above the ordinary high water mark (OHWM).

The Middle Reach (Deer Creek to Sand Creek) is approximately 800 feet in length and is also constrained. Channel widening would involve excavation of both banks to construct a number of floodplain benches of varying widths with slopes ranging from 2:1 to 3:1 (Figure 6). The benches would be located above the OHWM.

The Lower Reach (Sand Creek to UPRR) is approximately 1,600 feet in length and is less constrained and will include more substantial widening of the channel. The project would excavate the east bank of the creek down to the OHWM to create a 10 to 40-foot wide floodplain with slopes typically 3:1 or less (Figure 8).

The new floodplain would be graded to inundate during the storm events with the low-flow channel continuing to function much as it does today. Some work in the low-flow channel may be performed and would include creation of instream habitat in the low-flow channel by placing boulders and large woody debris, and the placement of rock slope protection in some portions of the low-flow channel in the Upper

and Middle Reaches.

The project will also include relocation of the existing East Bay Regional Park District (EBRPD) Marsh Creek trail to the new top of the eastern bank along the Middle and Upper Reaches whereas the trail in the Lower Reach will be relocated by the adjacent subdivision developer (Pulte) which is not part of this project however the project would reduce the gradient of the steep slope between the creek and the trail and would provide a new unpaved foot trail within the floodplain benches. The relocated trail section within the Upper Reach would be routed to pass under the Central Avenue road bridge.

Throughout the project reach, minor modifications to sewer manholes may be required to accommodate changes in ground elevation. In all cases, grading will be performed around manholes so that potential spills from manholes would initially drain away from Marsh Creek.

The project falls within the HCP service area and the project development team has been coordinating with the Habitat Conservancy staff.

Construction is anticipated to begin summer 2017. Excavation and grading activities would occur during the dry season (July to October) with plant restoration occurring afterwards (November to December) and may take up to two construction seasons to complete.

Real Property transactions, including right-of-way acquisition and temporary construction easements for access and staging areas and permanent easements for access and maintenance may be necessary in support of this project.

General Plan Conformance may be necessary from the City of Brentwood.

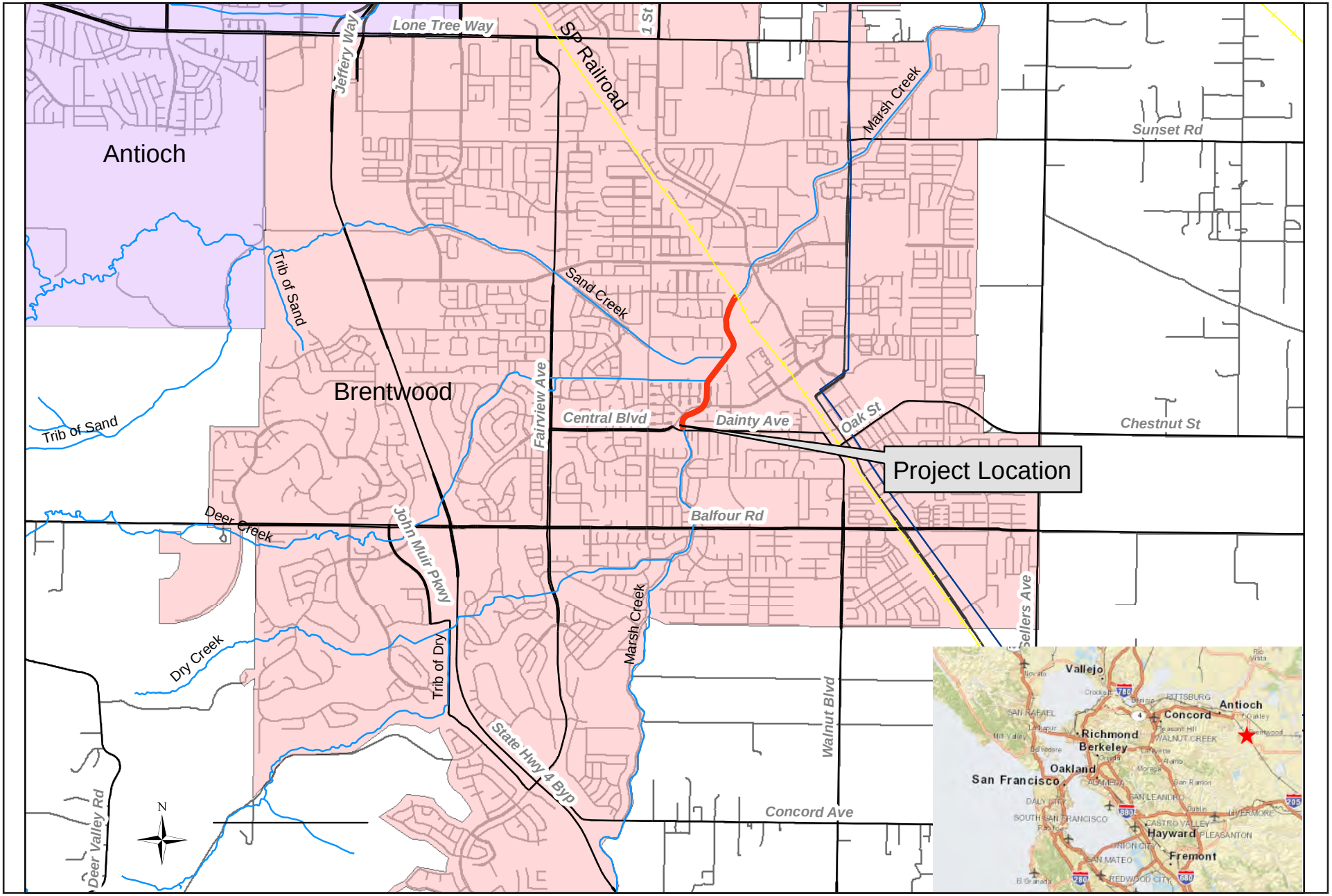
3. Does it appear that any feature of the project will generate significant public concern?

☐ Yes ☒ **No** ☐ maybe (Nature of concern):

4. Will the project require approval or permits by other than a County agency?

☒ Yes ☐ **No**

5. Is the project within the Sphere of Influence of any city? No



SOURCE: Restoration Design Group, Inc. 2016

FIGURE 1

IMPACT SCIENCES

Project Location

1273.001-06/16

500 250 0 500

APPROXIMATE SCALE IN FEET

SOURCE: Restoration Design Group, Inc. 2016

FIGURE 2

IMPACT SCIENCES

Site Plan

1273.001-08/16

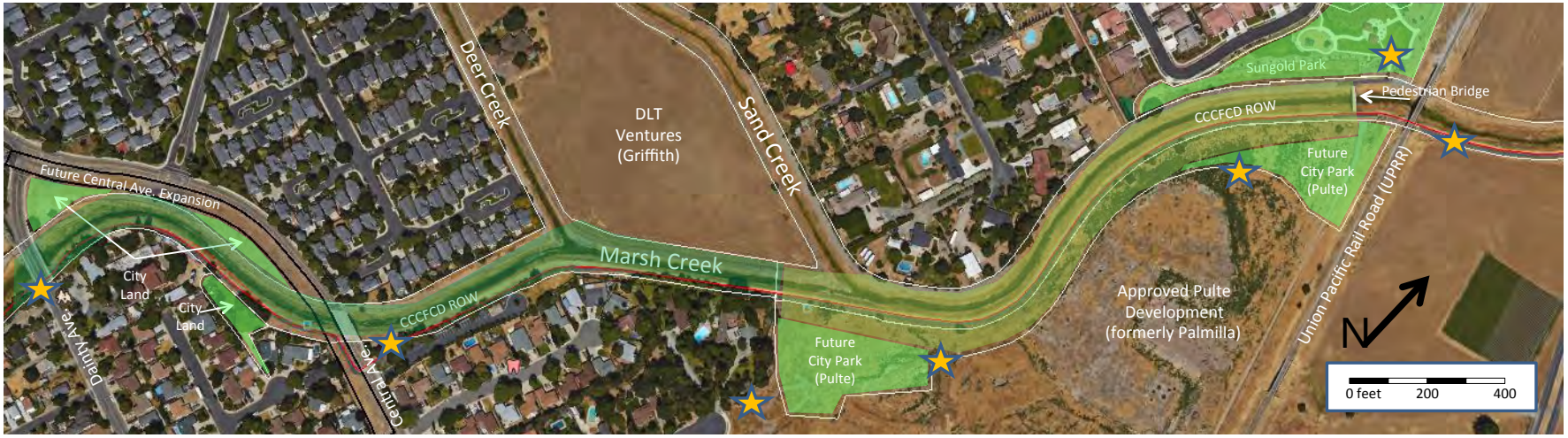
Looking upstream to Central Ave. Bridge

Looking upstream to Deer Creek in flood

Looking upstream to Deer Creek in drought

Looking upstream at Sand Creek confluence

Looking upstream from UPRR tracks



The Three Creeks Parkway Restoration Project will restore native vegetation and functional floodplains along 4,000 linear feet of Marsh Creek. American Rivers and the Friends of Marsh Creek Watershed are working with the Contra Costa County Flood Control District (CCCFCD) to integrate the project into adjacent city parks, the Pulte development (formerly Palmilla) and potentially DLT Ventures (Griffith).

Legend

- EBRPD Regional Trail
- Lower Parkway
- Upper Parkway
- City Land/Parks
- Public Access Points

Looking upstream from Central Ave. bridge

Looking upstream from Pedestrian bridge

Looking up from Sand Creek confluence

Looking down from Sand Creek confluence

SOURCE: American Rivers, 2016

FIGURE 3

IMPACT SCIENCES

Project Area Photographs

1273.001-07/16

THREE CREEKS PARKWAY RESTORATION PROJECT

Initial Study and
Proposed Mitigated Negative Declaration

The following Initial Study has been prepared in compliance with CEQA.

Prepared By:

Impact Sciences
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Prepared For:

Contra Costa County Flood Control and Water Conservation District
255 Glacier Drive
Martinez, CA 94553
Contact: Claudia Gemberling
(925) 313-2192

and

American Rivers
2150 Allston Way, Suite 320
Berkeley, CA 94704
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(415) 203-3766

County Project No.: 16-39

August 2016

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INTRODUCTION

Initial Study

The Three Creeks Parkway Restoration project is a proposal put forth by the Contra Costa County Flood Control and Water Conservation District and American Rivers to widen and improve an approximately 4,000-foot section of Marsh Creek in the City of Brentwood to provide additional flood conveyance capacity and restore riparian habitat along the creek. Pursuant to Section 15063 of the *State CEQA Guidelines* (Title 14, California Code of Regulations, Sections 15000 et seq.), an Initial Study is a preliminary environmental analysis that is used by the lead agency (the public agency principally responsible for approving or carrying out the proposed project) as a basis for determining what level of environmental review is appropriate (Environmental Impact Report, a Mitigated Negative Declaration, or a Negative Declaration) for a project. The *State CEQA Guidelines* require that an Initial Study contain a project description, description of environmental setting, identification of environmental effects by checklist or other similar form, explanation of environmental effects, discussion of mitigation for significant environmental effects, evaluation of the project's consistency with existing, applicable land use controls, and the name of persons who prepared the study.

As shown in the Determination in Section IV of this document, and based on the analysis contained in this Initial Study, it has been determined that the proposed project would not result in any significant impacts that cannot be mitigated to less than significant levels. Therefore, preparation of a Mitigated Negative Declaration is appropriate.

Public and Agency Review

This Initial Study/Proposed Mitigated Negative Declaration will be circulated for public and agency review from August 3, 2016 to September 2, 2016. Copies of this document are available for review at the Contra Costa County Public Works Department at the address below and the County's webpage: http://www.co.contra-costa.ca.us/4629/Public-Notices.

Comments on this Initial Study/Proposed Mitigated Negative Declaration must be received by 5:00 PM on September 2, 2016 and can be sent by regular mail or emailed to:

Contra Costa County Flood Control and Water Conservation District
255 Glacier Drive
Martinez, CA 94553
Attn: Claudia Gemberling
claudia.gemberling@pw.cccounty.us

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Organization of the Initial Study

This Initial Study is organized into the following sections.

Section 1 – Project Information: provides summary background information about the proposed project, including project location, lead agency, and contact information.

Section 2 – Project Description: includes a description of the proposed project, including the need for the project, the project's objectives, and the elements included in the project.

Section 3 – Environmental Factors Potentially Affected: identifies what environmental resources, if any, would involve at least one significant or potentially significant impact that cannot be reduced to a less than significant level.

Section 4 – Determination: indicates whether impacts associated with the proposed project would be significant, and what, if any, additional environmental documentation is required.

Section 5 – Evaluation of Environmental Impacts: contains the Environmental Checklist form for each resource and presents an explanation of all checklist answers. The checklist is used to assist in evaluating the potential environmental impacts of the proposed project and determining which impacts, if any, need to be further evaluated in an EIR.

Section 6 – References: lists documents used in the preparation of this document.

Section 7 – Initial Study Preparers: lists the names of individuals involved in the preparation of this document.

Technical studies prepared for this Initial Study are available at Contra Costa County Public Works Department at the address noted above.

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1. PROJECT INFORMATION

Project title:

Three Creeks Parkway Restoration Project

Lead agency name and address:

Contra Costa County Department of Development and Conservation
30 Muir Road
Martinez, CA 94553

Contact person and phone number:

Claudia Gemberling
(925) 313-2192
Claudia.Gemberling@pw.cccounty.us

Project location:

Marsh Creek between just north of Dainty Avenue bridge and south of Union Pacific Railroad bridge in the City of Brentwood

Project sponsor's name and address:

Contra Costa County Flood Control and Water Conservation District
255 Glacier Drive
Martinez, CA 94553

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2. PROJECT DESCRIPTION

2.1 Introduction

The Three Creeks Parkway Restoration project is a multi-benefit flood control and creek restoration project proposed by the Contra Costa County Flood Control and Water Conservation District ("District" or "CCCFCD") and American Rivers, a non-profit organization that protects wild rivers and restores damaged rivers. It proposes to improve flood conveyance capacity and restore native vegetation along an approximately 4,000 linear feet section of Marsh Creek located in Brentwood by widening the channel with a floodplain (or sections where more constrained, floodplain benches) and planting with native vegetation. When implementation is complete, the project site will include up to 1.0 acres of frequently inundated floodplain (seasonal wetland), 1.87 acres of woody riparian vegetation, and 1.87 acres of grasslands and native scrub. The project will also enhance habitat and recreation within the watershed.

In addition to the District and American Rivers, other project partners include the City of Brentwood, the Friends of Marsh Creek Watershed (FOMCW), East Contra Costa County Habitat Conservancy (ECCCHC), and East Bay Regional Park District (EBRPD).

2.2 Project Location and Surrounding Land Uses

Marsh Creek watershed, located about 35 miles east of San Francisco, is uniquely situated between the Bay-Delta and the Diablo Range, providing an important ecological corridor in a burgeoning urban area. Marsh Creek flows 30 river miles from the eastern slope of Mount Diablo State Park in central Contra Costa County to the San Joaquin Delta at Big Break in Oakley. Major tributaries to Marsh Creek include Dry, Deer, and Sand Creeks. Through the existing EBRPD park facilities and trails, Marsh Creek also provides a cultural and physical connection to the Delta, allowing East County residents to walk and bike from Big Break and its aquatic recreation facilities, through Oakley to downtown Brentwood. Thus, Marsh Creek provides one of the longest, non-motorized pathways in Contra Costa County.

The project site is located along Marsh Creek in the City of Brentwood (**Figure 1)**. The upper/southern limit of the project is just north of Dainty Avenue Bridge while the lower/northern limit is the pedestrian bridge across Marsh Creek about 175 feet south of the Union Pacific Railroad (UPRR) tracks. Marsh Creek trail, a regional trail owned by EBRPD is located on the east bank of Marsh Creek within the project area. As shown in **Figure 2**, the project is divided into three reaches:

Upper Reach

Upper Reach is the upper 1,600 linear-foot section of the creek from near Dainty Avenue Bridge up to Deer Creek confluence.

The area to the east and west of the Upper Reach is developed with residential neighborhoods (**Figure 3**).[1] A vacant 0.4-acre City-owned parcel is located on the east side of the Upper Reach just

[1] Future parks shown in **Figure 3** are not part of the proposed project and will not be analyzed in this Initial Study. CEQA analysis of the future City parks were conducted by adjacent development properties.

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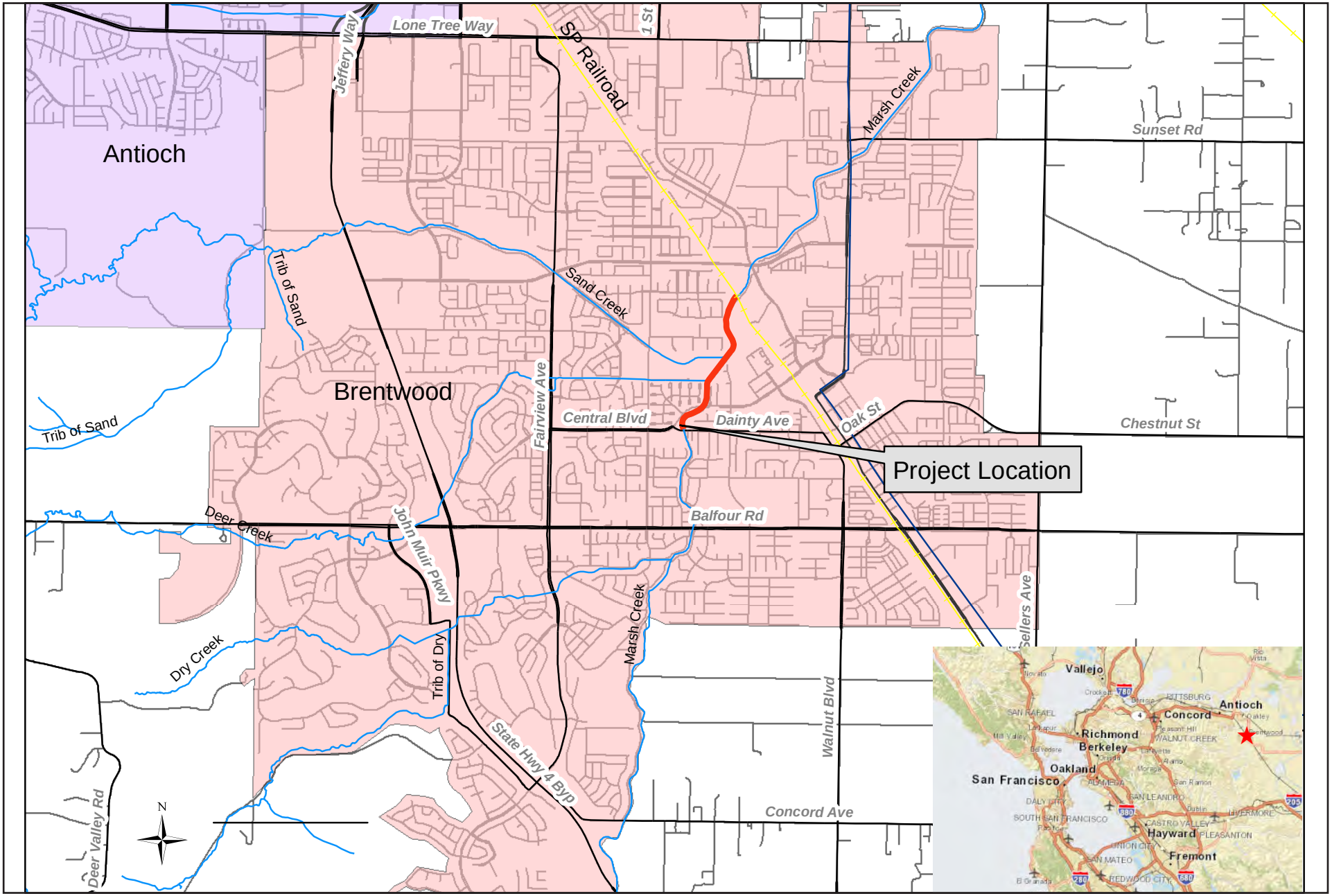

SOURCE: Restoration Design Group, Inc. 2016

FIGURE 1

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Project Location

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500 250 0 500

APPROXIMATE SCALE IN FEET

SOURCE: Restoration Design Group, Inc. 2016

FIGURE 2

IMPACT SCIENCES

Site Plan

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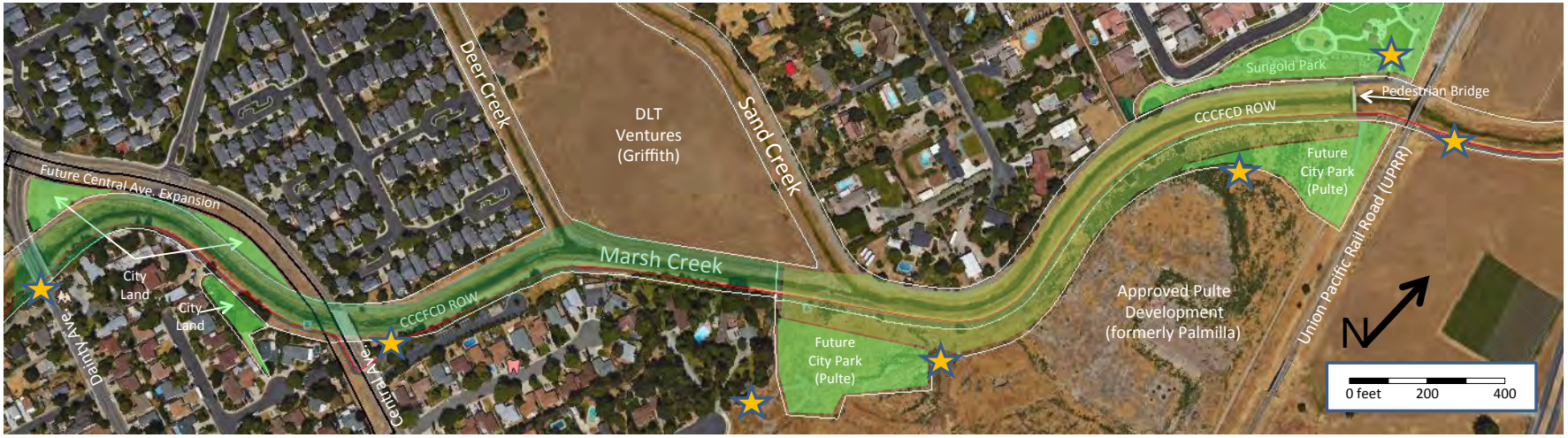
Looking upstream to Central Ave. Bridge

Looking upstream to Deer Creek in flood

Looking upstream to Deer Creek in drought

Looking upstream at Sand Creek confluence

Looking upstream from UPRR tracks



The Three Creeks Parkway Restoration Project will restore native vegetation and functional floodplains along 4,000 linear feet of Marsh Creek. American Rivers and the Friends of Marsh Creek Watershed are working with the Contra Costa County Flood Control District (CCCFCD) to integrate the project into adjacent city parks, the Pulte development (formerly Palmilla) and potentially DLT Ventures (Griffith).

Legend

- EBRPD Regional Trail
- Lower Parkway
- Upper Parkway
- City Land/Parks
- Public Access Points

Looking upstream from Central Ave. bridge

Looking upstream from Pedestrian bridge

Looking up from Sand Creek confluence

Looking down from Sand Creek confluence

SOURCE: American Rivers, 2016

FIGURE 3

IMPACT SCIENCES

Project Area Photographs

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south of Central Boulevard. Willow Wood School/Dainty Center (Preschool-7th grade/infant care) is located to the east of the Upper Reach between Central Boulevard and Dainty Avenue. There is a vacant strip of land to the west between the creek and Central Boulevard owned by the District and City of Brentwood. Residential neighborhoods are present to the west of Central Boulevard and Marsh Creek up to Deer Creek (**Figure 3**).

Middle Reach

Middle Reach is the 800 linear-foot section of the creek between Deer Creek confluence and just south of Sand Creek confluence.

Lands to the east of the Middle Reach are developed with residential subdivisions whereas the land to the west (Griffith parcel) is undeveloped at this time (**Figure 3**).

Lower Reach

Lower Reach is the 1,600 linear-foot section of the creek from just south of the Sand Creek confluence to the pedestrian bridge (**Figure 3**).

Lands to the east of the Lower Reach are undeveloped at this time although a linear city park is planned adjacent to the creek and the remaining area is the site of the approved Pulte residential subdivision (formally known as Palmilla subdivision). Single-family homes (Carmel Estates) and a city park (Sungold Park) are located to the west of the Lower Reach.

2.3 Project Need and Objectives

During the 1960s and early 1970s, approximately 7.9 miles of Marsh Creek from the mouth of the creek near Big Break on San Joaquin Delta in Oakley to the Dry Creek confluence in Brentwood were channelized into earthen and armored trapezoidal flood control channels. To provide conveyance capacity, the flood control channel was designed with steep banks, all riparian vegetation along the channel was removed, and the earthen channel was vegetated with non-native grasses. The channel was designed for a 50-year flood event in an agricultural setting.

Since the flood control channel was constructed, the upper watershed has remained mostly protected parklands and open space, but the lower watershed has urbanized rapidly. Over the last 25 years, the population of the Marsh Creek watershed has increased six fold. This development has transformed the watershed into a dense residential and commercial area, covering open space with impervious surfaces, substantially increasing runoff volume and degrading water quality. The District has constructed detention basins on each of Marsh Creek's three tributaries (Dry, Deer, and Sand Creeks) to accommodate increased run-off associated with urban development and impervious surfaces; however, urban and agricultural runoff remain issues.

An Engineer's Report prepared by the District in January 1990 identified the need to widen 7,000 feet of Marsh Creek to reduce flooding in the lower portion of the watershed. Based on the report, the District prepared a plan to widen the creek in three phases, with Phase I involving creek widening from Summer Circle to near Dainty Avenue Bridge, Phase II (" Upper Reach") involving widening from near Dainty Avenue Bridge to Deer Creek confluence, and Phase III ("Middle Reach") widening the creek between Deer Creek and Sand Creek. In March 1990 the "Draft Environmental Impact Report for the Marsh Creek

Watershed, Regional Drainage Plan" was published and a Final EIR was subsequently approved. Following this approval, Phase I was completed in 2000, which included the installation of a new concrete culvert at Dainty Avenue and creek widening that was almost entirely on the east bank.

Downstream of Phase I, Marsh Creek does not meet the District's standards for flood protection, exposing adjacent homes and businesses to flood risk. When looking at the capacity within the channel the District requirement for containment is controlled by the 50-year water surface elevation level (WSEL) plus freeboard or the 100-year WSEL, whichever one is higher. District analysis indicates that for the channel downstream of Phase I project, the 50-year WSEL plus freeboard will be greater than the 100-year WSEL and dictates the channel design. The project will widen the downstream sections of the creek so that the 100-year storm water surface elevation level and the 50-year storm plus WSEL would be contained within the creek channel.

Both the channelization that was implemented in the 1960s and early 1970s and the removal of riparian vegetation for flood management have limited the ecological functions of the creek. These factors have severely limited habitat complexity, structure, shade, riparian inputs, and floodplain wetlands. High velocities during annual peak flow events, which are exacerbated by increased peak run-off from newly urbanized surfaces, presumably flush most of the egg and larval stages of aquatic species downstream. Poor water quality from urban run-off is made worse by the lack of wetlands, shade, and microbial activity. Relatively high temperatures combined with low dissolved oxygen levels have caused four major fish kills on Marsh Creek over the last nine years. The combination of fish kills and poor habitat complexity limits the productivity, diversity, and resilience of the creek ecosystem. The project proposes to improve the ecological functions of the creek by reducing flow velocities, creating wetlands, and restoring riparian habitat. Although much of the watershed has been constrained by urbanization, the Three Creeks Parkway Restoration project site is the longest remaining stretch of undeveloped land along the creek where there is still an opportunity to widen the channel and provide a more natural creek system that is connected to the historic floodplain.

Lastly, the project would improve recreational amenities. Currently the Marsh Creek Trail located along the east bank of Marsh Creek passes through a primarily treeless stretch of land. With the restoration of riparian vegetation along the creek banks, the project would provide areas where trail users can stop in the shade and enjoy the beauty of the creek which will improve the experience of the trail users.

2.4 Project Components

This project is an innovative non-structural approach to flood management and habitat restoration. Instead of trying to control the creek in a narrow zone with levees and floodwalls, it focuses on giving the creek more room to safely convey flood waters while also providing habitat for aquatic and terrestrial species. **Table 1** below presents basic information about the project. Details of the project components follow the table.

Table 1
Project Data

Element	Upper Reach	Middle Reach	Lower Reach
Length	1,600 feet	800 feet	1,600 feet
Total Area Disturbed	2.1 acres	1.0 acre	4.25 acres
Soil Excavation	5,500 cu yards	3,500 cu yards	15,000 cu yards
Floodplain or bench width	3-15 feet	3-15 feet	10-30 feet
Bench slopes to top of bank	2:1 or 3:1	2:1 or 3:1	3:1 or less typical, 2:1 max.
Temporary Staging/Access Areas[1]	Within creek parcels (017-17C-004, 017-20C-XXX) or adjacent City-owned parcel (017-210-004, 017-201-038, 017-260-080, 017-280-113)[2]	Within creek parcel (017-17C-004) or adjacent parcel (017-110-011)[2]	Within creek parcels (017-17C-004) or adjacent private parcels (017-170-008, 017-170-007)
Permanent Access/Maintenance Easements[1]	017-260-080 017-280-113 017-201-038 017-210-029	017-110-011	017-170-007 017-170-008

[1] Some or all of the non-County-owned parcels would potentially require a temporary construction easement for access and staging and/or permanent easement for access and/or maintenance.
[2] Parcel numbers and ownership information shown on **Figures 4**, **6**, and **8**.

2.4.1 Channel Widening

The main function of expanding the channel is to create enough conveyance capacity to allow for the planting of woody riparian vegetation (trees) while also safely conveying large flood flows. The project would increase the cross-sectional area of the stream channel by excavating 24,000 cubic yards (5,500 for upper, 3,500 for middle, and 15,000 for lower reach,) of earth along approximately 4,000 linear feet of both banks of Marsh Creek to create new floodplain.

Upper Reach

As noted earlier, the Upper Reach is approximately 1,600 feet of the channel between just north of Dainty Avenue bridge and Deer Creek confluence. The reach is constrained by development on both sides and channel widening in this section would include excavation of both banks to construct a number of floodplain benches on both sides of the creek of varying widths with slopes ranging from 2:1 to 3:1 (**Figure 4**). The benches would be located above the ordinary high water mark (OHWM). The construction of the floodplain benches would satisfy the District's freeboard requirements for an earthen

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SOURCE: Restoration Design Group, Inc. 2016

FIGURE 4

IMPACT SCIENCES

Upper Reach Improvements

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channel. **Figure 5** presents existing and modified creek cross-sections for this reach.

Once the benches are constructed, permanent slope protection such as erosion control matting or other biotechnical methods would be installed on all benches and slopes for slope stabilization and to prevent long-term effects of erosion. The selected erosion control material would provide soil stabilization and promote vegetation growth.

Widening the channel cross-section is expected to decrease velocities and erosion potential. However, detailed hydraulic modeling that will be completed to inform the final design may indicate that some bank armoring is necessary where the expanded channel will taper down to the existing channel at the downstream project boundary. In one location along the Upper Reach, the project would require a retaining wall along approximately 250 feet on the left (west) bank due to the presence of Central Boulevard in Brentwood that will extend approximately 5 feet above ground. The retaining wall would rise from the back of the floodplain and would not touch the low flow channel. The project also includes replacement and repair of grouted rock at the Deer Creek confluence.

Middle Reach

The Middle Reach, which is about 800 feet in length, would be widened along the west bank as part of the proposed project. As the Middle Reach is also constrained, channel widening would involve excavation of both banks to construct a number of floodplain benches of varying widths as shown in **Figure 6**, with slopes ranging from 2:1 to 3:1. The benches would be located above the OHWM. The construction of the floodplain benches would satisfy the District's freeboard requirements for an earthen channel. **Figure 7** presents existing and modified creek cross-sections for this reach.

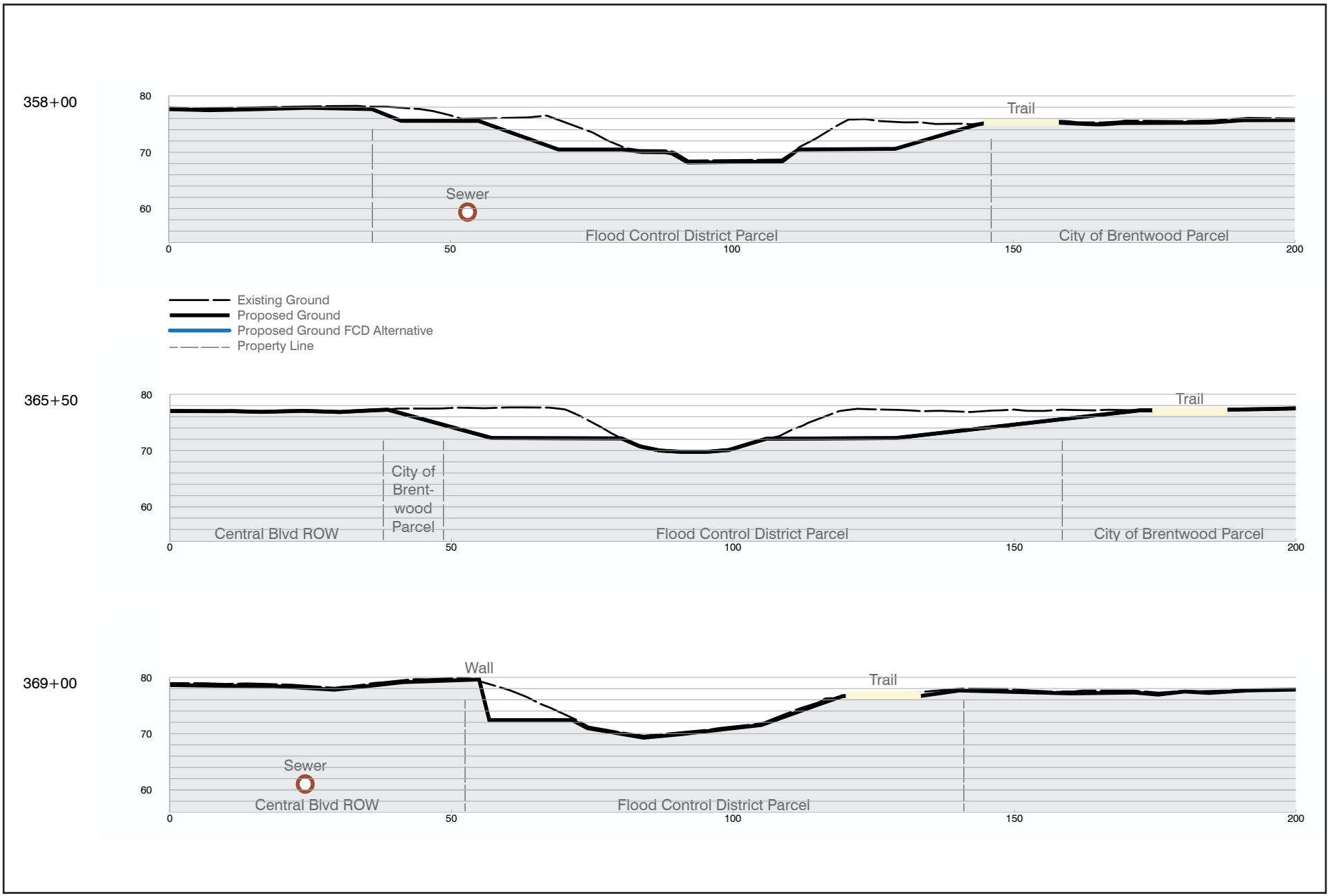
Lower Reach

The Lower Reach, which is about 1,600 feet in length, is less constrained, and more substantial widening of the channel is planned for this area. The project would excavate the east bank of the creek down to the OHWM to create a 10 to 40-foot wide floodplain with slopes typically 3:1 or less, but never more than 2:1 (**Figure 8**). **Figure 7** presents existing and modified creek cross-sections for this reach. If bank protection is necessary at some locations, the project would use biotechnical methods or large rocks to create an aesthetically pleasing bank.

Although erosion is currently not a problem, the project would reduce the potential for erosion by lowering water stage, reducing the velocity by widening the cross-sectional velocity of the channel, and establishing native riparian vegetation where compatible with the flood management objectives. To prevent weathering and erosion of slopes, permanent slope protection in the form of erosion control matting, armor, biotechnical methods, or appropriate ground cover would be installed, and the material would provide soil stabilization and promote vegetation growth.

2.4.2 Low-Flow Channel

The existing low-flow channel within project limits is engineered with rock grade control structures and banks. The existing, engineered channel has proven stable over the last 40 years and the rock grade



SOURCE: Restoration Design Group, Inc. 2016

FIGURE 5

IMPACT SCIENCES

Upper Reach Cross-Sections

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SOURCE: Restoration Design Group, Inc. 2016

FIGURE 6

IMPACT SCIENCES

Middle Reach Improvements

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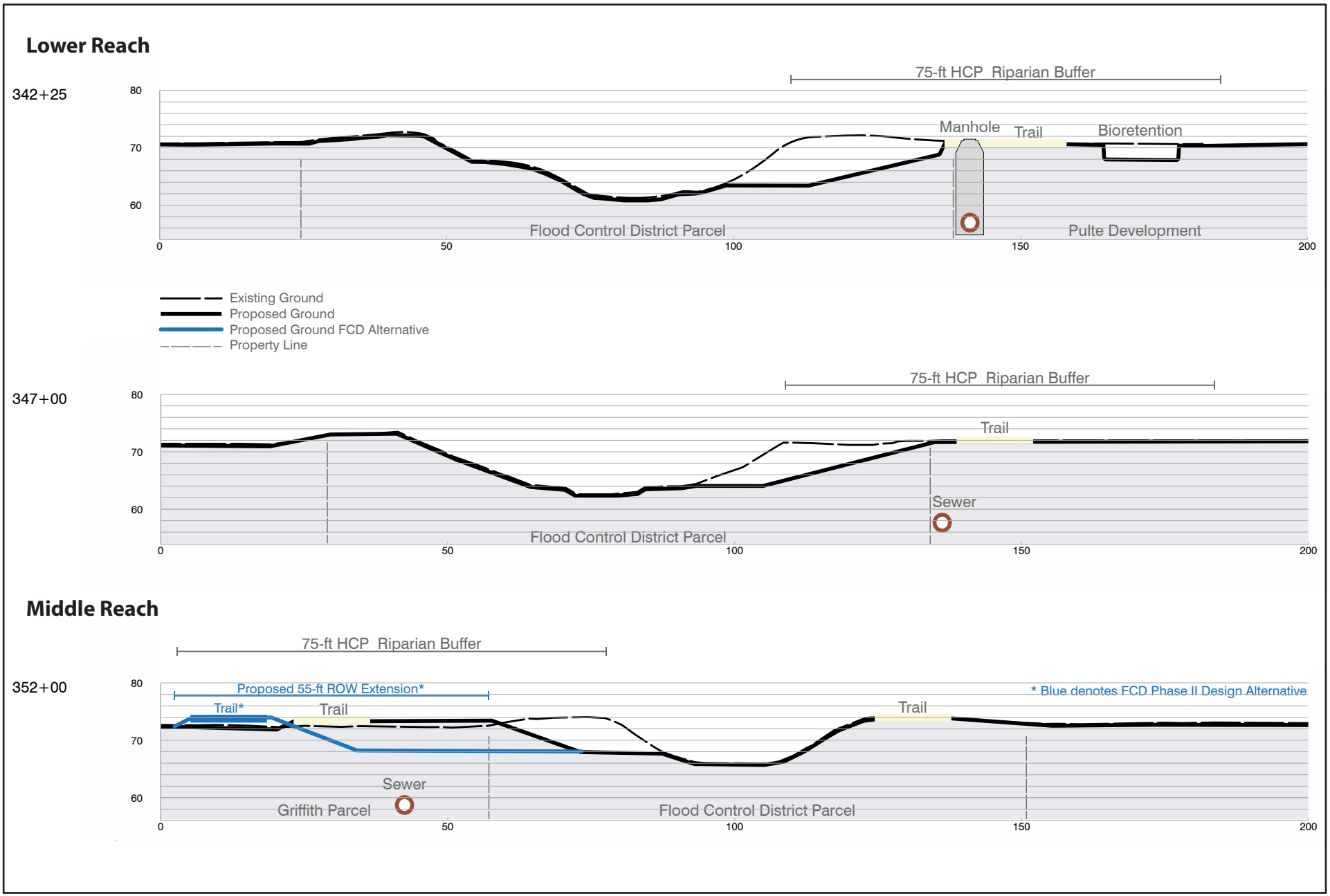

SOURCE: Restoration Design Group, Inc. 2016

FIGURE 7

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Middle and Lower Reach Cross-Sections

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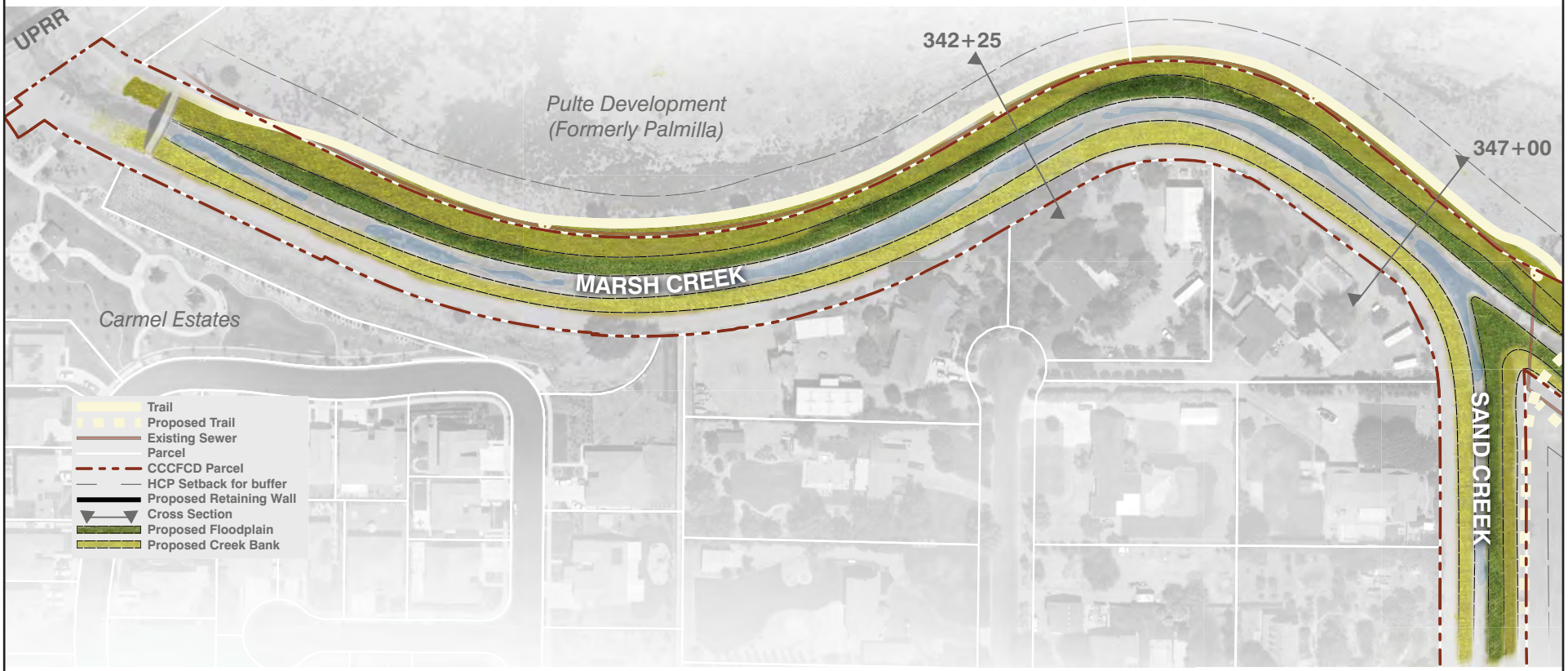

SOURCE: Restoration Design Group, Inc. 2016

FIGURE 8

IMPACT SCIENCES

Lower Reach Improvements

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control structures create a sequence of pools and riffles that provide some habitat for aquatic species. The excavation for floodplain widening typically will not touch the low-flow channel below the OHWM. The new floodplain would be graded to inundate during the storm events with the low-flow channel continuing to function much as it does today. Some work in the low-flow channel may be performed and would include creation of instream habitat in the low-flow channel by placing boulders and large woody debris, and the placement of rock slope protection in some portions of the low-flow channel in the Upper and Middle Reaches.

2.4.3 Sewer Line Relocation

A City of Brentwood sewer main is located on the west side of the Upper Reach (as shown in **Figures 4 and 5**). For most of the length, the sewer is within the Central Boulevard right of way. However, a portion of this sewer is located within one of the District's parcels where flood control improvements would be constructed. The sewer line is over 15 feet deep, at least 4 feet below the flow line of the creek. As the sewer line is below the maximum depth of excavation, it would not be relocated.

Near Sand Creek confluence in the Middle and Lower Reach, the sewer main crosses under the creek and continues north along the east bank of the Lower Reach. In the Lower Reach, the sewer line is located within the area that would be excavated to create the right (east) bank floodplain. The sewer line would most likely not be relocated to the east on the Pulte residential subdivision project site. The City of Brentwood has requested that the floodplain widening be stopped short of the existing sewer alignment so it does not need to be relocated. Throughout the project reach, minor modifications to sewer manholes may be required to accommodate changes in ground elevation. In all cases, grading will be performed around manholes so that potential spills from manholes would initially drain away from Marsh Creek.

2.4.4 Establishment of Wetlands

The newly created flood benches and floodplain would be inundated when flows in the creek rise during typical storm events that recur nearly annually. The floodplain and benches would be expected to be inundated frequently enough that they will support wetlands. The project would create approximately 3.6 acres of frequently inundated floodplain (seasonal wetland). However, to minimize mosquito breeding in the aquatic environment, floodplain and benches would be sloped at two percent to drain flood flows back to the creek and prevent ponding that would allow mosquitos to breed.

2.4.5 Revegetation Activities

Where possible, existing trees along the creek would be protected and retained. Following the construction of channel widening activities, depending on location, the project area would be planted with native wetland forbs, grasses, shrubs, and trees. Riparian trees would be planted along the banks and would include valley oak, sycamore, live oak, blue oak, box elder, buckeye, cottonwood, and willow. Slopes and banks would be planted with grassland and scrub species, which would include creeping wild rye (*Leymus triticoides*), California brome (*Bromus carinatus*), purple needlegrass (*Nassella pulchra, deawned*), dense-flowered lupine (*Lupinus microcarpus* var. *densiflorus)*, mugwort (*Artemisia douglasiana*), common fiddleneck (*Amsinchkia menziesii* var.*intermedia*), elegant clarkia (*Clarkia unguiculata*), and California poppy (*Eschscholzia californica*). Areas of the floodplain would be planted with seasonal wetland species that will include, but not be limited to, creek clover (*Trifolium obtusiflorum*), Baltic rush (*Juncus balticus*), and deer sedge (*Carex praegracilis*).

In 2000, the District completed Phase I widening of Marsh Creek from Dainty Avenue upstream to approximately Summer Circle (F**igure 2**). While additional widening of this segment is not proposed for this project due to constraints from the adjacent subdivisions, native shrubs and trees may be planted to provide a continuous riparian corridor with the existing riparian vegetation upstream of this segment and the proposed restoration of the project.

2.4.6 Recreational Improvements

The project would enhance opportunities for strolling, hiking, and biking along Marsh Creek. Marsh Creek trail would be relocated to the new top of the eastern bank along Upper and Middle Reach as part of the proposed project. The relocated trail section within the Upper Reach would be routed to pass under the Central Avenue road bridge. The trail section along the eastern bank of the Lower Reach would be relocated by the Pulte developer and this trail relocation is not within the scope of this project. However, the project would reduce the gradient of the steep slope between the creek and the trail and would provide a new unpaved foot trail within the created floodplain. Pervious pavement is being considered for use on the relocated trail. The City of Brentwood Parks, Trails, and Recreation Master Plan (2002) shows a future pedestrian bridge connecting the current Marsh Creek Regional Trail to the Griffith (DLT Ventures) property in the Middle Reach that would allow people to safely access and cross the creek as well as access possible future trails along Sand Creek and/or Deer Creek. These components are not part of this project. The City of Brentwood will be updating its Master Plan and the location of these features may be adjusted appropriately.

The lower 1,600 feet of the project would be integrated into a new linear city park, which would provide passive recreation amenities and native landscaping consistent with creek restoration. Consistent with the standards of the East Contra Costa County Habitat Conservation Plan (HCP), native trees would be planted within a 60-linear foot band of two city parks, along the west side of Pulte development within the HCP/NCCP required setback to provide a natural buffer adjacent to the creek. The project would also include interpretive signs along Marsh Creek.

2.5 Project Construction Activities and Schedule

The proposed project has most of the permanent right of way required for construction. However, as indicated in **Table 1**, temporary construction easements or small permanent takes may be needed from the City of Brentwood and other property owners in order to access adjacent parcels during construction. Construction is anticipated to begin summer 2017. Excavation and grading activities would occur during the dry season (July to October) with plant restoration occurring afterwards (November to December) and may take up to two construction seasons to complete.

2.5.1 Upper Reach

Grading and earthmoving activities along the Upper Reach would take place over a period of approximately 2 weeks during the dry season. Construction equipment to be used would include tractors, backhoes, excavators, graders, and dump trucks. Staging for the Upper Reach portion of the project would be within the District-owned parcels or on a City-owned parcel to the east of the creek south of Central Boulevard. Approximately 5,500 cubic yards of soil excavated for channel expansion would require disposal. The excavated materials would be temporarily stored in the staging area and later removed for use on other nearby land development projects or would be off-hauled to the Dutch

Slough project site in Oakley where it would be used as fill. Other construction activities along this reach would include revegetation and planting, as well as the relocation of the regional trail.

2.5.2 Middle Reach

Grading and earthmoving activities along the Middle Reach would also take place over a period of approximately 1 to 2 weeks during the dry season. Construction equipment to be used would include tractors, backhoes, excavators, graders, and dump trucks. Staging for the Middle Reach portion of the project would take place on the District-owned parcels that contain the Middle Reach of the creek. Approximately 3,500 cubic yards of spoils excavated for channel expansion would require disposal. Similar to the Upper Reach, the excavated materials would be temporarily stored in the staging area and later removed for use on other nearby land development projects or would be off-hauled to the Dutch Slough project site where it would be used as fill. Other construction activities along this reach would include revegetation and planting, as well as the relocation of the regional trail.

2.5.3 Lower Reach

Construction of the Lower Reach improvements would take place over a period of approximately 4 weeks during the dry season. Staging for the Lower Reach portion of the project would take place on the District-owned parcels containing the creek or the adjacent vacant private land parcel. Construction equipment to be used would include tractors, backhoes, excavators, graders, and dump trucks. Approximately 11,000 cubic yards of spoils excavated for channel expansion would require disposal, with the remainder of the excavated materials (4,000 cubic yards) used on site. Similar to the other two reaches, the excavated materials would be temporarily stored in the staging area and later removed for use on other nearby land development projects or would be off-hauled to the Dutch Slough project site where it would be used as fill. Other construction activities along this reach would include revegetation and planting.

2.6 Long Term Maintenance

Following the construction of the proposed improvements, the project area would be maintained by the District, with EBRPD responsible for continued maintenance of the regional trail.

2.7 Permits and Approvals Required

In addition to review and approval of the proposed project by the District pursuant to CEQA, the proposed project will also require the following permits and approvals for implementation:

- Clean Water Act (CWA) Section 404 Permit from the U.S. Army Corps of Engineers for construction in the Waters of the U.S.
- CWA Section 401 Certification from the Central Valley Regional Water Quality Control Board
- Section 1602 Streambed Alteration Agreement from the California Department of Fish and Wildlife
- EBRPD Encroachment Permit
- District Encroachment Permit
- City of Brentwood Grading Permit

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3. SUMMARY OF ENVIRONMENTAL EFFECTS

The proposed project could potentially affect the environmental factor(s) checked below. The following pages present a more detailed checklist and discussion of each environmental factor.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources, including Tribal Cultural Resources	☐ Geology / Soils
☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials	☐ Hydrology / Water Quality
☐ Land Use / Planning	☐ Mineral Resources	☐ Noise
☐ Population / Housing	☐ Public Services	☐ Recreation
☐ Transportation / Traffic	☐ Utilities / Service Systems	☐ Mandatory Findings of Significance

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4. DETERMINATION

On the basis of this initial evaluation:

☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☑ Although the proposed project COULD have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ The proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.

8-2-16

Lead Agency Representative DATE
Contra Costa County Department of Conservation and Development

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5. EVALUATION OF ENVIRONMENTAL EFFECTS

All items on the Initial Study Checklist that have been checked "Less Than Significant Impact" or "No Impact" indicate that, upon evaluation, the District on behalf of the Contra Costa County Department of Conservation and Development has determined that the proposed project could not have a significant adverse environmental effect relating to that issue. For items that have been checked "Less Than Significant with Mitigation Incorporated," the District has determined that the proposed project would not have a significant adverse environmental effect as the mitigation measures presented in this Initial Study would be implemented as part of the project. For each checklist item, the evaluation has considered the impacts of the project both individually and cumulatively.

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5.1 Aesthetics

5.1.1 Background

The project is located in a rapidly urbanizing area of eastern Contra Costa County, in the City of Brentwood. At the present time, the creek is a trapezoidal flood control channel with practically no riparian vegetation. The earthen channel is steep sloped and planted with non-native grasses. A narrow band of ruderal freshwater marsh habitat is present along the base of the channel banks. Marsh Creek Trail is located on top of the eastern bank of the creek. Residential subdivisions are present on both sides of the creek for most of the project's length. A vacant City-owned parcel is located on the east side of the Upper Reach just south of Central Boulevard and another city park (Sungold Park) is present on the west side of the Lower Reach. A linear park is planned adjacent to the east side of the Lower Reach. A residential subdivision project (Pulte) is approved for the area east of the Lower Reach.

5.1.2 Environmental Checklist and Discussion

AESTHETICS Would the project…	Potentially Significant Impact	Less than Significant with Project-level Mitigation	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☑	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☑	☐
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☑	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☑

DISCUSSION:

Project

a. A scenic vista is defined as a publicly accessible viewpoint that provides expansive views of a highly valued landscape. Although public views of the Upper Reach are available from Dainty Avenue and Central Boulevard, the views are generally not expansive and would not be considered a scenic vista. Expansive views of the creek and the broader landscape are available from Sungold Park to the west of the Lower Reach and from the EBPRD regional trail, especially in the area of the Middle and Lower Reaches. The implementation of the proposed project would change these views by widening the floodplain and planting riparian vegetation along the creek.

However, this change would not adversely affect the scenic views in the area but would in fact enhance the views by adding trees and other riparian vegetation along the creek banks. The impact would be *less than significant*.

b. There is no state designated scenic route in the immediate vicinity of the proposed project. However, some trees will be removed but the project will be restored with native riparian trees and understory vegetation. Therefore, the project impact would be *less than significant*.

c. The proposed project would excavate both banks of the creek, widen the channel, and restore the area by planting native plant species and riparian trees. During construction, the project area would appear disturbed and a small number of existing trees would be removed when the creek banks are excavated. However the duration of construction would be short and once the construction is completed, new trees and other native plants appropriate to the project area would be planted. Once the new plantings are established, the visual character and quality of the creek corridor would improve relative to current conditions. Impacts of the proposed project on the visual character of the project site and its surroundings would be *less than significant.*

d. The project does not include the installation of any temporary or permanent lighting. Construction work would be completed during daytime hours and no lighting would be required. Therefore implementation of the project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area. There would be *no impact*.

5.2 Agricultural and Forestry Resources

5.2.1 Background

The project is located in Contra Costa County. The Farmland Mapping and Monitoring Program (FMMP) identifies the project site as Urban and Built-Up Land[2] (California Department of Conservation 2014).

The project site is bordered on the east by residential subdivisions, a vacant City-owned parcel, two planned parks, Willow Wood School/Dainty Center, and an approved residential subdivision. To the west, the project site is bordered by residential subdivisions and a city park. The land between Deer Creek and Sand Creek to the west of the Middle Reach is presently undeveloped land planned for future residential subdivision development (City of Brentwood General Plan 2014). All lands adjacent to the creek are designated Urban and Built-Up land by the FMMP.

5.2.2 Environmental Checklist and Discussion

AGRICULTURAL AND FORESTRY RESOURCES Would the project…	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☑
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☑
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	☐	☐	☐	☑
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☑

[2] Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☑

DISCUSSION:

a. The project site is designated as Urban and Built-up Land by the FMMP. As a result, implementation of the proposed project would not result in the conversion of land designated either as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. There would be *no impact*.

b. The project site is not under a Williamson Act contract and is not zone for agricultural use. There would be *no impact* from the implementation of the project on land under a Williamson Act contract and/or zoned for agricultural use.

c., d. Timberland is defined in PRC Section 4526 as "land designated by the board[3] as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees." The project site contains no mapped timberland, and there would be *no impact* from implementation of the proposed project.

Forest land is defined in PRC Section 12220(g) as "land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits." The project site does not contain any forest lands. Therefore, implementation of the proposed project would not result in the loss of or conversion of forest land to non-forest use. There would be *no impact*.

e. The project would not involve any land use changes that could indirectly lead to the conversion of Important Farmland or forest lands to other uses. Furthermore, as discussed above, most of the parcels near the project site are developed with residential subdivisions, and those properties that are currently undeveloped are designated Urban and Built-Up Land by the FMMP. There would be *no impact*.

[3] Board of Forestry and Fire Protection

5.3 Air Quality

5.3.1 Background

The project area is subject to air quality planning programs developed in response to both the Federal Clean Air Act (CAA) and the California Clean Air Act (CCAA). Within the San Francisco Bay Area, air quality is monitored, evaluated, and regulated by the U.S. Environmental Protection Agency (EPA), the California Air Resources Board (CARB), and Bay Area Air Quality Management District (BAAQMD).

The project is located in eastern Contra Costa County, which, along with eight other counties, is within the San Francisco Bay Area Air Basin (SFBAAB or Air Basin).

Air pollutants are emitted by a variety of sources, including mobile sources such as automobiles; stationary sources such as manufacturing facilities, power plants, and laboratories; and area sources such as homes and commercial buildings. While some of the air pollutants that are emitted need to be examined at the local level, others are predominantly an issue at the regional level. For instance, ozone (O3) is formed in the atmosphere in the presence of sunlight by a series of chemical reactions involving oxides of nitrogen (NOx) and reactive organic gases (ROG). Because these reactions are broad-scale in effects, the effects of ozone typically are analyzed at the regional level (i.e., in the Air Basin) rather than the local level. On the other hand, other air pollutants such as sulfur dioxide (SO2), respirable particulate matter (PM10), fine particulate matter (PM2.5), carbon monoxide (CO), lead (Pb), and toxic air contaminants (TAC) are a potential concern in the immediate vicinity of the pollutant source because the pollutants are emitted directly or are formed close to the source. TACs are also known as hazardous air pollutants. Therefore, the study area for emissions of SO2, PM10, PM2.5, CO, Pb, and TAC is the local area nearest the source, such as in the vicinity of construction sites, whereas the study area for regional pollutants such as NOx and ROG is the entire Air Basin.

Air pollutants typically are categorized as criteria pollutants or TACs. The criteria pollutants are those regulated at the federal level by U.S. EPA and at the state and regional level by CARB and BAAQMD, respectively. These include O3, PM10, PM2.5, CO, nitrogen dioxide (NO2), SO2, and Pb. O3 is a secondary pollutant formed during photochemical reactions with precursor pollutants. As such, O3 is measured by assessing emissions of its precursors, ROG and NO2. TACs are airborne pollutants for which there are no air quality standards, but are known to have adverse human health effects and therefore are regulated. TACs are generated by a number of sources, including stationary sources, mobile sources such as automobiles and heavy-duty construction equipment, particularly diesel-fueled vehicles.

Air quality in the Air Basin is monitored by the BAAQMD and CARB. Based on pollutant concentrations measured at monitoring stations within the Air Basin, the SFBAAB is classified as being either in attainment or non-attainment of federal and state air quality standards. The Air Basin is designated nonattainment for the federal O3 8-hour standard, the state O3 1-hour standard, the state PM10 standard, and the state and federal PM2.5 standards. For all other federal and state standards, the Air Basin is in attainment or unclassified.

Some groups of people are considered more sensitive to adverse effects from air pollution than the general population. These groups are termed "sensitive receptors." Sensitive receptors include children, the elderly, and people with existing health problems, who are more often susceptible to respiratory infections and other air quality-related health problems. Locations where these groups of people are found, such as schools, childcare centers, hospitals, and nursing homes, are all considered sensitive receptors. Air pollution impacts are assessed, in part, based on potential effects on sensitive receptors.

Several sensitive receptors are located in the vicinity of the project site. Specifically, single-family homes are located adjacent to the work areas on the east side of the creek between Dainty Avenue and Central Boulevard; on the west side of the creek between Central Boulevard and Deer Creek; and along the east side of the Middle Reach. Willow Wood School/Dainty Center is also located adjacent to the east side of the creek at the corner of Dainty Avenue and Central Boulevard.

The *BAAQMD CEQA Air Quality Guidelines* ("BAAQMD Guidelines") set forth methodologies and quantitative significance thresholds that a lead agency may use to estimate and evaluate the significance of a project's air emissions. The BAAQMD Guidelines present thresholds for evaluating both construction-phase and operational emissions, and include numeric thresholds for criteria pollutants and health-based evaluation criteria for TACs. The BAAQMD Guidelines do not recommend quantification of fugitive dust emissions but note that the impact from a project's fugitive dust emissions during construction would be significant unless dust control measures and other best management practices are implemented. Although due to litigation related to the BAAQMD Guidelines, the BAAQMD is not recommending the use of the thresholds in its Guidelines, the thresholds are used by most Bay Area lead agencies, and have been used in this Initial Study to evaluate the project's air quality impacts.

5.3.2 *Environmental Checklist and Discussion*

AIR QUALITY Would the project…	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☑	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☑	☐	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☑	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☑	☐

e) Create objectionable odors affecting a substantial number of people?	☐	☐	☑	☐

DISCUSSION:

a. A project would be considered to conflict with or obstruct implementation of the regional air quality plans if it would be inconsistent with the emissions inventories contained in the regional air quality plans. Emission inventories are developed based on projected increases in population and vehicle miles traveled (VMT) within the region. Project-generated increases in population or VMT could, therefore, potentially conflict with regional air quality attainment plans. Due to the nature of the creek restoration activities, implementation of the proposed project would not result in increased population or related increases in vehicle miles traveled within the region. As a result, implementation of the proposed project would not be anticipated to conflict with existing or future air quality planning efforts. The proposed project would have a *less than significant* impact.

b. Implementation of the proposed project would result in short-term emissions associated with ground disturbance and use of construction equipment and vehicles. Minimal emissions are anticipated after the activities are completed, for reasons presented below.

Construction

Construction-generated emissions are short term and of temporary duration, lasting only as long as construction activities occur, but have the potential to result in a significant air quality impact. The channel widening and restoration activities would result in temporary emissions associated with excavation and motor-vehicle exhaust from construction equipment and worker trips, as well as the movement of construction equipment especially on unpaved surfaces. Emissions of airborne particulate matter are largely dependent on the amount of ground disturbance associated with site preparation activities.

Criteria Pollutant Emissions

Emissions of criteria pollutants from mainly excavation activities, grading and off-hauling were estimated using the CalEEMod model. A conservative scenario was modeled that assumed that the Upper Reach and Lower Reach improvements would be under construction at the same time and the Middle Reach improvements would be constructed shortly thereafter. Therefore all of the construction activities would take place over a 37-day period. The estimated construction emissions are provided below in **Table 2, Estimated Construction Emissions**.

Table 2
Estimated Construction Emissions (lbs per day)

	CO	NOx	ROG	PM (fugitive dust)	PM10 (Exhaust)	PM2.5 (Exhaust)
Project	24.4	20.9	2.4	138.7	0.81	0.74
Significance Thresholds	**None**	**54**	**54**	**None**	**82**	**54**
Exceedance?	No	No	No	No	No	No

Source: Impact Sciences, Inc. 2016.

As shown in **Table 2**, if the Upper Reach and Lower Reach are concurrently under construction and the Middle Reach is constructed shortly after, the proposed project would result in emissions that would not exceed the thresholds of significance for criteria pollutants. The impact from air pollutant emissions during the construction-phase of the project would be *less than significant.*

Fugitive Dust

As mentioned above, movement of construction equipment, especially on unpaved surfaces, during construction activities and off-hauling excavated materials could temporarily generate fugitive dust, including PM10 and PM2.5 emissions. Unless properly controlled, vehicles leaving the site would deposit mud on local roadways, which could be an additional source of airborne dust after it dries. Fugitive dust emissions would vary from day to day, depending on the nature and magnitude of construction activity and local weather conditions. Fugitive dust emissions would also depend on soil moisture, silt content of soil, wind speed, and the amount of equipment operating. Larger dust particles would settle near the source, while fine particles would be dispersed over greater distances from the construction site. The BAAQMD Guidelines consider the impact from a project's construction-phase dust emissions to be less than significant if best management practices listed in the guidelines are implemented. Without these BMPs, the impact from fugitive dust emissions would be potentially significant. Thus, to ensure that construction-phase emissions are controlled and minimized, **Mitigation Measure AIR-1** is included which requires that dust control and other BMPs put forth by the BAAQMD are implemented by the proposed project.

Mitigation Measure AIR-1:

The construction contractor(s) shall implement the following BMPs during project construction:

- All exposed surfaces (e.g., parking areas, staging areas, soil stockpiles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

- All vehicle speeds on unpaved roads shall be limited to 15 mph.

- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible and feasible.

- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Community Health Risk

In addition to an evaluation of the potential impacts from a project's construction-phase emissions of criteria pollutant and fugitive dust, the BAAQMD Guidelines recommend an evaluation of potential community health risk and hazards from a project's construction emissions of toxic air contaminants (TACs). For assessing community risks and hazards, a 1,000 foot radius around the project boundary is recommended in the BAAQMD Guidelines. The proposed project would involve the use of diesel-fueled construction equipment which would result in diesel particulate emissions which are considered a TAC in the vicinity of the work areas. Due to the nature of the proposed project, the fact that only a few pieces of equipment would be used on each reach (no more than 3 pieces of equipment), and the short duration of work, the potential for a significant impact is low. However, sensitive receptors such as residences and a daycare center are located less than 50 feet from where project construction activities would occur and could be potentially affected. The impact would be *potentially significant*. To avoid impacts to nearby sensitive receptors, the project will be required to implement **Mitigation Measure AIR-2** which will ensure that cleaner engines are utilized for construction equipment to reduce diesel particulate emissions.

Mitigation Measure AIR-2:

All diesel-powered off-road equipment larger than 50 horsepower and operating on the site for more than two days continuously during the duration of construction shall, at a minimum, meet U.S. EPA emissions standards for Tier 2 engines or equivalent.

Operation

Operational air emission impacts are associated with any change in permanent use of the project site as a land use change can add new on-site stationary or area sources to the project site or increase the number of vehicles trips to and from the project site. No change in land use is proposed as part of the channel widening and restoration activities. Although restoration activities may attract more people to utilize the Marsh Creek Trail, no significant permanent increase in vehicle trips to the creek would result due to the proposed project. The small number of vehicle trips associated with the monitoring and maintenance activities would not significantly increase VMT. Therefore, operational emissions associated with the proposed project would not change substantially from existing conditions, and would not exceed the applicable BAAQMD thresholds of significance for operational emissions. The impact from air pollutant emissions during operation would be *less than significant*.

c. As described above in Response b, the proposed project would not result in temporary increases in air pollutant emissions that would exceed the applicable BAAQMD thresholds of significance for construction emissions of criteria pollutants. In addition, BMPs would be implemented to control fugitive dust and other construction-phase emissions. The proposed project would also not result in a substantial amount of air pollutant emissions during operation. As a result, increases of temporary and long-term air pollutant emissions would not result in a cumulatively considerable net increase of any of the pollutants for which the project region is in nonattainment status for federal or state ambient air quality standards. This impact would be *less than significant*.

d. The potential for project construction activities to affect sensitive receptors is analyzed above under Response b. As noted there, although TAC emissions during construction could result in a potentially significant community health impact, it would be reduced to a *less than significant* level by **Mitigation Measure AIR-2** set forth above.

e. Construction of the proposed project would require the use of diesel-fueled equipment, which has an associated odor. However, odors would be short term and temporary and would disperse rapidly. They would not be pervasive enough to affect a substantial number of people or to be objectionable. Consequently, construction of the proposed project would not cause or be affected by odors, and the impact would be less than significant. Furthermore, **Mitigation Measures AIR-1** and **AIR-2** would be implemented to minimize diesel exhaust emissions emitted on the project site during construction.

5.4 Biological Resources

5.4.1 Background

The project site is situated in a rapidly developing part of eastern Contra Costa County. Adjacent land uses include single-family residential neighborhoods to the north, west and south, and vacant lands zoned for residential development to the east and west. A section of the Marsh Creek Regional Trail follows the top of Marsh Creek's eastern bank.

The entire study area, which encompasses both banks of Marsh Creek over a section approximately 4,000 feet long, has been highly modified historically by flood control and agricultural activities. The upland portions of the study area were dryland farmed as recently as 2003 and were under cultivation at least as long ago as 1938; Marsh Creek has had much the same alignment going back at least as long ago as then. Although most of the Marsh Creek channel on site is lined with earthen banks, portions have been armored with grouted riprap. Multiple storm drains outfall into the channel. The left (western) bank is topped with a gravel access roadbed and backs up onto fenced back yards or adjacent residences, and a vacant field. The right (east) bank is topped with the paved Marsh Creek Regional Trail and bordered with an old barbed wire fence in the Lower Reach. The upland fields within and adjacent to the project site is former agricultural land that has gone fallow but is routinely disked for weed and fire control (Wood 2016).

No natural, unaltered plant communities are present onsite or the project vicinity. Although native plant species are present, none of the habitats present are considered indigenous and natural; each is characterized as a product of post-disturbance recolonization. The predominant vegetation type is ruderal. Anthropogenic habitat, consisting of plantings, is present along the Marsh Creek Regional Trail and on adjacent properties. A narrow band of ruderal freshwater marsh habitat is present along the base of each channel bank (Wood 2016).

Reconnaissance-level surveys were performed on May 12, 2015 and November 17, 2015 by Wood Biological Consulting. During both surveys, all habitat types at and adjacent to the study area were surveyed and classified, and plant and wildlife species observed were recorded.

Special-status Plants

Special-status plants include plant species that are listed or proposed for listing under the Federal Endangered Species Act (FESA) or California Endangered Species Act (CESA) or considered by the California Native Plant Society (CNPS) to be "rare, threatened or endangered in California"(California Rare Plant Rank 1A, 1B and 2). A total of 61 special-status plant species have been recorded in the nine U.S. Geological Survey (USGS) quadrangles surrounding the project site and were evaluated in the February 2016 Biological Resource Assessment. Of the 61 species, eight special-status plant species are mapped by the 2015 California Natural Diversity Database (CNDDB) as having been recorded from within 3.0 miles of the project site. These include brittlescale (*Atriplex depressa*), big tarplant (*Blepharizonia plumosa*), round-leaved filaree (*California macrophylla*), San Joaquin spearscale (*Extriplex joaquiniana*), stinkbells (*Fritillaria agrestis*), Brewer's western flax (*Hesperolinon breweri*), Antioch Dunes evening primrose (*Oenothera deltoides* ssp. *howelliii*), and showy golden madia (*Madia radiata*).

No federally or State-listed plant species or California Rare Plant Rank 1A, 1B and 2 species were detected within the study area and none is expected to occur within the project disturbance areas due to level of historical disturbance and lack of appropriate habitat.

Special-status Wildlife Species

Special-status wildlife species include animal taxa listed or proposed for listing under the FESA or CESA; taxa considered by the California Department of Fish and Wildlife (CDFW) to be a Species of Special Concern (SSC); and taxa which meet the criteria for listing, even if not currently included on any list, as described under CEQA Section 15380. In addition, many wildlife species receive protection under the Bald and Golden Eagle Protection Act (BGEPA), the Migratory Bird Treaty Act (MBTA), and the Migratory Bird Treaty Reform Act (MBTRA). The California Fish and Game Code (CFGC) provides specific language protecting birds and raptors, "fully protected birds," "fully protected mammals," "fully protected reptiles and amphibians," and "fully protected fish." The California Code of Regulations (CCR) prohibits the take of fully protected fish, certain fur-bearing mammals, and restricts the taking of amphibians and reptiles (Wood 2016).

The potential for a total of 78 special-status wildlife species to occur in the area to be disturbed by the project was evaluated in the February 2016 Biological Resource Assessment. Based on the availability of suitable habitat, there is potential for nine special-status wildlife species to occur on site. These include silvery legless lizard, California red-legged frog, Pacific pond turtle, Chinook salmon, steelhead (Central Valley distinct population segment (DPS)), burrowing owl, white-tailed kite, loggerhead shrike, and Swainson's hawk. Of the nine species, two of these species were observed on site during surveys: burrowing owl was observed nesting within the study area and Swainson's hawk was observed hunting on site.

East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan

The proposed project site is located within the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan ("HCP/NCCP" or "Plan") inventory area. The Plan is intended to provide a comprehensive framework to protect natural resources in eastern Contra Costa County, while improving and streamlining the environmental permitting process for impacts of new development on Endangered and Threatened species, and other species covered by the HCP/NCCP.

The permit area for the East Contra Costa County HCP/NCCP generally includes land within the urban limit lines in the cities of Clayton, Pittsburg, Oakley, and Brentwood and Contra Costa County. The local jurisdictions who are permittees under the HCP/NCCP include the cities of Brentwood, Clayton, Oakley, and Pittsburg, Contra Costa County, Contra Costa County Flood Control and Water Conservation District, East Bay Regional Park District, and the Conservancy. Currently, all participating jurisdictions have approved the HCP/NCCP and have adopted implementing ordinances and the fee structures set forth in the HCP/NCCP.

As required by the FESA, the HCP/NCCP includes measures to avoid and minimize take of covered species, which would be included as conditions on development for applicable projects. It is the responsibility of project proponents to design and implement their projects in compliance with listed measures in the HCP/NCCP.

The proposed project's participation in the HCP/NCCP would provide a mechanism to adequately mitigate impacts to all potentially occurring covered sensitive species and habitats on the project site.

5.4.2 *Environmental Checklist and Discussion*

BIOLOGICAL RESOURCES Would the project…	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☑	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☑	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☑	☐	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☑
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☑	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☑

DISCUSSION:

a. Special-status Plants

As stated above, 61 special-status plant species have been recorded within the nine USGS quad area inclusive of the project site and were evaluated in the February 2016 Biological Resource Assessment. However, none of the special-status plant species were observed during site reconnaissance surveys and are not expected to occur on the project site due to the level of disturbance, soils, lack of suitable habitat or substrate, and geographic isolation from known populations. Therefore, *no impacts* to special-status plant species would occur.

Special-status Wildlife Species

As noted above, the potential exists for nine special-status wildlife species to occur on site: silvery legless lizard, California red-legged frog, Pacific (Western) pond turtle, Chinook salmon, steelhead (Central Valley DPS), burrowing owl, white-tailed kite, loggerhead shrike, and Swainson's hawk. The potential also exists for numerous other bird species that are protected under the MBTA and CFGC to be present in the area. The potential for the project to affect these species is evaluated below.

Reptiles and Amphibians

Populations of California red-legged frog, Pacific (Western) pond turtle, and silvery legless lizard have been recorded from the project region. Although the occurrence of these species on the project site is considered unlikely, the lack of significant barriers to movement between known source populations and the project site means that the potential exists for these species to move into harm's way during project construction and direct mortalities could result. Direct and indirect impacts to California red-legged frog, Pacific (Western) pond turtle, and silvery legless lizard would be considered *significant.* Implementation of **Mitigation Measure BIO-1** would reduce impacts to these species to a *less than significant* level.

Mitigation Measure BIO-1:

To avoid and minimize impacts to California red-legged frog, Pacific (Western) pond turtle, and silvery legless lizard during construction activities, the project will implement the following measures:

1. Coverage under the HCP/NCCP. The project proponent shall apply for coverage under the HCP/NCCP. Participation in the HCP/NCCP, including implementation of appropriate avoidance and minimization measures and payment of applicable fees

would provide the project proponent with incidental take coverage for California red-legged frog, Pacific (Western) pond turtle, and silvery legless lizard.[4]

2. Seasonal Avoidance. If required by the Streambed Alteration Agreement or Water Quality Certification, work shall be limited to the dry season, from April 15 to October 15.

3. Minimize Nighttime Work. If required by the Streambed Alteration Agreement or Water Quality Certification, nighttime construction shall be restricted to avoid effects on nocturnally active species such as California red-legged frog.

4. Environmental Awareness Program. Prior to the commencement of construction activities, a qualified biologist shall present an environmental awareness program to all construction personnel working on site. At a minimum the training should include a description of special-status species that could be encountered, their habitats, regulatory status, protective measures, work boundaries, lines of communication, reporting requirements, and the implications of violations of applicable laws.

5. Wildlife Exclusion Fencing. Prior to the start of construction, wildlife exclusion fencing (WEF)[5] shall be installed as warranted and consistent with the HCP/NCCP to isolate the work area from any habitats potentially supporting special-status animals or through which such species may move. The final project plans shall indicate where and how the WEF is to be installed. The bid solicitation package special provisions shall provide further instructions to the contractor about acceptable fencing locations and materials. The fencing shall remain throughout the duration of the work activities, be regularly inspected and properly maintained by the contractor. Fencing and stakes shall be completely removed following project completion.

6. Best Management Practices (BMPs). Prior to the initiation of work, BMPs shall be in place to prevent the release of any pollutants or sediment into the creek, storm drains, or tributaries; all BMPs shall be properly maintained. Leaks, drips, and spills of hydraulic fluid, oil, or fuel from construction equipment shall be promptly cleaned up to prevent contamination of water ways. All workers shall be properly trained regarding the importance of preventing and cleaning up spills of contaminants. Protective measures should include, at a minimum:

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[4] The HCP/NCCP requires written notification to the USFWS, CDFW, and the Habitat Conservancy prior to disturbance of any suitable breeding habitat for California red-legged frog. However, the project area does not contain any suitable breeding habitat for this species. Because the project will receive take coverage under the HCP/NCCP, preconstruction surveys are not required for California red-legged frog (non-breeding), Pacific (Western) pond turtle and silver legless lizard.

[5] Wildlife Exclusion Fencing should provide a barrier for terrestrial wildlife gaining access to the project work areas. The fencing may vary to meet the needs of a particular species, but should be buried and/or backfilled to prevent animals passing under the fence and should be high enough to deter reptiles and amphibian or small mammals from climbing or jumping over the fence. Acceptable fencing materials including ERTEC E-Fence® (Ertec Environmental Systems LLC), plywood, corrugated metal, silt fencing or other suitable materials.

a. No discharge of pollutants from vehicle and equipment cleaning should be allowed into any storm drains or watercourses.

b. Spill containment kits should be maintained onsite at all times during construction operations and/or staging or fueling of equipment.

c. Coir rolls or straw wattles should be installed along or at the base of slopes during construction to capture sediment.

7. Erosion Control. Graded areas shall be protected from erosion using a combination of silt fences, fiber rolls along toes of slopes or along edges of designated staging areas, and erosion control netting (such as jute or coir) as appropriate on sloped areas.

8. Construction Site Restrictions. The following site restrictions shall be implemented to avoid adversely affecting sensitive habitats and harm or harassment to listed species:

a. Any fill material shall be certified to be non-toxic and weed free.

b. All food and food-related trash items shall be enclosed in sealed trash containers and removed completely from the site at the end of each day.

c. No pets from project personnel shall be allowed anywhere in the project site during construction.

d. No firearms shall be allowed on the project site except for those carried by authorized security personnel, or local, State or Federal law enforcement officials.

e. All equipment shall be maintained such that there are no leaks of automotive fluids such as gasoline, oils or solvents and a Spill Response Plan shall be prepared. Hazardous materials such as fuels, oils, solvents, etc. shall be stored in sealable containers in a designated location that is isolated from wetlands and aquatic habitats.

f. Servicing of vehicles and construction equipment including fueling, cleaning, and maintenance should occur only at sites isolated from any aquatic habitat unless separated by topographic or drainage barrier or unless it is an already existing gas station. Staging areas may occur closer to the project activities as required.

9. Proper Use of Erosion Control Devices. Plastic mono-filament netting (e.g., that used with erosion control matting) or similar material shall not be used within the project area; wildlife can become entangled or trapped in such non-biodegradable materials. Acceptable substitutes include coconut coir matting, tackified hydroseeding, blown straw, or other organic mulching material.

10. Protocol for Species Observation – Pacific (Western) pond turtle and silvery legless lizard. If a Pacific (Western) pond turtle or silvery legless lizard is encountered in the project site, work in the area of the finding must cease immediately until the animal either moves out of harm's way of its own accord or is safely relocated well upstream or downstream of the project site. Only a qualified biologist with a scientific collection permit issued by the CDFW may handle and relocate Pacific (Western) pond turtle or silvery legless lizard. Any sightings and relocation of Pacific (Western)

pond turtle and silvery legless lizard should be reported to the CDFW and the CNDDB.

Fish Species

Although there are no records for steelhead or Chinook salmon occurring in Marsh Creek in the 2015 CNDDB and occurrence on site for both species is considered unlikely, recent sightings of fall-run Chinook have been reported within Marsh Creek and suitable habitat for steelhead is present in the project area. Populations of listed salmonids have not been regularly observed in Marsh Creek; any present would be considered stray migrants. Listed salmonids have the greatest potential to occur within the project area between November and June based on the timing of adult and juvenile migrations in and through the waterways of the Sacramento/San Joaquin Delta (National Marine Fisheries Service 2012). Although the vast majority of construction activities would occur above the OHWM and during the dry season, some limited work such as restoration of habitat or site-specific armoring could occur in the low-flow channel. To the extent that this work in the low-flow channel requires either dewatering or excavation, take of steelhead or Chinook could occur. Neither of these species is covered under the HCP/NCCP and direct and indirect impacts to either steelhead or Chinook would be considered *significant*. To ensure there is no take of either of these species if work in the low-flow channel becomes necessary, **Mitigation Measure BIO-2** would be implemented and impacts would be reduced to *less than significant.* In addition, consultation with the National Marine Fisheries Service (NMFS) will confirm these measures are sufficient; otherwise, additional measures may be implemented as appropriate. Once the proposed improvements are constructed, the project would not impede or interfere with fish movement. In fact the project would improve conditions for movement of fish species in this area.

Mitigation Measure BIO-2:

To minimize and avoid impacts to Chinook salmon and steelhead, the following measures will be implemented:

1. Seasonal Avoidance. In-stream work shall be limited to June 1 to October31.

2. In-Stream Activities: If in-stream construction or dewatering is required, the following precautionary measures should be implemented:

a. A preconstruction survey of the aquatic environment shall be performed by a qualified biologist.

b. A qualified biologist shall present an environmental awareness program working on site.

c. A qualified biologist should monitor all in-stream activities.

d. If dewatering is proposed, a qualified biologist should monitor the installation of coffer dams. During dewatering, a qualified biologist should check for stranded aquatic wildlife. Dewatering pumps must be fitted with intake screens with a mesh no greater than 5 mm (0.2 in) and BMPs will be installed to minimize sediment transport during installation of coffer dams.

e. Native species (non-special-status fish species) should be relocated upstream or downstream of the cofferdams by a permitted biologist. Non-native species should be euthanized in accordance with the guidance of the CDFW. All wildlife encounters should be documented and reported to the CDFW. If listed salmonids are present, the NMFS shall be consulted to determine the appropriate measures to ensure conformance with ESA.

Migratory and Special-status Birds

The project site trees, shrubs, vines, and grasslands provide suitable nesting habitat for four special-status bird species (Swainson's hawk, white-tailed kite, burrowing owl, and loggerhead shrike) as well as many other migratory bird species. As noted earlier, during site reconnaissance surveys, an occupied nesting burrow of burrowing owl was observed in the study area, and a foraging Swainson's hawk was observed on the ground, perching and directly overhead during the survey.

Ground disturbing activities such as grubbing, grading, trenching, and tree removal or pruning could result in direct or indirect impacts to nesting birds by causing the destruction or abandonment of occupied nests and mortality of young. In addition, noise from construction activities could disrupt active nests. Any direct or indirect impact on an active nest of the special-status bird species or species protected by the MBTA and CFGC would be *a potentially significant impact*. Implementation of **Mitigation Measure BIO-3** would reduce impacts to nesting birds to less than significant.

Mitigation Measure BIO-3:

In order to avoid impacts to nesting Swainson's hawk, white-tailed kite, burrowing owl, loggerhead shrike, and other bird species protected under the MBTA and CFGC during project implementation, the measures outlined below shall be implemented.

1) <u>Environmental Awareness Program</u>. Prior to the commencement of construction activities, a qualified biologist shall present an environmental awareness program to all construction personnel working on site. At a minimum the training shall include a description of special-status species that could be encountered, their habitats, regulatory status, protective measures, work boundaries, lines of communication, reporting requirements, and the implications of violations of applicable laws.

2) <u>Swainson's hawk</u> is a federally listed threatened species and is covered under the HCP/NCCP. Nonetheless, every effort should be made to ensure that no take of Swainson's hawk occurs. Therefore, the measures outlined below should be implemented.

    a) The project proponent should apply for coverage under the HCP/NCCP. Participation in the HCP/NCCP would provide the applicant with incidental take coverage for Swainson's hawk and satisfy any requirements for mitigation for loss of habitat.

    b) Prior to any ground disturbance during the nesting season (March 15-September 15), a qualified biologist shall conduct a preconstruction survey no more than one month prior to construction to determine if there are any

active Swainson's hawk nests within 305 meters (1,000 feet) of the project site.

c) If there are no occupied nests within this buffer, no further action is needed.

d) If an active nest is present within this buffer, the measures outlined below shall be followed.

- Construction activities are not permitted within 305 meters (1,000 feet) of an occupied nest to prevent nest abandonment. However, if site-specific conditions or the nature of the activity warrant a small buffer, a qualified biologist should coordinate with CDFW and USFWS to determine the appropriate buffer size.
- Construction activities may proceed prior to September 15 if the young Swainson's hawks have fledged, as determined by a qualified biologist.

3) White-tailed kite is a state-listed fully protected species; it is not covered under the HCP/NCCP and incidental take of the species is not allowed. To ensure that no take of white-tailed kite or other migratory raptors occurs, the measures outlined below shall be implemented.

a) Prior to any ground disturbance during the nesting season (February 1-August 31), a qualified biologist shall conduct a preconstruction survey no more than two weeks prior to construction to determine if there are any active nests of white-tailed kite or other migratory raptors within 76 meters (250 feet) of the project site.

b) Prior to the removal or significant pruning of any trees, they shall be inspected by a qualified biologist for the presence of raptor nests. This is required during both the breeding season and non-breeding season. If a suspected raptor nest is discovered, the CDFW shall be notified. Pursuant to CFGC Section 3503.5, raptor nests, whether or not they are occupied, may not be removed until approval is granted by the CDFW.

c) If there are no occupied nests within this buffer, no further action is needed.

d) If an active nest is present within this buffer, the measures outlined below shall be implemented.

- Construction activities are not permitted within 76 meter (250 feet) of an occupied nest to prevent nest abandonment. However, if site-specific conditions or the nature of the activity warrant a small buffer, a qualified biologist should coordinate with the CDFW and/or USFWS to determine the appropriate buffer size. Nest monitoring may be warranted for activities that would occur within a smaller buffer.
- Construction activities may proceed prior to August 31 if the young white-tailed kites or other raptor species have fledged, as determined by a qualified biologist.

4) Burrowing owl is a State species of special concern and a covered species under the HCP/NCCP. To ensure that no take of burrowing owl occurs, the measures outlined below shall be implemented.

a) Prior to any ground disturbance during the nesting season (February 1-August 31), a CDFW-approved biologist shall conduct a preconstruction survey of all suitable burrowing owl habitat that would be affected by the project. The survey shall be performed no more than 30 days prior to construction to determine if there are any active nests of burrowing owl within 153 m (500 ft) of the project site, access permitting.

b) If there are no occupied nests within this buffer, no further action is needed.

c) If an active nest is present within this buffer, the measures outlined below shall be implemented.

- If an occupied burrowing owl nest site is present within the limits of work, construction may not proceed. The taking of burrowing owls or occupied nests is prohibited under CFGC.[6] Nest sites must be flagged and protected by a designated disturbance-free buffer zone of at least 76 meters (250 feet).
- Construction activities are not permitted within 76 meters (250 feet) of an occupied nest to prevent nest abandonment.
- Construction may proceed if a qualified biologist monitors the nest and determines that the adults have not begun egg-laying and incubation or that the juveniles have fledged.
- Burrowing owls may be passively excluded from occupied burrows outside of the breeding season (i.e., September 1-January 31), in consultation with the CDFW. All owls should be passively excluded from burrows within 49 meters (160 feet) of the work site. Passive exclusion is achieved by installing one-way doors in the burrow entrances. Doors should be in place for at least 48 hours and the site should be monitored daily for at least one week to confirm that the burrow has been abandoned.

5) Loggerhead shrike is a state species of special concern; it is not covered under the HCP/NCCP and incidental take of the species is not allowed. To ensure that no take of loggerhead shrike or any other migratory passerines occurs, the measures outlined below shall be implemented.

a) If ground-disturbing activities (i.e., site clearing, disking, grading, etc.) can be performed outside of the nesting season (i.e., between September 1 and January 31), no additional surveys are warranted.

b) Prior to any ground disturbance during the nesting season (February 1-August 31), a qualified biologist should conduct a preconstruction survey no more than two weeks prior to construction to determine if there are any active nests of loggerhead shrike or any other migratory passerines nests within 30 meters (100 feet) of the project site.

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[6] CFGC §§3503, 3503.5 and 3800

c) If there are no occupied nests within this buffer, no further action is needed.

d) If an active nest is present within this buffer, the following measures shall be implemented.

- Construction activities are not permitted within 30 meters (100 feet) of an occupied nest to prevent nest abandonment. However, if site-specific conditions or the nature of the activity warrant a smaller buffer, a qualified biologist should coordinate with the CDFW and USFWS to determine the appropriate buffer size. Nest monitoring may be warranted for activities that would occur within a smaller buffer.
- Construction activities may proceed prior to August 31 if the young birds have fledged, as determined by a qualified biologist.

f. Sensitive natural communities recorded from the project region include alkali meadow, alkali seep, cismontane alkali marsh, coastal and valley freshwater marsh, coastal brackish marsh, northern claypan vernal pool, stabilized interior dunes, valley needlegrass grassland, and valley sink scrub (Wood 2016). However, there are no known special-status natural communities on the project site. Although the project would involve the removal of some limited riparian habitat along the creek in order to widen the channel, substantially greater riparian habitat would be created by converting the creek channel to a more natural channel and planting the banks with riparian trees and plant species. Thus, the impact of the project on sensitive natural communities and riparian habitat would be *less than significant*.

g. During the 2015 site visits, a preliminary delineation of jurisdictional waters of the U.S. and waters of the State was performed.[7] Marsh Creek is expected to qualify as a water of the U.S. and a water of the State. Thus, as currently proposed, the project would result in impacts to jurisdictional waters. Impacts to the channel are regulated and fall under the jurisdiction of the U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and the CDFW. The proposed project would grade back both banks of Marsh Creek to an elevation just above the OHWM. The total length of channel to be altered is 4,000 feet. The impact on federal and state waters would be *potentially significant*. With the implementation of **Mitigation Measure BIO-4**, project impacts to jurisdictional waters would be reduced to a *less than significant* level.

Mitigation Measure BIO-4:

In order to avoid, minimize and compensate for unavoidable impacts on waters of the U.S./waters of the State, the measures outlined below shall be implemented.

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[7] Methods were in accordance with the procedures outlined in *Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory, 1987) and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (USACE, 2008). Determination of the limits of the ordinary high water mark (OHWM) conformed to procedures outlined in USACE (2006).

1) Impacts on waters of the U.S. will be avoided by restricting grading to an elevation above the OHWM; avoidance of impacts to waters of the State is not feasible. Long-term impacts shall be minimized by limiting the use of hardened structures (e.g., grouted riprap) in preference of bio-engineering solutions as much as is practicable. Surface water connections must not be permanently blocked or interrupted and the installation of drop-structures or other features that create barriers to wildlife movement shall be avoided.

2) Prior to construction, the project proponent will need to secure authorization from the USACE, RWQCB, and CDFW in conformance to the Clean Water Act and Lake and Streambed Alteration Program.

3) Participation in the HCP/NCCP is expected to satisfy the requirements of the regulatory agencies for compensatory mitigation for unavoidable impacts on stream channels, wetlands and riparian habitat. A Planning Survey Report shall be completed and submitted to the East Contra Costa County Habitat Conservancy. The submittal shall include detailed drawings illustrating all temporary and permanent impacts.

4) Per the terms of the adopted HCP/NCCP, a wetland mitigation fee or on-site habitat restoration will mitigate the impacts. If accepted by the regulatory agencies, no additional mitigation for wetland impacts is typically required. HCP/NCCP fee payment will occur at project contract award.

5) For all work within and adjacent to the stream channel and riparian habitat, best management practices (BMPs) must be incorporated into the project design to minimize environmental effects. These include the following:

    - Construction in the active channels shall be restricted to the dry season (April 15-October 15).
    - Personnel conducting ground-disturbing activities within or adjacent to the buffer zone of wetlands, ponds, streams, or riparian woodland/scrub shall be trained by a qualified biologist in these avoidance and minimization measures and the permit obligations.
    - If dewatering is necessary, water released downstream of work areas must be as clean or cleaner than flows entering the work area. Sediment-laden water shall be either pumped onto upland sites for infiltration or into Baker tanks for settling, prior to being released back into the channel. Coffer dams shall consist of clean, silt-free sand or gravel in sand bags, or a comparable material. All coffer dam materials must be promptly removed when no longer needed.
    - High visibility temporary construction fencing should be erected between the outer edge of the limits of construction and adjacent streams or habitats to be preserved. Temporary construction fencing will be removed upon the completion of work.
    - Grading or construction near channels shall be isolated with silt fencing or other BMPs to prevent sedimentation. BMPs shall be regularly inspected.
    - Vehicles and equipment shall be parked on existing roads or previously disturbed areas.

- Equipment working in channels must be in good working order and free of leaks of fuel, oil, and hydraulic fluids. Drip pans shall be placed under vehicles and equipment over waterways and spill clean-up materials should be kept onsite at a convenient location.
- Equipment maintenance and refueling shall be performed well away from the top of bank of any channel; storm drain inlets shall be protected from an accidental release of contaminants.
- Concrete washings or other contaminants must not be permitted to enter the stream channel or any storm drain inlet.
- Any concrete structures or cured-in-place pipe linings shall be allowed to cure before coming in contact with surface flows.
- Construction debris and materials shall be stockpiled away from watercourses.
- Appropriate erosion-control measures (e.g., coconut coir matting, tackified hydroseeding, blown straw or other organic mulching material) shall be used on site to reduce siltation and runoff of contaminants into wetlands, ponds, streams, or riparian woodland/scrub. Plastic mono-filament netting (e.g., that used with erosion control matting) or similar material should not be used within the action area; wildlife can become entangled or trapped such non-biodegradable materials. Erosion-control measures shall be placed between the outer edge of the buffer and the project site.
- Fiber rolls used for erosion control shall be certified as free of noxious weed seed.
- Construction staging areas past the channel banks must be located away from any wetlands or other sensitive habitats as identified by a qualified biologist.
- Newly graded earthen channel slopes shall be revegetated with a native seed mix developed by a qualified restorationist. Seed mixtures applied for erosion control shall not contain invasive nonnative species, and be composed of native species or sterile nonnative species. Straw or mulch shall also be applied to all bare surfaces. The seed mix and mulch shall be applied prior to the onset of the first winter-season rains.
- Herbicide shall not be applied within 30 meters (100 feet) of wetlands, ponds, streams, or riparian habitat. However, where appropriate to control serious invasive plants, herbicides that have been approved by the U.S. EPA for use in or adjacent to aquatic habitats may be used as long as label instructions are followed and applications avoid or minimize impacts on covered species and their habitats. In seasonal or intermittent stream or wetland environments, appropriate herbicides may be applied during the dry season to control nonnative invasive species. Herbicide drift should be minimized by applying the herbicide as close to the target area as possible and by avoiding applying during windy days.
- Additional measures may be outlined in the conditions of the permits issued by the USACE, RWQCB, CDFW, and the Habitat Conservancy. All permit conditions must be conformed to.

d. As mentioned above, limited construction work could occur in the low-flow channel and take of steelhead or Chinook could occur. To ensure there is no take of either of these species if work in the low-flow channel becomes necessary, **Mitigation Measure BIO-2** would be implemented to ensure temporary impacts to wildlife movement would be *less than significant*. Consultation with National Marine Fisheries Service (NMFS) would be conducted by the USACE during the USACE permit application process.

Marsh Creek is not part of an uninterrupted riparian corridor and although it is contiguous with extensive open shoreline lands downstream, it connects to the uppermost part of the watershed only after passing through commercial, industrial and residential development and numerous culvert outfalls. Much of the Lower Reach of Marsh Creek lacks significant riffles, pools, irregular bank features, and overhanging vegetation that provide suitable cover or refuge for resident or dispersing wildlife. Furthermore, the adjacent residential neighborhoods and commercial development bring predators such as pets, feral animals, and those attracted to human habitation. Increased human activity, noise, and lighting further inhibit the movements of wildlife species. For these reasons, the section of Marsh Creek that constitutes the project site is not expected to serve as a significant wildlife corridor. Although, construction activities would disturb wildlife that use the creek in the project area this disturbance would be temporary. Furthermore, the implementation of the proposed habitat restoration and enhancement project would serve to improve the quality of available habitat for wildlife use, including movement of fish species. Thus, *less than significant* impacts to wildlife movement would occur.

e. The natural vegetation within the project area consists of annual grasses and forbs with a few scattered oaks. Project implementation would require removal of predominantly ruderal vegetation consisting of herbaceous annual and perennial grasses and forbs. Trees planned for removal include one valley oak (dbh[8] estimated to be 40 inches), two live oaks (14-inch dbh), and 5-10 non-native trees (8-inch dbh). The City of Brentwood Oak Tree Preservation Ordinance requires that any healthy oak trees (4-inch dbh or greater) that are removed within Planned Development 20 (PD-20) areas shall be replaced with 48-inch box blue oak trees with a canopy width of 7 to 8 feet and a height of 17 feet. The ordinance requires that all trees shall be planted in public lands, the golf course, open space areas or view easements.

Although the proposed project is not subject to the City's tree ordinance, trees to be planted along the creek would still comply with tree replacement standards and would provide a greater number of trees than are currently on-site. A key component of the proposed project is to plant numerous trees alongside the creek to provide shade for pedestrians utilizing the Marsh Creek Trail and to shade waters within the creek to improve water quality. Thus, the impact would be *less than significant*.

f. The East Contra Costa County HCP/NCCP was adopted in August of 2007. The HCP/NCCP provides a framework to protect natural resources in eastern Contra Costa County, while improving and streamlining the environmental permitting process for impacts on endangered species. Rather than individually surveying, negotiating, and securing mitigation, project proponents will receive required permits by paying a fee (and/or dedicating land) and adhering

[8] Diameter of a tree measured at breast height or approximately 4.5 feet from the ground.

to Plan-required avoidance and minimization measures. Fees are paid into two separate reserves, a Development Fee and a Wetland Fee. The Development Fee requires payment based on a cost per acre for all acres converted to non-habitat with the cost per acre based on the HCP fee zone. The proposed project does not propose any building or structure development and would not convert any areas to non-habitat. Nonetheless, the project would temporarily disturb habitat and potentially affect covered species and payment of the Development Fee would be required. The Wetland Fee requires payment based on the amount and type of wetland or waters affected. The proposed project would comply with the HCP/NCCP and project impacts to species, habitat, and wetlands would be mitigated through the payment of Wetland Impact fees to the HCP/NCCP (or on-site habitat restoration). Therefore, the proposed project would not conflict with the provisions of an adopted HCP/NCCP and there would be *no impact.*

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5.5 Cultural Resources

5.5.1 Background

The project area is situated on the western margin of California's Central Valley, one of two principal grassland communities that exist in California. The combination of the climate and arable soils has produced rich farmland leading to extensive agricultural use of the region, which has resulted in the disappearance of much of the original marsh and grassland community. Annual precipitation in the region is 6 to 29 inches. The climate is Mediterranean and temperatures in the summer are high (WSA 2016). No standing structures are present on the project site.

On November 10, 2015, WSA conducted a records search for the project at the Northwest Information Center at Sonoma State University (NWIC) (File No. 15-0613). The records search included a review of cultural resource and excavation reports and recorded cultural resources within 1/4-mile radius of the project area. The records search also included a review of the Office of Historic Preservation Directory.

A total of two cultural resources studies have been conducted within the project area, and a total five cultural resources studies have been conducted within 1/4-mile radius of the project.

The records search indicated that no previously recorded resources are within the project area. One previously recorded resource, the Union[9] Pacific Railroad (P-07-000813), is located within 1/4-mile of the project area. The resource is a segment of the historic Union Pacific Railroad[6] whose alignment has been recorded in a number of different locations.

WSA Staff Archaeologist David Buckley conducted a field reconnaissance of the proposed project area on November 17, 2015. The survey began at the southeast corner of the project area at the intersection of Dainty Avenue and proceeded north along the eastern side of Marsh Creek. The survey proceeded around the north end of the project area and then continued south along the west side of Marsh Creek, terminating back at Dainty Avenue. No prehistoric or historic deposits were observed during the archaeological survey and no evidence of prehistoric cultural soils (midden) was observed during the archaeological survey (WSA 2016).

5.5.2 Environmental Checklist and Discussion

CULTURAL RESOURCES Would the project…	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	☐	☐	☑	☐

[9] The railroad is listed as Union Pacific in the record but actually is currently known as Southern Pacific Railroad.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☑	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☑	☐	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☑	☐	☐
e) Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074?	☐	☐	☐	☑

DISCUSSION:

a. The project site consists of a section along Marsh Creek and the Marsh Creek Trail. The site does not contain buildings or structures that would qualify as historical resources. *No impact* on a structure or feature of the built environment that qualifies as a historical resource would occur.

b.,d. As noted above, no recorded archaeological resources are known from the project area. No prehistoric or historic deposits were observed during the archaeological survey and no evidence of prehistoric cultural soils (midden) was observed during the archaeological survey. However, given that associated grave goods and human remains have been identified at various places along the banks of Marsh Creek at other locations, all of the areas immediately adjacent to Marsh Creek are considered sensitive for prehistoric archaeological deposits. Therefore, project impacts to unknown cultural resources or human remains would be potentially significant. **Mitigation Measure CUL-1** would reduce the impacts to unknown historic and prehistoric archaeological resources and human remains to a *less than significant* level.

Mitigation Measure CUL-1:

Crew training, initial monitoring by a qualified archaeologist to determine an appropriate level of monitoring for the duration of the project, and additional spot checks pending the results of the initial monitoring shall be conducted prior to and during ground disturbing activities.

A qualified archaeologist shall be present on the project site to monitor ground disturbing activities and inspect excavated soils to identify any cultural resources and human remains as deemed appropriate by the qualified archaeologist.

All construction crew workers shall attend a training session led by a qualified archaeologist that discusses (1) the reasons for archaeological resource monitoring; (2) regulatory policies protecting resources and human remains; (3) basic identification of archaeological resources; and (4) the protocol to follow in case of a discovery of such resources.

In accordance with CEQA Guideline §15064.5 (f), should any previously unknown historic or prehistoric resources, including but not limited to charcoal, obsidian or chert flakes, grinding bowls, shell fragments, bone, pockets of dark, friable soils, glass, metal, ceramics, wood, privies, trash deposits or similar debris, be discovered during ground disturbing activities, work within 25 feet of these materials should be stopped until a qualified professional archaeologist has an opportunity to evaluate the potential significance of the find and to consult with the lead agency about what appropriate mitigation would be appropriate to protect the resource.

In the event that human remains, or possible human remains, are encountered during project-related ground disturbance, in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, that the remains are not subject to the provisions of Section 27492 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of death, and the recommendations concerning treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code.

The County Coroner, upon recognizing the remains as being of Native American origin, is responsible to contact the NAHC within 24 hours. The Commission has various powers and duties, including the appointment of a Most Likely Descendant (MLD) to the project. The MLD, or in lieu of the MLD, the NAHC, has the responsibility to provide guidance as to the ultimate disposition of any Native American remains.

c. There are no known significant fossil deposits or paleontological resources located in the City of Brentwood (City of Brentwood 2014a). However, the geologic conditions within the city provide suitable conditions for the possibility of fossils to exist at depths of five to 10 feet below ground surface. The project site is mapped as Quaternary-aged alluvial deposits. Geologic formations, including various Quaternary subunits have a high to moderate potential for paleontological resources (City of Brentwood 2014a). Therefore, excavation on the project site could potentially inadvertently unearth and damage paleontological resources. Project impacts to paleontological resources would be *potentially significant*. **Mitigation Measure CUL-2** would be implemented to reduce the impact on paleontological resources to a *less than significant* level.

Mitigation Measure CUL-2:

Prior to project construction, construction personnel shall be informed of the potential for encountering significant paleontological resources. All construction personnel shall be informed of the need to stop work in the vicinity of a potential discovery until a qualified paleontologist has been provided the opportunity to assess the significance of the find and implement appropriate measures to protect or scientifically remove the find. Construction personnel shall also be informed of the requirements that unauthorized collection resources are prohibited.

e. Assembly Bill (AB) 52, which came into effect on July 1, 2015, requires that lead agencies consider the effects of projects on tribal cultural resources and conduct consultation with federally and

non-federally recognized Native American tribes early in the environmental review process. According to AB 52, it is the responsibility of the tribes to formally request of a lead agency that they be notified of projects in the lead agency's jurisdiction so that they may request consultation. One tribe, Wilton Rancheria, has contacted the District[10] requesting notification regarding projects proposed by the County. A letter was sent to Wilton Rancheria in October 2015 and no responses have been received to date. Although at this time, no other tribes have contacted the District requesting notification, the District proactively contacted the Native American Heritage Commission (NAHC) to obtain a list of Native American individuals and organizations that may have knowledge of or interest in tribal cultural resources in the project area. On February 1, 2016, WSA sent out letters to Native American tribes identified by NAHC notifying them of the proposed project and followed up with phone calls. Comments and recommendations were received from three Native American contacts. Ms. Zwierlein representing the Amah/Mutsun Tribal Band recommended construction to proceed with caution and call an archaeologist, if needed. Ms. Sayers representing the Indian Canyon Mutsun Band of Costanoan recommended archaeological and Native American monitoring during ground disturbance. Ms. Cambra representing the Muwekma Ohlone Indian Tribe of the SF Bay Area recommended consultation with the lead agency and asked for a report on how they responded to the archaeologist's recommendations. A record of the Native American consultation can be found in the 2016 Cultural Resources Assessment Report. The District has determined that with the mitigation measures outlined above, the proposed project would not affect any known tribal cultural resources in the area. The impact would be *less than significant*.

[10] The District is coordinating with Native American tribes on behalf of the County.

5.6 Geology and Soils

5.6.1 Background

The project area is mapped as Quaternary-aged alluvial deposits. These soils are described as surficial sediments of alluvial clay and loam. Over the majority of the project site, soils encountered include clay with varying amounts of sand, silt, and gravel. The site is generally covered by seasonal grasses and weeds (ENGEO 2015). The existing Marsh Creek Trail consists of asphalt and landscaped gravels covering the surface.

5.6.2 Environmental Checklist and Discussion

GEOLOGY and SOILS Would the project…	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☑	☐
ii) Strong seismic ground shaking?	☐	☑	☐	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☑	☐
iv) Landslides?	☐	☐	☐	☑
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☑	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☑	☐	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☑	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☑

DISCUSSION:

a. i. The San Francisco Bay Area contains numerous active earthquake faults. Numerous small earthquakes occur every year in the San Francisco Bay Region, and larger earthquakes have been recorded and can be expected to occur in the future. The project site is not located within a currently designated Alquist-Priolo Earthquake Fault Zone and no known surface expression of active faults is believed to exist within the project site. The nearest active faults are the Greenville fault and Mount Diablo Thrust fault, located approximately 8 miles and 15 miles to the west, respectively. The two faults are considered capable of a moment magnitude earthquake of 7.0 and 6.7, respectively. Additionally, the Great Valley fault, a buried thrust fault, underlies the general Brentwood area. The location of the Great Valley fault is inferred from regional data; the fault does not extend to the ground surface and its location is not accurately known (ENGEO 2015).

Although the project site lies within a seismically active region, there are no known active faults crossing the project site and the site is not located within an Earthquake Fault Zone. Therefore, ground rupture is unlikely at the project site and the impact would be *less than significant*.

a. ii. The project site could experience ground shaking due to an earthquake of moderate to high magnitude generated within the San Francisco Bay Region, similar to that which has occurred in the past. Therefore, if cut slopes to create the floodplain and flood benches are steeper than 3:1, they could become unstable or collapse as a result of ground shaking. The impact would be *potentially significant*. The proposed project would implement **Mitigation Measure GEO-1**, which requires the project to comply with all recommendations specified in Section 3.3 of the Geotechnical Report**,** including those pertaining to slope construction, to reduce the potential for slope deformation in the event of an earthquake. Compliance with **Mitigation Measure GEO-1** would ensure *less than significant* impacts from seismic ground shaking.

Mitigation Measure GEO-1:

The proposed project shall comply with all recommendations specified in Section 3.3 of the May 2015 Geotechnical Report prepared by ENGEO.

a. iii. According to the Association of Bay Area Governments (ABAG), the liquefaction susceptibility of the project site ranges from moderate to very high. The liquefaction susceptibility is high along the northeastern portion of the site adjacent to the railroad and very high along Marsh Creek. However, during field explorations conducted by ENGEO on December 9, 2014, no materials that would be classified as susceptible to liquefaction that are situated above groundwater levels were encountered. Furthermore, the project does not include any structures that would be inhabited by people. Thus, the impact from liquefaction would be *less than significant*.

a. iv. The proposed project site is relatively flat and not located in an area susceptible to landslides. Therefore, the proposed project would not be affected by landslides and *no impact* would occur.

b. During construction activities, such as excavation of the creek channel, there could be potential for erosion and discharge of eroded sediment into Marsh Creek. Construction projects that involve disturbance of over 1.0 acre of land are required by law to seek coverage under the state's National Pollutant Discharge Elimination System (NPDES) General Permit for Discharge of

Storm Water Associated with Construction Activity. As part of this permit, construction projects disturbing over 1.0 acre (such as the proposed project) are required to file a notice of intent (NOI) with the State Water Resources Control Board and implement a site-specific Storm Water Pollution Prevention Plan (SWPPP), which would specify Best Management Practices (BMPs) to reduce the contribution of sediments, spilled and leaked liquids from construction equipment, and other construction-related pollutants to project site runoff. The District on behalf of the County would have oversight responsibility over the three reaches and would have the authority to stop construction in the event the SWPPP is improperly implemented. As a result of compliance with the law related to construction site runoff, the impact related to soil erosion during construction would be *less than significant.*

Upon project completion, implemented restoration activities would reduce flow velocities within the creek thereby reducing erosion potential. Replanting native riparian vegetation along the creek and wetland plants within the excavated floodplain benches would also prevent soil loss. Additionally, permanent slope protection would be installed on newly cut slopes to prevent long-term effects of erosion and weathering. Matting, armor, revegetation, or biotechnical methods would be installed at the completion of slope construction and selected erosion control material would provide soil stabilization and promote vegetation growth. Thus, impacts from soil erosion following project completion would be *less than significant*.

c. As noted above, no liquefiable materials were observed on the project site. Lateral spreading is a failure within a nearly horizontal soil zone (possibly due to liquefaction) that causes the overlying soil mass to move toward a free face or down a gentle slope. Due to the lack of liquefiable materials encountered at the site, the potential for lateral spread is also low. Therefore, the project site is not underlain by unstable soils and impacts are *less than significant*.

d. Near surface soils on the project site exhibit high expansion potential with a Plasticity Index (PI) value of 34 with a Liquid Limit of 51, as documented by Terrasearch in a boring just east of the Sand Creek confluence. Expansive soils shrink and swell as a result of moisture changes, which can cause soil heaving and cracking. No buildings are proposed as part of the project, and furthermore, the proposed project would implement **Mitigation Measure GEO-1**, which requires the project to comply with all recommendations specified in Section 3.3 of the Geotechnical Report. There would be a *less than significant impact* from expansive soils.

e. No septic tanks or alternative wastewater disposal systems are included in the proposed project, and there would be *no impact*.

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5.7 Greenhouse Gas Emissions

5.7.1 Background

General

Global climate change refers to any significant change in climate measurements, such as temperature, precipitation, or wind, lasting for an extended period (i.e., decades or longer) (U.S. EPA 2014). Climate change may result from:

- natural factors, such as changes in the sun's intensity or slow changes in the Earth's orbit around the sun;
- natural processes within the climate system (e.g., changes in ocean circulation, reduction in sunlight from the addition of greenhouse gas (GHG) and other gases to the atmosphere from volcanic eruptions); and
- human activities that change the atmosphere's composition (e.g., through burning fossil fuels) and the land surface (e.g., deforestation, reforestation, urbanization, desertification).

The primary change in global climate has been a rise in the average global tropospheric temperature of 0.2 degree Celsius per decade, determined from meteorological measurements worldwide between 1990 and 2005. Climate change modeling using 2000 emission rates shows that further warming is likely to occur, which would induce further changes in the global climate system during the current century (IPCC 2007). Changes to the global climate system and ecosystems, and to California, could include declining sea ice and mountain snowpack levels, rising average global sea levels, and many other potentially severe problems (IPCC 2007).

The natural process through which heat is retained in the troposphere[11] is called the "greenhouse effect." The greenhouse effect traps heat in the troposphere through a threefold process as follows: (1) short-wave radiation in the form of visible light emitted by the Sun is absorbed by the Earth as heat; (2) long-wave radiation is re-emitted by the Earth; and (3) GHGs in the upper atmosphere absorb or trap the long-wave radiation and re-emit it back towards the Earth and into space. This third process is the focus of current climate change actions.

While water vapor and carbon dioxide (CO_2) are the most abundant GHGs, other trace GHGs have a greater ability to absorb and re-radiate long-wave radiation. To gauge the potency of GHGs, scientists have established a Global Warming Potential (GWP) for each GHG based on its ability to absorb and re-emit long-wave radiation over a specific period. The GWP of a gas is determined using CO_2 as the reference gas, which has a GWP of 1 over 100 years (IPCC 1996).[12] For example, a gas with a GWP of 10 is 10 times more potent than CO_2 over 100 years. The use of GWP allows GHG emissions to be reported using CO_2 as a baseline. The sum of each GHG

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11 The troposphere is the bottom layer of the atmosphere, which varies in height from the Earth's surface to 10 to 12 kilometers).

12 All Global Warming Potentials are given as 100-year values.

multiplied by its associated GWP is referred to as "carbon dioxide equivalents" (CO_2e). This essentially means that 1 metric ton of a GHG with a GWP of 10 has the same climate change impacts as 10 metric tons of CO_2.

Regulatory Setting

In 2005, in recognition of California's vulnerability to the effects of climate change, then-Governor Schwarzenegger established Executive Order S-3-05, which sets forth a series of target dates by which statewide emissions of GHGs would be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 $MMTCO_2e$); by 2020, reduce emissions to 1990 levels (estimated at 427 $MMTCO_2e$); and by 2050 reduce statewide GHG emissions to 80 percent below 1990 levels (approximately 85 $MMTCO_2e$).

In response, the California legislature passed Assembly Bill No. 32 in 2006 (California Health and Safety Code Division 25.5, Sections 38500, et seq., or AB 32), also known as the Global Warming Solutions Act. AB 32 requires ARB to design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020 (representing a 25 percent reduction from forecast emission levels) (OPR 2008).

Pursuant to AB 32, ARB adopted a Scoping Plan in December 2008, outlining measures to meet the 2020 GHG reduction limits. Assembly Bill 32 (AB 32) *Climate Change Scoping Plan* indicates how reductions in significant GHG sources will be achieved through regulations, market mechanisms, and other actions. The AB 32 Scoping Plan recommendations are intended to curb projected business-as-usual growth in GHG emissions and reduce those emissions to 1990 levels.

5.7.2 Environmental Checklist and Discussion

GREENHOUSE GAS EMISSIONS Would the project…	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☑	☐
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose or reducing the emissions of greenhouse gases?	☐	☐	☑	☐

DISCUSSION:

a. Implementation of the proposed project would result in small increases of GHG emissions that are associated with global climate change. Estimated GHG emissions attributable to the proposed project would be primarily associated with increases of CO_2 from mobile sources including construction haul trucks (to off-haul excavated materials), and equipment used during the construction of the proposed project. There would be minimal operational GHG emissions for reasons presented below.

Construction

During implementation of creek restoration activities, GHGs would be emitted from the operation of construction equipment and from construction worker vehicles and haul truck trips to and from the project site. GHG emissions during construction were estimated using the CalEEMod model. Based on CalEEMod, construction activities on the project site would generate approximately 44.6 $MTCO_2e$ in 2017. There are no quantitative thresholds put forth by the BAAQMD for the evaluation of the significance of a project's construction emissions. However, these estimated one-time emissions are lower than the 1,100 $MTCO_2e$ threshold that is put forth by the BAAQMD for the evaluation of the impact from a project's operation emissions. Therefore, the emissions are considered too small to result in a significant change in global climate change. The impact from the construction phase GHG emissions associated with the proposed project would be *less than significant*.

Operation

A small number of periodic vehicle trips would be made to the project site initially for monitoring the success of the plantings and in the long run for creek maintenance. The number of vehicle trips to monitor the plantings would be minimal and would not substantially increase GHG emissions. The vehicle trips for creek maintenance would be about the same number as the trips currently made to the area by the District staff under current conditions. The impact from operational emissions would be *less than significant*.

b. The proposed project would result in a minimal increase in GHG emissions, as described above. Therefore, the proposed project would not conflict with AB 32 or other state laws and regulations related to GHG emissions and the impact would be *less than significant*.

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5.8 Hazards and Hazardous Materials

5.8.1 Background

Nearby land uses are primarily residential subdivisions, Willow Wood School/Dainty Center, city parks, and vacant lands planned for residential development and city parks. Historically, Marsh Creek has been highly modified by the District and various agricultural activities. Pesticides may be present in soils due to historic agricultural use of the site and surrounding areas. However, a Phase I ESA analysis prepared in 2003 for the adjacent Pulte project site, determined that DDE and DDT chlorinated pesticide concentrations on the Pulte project site were less than 0.079 parts per million (ppm), and DDT concentrations were less than the detection limit of 0.010 ppm (City of Brentwood 2014b). Existing hazardous materials use in the creek area is limited to the use of certain herbicides to control invasive species and use of fuel in vehicles used to access the various portions of the creek.

5.8.2 Environmental Checklist and Discussion

HAZARDS & HAZARDOUS MATERIALS Would the project…	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☑	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☑	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☑
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☑
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☑

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☑
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☑	☐
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☑

DISCUSSION:

Project

a., b. There are no known environmental hazards on the project site. The proposed project would not involve routine use, storage, transport, and disposal of hazardous materials in any significant quantities. Small quantities of hazardous materials, including fuel for construction equipment would be used on-site during construction activities. All activities would comply with state and federal hazard and hazardous material regulations, thus the risk associated with the routine transport, use, and disposal of hazardous materials would be minimal. The impacts related to hazardous materials would be *less than significant*.

c. Willow Wood School/Dainty Center is the nearest school to the project site, located approximately 50 feet to the east of the Upper Reach between Central Boulevard and Dainty Avenue. However, the proposed project would not involve handling of hazardous or acutely hazardous materials, substances, or waste. Therefore, *less than significant* impacts would occur. .

d. According to CERCLIS, Geotracker, and EnviroStor database searches for known hazardous materials contamination, conducted on May 25, 2016, the project site is not located on a property associated with a hazardous site listed under Government Code Section 65962.5, also known as the Cortese List. As a result, the proposed project would not create a significant hazard to the public or the environment associated with a hazardous site listed under Government Code Section 65962.5. There would be *no impact*.

e., f. The project site is not located within 2 miles of a public or private airport. The closest airport is the Byron Airport-C83 located approximately 8 miles southeast of the project site. No structures are proposed as part of the project. There would be *no impact*.

g. Implementation of the proposed project would have no effect on emergency evacuation plans for the surrounding area. The project site is a 4,000 linear feet section of Marsh Creek. The surrounding area is primarily agricultural, residential, and vacant lands planned for residential development and city parks. Creek restoration activities would produce 24,000 cubic yards of excavated soils. About 4,000 cubic yards of the excavated soils would be used on-site as fill while the remaining 20,000 cubic yards would require haul trucks to transport and dispose of the

materials off-site. Due to the volume involved and the provision in the project to stockpile the excavated materials and remove when needed, a large number of vehicle trips would not be generated that could interfere with emergency access to or from the areas adjoining the project site during construction. Access to the site would be from Griffith Lane, a cul-de-sac connecting to Central Boulevard or from the soon-to-be constructed Bella Drive and Island Palm Way within the Pulte Development east of the project site. Construction work and associated vehicle trips would not restrict access to or block any public roads and would not interfere with an adopted emergency response or evacuation plan. Additionally, the project contractor would be required to notify emergency personnel with construction details and schedule prior to the start of construction. The impact would be *less than significant*.

h. The project site is located in a Non-Very High Fire Hazard Severity Zone area and is designated as a Local Responsibility Area (CalFire 2009). Implementation of the proposed restoration activities would not result in the construction of structures on the project site or increase the site's overall fire hazard severity. Therefore, implementation of the proposed project would not increase risks to the public from wildfires. There would be *no impact*.

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5.9 Hydrology and Water Quality

5.9.1 Background

At the project location, Marsh Creek is a perennial, 4th order stream.[13] The watershed originates in the Morgan Territory on the north side of Mt. Diablo and covers some 128 miles^2. Marsh Creek flows for 30 miles and empties into the tidally influenced Dutch Slough, and then Big Break and the lower San Joaquin River (Wood 2016).

Marsh Creek Dam, located near Briones Valley and approximately 3.9 miles upstream of the project, was constructed in 1963 and impounds runoff from approximately 38 percent of the Marsh Creek watershed. The four major tributaries draining into Marsh Creek are Briones Creek, Dry Creek, Deer Creek and Sand Creek. The confluence of Briones and Marsh Creeks is at the Marsh Creek Reservoir; Dry Creek flows into Marsh Creek approximately 0.5 mile upstream of the project site; and Deer and Sand Creeks flow into Marsh Creek within the project site. Historically, much of the lower reaches of Marsh Creek were dry in the summer. Currently, flowing surface water is present from lower Marsh Creek to its mouth; these flows are made up primarily of water resulting from an elevated water table caused by runoff from agricultural and landscape irrigation and urban discharges (Wood 2016).

The project site is located in FEMA Flood Zone AE, an area subject to inundation with a 1.0 percent annual-chance of flood (FEMA 2016).

5.9.2 Environmental Checklist and Discussion

HYDROLOGY & WATER QUALITY Would the project…	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☑	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☑

[13] See http://en.wikipedia.org/wiki/Strahler_Stream_Order for descriptions of stream orders.

c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☑	☐
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☑	☐
e)	Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☑	☐
f)	Otherwise substantially degrade water quality?	☐	☐	☑	☐
g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☑
h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☑
i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☑
j)	Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☑

DISCUSSION:

a. During construction of the proposed project, there is a potential for increased erosion, sedimentation, and discharge of polluted runoff from the project site. As discussed in Response b **in Section 5.6** above, NPDES requires that the proposed project develop and implement a SWPPP, including control measures (or Best Management Practices) to control erosion and release of sediment and other pollutants from the site. The SWPPP would ensure that construction activities would not cause an exceedance of the Central Valley Regional Water Quality Control Board's (RWQCB) water quality standards. As a result, the project's construction activities would not result in an exceedance of a water quality standard and the impact would be *less than significant*.

Operation of the proposed project would decrease creek flow velocities and erosion potential while improving water quality. The project would reduce the potential for erosion and sediment transport by lowering the water stage, reducing the velocity by widening the cross-sectional velocity of the channel, and establishing native riparian vegetation where compatible with the

flood management objectives. The planting of vegetation such as trees along the widened creek channel would provide shade for surface waters, thereby decreasing water temperatures and increasing the currently low dissolved oxygen levels. Thus, the proposed project would reduce erosion and improve water quality on the project site as compared to existing conditions. As a result, the project would not involve any activity that would result in an exceedance of a water quality standard and the impact would be *less than significant.*

b. Implementation of the proposed project would not result in any groundwater extraction. Additionally, the restoration activities would not increase impervious surfaces on the project site, and therefore would not interfere with groundwater recharge. There would be *no impact.*

c. Channel widening would reduce flow velocity and thereby reduce the potential for scour and erosion, although as noted in the Project Description, detailed hydraulic modeling may indicate that some bank armoring is necessary where the expanded channel will taper down to the existing channel at the downstream project boundary or in other locations. By including appropriate erosion and scour control measures, lowering the water stage, reducing flow velocity by widening the creek channel, and establishing native riparian vegetation, the proposed project would reduce erosion potential of the creek section. The impact related to soil erosion would be *less than significant.*

d. Implementation of the proposed project would not negatively impact Marsh Creek, its tributaries or alter drainage patterns of the surrounding area to cause excess runoff or floods. No impervious development would occur as part of the project that would increase the volume of storm water runoff. The project site is located in FEMA Flood Zone AE, an area subject to inundation with a 1.0 percent annual-chance of flood. The proposed project is an innovative non-structural approach to flood management that focuses on giving the creek more room to safely convey flood waters. Restoration activities would entail increasing the cross-sectional area of the stream channel by excavating earth along both banks of the Upper Reach and Middle Reach to create new floodplain benches and along the east bank of the Lower Reach to create a new 10 to 40 foot floodplain. The purpose of the channel widening is to create enough conveyance capacity to safely convey large flood flows known to Marsh Creek. The newly created flood benches and floodplain would be inundated when flows in the creek rise during typical storm that reoccur nearly annually. Thus, the proposed project would improve creek flow to reduce impacts from flood hazards. Impacts would be *less than significant*.

e. As previously mentioned, the proposed project would be required to implement a SWPPP, which will include erosion and water pollution control measures, to control off-site sediment delivery during construction. As a result, the proposed project would not provide substantial additional sources of polluted runoff. Operational impacts to polluted runoff are discussed in Response a above. This impact is considered *less than significant*.

f. Currently, poor water quality within the creek from urban run-off is made worse by the lack of wetlands, shade, and microbial activity. Relatively high temperatures combined with low dissolved oxygen levels have caused four major fish kills on Marsh Creek over the last nine years. As mentioned above, the proposed project would plant trees along the creek section to provide shade thereby decreasing water temperatures. Planting native riparian vegetation within the

widened creek would also help increase dissolved oxygen levels and improve water quality. Therefore, impacts would be beneficial and *less than significant.*

g.-j. The project site is located within a federally designated 100-year flood hazard area. However, no housing or structures are proposed as part of the planned channel widening and restoration activities. The project site is not in an area that could be inundated by a seiche, tsunami, or mudflow. There would be *no impact*.

5.10 Land Use and Planning

5.10.1 Background

The project is located along Marsh Creek in the City of Brentwood. Lands surrounding the project area are developed with residences and city parks, and vacant lands are planned for residential development and city parks.

5.10.2 Environmental Checklist and Discussion

LAND USE & PLANNING Would the project…	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☑
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☑
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☑

DISCUSSION:

a. Residential subdivisions are present on both sides of the creek and an approved subdivision is planned for the vacant land to the east of the Lower Reach. However, there is no established community located on the project site and due to the nature of the creek restoration project, *no impact* would occur.

b. The project site is mapped as a waterway in the General Plan. The City's General Plan is not applicable to the project. Furthermore, the project would not change the land use of the parcels that contain the creek. Therefore, there would be *no impact.*

c. The proposed project is within the ECCC HCP/NCCP, and anticipated project impacts would be mitigated through the payment of a Development Fee and Wetland Impact fee (or on-site restoration) to the East Contra Costa County Habitat Conservancy. Therefore, the proposed project would not conflict with the provisions of an adopted HCP or NCCP and there would be *no impact*.

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5.11 Mineral Resources

5.11.1 Background

Within the City of Brentwood, mineral resources include sand, gravel, coal, oil, and gas. In general, sand is likely the most significant economic mineral deposit found. It is possible that significant deposits of coal and specialty sand remain in the western portion of Brentwood, within the Domengine sandstone. Oil and gas have been sporadically produced in the region since 1864 and are recovered from sands mostly of the Eocene age, at depths of approximately 4,000 feet. The potential for additional oil and gas reserves exists within the city. Dry gas is presently being produced in the northeast portion of Brentwood, and the potential for additional reserves exists throughout the area (City of Brentwood 2014a). Aggregate resource areas within the City of Brentwood are classified as either MRZ-1 or MRZ-4 in SMARA Mineral Land Classification Maps.[14] Mineral resource extraction is not permitted under the Resource Management Directives of the Department of Parks and Recreation.

There are no existing active oil or gas wells or mineral extraction on or in the vicinity of the project site.

5.11.2 Environmental Checklist and Discussion

MINERAL RESOURCES Would the project…	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☑
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☑

DISCUSSION:

a. - b. The project site is located along Marsh Creek. There are no mineral resources on the project site and no mineral extraction occurs or is known to have occurred on the project site. There would be *no impact*.

14 MRZ-4 are areas where available information is inadequate for assignment to any other MRZ classification. MRZ-1 Areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.

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5.12 Noise

5.12.1 Background

Noise-sensitive land uses generally include those uses where exposure to noise would result in adverse effects, as well as uses where quiet surroundings are an essential element of their intended purpose. Residential dwellings are of primary concern because of the potential for increased and prolonged exposure of individuals to both interior and exterior noise levels. Other noise-sensitive land uses include hospitals, convalescent facilities, parks, hotels, churches, libraries, and other uses where low interior noise levels are essential.

The project site is located along Marsh Creek where the surrounding areas are being rapidly urbanized with residential and commercial uses. The primary noise sources in the project area include traffic noise from local roadways. The Union Pacific Railroad, located approximately 175 feet north of the Lower Reach is currently inactive. The closest highway, SR-4 is located approximately 2.2 miles west of the project site. Residential homes, a daycare center, city parks, and vacant lands are adjacent to the project site.

The nearest sensitive receptors to the Upper Reach are located within Willow Wood School/Dainty Center and residential neighborhoods less than 50 feet to the east. There are also residential neighborhoods located approximately 100 feet to the west of Central Boulevard and Marsh Creek up to Deer Creek.

Lands to the east of the Middle Reach are also developed with single-family residences and the nearest receptors are about 50 feet from the proposed construction activities.

The nearest sensitive receptors to the Lower Reach are single-family homes and Sungold Park located less than 50 feet to the west.

5.12.2 Environmental Checklist and Discussion

NOISE Would the project…	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☑	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☑	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☑	☐

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☑	☐	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☑
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☑

DISCUSSION:

a. The potential for construction noise to exceed the City of Brentwood noise standards are detailed in Response d below. Once the project is constructed, there would be no increase in operational noise in the project area due to the project. Creek restoration may increase visitors utilizing the Marsh Creek Trail. However this increase would not be substantial enough to cause noise levels to increase above the City's noise standards. Thus, the impact would be *less than significant*.

b. Channel widening and restoration activities would not require pile-driving, blasting, or other activities that could cause substantial groundborne vibration or noise. Project construction activities would include the use of tractors, loaders, excavators, graders, which are not sources of significant groundborne vibration or noise. Haul trucks could result in some level of vibration while hauling materials off-site. However, the vibrations would be the range that is experienced in urban areas from truck movement. The impact would be *less than significant.*

c. Implementation of the proposed project would not add any new sources of noise to the project area. The creek section is currently maintained by the District and will continue to be upon project implementation, thereby not increasing vehicle trips for maintenance. In the first few years of project operation, monitoring of the restoration efforts would add a small number of vehicle trips to the project site. In addition, due to restoration of riparian vegetation along the creek banks and trail improvements, the project would improve the experience of the trail users as well as provide areas where trail users can stop in shade and enjoy the beauty of the creek. This may result in an increase in visitors to the creek and a resultant increase in vehicular traffic to parking facilities near Marsh Creek. However this increase would not be substantial compared to existing conditions. Therefore, there would not be a substantial permanent increase in noise levels related to mobile sources. The impact would be *less than significant*.

d. Construction activities would require the use of tractors, loaders, excavators, graders, and haul trucks. The number of construction vehicle trips would increase, depending on the specific activity that is underway. Also the location of the construction activities would differ with each reach and all of the improvements may not be constructed within the same timeframe on all three reaches. Furthermore, sensitive receptors that are proximate to one reach would be affected by

the noise from construction on that reach and generally would not be affected by noise generated by the work on other reaches due to distance and attenuation.

The area to the east of the Upper Reach is developed with residential neighborhoods that are less than 50 feet away from the proposed widening. A school and daycare center is also located on the east bank of the creek just north of Dainty Avenue. Land to the west between Dainty Avenue and Central Boulevard is owned by the District and is vacant. Residential neighborhoods are present to the west of Central Boulevard and Marsh Creek up to Deer Creek (approximately 100 feet from the proposed activities). Construction activities in the Upper Reach would take place over the short timeframe of about 2 weeks.

Lands to the east of the Middle Reach are also developed with single-family residences and the nearest receptors are about 50 feet from the proposed construction activities. Lands to the west of the Middle Reach are vacant and no sensitive receptors are present in that area. Construction activities in the Middle Reach would take place over 1 to 2 weeks.

Lands to the east of the Lower Reach are undeveloped at this time although future city parks are planned adjacent to the creek and the remaining area is the site of the approved Pulte residential subdivision. Single-family homes and a city park (Sungold Park) are located to the west of the Lower Reach (less than 50 feet). Construction activities would take place over about 4 weeks.

Construction activities and traffic would cause temporary increases in noise due to site grading, use of construction equipment, and operation of construction vehicles. Construction equipment would be operated intermittently over the course of construction on each reach. Routine noise levels from conventional construction activities (with a typical mix and number of pieces of equipment operating on the site) range from 75 to 86 dB(A) equivalent continuous noise level (Leq) at a distance of 50 feet, from 69 to 80 dB(A) Leq at a distance of 100 feet, from 55 to 66 dB(A) Leq at a distance of 500 feet, and 48 to 60 dB(A) Leq at a distance of 1,000 feet. Noise levels at the nearest sensitive receptors are likely to be lower because the small size of the project would require only a few pieces of construction equipment and they would be operating for a relatively short time during the construction period.

Nonetheless, noise from channel widening and restoration activities could impact the surrounding residences, school and daycare center, and park facilities that are located less than 50 feet from various work areas along the creek section. However, with implementation of **Mitigation Measure NOISE-1**, which requires the project to comply with the Brentwood Noise Ordinance and limits construction activities to daytime hours, the impact would be *less than significant.*

Mitigation Measure NOISE-1

The project contractor shall ensure that construction activities shall be limited to the hours set forth in Brentwood Municipal Code Section 9.32.050, as follows:

Outside Heavy Construction:	Monday-Friday	8:00 AM to 5:00 PM
	Saturday	9:00 AM to 4:00 PM

e., f. The project site is not located within 2 miles of a public or private airport. The closest airport is the Byron Airport-C83 located approximately 8 miles southeast of the project site. No structures are proposed as part of the project. There would be *no impact*.

5.13 Population and Housing

5.13.1 Background

The project site is surrounded by residential uses, a private elementary school and daycare center, city parks, vacant land planned for residential use and city parks, and vacant land. The project site does not include any housing.

5.13.2 Environmental Checklist and Discussion

POPULATION & HOUSING Would the project…	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☑
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☑
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☑

DISCUSSION:

a. The proposed project does not include the construction of homes and/or businesses. In addition, the proposed project would not construct any new roads or infrastructure that could support future development. As a result, the proposed project would not induce substantial population growth in the area, either directly or indirectly. There would be *no impact*.

b.- c. There are no residences on the project site or people currently living on the site. Impacts from project implementation would not affect the existing residences adjacent to the creek section. As a result, the proposed project would not displace any housing or people. There would be *no impact*.

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5.14 Public Services

5.14.1 Background

The proposed project is the implementation of creek widening and restoration activities. There are no structures on the project site and implementation of the proposed project would not include the construction of any habitable structures.

5.14.2 Environmental Checklist and Discussion

PUBLIC SERVICES Would the project…	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	☐	☐	☐	☑
ii) Police protection?	☐	☐	☐	☑
iii) Schools?	☐	☐	☐	☑
iv) Parks?	☐	☐	☐	☑
v) Other public facilities?	☐	☐	☐	☑

DISCUSSION:

Project

a.i. Fire protection services in the project vicinity are provided by the East Contra Costa Fire Protection District (ECCFPD). Implementation of the proposed project would not increase population growth in the area, and thus would not affect the ECCFPD services or response time.

The project site is located in a Non-Very High Fire Hazard Severity Zone area and is designated as a Local Responsibility Area.[15] Implementation of the proposed project would not result in the construction of structures on the project site or increase the site's overall fire hazard severity.

[15] CalFire Contra Costa County Fire Hazard Severity Zone Map, Local Responsibility Area, http://frap.fire.ca.gov/webdata/maps/contra_costa/fhszl_map.7.pdf, accessed June 1, 2016.

Therefore, implementation of the proposed project would have *no impact* on fire protection services.

a.ii.-v. Implementation of the proposed project would not indirectly or directly increase the population. Police services are provided by the City of Brentwood Police Department. Channel widening and restoration activities would not impact existing police services or response time. Further, implementation of the proposed project would not increase the need for school or park facilities, or other facilities such as public libraries. There would be *no impact*.

5.15 Recreation

5.15.1 Background

The project site is located along Marsh Creek and there are no structures on the project site. Sungold Park is located adjacent to the west of the Lower Reach. Additionally, a vacant City-owned parcel is located on the east side of the Upper Reach just south of Central Boulevard. There is a vacant strip of land to the west between the creek and Central Boulevard owned by the District and City of Brentwood.

5.15.2 Environmental Checklist and Discussion

RECREATION Would the project…	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☑
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☑

DISCUSSION:

a., b. Due to the nature of the proposed project, its implementation would not induce population growth that would increase demand for recreational facilities. There would be no deterioration of recreational facilities (including the project site) due to implementation of the restoration activities, rather the creek restoration activities would improve the overall condition of the creek. The Marsh Creek Trail would be relocated as part of the proposed project in the Middle and Upper Reaches. The Pulte developer would relocate the trail section in the Lower Reach. The trail would be in the same general alignment and would be depressed in the area of Central Boulevard to pass under the roadway. The proposed project would enhance opportunities for strolling, hiking, and biking along Marsh Creek. Furthermore, the lower 1,600 feet of the project would be integrated into a new linear city park, which would provide passive recreation amenities and native landscaping consistent with creek restoration. There would be *no impact*.

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5.16 Transportation and Traffic

5.16.1 Background

Local access to the creek section is provided from the south via Central Boulevard and from the north via O'Hara Avenue and Sand Creek Road. SR-4 is located approximately 2.2 miles west of the project site and provides regional access to the project site.

5.16.3 Environmental Checklist and Discussion

TRANSPORTATION & TRAFFIC Would the project…	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☑	☐
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards established by the county congestion management agency for designated roads and highways?	☐	☐	☑	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☑
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☑
e) Result in inadequate emergency access?	☐	☐	☐	☑
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☑

DISCUSSION:

a., b. Implementation of the proposed project would not induce population growth on the project site or in its vicinity such that new vehicle trips would be generated. In addition, the proposed project

would not construct any new roads or infrastructure that could support future development. However, creek widening and restoration activities such as off-hauling of excavated fill material would require the use of construction haul trucks and would temporarily increase the number of vehicles accessing the project site. Construction vehicles would access the project site via local roadways and existing maintenance roads or the regional trail along the creek. However, construction activities on the Upper and Middle Reaches would involve no more than 2 weeks for each reach, and the Lower Reach work would at most involve up to 30 days. Due to the small scale and short duration of the project, project construction would not generate a large number of vehicle trips. Once construction is completed, the creek section will continue to be maintained by the District, thereby not increasing vehicle trips for maintenance. In the first few years of project operation, monitoring of the restoration efforts would add a small number of vehicle trips to the project site. In addition, due to restoration of riparian vegetation along the creek banks and trail improvements, the project would improve the experience of the trail users as well as provide areas where trail users can stop in shade and enjoy the beauty of the creek. This may result in an increase in visitors to the creek and a resultant increase in vehicular traffic to parking facilities near Marsh Creek. However this increase would not be substantial compared to existing conditions. Therefore, the project would not conflict with applicable transportation plans, congestion management program, policies, or ordinances or result in congestion on Central Boulevard, O'Hara Avenue, Sand Creek Road, or SR-4. The impact would be *less than significant.*

c. Implementation of the proposed project would not result in the construction of permanent structures and would have no effect on air traffic patterns and existing air traffic safety. There would be *no impact.*

d.-f. Implementation of the proposed project would not result in the construction of roads or infrastructure. As mentioned in **Section 2.4.6** above, the proposed project would route the regional trail under an existing road bridge thereby eliminating two dangerous intersections where the existing trail crosses busy roadways (Dainty Avenue and Central Boulevard). The proposed project would reduce the gradient of the steep slope between the creek and the trail and provide a new foot trail and a new pedestrian bridge that would allow additional access for people to cross the creek within the Middle Reach. Therefore the proposed project would improve pedestrian walkability and there would be *no impact.*

The proposed project would not adversely impact the nearby roadways. All creek restoration activities would take place on the project site. Emergency access to nearby residences as well as public transit, bicycle, and pedestrian facilities would not be impeded by implementation of the proposed project. There would be *no impact.*

5.17 Utilities and Service Systems

5.17.1 Background

There are no existing buildings on the project site. A City of Brentwood sewer main is located on the west side of the Upper Reach. For most of the length, the sewer is within the Central Boulevard right of way. However, a portion of this sewer is located within one of the District's parcels where flood control improvements would be constructed. The sewer line is over 15 feet deep, at least 4 feet below the flow line of the creek. However, the sewer line is below the maximum depth of excavation and would not be relocated.

Near Sand Creek confluence in the Middle and Lower Reach, the sewer main crosses under the creek and continues north along the east bank of the Lower Reach. In the Lower Reach, the sewer line is located within the area that would be excavated to create the easterly floodplain.

5.17.2 Environmental Checklist and Discussion

UTILITIES & SERVICE SYSTEMS Would the project…	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☑
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☑
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☑
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☑
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the providers existing commitments?	☐	☐	☐	☑
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☑

g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☑

DISCUSSION:

a., e. Implementation of the proposed project would not generate any wastewater. Therefore, implementation of the proposed project would not result in any exceedances of any wastewater requirements. There would be *no impact.*

b. The proposed project would not increase demand for water or generate wastewater. It would be the responsibility of the construction contractor to obtain water that would be used for dust control during construction activities. The contractor would obtain water from an off-site source and truck it to the construction sites. Reintroduced native vegetation and proposed trees may require irrigation for the first few years. Irrigation practices may include the use of Dri-Water time release gel packs and if necessary, piped water, which would be available from adjacent subdivisions and city parks. Upon successful establishment, the new vegetation and trees would rely upon precipitation, storm water runoff from the surrounding areas, and creek inundation. Implementation of the proposed project would not require irrigated water or generate wastewater. Therefore, the proposed project would not require the expansion of existing water or wastewater facilities or construction of a new water or wastewater facility. There would be *no impact.*

With respect to the sewer line in the project area, the proposed project would not relocate the sewer line. In the Lower Reach, minor modifications to sewer manholes may be required to accommodate changes in ground elevation. In all cases, grading would be performed around manholes so that potential spills from manholes would initially drain away from Marsh Creek.

c. Implementation of the proposed project would not increase impervious surfaces on the project site that would generate additional storm water. The existing Marsh Creek Trail is paved. While that pavement will be removed, the same amount of pavement would be placed to create the relocated trail. Additionally, pervious pavement is being considered for use on the relocated trail and if utilized would reduce runoff. Therefore, there would be *no impact* related to construction of new storm water facilities to handle project runoff.

d. Implementation of the project activities would not require potable water. There would be *no impact* to existing water supplies.

f., g. The proposed project would not create any additional solid waste. There would be *no impact* to solid waste facilities or regulations relating to solid waste.

5.18 Mandatory Findings of Significance

MANDATORY FINDINGS OF SIGNIFICANCE Would the project…	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☑	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☑	☐
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☑	☐

DISCUSSION:

a. Please refer to responses under Biological Resources items (a) through (f), and Cultural Resources items (a) through (e), above. Future development on the project site would not significantly affect fish or wildlife habitat, nor would it eliminate examples of California history or prehistory. With the implementation of **Mitigation Measures BIO-1** through **BIO-4** and **Mitigation Measures CUL-1** and **CUL-2**, identified above in this Initial Study, all impacts would be reduced to a less than significant level and the proposed project would not degrade the quality of the environment. Impacts under this criterion would be *less than significant*.

b. Implementation of the proposed restoration project would not result in cumulative impacts. Creek restoration activities would manage flows, restore native vegetation, improve water quality within Marsh Creek, and improve walkability of the existing Marsh Creek Trail. No structures are proposed for the project and creek restoration activities would not directly or indirectly induce population growth. Therefore *less than significant* cumulative impacts from the proposed project have been identified.

c. The proposed project would not directly or indirectly cause substantial adverse effects on human beings. Air emissions and noise from construction activities would be the only impacts through which the proposed project could have an effect on human beings; however, all construction-

related air quality and noise impacts would be mitigated to less than significant levels by implementation of **Mitigation Measures AIR-1, AIR-2,** and **Mitigation Measure NOISE-1** and would therefore avoid causing substantial adverse effects on human beings. Further, compliance with **Mitigation Measure GEO-1** would ensure a stabilized design for a flood conveyance zone. For all other resource areas, the proposed project would either have *less than significant* impacts, or, impacts that would not affect human beings.

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MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires that a Lead Agency establish a program to monitor and report on mitigation measures adopted as part of the environmental review process to avoid or reduce the severity and magnitude of potentially significant environmental impacts associated with project implementation. CEQA (Public Resources Code Section 21081.6 (a) (1)) requires that a Mitigation Monitoring and Reporting Program (MMRP) be adopted at the time that the public agency determines to approve a project for which an EIR or a Negative Declaration (ND) has been prepared, to ensure that mitigation measures identified in the EIR or ND are fully implemented.

The MMRP for the Three Creeks Parkway Restoration project is presented in **Table 4.0-1, Mitigation and Monitoring Reporting Program**. **Table 4.0-1** includes the full text of project-specific mitigation measures identified in the Initial Study/Mitigated Negative Declaration. The MMRP describes implementation and monitoring procedures, responsibilities, and timing for each mitigation measure, including:

Number: Identifies the number of the mitigation measure.

Mitigation Measure: Provides full text of the mitigation measure as provided in the final Initial Study/Mitigated Negative Declaration.

Monitoring/Reporting Action(s): Designates responsibility for implementation of the mitigation measure and when appropriate, summarizes the steps to be taken to implement the measure.

Mitigation Timing: Identifies the stage of the project during which the mitigation action will be taken.

Monitoring Schedule: Specifies procedures for documenting and reporting mitigation implementation.

The Contra Cost County Flood Control and Water Conservation District and American Rivers may modify the means by which a mitigation measure will be implemented, as long as the alternative means ensure compliance during project implementation. The responsibilities of mitigation implementation, monitoring, and reporting extend to several district departments and offices. The manager or department lead of the identified unit or department will be directly responsible for ensuring the responsible party complies with the mitigation. The Contra Costa County Flood Control and Water Conservation District is responsible for the overall administration of the program and for assisting relevant departments and project managers in their oversight and reporting responsibilities. The Contra Costa County Flood Control and Water Conservation District is also responsible for ensuring the relevant parties understand their charge and complete the required procedures accurately and on schedule.

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Table 1
Mitigation Monitoring and Reporting Program

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
AIR QUALITY				
AIR-1:	The construction contractor(s) shall implement the following BMPs during project construction: • All exposed surfaces (e.g., parking areas, staging areas, soil stockpiles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. • All vehicle speeds on unpaved roads shall be limited to 15 mph. • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible and feasible. • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. • All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be	Contra Costa County Flood Control and Water Conservation District Include in construction contract(s)	Monitor compliance during construction	Confirm and document during construction

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	running in proper condition prior to operation. • Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.			
AIR-2:	All diesel-powered off-road equipment larger than 50 horsepower and operating on the site for more than two days continuously during the duration of construction shall, at a minimum, meet U.S. EPA emissions standards for Tier 2 engines or equivalent.	Contra Costa County Flood Control and Water Conservation District Include requirement in construction contract(s)	During construction	Confirm and document during construction
BIOLOGICAL RESOURCES				
BIO-1:	To avoid and minimize impacts to California red-legged frog, Pacific (Western) pond turtle, and silvery legless lizard during construction activities, the project will implement the following measures: **1.** Coverage under the HCP/NCCP. The project proponent shall apply for coverage under the HCP/NCCP. Participation in the HCP/NCCP, including implementation of appropriate avoidance and minimization measures and payment of applicable fees would provide the project proponent with incidental take coverage for California red-legged frog, Pacific (Western) pond turtle, and silvery legless lizard. **2.** Seasonal Avoidance. If required by the Streambed Alteration Agreement or Water Quality Certification, work shall be limited to the dry season, from April 15 to October 15. **3.** Minimize Nighttime Work. If required by the Streambed Alteration Agreement or Water Quality Certification, nighttime construction shall be restricted to avoid effects on nocturnally active species such as California red-legged frog.	Contra Costa County Flood Control and Water Conservation District File application, obtain HCP/NCCP coverage, and implement measures by including them in the construction contract(s)	Prior to start and during construction	Confirm and document during construction

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	4. Environmental Awareness Program. Prior to the commencement of construction activities, a qualified biologist shall present an environmental awareness program to all construction personnel working on site. At a minimum the training should include a description of special-status species that could be encountered, their habitats, regulatory status, protective measures, work boundaries, lines of communication, reporting requirements, and the implications of violations of applicable laws. **5.** Wildlife Exclusion Fencing. Prior to the start of construction, wildlife exclusion fencing (WEF) shall be installed as warranted and consistent with the HCP/NCCP to isolate the work area from any habitats potentially supporting special-status animals or through which such species may move. The final project plans shall indicate where and how the WEF is to be installed. The bid solicitation package special provisions shall provide further instructions to the contractor about acceptable fencing locations and materials. The fencing shall remain throughout the duration of the work activities, be regularly inspected and properly maintained by the contractor. Fencing and stakes shall be completely removed following project completion. **6.** Best Management Practices (BMPs). Prior to the initiation of work, BMPs shall be in place to prevent the release of any pollutants or sediment into the creek, storm drains, or tributaries; all BMPs shall be properly maintained. Leaks, drips, and spills of hydraulic fluid, oil, or fuel from construction equipment shall be promptly cleaned up to prevent contamination of water ways. All workers shall be properly trained regarding the importance of preventing and cleaning up spills of contaminants. Protective measures should include, at a minimum: No discharge of pollutants from vehicle and equipment cleaning should be allowed into any storm drains or watercourses. a. Spill containment kits should be maintained onsite at all times during construction operations and/or			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	staging or fueling of equipment. b. Coir rolls or straw wattles should be installed along or at the base of slopes during construction to capture sediment. **7.** Erosion Control. Graded areas shall be protected from erosion using a combination of silt fences, fiber rolls along toes of slopes or along edges of designated staging areas, and erosion control netting (such as jute or coir) as appropriate on sloped areas. **8.** Construction Site Restrictions. The following site restrictions shall be implemented to avoid adversely affecting sensitive habitats and harm or harassment to listed species: a. Any fill material shall be certified to be non-toxic and weed free. b. All food and food-related trash items shall be enclosed in sealed trash containers and removed completely from the site at the end of each day. c. No pets from project personnel shall be allowed anywhere in the project site during construction. d. No firearms shall be allowed on the project site except for those carried by authorized security personnel, or local, State or Federal law enforcement officials. e. All equipment shall be maintained such that there are no leaks of automotive fluids such as gasoline, oils or solvents and a Spill Response Plan shall be prepared. Hazardous materials such as fuels, oils, solvents, etc. shall be stored in sealable containers in a designated location that is isolated from wetlands and aquatic habitats. f. Servicing of vehicles and construction equipment including fueling, cleaning, and maintenance should occur only at sites isolated from any aquatic habitat			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	unless separated by topographic or drainage barrier or unless it is an already existing gas station. Staging areas may occur closer to the project activities as required. **9.** Proper Use of Erosion Control Devices. Plastic mono-filament netting (e.g., that used with erosion control matting) or similar material shall not be used within the project area; wildlife can become entangled or trapped in such non-biodegradable materials. Acceptable substitutes include coconut coir matting, tackified hydroseeding, blown straw, or other organic mulching material. **10.** Protocol for Species Observation – Pacific (Western) pond turtle and silvery legless lizard. If a Pacific (Western) pond turtle or silvery legless lizard is encountered in the project site, work in the area of the finding must cease immediately until the animal either moves out of harm's way of its own accord or is safely relocated well upstream or downstream of the project site. Only a qualified biologist with a scientific collection permit issued by the CDFW may handle and relocate Pacific (Western) pond turtle or silvery legless lizard. Any sightings and relocation of Pacific (Western) pond turtle and silvery legless lizard should be reported to the CDFW and the CNDDB.			
BIO-2:	To minimize and avoid impacts to Chinook salmon and steelhead, the following measures will be implemented: **1.** Seasonal Avoidance. In-stream work shall be limited to June 1 to October 31. **2.** In-Stream Activities: If in-stream construction or dewatering is required, the following precautionary measures should be implemented: a. A preconstruction survey of the aquatic environment	Contra Costa County Flood Control and Water Conservation District Retain qualified biologist to implement the measures.	Prior to start and during construction	Confirm and document during construction

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	shall be performed by a qualified biologist. b. A qualified biologist shall present an environmental awareness program working on site. c. A qualified biologist should monitor all in-stream activities. d. If dewatering is proposed, a qualified biologist should monitor the installation of coffer dams. During dewatering, a qualified biologist should check for stranded aquatic wildlife. Dewatering pumps must be fitted with intake screens with a mesh no greater than 5 mm (0.2 in) and BMPs will be installed to minimize sediment transport during installation of coffer dams. e. Native species (non-special-status fish species) should be relocated upstream or downstream of the cofferdams by a permitted biologist. Non-native species should be euthanized in accordance with the guidance of the CDFW. All wildlife encounters should be documented and reported to the CDFW. If listed salmonids are present, the NMFS shall be consulted to determine the appropriate measures to ensure conformance with ESA.			
BIO-3:	In order to avoid impacts to nesting Swainson's hawk, white-tailed kite, burrowing owl, loggerhead shrike, and other bird species protected under the MBTA and CFGC during project implementation, the measures outlined below shall be implemented. **1.** Environmental Awareness Program. Prior to the commencement of construction activities, a qualified biologist shall present an environmental awareness program to all construction personnel working on site. At a minimum the training shall include a description of special-status species that could be encountered, their habitats, regulatory status,	Contra Costa County Flood Control and Water Conservation District Retain qualified biologist to implement the measures.	Prior to start and during construction	Confirm and document during construction

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	protective measures, work boundaries, lines of communication, reporting requirements, and the implications of violations of applicable laws. **2.** Swainson's hawk is a federally listed threatened species and is covered under the HCP/NCCP. Nonetheless, every effort should be made to ensure that no take of Swainson's hawk occurs. Therefore, the measures outlined below should be implemented. a. The project proponent should apply for coverage under the HCP/NCCP. Participation in the HCP/NCCP would provide the applicant with incidental take coverage for Swainson's hawk and satisfy any requirements for mitigation for loss of habitat. b. Prior to any ground disturbance during the nesting season (March 15-September 15), a qualified biologist shall conduct a preconstruction survey no more than one month prior to construction to determine if there are any active Swainson's hawk nests within 305 meters (1,000 feet) of the project site. c. If there are no occupied nests within this buffer, no further action is needed. d. If an active nest is present within this buffer, the measures outlined below shall be followed. • Construction activities are not permitted within 305 meters (1,000 feet) of an occupied nest to prevent nest abandonment. However, if site-specific conditions or the nature of the activity warrant a small buffer, a qualified biologist should coordinate with CDFW and USFWS to determine the appropriate buffer size. • Construction activities may proceed prior to			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	September 15 if the young Swainson's hawks have fledged, as determined by a qualified biologist. **3.** White-tailed kite is a state-listed fully protected species; it is not covered under the HCP/NCCP and incidental take of the species is not allowed. To ensure that no take of white-tailed kite or other migratory raptors occurs, the measures outlined below shall be implemented. a. Prior to any ground disturbance during the nesting season (February 1-August 31), a qualified biologist shall conduct a preconstruction survey no more than two weeks prior to construction to determine if there are any active nests of white-tailed kite or other migratory raptors within 76 meters (250 feet) of the project site. b. Prior to the removal or significant pruning of any trees, they shall be inspected by a qualified biologist for the presence of raptor nests. This is required during both the breeding season and non-breeding season. If a suspected raptor nest is discovered, the CDFW shall be notified. Pursuant to CFGC Section 3503.5, raptor nests, whether or not they are occupied, may not be removed until approval is granted by the CDFW. c. If there are no occupied nests within this buffer, no further action is needed. d. If an active nest is present within this buffer, the measures outlined below shall be implemented. • Construction activities are not permitted within 76 meter (250 feet) of an occupied nest to prevent nest abandonment. However, if site-specific conditions or the nature of the activity warrant a small buffer, a qualified biologist should			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	coordinate with the CDFW and/or USFWS to determine the appropriate buffer size. Nest monitoring may be warranted for activities that would occur within a smaller buffer. • Construction activities may proceed prior to August 31 if the young white-tailed kites or other raptor species have fledged, as determined by a qualified biologist. **4.** Burrowing owl is a State species of special concern and a covered species under the HCP/NCCP. To ensure that no take of burrowing owl occurs, the measures outlined below shall be implemented. a. Prior to any ground disturbance during the nesting season (February 1-August 31), a CDFW-approved biologist shall conduct a preconstruction survey of all suitable burrowing owl habitat that would be affected by the project. The survey shall be performed no more than 30 days prior to construction to determine if there are any active nests of burrowing owl within 153 m (500 ft) of the project site, access permitting. b. If there are no occupied nests within this buffer, no further action is needed. c. If an active nest is present within this buffer, the measures outlined below shall be implemented. • If an occupied burrowing owl nest site is present within the limits of work, construction may not proceed. The taking of burrowing owls or occupied nests is prohibited under CFGC. Nest sites must be flagged and protected by a designated disturbance-free buffer zone of at least 76 meters (250 feet). • Construction activities are not permitted within			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	76 meters (250 feet) of an occupied nest to prevent nest abandonment. • Construction may proceed if a qualified biologist monitors the nest and determines that the adults have not begun egg-laying and incubation or that the juveniles have fledged. • Burrowing owls may be passively excluded from occupied burrows outside of the breeding season (i.e., September 1-January 31), in consultation with the CDFW. All owls should be passively excluded from burrows within 49 meters (160 feet) of the work site. Passive exclusion is achieved by installing one-way doors in the burrow entrances. Doors should be in place for at least 48 hours and the site should be monitored daily for at least one week to confirm that the burrow has been abandoned. **5.** Loggerhead shrike is a state species of special concern; it is not covered under the HCP/NCCP and incidental take of the species is not allowed. To ensure that no take of loggerhead shrike or any other migratory passerines occurs, the measures outlined below shall be implemented. a. If ground-disturbing activities (i.e., site clearing, disking, grading, etc.) can be performed outside of the nesting season (i.e., between September 1 and January 31), no additional surveys are warranted. b. Prior to any ground disturbance during the nesting season (February 1-August 31), a qualified biologist should conduct a preconstruction survey no more than two weeks prior to construction to determine if there are any active nests of loggerhead shrike or any other migratory passerines nests within 30 meters (100 feet) of the project site.			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	c. If there are no occupied nests within this buffer, no further action is needed. d. If an active nest is present within this buffer, the following measures shall be implemented. • Construction activities are not permitted within 30 meters (100 feet) of an occupied nest to prevent nest abandonment. However, if site-specific conditions or the nature of the activity warrant a smaller buffer, a qualified biologist should coordinate with the CDFW and USFWS to determine the appropriate buffer size. Nest monitoring may be warranted for activities that would occur within a smaller buffer. • Construction activities may proceed prior to August 31 if the young birds have fledged, as determined by a qualified biologist.			
BIO-4:	In order to avoid, minimize and compensate for unavoidable impacts on waters of the U.S./waters of the State, the measures outlined below shall be implemented. 1. Impacts on waters of the U.S. will be avoided by restricting grading to an elevation above the OHWM; avoidance of impacts to waters of the State is not feasible. Long-term impacts shall be minimized by limiting the use of hardened structures (e.g., grouted riprap) in preference of bio-engineering solutions as much as is practicable. Surface water connections must not be permanently blocked or interrupted and the installation of drop-structures or other features that create barriers to wildlife movement shall be avoided. 2. Prior to construction, the project proponent will need to secure authorization from the USACE, RWQCB, and CDFW in conformance to the Clean Water Act and Lake and Streambed Alteration Program.	Contra Costa County Flood Control and Water Conservation District Obtain permits; obtain coverage under HCP/NCCP; include BMPs in construction contract (s)	Prior to start and during construction	Confirm and document during construction

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	3. Participation in the HCP/NCCP is expected to satisfy the requirements of the regulatory agencies for compensatory mitigation for unavoidable impacts on stream channels, wetlands and riparian habitat. A Planning Survey Report shall be completed and submitted to the East Contra Costa County Habitat Conservancy. The submittal shall include detailed drawings illustrating all temporary and permanent impacts. 4. Per the terms of the adopted HCP/NCCP, a wetland mitigation fee or on-site habitat restoration will mitigate the impacts. If accepted by the regulatory agencies, no additional mitigation for wetland impacts is typically required. HCP/NCCP fee payment will occur at project contract award. 5. For all work within and adjacent to the stream channel and riparian habitat, best management practices (BMPs) must be incorporated into the project design to minimize environmental effects. These include the following: • Construction in the active channels shall be restricted to the dry season (April 15-October 15). • Personnel conducting ground-disturbing activities within or adjacent to the buffer zone of wetlands, ponds, streams, or riparian woodland/scrub shall be trained by a qualified biologist in these avoidance and minimization measures and the permit obligations. • If dewatering is necessary, water released downstream of work areas must be as clean or cleaner than flows entering the work area. Sediment-laden water shall be either pumped onto upland sites for infiltration or into Baker tanks for settling, prior to being released back into the channel. Coffer dams shall consist of clean, silt-free sand or gravel in sand bags, or a comparable material. All coffer dam materials			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	must be promptly removed when no longer needed. • High visibility temporary construction fencing should be erected between the outer edge of the limits of construction and adjacent streams or habitats to be preserved. Temporary construction fencing will be removed upon the completion of work. • Grading or construction near channels shall be isolated with silt fencing or other BMPs to prevent sedimentation. BMPs shall be regularly inspected. • Vehicles and equipment shall be parked on existing roads or previously disturbed areas. • Equipment working in channels must be in good working order and free of leaks of fuel, oil, and hydraulic fluids. Drip pans shall be placed under vehicles and equipment over waterways and spill clean-up materials should be kept onsite at a convenient location. • Equipment maintenance and refueling shall be performed well away from the top of bank of any channel; storm drain inlets shall be protected from an accidental release of contaminants. • Concrete washings or other contaminants must not be permitted to enter the stream channel or any storm drain inlet. • Any concrete structures or cured-in-place pipe linings shall be allowed to cure before coming in contact with surface flows. • Construction debris and materials shall be stockpiled away from watercourses.			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	• Appropriate erosion-control measures (e.g., coconut coir matting, tackified hydroseeding, blown straw or other organic mulching material) shall be used on site to reduce siltation and runoff of contaminants into wetlands, ponds, streams, or riparian woodland/scrub. Plastic mono-filament netting (e.g., that used with erosion control matting) or similar material should not be used within the action area; wildlife can become entangled or trapped such non-biodegradable materials. Erosion-control measures shall be placed between the outer edge of the buffer and the project site. • Fiber rolls used for erosion control shall be certified as free of noxious weed seed. • Construction staging areas past the channel banks must be located away from any wetlands or other sensitive habitats as identified by a qualified biologist. • Newly graded earthen channel slopes shall be revegetated with a native seed mix developed by a qualified restorationist. Seed mixtures applied for erosion control shall not contain invasive nonnative species, and be composed of native species or sterile nonnative species. Straw or mulch shall also be applied to all bare surfaces. The seed mix and mulch shall be applied prior to the onset of the first winter-season rains. • Herbicide shall not be applied within 30 meters (100 feet) of wetlands, ponds, streams, or riparian habitat. However, where appropriate to control serious invasive plants, herbicides that have been approved by the U.S. EPA for use in or adjacent to aquatic habitats may be used as long as label			

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	instructions are followed and applications avoid or minimize impacts on covered species and their habitats. In seasonal or intermittent stream or wetland environments, appropriate herbicides may be applied during the dry season to control nonnative invasive species. Herbicide drift should be minimized by applying the herbicide as close to the target area as possible and by avoiding applying during windy days. • Additional measures may be outlined in the conditions of the permits issued by the USACE, RWQCB, CDFW, and the Habitat Conservancy. All permit conditions must be conformed to.			
CULTURAL RESOURCES				
CUL-1:	• Crew training, initial monitoring by a qualified archaeologist to determine an appropriate level of monitoring for the duration of the project, and additional spot checks pending the results of the initial monitoring shall be conducted prior to and during ground disturbing activities. • A qualified archaeologist shall be present on the project site to monitor ground disturbing activities and inspect excavated soils to identify any cultural resources and human remains as deemed appropriate by the qualified archaeologist. • All construction crew workers shall attend a training session led by a qualified archaeologist that discusses (1) the reasons for archaeological resource monitoring; (2) regulatory policies protecting resources and human remains; (3) basic identification of archaeological resources; and (4) the protocol to follow in case of a discovery of such resources. • In accordance with CEQA Guideline §15064.5 (f), should any previously unknown historic or prehistoric resources, including but	Contra Costa County Flood Control and Water Conservation District Retain qualified archaeologist to implement identified measures; also include in construction contract(s)	Prior to start and during construction	Confirm and document during construction

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	not limited to charcoal, obsidian or chert flakes, grinding bowls, shell fragments, bone, pockets of dark, friable soils, glass, metal, ceramics, wood, privies, trash deposits or similar debris, be discovered during ground disturbing activities, work within 25 feet of these materials should be stopped until a qualified professional archaeologist has an opportunity to evaluate the potential significance of the find and to consult with the lead agency about what appropriate mitigation would be appropriate to protect the resource. • In the event that human remains, or possible human remains, are encountered during project-related ground disturbance, in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, that the remains are not subject to the provisions of Section 27492 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of death, and the recommendations concerning treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. • The County Coroner, upon recognizing the remains as being of Native American origin, is responsible to contact the NAHC within 24 hours. The Commission has various powers and duties, including the appointment of a Most Likely Descendant (MLD) to the project. The MLD, or in lieu of the MLD, the NAHC, has the responsibility to provide guidance as to the ultimate disposition of any Native American remains.			
CUL-2:	Prior to project construction, construction personnel shall be informed of the potential for encountering significant paleontological resources. All construction personnel shall be informed of the need to stop work in the	Contra Costa County Flood Control and Water Conservation District	Prior to start of construction	Confirm and document during construction

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
	vicinity of a potential discovery until a qualified paleontologist has been provided the opportunity to assess the significance of the find and implement appropriate measures to protect or scientifically remove the find. Construction personnel shall also be informed of the requirements that unauthorized collection resources are prohibited.	Include in construction contract(s)		
GEOLOGY AND SOILS				
GEO-1	The proposed project shall comply with all recommendations specified in Section 3.3 of the May 2015 Geotechnical Report prepared by ENGEO.	Contra Costa County Flood Control and Water Conservation District Follow recommendations of geotechnical report	During project design, prior to start of excavation, and during construction	Document compliance upon completion of construction
NOISE				
NOISE-1	The project contractor shall ensure that construction activities shall be limited to the hours set forth in Brentwood Municipal Code Section 9.32.050, as follows: Outside Heavy Construction: Monday-Friday 8:00 AM to 5:00 PM Saturday 9:00 AM to 4:00 PM	Contra Costa County Flood Control and Water Conservation District Include in construction contract(s)	During construction	Document compliance during construction

APPENDIX B

Response to Comments
on the
Initial Study/Mitigated Negative Declaration
for the
Three Creeks Parkway Restoration Project

LIST OF COMMENT LETTERS

1. Contra Costa Health Services (August 4, 2016)
2. Ann Kennedy (August 12, 2016)
3. East Contra Costa County Habitat Conservancy (August 15, 2016)
4. Central Valley Regional Water Quality Control Board (August 25, 2016)
5. Delta Stewardship Council (August 30, 2016)
6. East Bay Regional Park District (September 1, 2016)
7. Chevron (September 1, 2016)
8. City of Brentwood Public Works Department (September 2, 2016)
9. Governor's Office of Planning and Research (State Clearinghouse) (September 2, 2016)

COMMENT LETTER #1. CONTRA COSTA HEALTH SERVICES (August 4, 2016)

Comment 1-1: Contra Costa Health Services notes that permits will be required for well or soil boring activities prior to commencing drilling activities and abandoned wells and septic tanks must be destroyed under permit.

Response: Comments have been noted and forwarded to the project design team. No further response is necessary.

COMMENT LETTER #1

WILLIAM B. WALKER, M.D.
HEALTH SERVICES DIRECTOR
RANDALL L. SAWYER
CHIEF ENVIRONMENTAL HEALTH & HAZMAT OFFICER
MARILYN C. UNDERWOOD, PHD. REHS
DIRECTOR OF ENVIRONMENTAL HEALTH

CONTRA COSTA
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www.cchealth.org/eh/

August 4, 2016

Claudia Gemberling
Contra Costa Public Works Department
255 Glacier Dr.
Martinez, CA 94553

RE: Three Creeks Parkway Restoration (CP 16-39)
Marsh Creek Channel
APN Various

Dear Ms. Gemberling:

The Contra Costa Environmental Health Division (CCEHD) has received a request for agency comments for the above referenced project. The following are our comments:

1. A permit from CCEHD is required for any well or soil boring prior to commencing drilling activities, including those associated with water supply, environmental investigation and cleanup, or geotechnical investigation.

2. Any abandoned wells (water, environmental, or geotechnical) and septic tanks must be destroyed under permit from CCEHD. If the existence of such wells or septic tanks are known in advance or discovered during construction or other activities, these must be clearly marked, kept secure, and destroyed pursuant to CCEHD requirements.

1-1

These comments do not limit an applicant's obligation to comply with all applicable laws and regulations. If you should have any questions, please feel free to call me at (925) 692-2535.

Sincerely

Joseph G. Doser, R.E.H.S.
Supervising Environmental Health Specialist

JGD:tf

COMMENT LETTER #2. ANN KENNEDY (August 12, 2016)

Comment 2-1: Ms. Kennedy notes that she lives next to Marsh Creek between Deer Creek and Sand Creek and endorses the restoration project and offers citizen volunteers if needed; also suggested to plant milkweed for the monarch butterflies.

Response: Letter in support of this project is acknowledged. Plant suggestion has been noted and forwarded to the project design team for consideration. No further response is necessary.

COMMENT LETTER #2

Claudia Gemberling

From: Ann Kennedy <annwkennedy@att.net>
Sent: Friday, August 12, 2016 11:43 AM
To: Claudia Gemberling
Subject: Three Creeks Parkway Restoration

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Gemberling
I wholeheartedly endorse this restoration. Living next to Marsh Creek between Deer Creek and Sand Creek makes us sensitive to the need to restore the natural beauty to this area. If there is anything to be done by citizen volunteers don't hesitate to call on us. Also don't forget to plant milkweed for the monarch butterflies. 2-1
Thanks. Ann Kennedy

Sent from my iPhone

COMMENT LETTER #3. EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY (August 15, 2016)

Comment 3-1: The East Contra Costa County Habitat Conservancy notes that the East Contra Costa County HCP/NCCP take coverage should be listed in Section 2.7 Permits and Approvals Required and pointed out that the East Contra Costa County Habitat Conservancy is first abbreviated as ECCCHC on page 4 but then called out differently on page 34 (as the Conservancy) and 37 (as the Habitat Conservancy).

Response: Comments noted and included in this CEQA record for the final IS/MND. No further response is necessary.

COMMENT LETTER #3

Claudia Gemberling

From: Claudia Gemberling
Sent: Thursday, August 18, 2016 2:12 PM
To: 'Joanne Chiu'
Cc: Abigail Fateman
Subject: RE: CEQA - Three Creeks Parkway Restoration Project, Brentwood

Thank you for your comments Joanne. Mike Wood has not started the PSR application. Anticipating he will do that in October. The IS/MND discusses the habitat assessment/surveys conducted in support of CEQA. Let me know if you have any other questions.

Thanks.
Claudia Gemberling
(925) 313-2192

From: Joanne Chiu [mailto:Joanne.Chiu@dcd.cccounty.us]
Sent: Monday, August 15, 2016 4:34 PM
To: Claudia Gemberling
Cc: Abigail Fateman
Subject: RE: CEQA - Three Creeks Parkway Restoration Project, Brentwood

Hi Claudia,

I have fairly minor comments.

- Page 19, Section 2.7 Permits and Approvals Required, should include ECCC HCP/NCCP take coverage, as discussed in the bio section.
- The East Contra Costa County Habitat Conservancy is first abbreviated as ECCCHC on p. 4 but then called out differently on p. 34 (as the Conservancy) and 37 (as the Habitat Conservancy). Not a big deal but a consistency thing.

3-1

Has Mike Wood completed the HCP/NCCP PSR application? The IS/MND discusses planning surveys that were performed by Wood Biological Consulting in 2015 and 2016. Is the application ready for review?

Thank you,
Joanne

From: Claudia Gemberling [mailto:claudia.gemberling@pw.cccounty.us]
Sent: Wednesday, August 03, 2016 12:07 PM
To: Abigail Fateman
Cc: Allison Van Dorn; Joanne Chiu
Subject: CEQA - Three Creeks Parkway Restoration Project, Brentwood

Hi Abby, the CEQA document for the Three Creeks Parkway Restoration project along Marsh Creek in Brentwood is out for public review. The 30-day review period is August 3 – September 2. The CEQA document is posted at the PWD link: http://ca-contracostacounty2.civicplus.com/4841/Public-Input and DCD link: http://www.co.contra-costa.ca.us/4841/Public-Input. Let me know if you have any questions. Otherwise, provide any comments you may have. Thanks!

COMMENT LETTER #4. CENTRAL VALLEY REGIONAL WATER QUALTY CONTROL BOARD (August 25, 2016)

Comment 4-1: The Central Valley Regional Water Quality Control Board (Central Valley Water Board) states that their agency is delegated with the responsibility of protecting the quality of surface and ground waters of the state and as such their comments will address concerns surrounding those issues. The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act which requires each Basin Plan contain water quality objectives to ensure reasonable protection of beneficial uses as well as a program of implementation for achieving water quality objectives. The Central Valley Water Board further notes that all wastewater discharges must comply with the Antidegradation Policy contained in the Basin Plan. The Central Valley Water Board offers links for more information.

Response: Comments noted. No further response is necessary.

Comment 4-2: The Central Valley Water Board notes various permits that may be required for the project if applicable (Construction Storm Water General Permit, Phase I and II Municipal Separate Storm Sewer System (MS4) Permits, Industrial Storm Water General Permit, Clean Water Action Section 404 Permit, Clean Water Act Section 401 Permit – Water Quality Certification, Waste Discharge Requirements – Discharges to Waters of the State, Dewatering Permit, Regulatory Compliance for Commercially Irrigated Agriculture, Low or Limited Threat General National Discharge Elimination System (NPDES) Permit, NPDES Permit).

Response: As noted in Section 2.7 "Permits and Approvals Required" the project will require a Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers and Section 401 permit - Water Quality Certification from the Central Valley Water Board, and Section 2.9 "Hydrology and Water Quality" notes that a NPDES *General Permit for Storm Water Discharges Associated with Construction and Land Disturbances* will be obtained. Other permits noted will be considered and obtained if applicable to the project.

COMMENT LETTER #4

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EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

25 August 2016

Claudia Gemberling
Contra Costa County
Department of Conservation and Development
255 Glacier Drive
Martinez, CA 94553

CERTIFIED MAIL
91 7199 9991 7035 8360 9782

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, THREE CREEKS PARKWAY RESTORATION PROJECT, SCH# 2016082008, CONTRA COSTA COUNTY

Pursuant to the State Clearinghouse's 3 August 2016 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Three Creeks Parkway Restoration Project, located in Contra Costa County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38. 4-1

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources

Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website: http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/.

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at: http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf 4-1

In part it states:

> *Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*
>
> *This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan 4-2

(SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits[1]
The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

4-2

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit
Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit
If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water

[1] Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements – Discharges to Waters of the State

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. 4-2

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml; or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.

2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100**. Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently $1,084 + $6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov. 4-2

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

4-2

NPDES Permit

If the proposed project discharges waste that could affect the quality of the waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov.

Stephanie Tadlock

Stephanie Tadlock
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

COMMENT LETTER #5. DELTA STEWARDSHIP COUNCIL (August 30, 2016)

Comment 5-1: Delta Plan Policies: Delta Stewardship Council (Council) notes that the Delta Plan includes 14 regulatory policies that are applicable to all covered actions and provides a few key regulatory policies that may be applicable to the project and provides staff contact information for guidance.

Response: The project proponents will consult with the Council to ensure the project is consistent with the Delta Plan regulatory policies as applicable to the project.

Comment 5-2: Best Available Science and Adaptive Management: Delta Plan Policy G P1 "Detailed Findings to Establish Consistency with the Delta Plan" calls for covered actions to document use of best available science which should be consistent with criteria listed in Appendix 1A "Best Available Science" of the Delta Plan regulations such as relevance, inclusiveness, and objectivity.

Delta Plan Policy G P1 also calls for ecosystem restoration projects to include adequate provisions for continued implementation of adaptive management, appropriate to the scope of the action; this requirement can be satisfied through development of an adaptive management plan that is consistent with the framework described in Appendix 1B "Adaptive Management" of the Delta Plan along with documentation of adequate resources to implement the proposed adaptive management process.

The Council provided the Delta Science Program contact information for consultation to assist in document preparation for use of best available science and adaptive management.

Response: The project will ensure consistency with Delta Plan Policy G P1 as well as implement the Best Available Science criteria listed in Table 1A-1 of Appendix 1A (Relevance, Inclusiveness, Objectivity, Transparency and Openness, Timeliness, Peer Review) and an Adaptive Management plan described in Appendix 1B which provides a framework to plan, implement, evaluate and respond as applicable to the project.

Comment 5-3: Mitigation Measures: Delta Plan Policy GP 1 also requires that actions not exempt from CEQA and subject to Delta Plan regulations must include applicable feasible mitigation measures consistent with those identified in the Delta Plan Program Environmental Impact Report (PEIR) or substitute mitigation measures that are equally or more effective. The Council also notes that the Delta Plan Mitigation and Monitoring Reporting Program (MMRP) should be used to ensure compliance with the Delta Plan mitigation measures and provided a link to the document.

Response: Comments noted. The Delta Plan PEIR MMRP was reviewed and determined that the project MMRP is consistent with the Delta Plan PEIR MMRP as applicable to the project. Nevertheless, the Delta Plan PEIR will be referenced should other applicable mitigation measures become warranted that is not already included in the project MMRP.

Comment 5-4: Habitat Restoration: The Council notes that Delta Plan Policy ER P2 "Restore Habitats at Appropriate Elevations" states that habitat restoration must occur at appropriate elevations and be consistent with Appendix 3 "Habitat Restoration" of the Delta Plan regulations, which is an excerpt from the 2011 Draft Ecosystem Restoration Program Conservation Strategy. Appendix 3 describes many ecosystem benefits related to restoring floodplains, however it cautions that such restoration should include investigation and implementation of Best Management Practices (BMPs) to control methylmercury production and transport since periodic wetting and drying makes these areas prone to methylation of mercury. Marsh Creek is currently cited as exceeding water quality standards for mercury on the Central Valley Regional Water Quality Control Board's 303(d) list of impaired water bodies, making management of mercury issues relevant to the Parkway Project. The Council recommends that the MND specifically address the potential impact of the project to contribute to methylation of legacy mercury in the Marsh Creek watershed and explain how the project either is designed to minimize this impact or includes appropriate mercury related BMPs.

Response: Comments noted. Marsh Creek is listed as impaired for mercury due to an abandoned mercury mine in the upper watershed, but bio-sentinel and chemical surveys over the last two decades have found relatively low levels of mercury and methylmercury in the watershed below Marsh Creek Reservoir, which appears to act as a mercury trap (John Cain, American Rivers, personal communication). Nevertheless, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has established methylmercury waste load allocations for all dischargers to the Delta through the Sacramento-San Joaquin Delta Estuary Total Maximum Daily Load (TMDL) (Delta Mercury TMDL) with intentions of reducing the mercury concentrations in fish down to levels considered to be protective of people and wildlife who consume fish from the Delta. The Delta Mercury TMDL translates reduced levels of mercury in fish to a water column target of 0.06 nanograms unfiltered methylmercury per liter (ng/L). If the average total methylmercury concentration in a water body exceeds 0.06 ng/L, follow-up actions are required to investigate causes and determine reasonable and foreseeable means of attaining a 0.06 ng/L.

The Contra Costa Clean Water Program (CCCWP) began implementation of a Methylmercury Control Study in 2012 to fulfill requirements of the Central Valley Municipal Regional Stormwater Discharge Permit (Order No. R5-2010-010). A Methylmercury Control Study Work Plan (Amec 2013) was prepared to 1) evaluate the

effectiveness of existing Best Management Practices (BMPs) for the control of methylmercury; 2) evaluate additional or enhanced BMPs, as needed, to reduce mercury and methylmercury discharges to the Delta; and 3) determine the feasibility of meeting methylmercury waste load allocations. Wet year and dry year samples were obtained at several locations along Marsh Creek within the project vicinity from spring 2012 through spring 2015: just upstream and downstream of the City of Brentwood Wastewater Treatment Plant (downstream of the project site), and at the confluences of Sand Creek, Deer Creek, and Dry Creek (all tributaries to Marsh Creek); Sand and Deer Creek confluences occur within the project segment, and Dry Creek is upstream of the project site. Methylmercury concentrations ranged between non-detect to 1.2 ng/L (Contra Costa Clean Water Program, Methylmercury Control Study Progress Report, October 2015).

Creating an intermittently flooded floodplain on Marsh Creek could create a methylated environment resulting in an increased level of methylmercury if there is elemental mercury present. However, based on the hydrology in Marsh Creek, the inundation events have a very short duration and are infrequent, which would presumably limit mercury export into Marsh Creek and the Delta. Further monitoring will be conducted to compare post-project levels to the pre-project data gathered from 2012 to 2015 to help determine whether implementation of this project will have any effect on methylation. Project construction will incorporate applicable BMPs to avoid or minimize off-site sediment transport.

Comment 5-5: Invasive Species: The Council notes that Delta Plan Policy ER P5 states "The potential for new introductions of or improved habitat conditions for nonnative invasive species, striped bass, or bass must be fully considered and avoided or mitigated in a way that appropriately protects the ecosystem." Nonnative species, such as terrestrial and aquatic weeds, are a major obstacle to successful restoration because they affect the survival, health, and distribution of native wildlife and plant species. Although there is little chance of eradicating most established nonnative species, management can be designed to reduced their abundance.

The Council suggests consideration of incorporating the Delta Plan's PEIR Biological Resources Mitigation Measure 4-1 which calls for an invasive species management plan to be developed and implemented for any projects that could lead to introduction or facilitation of invasive species establishment. The mitigation requirement also calls for the plan to include nonnative species eradication methods (if eradication is feasible), nonnative species management methods, early detection methods, notification requirements, BMPs for preconstruction, construction, and post construction periods, monitoring, remedial actions and reporting requirements, and provisions for updating the target species list over the lifetime of the project as new invasive species become potential threats to the integrity of the local ecosystems.

Response: Comments noted. The project will implement an invasive species management plan consistent with the Delta Plan's recommendation as applicable to the project.

Comment 5-6: Respect Local Land Use: The Council notes that Delta Plan Policy DP P2 calls for habitat restoration projects to avoid or reduce conflicts with existing uses and to consider comments from local agencies and the Delta Protection Commission. The Council also notes that the MND states the project is consistent with the City of Brentwood General Plan and would not affect any land use of adjoining parcels to the project area, which is primarily designated residential. The MND also describes how the Parkway Project would protect East Bay Regional Park District's Marsh Creek trail by relocating it to new top of the eastern bank under the proposed project.

Response: Comments noted. No further response necessary.

Comment 5-7: Inconsistencies with the Delta Plan: The Council notes that the MND should discuss any inconsistencies between the proposed plan and the Delta Plan and that according to the CEQA Guidelines Appendix G a project that is inconsistent with any applicable land use plan, policy, or regulations may result in a finding of significant impact on the environment.

Response: Comments noted. The project is consistent with the Delta Plan as it is a multi-benefit project that will reduce flood risk associated with a changing climate, improve Delta water quality, restore denuded stream-side habitat, and enhance the Delta as a place. Further, the project will advance water quality recommendations of the Delta Plan to improve environmental water quality by reducing several pollutants conveyed to the Delta by urban and stormwater run-off including nitrates, pathogens, and contaminants with development of new floodplain wetlands and riparian vegetation along the channel that will cleanse polluted run-off that drain to Marsh Creek, Dutch Slough, and eventually to the Delta and Bay. Improving environmental water quality in Marsh Creek is particularly important to further the Delta Plan's goal of protecting Dutch Slough – a priority habitat restoration area.

Comment 5-8: Delta Plan Recommendations: *Protect and Enhance Recreational Opportunities:* The Council notes that the Delta Plan recommends protecting and improving existing recreation opportunities while seeking ways of providing new and better coordinated opportunities. Delta Plan Recommendation DP R11 calls for providing new and protecting existing recreational opportunities in the Delta and Suisun Marsh. Additionally, Recommendation DP R16 states that public agencies owning land should increase opportunities, where feasible, for bank fishing, hunting, levee-top trails, and environmental education.

The Council also notes that they appreciate that the MND describes how the project would relocate the Marsh Creek trail and how the lower 1,600 feet of the project would be integrated into a new city park and include interpretive signs.

Response: Comments noted. The project is consistent with DP R11 "Provide New and Protect Existing Recreation Opportunities" and DP R16 "Encourage Recreation on Public Lands" as the project will protect and improve the existing creek trail and provide interpretive aides for environmental education for visitors.

Comment 5-9: Final Remarks: The Council notes that they overall support this project and look forward to working with and providing guidance to County staff on the requirements of filing a Delta Plan Certification of Consistency.

Response: Letter in support of this project is acknowledged. No further response necessary.

COMMENT LETTER #5

980 NINTH STREET, SUITE 1500
SACRAMENTO, CALIFORNIA 95814
HTTP://DELTACOUNCIL.CA.GOV
(916) 445-5511

DELTA STEWARDSHIP COUNCIL

A California State Agency

August 30, 2016

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Aja Brown
Frank C. Damrell, Jr.
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Susan Tatayon
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Executive Officer
Jessica R. Pearson

Claudia Gemberling, Environmental Analyst II
Contra Costa County
Public Works Department
255 Glacier Drive
Martinez, CA 94553
Claudia.gemberling@pw.cccounty.us

RE: Three Creeks Parkway Restoration Project Initial Study and Mitigated Negative Declaration, SCH# 2016082008

Dear Ms. Gemberling:

We appreciate the opportunity to comment on the Initial Study and Mitigated Negative Declaration (MND) for the Three Creeks Parkway Restoration Project (hereafter referred to as the "Parkway Project"). The non-profit American Rivers and the Contra Costa County Flood Control and Water Conservation District will implement a project in the City of Brentwood to restore approximately 4,000 linear feet of Marsh Creek and adjacent floodplain and riparian habitat.

As you may know, the Delta Stewardship Council (Council) through the Delta Reform Act was granted specific regulatory and appellate authority over certain actions that take place in whole or in part in the Delta and Suisun Marsh; the Council exercises this authority through the development and implementation of the Delta Plan. The Delta Plan applies a common sense approach based on the best available science to achieve the coequal goals of protecting and enhancing the Delta ecosystem and providing for a more reliable water supply for California, while protecting and enhancing the unique cultural, recreational, and agricultural values of the Delta as an evolving place.

According to the Delta Reform Act, it is the state or local agency approving, funding, or carrying out the project that must determine if that project is a "covered action" subject to Delta Plan regulations, and if so, to file a certification of consistency with the Delta Plan.

Delta Plan Policies

The Delta Plan includes 14 regulatory policies that are applicable to all covered actions. Below we have highlighted a few key regulatory policies from the Delta Plan that may be relevant to the Parkway Project. 5-1

Best Available Science and Adaptive Management

Delta Plan Policy **G P1** (23 California Code of Regulations [CCR] Section 5002) calls for covered actions to document use of best available science. This documentation should be consistent with the criteria listed in Appendix 1A of the Delta Plan regulations (available at http://deltacouncil.ca.gov/docs/appendix-1a), which include relevance, inclusiveness, and objectivity.

Additionally, Policy **G P1** calls for ecosystem restoration projects to include adequate provisions for continued implementation of adaptive management, appropriate to the scope of the action; this requirement can be satisfied through the development of an adaptive management plan that is consistent with the framework described in Appendix 1B of the Delta Plan (http://deltacouncil.ca.gov/docs/appendix-1b), along with documentation of adequate resources to implement the proposed adaptive management process. 5-2

Staff from the Delta Science Program can provide consultation to assist in preparation of documentation of use of best available science and adaptive management. Please contact Darcy Austin (darcy.austin@deltacouncil.ca.gov) of the Delta Science Program to arrange those discussions.

Mitigation Measures

Delta Plan Policy **G P1** (23 CCR Section 5002) also requires that actions not exempt from the California Environmental Quality Act (CEQA) and subject to Delta Plan regulations must include applicable feasible mitigation measures consistent with those identified in the Delta Plan Program Environmental Impact Report (PEIR) or substitute mitigation measures that are equally or more effective. The Delta Plan Mitigation and Monitoring Reporting Program is to be used to ensure compliance with the Delta Plan mitigation measures and this document is available at http://deltacouncil.ca.gov/sites/default/files/documents/files/Agenda%20Item%206a_attach%202.pdf 5-3

Council staff can provide a slightly reformatted Microsoft Word document version of the MMRP document which may help Contra Costa County staff with the process of cross-referencing between Delta Plan mitigation measures with those in the project's MND.

Habitat Restoration

Delta Plan Policy **ER P2** (23 CCR Section 5006) states that habitat restoration must occur at appropriate elevations and be consistent with Appendix 3 of the Delta Plan regulations, which is an excerpt from the 2011 Draft Ecosystem Restoration Program Conservation Strategy. Appendix 3 describes the many ecosystem benefits related to restoring floodplains, however it also cautions that such restoration should include investigation and implementation of Best Management Practices (BMPs) to control methylmercury production and transport since periodic wetting and drying makes these areas prone to methylation of mercury. Marsh Creek is currently cited as exceeding water quality standards for mercury on the Central Valley Regional Water Quality Control Board's 303(d) list of impaired water bodies, making management of mercury issues relevant to the Parkway Project. We recommend that the MND specifically address the potential impact of the project to contribute to methylation of legacy mercury in the Marsh Creek watershed and explain how the project either is designed to minimize this impact or includes appropriate mercury related BMPs. 5-4

Invasive Species

Delta Plan Policy **ER P5** (23 CCR Section 5009) states, "The potential for new introductions of or improved habitat conditions for nonnative invasive species, striped bass, or bass must be fully considered and avoided or mitigated in a way that appropriately protects the ecosystem." Nonnative species, such as terrestrial and aquatic weeds, are a major obstacle to successful restoration because they affect the survival, health, and distribution of native wildlife and plant species. Although there is little chance of eradicating most established nonnative species, management can be designed to reduce their abundance.

We suggest you consider incorporating into the MND Delta Plan PEIR's **Biological Resources Mitigation Measure 4-1** which calls for an invasive species management plan to be developed and implemented for any projects that could lead to introduction or facilitation of invasive species establishment. The plan must ensure that invasive plant species and populations are kept below preconstruction abundance and distribution levels and be based on best available science and developed in consultation with Department of Fish and Wildlife and local experts (e.g., UC Davis, California Invasive Plant Council). This mitigation requirement also calls for the plan to include the following elements: 5-5

- Nonnative species eradication methods (if eradication is feasible)
- Nonnative species management methods
- Early detection methods
- Notification requirements
- Best management practices for preconstruction, construction, and post construction periods
- Monitoring, remedial actions and reporting requirements

- Provisions for updating the target species list over the lifetime of the project as new invasive species become potential threats to the integrity of the local ecosystems

Respect Local Land Use

Delta Plan Policy **DP P2** (23 CCR Section 5011) calls for habitat restoration projects to avoid or reduce conflicts with existing uses and to consider comments from local agencies and the Delta Protection Commission. The MND states that the project is consistent with the City of Brentwood General Plan and would not affect any land use of adjoining parcels to the project area, which is primarily designated residential. The MND also describes how the Parkway Project would protect East Bay Regional Park District's Marsh Creek trail by relocating it to new top of the eastern bank under the proposed project. 5-6

Inconsistencies with the Delta Plan

The MND should discuss any inconsistencies between the proposed plan and the Delta Plan, as required by section 15125(d) of the CEQA Guidelines. Please note that the CEQA guidelines' Appendix G states that a project that is inconsistent with any applicable land use plan, policy, or regulations may result in a finding of significant impact on the environment. 5-7

Delta Plan Recommendations

The Delta Plan contains 74 recommendations, which we encourage project proponents to consider as they design and implement their projects and programs. Although these recommendations are non-regulatory in nature, progress towards their implementation will help with achieving the coequal goals in a manner that protects and enhances the unique values of the Delta.

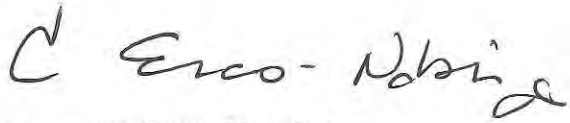
Protect and Enhance Recreational Opportunities

The Delta Plan recommends protecting and improving existing recreation opportunities while seeking ways of providing new and better coordinated opportunities. Delta Plan Recommendation **DP R11** calls for providing new and protecting existing recreational opportunities in the Delta and Suisun Marsh. Additionally, Recommendation **DP R16** states that public agencies owning land should increase opportunities, where feasible, for bank fishing, hunting, levee-top trails, and environmental education. We appreciate how the MND describes how the project would relocate the Marsh Creek trail and how the lower 1,600 feet of the project would be integrated into a new city park and include interpretive signs. 5-8

Final Remarks

Overall we support Contra Costa County and American Rivers in this initiative to restore habitat along a stretch of urbanized creek in the City of Brentwood. We look forward to working with County staff on this project and, if necessary, provide early consultation to County staff on the requirements of filing a Delta Plan certification of consistency. I encourage you to contact Daniel Huang at Daniel.Huang@deltacouncil.ca.gov for any questions you have regarding issues raised in this comment letter. 5-9

Sincerely,



Cassandra Enos-Nobriga
Deputy Executive Officer
Delta Stewardship Council

COMMENT LETTER #6. EAST BAY REGIONAL PARK DISTRICT (September 1, 2016)

Comment 6-1: The East Bay Regional Park District (Park District) appreciates that the Marsh Creek Trail within the project area will be located above the 100-year flood plain zone which will avoid increased maintenance costs and potential trail closures. The project is considering a pervious surface for the trail as part of the proposal required by the East Contra Costa County Habitat Conservancy. The Park District comments that they maintain a portion of the Marsh Creek Trail and requests that a local funding mechanism be established to accommodate additional maintenance required for this type of surface.

Response: The Contra Costa County Flood Control District has been having discussions with the City of Brentwood Parks and Recreation Department about the local funding mechanism and the City has agreed they'll provide additional funding for the additional maintenance required for this type of surface.

Comment 6-2: The City of Brentwood is proposing to widen Central Blvd. to four (4) lanes by adding a new bridge. The Park District comments safety concerns regarding the increased distance trail users would have to travel across Central Blvd. once additional lanes are added. The Park District supports the trail passing under the bridge(s) and elimination of at grade crossing which is a much safer experience for trail users and may improve traffic flow on Central Blvd. Additional structures required to protect the bridge abutments and trail alignment under the bridge will need to be included in the CEQA analysis.

Response: The project will include armoring under the bridge to protect the bridge and proposed trail undercrossing. The armoring will be a combination of concrete and riprap. The riprap will be vegetated where accessible to sunlight. The MND points out that other locations within the project segment will need to be armored to stabilize slopes which will minimize erosion and provide stabilized slopes for the trail relocation as noted in the Biological Resources, Geology and Soil, and Hydrology and Water Quality sections. No additional structures will be necessary to protect the bridge abutments or trail.

Comment 6-3: The Park District requests that the Contra Costa County Flood Control District design the trail undercrossing to Caltrans Chapter 1000 Class I bikeway standards, which calls for at least ten (10) feet of overhead clearance if possible which will also allow enough clearance for equestrians, emergency vehicles and overhead signage if necessary. The Park District will still need to preserve emergency vehicle and maintenance access through the current on street trail entrances for operational purposes.

Response: The trail will be designed to the Class I Bikeway standards with the exception that the 10-ft recommended clearance is not achievable under the existing bridge. The design can achieve 8-ft minimum clearance as specified by the Caltrans standards. The Federal Highway Administration standards for equestrians recommends a 12-ft clearance. It is our expectation that equestrians will need to use the Central Blvd. at-grade crossing. Emergency vehicle and maintenance access (EVMA) will be maintained at street level as well.

East Bay Regional Park District

2950 PERALTA OAKS COURT P.O. BOX 5381 OAKLAND CALIFORNIA 94605-0381 T: 1-888-EBPARKS F: 510-569-4319 TRS RELAY: 711 WWW.EBPARKS.ORG

COMMENT LETTER #6

Claudia Gemberling, Environmental Analyst II
Contra Cost County Public Works Department
255 Glacier Drive
Martinez, CA 94553

RE: Notice of Public Review and Intent to Adopt a Proposed Mitigated Negative Declaration

Dear Ms. Gemberling,

The East Bay Regional Park District (Park District) has reviewed the Initial Study/Mitigated Negative Declaration (IS/MND) for the Three Creeks Parkway Restoration (the project), proposed by the Contra Costa County Flood Control District (CCCFCD). The Park District has a long term commitment to protecting and maintaining open space in Contra Costa County and providing safe non-motorized public transportation and recreational opportunities by way of our Regional Trail Network. The District operates and maintains the Marsh Creek Regional Trail (the Trail) on the east side of Marsh Creek, which is within the project's scope.

The project proposes to relocate the trail for approximately 0.8 mile as part of the restoration effort of Marsh Creek. The Park District appreciates the CCCFCD's willingness to relocate the existing trail above the 100 year flood plain to avoid increased maintenance costs and potential trail closures. The CCCFCD is considering a pervious surface for the trail as part of the proposal required by the East Contra Costa Habitat Conservancy. The Park District maintains this portion of the Marsh Creek Trail and requests that a local funding mechanism be established to accommodate additional maintenance required for this type of surface. **6-1**

The City of Brentwood is proposing to widen Central Blvd to four (4) lanes by adding a new bridge. The Park District has safety concerns regarding the increased distance trail users would have to travel across Central Blvd. once additional lanes are added. The Park District supports the trail passing under the bridge(s) on Central Blvd. and the elimination of the existing at grade crossing; which is a much safer experience for trail users and may improve traffic flow on Central Blvd. There are several schools within .5 mile of the project, and students and parents will be able to walk/bike to school on a safer route with this improvement. Additional structures required to protect the bridge abutments and trail alignment under the bridge, which may encroach into the creek channel, will need to be included in your CEQA analysis. **6-2**

The Park District requests that CCCFCD design the trail undercrossing to Caltrans Chapter 1000 Class I bikeway standards, which calls for at least ten (10) feet of overhead clearance if possible. This also allows enough clearance for equestrians, emergency vehicles and overhead signage if necessary. The Park District will still need to preserve emergency vehicle and maintenance access (EVMA) through the current on street trail entrances for operational purposes. **6-3**

The Park District appreciates the opportunity to review the IS/MND and provide comments. We look forward to working with the CCCFCD on this project. Please provide any future information and design plans for Park District review.
If you have any questions or concerns, please contact me at (510) 544-2609, or by e-mail at swilson@ebparks.org.

Respectfully,

Suzanne Wilson
Senior Planner – Trails Development

CC – Neoma Lavalle, Planner EBRPD; Sean Dougan, Trails Development Program Manager EBRPD

Board of Directors

Doug Siden, President, Ward 4 | Beverly Lane, Vice-President, Ward 6 | Dennis Waespi, Treasurer, Ward 3 | Diane Burgis, Secretary, Ward 7 | Whitney Dotson, Ward 1 | John Sutter, Ward 2 | Ayn Wieskamp, Ward 5 | Robert E. Doyle, General Manager

Claudia Gemberling

From: Suzanne Wilson <swilson@ebparks.org>
Sent: Thursday, September 01, 2016 1:53 PM
To: Claudia Gemberling
Cc: Sean Dougan; Neoma Lavalle
Subject: Three Creeks Parkway Restoration Comment Letter
Attachments: Three Creeks Parkway Restortation Comments_EBRPD.pdf

Dear Ms. Gemberling,

Thank you for the opportunity to review and provide comments on the Initial Study/Mitigated negative Declaration for the Three Creeks Parkway Restoration Project. Please the East Bay Regional Park District's comments attached. Don't hesitate to contact me should you have any questions.

Suzanne Wilson
Senior Planner - Trails Development | Trails Development Program
East Bay Regional Park District
2950 Peralta Oaks Court, Oakland, CA 94605
T: 510-544-2609| F: 510-569-1417
swilson@ebparks.org | www.ebparks.org

STATEMENT OF CONFIDENTIALITY | This electronic message and any files or attachments transmitted with it may be confidential, privileged, or proprietary informa Regional Park District. The information is solely for the use of the individual or entity to which it was intended to be addressed. If the reader of this message is not the intend hereby notified that use, distribution, or copying of this e-mail is strictly prohibited. If you received this e-mail in error, please notify the sender immediately, destroy any copi your system.

Please consider the environment before you print

COMMENT LETTER #7. CHEVRON (September 1, 2016)

Comment 7-1: Leidos Engineering LLC, on behalf of Chevron Environmental Management Company (CEMC), describes the background of inactive, historic crude-oil pipelines within the project vicinity and identifies the approximate location of the former Old Valley Pipeline (OVP) and Tidewater Associated Oil Company (TAOC) alignments with respect to the project's layout. Leidos further states that CEMC conducted risk assessments at numerous locations within known historical crude-oil release points along the former OVP and TAOC pipelines and analytical results have indicated that the crude-contaminated soil was non-hazardous. If soil affected by the historical release of crude oil from these former pipelines is encountered during construction activities it may be reused as backfill on site. Parties conducting construction activities in the vicinity of these former pipeline rights-of-way may wish to use the information provided in the letter to help prepare for the possibility of encountering pipelines and pipeline-related asbestos-containing materials ACM during the course of their work.

Response: Comments have been noted and forwarded to the project design team. No further response is necessary.

COMMENT LETTER #7

Mike N. Oliphant
Project Manager
Mining and Specialty
Portfolio

Chevron Environmental Management Company
P.O. Box 6012
San Ramon, CA 94583
Tel (925) 842 9922
mike.oliphant@chevron.com

September 1, 2016

Stakeholder Communication – Contra Costa County

Ms. Claudia Gemberling
Environmental Analyst II
Contra Costa County Public Works Department
255 Glacier Drive
Martinez, California 94553

Subject: **Comments on the Initial Study and Proposed Mitigated Negative Declaration for the Three Creeks Parkway Restoration Project**
Chevron Environmental Management Company
Historical Pipeline Portfolio–Bakersfield to Richmond

Dear Ms. Gemberling:

On behalf of Chevron Environmental Management Company (CEMC), Leidos, Inc. (Leidos; CEMC contract consultant) recently reviewed the Initial Study and Proposed Mitigated Negative Declaration for the Three Creeks Parkway Restoration Project (proposed project). The information contained in this letter may help you to understand something about Chevron's former pipeline operations in the City of Brentwood, as residual weathered crude oil, abandoned pipeline, and asbestos-containing materials (ACM) could potentially be encountered during subsurface construction activities in the vicinity of these former pipeline locations within the existing former pipeline rights of way (ROW).

Portions of the former Old Valley Pipeline (OVP) and Tidewater Associated Oil Company (TAOC) pipelines existed in the vicinity of the proposed project area. These formerly active pipelines were constructed in the early 1900s and carried crude oil from the southern San Joaquin Valley to the San Francisco Bay Area. Pipeline operations for the OVP ceased in the 1940s, and in the 1970s for the TAOC pipelines. When pipeline operations ceased, the pipelines were taken out of commission. The degree and method of decommissioning varied: in some instances the pipelines were removed, while in others they remained in place. Because these pipelines have been decommissioned, with the majority of pipelines having been removed, they are not readily identified as underground utilities through the Underground Service Alert North System or utility surveys. Figure 1 illustrates the locations of the former OVP and TAOC ROWs with respect to the proposed project area. The location of the pipelines shown on Figure 1 is based on historical as-built drawings and the approximated positional accuracy of the alignments is generally +/- 50 feet. The OVP and TAOC pipelines were installed at depths of up to 10 feet below ground surface. The steel pipelines were typically encased in a protective coating composed of coal tar and ACM. 6-1

Working under the direction of State regulatory agencies, CEMC conducted risk assessments at numerous locations with known historical crude-oil release points along the former OVP and TAOC pipelines. Analytical results from these risk assessments indicated that the crude-contaminated soil was non-hazardous. Accordingly, it is likely that

if soil affected by the historical release of crude oil from these former pipelines is encountered during construction activities it may be reused as backfill on site. Properly abandoned crude-oil pipeline may be left in the ground. Parties conducting construction activities in the vicinity of these former pipeline ROWs may wish to use the information provided in this letter to help prepare for the possibility of encountering abandoned pipelines and pipeline-related ACM during the course of their work. 6-1

For more information regarding these historic pipelines, please visit http://www.hppinfo.com/. If you would like additional information, or would like to request more detailed maps, please contact Leidos consultants Mike Hurd (michael.t.hurd@leidos.com) at (510) 466-7161 or Tan Hoang (tan.t.hoang@leidos.com) at (916) 979-3742.

Sincerely,

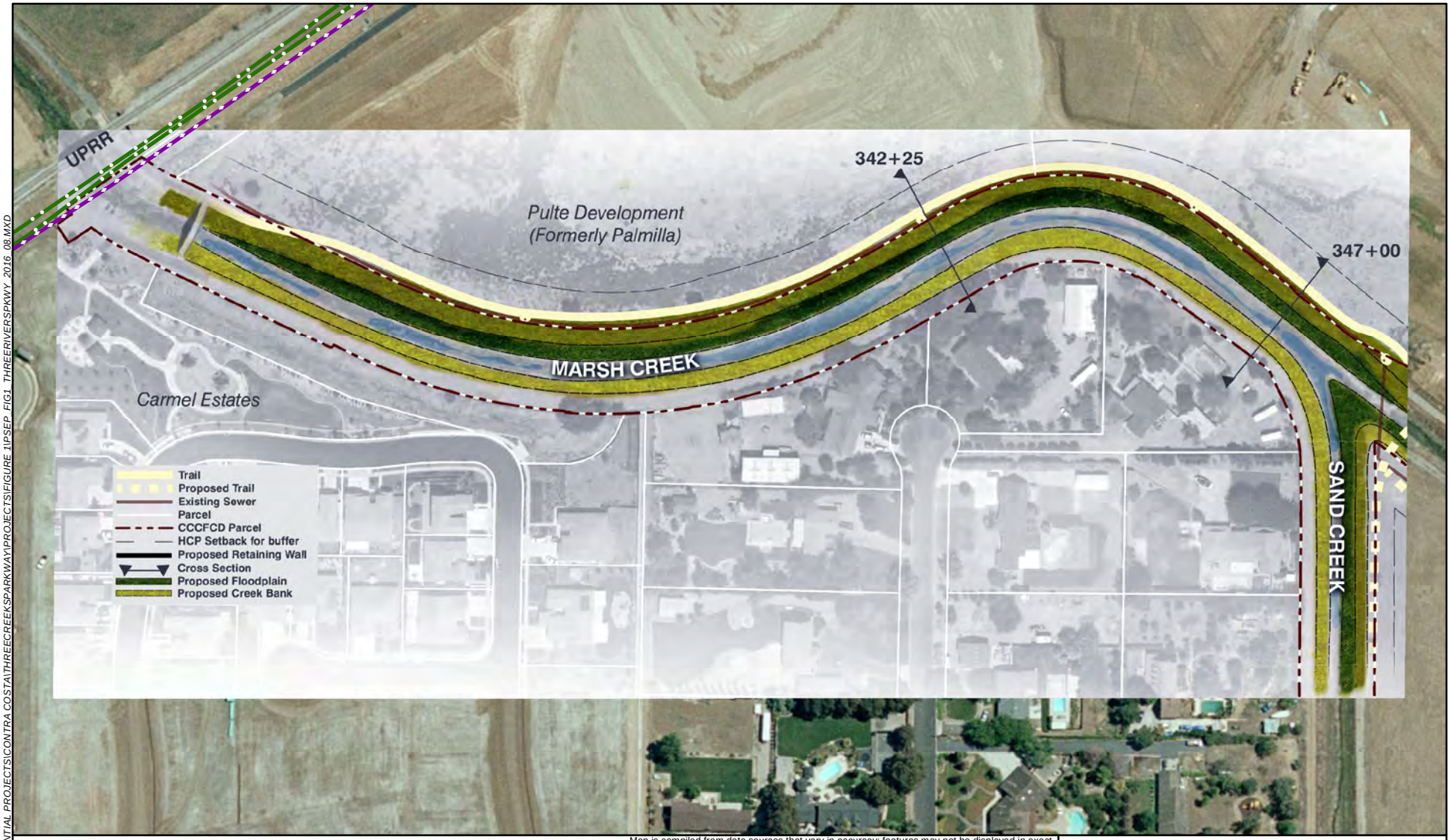
Mike Oliphant

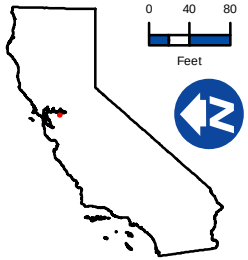
MO/klg

Enclosure:
Figure 1. Historical Pipeline Rights of Way – Lower Reach Improvements

ss

cc: Mr. Mike Hurd – Leidos
475 14th Street, Suite 610, Oakland, California 94612
Mr. Erik Nolthenius – City of Brentwood Planning Division
150 City Park Way, Brentwood, California 94513





CALIFORNIA LOCATION MAP

Map is compiled from data sources that vary in accuracy; features may not be displayed in exact relationship to one another. Do not rely on map for legal information or underground work.

Historical Old Valley Pipeline (OVP)

Historical Tidewater Associated Oil Company (TAOC) Pipeline

HISTORICAL PIPELINE RIGHTS OF WAY

LOWER REACH IMPROVEMENTS

Brentwood, California

DATE: 8/18/2016	ANALYST: HOANGTA	FIGURE:
leidos		1

FILE: Q:\HPPBTR\MANAGEMENT\STRATEGY\POTENTIAL PROJECTS\CONTRA COSTA\THREECREEKSPARKWAY\PROJECTS\FIGURE 1\PSEP_FIG1_THREERIVERSPKWY_2016_08.MXD

Claudia Gemberling

From: Hoang, Tan T. <TAN.T.HOANG@leidos.com>
Sent: Thursday, September 01, 2016 4:10 PM
To: Claudia Gemberling
Cc: Hurd, Michael T.; Anzelon, Danny B.; planning@brentwoodca.gov
Subject: Comments on the IS/MND for the Three Creeks Parkway Restoration Project
Attachments: Three Creeks MND Comment Letter.pdf

Ms. Gemberling,

On behalf of Chevron Environmental Management Company (CEMC), please see the attached comment letter on the Initial Study and proposed Mitigated Negative Declaration for the Three Creeks Parkway Restoration Project in Brentwood, CA. This letter describes the background of inactive, historic crude-oil pipelines within the project's vicinity, including one map that show the approximate location of the former Old Valley Pipeline (OVP) and Tidewater Associated Oil Company (TAOC) alignments with respect to the lower reach improvements of project area (Figure 1).

Please let me know if you have any questions. A hard copy of this letter will also be mailed to your office.

Thank you.

Tan Hoang, AICP | Leidos
Land Use Planner | Infrastructure
phone: 916.979.3742
tan.t.hoang@leidos.com | leidos.com/infrastructure

Please consider the environment before printing this email.

COMMENT LETTER #8. CITY OF BRENTWOOD PUBLIC WORKS DEPARTMENT
(September 2, 2016)

Comment 8-1: The City of Brentwood Public Works Department (City) suggested to include in the last paragraph of Section 2.2 "Project Location and Surrounding Land Uses" on page 8 that the planned linear city park part of the Pulte development is planned to be under construction during the spring and/or summer of 2017.

Response: Comment noted and is included in this CEQA record for the final IS/MND. No further response is necessary.

Comment 8-2: The City notes that the footnotes to Table 1 in Section 2.4 "Project Components" on page 10 indicate that the parcel numbers and ownership information are shown on Figures 4, 6, and 8, but the information is not shown.

Response: Comment noted. The figures have been updated and included in this CEQA record for the final IS/MND. No further response is necessary.

Comment 8-3: The City commented that Section 2.4.1 "Middle Reach" does not address the "Phase II Design Alternative" widening shown in blue and noted on Figure 7.

Response: The intent was to have an alternative if the sewer line could be relocated in accordance with City requirements.

Comment 8-4: The City recommends not using the term "relocation" in Section 2.4.3 Sewer Line Relocation on page 17 (page number not shown) because the sewer line will remain in place and suggested revising to "Existing Sewer Main".

Response: Comment noted and is included in this CEQA record for the final IS/MND. No further response is necessary.

Comment 8-5: The City recommends changing the wording to "City of Brentwood Encroachment and/or Grading Permit" in Section 2.7 "Permits and Approvals Required" in the last line on page 19 as the City will want to review items such as construction plans, haul truck routes, traffic control, bonds, working hours, and possibly impose conditions such as repair of improvements damaged during construction, periodic coordination with City staff, and potential need for settlement monitoring.

Response: Comment noted and is included in this CEQA record for the final IS/MND. No further response is necessary.

Comment 8-6: The City of Brentwood PWD comments on Section 5.8.2 "Hazards and Hazardous Materials" discussion item g on page 60 that if APN 017-110-011 "DLT Ventures (Griffith)" is not made available for soil stockpiling, it does not appear that the project has adequate space at other locations to stockpile a significant amount of excavated material based on the other parcels identified in Section 2.4, Table 1. This could result in a frequency of haul truck traffic that is worthy of further consideration. The City's permit process will help identify the haul routes and traffic control that will be needed to mitigate impacts.

The City recommends considering less precise language that would leave open the possibility of access from alternative locations. Construction staging may require cycling earthmoving trucks through the project if turn-around space is limited. The City comments that it should be stipulated that access and haul routes will be agreed upon during the design process, prior to construction.

Response: Comments noted. The MND analyzed potential stockpile locations and haul routes. Feasible stockpile locations and haul routes will be finalized during the permit process prior to start of construction.

Comment 8-7: The City comments that while the statement in the "Background" of Section 5.16.1 "Transportation and Traffic" is true for access directly to the creek, other possible access points as shown in Figure 3 should be mentioned and evaluated. The City also comments that it should be noted that some of the streets mentioned may be under developer control, or may be deemed not suitable for haul truck traffic, and therefore not allowed for construction access.

Response: Comments noted. Some of the access points shown in Figure 3 are for public access to existing and planned city parks part of the Pulte Development (i.e., Bella Drive, Island Palm Way) which may not be accessible upon project completion as noted by the City but will be determined during the design process. As noted in discussion items a, b of Section 5.16, construction vehicles would access the project site via local roadways and existing maintenance roads or the regional trail along the creek. Central Blvd. and Dainty Avenue are local roadways that provide access to the project site and trail; the County Flood Control District maintenance road at Sungold Park within the Carmel Estates development is another access point.

Comment 8-8: The City comments that discussion items "a" and "b" in Section 5.16.3 "Transportation and Traffic" on page 75 discusses the duration of construction and construction traffic and suggests noting the number of trips per day that would be needed to achieve those durations. The City also comments that traffic control measures for hauling trucks would likely be justified, and required, as part of an encroachment permit. And, notes that if parcel 017-110-011 would be used for

stockpiling, and subsequent trucking away from the site, the access to that property for trucking would be Minnesota Avenue.

Response: Comments noted. The exact number of trips per day needed to achieve the construction and construction traffic durations will be determined when the contractor obtains the encroachment permit as well as traffic control measures for haul trucks.

Comment 8-9: The City comments on Section 5.17 "Utilities and Service Systems" that even though a conflict or interaction with the existing sewer system, other than adjustments to manhole lids, is extremely unlikely, a response protocol should be created that identifies what actions need to be taken in the event of damage to existing facilities.

The City also comments that the City requires vehicular access over the sanitary sewer main that is not subject to the 100 year flood event and proposed widening near 371+00 would appear to impact that requirement, but widening may have already been accomplished at that location. No typical section for 371+00 is provided to clarify. Relocation of the sanitary sewer main may be necessary to ensure the aforementioned requirement is met.

Response: Comments noted. A response protocol will be prepared prior to construction to address necessary actions in the event of damage to the City's existing facilities.

The existing sewer line location is below the existing top of bank at station 371+00 and is currently below the 100-year flood event. The proposed project will not affect this condition. The proposed project grading begins immediately downstream of station 371+00 and transitions to a widened left bank. The City will have an opportunity to review project plans to ensure an acceptable design.

SOURCE: Restoration Design Group, Inc. 2016

FIGURE 4

IMPACT SCIENCES

Upper Reach Improvements

1273.001-09/16

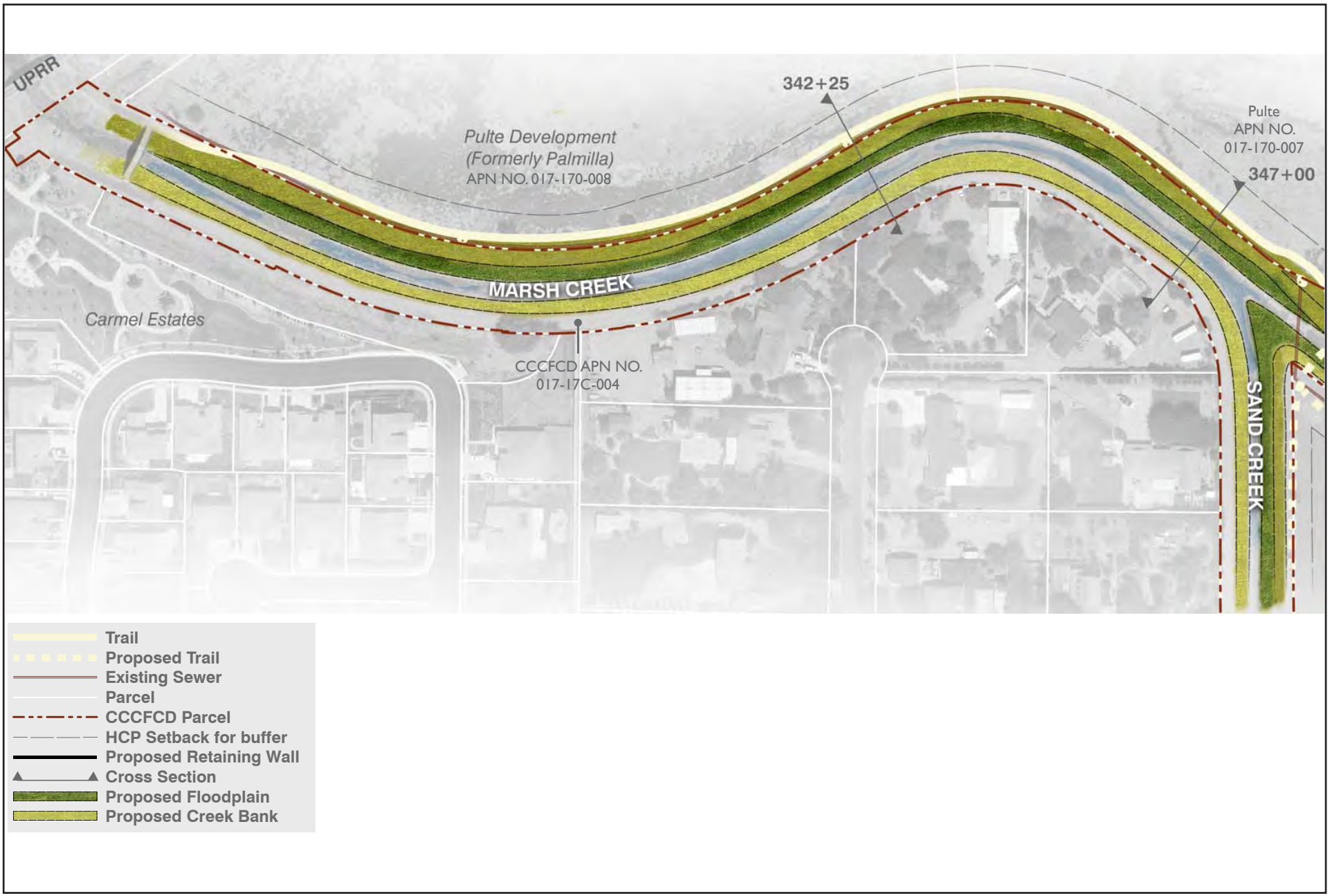
SOURCE: Restoration Design Group, Inc. 2016

FIGURE 6

IMPACT SCIENCES

Middle Reach Improvements

1273.001-09/16



SOURCE: Restoration Design Group, Inc. 2016

FIGURE 8

IMPACT SCIENCES

Lower Reach Improvements

1273.001-09/16

COMMENT LETTER #8

THE CITY OF BRENTWOOD

HERITAGE ▪ VISION ▪ OPPORTUNITY

September 2, 2016

Contra Costa County Public Works Department
255 Glacier Drive
Martinez, CA 94553
Attn: Claudia Gemberling, Environmental Analyst II

Re: Three Creeks Parkway Restoration
Initial Study – Mitigated Negative Declaration

Dear Ms. Gemberling:

Thank you very much for the opportunity to review the Initial Study – Mitigated Negative Declaration for this important project. City staff has reviewed it and offers the following comments for your consideration:

1. Section 2.2 "Project Location and Surrounding Land Uses," Page 8: In the last paragraph of the section, it may be worth noting that the park is planned to be under construction during the spring and/or summer of 2017. **8-1**
2. Section 2.4 "Project Components", Page 10: The footnotes to Table 1 indicate that the parcel numbers and ownership information are shown on Figures 4, 6, and 8, but the information is not shown. **8-2**
3. Section 2.4.1 "Middle Reach": This section does not address the "Phase II Design Alternative" widening shown in blue and noted on Figure 7. **8-3**
4. Section 2.4.3 "Sewer Line Relocation", Page 17 (page number not shown): I would recommend not using the term "relocation" because the sewer line will remain in place. Maybe something more general like "Existing Sewer Main" would be more appropriate. **8-4**
5. Section 2.7 "Permits and Approvals Required", Page 19, last line: I would recommend changing the wording to "City of Brentwood Encroachment and/or Grading Permit". With the encroachment permit application process, the city will want to review items such as construction plans, haul truck routes, traffic control, bonds, working hours, and possibly impose conditions such as repair of improvements damaged during construction, periodic coordination with city staff, and potential need for settlement monitoring. **8-5**
6. Section 5.8.2, discussion item g, Page 60:
   a. If APN 017-110-011 "DLT Ventures (Griffith)" is not made available for stockpiling, It does not appear that the project has adequate space at other locations to stockpile a significant amount of excavated material, based on the other parcels identified in the Section 2.4, Table 1. This could result in a frequency of haul truck traffic that is worthy of further consideration. The City's permit process will help identify the haul routes and traffic control that will be needed to mitigate impacts. **8-6**

PUBLIC WORKS DEPARTMENT
Mailing Address
150 City Park Way, Brentwood, CA 94513
www.brentwoodca.gov

Engineering Division
Physical Address
150 City Park Way, Brentwood, CA 94513
Phone (925) 516-5420 – Fax (925) 516-5421

Operations Division
Physical Address
2201 Elkins Way, Brentwood, CA 94513
Phone (925) 516-6000 – Fax (925) 516-6001

b. I recommend considering less precise language that would leave open the possibility of access from alternative locations. Construction staging may require cycling earthmoving trucks through the project if turn-around space is limited. It should be stipulated that access and haul routes will be agreed upon during the design process, prior to construction. **8-6**

7. Section 5.16.1, "Background" – While the statement is true for access directly to the creek, what if other access points are possible? Shouldn't those be mentioned and evaluated also? Other access points are shown on the exhibit for Figure 3, but not discussed anywhere else. However, it should also be noted that some of the streets mentioned above may be under developer control, or may be deemed not suitable for haul truck traffic, and therefore not allowed for construction access. **8-7**

8. Section 5.16.3 (.2 was skipped), discussion items "a" and "b", Page 75: In the discussion of duration of construction and construction traffic, it might be useful to see the number of trips per day that would be needed to achieve those durations. Traffic control measures for hauling trucks would likely be justified, and required, as part of an encroachment permit. Also, if parcel017-110-011 would be used for stockpiling, and subsequent trucking away from the site, the access to that property for trucking would be Minnesota Ave. **8-8**

9. Section 5.17, Utilities and Service Systems: Even though a conflict or interaction with the existing sewer system, other than adjustments to manhole lids, is extremely unlikely, a response protocol should be created that identifies what actions need to be taken in the event of damage to the existing facilities. **8-9**

   The City of Brentwood requires vehicular access over the sanitary sewer main that is not subject to the 100 yr flood event. Proposed channel widening near 371+00 would appear to impact that requirement, but widening may have already been accomplished at that location. No typical section for 371+00 is provided to clarify. Relocation of the sanitary sewer main may be necessary to ensure the aforementioned requirement is met.

Thank you again for the opportunity to review and comment on the IS/MND. If you have any questions, please feel free to contact me by phone (925-516-5420) or by e-mail (shunn@brentwoodca.gov). The City looks forward to construction of the project.

Very truly yours,

Steven J. Hunn
Senior Engineer

Cc: Miki Tsubota, Director of Public Works / City Engineer
Jack Dhaliwal, Assistant Director of Public Works/Engineering
Steve Kersevan, Engineering Manager
Erik Nolthenius, Planning Manager
Martin Lysons, Assistant City Attorney

Claudia Gemberling

From: Hunn, Steve <shunn@brentwoodca.gov>
Sent: Friday, September 02, 2016 12:25 PM
To: Claudia Gemberling
Cc: Tsubota, Miki; Dhaliwal, Jagtar; Kersevan, Steven; Nolthenius, Erik; Lysons, Martin E.; Silfies, Heather
Subject: RE: Three Creeks Parkway Restoration, IS/MND review
Attachments: Three Creeks IS-MND review R2_SJH-signed.pdf

Claudia,
Please accept my apology for submitting my review letter prematurely. I've attached an updated letter with one item added and another. Please discard the previous letter submitted. Again, please feel free to call if you have any questions or concerns.

Sincerely,
Steve Hunn, Senior Engineer
Public Works/Engineering
925.516.5370

From: Hunn, Steve
Sent: Friday, September 02, 2016 9:09 AM
To: 'Claudia Gemberling'
Cc: Tsubota, Miki; Dhaliwal, Jagtar; Kersevan, Steven; Nolthenius, Erik; Lysons, Martin E.; Silfies, Heather
Subject: Three Creeks Parkway Restoration, IS/MND review

Claudia,

Thank you for the opportunity to review the IS/MND for the proposed Three Creeks Parkway Restoration project, County File No. CP 16-39. Please find attached my letter of review and comment on the IS/MND document. Please feel free to call me with any questions.

Sincerely,
Steve H

COMMENT LETTER #9. STATE CLEARINGHOUSE (September 2, 2016)

Comment 9-1: The Governor's Office of Planning and Research, State Clearinghouse and Planning Unit noted that the IS/MND was submitted to selected state agencies for review and provided the list of those agencies and comments letters received. The Central Valley Regional Water Quality Control Board was the only agency that submitted a comment letter to the State Clearinghouse.

Response: The Central Valley Regional Water Quality Control Board comment letter is addressed in Comment Letter #4 of this package. No further response is necessary.

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

September 2, 2016

RECEIVED
SEP 06 2016
Environmental

Claudia Gemberling
Contra Costa County
255 Glacier Dr
Martinez, CA 94553

Subject: Three Creeks Parkway Restoration
SCH#: 2016082008

Dear Claudia Gemberling:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on September 1, 2016, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly. 9-1

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2016082008
Project Title Three Creeks Parkway Restoration
Lead Agency Contra Costa County

Type MND Mitigated Negative Declaration

Description The County Flood Control and Water Conservation District, in partnership with American Rivers, a non-profit organization that protects rivers and restores damaged rivers, proposes to widen approximately 4,000 lf of the Marsh Creek channel from Dainty Ave to an existing pedestrian bridge just before the UPRR tracks with floodplain benches, which will meet the District's standards for 100-year flood protection, and native riparian vegetation that will enhance habitat and recreation. Some work may occur within the flow line of the creek to create in stream habitat by placing boulders and large woody debris, and the placement of rock slope protection. The project will also include a slight relocation of the existing East Bay Regional Park District Marsh Creek trail along the eastern bank to the new grade.

Lead Agency Contact

Name Claudia Gemberling
Agency Contra Costa County
Phone 925-313-2192 **Fax**
email
Address 255 Glacier Dr
City Martinez **State** CA **Zip** 94553

Project Location

County Contra Costa
City Brentwood
Region
Lat / Long 37° 56' 04" N / 121° 42' 33" W
Cross Streets Central Blvd
Parcel No. 017-17C-004, -20C-XXX
Township 1N **Range** 2E **Section** 12? **Base** MD

Proximity to:

Highways 4
Airports
Railways UPRR
Waterways Marsh Creek
Schools Bristow MS
Land Use Creek: no designation; adjacent land uses: low and medium res density, Ranchette Estate, Park

Project Issues Air Quality; Archaeologic-Historic; Biological Resources; Geologic/Seismic; Noise

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 3; Delta Protection Commission; Department of Parks and Recreation; Central Valley Flood Protection Board; Department of Water Resources; California Highway Patrol; Caltrans, District 4; Regional Water Quality Control Bd., Region 5 (Fresno); Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission

Date Received 08/03/2016 **Start of Review** 08/03/2016 **End of Review** 09/01/2016

Note: Blanks in data fields result from insufficient information provided by lead agency.

9-1-16

CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

25 August 2016

Governor's Office of Planning & Research

AUG 31 2016

STATE CLEARINGHOUSE

CERTIFIED MAIL
7199 9991 7035 8360 9782

Claudia Gemberling
Contra Costa County
Department of Conservation and Development
255 Glacier Drive
Martinez, CA 94553

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, THREE CREEKS PARKWAY RESTORATION PROJECT, SCH# 2016082008, CONTRA COSTA COUNTY

Pursuant to the State Clearinghouse's 3 August 2016 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Three Creeks Parkway Restoration Project, located in Contra Costa County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources

Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:
http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/.

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:
http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

> *Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*
>
> *This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan

(SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits[1]
The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit
Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit
If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water

[1] Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements – Discharges to Waters of the State

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml; or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.

2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100**. Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently $1,084 + $6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of the waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov.

Stephanie Tadlock

Stephanie Tadlock
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

Contra Costa County

To: Board of Supervisors

From: Keith Freitas, Airports Director

Date: March 27, 2018

Subject: APPROVE AND AUTHORIZE TERMINATION OF TIEDOWN PERMIT WITH WALTER LYALL, PACHECO AREA

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Director of Airports to terminate Tiedown Permit for space H-15 with Walter Lyall; and AUTHORIZE County Counsel to pursue legal action.

FISCAL IMPACT:
The Airport Enterprise Fund will cover the cost of any legal action.

BACKGROUND:
Walter Lyall has been a long time tenant at Buchanan Field. There have been default issues with the tenant as early as 2009, with hangar F-5. The Board of Supervisors approved Airport's terminating the hangar agreement in August 2009. Airport staff agreed to set aside the termination with the agreement that the tenant pay past due rents, and make all future payment within the grace period allowed by the lease.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Beth Lee, (925) 681-4200

cc: Sharon Anderson, County Counsel

BACKGROUND: (CONT'D)

>

In May 2016, the tenant was again in default and Airport staff agreed to work with the tenant to resolve the issue on the hangar rent. Tenant agreed to make payment and set up payment arrangements; Airport staff suggested that the tenant move to a tiedown space. Airport staff was notified at this time that the aircraft was being put up for sale.

In September 2016, the tenant moved the aircraft to tiedown H-15 and made a verbal agreement to make $160.00 a month payments until either the balance was paid in full or the remaining balance was paid from the sale of the aircraft. Upon inspection of the hangar, tenant was notified that remaining items would need to be removed; tenant authorized Airport staff to finish the cleanout. Airport incurred cleanout costs of $1,901.75 and the hangar deposit, for $1,334.89, was transferred to the account and applied to these costs.

In October 2017, tenant again stopped making payments. A Notice of Default was sent to the tenant and in accordance with airport polices their gate access card was deactivated. A second Notice of Default was sent in December 2017. A follow-up phone call was made and the tenant promised a payment would be dropped off within the week. A few weeks later, a second phone call was made and again, the tenant promised a payment.

On March 5, 2018, the tenant was sent a final Notice of Delinquency requesting payment of $4,073.86 for all outstanding charges. Airport staff is now requesting authority to terminate the Tiedown Permit and to pursue legal action against Tenant through County Counsel to regain possession of tiedown and for the total outstanding charges. Such actions are consistent with adopted Airport policies.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to terminate the Agreement and pursue legal action against Tenant would result in the Airport being unable to enforce adopted Airport policies and procedures

Contra Costa County

To: Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: March 27, 2018

Subject: APPROVE the Conveyance of Real Property to Discovery Bay Community Services District, Discovery Bay area.

RECOMMENDATION(S):

APPROVE the conveyance of real property owned by Contra Costa County (County), located at 505 Discovery Bay Boulevard in Discovery Bay and identified as Assessor's Parcel Number 009-200-013 (Property) to Discovery Bay Community Services District (District), pursuant to Government Code Section 25365. (Project No.: 4500-6G5875)

DECLARE that on March 13, 2018, this Board approved a Notice of Intention fixing March 27, 2018 at 9:00 a.m., or thereafter, in its Chambers, County Administration Building, 651 Pine Street, Martinez, California, as the time and place where it would meet to convey the real property described therein to the District. Said Notice was duly published in the East Contra Costa Times in compliance with Govt. Code Section 6061.

On March 13, 2018, the Board of Supervisors determined that the Property is no longer necessary for County purposes. The District requires the Property for park purposes.

AUTHORIZE the Chair, Board of Supervisors to execute a Grant Deed on behalf of the County.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Angela Bell, 925. 313-2337

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

DIRECT the Real Estate Division of the Public Works Department to cause said Grant Deed to be delivered to the District for accepting and recording in the office of the County Clerk-Recorder.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

In March 1985, the County accepted an Offer of Dedication in order to satisfy the Park Land Dedication Ordinance requirements for Subdivision 4205 in Discovery Bay.

In 1988, Assessor's Parcel Number 004-200-013, which consists of approximately 9.90 acres of vacant land, was quitclaimed to the County. It has been determined that the Property is no longer required for County use, but is required by the Discovery Bay Community Services District. The subdivision process only allows the land to be dedicated to the County and not the District, therefore, the County intends to convey the Property to the District as it is currently maintaining the property.

On February 6, 2018, a Notice of Exemption was filed. (CP# 17-34)

CONSEQUENCE OF NEGATIVE ACTION:

The County would continue to own and be liable for maintenance of the property.

ATTACHMENTS

Quitclaim Deed

Recorded at the request of:
Contra Costa County
Public Works Dept.
Real Estate Division
255 Glacier Drive
Martinez, CA 94553

After recording return to:
Discovery Bay Community Service District
1800 Willow Lake Road
Discovery Bay, CA 94514
Attn: Sue Heinl

QUITCLAIM DEED

For a valuable consideration, receipt of which is hereby acknowledged,

CONTRA COSTA COUNTY, a political subdivision of the State of California,

Does hereby remise, release and forever quitclaim to DISCOVERY BAY COMMUNITY SERVICE DISTRICT all of the real property in the unincorporated area of the County of Contra Costa, State of California,

As described in the Quitclaim Deed, recorded May 17, 1988 at the Contra Costa County Clerk-Recorder's Office and described in Book 14335 at Page 616 from New Discovery, Inc. to Contra Costa County.

CONTRA COSTA COUNTY

Date: _____ By _____
Karen Mitchoff
Chair, Board of Supervisors

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA) §

COUNTY OF CONTRA COSTA) §

On _____ before me, _____ Clerk of the Board of Supervisors, Contra Costa County, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____
Deputy Clerk

AB:al
G:\realprop\Bell\Cornell Park, Discovery Bay\DE.04 Quitclaim Deed.doc

Contra Costa County

To: Board of Supervisors

From: Keith Freitas, Airports Director

Date: March 27, 2018

Subject: Approve the Buchanan Field Airport East Ramp F Row Hangar Improvement Project and take related actions under CEQA

RECOMMENDATION(S):

APPROVE the Project and take related actions under the California Environmental Quality Act and **AUTHORIZE** the Public Works Director, or designee, to **ADVERTISE** the Buchanan Field Airport East Ramp F Row hangar improvement project (District IV).

DETERMINE the Project is a California Environmental Quality Act (CEQA), Class 2 Categorical Exemption, pursuant to Article 19, Section 15302(c) of the CEQA Guidelines, and DIRECT the Director of Department of Conservation and Development to file a Notice of Exemption with the County Clerk, and

DIRECT the Director of Department of Conservation and Development to file a Notice of Exemption with the County Clerk, and

AUTHORIZE the Public Works Director, or designee, to arrange for payment of a $25 fee to the Department of Conservation and Development for processing, and a $50 fee to the County Clerk for filing the Notice of Exemption.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Beth Lee, (925) 681-4200

cc:

FISCAL IMPACT:

The cost of the improvement project is expected to be at least $496,500. The cost is expected to increase by $192,000 if we include replacing the roof as part of the project. If we add installation of gutters, the cost is expected to increase by an additional $18,000.The project will be entirely funded by the Airport Enterprise Fund.

BACKGROUND:

The Contra Costa County Public Works Airports Division is in process of improving F Row of the East Ramp hangars at Buchanan Field. The hangar row reverted to the County around 2007, after a long-term lease had expired. The hangar siding is in poor condition and the cost to repaint is comparable to the cost of fully replacing the material. In addition, the doors have become difficult for many of our tenants to operate and it is more cost effective to replace them when the siding has been removed.

Plans and specifications have been prepared for the Airports Division by an experienced airport engineering firm. The project consists of replacing the existing hangar siding and doors with new materials. There are seven rows of hangars and the intent is to improve all of them over time. The East Ramp F Row hangars will be the first as it is the most visible from the surrounding community.

The Department of Conservation and Development has determined that this project is a Categorical Exemption under Section 15302(c) (Class 2) of the California Environmental Quality Act. The Notice of Exemption (County file CP #18- 06) was administratively approved on March 13, 2018. While a Categorical Exemption has been determined, our department requires that the Board of Supervisors authorize the Public Works Director, or designee, to advertise a project for bids.

The project is consistent with the Buchanan Field Airport Master Plan adopted by the Board of Supervisors on October 28, 2008, plus governing FAA grant assurances and policies.

CONSEQUENCE OF NEGATIVE ACTION:

The hangar row will not be improved, which could compromise the long-term viability of the facility and result in losing tenants if the doors cannot be operated easily.

ATTACHMENTS

CEQA Documents

Contra Costa County

PUBLIC WORKS DEPARTMENT
INITIAL STUDY OF
ENVIRONMENTAL SIGNIFICANCE

PROJECT NUMBER: WO5309

CP# 18-06

PROJECT NAME: **Buchanan Field Airport East Ramp "F" Row Hangar Improvement (Project)**

PREPARED BY: Laura Cremin DATE: February 14, 2018

APPROVED BY: DATE: March 13, 2018

RECOMMENDATIONS:

☒ Categorical Exemption: 15302(c) [Class 2]

☐ Environmental Impact Report Required

☐ Negative Declaration

☐ Conditional Negative Declaration

The Project will not have a significant effect on the environment. The recommendation is based on the following: The project consists of replacement or reconstruction of existing facilities involving negligible or no expansion of capacity, pursuant to section **15302(c)** of the CEQA guidelines.

What changes to the Project would mitigate the identified impacts: N/A

USGS Quad Sheet: Walnut Creek	**Base Map Sheet #: H-14**	**Parcel #: 125-010-023**

GENERAL CONSIDERATIONS:

1. **Location:** The Project is located at the Buchanan Field Airport in an unincorporated area of Concord [Figures 1-3].

2. **Project Description:** The purpose of this Project is to preserve the capacity of the aircraft hangars at the Buchanan Field Airport, and to enhance their operational use and safety.

   The Project consists of replacing the doors and exterior siding of a row of hangars (F-Row) on the East Ramp Hangars (Figures 4 -5). The hangar row is over 40 years old and the exterior siding has degraded, which will impair the long-term viability of the building. For any doors that are sliding, the concrete base and metal tracks will also be replaced (Figure 6). For the exterior, the lighting, gutters, and fire extinguishers will be replaced; the roof may be replaced. These improvements will not result in expansion of the existing use.

   Construction equipment will be staged on the adjacent developed area, within the airport parcel (Figure 4). Materials removed from the Project area will be properly disposed of off-site.

   The Project is consistent with the Airport Master Plan for Buchanan Field Airport. No tree removal will be necessary. The Project will maintain the existing drainage pattern and will not create new impervious areas.

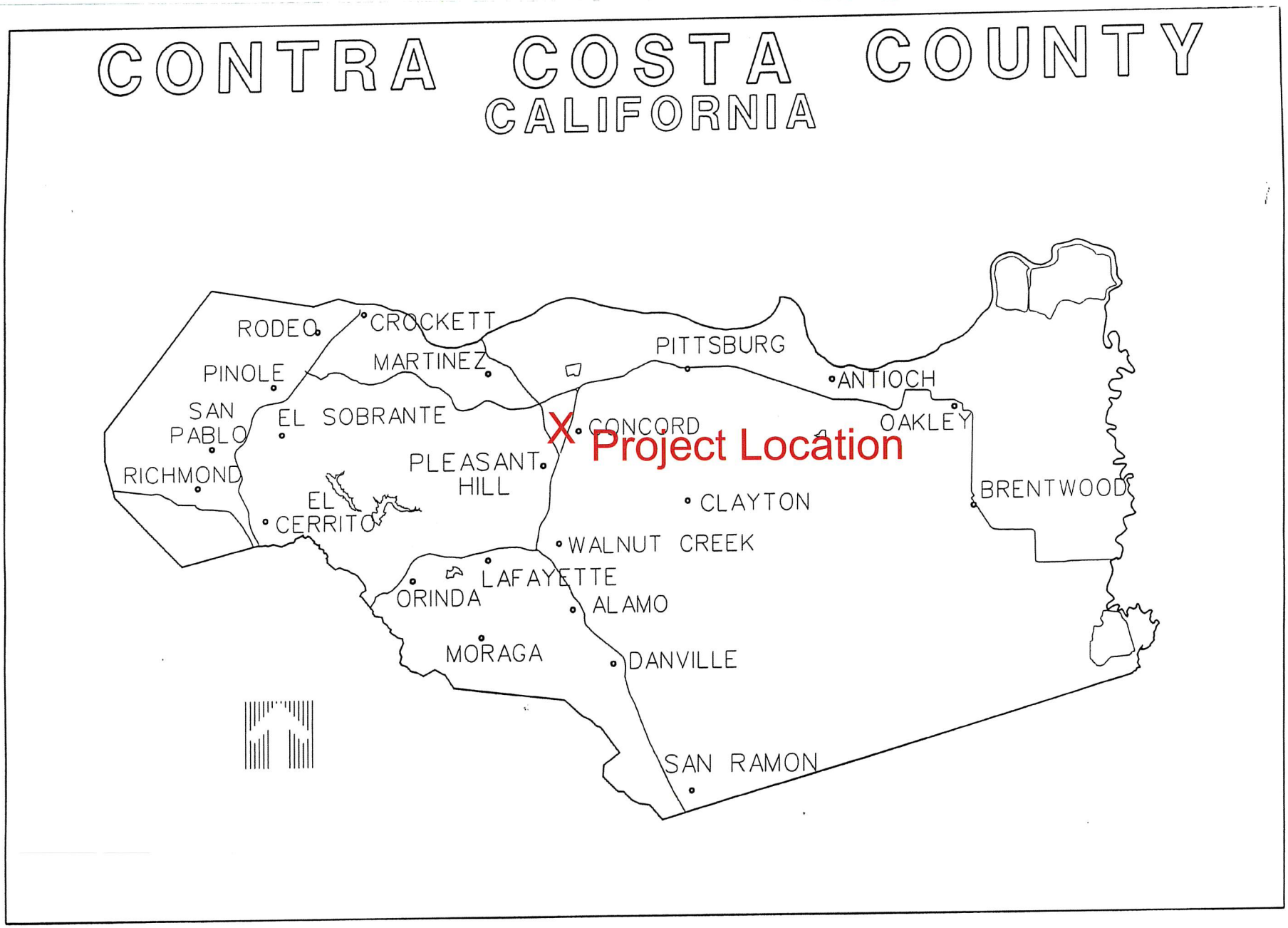
3. **Does it appear that any feature of the project will generate significant public concern?**

   ☐ Yes ☒ **No** ☐ maybe (Nature of concern):

4. **Will the project require approval or permits by other than a County agency?**

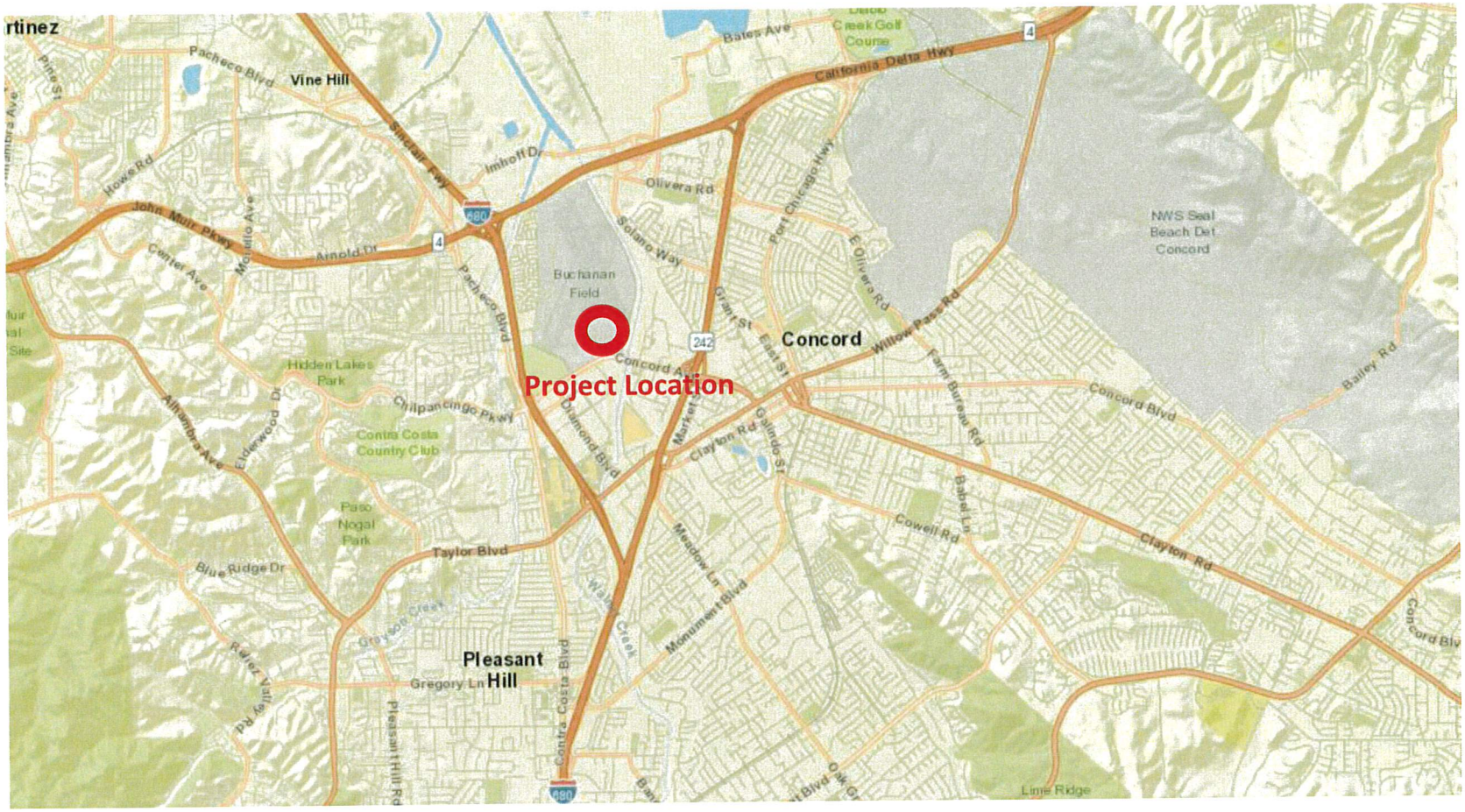
   ☐ Yes ☒ **No**

5. **Is the project within the Sphere of Influence of any city?** Concord



LOCATION MAP

Figure 1



Vicinity Map

Figure 2

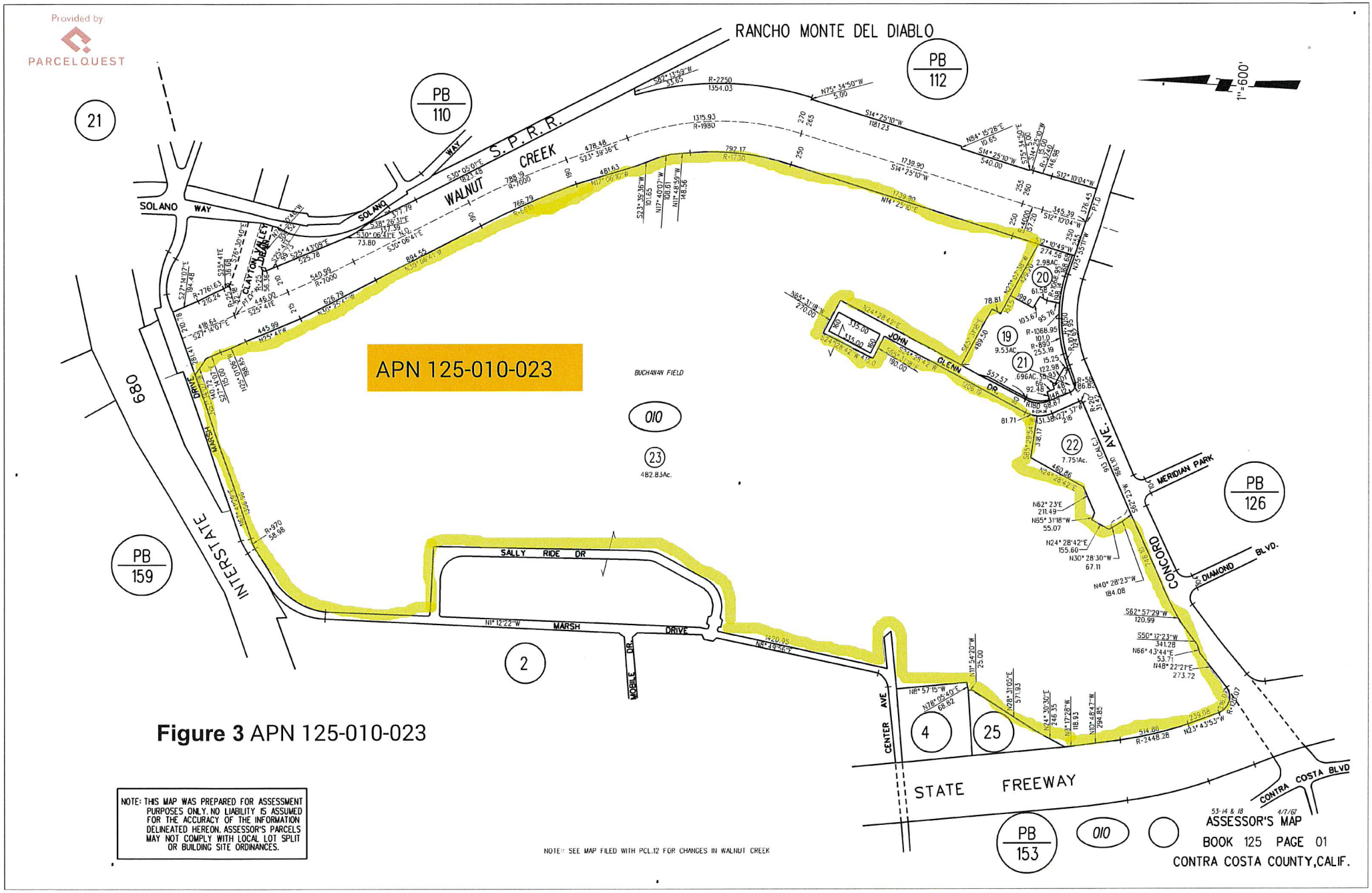
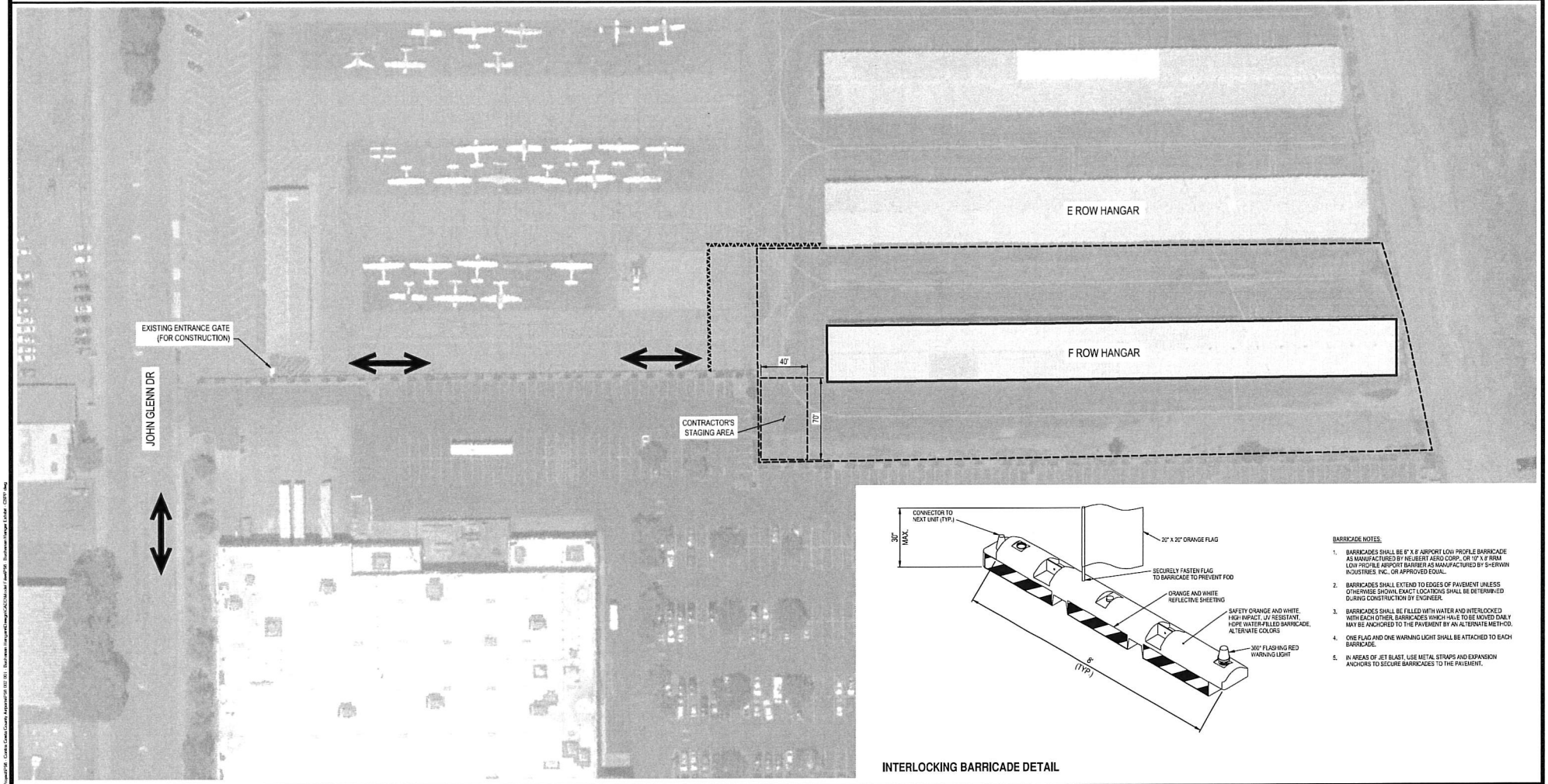


Figure 3 APN 125-010-023

BUCHANAN FIELD AIRPORT

CONTRA COSTA COUNTY, CA



INTERLOCKING BARRICADE DETAIL

BARRICADE NOTES:

1. BARRICADES SHALL BE 8' X 8' AIRPORT LOW PROFILE BARRICADE AS MANUFACTURED BY NEUBERT AERO CORP., OR 10' X 8' RRM4 LOW PROFILE AIRPORT BARRIER AS MANUFACTURED BY SHERWIN INDUSTRIES, INC., OR APPROVED EQUAL.
2. BARRICADES SHALL EXTEND TO EDGES OF PAVEMENT UNLESS OTHERWISE SHOWN. EXACT LOCATIONS SHALL BE DETERMINED DURING CONSTRUCTION BY ENGINEER.
3. BARRICADES SHALL BE FILLED WITH WATER AND INTERLOCKED WITH EACH OTHER. BARRICADES WHICH HAVE TO BE MOVED DAILY MAY BE ANCHORED TO THE PAVEMENT BY AN ALTERNATE METHOD.
4. ONE FLAG AND ONE WARNING LIGHT SHALL BE ATTACHED TO EACH BARRICADE.
5. IN AREAS OF JET BLAST, USE METAL STRAPS AND EXPANSION ANCHORS TO SECURE BARRICADES TO THE PAVEMENT.

C&S COMPANIES

C&S Engineers, Inc.
8950 Cal Center Drive,
Suite 102
Sacramento, California 95826
Phone: 916-364-1470
www.cscos.com

CONSTRUCTION LIMITS

TEMPORARY LOW PROFILE BARRICADES

CONTRACTOR'S ACCESS ROUTE

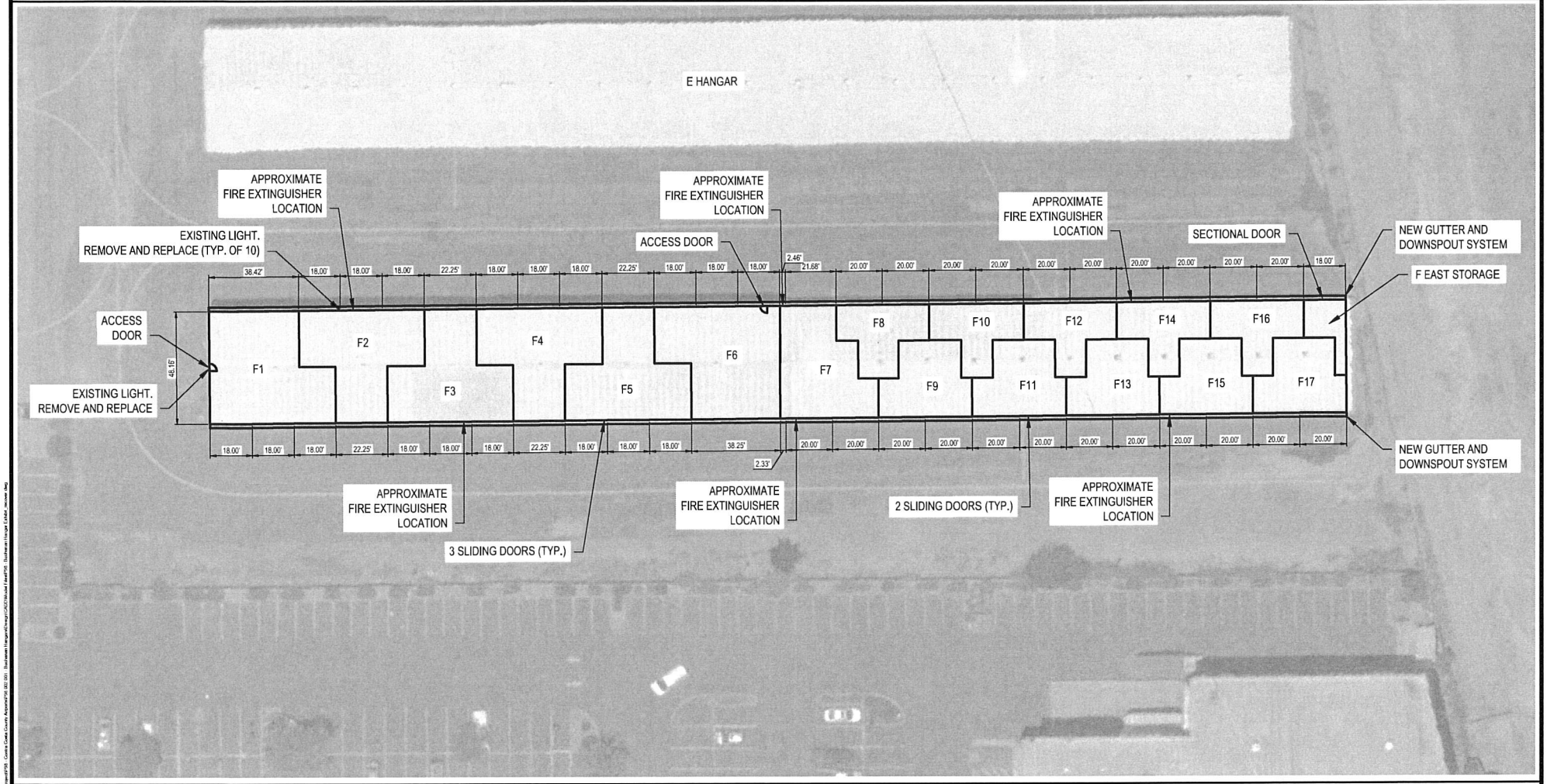
F ROW HANGAR PRELIMINARY CONSTRUCTION SAFETY PHASING PLAN

Figure 4

40' 40 0 40 80FT.

BUCHANAN FIELD AIRPORT

CONTRA COSTA COUNTY, CA



C&S COMPANIES
C&S Engineers, Inc.
8950 Cal Center Drive,
Suite 102
Sacramento, California 95826
Phone: 916-364-1470
www.cscos.com

F ROW HANGAR BUILDING LAYOUT

Figure 5

20' 20 0 20 40FT.

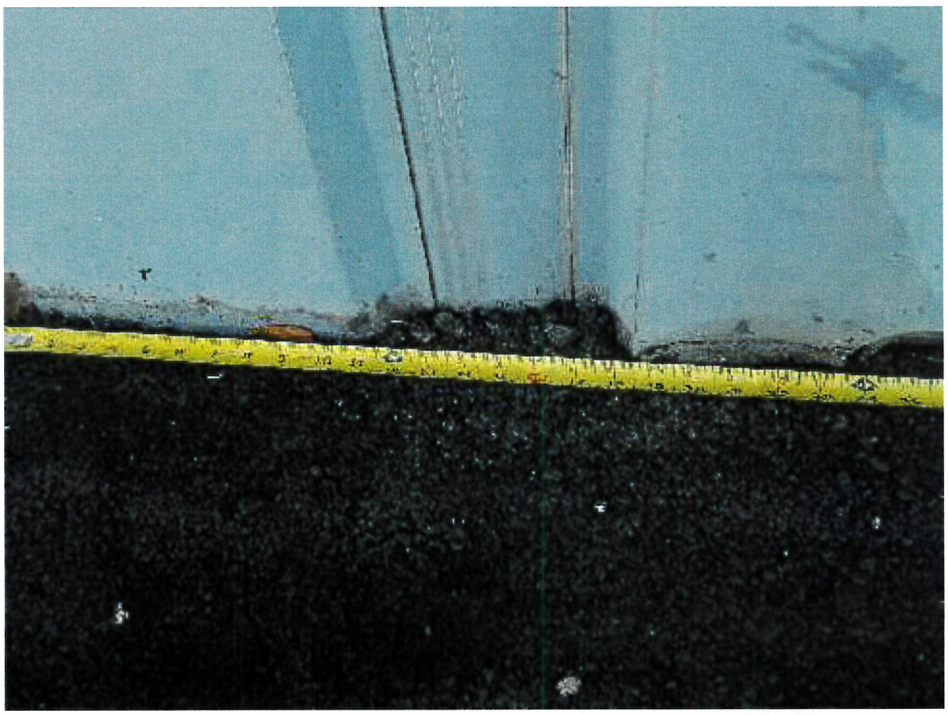


Figure 6

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Notice of Exemption

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

☒ County Clerk
County of: Contra Costa

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

Project Title: **Buchanan Field Airport East Ramp "F" Row Hangar Improvement**
Proj. No. WO5309 CP#18-06

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

Project Location – **Specific**: Buchanan Field Airport (Figures 1 – 3)

Project Location: Concord

Project Location – County: **Central Contra Costa**

Description of Nature, Purpose and Beneficiaries of Project: The purpose of this Project is to preserve the capacity of the aircraft hangars at the Buchanan Field Airport, and to enhance their operational use and safety.

The Project consists of replacing the doors and exterior siding of a row of hangars (F-Row) on the East Ramp Hangars (Figures 4 -5). The hangar row is over 40 years old and the exterior siding has degraded, which will impair the long-term viability of the building. For any doors that are sliding, the concrete base and metal tracks will also be replaced (Figure 6). For the exterior, the lighting, gutters, and fire extinguishers will be replaced; the roof may be replaced. These improvements will not result in expansion of the existing use.

Construction equipment will be staged on the adjacent developed area, within the airport parcel (Figure 4). Materials removed from the Project area will be properly disposed of off-site.

The Project is consistent with the Airport Master Plan for Buchanan Field Airport. No tree removal will be necessary. The Project will maintain the existing drainage pattern and will not create new impervious areas.

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

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

Exempt Status:

☐ Ministerial Project (Sec. 21080(b) (1); 15268;
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☒ Categorical Exemption: Class 2, Section 15302(c)
☐ Other Statutory Exemption, Code No.:_____
☐ General Rule of Applicability [Article 5, Section 15061 (b)(3)]

Reasons why project is exempt: It can be seen with certainty that there is no possibility that the activity may have a significant adverse effect on the environment.

Lead Agency Contact Person: **Laura Cremin** Area Code/Telephone/Extension: **(925) 313-2015**

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: _____ Date: _____ Title: _____

☐ Signed by Lead Agency ☐ Signed by Applicant

AFFIDAVIT OF FILING AND POSTING

I declare that on _____ I received and posted this notice as required by California Public Resources Code Section 21152(c). Said notice will remain posted for 30 days from the filing date.

Signature _____ Title _____

Applicant:
Public Works Department
255 Glacier Drive
Martinez, CA 94553
Attn: Laura Cremin
Environmental Services Division
Phone: (925) 313-2015

Department of Fish and Game Fees Due
☐ EIR - $3,168.00
☐ Neg. Dec. - $2,280.75
☐ DeMinimis Findings - $0
☒ **County Clerk - $50**
☒ **Conservation & Development - $25**

Total Due: $75.00
Total Paid $ _____
Receipt #: _____

Contra Costa County

To: Board of Supervisors

From: Sharon Offord Hymes, Risk Manager

Date: March 27, 2018

Subject: Final Settlements of Claim, LeRhonda Birden vs. Contra Costa County

RECOMMENDATION(S):

RECEIVE this report concerning the final settlements of LeRhonda Birden and AUTHORIZE payment from the Workers' Compensation Internal Service Fund in an amount not to exceed $145,000, less disability advances.

FISCAL IMPACT:

Workers' Compensation Internal Service Fund payment of $145,000, less permanent disability payments.

BACKGROUND:

Attorney Mark A Cartier, defense counsel for the County, has advised the County Administrator that within authorization an agreement has been reached settling the workers' compensation claims of LeRhonda Birden v. Contra Costa County. The Board's March 13, 2018 vote was: Supervisors Gioia, Andersen, Burgis, Mithoff and Glover - Yes. This action is taken so that the terms of the final settlements and the earlier March 13, 2018 closed session vote of this Board authorizing its negotiated settlements are known publicly.

CONSEQUENCE OF NEGATIVE ACTION:

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Sharon Hymes-Offord
(925) 335-1450

cc:

Case will not be settled.

Contra
Costa
County

To: Board of Supervisors

From: David Twa, County Administrator

Date: March 27, 2018

Subject: Claims

RECOMMENDATION(S):
DENY claims filed by HLN, a minor, by and through parent Reed E. Mclnroy.

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
H.L.M., a minor by Reed McInroy: Personal injury claim in an amount to exceed $25,000.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: March 27, 2018

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

Contact: Scott Selby
925.335.1400

By: , Deputy

cc:

Contra Costa County

To: Board of Supervisors

From: Candace Andersen, District II Supervisor

Date: March 27, 2018

Subject: Resolution recognizing Don Jenkins as the 2018 Lafayette citizen of the year.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

Contact: Lauri Byers, (925) 957-8860

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

By: , Deputy

cc:

ATTACHMENTS

Resolution No.
2018/98

The Board of Supervisors of
Contra Costa County, California

In the matter of: **Resolution No. 2018/98**

recognizing Don Jenkins as the 2018 Lafayette Citizen of the Year.

Whereas, Don holds a B.A. in Economics from UC Berkeley and a Master's degree in Financial Planning from American College. He is a Chartered Life Underwriter and is the retired past president of Lafayette Square Insurance Services, Inc.; and

Whereas, Don's community service includes serving as founding board member on three prior charitable organizations: the Lamorinda Village, the Lafayette Community Foundation, and the Lafayette-Orinda Presbyterian Church; he has served as President of the Local chapter of the Charted Life Underwriters Society, the Berkeley Yacht Club, the Lafayette Chamber of Commerce, and the Lafayette Community Foundation; and

Whereas, Don's career as an insurance agent has covered 41 years. In 1991 while his practice focus was on employee benefits, he was designated a Certified Employee Benefit Specialist by the Wharton School of Business at the University of Pennsylvania. He was a 33-year member of Life Insurance`s Million Dollar Round Table and 34 years a member of The Leading Life Producers of Northern California; and

Whereas, Don is committed to his community, having served as President of the Lafayette Chamber of Commerce in 1995, and he was designated Lafayette`s Business Person of the Year in 1996. He is an active member of the Mt. Diablo Estate Planners Council and the Planned Giving Council of Northern California; and

Whereas, Don is currently serving as a National Advisor to the Rotary Foundation and as a founding trustee for the Lafayette-Orinda Presbyterian Church Foundation and the Lafayette Community Foundation.

Now, Therefore, Be It Resolved that the Board of Supervisors of Contra Costa County does hereby honor Don Jenkins for his dedication to Lafayette and its citizens.

KAREN MITCHOFF
Chair, District IV Supervisor

JOHN GIOIA
District I Supervisor

CANDACE ANDERSEN
District II Supervisor

DIANE BURGIS
District III Supervisor

FEDERAL D. GLOVER
District V Supervisor

I hereby certify that this is a true and correct copy of an action taken
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shown.

ATTESTED: March 27, 2018

David J. Twa,

By: _____, Deputy

Contra
Costa
County

To: Board of Supervisors

From: Melinda Cervantes, County Librarian

Date: March 27, 2018

Subject: Youth Hall of Fame Awards 2018

RECOMMENDATION(S):
ADOPT Resolution No. 2018/104 recognizing the 2018 Youth Hall of Fame Honorees of the 25th Annual Cesar E. Chavez Commemorative Celebration, as recommended by the Cesar Chavez Committee.

FISCAL IMPACT:
No fiscal impact.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: W. Beveridge
925-608-7730

By: , Deputy

cc:

ATTACHMENTS

Resolution No.
2018/104

The Board of Supervisors of
Contra Costa County, California

In the matter of: **Resolution No. 2018/104**

Honoring the 2018 Youth Hall of Fame Honorees at the 25th Annual Cesar E. Chavez Commemorative Celebration

WHEREAS, in 1994, the Board of Supervisors of Contra Costa County, California established the Youth Hall of Fame to recognize students and adults who make valuable contributions to our communities; and

WHEREAS, several nominations were received and reviewed by the Cesar Chavez Commemorative Celebration Committee;

NOW, THEREFORE, BE IT RESOLVED that the Contra Costa County Board of Supervisors does hereby recognize, honor, and congratulate the following individuals as the winners of the 2017 Youth Hall of Fame Awards:

Mackinsey (Kinsey) Mascali
Age 17, 12th Grade, San Ramon Valley High School for Good Samaritan: Goes out of his or her way to do for others without seeking recognition.

Ryan Saechao
Age 15, 10th Grade, Richmond High School for Volunteerism: Lends a helping hand for the good of the community; Gives his or her time and energy to a worthy cause or organization.

Cei-Lai Fong
Age 17, 12th Grade, San Ramon Valley High School for Teamwork: Works unselfishly for the good of a team.

Evan Chen
Age 17, 11th Grade, Campolindo High School for Creativity: Uses his or her musical, literary or artistic talent to benefit a school or community.

Ashley Koehler
Age 13, 7th Grade, Antioch Middle School for Perseverance: Has worked hard to overcome obstacles to achieve success.

NOW, THEREFORE, BE IT RESOLVED that the Contra Costa County Board of Supervisors does hereby recognize, honor, and congratulate the following individuals as the winners of the 2017 Youth Hall of Fame Awards.

KAREN MITCHOFF
Chair, District IV Supervisor

JOHN GIOIA
District I Supervisor

CANDACE ANDERSEN
District II Supervisor

DIANE BURGIS
District III Supervisor

FEDERAL D. GLOVER
District V Supervisor

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

ATTESTED: March 27, 2018

David J. Twa,

By: _____, Deputy

Contra Costa County

To: Board of Supervisors

From: Diane Burgis, District III Supervisor

Date: March 27, 2018

Subject: Prop 68 - Clean Water & Safe Parks Act

RECOMMENDATION(S):
ADOPT Resolution No. 2018/111 to SUPPORT Proposition 68: The California Clean Water & Safe Parts Act. This measure will allow for direct funding that is made available for fairground improvements, park improvements and flood control and storm water projects.

FISCAL IMPACT:
No impact to the County's General Fund.

BACKGROUND:
Proposition 68 is a $4 billion parks, environment and water bond that will appear on the June 2018 ballot. The Proposition was put on the ballot by the passage of SB 5 (Chapters 582, 2017). If Proposition 68 is enacted by a majority "yes" vote it would provide significant funding for parks, water and wildlife conservation through the issuance of $4 billion in general obligation bonds. There is significant focus in the proposed allocations of this bond to provide funding to park-poor and disadvantaged communities. The Bond defines "Disadvantaged community" as a community with a median household income less than 80 percent of the statewide average. This bond includes several allocations that will be of interest to counties including $18 million for improvements to county fairgrounds and $30 million for counties and regional park districts to make park improvements. It also allocates $200 million for a per capita park improvements grant program with 40% of the $200 million made available to counties, regional parks and open

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Alicia Nuchols, 925-252-4500

cc:

BACKGROUND: (CONT'D)

space districts. In addition, there is significant funding for water infrastructure improvement projects; providing up to $100 million for stormwater flood protection and $100 million for multi-benefit flood control projects.

SB 5passed both houses of the Legislature on the final day of the legislative session and was signed by Governor Brown on October 15th, 2017. The passage of SB 5 was a top legislative priority of Senate Leader Kevin DeLeon. SB 5 was DeLeon's second bond to come before the voters. Senator De Leon also authored the last parks and water bond to appear before the voters , Proposition 84 on the 2006 ballot. Proposition 84 passed by 53.9% and authorized $5.4 billion in general obligation bonds to improve parks, protect natural resources, and improve water supply, quality and safety. Despite this investment, the need continues to grow. The California Park & Recreation Society conducted a survey of local and regional park districts to assess unmet need. 45 out of 500 agencies responded and estimated a total unmet need of $1.8 B for local parks. In addition, the Department of Parks and Recreation estimates that there is over
$1.2 billion in deferred maintenance cost throughout California's state park system.
Proposition Summary: Proposition 68 includes allocations in four major categories:

· Park improvement –$1.2 billion in proposed allocations
· Flood protection – $550 million in proposed allocations
· Drinking water and groundwater improvements – $1 billion in proposed allocations
· Funding for climate resiliency and state conservancies –$1.3 billion in allocations

Proposition 68 also focuses on park deficient communities. The measure would require that between 15 and 20 percent of the bond's funds, depending on the type of project, be dedicated to projects in communities with median household incomes less than 60 percent of the statewide average.

The monies allocated for flood protection are focused mainly in the Central Valley and Delta, but also include $100 million for storm water flood prevention projects and $100 million for multibenefit flood projects across the state. The allocations for water projects include funding for drinking water improvements and groundwater protection in the San Joaquin Valley, San Gabriel, Orange County, and San Fernando Valley. Finally, the allocations for conservancies and resiliency programs provide funds to all the state conservancies and fund forest adaptation, fire resiliency, and other various fish and wildlife projects. For a more detailed description of the bond and its chapters see attachment three.

CONSEQUENCE OF NEGATIVE ACTION:

The County will not have an official position on this measure from which to advocate.

ATTACHMENTS

Resolution No. 2018/111

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 03/27/2018 by the following vote:

AYE:	
NO:	
ABSENT:	
ABSTAIN:	
RECUSE:	

Resolution No. 2018/111

Resolution in Support of Proposition 68: *The California Clean Water & Safe Parks Act*

WHEREAS, California faces frequent and intense droughts, devastating wildfires, and growing challenges from climate change that threaten our water, parks, coastline, access to the outdoors, and natural resources; and
WHEREAS, our water, parks, and outdoors are what makes California special, and we must safeguard our open spaces, access to our coast, natural areas, forests, and beautiful places where families hike, camp, swim and play; and
WHEREAS, families in some underserved communities in California have water that is so contaminated that they cannot turn on the tap and get clean water to drink; and
WHEREAS, many communities lack access to safe neighborhood parks for children to play and excercise; and
WHEREAS, a clean, reliable water supply is essential to the health of our families and strength of our economy, and supports an $87 billion outdoor recreation and tourism industry that provides over 700,000 jobs; and
WHEREAS, it has been 15 years since California passed a bond to provide funding for natural resources; and
WHEREAS, Proposition 68 is a general obligation bond that invests $4.1 billion in the coming years for some of California's most pressing water, parks, and natural resource needs; and
WHEREAS, Proposition 68 provides $1.7 billion to ensure clean drinking water, prepare for the next drought, clean up groundwater, capture and

recycle more water, and keep toxic pollutants out of California's river, lakes and streams that supply clean water; and

WHEREAS, Proposition 68 dedicates $1.3 billion to create safe parks for every child, improve parks in neighborhoods with the greatest need, repair local and state park facilities, and restore and expand access to outdoor recreation throughout California; and

WHEREAS, Proposition 68 invests $1.1 billion to protect California's natural resources to prevent wildfires, restore rivers, lakes, streams and natural areas, prevent toxic air pollution, address climate change, and protect our coastline to increase access to our coast and beaches; and

WHEREAS, all regions of the state will benefit from these investments with strict accountability to ensure funds will be spent efficiently and for intended purposes.

THEREFORE BE IT RESOLVED, that the Contra Costa County Board of Supervisors does hereby support and endorse Proposition 68 on the June 5, 2018 statewide ballot, and hereby adopts this resolution the 27th day of March, 2018.

Contact: Alicia Nuchols, 925-252-4500

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

ATTESTED: March 27, 2018

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

By: , Deputy

cc:

Contra
Costa
County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Resolution honoring Denice Dennis in her service to Contra Costa County upon her retirement

---

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

Contact: Dan Peddycord, 925-313-6712

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

By: , Deputy

cc: Tasha Scott, Marcy Wilhelm, Josh Sullivan

ATTACHMENTS

Resolution No.
2018/113

The Board of Supervisors of
Contra Costa County, California

In the matter of: **Resolution No. 2018/113**

Recognizing Contra Costa County's Tobacco Prevention Program Manager, Denice A. Dennis, for her 20 years of public service upon her retirement.

WHEREAS, in 1998 Denice A. Dennis began her service working to raise awareness of, and protect the community from, the adverse effects of tobacco exposure and usage, as the Tobacco Prevention Program Manager within the Public Health Division of Contra Costa County; and

WHEREAS, in 1998 she worked to fully implement AB 13, which created smoke-free bars; and

WHEREAS, in 1998 her extensive efforts led to the adoption of the Tobacco-Free Youth Ordinance in Contra Costa County, which restricted tobacco advertising and promotions, banned self-service displays, and included a licensing provision to sell tobacco. By 2004 her efforts resulted in adoption of the Tobacco-Free Youth Ordinance in 17 cities throughout the county; and

WHEREAS, in 2002 Denice provided training to the Office of the Sheriff, which was able to reduce the illegal sales of tobacco to minors from 37% to 2% within six months of implementing undercover buying operations; and

WHEREAS, in 2003 her efforts led to the first suspension of a tobacco retailer license in the state for an illegal sale to a minor; and

WHEREAS, in 2006 she worked with the Board of Supervisors in leading Contra Costa County to become the fifth jurisdiction in the state to adopt a model Comprehensive Secondhand Smoke Protections Ordinance that strengthened indoor protections and prohibited smoking in outdoor areas; and

WHEREAS, in 2006 she collaborated with the city of Richmond to become the first city in Contra Costa County to adopt a 100% Smoke-Free Multi-Unit Housing Ordinance, one of the strongest in the nation; and

WHEREAS, in 2014 Denice partnered with the Contra Costa County Board of Supervisors to create a policy declaring all county owned and leased properties as 100% smoke-free; and

WHEREAS, in 2017 she supported the Contra Costa County Board of Supervisors in adopting a comprehensive tobacco control law that banned the sale of flavored tobacco products in youth sensitive areas; and

WHEREAS, in 2018 she was instrumental in supporting the Contra Costa County Board of Supervisors in adopting a 100% Smoke-Free Multi-Unit Housing Policy – a model in the state;

NOW, THEREFORE, BE IT RESOLVED that the Contra Costa County Board of Supervisors hereby recognizes and honors Tobacco Prevention Program Manager, Denice A. Dennis, for her 20 years of dedicated public service to Contra Costa County, and gives its full appreciation for her commitment to the people of Contra Costa County upon her retirement.

_____

KAREN MITCHOFF

Chair, District IV Supervisor

_____ _____

JOHN GIOIA
District I Supervisor

CANDACE ANDERSEN
District II Supervisor

_____
DIANE BURGIS
District III Supervisor

_____
FEDERAL D. GLOVER
District V Supervisor

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

ATTESTED: March 27, 2018

David J. Twa,

By: _____, Deputy

Contra Costa County

To: Board of Supervisors

From: Candace Andersen, District II Supervisor

Date: March 27, 2018

Subject: Proclamation Recognizing Service of Deputy Chief Derek Krause upon his retirement from the SRVFPD

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

Contact: Gayle Israel, (925) 957-8860

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

By: , Deputy

cc:

ATTACHMENTS

Resolution No.
2018/107

The Board of Supervisors of
Contra Costa County, California

In the matter of: **Resolution No. 2018/107**

Recognizing Deputy Fire Chief Derek Krause upon his retirement from the San Ramon Valley Fire Protection District.

Whereas, Chief Krause has served for over 25 years in the fire service with the San Ramon Fire Protection District, from November 1992 through his retirement on March 31, 2018; and

Whereas, Chief Krause has taken on many difficult assignments and challenges throughout his career with the San Ramon Valley Fire Protection District, Chief Krause maintained as a guiding principle what was in the best interest of his fellow firefighters and the community they serve; and

Whereas, Chief Krause served with honor and distinction in the following capacities throughout his career with the San Ramon Valley Fire Protection District:

- November 1992: Hired as a Firefighter
- January 2002- March 2005: Captain, Training Division
- April 2005-October 2005: Captain, Suppression
- November 2005-June 2010: Division Chief, Training
- July 2010-November 2012: Battalion Chief, Special Operations
- December 2012-June 2013: Shift Battalion Chief, Suppression
- July 2013-November 2013: Interim Assistant Chief, Operations/Support Services
- December 2013-July 2014: Shift Battalion Chief, Suppression
- August 2014-March 2018: Deputy Chief

Whereas, while serving as Deputy Chief, Chief Krause was responsible for the overall effectiveness and operational readiness of the District's emergency response vehicles and facilities; and

Whereas, during the last several years of his tenure with San Ramon Valley Fire Protection District, Chief Krause was assigned responsibility for the Fire & Life Safety Division overseeing such critical function as building plan review, commercial fire inspections, fire hazard abatement and public education.

Now, Therefore, Be It Resolved that the Board of Supervisors of Contra Costa County does hereby honor and thank Deputy Chief Derek Krause for his dedication to the San Ramon Valley Fire Protection District and residents of Contra Costa County. PASSED by a vote of the Board of Supervisors this March 27, 2018.

_____

KAREN MITCHOFF

Chair, District IV Supervisor

_____
JOHN GIOIA
District I Supervisor

_____
CANDACE ANDERSEN
District II Supervisor

_____
DIANE BURGIS
District III Supervisor

_____
FEDERAL D. GLOVER
District V Supervisor

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

ATTESTED: March 27, 2018

David J. Twa,

By: _____, Deputy

Contra Costa County

To: Board of Supervisors

From: John Kopchik, Director, Conservation & Development Department

Date: March 27, 2018

Subject: Declare a Vacancy on the Sustainability Commission

RECOMMENDATION(S):
ACCEPT the resignation of Scott Warfe, DECLARE a vacancy in the Education/Research seat on the Sustainability Commission, and DIRECT the Clerk of the Board to post the vacancy.

FISCAL IMPACT:
None.

BACKGROUND:
On March 14, 2017, the Board of Supervisors appointed Scott Warfe to the Education/Research seat on the County's Sustainability Commission. On February 27, 2018, Mr. Warfe notified the County Sustainability Coordinator that he is no longer able to serve on the Sustainability Commission. Consistent with the Sustainability Commission Bylaws, the Sustainability Coordinator shared this information with the Clerk of the Board and the Chair of the Sustainability Commission.

The term of the Education/Research member expires on March 31, 2021. Consistent with the Sustainability Commission Bylaws, "A vacancy during the term of any member will be filled by the Board of Supervisors for the remainder of the then-current term."

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Jody London, 925-674-7871

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Failure to fill the vacancy limits the ability of the Sustainability Commission to fulfill its purpose.

Contra Costa County

To: Board of Supervisors

From: John Gioia, District I Supervisor

Date: March 27, 2018

Subject: Accept the resignation of Arthur Walenta from the Assessment Appeals Board District 1 seat

RECOMMENDATION(S):
ACCEPT the resignation of Arthur Walenta, DECLARE a vacancy in the District 1 seat on the Assessment Appeals Board, and DIRECT the Clerk of the Board to post the vacancy.

FISCAL IMPACT:
None.

BACKGROUND:
The Assessment Appeals Board is established to assess and equalize the valuation of the taxable property in the County for the purpose of taxation; and to perform all duties required by the State Board of Equalization and State law.

Mr. Walenta has been successfully serving on the Assessment Appeals Board and now wishes to resign for personal reasons.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: James Lyons, 510-367-6084

By: , Deputy

cc:

Contra
Costa
County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Medical Staff Appointments and Reappointments – February 2018

RECOMMENDATION(S):
APPROVE the medical staff appointments and reappointments, additional privileges, advancements, voluntary resignations and prenatal care privileges as recommend by the Medical Staff Executive Committee, at their February 26, 2018 meeting, and by the Health Services Director.

FISCAL IMPACT:
Not applicable.

BACKGROUND:
The Joint Commission on Accreditation of Healthcare Organizations has requested that evidence of Board of Supervisors' approval for each medical staff member will be placed in his or her credentials file. The above recommendations for appointments/reappointments were reviewed by the Credentials Committee and approved by the Medical Executive Committee.

CONSEQUENCE OF NEGATIVE ACTION:
If this action is not approved, the Contra Costa Regional Medical and Contra Costa Health Centers' medical staff will not be appropriately credentialed and in compliance with the Joint Commission on Accreditation of Healthcare Organizations.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Jaspreet Benepal, 925-370-5101

cc: Tami Sloan, Tasha Scott, Marcy Wilhelm

ATTACHMENTS

Attachment

Prenatal Care Privileges

A. New Medical Staff Members

Barron, Danica, MD	Emergency Medicine
Dhamecha, Aadhar, MD	Psychiatry/Psychology
Gaind, Anita, MD	Internal Medicine
Holsenbeck, Linton, MD	Psychiatry/Psychology
Josephson, Jacqueline, PsyD	Psychiatry/Psychology
Krivan, David, MD	Anesthesia
Nguyen, Michael, MD	Family Medicine
Palmer, Michelle, PsyD	Psychiatry/Psychology
Willingham, Jon, DDS	Dental

B. Application for Staff Affiliation

Daly, Maura, LM	OB/GYN

C. Request for Additional Privileges

Provider	Department	Privilege
Tulshian, Priyanka, MD	Hospitalist	Internal Medicine

D. Advance to Non-Provisional

Anderson, James, MD	Pediatrics
Fordham, John, DO	Psychiatry/Psychology
Johns, Jeffrey, MD	Psychiatry/Psychology
Lo, Ernest, MD	Internal Medicine (Hemoc)
Lutrin, Calvin, MD	Diagnostic Imaging
Woebkenberg, Hannah, MD	Emergency Medicine
Yaretskiy, Arkadiy, MD	Psychiatry/Psychology

E. Biennial Reappointments

Boisvert, Nichole, MD	Family Medicine	P
Broady, Autumn, MD	OB/GYN	C
Douglas, Vanja, MD	Internal Medicine	C
Ebbert, Nancy, MD	Psychiatry/Psychology	A
Hay, Sunthara, DO	OB/GYN	A
Hopkins, Brian, MD	Urology	A
Hsieh, Charlotte, MD	Pediatrics	C
Jacob, Naduvathusery, MD	Psychiatry/Psychology	A
Kim, Anthony, MD	Internal Medicine-Neurology	C
Le, Jesse, MD	Surgery-Urology	C
Majid, Abid, MD	Internal Medicine-Pulmonary	C
Mickas, Nick, MD	Pediatrics	C
Moskin, Ava, MD	Family Medicine	C
Murphy, Elizabeth, MD	Internal Medicine- Endocrinology	C
Pierce, Jeffrey, MD	OB/GYN	A
Radu-Radulescu, Ruxandra, MD	OB/GYN	A
Rewal, Mridula, MD	Hospitalist	A

Sachs, Neil, MD	Psychiatry/Psychology	A
Sam, Michel, MD	Family Medicine	A
Seager, Stephen, MD	Psychiatry/Psychology	A
Setliff, Kristen, DO	Family Medicine	A
Singh, Sukhwant, MD	Internal Medicine	A
Stanger, Jennifer, MD	Hospitalist	C
Stratta, Erin, MD	Emergency Medicine	A
White, Keith, MD	Pediatrics	A
Wright, Matthew, MD	Psychiatry/Psychology	C
Xiong, Xiaohui Sherry, MD	Pathology	A

*No Hospital affiliations, requires MEC waiver

F. Biennial Renew of Privileges

Berger, Christina, NP	Family Medicine	AFF
Ko, Anita, OD	Surgery-Optometry	AFF
Wong, Sharman, OD	Surgery-Optometry	AFF

G. Voluntary Resignations

Almaraz, Gilbert, MD	Anesthesia
Kamyar, Farzad, MD	Psychiatry/Psychology
Kwiatkowski, Mercedes, MD	Psychiatry/Psychology
Matto, Mikel, MD	Psychiatry/Psychology
Ploesser, Markus, MD	Psychiatry/Psychology
Raees, Muhammad, MD	Internal Medicine
Goni. Michelle, MD	Diagnostic Imaging (vRad)
Johnston, Jennifer, MD	Diagnostic Imaging (vRad)
Osborne, Thomas, MD	Diagnostic Imaging (vRad)

H. Attachments

FNP Prenatal Care Privileging

January 3, 2018 Proposed Prenatal Care Privileges

NPO	NP 71	**<u>Standard Prenatal Care</u>** Low Risk patients and those with the following medical conditions : -BMI <=60 -CHTN with BP < 150/100 **W/O** meds -GDM on diet or orals with Hb A1c < 6.5 -AMA -Hx of Pre E >= 37 weeks -Hx of cesarean -Substance abuse +/- buprenorphine -Cholestasis of pregnancy -Size vs. date discrepancies with EFW > 10% -UTI -Anemia w/ Hb > 8 -Vaginitis	C	FNP	N/A	N/A
			U	FNP	N/A	1 year in last 4 years **AND** either attendance of one DFM prenatal care update OR 15 units AAFP/AMA or ACOG approved CME in prenatal care within the last 2 years
NPO	NP 72	**<u>Advanced Prenatal Care</u>** Patients with more severe pregnancy complications and chronic medical problems such as: -Chronic HTN **ON** meds -GDM/DM II on insulin or with HbA1c >= 6.5 -History of 3 or more SAB <= 13 weeks -Pregnancy loss >13 weeks, including IUFD and cervical incompetence --History of Preterm Delivery < 37 weeks -Di/Di Twins -+ RPR -HBsAg+ -BMI >=60 -Hx of Pre-E in 2+pregnancies or prior to 37 weeks -HYPOthyroidism -Shortened cervix (<2.5 cm) -IUGR -Persistent placenta previa -Anemia w/ Hb < 8 -Fibroids/uterine anomalies	C	FNP	3 years **standard** prenatal care experience	1 year in last 4 years **AND** either attendance of one DFM prenatal care update OR 15 units AAFP/AMA or ACOG approved CME in prenatal care within the last 2 years

Contra Costa County

To: Board of Supervisors

From: Candace Andersen, District II Supervisor

Date: March 27, 2018

Subject: APPOINTMENT TO THE ALAMO POLICE SERVICES ADVISORY COMMITTEE

RECOMMENDATION(S):

REAPPOINT the following individuals to the indicated seats on the Alamo Police Services Advisory Committee for two-year terms with an expiration date of December 31, 2019, as recommended by Supervisor Candace Andersen:

Appointee 3
Joseph Motta
Alamo, CA 94507

Appointee 5
Steve Nelson
Alamo, CA 94507

Appointee 7
Diane Barley
Alamo, CA 94507

- [x] APPROVE
- [ ] OTHER
- [ ] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Jill Ray, 925-957-8860

By: , Deputy

cc: District 2 Supervisor, Maddy Book, APSAC, Appointees

RECOMMENDATION(S): (CONT'D)

APPOINT the following individual to the Appointee 9 Seat on the Alamo Police Services Advisory Committee for a two-year term with an expiration date of December 31, 2019, as recommended by Supervisor Candace Andersen:

Clark Johnson
Alamo, CA 94507

FISCAL IMPACT:

None.

BACKGROUND:

Established on November 18, 1969, by Board Resolution 69/765, the purpose of the County Service Area P-2B Citizens Advisory Committee is to advise the Board of Supervisors and the Sheriff's Department on the needs of the Alamo community for extended police services which shall include, but not be limited to, enforcement of the State Vehicle Code, crime prevention, and litter control.

On March 19, 2013, the Board of Supervisors approved a Board Order that retitled the County Service Area P-2B Citizens Advisory Committee to the "Alamo Police Services Advisory Committee".

Alamo Police Services Advisory Committee is comprised of nine regular members and two alternates who each serve a two year term.

CONSEQUENCE OF NEGATIVE ACTION:

The committee will not be able to meet due to quorum issues.

Contra Costa County

To: Board of Supervisors

From: Candace Andersen, District II Supervisor

Date: March 27, 2018

Subject: APPOINTMENTS TO THE COUNTY SERVICE AREA P-5 CITIZENS ADVISORY COMMITTEE

RECOMMENDATION(S):
APPOINT the following individual to the 1st Alternate seat on the County Service Area P-5 Citizens Advisory Committee for a term with an expiration date of December 31, 2018, as recommended by Supervisor Candace Andersen:

Ally Fattore
Alamo, CA 94507

FISCAL IMPACT:
None.

BACKGROUND:
Established on April 18, 1972, by Resolution Number 72/257, the purpose of the County Service Area P-5 Citizen Advisory Committee is to act as a liaison between the citizens of the P-5 Police District and the Office of the Sheriff of Contra Costa County by: Advising the Board of Supervisors and the Office of the Sheriff of the community's needs and desires regarding police protection; Promoting public safety in the areas of home safety, traffic safety, vacation security and crime prevention through the neighborhood watch program; and maintaining oversight of expenditures of the public funds accruing in the P-5 Police District.

CONSEQUENCE OF NEGATIVE ACTION:
The seat will remain vacant.

- [x] APPROVE
- [ ] OTHER
- [ ] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Jill Ray, 925-957-8860

By: , Deputy

cc: District 2 Supervisor, Maddy Book, CSA P-5 CAC, Appointee

Contra Costa County

To: Board of Supervisors

From: Kathy Gallagher, Employment & Human Services Director

Date: March 27, 2018

Subject: APPOINT Marjorie Hanson to Private/Non-Profit Sector Seat No. 2 of the Economic Opportunity Council

RECOMMENDATION(S):
APPOINT Marjorie Hanson to the Private/Non-Profit Sector 2 seat on the Economic Opportunity Council, with term end date of June 30, 2019, as recommended by the Employment and Human Services Director.

FISCAL IMPACT:
None

BACKGROUND:
This board order seeks to appoint Marjorie Hanson to the vacancy in Private/Non-Profit Sector 2 seat on the Economic Opportunity Council (EOC) for the remainder of the current term that ends on June 30, 2019. The seat was vacated on January 23, 2018 (agenda item C.8) upon the resignation of Bhupen Amin. The EOC approved Ms. Hansen's appointment at it's meeting on March 8, 2018. Ms. Hanson lives in Clayton, California 94517.

CONSEQUENCE OF NEGATIVE ACTION:
If not approved, the Economic Opportunity Council will be unable to conduct routine business.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [x] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: CSB (925) 681-6308

cc: Nancy Sparks

ATTACHMENTS

Redacted EOC Hanson app

Print Form

Contra Costa County

For Office Use Only
Date Received:
RECEIVED
FEB 05 2018
CLERK BOARD OF SUPERVISORS
CONTRA COSTA CO.

For Reviewers Use Only:
Accepted Rejected

BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

MAIL OR DELIVER TO:
Contra Costa County
CLERK OF THE BOARD
651 Pine Street, Rm. 106
Martinez, California 94553-1292
PLEASE TYPE OR PRINT IN INK
(Each Position Requires a Separate Application)

BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:

Economic Opportunity Council — District 3

PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION — **PRINT EXACT SEAT NAME (if applicable)**

1. **Name:** Hanson, Marjorie
(Last Name) (First Name) (Middle Name)

2. **Address:** [redacted] Clayton, CA 94517
(No.) (Street) (Apt.) (City) (State) (Zip Code)

3. **Phones:** [redacted]
(Home No.) (Work No.) (Cell No.)

4. **Email Address:** [redacted]

5. **EDUCATION**: Check appropriate box if you possess one of the following:

High School Diploma ☐ G.E.D. Certificate ☐ California High School Proficiency Certificate ☐

Give Highest Grade or Educational Level Achieved Ph.D.

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) Principia College	Math	Yes No ☒☐			B.A.	1967
B) National College of Education (now National University)	Education	Yes No ☒☐			M.S.	1976
C) Texas A&M University	Educational Leadership	Yes No ☒☐			Ph.D.	1980
D) Other schools / training completed:	Course Studied	Hours Completed			Certificate Awarded: Yes No ☐☐	

THIS FORM IS A PUBLIC DOCUMENT

6. **PLEASE FILL OUT THE FOLLOWING SECTION COMPLETELY. List experience that relates to the qualifications needed to serve on the local appointive body. Begin with your most recent experience. A resume or other supporting documentation may be attached but it may not be used as a substitute for completing this section.**

A) Dates (Month, Day, Year)	Title	Duties Performed
From: 1/2007 To: Present Total: Yrs. 11 Mos. 1 Hrs. per week 40+ . Volunteer ☐	Manager Employer's Name and Address John Qualtrough, Buttercup Farms, Inc., 197 Hilltop Crescent, Walnut Creek, CA 94597	Managed staff, volunteers, daily activities, purchases, sales, donations, training, food and housing, scheduled maintenance and repairs on the farm at 5181 Morgan Territory Road. Oversaw breeding, training and placement of Arabian horses from 2007 to 2012. Oversaw 1 acre market garden from 2007 to present
B) Dates (Month, Day, Year)	**Title**	**Duties Performed**
From: 4/1988 To: 11/2006 Total: Yrs. 18 Mos. 7 Hrs. per week 40 . Volunteer ☐	Executive Director Employer's Name and Address Miami-Dade County Public Schools, 1500 Biscayne Blvd., Miami, FL	Evaluated the standard educational program in the district, as well as certain innovative programs implemented in specific schools. These programs include magnet schools, charter schools, mediation training programs, as well as innovative curricula developed by the Developmental Studies Center, Oakland, CA.
C) Dates (Month, Day, Year)	**Title**	**Duties Performed**
From: 9/1981 To: 6/1987 Total: Yrs. 7 Mos. 0 Hrs. per week 40+ . Volunteer ☐	Assistant Professor Employer's Name and Address State University of New York at Buffalo, Department of Educational Leadership, Amherst, New York	Taught courses in development of research questions and proposals, interpretation of research data, and school management tools. Supervised doctoral research.
D) Dates (Month, Day, Year)	**Title**	**Duties Performed**
From: 7/1980 To: 6/1981 Total: Yrs. 1 Mos. 0 Hrs. per week 40 . Volunteer ☐	Assistant Professor Employer's Name and Address Gallaudet University, Washington, DC	Taught courses in development of research questions and proposals, interpretation of research data, and school management tools. Supervised doctoral research.

7. **How did you learn about this vacancy?**

☐ **CCC Homepage** ☐ **Walk-In** ☐ **Newspaper Advertisement** ☒ **District Supervisor** ☐ **Other** _____

8. **Do you have a Familial or Financial Relationship with a member of the Board of Supervisors? (Please see Board Resolution no. 2011/55, attached): No** ☒ **Yes** ☐

   If Yes, please identify the nature of the relationship: _____

9. **Do you have any financial relationships with the County such as grants, contracts, or other economic relations? No** ☒ **Yes** ☐

   If Yes, please identify the nature of the relationship: _____

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publically accessible. I understand and agree that misstatements / omissions of material fact may cause forfeiture of my rights to serve on a Board, Committee, or Commission in Contra Costa County.

Sign Name: [redacted] **Date:** 1/25/18

Important Information

1. This application is a public document and is subject to the California Public Records Act (CA Gov. Code §6250-6270).
2. Send the completed paper application to the Office of the Clerk of the Board at: **651 Pine Street, Room 106, Martinez, CA 94553**.
3. A résumé or other relevant information may be submitted with this application.
4. All members are required to take the following training: 1) The Brown Act, 2) The Better Government Ordinance, and 3) Ethics Training.
5. Members of boards, commissions, and committees may be required to: 1) file a Statement of Economic Interest Form also known as a Form 700, and 2) complete the State Ethics Training Course as required by AB 1234.
6. Advisory body meetings may be held in various locations and some locations may not be accessible by public transportation.
7. Meeting dates and times are subject to change and may occur up to two days per month.
8. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA **and for Special Districts, Agencies and Authorities Governed by the Board Adopted Resolution no. 2011/55 on 2/08/2011 as follows:**

IN THE MATTER OF ADOPTING A POLICY MAKING FAMILY MEMBERS OF THE BOARD OF SUPERVISORS INELIGIBLE FOR APPOINTMENT TO BOARDS, COMMITTEES OR COMMISSIONS FOR WHICH THE BOARD OF SUPERVISORS IS THE APPOINTING AUTHORITY

WHEREAS the Board of Supervisors wishes to avoid the reality or appearance of improper influence or favoritism;

NOW, THEREFORE, BE IT RESOLVED THAT the following policy is hereby adopted:

I. SCOPE: This policy applies to appointments to any seats on boards, committees or commissions for which the Contra Costa County Board of Supervisors is the appointing authority.

II. POLICY: A person will not be eligible for appointment if he/she is related to a Board of Supervisors' Member in any of the following relationships:

1. Mother, father, son, and daughter;
2. Brother, sister, grandmother, grandfather, grandson, and granddaughter;
3. Great-grandfather, great-grandmother, aunt, uncle, nephew, niece, great-grandson, and great-granddaughter;
4. First cousin;
5. Husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepson, and stepdaughter;
6. Sister-in-law (brother's spouse or spouse's sister), brother-in-law (sister's spouse or spouse's brother), spouse's grandmother, spouse's grandfather, spouse's granddaughter, and spouse's grandson;
7. Registered domestic partner, pursuant to California Family Code section 297.
8. The relatives, as defined in 5 and 6 above, for a registered domestic partner.
9. Any person with whom a Board Member shares a financial interest as defined in the Political Reform Act (Gov't Code §87103, Financial Interest), such as a business partner or business associate.

Contra Costa County

To: Board of Supervisors

From: Karen Mitchoff, District IV Supervisor

Date: March 27, 2018

Subject: APPOINT Deborah St. Pierre to the District IV Alternate seat on the County Library Commission

RECOMMENDATION(S):
APPOINT the following individual to the District IV Alternate on the County Library Commission to a term ending on June 30, 2018, as recommended by Supervisor Karen Mitchoff:

Deborah St. Pierre
Walnut Creek, CA 94596

FISCAL IMPACT:
None.

BACKGROUND:
The Contra Costa County Library Commission was established by the Contra Costa County Board of Supervisors in March 1991. The Commission was created to serve in an advisory capacity to the Board of Supervisors and the County Librarian. The Library Commission is comprised of no fewer than 24 voting members and no greater than 28 total members;

A. Eighteen (18) representatives from each of the 18 cities (towns) in the County Library Service Area, to be appointed by the City (Town) Council and to be other than a member of the city council;

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Lisa Chow, (925) 521-7100

By: , Deputy

cc:

BACKGROUND: (CONT'D)

B. Five (5) representatives of the County to be appointed by the Board of Supervisors, one to represent each Supervisorial District and to be other than a member of the Board of Supervisors;
C. Four (4) representatives to serve as ex-officio (non-voting) members of the following:
Contra Costa County Office of Education
Contra Costa Friends Council
East Bay Leadership Council
Contra Costa Community College District
D. One (1) representative of the following:
Contra Costa Central Labor Council

CONSEQUENCE OF NEGATIVE ACTION:

The seat will remain vacant.

Contra Costa County

To: Board of Supervisors

From: David O. Livingston, Sheriff-Coroner

Date: March 27, 2018

Subject: Appropriation Adjustment - State Home Security Grant Program (SHSGP) 2017

RECOMMENDATION(S):

APPROVE Appropriation and Revenue Adjustment No. 5059 authorizing new revenue in the amount of $105,000 in the Sheriff's Office - Emergency Services Division (0362) and app appropriating it for the purchase of cybersecurity hardware and software.

FISCAL IMPACT:

This action increases revenue and appropriations by $105,000 with no change in Net County Cost. The new revenue is from the 2017 State Homeland Security Grant Program (SHSGP).

BACKGROUND:

The California Governor's Office of Emergency Services (Cal OES) is responsible for designing and implementing homeland security initiatives and ensuring that the State is ready to protect lives and property by effectively preparing for, preventing, responding to, and recovering from all threats, crimes, hazards, and emergencies. To help fulfill this mission, Cal OES administers a pass-through program of federal homeland security grant funds to local public agencies through California. This program is critical to maintaining the quality and quantity of homeland

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Liz Arbuckle, 925 335-1529

cc: Liz Arbuckle, Heike Anderson, Tim Ewell

BACKGROUND: (CONT'D)

security initiative programs provided within the County. The funding will allow for enhanced coordination and communication among the disciplines to maximize protective actions, emergency preparedness, and the effective response to emergencies and disasters. The initial total grant program allocation provided to the County by the U.S. Department of Homeland Security and sub-granted through the State of California is $1,213,625. The grant application requires the County to adopt a resolution appointing an authorized agent to act on behalf of the Board of Supervisors by executing any actions necessary for each application and sub-grant. The application also requires the applicants to make certain grant assurances prescribing requirements to which the County will be held accountable.

The additional grant funds will allow purchase of CLETS/CJIS Network Hardware, which will enable secure, encrypted communications between law enforcement partners and the DOJ.

CHILDREN'S IMPACT STATEMENT:

No impact.

ATTACHMENTS

Appropriation and Revenue Adjustment No. 5059

CONTRA COSTA COUNTY

ESTIMATED REVENUE ADJUSTMENT

T/C 24

ACCOUNT CODING		BUDGET UNIT: (0362) Sheriff's Office Emergency Services				
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE		<DECREASE>	
3623	9340	ST AID FOR CIVIL DEFENSE	105,000	00		
		TOTALS	105,000	00	0	00

APPROVED

AUDITOR-CONTROLLER:

BY: _____ DATE 3/9/18

COUNTY ADMINISTRATOR:

BY: _____ DATE 3/22/18

BOARD OF SUPERVISORS:

YES:

NO:

BY: _____ DATE _____

EXPLANATION OF REQUEST

To appropriate new revenue (SHSGP) for purchase of Optiv Firewall.

SIGNATURE | Fiscal Officer TITLE | 3/8/2018 DATE

REVENUE ADJ. JOURNAL NO. RAOO 5059

(M 8134 Rev. 2/86)

CONTRA COSTA COUNTY
APPROPRIATION ADJUSTMENT

T/C 27

AUDITOR-CONTROLLER USE ONLY
FINAL APPROVAL NEEDED BY:
[x] BOARD OF SUPERVISORS
[ ] COUNTY ADMINISTRATOR

ACCOUNT CODING		BUDGET UNIT: (0362) Sheriff's Office Emergency Services				
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE	
3623	4955	RADIO & COMMUNICATN EQUIP			72,300	00
3623	2276	MNTN RADIO-ELECTRON EQUIP			32,700	00
		TOTALS	0	00	105,000	00

APPROVED

AUDITOR-CONTROLLER:
BY: _____ DATE 3/9/18

COUNTY ADMINISTRATOR:
BY: _____ DATE 3/22/18

BOARD OF SUPERVISORS:

YES:

NO:

BY: _____ DATE _____

EXPLANATION OF REQUEST

To adjust appropriations for purchase of Optiv Firewall.

SIGNATURE | Fiscal Officer TITLE | 3/8/2018 DATE

APPROPRIATION ADJ. JOURNAL NO. APOO 5059

(M129 Rev 2/86)

Contra Costa County

To: Board of Supervisors

From: David Twa, County Administrator

Date: March 27, 2018

Subject: Amendments to the Adopted 2018 State Legislative Platform related to CalWORKs

RECOMMENDATION(S):

1. ADOPT the following amendments to the adopted 2018 State Legislative Platform:

- OPPOSE legislative and budgetary actions that result in reduced level of services to families, children, vulnerable adults and seniors, or that lead to preemption of local control.
- SUPPORT an Increase to the CalWORKS Maximum Aid Payment (MAP) and the annual funding of a CalWORKS cost of living adjustment (COLA).
- SUPPORT a revision of the budgeting methodology for the CalWORKS Single Allocation. *The current methodology ties funding heavily to caseload, which can expand and contract quickly with economic changes. This can result in large variations of funding levels, and inability to respond to changing economic conditions in a timely manner.*

2. AUTHORIZE the Chair of the Board to send advocacy letters aligned with these proposed amendments, including **Attachment A**.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: L. DeLaney, 925-335-1097

cc: Kathy Gallagher, EHSD Director

FISCAL IMPACT:

With respect to the Single Allocation, Contra Costa County expects to experience a $1.5 million decrease in funding, from $47.7 million to $46.2 million in FY 2018-2019. Advocating for an increase in funding may address this situation.

BACKGROUND:

The CalWORKs program is a critical component of California's safety net for families with low incomes, providing families with modest monthly cash grants while helping parents overcome barriers to employment and find work. A number of cuts were made to CalWORKs during and after the Great Recession, including reducing grant levels and eliminating the annual state cost-of-living adjustment (COLA). Recent years' budgets have incrementally increased CalWORKs grant levels, but this has not been adequate to restore cuts made in prior years.

The Governor's January budget proposal includes a one-time augmentation of $187 million for the California Work Opportunity and Responsibility to Kids (CalWORKs) program Single Allocation, which is what the state provides to counties to administer the CalWORKs program. **The overall funding for the Single Allocation is $31.8 million lower than in 2017-18**; with the additional legislative requirements imposed in FY 2017-18, the total reduction in funding is $56.5 million. The 2017-18 budget required the Administration to work with the County Welfare Directors Association to revise the methodology for the Single Allocation. The revised methodology is needed to insulate counties and beneficiaries from experiencing huge swings in year-to-year funding levels for the single allocation. The conversations about the revised methodology are ongoing.

With respect to the Single Allocation, the cuts will affect direct services and staffing related to eligibility activities, employment and supportive services, and child care for CalWORKs families. Contra Costa County expects to experience a $1.5 million decrease in funding, from $47.7 million to $46.2 million in FY 2018-2019.

Furthermore, the Governor's proposed budget for FY 2018-19 does not increase CalWORKs grants or reinstate the COLA. According to the California Budget & Policy Center, if grant levels remain frozen, the proposed maximum monthly grant for a family of three in a high cost county (such as ours) would be $9 lower than in 2007-08, without adjusting for inflation. If grant levels had been adjusted for inflation each year beginning 2007-2008, the maximum grant in 2018-19 would be $963, which is $269 higher than the proposed value of $714. Absent a significant grant increase in the 2018-19 fiscal year, this grant will equal just 41.2% of the federal poverty line, leaving it below the deep-poverty line for the eleventh calendar year.

Given the timing of the legislative hearings by the Budget Subcommittees on these issues and the cancellation of the March meeting of the County's Legislation Committee, this matter is being brought forward to the full Board of Supervisors for action so that advocacy by the County may be aligned with the Board's adopted position on these matters.

ATTACHMENTS

Attachment A

Atttachment A

The Board of Supervisors

County Administration Building
651 Pine Street, Room 106
Martinez, California 94553

John Gioia, 1st District
Candace Andersen, 2nd District
Diane Burgis, 3rd District
Karen Mitchoff, 4th District
Federal D. Glover, 5th District

Contra Costa County

David Twa
Clerk of the Board
and
County Administrator
(925) 335-1900

March 27, 2018

The Honorable Dr. Joaquin Arambula
Chair, Assembly Budget Subcommittee No. 1 on Health and Human Services
State Capitol, Room 6026
Sacramento, CA 95814

RE: <u>OPPOSE Proposed Reduction in Funding for CalWORKs</u>

Dear Chair Arambula and Committee Members:

The Contra Costa County Board of Supervisors opposes the cuts to the CalWORKs Single Allocation proposed in the Governor's 2018/2019 state budget and supports an increase in CalWORKs grant levels for program participants.

The CalWORKs program is a critical component of California's safety net for families with low incomes, providing families with modest monthly cash grants while helping parents overcome barriers to employment and find work. A number of cuts were made to CalWORKs during and after the Great Recession, including reducing grant levels and eliminating the annual state cost-of-living adjustment (COLA). Recent years' budgets have incrementally increased CalWORKs grant levels, but this has not been adequate to restore cuts made in prior years.

The Governor's proposed budget for 2018-19 does not increase CalWORKs grants or reinstate the COLA. According to the California Budget & Policy Center, if grant levels remain frozen, the proposed maximum monthly grant for a family of three in a high cost county (such as ours) would be $9 lower than in 2007-08, without adjusting for inflation. If grant levels had been adjusted for inflation each year beginning 2007-2008, the maximum grant in 2018-19 would be $963, which is $269 higher than the proposed value of $714. Absent a significant grant increase in the 2018-19 fiscal year, this grant will equal just 41.2% of the federal poverty line, leaving it below the deep-poverty line for the eleventh calendar year.

With respect to the Single Allocation, the cuts will affect direct services and staffing related to eligibility activities, employment and supportive services, and child care for CalWORKs families. Contra Costa County expects to experience a $1.5 million decrease in funding, from $47.7 million to $46.2 million in FY 2018/2019.

We understand the cuts are based on a projected 6% decrease in caseloads. However, due to the lack of COLA and inflation adjustments since the Great Recession, we are already in a diminished funding position. In addition, there will be further pressure on resources as we roll out new CalWORKs mandates and initiatives such as CalWORKs 2.0 and CalOAR.

In Contra Costa County, we work with close to 8,000 families who access CalWORKs services. A reduction in the allocation our county receives will have a direct negative impact on our ability to support these families, with children being the most heavily impacted of all.

Contra Costa County strongly urges you to maintain level Single Allocation funding for 2018/2019 so that we may continue to serve our neediest families at the intensity level they require for successful outcomes. We also support an increase in the CalWORKs grant levels for participating families.

Sincerely,

KAREN MITCHOFF
Chair, Board of Supervisors

cc: Members, Assembly Budget Subcommittee No. 1 on Health and Human Services
Contra Costa County Legislative Delegation
Governor Edmund G. Brown
Members, Board of Supervisors
David Twa, County Administrator

Contra
Costa
County

To: Board of Supervisors

From: Anna Roth, Health Services

Date: March 27, 2018

Subject: Add Account Clerk Supervisor Position and Cancel Administrative Analyst Position in the Health Services Department

RECOMMENDATION(S):
ADOPT Position Adjustment Resolution No. 22189 to add one (1) Account Clerk Supervisor (JDHD) (represented) at salary plan and grade K6X 1340 ($4,482 - $5,723) position, and cancel one (1) vacant Administrative Analyst (APWA) (represented) position #17000 at salary plan and grad ZB5 1277 ($4,222 - $5,131) position in the Health Services Department.

FISCAL IMPACT:
Upon approval, this action has an annual cost of approximately $10,443 with $2,522 in pension costs already included. The cost is entirely offset by Hospital Enterprise Fund I.

BACKGROUND:
The volume and nature of the work has increased in the Materials Management Unit. There are currently 11 clerks in this unit using multiple computer programs. A supervisor is needed who can answer questions, problem solve, is well versed in accounting procedures, and whose scope of work includes training.

CONSEQUENCE OF NEGATIVE ACTION:
If this action is not approved, the Materials Management Unit of the Health Services Department will not have adequate leadership to supervise the staff who were hired to meet the demands of an increased volume of work.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Jacqueline Kidd, 925-957-5261

cc: Jacqueline Kidd

ATTACHMENTS

P300 #22189 - Add Acct Clerk Sup and Cancel Admin Analyst

POSITION ADJUSTMENT REQUEST

NO. 22189
DATE 10/18/2017

Department Health Services

Department No./
Budget Unit No. 0450 Org No. 6551 Agency No. A18

Action Requested: Add one permanent full-time Account Clerk Supervisor (JDHD) position at salary plan and grade K6X-1340 ($4,482 - $5,723) and cancel vacant Administrative Analyst (APWA) position #17000 at salary plan and grade ZB5-1277 ($4,222 - $5,131) in the Health Services Department. (Represented)

Proposed Effective Date: _____

Classification Questionnaire attached: Yes ☐ No ☒ / Cost is within Department's budget: Yes ☐ No ☒

Total One-Time Costs (non-salary) associated with request: $0.00

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost $10,442.63 Net County Cost _____

Total this FY $3,480.88 N.C.C. this FY _____

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% Hospital Enterprise Funds

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Jacqueline Kidd
_____
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Susan Smith 11/3/2017
_____ _____
Deputy County Administrator Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS DATE 2/27/2018

ADOPT Position Adjustment Resolution No. 22189 to add one (1) Account Clerk Supervisor (JDHD) at salary level K6X-1340 ($4,482 - $5,723), and cancel one (1) vacant Administrative Analyst (APWA) position #17000 at salary level ZB5-1277 ($4,222 - $5,131) in the Health Services Department. (Represented)

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.
☐ _____(Date)

Marta Goc 2/27/2018
_____ _____
(for) Director of Human Resources Date

COUNTY ADMINISTRATOR RECOMMENDATION: DATE 3/21/2018

☒ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☐ Other: _____

/s/ Julie DiMaggio Enea
_____
(for) County Administrator

BOARD OF SUPERVISORS ACTION:
Adjustment is APPROVED ☐ DISAPPROVED ☐

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

DATE _____ BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION
Adjust class(es) / position(s) as follows:

REQUEST FOR PROJECT POSITIONS

Department _____ Date 3/21/2018 No. xxxxxx

1. Project Positions Requested:

2. Explain Specific Duties of Position(s)

3. Name / Purpose of Project and Funding Source (do not use acronyms i.e. SB40 Project or SDSS Funds)

4. Duration of the Project: Start Date _____ End Date _____
   Is funding for a specified period of time (i.e. 2 years) or on a year-to-year basis? Please explain.

5. Project Annual Cost

   a. Salary & Benefits Costs: _____

   b. Support Costs: _____
   (services, supplies, equipment, etc.)

   c. Less revenue or expenditure: _____

   d. Net cost to General or other fund: _____

6. Briefly explain the consequences of not filling the project position(s) in terms of:
   a. potential future costs
   b. legal implications
   c. financial implications
   d. political implications
   e. organizational implications

7. Briefly describe the alternative approaches to delivering the services which you have considered. Indicate why these alternatives were not chosen.

8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted

9. How will the project position(s) be filled?
   - ☐ a. Competitive examination(s)
   - ☐ b. Existing employment list(s) Which one(s)? _____
   - ☐ c. Direct appointment of:
     - ☐ 1. Merit System employee who will be placed on leave from current job
     - ☐ 2. Non-County employee

   Provide a justification if filling position(s) by C1 or C2

USE ADDITIONAL PAPER IF NECESSARY

Contra Costa County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Add Clerk – Experienced Level position and Cancel Intermediate Typist Clerk - Project position in the Health Services Department

RECOMMENDATION(S):
ADOPT Position Adjustment Resolution No. 22249 to add one (1) Clerk – Experienced Level (JWXB) (represented) position at salary plan and grade 3RH 0750 ($2,993 - $3,713) and cancel one (1) Intermediate Typist Clerk - Project (JWV1) (represented) position #13182 at salary plan and grade 3RH 0753 ($3,084 - $3,827) in the Health Services Department.

FISCAL IMPACT:
Upon approval, this action has an annual savings of approximately $2,004 with pension savings of $484 already included.

BACKGROUND:
The Health Services Department is requesting to add a full time Clerk-Experienced Level and cancel one full time Intermediate Typist Clerk-Project position for Behavioral Health Division's Care Management Unit. The State of California has extended and expanded the funding for the Mental Health Services Act ensuring the funding stream for this position justifying the conversion from a project position to a permanent position. Health Services Department has determined the more appropriate classification to perform the duties associated with the administrative support for the Care Management Unit would be better suited with the classification of Clerk – Experienced Level.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Melissa Carofanello, (925) 957-5248

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Health Services Department will not be able to have the appropriate level and classification of administrative staff for its Behavioral Health Division's Care Management Unit

ATTACHMENTS

P300 #22249 - Cancel Intermediate Typist Clerk-Project Position and Add Clerk-Experienced Level position in HSD

POSITION ADJUSTMENT REQUEST

NO. 22249
DATE 2/26/2018

Department HEALTH SERVICES

Department No./
Budget Unit No. 0467 Org No. 5982 Agency No. A18

Action Requested: Cancel one Intermediate Typist Clerk-Project (JWV1) position #13182 at salary plan and grade 3RH-0753 ($3,084.63 - $3,827.22) and add one Clerk-Experienced Level (JWXB) position at salary plan and grade 3RH-0750 ($2,993.04 - $3,713.58) in the Health Services Department. (Represented)

Proposed Effective Date: _____

Classification Questionnaire attached: Yes ☐ No ☒ / Cost is within Department's budget: Yes ☒ No ☐

Total One-Time Costs (non-salary) associated with request: $0.00

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost ($2,004.61) Net County Cost $0.00

Total this FY ($668.20) N.C.C. this FY $0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Cost savings

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Melissa Carofanello
_____
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

/s/ Julie DiMaggio Enea 3/13/2018
_____ _____
Deputy County Administrator Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS DATE 3/14/2018

Cancel one Intermediate Typist Clerk-Project (JWV1) position #13182 at salary plan and grade 3RH-0753 ($3,084 - $3,827) and add one Clerk-Experienced Level (JWXB) position at salary plan and grade 3RH-0750 ($2,993 - $3,713) in the Health Services Department. (Represented)

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.
☐ _____(Date)

Marta Goc 3/14/2018
_____ _____
(for) Director of Human Resources Date

COUNTY ADMINISTRATOR RECOMMENDATION: DATE 3/21/2018

☒ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☐ Other: _____

/s/ Julie DiMaggio Enea
_____
(for) County Administrator

BOARD OF SUPERVISORS ACTION:
Adjustment is APPROVED ☐ DISAPPROVED ☐

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

DATE _____ BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION
Adjust class(es) / position(s) as follows:

REQUEST FOR PROJECT POSITIONS

Department _____ Date 3/21/2018 No. _____

1. Project Positions Requested:

2. Explain Specific Duties of Position(s)

3. Name / Purpose of Project and Funding Source (do not use acronyms i.e. SB40 Project or SDSS Funds)

4. Duration of the Project: Start Date _____ End Date _____
   Is funding for a specified period of time (i.e. 2 years) or on a year-to-year basis? Please explain.

5. Project Annual Cost

   a. Salary & Benefits Costs: _____

   b. Support Costs: _____
   (services, supplies, equipment, etc.)

   c. Less revenue or expenditure: _____

   d. Net cost to General or other fund: _____

6. Briefly explain the consequences of not filling the project position(s) in terms of:
   a. potential future costs
   b. legal implications
   c. financial implications
   d. political implications
   e. organizational implications

7. Briefly describe the alternative approaches to delivering the services which you have considered. Indicate why these alternatives were not chosen.

8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted

9. How will the project position(s) be filled?
   - ☐ a. Competitive examination(s)
   - ☐ b. Existing employment list(s) Which one(s)? _____
   - ☐ c. Direct appointment of:
     - ☐ 1. Merit System employee who will be placed on leave from current job
     - ☐ 2. Non-County employee

   Provide a justification if filling position(s) by C1 or C2

USE ADDITIONAL PAPER IF NECESSARY

Contra Costa County

To: Board of Supervisors

From: Anna Roth, Health Services

Date: March 27, 2018

Subject: Add and Cancel Positions in the Health Services Department

RECOMMENDATION(S):
ADOPT Position Adjustment Resolution No. 22255 to add three permanent full-time permanent Public Health Nutritionist (V9WB) positions at salary plan and grade TC5-1430 ($4,912 - $5,971) and cancel three (3) vacant full-time Senior Public Health Nutritionist (V9TE) positions (#8627, #8982, and #9473) at salary plan and grade TC5-1526 ($5,402 - $6,566) in the Health Services Department. (Represented)

FISCAL IMPACT:
Upon approval, this action has an approximate annual cost savings of $29,045 with pension cost savings of $7,609 already included. These positions are funded through a Federal allocation provided to the State of California.

BACKGROUND:
Contra Costa County Health Services' Public Health (PH) Division is requesting to add three Public Health Nutritionist positions and cancel three Senior Public Health Nutritionist positions (#8627, #8982, and #9473). The shifting of the included positions from Senior Public Health Nutritionists to Public Health Nutritionists represents both a cost savings in coming recruitments and is closer in line with the current

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

Contact: Shelanda Adams, (925) 957-5263

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

needs of the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Program in serving the community. Furthermore, this action enables the program to continue work in creating a career pathway that enables incumbent employees within the Nutrition Assistant classification the ability to work towards certification as a Registered Dietitian through an accepted internship program. Finally, the Public Health program has attempted to fill the existing Senior Public Health Nutritionist positions but has been unsuccessful due to current minimum qualifications associated with the classification. Shifting these three positions into the Public Health Nutritionist classification will better enable the program to fill essential positions.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Public Health Department will not have adequate support to fill positions essential to achieving the State of California's contracted deliverables.

ATTACHMENTS

P300 #22255 - Add PH Nutritionists and Cancel Sr PH Nutritionists

POSITION ADJUSTMENT REQUEST

NO. 22255
DATE 3/14/2018

Department HEALTH SERVICES

Department No./
Budget Unit No. 0860 Org No. 5828 Agency No. A18

Action Requested: Add three permanent full-time Public Health Nutritionists (V9WB) positions at salary plan and grade TC5-1430 ($4,912.57 - $5,971.26) and cancel three vacant full-time Senior Public Health Nutritionists (V9TE) positions (#8627, #8982, and #9473) at salary plan and grade TC5-1526 ($5,402.44 - $6,566.70). (Represented)

Proposed Effective Date: 3/28/2018

Classification Questionnaire attached: Yes ☐ No ☒ / Cost is within Department's budget: Yes ☒ No ☐

Total One-Time Costs (non-salary) associated with request: $0.00

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost ($29,045.55) Net County Cost $0.00

Total this FY ($9,681.85) N.C.C. this FY $0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Cost savings

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Shelanda Adams
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Susan Smith — 3/16/2018
Deputy County Administrator — Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS DATE _____
Exempt from Human Resources review under delegated authority.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☐ Day following Board Action.
☐ _____(Date)

(for) Director of Human Resources — Date

COUNTY ADMINISTRATOR RECOMMENDATION: DATE 3/21/18

☐ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☒ Other: Approve as recommended by the Department.

/s/ Julie DiMaggio Enea
(for) County Administrator

BOARD OF SUPERVISORS ACTION:
Adjustment is APPROVED ☐ DISAPPROVED ☐

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

DATE _____ BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION
Adjust class(es) / position(s) as follows:

REQUEST FOR PROJECT POSITIONS

Department _____ Date 3/21/2018 No. _____

1. Project Positions Requested:

2. Explain Specific Duties of Position(s)

3. Name / Purpose of Project and Funding Source (do not use acronyms i.e. SB40 Project or SDSS Funds)

4. Duration of the Project: Start Date _____ End Date _____
   Is funding for a specified period of time (i.e. 2 years) or on a year-to-year basis? Please explain.

5. Project Annual Cost

   a. Salary & Benefits Costs: _____

   b. Support Costs: _____
   (services, supplies, equipment, etc.)

   c. Less revenue or expenditure: _____

   d. Net cost to General or other fund: _____

6. Briefly explain the consequences of not filling the project position(s) in terms of:
   a. potential future costs
   b. legal implications
   c. financial implications
   d. political implications
   e. organizational implications

7. Briefly describe the alternative approaches to delivering the services which you have considered. Indicate why these alternatives were not chosen.

8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted

9. How will the project position(s) be filled?
   - ☐ a. Competitive examination(s)
   - ☐ b. Existing employment list(s) Which one(s)? _____
   - ☐ c. Direct appointment of:
     - ☐ 1. Merit System employee who will be placed on leave from current job
     - ☐ 2. Non-County employee

   Provide a justification if filling position(s) by C1 or C2

USE ADDITIONAL PAPER IF NECESSARY

Contra Costa County

To: Board of Supervisors

From: Kathy Gallagher, Employment & Human Services Director

Date: March 27, 2018

Subject: Abolish nine (9) positions in the EHSD Workforce Services Development Board effective July 1, 2018, and initiate the layoff process

RECOMMENDATION(S):
ADOPT Resolution No. 2018/120 to abolish nine (9) positions, as listed in Attachment A, and lay off employees in the Employment and Human Services Department (EHSD) effective July 1, 2018, resulting from a reduction in funding in the Workforce Development Board in EHSD and activate the Tactical Employment Team Program (TETP) on March 28, 2018 to mitigate the number of employees laid off.

FISCAL IMPACT:
Upon approval, this action will have no net county cost increase. The position deletions have been submitted as part of the fiscal year 2018/2019 budget.

BACKGROUND:
Beginning in 2000, the Workforce Development Board (WDB) has provided career services for unemployed adults through One-Stop Career Centers under the administrative authority of the Employment and Human Services Department (EHSD). With the reduction of both Workforce Innovation and Opportunity Act (WIOA) and CalWorks funding, EHSD is no longer able to provide these services, and the WDB approved the recommendation to procure a contract for professional services for Adult and Dislocated Worker Career Services on November 7, 2017.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Swashante Dillon
925-608-5042

By: , Deputy

cc: Dianne Dinsmore, Human Resources Director

BACKGROUND: (CONT'D)

>

A request for proposal was released in November 2017, and submissions were accepted through February 5, 2018. The WDB Executive Committee approved the recommendation to award a contract to Rubicon to provide these services. The new contracts are expected to be effective July 1, 2018.

EHSD is requesting to activate Tactical Employment Team Program (TETP) in an effort to mitigate the impact of layoff and displacement for the WDB One-Stop Career Centers. Effective July 1, 2018, the One-Stop Career Center services will be contracted out impacting nine (9) positions at three One-Stop Career Centers. EHSD has been proactively searching for potential placements within the department, however, given classifications and EHSD's budgetary constraints, we are not confident that we will be able to secure placement for all displaced employees within the department. The Human Resources Department will prepare a formal seniority list for each class and the least senior employees in each class will be notified.

Affected Classifications:

- One-Stop Career Center Case Manager (2 positions)
- Career Center Coordinator (3 positions)
- One-Stop Operator Consortium Assistant Administrator (1 position)
- Social Service Employment Placement Counselor (3 positions)

Tactical Employment Team Program (TETP) - Attached for reference is a copy of Resolution No. 2008/299, adopted May 6, 2008, which authorized implementation of the Tactical Employment Team Program. The TETP was reinstated in 2008 and is still in operation. The objective of this program is to mitigate the negative impact that anticipated layoffs will have on the County's workforce. The team is up and running and will continue to work towards finding employment for as many laid-off individuals as possible.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, we will not be able to mitigate the remaining number of employees laid off from the County.

ATTACHMENTS

Resolution No. 2018/120

Attachment A

Resolution No. 2008-299

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 03/27/2018 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:

Resolution No. 2018/120

In The Matter Of: Abolishing positions and laying off certain County Employees in the Employment and Human Services Department, Workforce Services Development Board

WHEREAS, the Board has considered the financial impact of the county department of reduced funding, and has considered the position and staff reduction/retention plans submitted by departments; and,

WHEREAS, the department will close three One-Stop Career Centers effective July 1, 2018, and abolish all positions listed in Attachment A; and,

WHEREAS, the Department Head will issue layoff or displacement notices, as the case may be, and has begun giving notice to the affected employees of the Board's action; and,

WHEREAS, to the extent that the subjects of this Resolution are within the scope of representation pursuant to the Meyers-Milias-Brown Act (Government Code Section 3500 et seq.), this Board has offered to meet with recognized employee organizations upon request concerning this resolution.

Now, Therefore, Be It Resolved that:

1. The positions set forth in Attachment A of this Resolution will be abolished and the least senior employees in those classifications will be laid-off as of July 1, 2018. Attachment A is incorporated herein by reference, and said positions are hereby abolished, effective July 1, 2018;
2. The Employees Relations Officer shall give notice of this Resolution to all recognized employee organizations representing employees impacted by this action; and
3. Recognized employee organizations may submit to the Employee Relations Officer written request to meet and confer on the impacts of this Resolution and/or resulting layoffs. This authorization and direction is given without prejudice to the Board's right to reduce or terminate the operations and services of the County and districts governed by this Board and to eliminate classes of employees or positions, as these decisions involve the merits, necessity, or organization of services or activities of the County and districts governed by the Board and are not subject within the scope of representation.

Contact: Swashante Dillon 925-608-5042

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

ATTESTED: March 27, 2018

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

By: , Deputy

cc: Dianne Dinsmore, Human Resources Director

Attachment A

CONTRA COSTA COUNTY

Resolution No.

POSITIONS AND CLASSIFICATIONTIONS TO BE **ABOLISHED**

Department: Employment and Human Services

Effective July 1, 2018 ABOLISH POSITION:

Position #	Classification Title	Class Code	Org#	FT/PT	Current Status
00011692	One-Stop Career Center Case Manager	X7WC	0504	FT	Filled
00011691	One-Stop Career Center Case Manager	X7WC	0504	FT	Filled
00010739	Career Center Coordinator	X7SB	0504	FT	Filled
00010740	Career Center Coordinator	X7SB	0504	FT	Filled
00010738	Career Center Coordinator	X7SB	0504	FT	Filled
00012579	One-Stop Operator Consortium Assistant Administrator	X7HC	0504	FT	Filled
00006734	Social Service Employment Placement Counselor	X7WB	0504	FT	Filled
00006733	Social Service Employment Placement Counselor	X7WB	0504	FT	Filled
00006732	Social Service Employment Placement Counselor	X7WB	0504	FT	Filled

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

Adopted this Resolution on May 6, 2008, by the following vote:

AYES: I, II, III, IV, V

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

RESOLUTION NO. 2008/299

THE CONTRA COSTA COUNTY BOARD OF SUPERVISORS in its capacity as governing Board of the County of Contra Costa and all districts of which it is ex-officio governing Board RESOLVES THAT:

A. The Human Resources Department is authorized to implement the Tactical Employment Team Program (TETP). The objective of this program is to mitigate the negative impact that anticipated layoffs will have on the County's workforce. The main components of the program are as follows:

   1. Finding Alternate Placements within the County. Preference shall be given to employees separated through layoff when filling vacant, project, temporary, and contract positions. The Department shall freeze vacancies in other departments for possible placement of laid off employees who possess the required knowledge, skills and abilities for the position.

   2. Outplacement. The Human Resources Department will be available to provide the following services as requested: career counseling, resume preparation, interview tips, job search resources and tools, retraining opportunities, and registration with temporary employment agencies.

   3. Personal Support. In cooperation with the Employee Assistance Program and other professional organizations, personal support services shall be made available to laid off employees, including financial planning, crisis intervention counseling, stress management, and retirement planning.

B. Contra Costa County serves a large, diverse population which is reflected in the diversity of the County's workforce and that of its dependent districts. It is the policy of Contra Costa County to comply with all applicable local, state and federal laws governing equal employment.

C. The County Administrator shall forward a copy of this resolution to all department heads emphasizing the importance of cooperating with the TETP in order to ensure that employees who are laid off are given every opportunity to continue their employment with the County in another capacity or to be placed in appropriate employment elsewhere.

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

ATTESTED: May 6, 2008

JOHN CULLEN, Clerk of the Board of Supervisors and County Administrator

By Lena O'Neal, Deputy

cc: All Department Heads
County Administration

Contra Costa County

To: Board of Supervisors

From: Kathy Gallagher, Employment & Human Services

Date: March 27, 2018

Subject: 2017 Low Income Home Energy Assistance Program Funding, Amendment 4

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with the California Department of Community Services and Development to extend the term end date from March 31, 2018 to December 31, 2018 for the Low Income Home Energy Assistance Program with no change to the payment limit of $4,315,658.

FISCAL IMPACT:
No fiscal impact. The amendment extends the term of the contract.

BACKGROUND:
Contra Costa County (County) has received funding from the California Department of Community Services and Development for 25 years wherein the County provides energy bill assistance payments and weatherization services to County residents who are income-eligible to receive said services. The funding sources include Low Income Home Energy Assistance Program (LIHEAP), the Energy Crisis Intervention Program (ECIP), the Department of Energy (DOE), Low Income Weatherization Program (LIWP) and the Toilet Retrofit Program (TRP).

The Employment and Human Services Department (EHSD) partners with the County Department of Conservation and Development to provide energy saving home improvements to low-income

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [x] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: CSB, 925-681-6334

By: , Deputy

cc: Nelly Ige, Sam Mendoza

BACKGROUND: (CONT'D)

families throughout unincorporated Contra Costa County, as well as the County's nineteen cities.

The energy saving measures may be the provision of hot water heaters, furnaces, refrigerators, microwaves, doors, windows, fluorescent light bulbs, weather stripping, ceiling fans, and attic insulation. A blower door test (a diagnostic tool to locate and correct air infiltration) is conducted on homes, and combustion appliance safety tests are conducted on homes with gas appliances to check for carbon monoxide gas leakage. Homes with gas appliances are provided with a carbon monoxide alarm.

The Home Energy Assistance Program (HEAP) funding allows low income County residents to qualify for a credit on their energy bills.

Once eligibility is determined, the top priority is clients with no hot water, no heat, or are in danger of having their power shut off, then clients are prioritized by those with the lowest income, highest energy burden and families with at least one resident who is considered to be a member of a vulnerable population.

The Board approved receipt of funds for the 2016-17 program year on October 18, 2016 (C.53). Since then, the Board has approved the following three three amendments to the agreement: 1) March 21, 2017 (C.37) to include additional funds and provisions for installing and replacing solar water heaters in homes; 2) September 12, 2017 (C.59) to receive additional funds; and 3) November 7, 2017 (C.44) to receive additional funds. This action is to approve a fourth amendment to extend the term end date by nine months to December 31, 2018.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, the operation of the LIHEAP program will end on March 31, 2018.

CHILDREN'S IMPACT STATEMENT:

The Employment and Human Services Department, Community Services Bureau energy program supports one Contra Costa County community outcome - Outcome #4: Families that are Safe, Stable and Nurturing. This outcome is supported by the provision of home energy assistance to keep households warm in winter and to increase household energy efficiency.

Contra Costa County

To: Board of Supervisors

From: Kathy Gallagher, Employment & Human Services Director

Date: March 27, 2018

Subject: Head Start Program Improvement Grant

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Employment and Human Services Department director, or designee, to submit an application to and accept funding from the U.S. Department of Health and Human Services, Administration for Children and Families, Office of Head Start, in an amount not to exceed $85,800 for a supplemental, one-time grant to provide quality enhancement improvements at Head Start program centers.

FISCAL IMPACT:
The County will receive a one-time federal grant in an amount not to exceed $85,800. As Grantee, the County is required to generate a 20% non-federal match, however the Department will seek a waiver of the match requirement. The match is usually achieved through collaboration with State Child Development programs and the volunteer hours accrued by Head Start parents and community partners. With this grant, there will be no community or parent involvement. Historically, the Department has been successful in receiving match waivers for similar grant programs.

Federal Amount (80%): $85,800
Match Amount (20%, seeking waiver): $17,160
Total (100%): $102,960

CFDA #93.600

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [x] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: CSB (925) 681-6389

cc: Nasim Eghlima, Christina Reich, Haydee Ilan

BACKGROUND:

Contra Costa County submits an application annually to the U.S. Department of Health and Human Services, Administration for Children and Families, Office of Head Start, as the Head Start grantee. This board order presents an opportunity for the County to apply for a supplemental, one-time grant to support health and safety quality improvements at County Head Start and Early Head Start programs. The funding term will be for a one year project period, July 1, 2017 through June 30, 2018. The grant will be reviewed for approval by the Policy Council on March 21, 2018.

If the grant is received, the funds are proposed to be utilized for supplies and other expenses for childcare partner COCOKIDS, Inc., and Head Start delegate agency, First Baptist Head Start, to ensure successful implementation of the Early Head Start Childcare Partnership program.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, the County will be unable to apply for a grant to cover the cost of implementing facility and safety improvements.

CHILDREN'S IMPACT STATEMENT:

The Community Services Bureau of the Employment & Human Services Department's Head Start program supports three of Contra Costa County's community outcomes - Outcome 1: Children Ready for and Succeeding in School, Outcome 3: Families that are Economically Self-sufficient, and Outcome 4: Families that are Safe, Stable, and Nurturing. These outcomes are achieved by offering comprehensive services, including high quality early childhood education, nutrition, and health services to low-income children throughout Contra Costa County.

ATTACHMENTS

Grant description

Budget Narrative

DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES
NOTICE OF AWARD

SAI NUMBER:

PMS DOCUMENT NUMBER:

1. AWARDING OFFICE:	2. ASSISTANCE TYPE:	3. AWARD NO.:	4. AMEND. NO.
Office of Head Start	Discretionary Grant	09HP0012-03-02	2

5. TYPE OF AWARD:	6. TYPE OF ACTION:	7. AWARD AUTHORITY:
Service	Supplement	42 USC 9801 ET SEQ.

8. BUDGET PERIOD:	9. PROJECT PERIOD:	10. CAT NO.:
07/01/2017 **THRU** 06/30/2018	01/01/2015 **THRU** 06/30/2019	93.600

11. RECIPIENT ORGANIZATION:
CONTRA COSTA COUNTY COMMUNITY SERVICES
40 Douglas Dr
Martinez, CA 94553-4068
Grantee Authorizing Official: Candace Andersen , Chair, Contra Costa County Supervisor, Distri

12. PROJECT / PROGRAM TITLE:
Early Head Start Child Care Partnership

13. COUNTY:	14. CONGR. DIST:	15. PRINCIPAL INVESTIGATOR OR PROGRAM DIRECTOR:
Contra Costa	05	Camilla Rand Director

16. APPROVED BUDGET:

Personnel.....	$	299,555.00
Fringe Benefits.....	$	216,733.00
Travel.....	$	0.00
Equipment.....	$	0.00
Supplies.....	$	57,850.00
Contractual.....	$	470,120.00
Facilities/Construction.....	$	0.00
Other.....	$	70,363.00
Direct Costs.....	$	1,114,621.00
Indirect Costs..... At % of $	$	62,557.00
In Kind Contributions.....	$	0.00
Total Approved Budget.....	$	**1,177,178.00**

17. AWARD COMPUTATION:

A. NON-FEDERAL SHARE..... $	294,294.00	20%
B. FEDERAL SHARE..... $	1,177,178.00	80%

18. FEDERAL SHARE COMPUTATION:

A. TOTAL FEDERAL SHARE..... $	1,177,178.00
B. UNOBLIGATED BALANCE FEDERAL SHARE..... $	0.00
C. FED. SHARE AWARDED THIS BUDGET PERIOD...$	1,091,378.00

19. AMOUNT AWARDED THIS ACTION:	**$** 85,800.00
20. FEDERAL $ AWARDED THIS PROJECT PERIOD:	**$** 4,757,728.00

21. AUTHORIZED TREATMENT OF PROGRAM INCOME:
Additional Costs

22. APPLICANT EIN:	23. PAYEE EIN:	24. OBJECT CLASS:
946000509	1946000509A1	41.51

25. FINANCIAL INFORMATION: **DUNS** 794080957

ORGN	DOCUMENT NO.	APPROPRIATION	CAN NO.	NEW AMT.	UNOBLIG.	NONFED %
	09HP001203	75-1718-1536	8-G097128	$85,800.00		

26. REMARKS: (Continued on separate sheets)

27. SIGNATURE - ACF GRANTS OFFICER	DATE:	28. SIGNATURE(S) CERTIFYING FUND AVAILABILITY	
Debi B O'leary	02/28/2018	Ms. TaWanda Goodman	02/27/2018

29. SIGNATURE AND TITLE - PROGRAM OFFICIAL(S)	DATE:
Ms. Jan Y Len - Regional Program Manager, Office of Hea	02/28/2018

DGCM-3-785 (Rev. 86)

DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES
NOTICE OF AWARD

SAI NUMBER:

PMS DOCUMENT NUMBER:

1. AWARDING OFFICE:	2. ASSISTANCE TYPE:	3. AWARD NO.:	4. AMEND. NO.
Office of Head Start	Discretionary Grant	09HP0012-03-02	2

5. TYPE OF AWARD:	6. TYPE OF ACTION:	7. AWARD AUTHORITY:
Service	Supplement	42 USC 9801 ET SEQ.

8. BUDGET PERIOD:	9. PROJECT PERIOD:	10. CAT NO.:
07/01/2017 THRU 06/30/2018	01/01/2015 THRU 06/30/2019	93.600

11. RECIPIENT ORGANIZATION:

CONTRA COSTA COUNTY COMMUNITY SERVICES

STANDARD TERMS

1. Paid by DHHS Payment Management System (PMS), see attached for payment information.This award is subject to the requirements of the HHS Grants Policy Statement (HHS GPS) thatare applicable to you based on your recipient type and the purpose of this award.

   This includes requirements in Parts I and II (available at http://www.hhs.gov/grants/grants/policies-regulations/index.html of the HHS GPS. Although consistent with the HHS GPS, any applicable statutory or regulatory requirements, including 45 CFR Part 75, directly apply to this award apart from any coverage in the HHS GPS.This award is subject to requirements or limitations in any applicable Appropriations Act.This award is subject to the requirements of Section 106 (g) of the trafficking VictimsProtection Act of 2000, as amended (22 U.S.C. 7104).For the full text of the award term, go to http://www.acf.hhs.gov/discretionary-post-award-requirements.
   This award is subject to the Federal Financial Accountability and Transparency Act (FFATA or Transparency) of 2006 subaward and executive compensation reporting requirements.For the full text of the award term, go to http://www.acf.hhs.gov/discretionary-post-award-requirements.This award is subject to requirements as set forth in 2 CFR 25.110 Central Contractor Registration (CCR) and DATA Universal Number System (DUNS). For full text go to http://www.acf.hhs.gov/discretionary-post-award-requirements.

   Consistent with 45 CFR 75.113, applicants and recipients must disclose in a timely manner, in writing to the HHS awarding agency, with a copy to the HHS Office of Inspector General (OIG), all information related to violations of federal criminal law involving fraud, bribery, or gratuityviolations potentially affecting the federal award. Subrecipients must disclose, in a timelymanner, in writing to the prime recipient (pass through entity) and the HHS OIG, all information related to violations of federal criminal law involving fraud, bribery, or gratuity violationspotentially affecting the federal award. Disclosures must be sent in writing to the awarding agency and to the HHS OIG at the following addresses:
   The Administration for Children for Children and FamiliesU.S. Department of Health and Human ServicesOffice of Grants ManagementATTN: Grants Management Specialist330 C Street, SW., Switzer Building Corridor 3200 Washington, DC 20201 AND
   U.S. Department of Health and Human ServicesOffice of Inspector GeneralATTN: Mandatory Grant Disclosures, Intake Coordinator330 Independence Avenue, SW, Cohen BuildingRoom 5527Washington, DC 20201Fax: (202) 205-0604 (Include “Mandatory Grant Disclosures” in subject line) or Email: MandatoryGranteeDisclosures@oig.hhs.gov
   Failure to make required disclosures can result in any of the remedies described in 45 CFR75.371 Remedies for noncompliance, including suspension or debarment (See 2 CFR parts 180& 376 and 31 U.S.C. 3321).

   This award is subject to the requirements as set forth in 45 CFR Part 87. This award is subject to HHS regulations codified at 45 CFR Chapter XIII, Parts 1301, 1302, 1303, 1304 and 1305. Attached are terms and conditions, reporting requirements, and payment instructions. Initial expenditure of funds by the grantee constitutes acceptance of this award.

AWARD ATTACHMENTS

CONTRA COSTA COUNTY COMMUNITY SERVICES

09HP0012-03-02

1. Remarks

26. REMARKS (Continued from previous page)

This grant action awards operations funds for Supplies ($53,050), Contractual ($13,200), and Other ($19,550) for three EHS-CCP partners, Coco Kids, First Baptist East Leland, and First Baptist Fairgrounds.

The request to waive the non-federal share requirement is under review by the Office of Head Start.

Early Head Start population: 72 infants and toddlers.

Designated Early Head Start service area: Contra Costa County, CA

Approved program options: Center-based, Family Child Care.

REQUEST FOR PROGRAM IMPROVEMENT GRANT BUDGET

EARLY HEAD START CHILD CARE PARTNERSHIP PROGRAM – 09HP0012

Community Services Bureau (CSB) is submitting this request for supplemental funding under the Early Head Start Child Care Partnership Program in the amount of $85,800 in order to carry out the Early Head Start Child Care Partnership Program effectively and to comply with federal rating requirements. CSB made a review and assessment of the safety of physical environments of our Partners' centers, namely Cocokids and First Baptist, in order that this program will holistically support and provide safe learning environments for our children. Our program staff identified the need to purchase educational and classroom materials, as well as provide tooth brushing materials, step stool, changing table, locking cabinet, cot sheets, safety mirrors, and room dividers for our Partners' Family Child Care Homes. Likewise, training requirements were identified for our Partners' Early Head Start teaching staff for them to be at par with the skills of our CSB staff and with Early Head Start standard for child care. In addition, new computers and tablets as well as training in technology will be provided to our Partners so that they will be able to comply with the requirements of our Child Location Observation Utilization Data (CLOUD) system. In addition, our Licensed Certified Playground Safety Inspector (CPSI) has identified the need to provide safe sand, wood shade structure, shed and playhouse for the outdoor facilities to improve the quality of health and safety of children in our Partners' Family Child Care Homes.

The supplemental funding of $85,500 being requested will be for the Early Head Start Child Care Partnership program, identified as EHS-CCP #1 (09HP0012). A separate schedule is attached for the breakdown of projected expenditures.

Early Head Start Child Care Partnership #1 (09HP0012) $85,800

(6e) Supplies $53,050

CSB is requesting funding for new and additional education/classroom materials for our Partners' Family Child Care Homes ($35,550) as well as purchase new personal computers and tablets and training for staff in technology ($17,500) so that our partners' operation will be at par with CSB's standard in running our programs.

Coco Kids	$40,150
First Baptist East Leland	3,450
First Baptist Fairgrounds	9,450

(6f) Contractual (Training and Technical Assistance) $13,200

CSB is requesting funding to send our Partners' teaching staff to Early Head Start boot camp and to PITC /IT trainings.

(6h) Other (Health and Safety/Facilities) $19,550

CSB is requesting funding to provide health and safety materials such as tooth brushing materials, posters, wood shade structure, step stool, changing table, locking cabinet, teachers chair, cot sheets, safety mirror, and room dividers ($5,950) as well as upgrade

outdoor facilities such as playground structure with new safe sand, shed and play house for Cocokids and First Baptist Family Child Care Homes ($13,600).

Coco Kids	$13,400
First Baptist East Leland	4,000
First Baptist Fairgrounds	2,150

TOTAL SUPPLEMENTAL BUDGET for EHS-CCP #1 (09HP0012)	**$ 85,800**

NON FEDERAL MATCH	**$ -0-**

The bureau is requesting a waiver of non-federal match in the amount of $21,375. There is no community or parent involvement in these proposals and, therefore, it is not feasible to generate non-federal match.

EARLY HEAD START - CC PARTNERSHIP org no. 1461
JULY 2017- JUNE 2018 (12-months)
As of FEBRUARY 2018 - PERIOD 8

Description	BUDGET	Program Improvement Grant	Total Budget
Expenditures			
a. Salaries & Wages (Object Class 6a)			
Permanent 1011	299,555		299,555
TOTAL PERSONNEL (6a)	299,555	-	**299,555**
b. FRINGE BENEFITS (Object Class 6b)	-		
Fringe Benefits	216,733		216,733
TOTAL FRINGE (6b)	216,733	-	**216,733**
e. SUPPLIES (Object Class 6e)	-		
1. Office Supplies	1,000		1,000
2. Child and Family Services Supplies (Incl.classroom Supp	1,200	53,050.00	54,250
4. Other Supplies	-		-
Computer Supplies, Software Upgrades, Computer Rep	1,200		1,200
Miscellaneous Supplies	100		100
Household Supplies	1,300		1,300
TOTAL SUPPLIES (6e)	**4,800**	**53,050.00**	**57,850**
f. CONTRACTUAL (Object Class 6f)			
1. Adm Svcs (e.g., Legal, Accounting, Temporary Contracts	12,000		12,000
2. Health/Disabilities Services	-		-
5. Training & Technical Assistance - PA11	-		-
Boot camp/PITC/IT trainings	-	13,200.00	13,200
Susan Cooke ($60,000/2)	-		-
7. Delegate Agency Costs	-		-
2. Other Contracts	-		-
Contra Costa Child Care Council	312,000		312,000
Loss of Subsidy	20,000		20,000
Children and Family Supplies (Diapers, etc)	3,000		3,000
First Baptist (20 slots x $450)	109,920		109,920
Child Outcome Planning and Administration (COPA/Nuli	-		-
TOTAL CONTRACTUAL (6f)	456,920	**13,200.00**	**470,120**
h. OTHER (Object Class 6h)			
2. Bldg Occupancy Costs/Rents & Leases	3,800		3,800
4. Utilities, Telephone	6,000		6,000
6. Bldg. Maintenance/Repair and Other Occupancy	1,400		1,400
8. Local Travel (53.5 cents per mile effective 1/1/2017)	4,200		4,200
14. Accounting & Legal Services	-		
Legal (County Counsel)	-		-
Auditor Controllers	-		-
Data Processing/Other Services & Supplies	1,000		1,000
15. Publications/Advertising/Printing	-		
Outreach/Printing	400		400
16. Training or Staff Development	-		
Staff Trainings/Dev. Conf. Registrations/Memberships	25,907		25,907
Mental Health, Disabilities, Health and Safety Training	-		-
Education Curriculum, and Staff Development	-		-
Family, Community and Parent Involvement	-		-
Other Trainings (Nutrition, Program Regulations/Desig	-		-
17. Other	-		
Vehicle Operating/Maintenance & Repair	2,000		2,000
Equipment Maintenance Repair & Rental	4,000		4,000
Health and Safety Improvements	-	19,550.00	19,550
Other Operating Expenses (CSD Admin/Facs Mgt. Alloc	2,106		2,106
TOTAL OTHER (6h)	**50,813**	**19,550.00**	**70,363**
I. TOTAL DIRECT CHARGES (6a-6h)	**1,028,821**	**85,800.00**	**1,114,621**
j. INDIRECT COSTS	62,557		62,557
k. TOTALS - ALL BUDGET CATEGORIES	**1,091,378**	**85,800.00**	**1,177,178**

Community Services Bureau

Early Head Start Child Care Partnership - Program Improvement Grant

		SUPPLIES (6e)					T/TA (6f)			OTHER (6h)					
CENTER/ PARTNER	SLOT	Classroom Materials/Equipment	Amount	Technology	Amount	TOTAL	Training and Technical Assistance	No. of Staff	TOTAL	Health and Safety	Amount	Facilities/Playground	Amount	TOTAL	GRAND TOTAL
CocoKids	52	Materiakls for FCC Homes	30,150	PC, Tablet and Training	10,000	40,150	EHS Boot Camp/PITC	26	8,000	Tooth Brushing, materials, posters	950	Safe Sand	12,450	13,400	**61,550**
East Leland Court	8	Education materials for the classroom	950	PC, Tablet and Training	2,500	3,450			-	wood shade structure, step stool, changing table, locking cabinet, teachers chair, cot sheets, safety mirror and room dividers	2,850	Shed, Play House	1,150	4,000	**7,450**
Fairgrounds	12	Lakeshore Supplies	4,450	PC, Tablet and Training	5,000	9,450	Teacher trainings (PITC/IT)	4	5,200	wood shade structure, step stool, changing table, locking cabinet, teachers chair, cot sheets, safety mirror and room dividers	2,150			2,150	**16,800**
Total EHS-CCP #1	72		**35,550**		**17,500**	**53,050**		**30**	**13,200**		**5,950**		**13,600**	**19,550**	**85,800**

Contra Costa County

To: Board of Supervisors

From: Kathy Gallagher, Employment & Human Services

Date: March 27, 2018

Subject: 2018 Low Income Home Energy Assistance Program Funding, Amendment 1

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with the California Department of Community Services and Development to increase the payment limit by $1,401,999 to a new payment limit of $3,321,891 for Low Income Home Energy Assistance Programs with no change to the term of October 1, 2017 through December 31, 2018.

FISCAL IMPACT:
This contract will increase revenue in an amount not to exceed $3,321,891 from the U.S. Department of Health and Human Services via the California Department of Community Services and Development. 100% federal funds with no County match requirement.

CFDA # 93.568
State: 18B-4005, Amend 1 / CCC:39-854-6

BACKGROUND:
Contra Costa County has received funding from the State Department of Community Services and Development for 25 years wherein the County provides energy bill assistance payments and weatherization services for income-eligible County residents. The funding sources for these programs include Low Income Home Energy Assistance Program (LIHEAP), the Energy Crisis Intervention Program (ECIP),

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [x] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: CSB, 925-681-6334

cc: Nelly Ige, Sam Mendoza

BACKGROUND: (CONT'D)

and the Department of Energy (DOE), the Low Income Weatherization Program (LIWP) and the Toilet Retrofit Program (TRP).

The Employment & Human Services Department (EHSD) partners with the Department of Conservation and Development to provide energy-saving home improvements for low-income families throughout unincorporated Contra Costa County, as well as the County's nineteen cities. The energy saving measures may include the provision of hot water heaters, furnaces, refrigerators, microwaves, doors, windows, fluorescent light bulbs, weather stripping, ceiling fans, and/or attic insulation. Blower door tests (a diagnostic tool to locate and correct air infiltration) are conducted on homes, and combustion appliance safety tests are conducted on homes with gas appliances to check for carbon monoxide gas leakage. Carbon monoxide alarms are provided to homeowners with gas appliances.

The Home Energy Assistance Program (HEAP) allows eligible County residents to qualify for a credit on their energy bills.

Both programs use income based eligibility. Once eligibility is determined, top priority is given to clients with no hot water, no heat, or are in danger of having their power shut off. Priority of service is then based on clients with the lowest income, highest energy burden and families with at least one resident who is considered to be a member of a vulnerable population.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, County will forego funding to continue operating LIHEAP.

CHILDREN'S IMPACT STATEMENT:

The Employment & Human Services Department, Community Services Bureau energy programs supports Outcome #4: Families that are Safe, Stable and Nurturing. This outcome is supported by the provision of home energy assistance to keep households warm in winter and to increase household energy efficiency.

Contra Costa County

To: Board of Supervisors

From: Kathy Gallagher, Employment & Human Services Director

Date: March 27, 2018

Subject: Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Stalking Grant

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to apply for and accept grant funding in the amount of not to exceed $900,000 from the U.S. Department of Justice, Office of Violence Against Women's Improving Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Stalking Grant to work collaboratively with the community to identify problems and share ideas that will result in effective responses that ensure victim safety and offender accountability for the period October 1, 2018 through September 30, 2021.

FISCAL IMPACT:

County to receive grant funds in an amount not to exceed $900,000. (100% Federal) (No County match)

BACKGROUND:

The Improving Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Stalking Grant, formerly known as Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program, is designed to encourage partnerships among state, local, and tribal governments, courts, victim service providers, coalitions, and rape crisis centers to ensure that sexual assault, domestic violence, dating violence, and stalking are treated seriously by requiring the coordinated involvement of the entire criminal justice system and community-based victim service providers.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
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David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

Contact: Elaine Burres, 608-4960

cc:

CONSEQUENCE OF NEGATIVE ACTION:

The County will not be able to apply for grant funds to address victimization and violence against women.

Contra Costa County

To: Board of Supervisors

From: David O. Livingston, Sheriff-Coroner

Date: March 27, 2018

Subject: Agreement with the State of California for law enforcement services at the County Fair

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a contract with the State of California, 23rd District Agricultural Association, including full indemnification of the State of California, to pay the County an amount not to exceed $35,000 to provide law enforcement services at the Contra Costa County Fair for the period of May 16, 2017 through May 20, 2017.

FISCAL IMPACT:
$35,000; 100% State of California reimbursement revenue.

BACKGROUND:
Each year the State of California provides funding to the Office of the Sheriff to provide law enforcement services at the County Fair. This contract will enable the Sheriff's Office to augment regular deputies with reserve deputies during the event at no cost to the County.

CONSEQUENCE OF NEGATIVE ACTION:
The Sheriff's Office will not be authorized to enter into the contract.

CHILDREN'S IMPACT STATEMENT:
No impact.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
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Action of Board On: **03/27/2018** [x] APPROVED AS RECOMMENDED [ ] OTHER

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ATTESTED: March 27, 2018

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

Contact: Sandra Brown, 925-335-1553

By: , Deputy

cc:

Contra
Costa
County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Agreement #29-391-16 with the California Department of Public Health Office of AIDS

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute Agreement #29-391-16 (State #17-10797) with the California Department of Public Health, Office of AIDS, to pay County an amount not to exceed $25,727 per client, per calendar year, for the AIDS Medi-Cal Waiver Program for the period January 1, 2018 through December 31, 2020.

FISCAL IMPACT:
The maximum amount payable per eligible client per year served under this agreement shall not exceed $25,727. Payment is provided for specific services at established Medi-Cal rates. The total funded amount will be determined by the number of "slots" awarded and services provided. (No County match required)

BACKGROUND:
The Department's Public Health Division, AIDS Program staff is experienced in providing case management services for people with HIV Disease. The AIDS Medi-Cal Waiver Program goals are to lessen the financial cost of care which, for people with AIDS and AIDS Related Complex (ARC), are historically driven by hospital-iza-tions and other institution-based care, and to provide the most humane and appropriate levels of care in the most appropriate setting for the client. Participation in the program allows the Department's AIDS Program to offer case-managed home and community-based care to

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
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ATTESTED: March 27, 2018

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

Contact: Dan Peddycord, 925-313-6712

By: , Deputy

cc: D Morgan, M WILHELM

BACKGROUND: (CONT'D)

a greater number of clients in the county.

Approval of this Agreement #29-391-16 with the State will allow County's Public Health Division to continue to provide direct home health care services to AIDS Medi-Cal Waiver Program clients including mutual indemnification to hold harmless both parties for any claims arising out of the performance of this contract, through December 31, 2020.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the County will not receive funding for the AIDS Medi-Cal Waiver Program.

Contra Costa County

To: Board of Supervisors

From: Kathy Gallagher, Employment & Human Services Director

Date: March 27, 2018

Subject: City of Richmond, Richmond Police Department, Children's Interview Center Funding

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to accept funding in an amount not to exceed $17,978 from the City of Richmond, Richmond Police Department, for the provision of a trained forensic interviewer at the Children's Interview Center for the period July 1, 2018 through June 30, 2019.

FISCAL IMPACT:
County to receive funds in an amount not to exceed $17,978 from the City of Richmond, Richmond Police Department for the Children's Interview Center.

BACKGROUND:
The Employment and Human Services Department provides a trained forensic interviewer during investigations at the Children's Interview Center, where non-acute exams are given to children who have been sexually abused, physically abused and/or otherwise neglected.

CONSEQUENCE OF NEGATIVE ACTION:
Without funding, the Children's Interview Center services would be curtailed.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
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Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

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

Contact: Elaine Burres, 608-4960

By: , Deputy

cc:

CHILDREN'S IMPACT STATEMENT:

The funding will support one of the five community outcomes established in the Children's Report Card; 2) Children and Youth Healthy and Preparing for Productive Adulthood, by providing a safe and supportive environment at the Children's Interview Center.

Contra Costa County

To: Board of Supervisors

From: Kathy Gallagher, Employment & Human Services Director

Date: March 27, 2018

Subject: California Department of Rehabilitation, Employment Training Panel Grant

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, on behalf of the Workforce Development Board, to apply for and accept Title V Vocational Rehabilitation grant funding in an amount not to exceed $250,000 from the California Department of Rehabilitation, Employment Training Panel to design, develop, and implement work experience and job preparation training for students with disabilities, ages 16-21 years, for the period April 1, 2018 through March 30, 2019.

FISCAL IMPACT:

County to receive an amount not to exceed $250,000 in federal Workforce Innovation and Opportunity Act, Title V Vocational Rehabilitation funding. (No County match)

BACKGROUND:

The California Department of Rehabilitation Employment Training Panel, Summer Training & Employment Program for Students (STEPS) funding will be used to provide job preparation training, including job exploration, workplace readiness skills training, and work-based learning experiences, as well as summer work experience, to students with disabilities. A minimum of 20 students, ages 16-21 years old, will receive training services in STEPS.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
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Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

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ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Elaine Burres, 608-4960

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Without funding, the County could not offer STEPS to students, ages 16-21, with disabilities.

Contra
Costa
County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Standard Agreement #29-791 with the California Department of Health Care Services

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute Standard Agreement #29-791 (State #17-94494) with the California Department of Health Care Services (DHCS), to pay the County an amount not to exceed $50,000, for the development of policies and procedures for palliative care services for Medi-Cal beneficiaries, for the period from February 1, 2018 through June 30, 2018.

FISCAL IMPACT:
This agreement will result in an amount not to exceed $50,000 from the California Department of Health Care Services to fund the Palliative Care Program. No County match required.

BACKGROUND:
In accordance with Senate Bill (SB) 1004 (Chapter 574, Statutes of 2014) established Welfare and Institutions Code (WIC) Sections 14132.75, which require DHCS to establish standards for and provide technical assistance to Medi-Cal managed care plans for delivery of palliative care services. DHCS released a palliative care policy document in September 2016. The purpose of this agreement is for the Health Services Department's Contra Costa Health Plan (CCHP) to develop a comprehensive policy and procedure for the implementation of palliative care services for its Medi-Cal beneficiaries.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

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ATTESTED: March 27, 2018

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

Contact: Patricia Tanquary, 925-313-6004

By: , Deputy

cc: Tasha Scott, Marcy Wilhelm

BACKGROUND: (CONT'D)

Under Standard Agreement #29-791, CCHP will develop policies and procedures for palliative care services for CCHP Medi-Cal beneficiaries, through June 30, 2018. This agreement includes agreeing to indemnify the State for any claims arising out of the County's performance under the agreement.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, CCHP will not be able to develop a comprehensive policy and procedure for the implementation of palliative care services for CCHP Medi-Cal beneficiaries.

Contra Costa County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Grant Agreement #28-368 with California Department of Public Health

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute Grant Agreement #28-368 with the California Department of Public Health (CDPH), to pay the County an amount not to exceed $1,609,085, for the Local Oral Health Program, for the period from January 1, 2018 through June 30, 2022.

FISCAL IMPACT:
Approval of this grant agreement will allow the County to receive funding from the California Department of Public Health through June 30, 2022. No County match is required.

BACKGROUND:
The CDPH Oral Health Program is a collaboration to build capacity at the local level to address oral health which is essential for overall health. Tooth decay is the number one chronic disease of childhood. The activities will address problems identified by local needs assessments and will reflect the California Oral Health Plan priorities.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
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Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

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ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Dan Peddycord, 925-313-6712

cc: Tasha Scott, Marcy Wilhelm

BACKGROUND: (CONT'D)

Approval of Grant Agreement #28-368 will allow the County to participate in the Local Oral Health Program to provide oral health services for the low-income population in Contra Costa County, through June 30, 2022. This agreement includes agreeing to indemnify the State for any claims arising out of the County's performance under the agreement.

CONSEQUENCE OF NEGATIVE ACTION:

If this agreement is not approved, the County will not receive funding to support the Local Oral Health Program for Contra Costa County residents.

Contra Costa County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Agreement #29-208-83 with the California Department of Public Health, Immunization Program

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute Standard Agreement #29-208-83 (State #17-10316) with the California Department of Public Health, Immunization Program to pay County an amount not to exceed $1,593,320, to implement the Immunization Program, for the period from July 1, 2017 through June 30, 2022.

FISCAL IMPACT:
Approval of this agreement will result in an amount not to exceed $1,593,320 in funds from the California Department of Public Health, for the County's Immunization Program. No County match required.

BACKGROUND:
The County's Immunization Program will implement the Project including making immunizations available to all persons in need of such service in order to prevent the occurrence and transmission of childhood diseases. The Program monitors the compliance of preschools, elementary schools, and secondary schools in meeting State-mandated immunization requirements through in-service programs and limited technical assistance. An adverse reaction monitoring system and outbreak control team are also included in the Program.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

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ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Dan Peddycord, 925-313-6712

cc: Detra Morgan , Marcy Wilhelm

BACKGROUND: (CONT'D)

Approval of this Standard Agreement #29-208-83 will allow the County to continue providing services, through June 30, 2022. This agreement includes agreeing to indemnify the State for any claims arising out of the County's performance under the agreement.

CONSEQUENCE OF NEGATIVE ACTION:

If this agreement is not approved, County would lose funding to support and monitor the compliance of preschools, elementary schools, and secondary schools in meeting State-mandated immunization requirements through in-service programs to prevent the occurrence and transmission of childhood diseases. Further, the County would no longer receive free vaccine from the State.

Contra
Costa
County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Standard Agreement #28-300-6 with the California Department of Health Care Services

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute Standard Agreement #28-300-6 (State #18-95004) with the California Department of Health Care Services (DHCS), to pay the County an amount not to exceed $21,000,000, for the Medi-Cal Administrative Activities (MAA) Program, for the period from July 1, 2018 through June 30, 2021.

FISCAL IMPACT:
This agreement will result in an amount not to exceed $21,000,000 from the California Department of Health Care Services to fund the MAA Program. No County match is required.

BACKGROUND:
The DHCS is responsible for administering the California MAA Program, which is authorized by Title 42, United States Code Section 1396 and Welfare and Institutions Code Division 9, Part 3, Chapter 7 (commencing with Section 14000) and Chapter 8 (commencing with Section 14200). The Federal Social Security Act mandates cooperative arrangements between the single state agency and participating local government agencies (LGA's) responsible for providing health related administrative activities. The goal of this agreement is to ensure that Contra Costa County Medi-Cal potentially eligible individuals and their families are appropriately informed of the Medi-Cal Program and how to access it, and assisted in accessing

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

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ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Patrick Godley, 925-957-5410

cc: Tasha Scott, Marcy Wilhelm

BACKGROUND: (CONT'D)

the Medi-Cal Program.

On October 25, 2016, the Board of Supervisors approved Standard Agreement #28-300-5 with the DHCS for the Medi-Cal Administrative Activities Program, through June 30, 2018.

Approval of this Standard Agreement #28-300-6 will allow continuous funding to the County's Health Services Department for the MAA Program, through June 30, 2021. This agreement includes agreeing to indemnify the State for any claims arising out of the County's performance under the agreement.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the County will not receive funds to continue providing the MAA Program.

Contra Costa County

To: Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: March 27, 2018

Subject: Execute a contract with LSA Associates, Inc. for the Marsh Drive Bridge Replacement over Walnut Creek Channel-Environmental Tech Studies Project.

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with LSA Associates, Inc., effective March 27, 2018 to March 27, 2021 in an amount not to exceed $183,335, for the Marsh Drive Bridge (#28C0442) Replacement over Walnut Creek Channel-Environmental Technical Studies Project, Concord area. County Project No. 0662-6R4119, Federal Aid No. BRLS-5928(128).

FISCAL IMPACT:
This Contract is funded 89% Federal Highway Bridge Replacement Funds and 11% Local Road and Transportation Funds.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

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ATTESTED: March 27, 2018

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

Contact: Trina Torres, 925 313-2176

By: , Deputy

cc: Ave Brown, Environmental Services, Claudia Gemberling, Environmental Services

BACKGROUND:

Contra Costa County Public Works Department (County) plans to replace the Marsh Drive Bridge over the Walnut Creek Channel (Bridge No. 28C-0442) to meet current California Department of Transportation (Caltrans) design standards as it has reached the end of its design life and will also improve channel hydraulics (the "Project"). The Project is located in the Concord area. The bridge is jointly owned by the City of Concord and Contra Costa County and is approximately 800 feet west of Solano Way.

The Project requires environmental technical studies to support Project impact analysis. Caltrans, acting as the lead agency under the assigned authority of the Federal Highway Administration (FHWA), is providing Project oversight as federal funds are involved. Therefore, LSA Associates, Inc. will provide environmental services to comply with the National Environmental Policy Act (NEPA), in accordance with FHWA and Caltrans requirements, as well as with the California Environmental Quality Act (CEQA) under this Contract.

CONSEQUENCE OF NEGATIVE ACTION:

If the contract is not approved by the Board of Supervisors, it may jeopardize funding and delay construction.

Contra Costa County

To: Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: March 27, 2018

Subject: APPROVE a contract with Agurto Corporation (dba Pestec Exterminator Co.)

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Agurto Corporation (dba Pestec Exterminator Co.) in an amount not to exceed $1,400,000 for structural integrated pest management services, for the period April 1, 2018 through March 31, 2021 Countywide. (100% General Fund)

FISCAL IMPACT:
This cost is to be funded through Facilities Services maintenance budget. (100% General Fund)

BACKGROUND:
Public Works Facilities Services is responsible for managing the County's structural integrated pest management program. This program monitors the County's efforts to control pests while not endangering the environment. As bid on Bidsync #1405-082, Pestec Exterminator Co. was the lowest responsible and responsive vendor, and has become the primary vendor for structural integrated pest management services. This request is for a three year contract.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

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ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Stan Burton
925-313-7078

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, structural integrated pest management with Pestec Exterminator Co. will be discontinued.

Contra Costa County

To: Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: March 27, 2018

Subject: APPROVE a Purchase Order Amendment with Royal Wholesale Electric Co.

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Public Works Director, a purchase order amendment with Royal Wholesale Electric Co. to increase the payment limit by $200,000 to a new payment limit of $390,000 for will call electrical parts and supplies and to extend the term from April 30, 2018 to April 30, 2020, Countywide. (100% General Fund)

FISCAL IMPACT:
This cost is to be funded through the Public Works Facilities Services budget. (100% General Fund)

BACKGROUND:
Public Works Materials Management is responsible for acquiring electrical maintenance supplies. Electrical supply items not stocked at the Waterbird facility are available to the electrical staff at several electrical parts houses in the area. As bid on Bidsync # "1604-178, Electrical Will Call Purchases", Royal Electrical Wholesale was awarded this commodity. This commodity was originally bid for one year with four possible one year extensions. This request represents the fourth possible one year extension.

CONSEQUENCE OF NEGATIVE ACTION:
If this agreement is not approved, then purchasing will call electrical parts through Royal Electrical Wholesale will discontinue.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
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Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

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ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Stan Burton
925-313-7077

cc:

Contra Costa County

To: Board of Supervisors

From: David O. Livingston, Sheriff-Coroner

Date: March 27, 2018

Subject: Teleosoft Contract

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to continue a Software License Maintenance Agreement with Teleosoft, Inc., increasing the payment limit by $215,000 from $177,140 to a new amount of $392,140 to provide civil case processing software for the Sheriff's Office - Civil Unit.

FISCAL IMPACT:
$332,140.00, 100% General Fund; Budgeted

BACKGROUND:
Teleosoft, Inc., provides civil case process software called CountySuite Sheriff for Sheriff Offices. CountySuite Sheriff completely and accurately manages the entirety of the Sheriff civil process. CountySuite Sheriff will provide functionality to the Contra Costa County Sheriff's Office to quickly find and update case information, eliminate redundant data entry, fully manage and verify the earnings withholding orders, generate and capture all documents and forms, and add an unlimited number of cases, contacts, and instructions. The integrated accounting system tracks all costs, keeps all case ledgers current, and supplies accounting reports for the office and auditor. Software features for the Sheriff's Office include case management for civil actions (complaint, summons, orders, subpoena, etc.), personal property (levies, possession, seizure, eviction, etc.), scanning, temporary restraining orders, services public portal, attorney portal, and witness fee processing.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [x] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Sandra Brown, 925-335-1553

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Not approving this software license and the maintenance agreements will seriously impact the Office of the Sheriff's ability to process and meet legal requirements regarding time lines.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

Contra
Costa
County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Amendment #26-528-13 with Acusis, LLC

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute Contract Amendment #26-528-13 with Acusis, LLC, a limited liability company, effective January 31, 2018, to amend Contract #26-528-11, to increase the payment limit by $29,273 from $300,000 to a new total payment limit of $329,273 for additional medical and dictation transcription services at Contra Costa Regional Medical Center (CCRMC) and Health Centers, with no change in the original term of March 1, 2017 through February 28, 2018.

FISCAL IMPACT:
This amendment is funded by Hospital Enterprise Fund I. (No rate increase)

BACKGROUND:
On February 7, 2017, the Board of Supervisors approved Contract #26-528-11 with Acusis, LLC for the provision of medical and dictation transcription services for patients at CCRMC and Health Centers, for the period from March 1, 2017 through February 28, 2018.

Approval of Contract Amendment Agreement #26-528-13 will allow the contractor to provide additional dictation transcription services through February 28, 2018.

- [x] APPROVE
- [ ] OTHER
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Jaspreet Benepal
925-370-5741

cc: L Walker , M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, Contra Costa Health Services will not have access to dictation transcription services.

Contra Costa County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Contract #77-123 with Behavioral Health Works, Inc.

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute Contract #77-123 with Behavioral Health Works, Inc., a corporation, in an amount not to exceed $1,500,000 to provide applied behavioral analysis services to Contra Costa Health Plan (CCHP) members, for the period from March 1, 2018 through February 29, 2020.

FISCAL IMPACT:
This contract is funded 100% by CCHP Enterprise Fund II. (No rate increase)

BACKGROUND:
Under Contract #77-123, this contractor will provide applied behavior analysis services for CCHP members for the period March 1, 2018 through February 29, 2020.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, certain specialty health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Patricia Tanquary, (925) 313-6004

cc: A Floyd, M Wilhelm

Contra
Costa
County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Contract #77-016-1 with Mauricio Kuri, M.D., P.C.

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute Contract #77-016-1 with Mauricio Kuri, M.D., P.C., an individual, in an amount not to exceed $200,000 to provide plastic and reconstructive surgery services to Contra Costa Health Plan (CCHP) members, for the period from April 1, 2018 through March 31, 2020.

FISCAL IMPACT:
This contract is funded 100% by CCHP Enterprise Fund II. (No rate increase)

BACKGROUND:
In March 2016, the County Administrator approved and Purchasing Manager executed Contract #77-016 with Mauricio Kuri, M.D., P.C., for the provision of plastic and reconstructive surgery services for CCHP members, for the period from April 1, 2016 through March 31, 2018.

Approval of Contract #77-016-1 will allow the contractor to continue providing plastic and reconstructive surgery services for CCHP members through March 31, 2020.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Patricia Tanquary, (925) 313-6004

cc: A Floyd, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialty health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided.

Contra
Costa
County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Contract #77-014-2 with Friendly Cab Company, Inc.

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute Contract #77-014-2 with Friendly Cab Company, Inc., a corporation, in an amount not to exceed $125,000, to provide non-medical transportation services to Contra Costa Health Plan (CCHP) members, for the period from April 1, 2018 through March 31, 2020.

FISCAL IMPACT:
This contract is funded 100% by Contra Costa Health Plan Enterprise Fund II. (No rate increase)

BACKGROUND:
In August 2016, the County Administrator approved and the Purchasing Manager executed Contract #77-014 (as amended by Amendment Agreement #77-014-1) with Friendly Cab Company, Inc., for the period from April 1, 2016 through March 31, 2018, for non-medical transportation services for CCHP members.

Approval of Contract #77-014-2 will allow the contractor to continue to provide non-medical transportation services for CCHP members through March 31, 2020.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Patricia Tanquary, (925) 313-6004

cc: A Floyd, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialty health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided.

Contra Costa County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Contract #77-011-2 with Bay Area Surgical Specialists Services, LLC

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute Contract #77-011-2 with Bay Area Surgical Specialists Services, LLC, a limited liability company, in an amount not to exceed $2,000,000, to provide ambulatory surgery services to Contra Costa Health Plan (CCHP) members for the period from March 1, 2018 through February 29, 2020.

FISCAL IMPACT:
This contract is funded 100% by CCHP Enterprise Fund II. (No rate increase)

BACKGROUND:
On February 9, 2016, the Board of Supervisors approved Contract #77-011 (as amended by Amendment Agreement #77-011-1) with Bay Area Surgical Specialists Services, LLC for the provision of ambulatory surgery services to CCHP members, for the period from March 1, 2016 through February 28, 2018.

Approval of Contract #77-011-2 will allow the contractor to continue providing ambulatory surgery services to CCHP members through February 29, 2020.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Patricia Tanquary, (925) 313-6004

cc: A Floyd, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialty health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided.

Contra
Costa
County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Contract #27-800-6 with VVS Primary Care Medical Group, Inc. (DBA Piedmont Primary Care)

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute Contract #27-800-6 with VVS Primary Care Medical Group, Inc. (dba Piedmont Primary Care), a corporation, in an amount not to exceed $400,000, to provide primary care services to Contra Costa Health Plan (CCHP) members, for the period May 1, 2018 through April 30, 2020.

FISCAL IMPACT:
This contract is funded 100% by CCHP Enterprise Fund III. (No rate increase)

BACKGROUND:
On April 19, 2016, the Board of Supervisors approved Contract #27-800-5 with VVS Primary Care Medical Group, Inc. (dba Piedmont Primary Care) for the provision of primary care services to CCHP members, for the period from May 1, 2016 through April 30, 2018.

Approval of Contract #27-800-6 will allow the contractor to provide additional primary care services for CCHP members through April 30, 2020.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Patricia Tanquary, (925) 313-6004

cc: A Floyd, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialty health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided.

Contra Costa County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Contract #27-871-3 with Viet H. Ho, M.D., A Professional Corporation

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute Contract #27-871-3 with Viet H. Ho, M.D., A Professional Corporation, a corporation, in an amount not to exceed $250,000, to provide ophthalmology services to Contra Costa Health Plan (CCHP) members, for the period May 1, 2018 through April 30, 2020.

FISCAL IMPACT:
This contract is funded 100% by CCHP Fund III. (No rate increase)

BACKGROUND:
On April 19, 2016, the Board of Supervisors approved Contract #27-871-2 with Viet H. Ho, M.D., A Professional Corporation for the provision of ophthalmology services to CCHP members, for the period from May 1, 2016 through April 30, 2018.

Approval of Contract #27-871-3 will allow the contractor to provide additional ophthalmology services for CCHP members through April 30, 2020.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Patricia Tanquary, (925) 313-6004

cc: A Floyd, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialty health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided.

Contra Costa County

To: Board of Supervisors

From: David O. Livingston, Sheriff-Coroner

Date: March 27, 2018

Subject: West Advanced Technologies, Inc.

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a contract amendment with West Advanced Technologies, Inc., to extend the term of the contract by one-year, from June 30, 2018 to a new term of June 30, 2019 for specialized design development, programming, and maintenance and support for the Automated Regional Information Exchange System.

FISCAL IMPACT:
Urban Areas Security Initiative (UASI) Grant Funding of up to $250,000; remaining $150,000 ARIES Funding.

BACKGROUND:
The Automated Regional Information Exchange System (ARIES) is a software application owned by Contra Costa County, and used by County and other law enforcement agencies to manage arrest and parolee data collected from law enforcement agencies. ARIES manages arrest and parole data provided by local law enforcement agencies that is stored on a County server. The purpose of this Contract amendment is to allow more time for the Contractor to provide consulting, design development, programming services, maintenance and support services to the Sheriff's Office. The project

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [x] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: March 27, 2018

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

Contact: Sandra Brown
925-335-1553

By: , Deputy

cc:

BACKGROUND: (CONT'D)

is being designed to include modernizing user interface within ARIES application, implementing user training navigator and application user interface monitoring tools. The ultimate goal of this project is to make the user's experience as integrated and intuitive as possible. There are currently more than 9,000 users from over 93 different agencies participating in the system.

CONSEQUENCE OF NEGATIVE ACTION:

ARIES is 13 years old, the system is aging and in need of improvements to support a modern, advanced, industry standard model. If this contract is not approved, ARIES will not be able to upgrade and implement a sophisticated data sharing system for more than 9,000 users.

CHILDREN'S IMPACT STATEMENT:

N/A

Contra Costa County

To: Board of Supervisors

From: John Kopchik, Director, Conservation & Development Department

Date: March 27, 2018

Subject: Allocation of Funds from Livable Communities Trust (District II portion)

RECOMMENDATION(S):

1. ALLOCATE $75,000 from the Livable Communities Trust (District II portion) to the Public Works Department and AUTHORIZE the Public Works Director to engage The Landscape Company through an existing on-call contract, for the Newell Avenue Pathway Project, as recommended by Supervisor Anderson. County Project No. 0662-6R4071, DCD-CP#18-13 (District II); DETERMINE the Project is a California Environmental Quality Act (CEQA), Class 1(c) Categorical Exemption, pursuant to Article 19, Section 15301 of the CEQA Guidelines, and DIRECT the Director of Department of Conservation and Development to file a Notice of Exemption with the County Clerk, and AUTHORIZE the Public Works Director or designee to arrange for payment of a $25 fee to the Department of Conservation and Development for processing, and a $50 fee to the County Clerk for filing the Notice of Exemption.

2. ALLOCATE $10,000 from the Livable Communities Trust (District II portion) to the Innovation Tri-Valley Leadership Group for the Tri-Valley Rising Report, as recommended by Supervisor Andersen.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Kristin Sherk, (925) 674-7887

By: , Deputy

cc:

FISCAL IMPACT:

No General Fund Impact. Funds in the total amount of $85,000 ($75,000 for the Newell Avenue Pathway project and $10,000 for the Tri-Valley Rising Report) are from the District II allocation of deposits into the Livable Communities Trust Fund (Fund). On December 3, 2013, the Board of Supervisors determined that revenue from the Fund should be spent equally among supervisorial districts. At build-out of the development projects contributing revenue to the Fund, deposits will total $8,448,000. As of March 9, 2018, the fund balance was $7,612,137. The account has earned approximately $457,574 in interest to date. There have been $671,037 in expenditures. Previously approved allocations are shown in Attachment A.

BACKGROUND:

The Livable Communities Trust Fund (Fund) is a Special Revenue Mitigation Fund established by the Board of Supervisors on November 15, 2005, following the approval of the Camino Tassajara Combined General Plan Amendment Project, also known as the Alamo Creek and Intervening Property residential projects, to implement a condition of approval. The Fund was established to implement the County's Smart Growth Action Plan. The residential developers pay an $8,000 per unit fee (excluding affordable housing portions of the projects) into the Fund. The Department of Conservation and Development administers the Fund.

The Newell Avenue Pathway Project

The project is located along Newell Avenue in unincorporated Walnut Creek, from Olympic Boulevard to Circle Drive. The overall purpose of the project is to repair the existing decomposed granite path and raise meter boxes to grade, along the southern side of Newell Avenue. The scope of work varies between segments of the path. From Olympic Boulevard to Magnolia Avenue and from 1813 Newell Avenue to Circle Drive, the work includes the installation of decomposed granite mixed with an organic binder to level the path, the installation of pressure treated borders, and the installation and raising of new meter boxes to be level with the finished path. From Magnolia Avenue to 1813 Newell Avenue, the work includes the installation of decomposed granite mixed with an organic binder to depressed areas, as needed, and the installation and raising of new meter boxes to be level with the finished surfaces.

The Landscape Company, an on-call contractor with the Public Works Department, will be utilized to complete the repair of the Newell Avenue Pathway project prior to a scheduled surface treatment along Newell Avenue in Summer 2018. An Authorization to Proceed will be provided to the Landscape Company following Board approval with the project commencing in April 2018.

The project supports goal five of the Smart Growth Action Plan to help fund transit and transportation improvements which foster smart growth principles. The Public Works Director, or designee, will engage with The Landscape Company through an existing on-call contract, to conduct the Newell Avenue Pathway Project. A map of the proposed project is shown in Attachment B.

Tri-Valley Rising Report

The Innovation Tri-Valley Leadership group in partnership with the Bay Area Council Economic Institute, proposes the 2018 Tri-Valley Rising Report, an update to the 2013 Tri-Valley Rising report. The 2013 report on the Tri-Valley focused specifically on its economic and physical interconnectedness to the broader Bay Area. The 2018 update to the report will dive deeper into the elements of the Tri-Valley economy that make it one of the most economically prosperous parts of the Bay Area region. It is an essential and unique document that measures, advances, and markets the Tri-Valley today. It provides a compelling narrative of the economic strength of the five cities and two counties, but also points out the challenges faced.

The report supports goal three of the Smart Growth Action Plan to promote innovative land use planning and design principles that encourage mixed use and infill development and goal four to promote economic revitalization in urban infill communities. The 2018 report will be divided into four main points of analysis including the economic overview of the Tri-Valley, the indicators of entrepreneurialism in the Tri-Valley, the relationship of land use and transportation planning to economic success, and the vision for the future of the Tri-Valley.

The Department of Conservation and Development Director, or designee, will execute a contract on behalf of the County, with the Innovation Tri-Valley Leadership Group to fund the report $10,000 to assist the 2018 Tri-Valley Rising Report finalization and publication. Other sources of financing include funding from the Cities of Dublin, Livermore, Pleasanton, San Ramon, and the Town of Danville. In addition, Alameda County Supervisors from District 1 and 4 are contributing to the updated report.

CONSEQUENCE OF NEGATIVE ACTION:

The Newell Avenue Pathway project would not receive the subject funds, and the ability to complete the project would be compromised. The Tri-Valley Rising project would not receive the subject funds, and the ability to publish the report would be compromised.

CHILDREN'S IMPACT STATEMENT:

The Newell Avenue Pathway project supports outcome 5: Communities are Safe and Provide a High Quality of Life for Children and Families. The Children's Impact Statement is not applicable for the Tri-Valley Rising Report.

ATTACHMENTS

Attachment A: LCT Project List

Attachment B: Newell Avenue Pathway Scoping Map

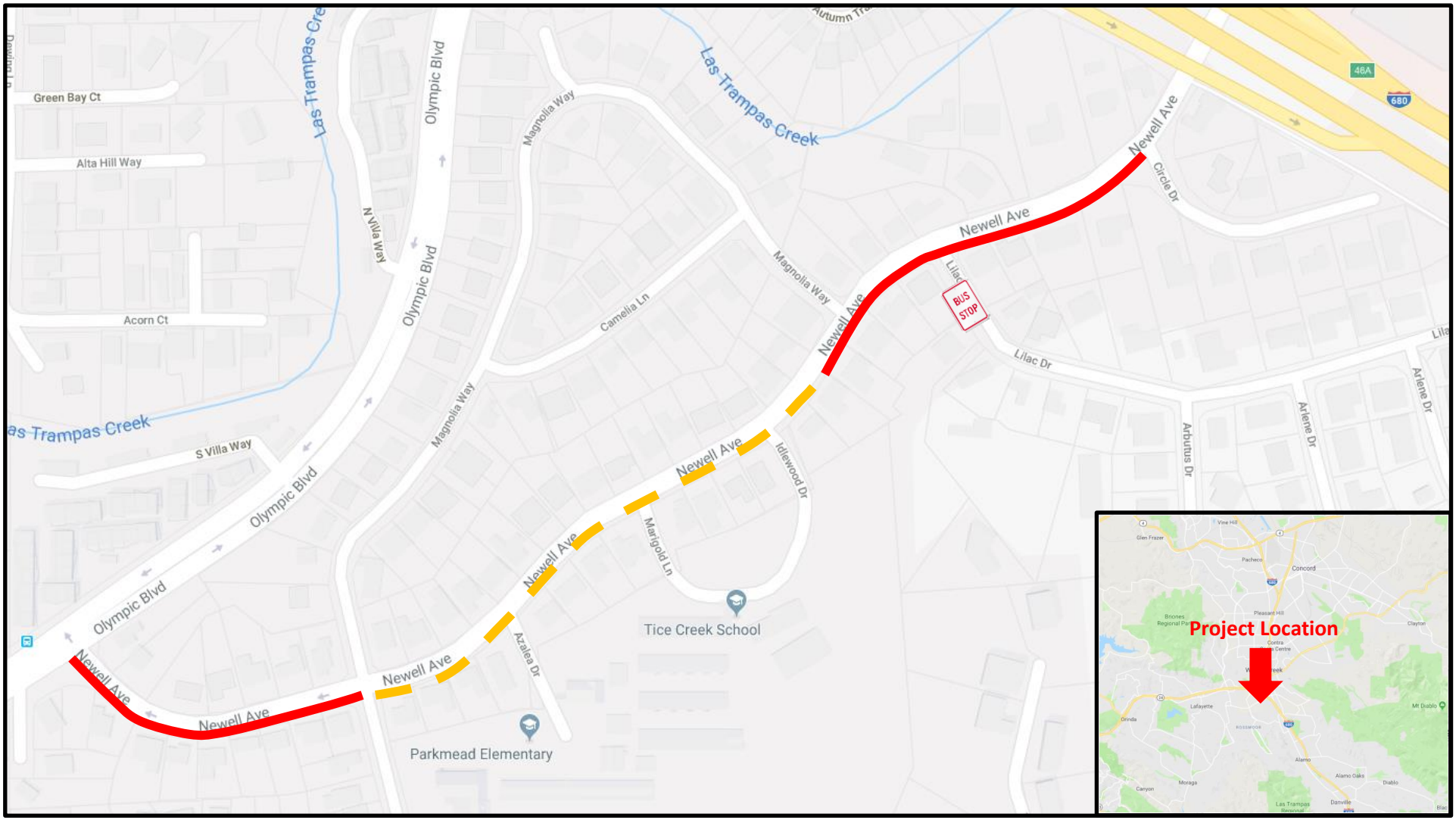
Newell Avenue CEQA Exemption

Liveable Communities Trust Fund List of Projects

Number	Board Date	Project	Amount	Sup District		Expenditures	Remaining Balance
2013-01	10/22/2013	Northern Waterfront	$ 250,000	All		$ 250,000.00	$ -
2016-01	6/14/2016	Heritage Point	$ 1,432,830	I		$ 57,599.72	$ 1,375,230
2016-02	12/20/2016	Marsh Creek Trail	$ 250,000	III		$ -	$ 250,000
2016-03	12/20/2016	Agriculture Policy Study	$ 150,000	III		$ 150,000.00	$ -
2017-01	3/7/2017	Agra Tech Solar Light Greenhouse	$ 50,000	IV and V	50% each	$ -	$ 50,000
2017-02	3/14/2017	Rides for Veterans (Mobility Matters)	$ 33,458	II		$ 33,458.00	$ -
2017-02	3/14/2017	Rides for Veterans (Mobility Matters)	$ 50,187	IV		$ 34,979.00	$ 15,208
2017-03	9/19/2017	Garden Park Apartments	$ 125,000	IV		$ 125,000.00	$ -
2018-01	1/16/2018	SRV Street Smarts	$ 20,000	II		$ 20,000.00	$ -
2018-02	2/27/2018	Contra Costa Housing Security Fund	$ 10,000	II		$ -	$ 10,000
2018-03	3/27/2018	Newell Avenue Pathway	$ 75,000	II		$ -	$ 75,000
2018-04	3/27/2018	Tri Valley Rising Report	$ 10,000	II		$ -	$ 10,000

Newell Avenue Path Repair

Olympic Boulevard to Circle Drive



Repair path per complete project scope and specifications.

Raise meter boxes and level path to grade.

BUS STOP

Deposit spoils at bus stop on Lilac Drive

Contra
Costa
County

PUBLIC WORKS DEPARTMENT
INITIAL STUDY OF
ENVIRONMENTAL SIGNIFICANCE

PROJECT NUMBER: **0662-6R4071**
CP# **18-13**

PROJECT NAME: **Newell Avenue Path Repair**

PREPARED BY: Sandeep Singh SS DATE: March 20, 2018

APPROVED BY: MoC.Co DATE: 3/20/18

RECOMMENDATIONS:

☒ Categorical Exemption: 15301 [Class 1(c)] ☐ Negative Declaration

☐ Environmental Impact Report Required ☐ Conditional Negative Declaration

The project will not have a significant effect on the environment. The recommendation is based on the following: The project consists of the repair of existing facilities involving no expansion of use, pursuant to section **15301(c)** of the CEQA guidelines.

What changes to the project would mitigate the identified impacts: N/A

USGS Quad Sheet: Walnut Creek	**Base Map Sheet #: P14**	**Parcel #: N/A**

GENERAL CONSIDERATIONS:

1. **Location:** The project is located along Newell Avenue from Olympic Boulevard to Circle Drive in unincorporated Walnut Creek [Figures 1-2].

2. **Project Description:** The purpose of this Project is to repair the existing decomposed granite path and raise meter boxes to grade, along the southern side of Newell Avenue.
On Newell Avenue from Olympic Boulevard to Magnolia Avenue and from 1813 Newell Avenue to Circle Drive (approximately 1500 feet), the project consists of the installation of decomposed granite mixed with an organic binder to level the path, the installation of pressure treated borders, and the installation and raising of new meter boxes to be level with the finished path.
On Newell Avenue from Magnolia Avenue to 1813 Newell Avenue (approximately 1100 feet), the project consists of the installation of decomposed granite mixed with an organic binder to depressed areas, as needed, and the installation and raising of new meter boxes to be level with the finished path.
Excavations will remain above an existing underlying filter fabric and will not exceed a depth of 2.5". The target scheduling date for the work is from April 2nd to April 7th, because there will be less traffic when the local schools are off for spring break.
No tree removal will be necessary. Tree and shrubbery trimming may be necessary throughout the project area. In order to minimize damage to trees, any roots exposed during construction activities will be clean cut.
The Project will maintain the existing drainage pattern and will not create new impervious areas. Appropriate Best Management Practices (BMPs) will be implemented to protect storm drain inlets.
Utility adjustments or relocation may be necessary in support of the project.
One lane will be open during construction activities. Emergency vehicles will have access at all times.

3. **Does it appear that any feature of the project will generate significant public concern?**
☐ Yes ☒ **No** ☐ maybe (Nature of concern):

4. **Will the project require approval or permits by other than a County agency?**
☐ Yes ☒ **No**

5. **Is the project within the Sphere of Influence of any city?** No

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Notice of Exemption

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

☒ County Clerk
County of: Contra Costa

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

Project Title: Newell Avenue Path Repair Project
Proj. No. 0662-6R4071 CP#18-13

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

Project Location – **Specific**: Newell Avenue from Olympic Boulevard to Circle Drive

Project Location: Unincorporated Walnut Creek

Project Location – County: Contra Costa

Description of Nature, Purpose and Beneficiaries of Project:
The project is located along Newell Avenue from Olympic Boulevard to Circle Drive in unincorporated Walnut Creek [Figures 1-2].

The purpose of this Project is to repair the existing decomposed granite path and raise meter boxes to grade, along the southern side of Newell Avenue.

On Newell Avenue from Olympic Boulevard to Magnolia Avenue and from 1813 Newell Avenue to Circle Drive (approximately 1500 feet), the project consists of the installation of decomposed granite mixed with an organic binder to level the path, the installation of pressure treated borders, and the installation and raising of new meter boxes to be level with the finished path.

On Newell Avenue from Magnolia Avenue to 1813 Newell Avenue (approximately 1100 feet), the project consists of the installation of decomposed granite mixed with an organic binder to depressed areas, as needed, and the installation and raising of new meter boxes to be level with the finished path.

Excavations will remain above an existing underlying filter fabric and will not exceed a depth of 2.5". The target scheduling date for the work is from April 2nd to April 7th, because there will be less traffic when the local schools are off for spring break.

The project will maintain the existing drainage pattern and will not create new impervious areas. Appropriate Best Management Practices (BMPs) will be implemented to protect storm drain inlets. Utility adjustments or relocation may be necessary in support of the project.

No tree removal will be necessary. Tree and shrubbery trimming may be necessary throughout the project area. In order to minimize damage to trees, any roots exposed during construction activities will be clean cut.

One lane will be open during construction activities. Emergency vehicles will have access at all times.

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

Exempt Status:

☐ Ministerial Project (Sec. 21080(b) (1); 15268;
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☒ Categorical Exemption: 15301 Class 1(c)
☐ Other Statutory Exemption, Code No.:_____
☐ General Rule of Applicability [Article 5, Section 15061 (b)(3)]

Reasons why project is exempt: The project consists of the repair of existing facilities involving no expansion of use, pursuant to Section 15301 Class 1(c) of the CEQA guidelines.

Lead Agency Contact Person: Sandeep Singh - **Public Works Dept.** Area Code/Telephone/Extension: (925) 313-2022

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: Laura C. Co Date: 3/20/18 Title: Principal Planner

☐ Signed by Lead Agency ☐ Signed by Applicant

AFFIDAVIT OF FILING AND POSTING

I declare that on _____ I received and posted this notice as required by California Public Resources Code Section 21152(c). Said notice will remain posted for 30 days from the filing date.

_____ Signature _____ Title

Applicant:
Public Works Department
255 Glacier Drive
Martinez, CA 94553
Attn: Sandeep Singh
Environmental Services Division
Phone: (925) 313-2022

Department of Fish and Game Fees Due
☐ EIR - $3,168.00
☐ Neg. Dec. - $2,280.75
☐ DeMinimis Findings - $0
☒ **County Clerk - $50**
☒ **Conservation & Development - $25**

Total Due: $75.00
Total Paid $ _____
Receipt #: _____

Contra Costa County

To: Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: March 27, 2018

Subject: Contract amendment with DKS Associates, Countywide.

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment with DKS Associates, effective April 1, 2018, to increase the payment limit by $100,000 to a new payment limit of $250,000 and extend the term from April 1, 2018 through April 1, 2019, to provide on-call transportation engineering services, Countywide. Project No.: Various. (All Districts)

FISCAL IMPACT:
100% Local Road and Transportation Funds.

BACKGROUND:
Contra Costa County Public Works Department (Public Works) builds and maintains road infrastructure in unincorporated Contra Costa County (County). The consultants will advise Transportation Engineering staff on appropriate transportation improvement measures and construction costs given a specific transportation issue on a roadway. Typical planning projects include, but are not limited to, traffic congestion relief, traffic lane reconfiguration, traffic safety improvement,

- [x] APPROVE
- [ ] OTHER
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Mary Halle, 925.313.2327

By: , Deputy

cc:

BACKGROUND: (CONT'D)

pedestrian safety improvement, traffic calming improvements, traffic signal design, specifications and modifications, preparation of studies to update or establish a mitigation fee program, and preparation of studies and implementation of transportation demand management programs.

After a solicitation process, this firm was selected as one of five firms to provide on-call transportation engineering services and is pre-qualified so Public Works may solicit and contract with the firm for anticipated project-specific contracts to assist Public Works Transportation Engineering staff with completing transportation engineering tasks. The original on-call transportation engineering services contracts will terminate on April 1, 2018.

This contract was amended administratively, effective October 1, 2016, to modify language regarding subcontracting of work. No Board action was required for this administrative amendment.

Approval of the Contract Amendment No. 2 will allow this firm to continue to provide the above-mentioned services for an additional year and complete any existing tasks.

CONSEQUENCE OF NEGATIVE ACTION:

If the Contract is not approved, necessary transportation projects may not be completed in a timely manner which may jeopardize funding and delay design and construction of various road projects.

Contra Costa County

To: Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: March 27, 2018

Subject: Contract amendment with Fehr & Peers, Countywide.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment with Fehr & Peers, effective April 1, 2018, to increase the payment limit by $100,000 to a new payment limit of $250,000 and extend the term from April 1, 2018 through April 1, 2019, to provide on-call transportation engineering services, Countywide.Project No.: Various. (All Districts)

FISCAL IMPACT:

100% Local Road and Transportation Funds.

BACKGROUND:

Contra Costa County Public Works Department (Public Works) builds and maintains road infrastructure in unincorporated Contra Costa County (County). The consultants will advise Transportation Engineering staff on appropriate transportation improvement measures and construction costs given a specific transportation issue on a roadway. Typical planning projects include, but are not limited to, traffic congestion relief, traffic lane reconfiguration, traffic safety improvement,

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Mary Halle, 925.313.2327

By: , Deputy

cc:

BACKGROUND: (CONT'D)

pedestrian safety improvement, traffic calming improvements, traffic signal design, specifications and modifications, preparation of studies to update or establish a mitigation fee program, and preparation of studies and implementation of transportation demand management programs.

After a solicitation process, this firm was selected as one of five firms to provide on-call transportation engineering services and is pre-qualified so Public Works may solicit and contract with the firm for anticipated project-specific contracts to assist Public Works Transportation Engineering staff with completing transportation engineering tasks. The original on-call transportation engineering services contracts will terminate on April 1, 2018.

Approval of the Contract Amendment will allow this firm to continue to provide the above-mentioned services for an additional year and complete any existing tasks.

CONSEQUENCE OF NEGATIVE ACTION:

If the Contract is not approved, necessary transportation projects may not be completed in a timely manner which may jeopardize funding and delay design and construction of various road projects.

Contra Costa County

To: Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: March 27, 2018

Subject: Contract amendment with Kimley-Horn and Associates, Inc., Countywide.

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment with Kimley-Horn and Associates, Inc., effective April 1, 2018, to increase the payment limit by $100,000 to a new payment limit of $250,000 and extend the term from April 1, 2018 through April 1, 2019, to provide on-call transportation engineering services, Countywide. Project No.: Various. (All Districts)

FISCAL IMPACT:
100% Local Road and Transportation Funds.

BACKGROUND:
Contra Costa County Public Works Department (Public Works) builds and maintains road infrastructure in unincorporated Contra Costa County (County). The consultants will advise Transportation Engineering staff on appropriate transportation improvement measures and construction costs given a specific transportation issue on a roadway. Typical planning projects include, but are not limited to, traffic congestion relief, traffic lane reconfiguration, traffic safety improvement,

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Mary Halle, 925.313.2327

By: , Deputy

cc:

BACKGROUND: (CONT'D)

pedestrian safety improvement, traffic calming improvements, traffic signal design, specifications and modifications, preparation of studies to update or establish a mitigation fee program, and preparation of studies and implementation of transportation demand management programs.

After a solicitation process, this firm was selected as one of five firms to provide on-call transportation engineering services and is pre-qualified so Public Works may solicit and contract with the firm for anticipated project-specific contracts to assist Public Works Transportation Engineering staff with completing transportation engineering tasks. The original on-call transportation engineering services contracts will terminate on April 1, 2018.

Approval of the Contract Amendment will allow this firm to continue to provide the above-mentioned services for an additional year and complete any existing tasks.

CONSEQUENCE OF NEGATIVE ACTION:

If the Contract is not approved, necessary transportation projects may not be completed in a timely manner which may jeopardize funding and delay design and construction of various road projects.

Contra Costa County

To: Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: March 27, 2018

Subject: Contract amendment with Stantec Consulting Services Inc., Countywide.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment with Stantec Consulting Services Inc., effective April 1, 2018, to increase the payment limit by $100,000 to a new payment limit of $250,000 and extend the term from April 1, 2018 through April 1, 2019, to provide on-call transportation engineering services, Countywide. Project No.: Various. (All Districts)

FISCAL IMPACT:

100% Local Road and Transportation Funds.

BACKGROUND:

Contra Costa County Public Works Department (Public Works) builds and maintains road infrastructure in unincorporated Contra Costa County (County). The consultants will advise Transportation Engineering staff on appropriate transportation improvement measures and construction costs given a specific transportation issue on a roadway. Typical planning projects include, but are not limited to, traffic congestion relief, traffic lane reconfiguration, traffic safety improvement,

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Mary Halle, 925.313.2327

By: , Deputy

cc:

BACKGROUND: (CONT'D)

pedestrian safety improvement, traffic calming improvements, traffic signal design, specifications and modifications, preparation of studies to update or establish a mitigation fee program, and preparation of studies and implementation of transportation demand management programs.

After a solicitation process, this firm was selected as one of five firms to provide on-call transportation engineering services and is pre-qualified so Public Works may solicit and contract with the firm for anticipated project-specific contracts to assist Public Works Transportation Engineering staff with completing transportation engineering tasks. The original on-call transportation engineering services contracts will terminate on April 1, 2018.

Approval of the Contract Amendment will allow this firm to continue to provide the above-mentioned services for an additional year and complete any existing tasks.

CONSEQUENCE OF NEGATIVE ACTION:

If the Contract is not approved, necessary transportation projects may not be completed in a timely manner which may jeopardize funding and delay design and construction of various road projects.

Contra Costa County

To: Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: March 27, 2018

Subject: Contract amendment with Whitlock & Weinberger Transportation, Inc., Countywide.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment with Whitlock & Weinberger Transportation, Inc., effective April 1, 2018, to increase the payment limit by $100,000 to a new payment limit of $250,000 and extend the term from April 1, 2018 through April 1, 2019, to provide on-call transportation engineering services, Countywide. Project No.: Various. (All Districts)

FISCAL IMPACT:

100% Local Road and Transportation Funds.

BACKGROUND:

Contra Costa County Public Works Department (Public Works) builds and maintains road infrastructure in unincorporated Contra Costa County (County). The consultants will advise Transportation Engineering staff on appropriate transportation improvement measures and construction costs given a specific transportation issue on a roadway. Typical planning projects include, but are not limited to, traffic congestion relief, traffic lane reconfiguration, traffic safety improvement,

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Mary Halle, 925.313.2327

By: , Deputy

cc:

BACKGROUND: (CONT'D)

pedestrian safety improvement, traffic calming improvements, traffic signal design, specifications and modifications, preparation of studies to update or establish a mitigation fee program, and preparation of studies and implementation of transportation demand management programs.

After a solicitation process, this firm was selected as one of five firms to provide on-call transportation engineering services and is pre-qualified so Public Works may solicit and contract with the firm for anticipated project-specific contracts to assist Public Works Transportation Engineering staff with completing transportation engineering tasks. The original on-call transportation engineering services contracts will terminate on April 1, 2018.

Approval of the Contract Amendment will allow this firm to continue to provide the above-mentioned services for an additional year and complete any existing tasks.

CONSEQUENCE OF NEGATIVE ACTION:

If the Contract is not approved, necessary transportation projects may not be completed in a timely manner which may jeopardize funding and delay design and construction of various road projects.

Contra
Costa
County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Amendment #26-715-8 with Diablo Valley Oncology & Hematology Medical Group, Inc. (dba West Coast Surgical Associates Medical Group)

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute Contract Amendment Agreement #26-715-8 with Diablo Valley Oncology & Hematology Medical Group, Inc. (dba West Coast Medical Surgical Associates Medical Group), a corporation, effective January 1, 2018, to amend Contract #26-715-7 to add clinical support services and reduce the surgical assist rate for general surgery services at Contra Costa Regional Medical Center (CCRMC) with no change in the original payment limit of $421,000, and no change in the original term of January 1, 2018 through December 31, 2018.

FISCAL IMPACT:
This amendment is funded 100% by Hospital Enterprise Fund I.

BACKGROUND:
On January 9, 2018, the Board of Supervisors approved Contract #26-715-7 Diablo Valley Oncology & Hematology Medical Group, Inc. (dba West Coast Surgical Associates Medical Group), to provide general surgery services, including consultation, on-call, and medical and/or surgical procedures at Contra Costa Regional Medical Center (CCRMC) and Health Centers, for the period from January 1, 2018 through December 31, 2018.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Samir Shah, M.D., 925-370-5525

cc: K Cyr, M Wilhelm

BACKGROUND: (CONT'D)

Approval of Contract Amendment Agreement #26-715-8 will add clinical support services and reduce the Medical Physician Resource Based Relative Value Scales (RBRVS) fee for required surgical assists at CCRMC as agreed to by the parties, through December 31, 2018.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, the contractor will not be able to provide clinical support services and the RBRVS fee will remain incorrect.

Contra
Costa
County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Purchase Order for Integrated Commercialization Solutions, LLC

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, an amendment to Purchase Order #F07999 with Integrated Commercialization Solutions, LLC to increase the payment limit by $100,000 for a new payment limit of $199,000 for various clinical medical supplies including the T380 Intrauterine Copper Contraceptive for Contra Costa Regional Medical Center (CCRMC) and Health Centers, with no change in the original term of December 1, 2016 through November 30, 2018.

FISCAL IMPACT:
Funded 100% by the Hospital Enterprise Fund I.

BACKGROUND:
CCRMC and Contra Costa Health Centers are required to provide patients with birth control of their choice. This type of intrauterine device lasts for up to 10 years and contains no hormones, which is convenient and ideal to some patients.

CONSEQUENCE OF NEGATIVE ACTION:
If this purchase order is not approved, CCRMC and Health Centers will not be able provide patients with this birth control device and will impact patient safety and care.

- [x] APPROVE
- [ ] OTHER
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Jaspreet Benepal, 925-370-5101

By: , Deputy

cc: Patricia DeRose, Tasha Scott, Marcy Wilhelm

Contra Costa County

To: Board of Supervisors

From: Dianne Dinsmore, Human Resources Director

Date: March 27, 2018

Subject: Approve one-year extension to the Administrative Services Agreement with Massachusetts Mutual Life Insurance Company

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Human Resources Director, or designee, to execute the second of two possible one-year extensions to the Administrative Services Agreement with the Massachusetts Mutual Life Insurance Company (MassMutual), effective April 1, 2018, to extend the term from April 1, 2018 to March 31, 2019 to continue to provide plan administration for the 457 Deferred Compensation Plan.

FISCAL IMPACT:
The program is funded through plan participant fees. There is no fiscal impact beyond overhead administration support costs, which are reimbursed annually by the plan.

BACKGROUND:
Effective April 1, 2014 the Board of Supervisors authorized the Human Resources Department to negotiate a new three-year contract with Massachusetts Mutual Life Insurance Company ("MassMutual"), with regards to the administration of the Contra Costa County 457 Deferred Compensation Plan. This agreement allowed for two (2) one-year extensions. MassMutual provides the recordkeeping and other administrative services required to maintain compliance for this type of plan as well as a platform for employees to access information on their current investments and plan performance.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Dianne Dinsmore
925-335-1742

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If the Administrative Services Agreement is not extended, the 457 Deferred Compensation Plan will be without a plan administrator.

Contra
Costa
County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Contract #74-355-9 with Lisa Wang, M.D.

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute Contract #74-355-9 with Lisa Wang, M.D., an individual, in an amount not to exceed $174,720, to provide outpatient psychiatric services to County patients in West County, for the period from July 1, 2018 through June 30, 2019.

FISCAL IMPACT:
This contract is funded 100% by Mental Health Realignment. (No rate increase)

BACKGROUND:
On April 18, 2017, the Board of Supervisors approved Contract #74-355-8 with Lisa Wang, M.D., to provide outpatient psychiatric services, including diagnosing, counseling, evaluating, and providing medical and therapeutic treatment to County patients in West County, for the period from July 1, 2017 through June 30, 2018.

Approval of Contract #74-355-9 will allow the contractor to continue providing outpatient psychiatric services in West County through June 30, 2019.

- [x] APPROVE
- [ ] OTHER
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Cynthia Belon, 925-957-5201

cc: E Suisala, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, adult patients in West County requiring outpatient psychiatric services will not have access to the contractor's services.

Contra
Costa
County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Contract #26-206-23 with Discharge Resource Group

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute Contract #26-206-23 with Discharge Resource Group, a corporation, in an amount not to exceed $420,000, to provide temporary medical social workers at Contra Costa Regional Medical Center (CCRMC) and Health Centers for the period March 1, 2018 through February 28, 2019.

FISCAL IMPACT:
This contract is funded 100% by Hospital Enterprise Fund I.

BACKGROUND:
Under Contract #26-206-23, the contractor will provide temporary medical social workers at CCRMC and Health Centers during peak loads, temporary absences and emergencies, for the period March 1, 2018 through February 28, 2019.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, patients requiring medical social worker's services will not have access to the contractor's services.

- [x] APPROVE
- [ ] OTHER
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Jaspreet Benepal, 925-370-5741

cc: K Cyr, M Wilhelm

Contra
Costa
County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Contract #77-032-1 with Vibra Hospital of Sacramento, LLC

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute Contract #77-032-1 with Vibra Hospital of Sacramento, LLC, a limited liability company, in an amount not to exceed $95,000, including mutual indemnification, to provide long term care hospital services to Contra Costa Health Plan (CCHP) members, for the period February 1, 2018 through January 31, 2019.

FISCAL IMPACT:
This contract is funded 100% by CCHP Enterprise Fund II. (No rate increase)

BACKGROUND:
In March 2017, the County Administrator approved and Purchasing Manager executed Contract #77-032 with Vibra Hospital of Sacramento, LLC, for the period from February 1, 2017 through January 31, 2018, for the provision of long-term care hospital services for CCHP members.

Approval of Contract #77-032-1 will allow the contractor to provide additional long-term care hospital services for CCHP members through January 31, 2019.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Patricia Tanquary, (925) 313-6004

cc: A Floyd, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialty health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided.

Contra Costa County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Interagency Agreement #74-426-7 with The Regents of the University of California, San Francisco

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute Interagency Agreement #74-426-7 with The Regents of the University of California, San Francisco, a government agency, in an amount not to exceed $5,850, including mutual indemnification, to provide specialized training for the County's Mental Health staff in the Behavioral Health Services Division for the period from July 1, 2018 through June 30, 2019.

FISCAL IMPACT:
Funded 100% by the Mental Health Services Act (MHSA) Workforce Education and Training. (No rate increase)

BACKGROUND:
On July 18, 2017, the Board of Supervisors approved Interagency Agreement #74-426-6 with The Regents of the University of California, San Francisco for the provision of training Behavioral Health Services Division's Mental Health staff on Dialectical Behavior Therapy (DBT) for adolescents, including theoretical underpinnings of DBT, the Biosocial Theory of Borderline Personality Disorder, strategies for working with clients in different stages of treatment, in addition to exposure and rehearsal of the core skills

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Cynthia Belon, 925-957-5201

cc: L Walker , M Wilhelm

BACKGROUND: (CONT'D)

used in DBT, for the period from July 1, 2017 through June 30, 2018. This agreement includes modification to the General Conditions, Paragraph 15. (Conflict of Interest), Paragraph 19. (Insurance), Paragraph 25. (Copyrights and Rights in Data) and Paragraph 18. (Indemnification) to mutually indemnify both parties for any claims arising out of the performance of this contract. Approval of Contract #74-426-7, will allow the contractor to continue to provide training for the Behavioral Health Services Division's Mental Health staff through June 30, 2019.

CONSEQUENCE OF NEGATIVE ACTION:

If this agreement is not approved, the County's Mental Health staff in the Behavioral Health Services Division will not receive the specialized training needed to have the core skills required to provide DBT treatment to adolescents.

Contra
Costa
County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Sharing Agreement #26-346-21 with United States Department of Veterans Affairs

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute Sharing Agreement #26-346-21 (VA261-17-S-0174) with the United States Department of Veterans Affairs Northern California Health Care System (VANCHCS) in an amount not to exceed $474,000, to provide nuclear medicine services at Contra Costa Regional Medical Center (CCRMC) and Health Centers, for the period from April 1, 2018 through March 31, 2019.

FISCAL IMPACT:
This contract is funded 100% by Hospital Enterprise Fund I. (Rate increase)

BACKGROUND:
On March 19, 2013, the Board of Supervisors approved Sharing Agreement #26-346-14 (as amended by Amendment Agreements #26-346-15 through #26-346-20) with VANCHCS (under the auspices of the VANCHCS Nuclear Regulatory Commission License) to provide a full range of Nuclear Medicine Services to County's patients at the VANCHCS Outpatient Clinic in Martinez and/or the Contra Costa Regional Medical Center's Nuclear Medicine Department, through March 31, 2018.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Jaspreet Benepal, 925-370-5741

cc: K Cyr, M Wilhelm

BACKGROUND: (CONT'D)

Approval of Sharing Agreement #26-346-21 will allow the contractor to continue providing nuclear medicine services to Contra Costa Regional Medical Center's Nuclear Medicine Department through March 31, 2019.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring specialized nuclear medicine services at CCRMC and Health Centers will not have access to the contractor's services.

Contra
Costa
County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Contract #74-521-2 with Robert Stuart Streett, M.D.

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute Contract #74-521-2 with Robert Stuart Streett, M.D., an individual, in an amount not to exceed $174,720, to provide outpatient psychiatric services for the period June 1, 2018 through May 31, 2019.

FISCAL IMPACT:
This contract is funded 100% by Mental Health Realignment. (No rate increase)

BACKGROUND:
On January 18, 2017, the Board of Supervisors approved Contract #74-521-1 with Robert Stuart Streett, M.D., to provide outpatient psychiatric services, including diagnosing, counseling, evaluating, and providing medical and therapeutic treatment to adults in Central Contra Costa County, for the period from June 1, 2017 through May 31, 2018.

Approval of Contract #74-521-2 will allow the contractor to continue to provide outpatient psychiatric services through May 31, 2019.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: March 27, 2018

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

Contact: Cynthia Belon, 925-957-5201

By: , Deputy

cc: L Walker , Marcy Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, County's clients will not have access to the contractor's psychiatric services.

Contra Costa County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Amendment #26-692-15 with Applied Remedial Services, Inc.

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute Contract Amendment Agreement #26-692-15 with Applied Remedial Services, Inc., a corporation, effective April 1, 2018, to amend Contract #26-692-14 , to increase the payment limit by $40,000, from $450,000 to a new payment limit of $490,000, for additional hazardous waste and chemical removal services with no change in the original term of January 1, 2018 through December 31, 2018.

FISCAL IMPACT:
This amendment is funded 100% by Hospital Enterprise Fund I. (No rate increase)

BACKGROUND:
On January 9, 2018, the Board of Supervisors approved Contract #26-692-13 with Applied Remedial Services, Inc., for the removal and disposal of hazardous waste and chemicals for Contra Costa Regional Medical Center (CCRMC) and Health Centers, for the period from January 1, 2018 through December 31, 2018.

Approval of Contract #26-692-15 will allow the contractor to provide additional hazardous waste and chemical removal and disposal services to comply with state and federal regulations, through December 31, 2018.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Jaspreet Benepal, 925-370-5100

cc: L Walker , M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, the contractor will not be able to provide additional hazardous waste removal services.

Contra
Costa
County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Contract #24-837-26 with Daniel May, M.D.

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute Contract #24-837-26 with Daniel May, M.D., an individual, in an amount not to exceed $232,960, to provide outpatient psychiatric services to County patients in West County, for the period from May 1, 2018 through April 30, 2019.

FISCAL IMPACT:
This contract is funded 100% by Mental Health Realignment. (No rate increase)

BACKGROUND:
On April 25, 2017, the Board of Supervisors approved Contract #24-837-25 with Daniel May, M.D., to provide outpatient psychiatric services, including diagnosing, counseling, evaluating, and providing medical and therapeutic treatment to County patients in West County, for the period from May 1, 2017 through April 30, 2018.

Approval of Contract #24-837-26 will allow the contractor to continue providing outpatient psychiatric services through April 30, 2019.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: March 27, 2018

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

Contact: Cynthia Belon, 925-957-5201

By: , Deputy

cc: E Suisala, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, adult patients in West County requiring outpatient psychiatric services will not have access to the contractor's services.

Contra Costa County

To: Board of Supervisors

From: Dianne Dinsmore, Human Resources Director

Date: March 27, 2018

Subject: Approve a contract with Segal Marco Advisors for 457 Deferred Compensation Fiduciary Consulting Services

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Human Resources Director, or designee, to execute a three-year contract, including modified indemnification language, with Segal Marco Advisors effective April 1, 2018, to March 31, 2021, with the option of two (2) one-year renewal periods.

FISCAL IMPACT:
The program is funded through plan participant fees. There is no fiscal impact beyond overhead administration support costs, which are reimbursed annually by the plan.

BACKGROUND:
Segal Marco Advisors will provide Fiduciary Consulting services in order to assist with performance measurement, allocation and investment strategy for the County's 457 Deferred Compensation Plan. Segal Marco Advisors will provide the following advisory and fiduciary consulting services including: 1) Attendance at Meetings; 2) Investment Policy Statement; 3) Investment Manager Search and Selection; 4) Investment Performance Monitoring; 5) Administrative Services Monitoring; 6) General Consulting

A

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Dianne Dinsmore
925-335-1742

By: , Deputy

cc:

BACKGROUND: (CONT'D)

three-year contract in an amount not to exceed $150,000, with the option for two one-year renewal periods, has been negotiated. This action authorizes the Human Resources Director or designee to execute the contract with Segal Marco Advisors.

CONSEQUENCE OF NEGATIVE ACTION:

If the contract is not approved, the County will not be able to access the expertise and support of a Fiduciary Consultant who could assist in measurement, allocation and investment strategy for the County's 457 Deferred Compensation plan.

Contra Costa County

To: Board of Supervisors

From: Kathy Gallagher, Employment & Human Services Director

Date: March 27, 2018

Subject: Operations Update of the Employment and Human Services Department, Community Services Bureau

RECOMMENDATION(S):
ACCEPT the February 2018 update of the operations of the Employment and Human Services Department, Community Services Bureau, as recommended by the Employment and Human Services Department Director.

FISCAL IMPACT:
None

BACKGROUND:
The Employment and Human Services Department submits a monthly report to the Contra Costa County Board of Supervisors (BOS) to ensure ongoing communication and updates to the County Administrator and BOS regarding any and all issues pertaining to the Head Start Program and Community Services Bureau.

- [x] APPROVE
- [ ] OTHER
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Elaine Burres, 608-4960

cc:

ATTACHMENTS

CSB Feb 2018 CAO Report

CSB Feb 2018 HS Fiscal

CSB Feb 2018 EHS Fiscal

CSB Feb 2018 CC Partnership Fiscal #1

CSB Feb 2018 EHS CC Partnership Fiscal 2

CSB Feb 2018 Credit Card #1

CSB Feb 2018 Credit Card #2

CSB Feb 2018 Monitoring Report

CSB Feb 2018 LIHEAP

CSB Feb 2018 Menu

CONTRA COSTA COUNTY
COMMUNITY SERVICES BUREAU

To: David Twa, Contra Costa County Administrator
From: Kathy Gallagher, EHSD Director
Subject: Community Services Monthly Report
Date: February 2018

Camilla Rand, M.S.
Director

TOP WORK PLACES 2010

News /Accomplishments

- Two representatives from Region IX Office of Head Start, Maureen Burns-Vermette and Rosie Xu, visited two (2) new Early Head Start Partnership sites, KinderCare in Antioch and the YMCA – 8th Street Center in Richmond, and were able to see the new funding at work in the form of major facility improvements. They also gave us federal updates, guidance on new facility acquisition, and an orientation to the new Head Start grant application guidelines.
- CSB's Education Team met with Sonja LaCaze, Region IX Early Childhood Specialist (ECS) to review CSB's Practice Based Coaching (PBC) and Teaching, Learning and Collaborative (TLC) plan which also includes partner sites. Sonja provided feedback and complimented us on the comprehensive coaching plan we have implemented.
- The annual and nationally recognized Give Kids a Smile Day was a huge success at CSB! A total of 378 children received dental exams and fluoride varnish. The success of this event is a result of the teamwork of the Contra Costa Dental Society, local volunteer dentists, the DVC Dental Hygiene Program and CSB's own dedicated staff. Six (6) volunteer dentists at five (5) sites provided dental exams, while DVC students assisted dentists, applied fluoride varnish and provided oral health education. Some DVC students went the extra mile to dress up as the tooth fairy, wear Minnie Mouse ears or bring a singing teddy bear to promote oral health education.
- CSB Director, Camilla Rand, and nine (9) CSB staff members attended the California Head Start Association (CHSA) Conference on February 5-9. Staff included Janissa Rowley, Magda Bedros, Amy Wells, Julia Kittle-White, Shawn Powers, Chantal Atwood, Ayana McLeod, and two teachers; Blanca Torres, pre-school teacher and Ruby Kaur, infant teacher from Contra Costa College. Participants received updates from CHSA's director and had an opportunity to attend several education workshops and exhibit halls. The teachers where interested in learning strategies for implementing CLASS, Project Approach, Best Practices, and staff wellness.
- Assistant Directors, Pam Arrington, Carolyn Johnson, Isabel Renggenathen and ASA III, Sarah Reich, have been selected to participate in the 2018 EHSD Leadership Academy. The Leadership Academy is a uniquely designed leadership program that is customized especially for the leaders in EHSD.
- All sites and unit staff celebrated "Pride in Food Service Week" during the week of February 5-9. CSB's Child Nutrition Unit staff enjoyed and appreciated the variety of recognition gestures they received throughout the week. The weeklong celebration concluded with a special luncheon for the Child Nutrition staff which was sponsored by Kinder's.

1470 Civic Court, Suite 200
Concord, CA 94520
Tel 925 681 6300
Fax 925 313 8301
www.cccounty.us/ehsd

- The CSB Child Care Partner Until will be hosting its first ever Education Manager Meeting for our child care partners on March 8th, which will focus on child assessment, child outcomes and school readiness data.
- Magda Bedros, Child Care Unit Assistant Director-TU, presented a workshop at the recent California Head Start Association Conference called, "The Impact of Trauma on Young Children."
- Make Parenting A Pleasure (MPAP) workshops were recently held at GMIII and GMC. All Head Start and Early Head Start families are welcome to attend regardless of which center their child attends. During the sessions, parents reviewed the importance of taking care of themselves and being mindful, so that they will be available and ready to engage and relate to their children.
- CSB in collaboration with the Community Financial Resources (CFR) is providing financial literacy opportunities for all staff. Monthly workshops began in January and will continue until March 2018. We have received great responses from our staff, and the registration actually exceeded the limit capacity of training participants. 37 staff signed up for these workshops. Staff evaluation forms reflect that staff greatly appreciates the opportunity to participate in these trainings.

I. Status Updates:

a. Caseloads, workload (all programs)

- Head Start enrollment: 100.30%
- Early Head Start enrollment: 100%
- Early Head Start Child Care Partnership enrollment: 100%
- Early Head Start Child Care Partnership #2 enrollment *(Start-up year)*: 56.84% (100% to capacity/adjusted for open rooms and staffing)
- Head Start Average Daily Attendance: 81%
- Early Head Start Average Daily Attendance: 82.55%
- Early Head Start Child Care Partnership Attendance: 82.55%
- Stage 2: 379 families and 603 children
- CAPP: 146 families and 248 children
  - In total: 525 families and 851 children
  - Incoming transfers from Stage 1: 26 families and 40 children
- LIHEAP: 433 households have been assisted
- Weatherization: 12 units

b. Staffing:

- During the month of February, CSB hired a Teacher and Master Teacher. The bureau is in the process of conducting interviews to fill vacant positions within all teaching classifications. Additionally, interviews will be scheduled to fill two (2) Assistant Director-Project and one (1) Business Systems Analyst vacancies.

cc: Policy Council Chair

c. **Union Issues:**

- CSB is in the process of conducting Meet and Confer sessions with PEU, Local 1 to reach an agreement on a temporary contract with Child Care Career (Temp Agency supplying teaching staff). The contract will allow the Bureau to use temporary teaching staff provided by the agency to ensure adequate teacher-child ratios in the CSB's child care centers as needed.

II. Emerging Issues and Hot Topics:

- Community Services Block Grant (CSBG), Weatherization Assistance Program (WAP) and Low Income Home Energy Assistance Program (LIHEAP) funding are once again slated for elimination from the Federal Budget this year. On March 19, the Economic Opportunity Council is hosting a CSBG Subcontractor Roundtable Event that will function as a call to action. Participants will be brining clients along to share their stories so that we can send them to the National Community Action Partnership Office as part of an advocacy effort. Such an effort was very successful in 2017.

cc: Policy Council Chair

CONTRA COSTA COUNTY
COMMUNITY SERVICES BUREAU
2018 HEAD START PROGRAM
January 2018 Expenditures

1 DESCRIPTION	2 YTD Actual	3 Total Budget	4 Remaining Budget	5 % YTD
a. PERSONNEL	$ 332,589	$ 3,954,677	$ 3,622,088	8%
b. FRINGE BENEFITS	195,243	2,519,058	2,323,815	8%
c. TRAVEL	-	-	-	0%
d. EQUIPMENT	-	-	-	0%
e. SUPPLIES	151	143,000	142,849	0%
f. CONTRACTUAL	2,240	7,066,378	7,064,138	0%
g. CONSTRUCTION	-	-	-	0%
h. OTHER	17,524	1,500,246	1,482,722	1%
I. TOTAL DIRECT CHARGES	**$ 547,747**	**$ 15,183,359**	**$ 14,635,612**	**4%**
j. INDIRECT COSTS	-	945,168	945,168	0%
k. TOTAL-ALL BUDGET CATEGORIES	**$ 547,747**	**$ 16,128,527**	**$ 15,580,780**	**3%**
In-Kind (Non-Federal Share)	*$ 136,937*	*$ 4,032,132*	*$ 3,895,195*	*3%*

CONTRA COSTA COUNTY
COMMUNITY SERVICES BUREAU
2018 HEAD START PROGRAM
January 2018 Expenditures

1	2	3	4	5	6
	Actual Jan-18	**Total YTD Actual**	**Total Budget**	**Remaining Budget**	**% YTD**
a. Salaries & Wages (Object Class 6a)					
Permanent 1011	291,198	291,198	3,403,950	3,112,752	9%
Temporary 1013	41,391	41,391	550,727	509,336	8%
a. PERSONNEL (Object class 6a)	**332,589**	**332,589**	**3,954,677**	**3,622,088**	**8%**
b. FRINGE (Object Class 6b)	**195,243**	**195,243**	**2,519,058**	**2,323,815**	**195,243**
e. SUPPLIES (Object Class 6e)					
1. Office Supplies	-	-	32,000	32,000	0%
2. Child and Family Services Supplies (Includesclassroom Sup	116	116	50,000	49,884	0%
4. Other Supplies					
Computer Supplies, Software Upgrades, Computer Replace	-	-	45,000	45,000	0%
Health/Safety Supplies	-	-	3,000	3,000	0%
Mental helath/Diasabilities Supplies	-	-	1,000	1,000	0%
Miscellaneous Supplies	35	35	8,000	7,965	0%
Household Supplies	-	-	4,000	4,000	0%
TOTAL SUPPLIES (6e)	**151**	**151**	**143,000**	**142,849**	**0%**
f. CONTRACTUAL (Object Class 6f)					
1. Adm Svcs (e.g., Legal, Accounting, Temporary Contracts)	-	-	58,000	58,000	0%
Estimated Medical Revenue from Medi-Cal (Org 1432 - cred	-	-	(500,000)	(500,000)	0%
Health Consultant	2,240	2,240	45,700	43,460	5%
5. Training & Technical Assistance - PA11					
Interaction	-	-	11,000	11,000	0%
Diane Godard ($50,000/2)	-	-	10,000	10,000	0%
Josephine Lee ($35,000/2)	-	-	14,300	14,300	0%
Susan Cooke ($60,000/2)	-	-	10,400	10,400	
7. Delegate Agency Costs					
First Baptist Church Head Start PA22	-	-	2,101,965	2,101,965	0%
First Baptist Church Head Start PA20	-	-	8,000	8,000	0%
8. Other Contracts					
FB-Fairgrounds Partnership (Wrap)	-	-	74,213	74,213	0%
FB-Fairgrounds Partnership	-	-	183,600	183,600	0%
FB-E. Leland/Mercy Housing Partnership	-	-	-	-	
Martinez ECC (18 HS slots x $225/mo x 12/mo)	-	-	108,000	108,000	0%
YMCA Richmond CDC, Lucas Ave.(48 slots x 12 x $350) $2	-	-	201,600	201,600	0%
YMCA 8th CDC, Lucas Ave.(48 slots x 12 x $350) $201,600	-	-	201,600	201,600	0%
YMCA Giant Rd. CDC (16 slots x 12 x $350) $67,200	-	-	67,200	67,200	0%
YMCA Rodeo CDC(24 slots x 12 x $350) $100,800	-	-	100,800	100,800	0%
Child Outcome Planning and Administration (COPA/Nulinx)	-	-	20,000	20,000	0%
Enhancement/wrap-around HS slots with State CD Program	-	-	4,350,000	4,350,000	0%
f. CONTRACTUAL (Object Class 6f)	**2,240**	**2,240**	**7,066,378**	**7,064,138**	**0%**
h. OTHER (Object Class 6h)					
2. Bldg Occupancy Costs/Rents & Leases	645	645	366,000	365,355	0%
(Rents & Leases/Other Income)	-	-	-	-	
4. Utilities, Telephone	6,434	6,434	295,000	288,566	2%
5. Building and Child Liability Insurance	-	-	3,000	3,000	0%
6. Bldg. Maintenance/Repair and Other Occupancy	-	-	100,000	100,000	0%
8. Local Travel (55.5 cents per mile effective 1/1/2012)	648	648	50,000	49,352	1%
9. Nutrition Services		-	-	-	
Child Nutrition Costs	-	-	310,000	310,000	0%
(CCFP & USDA Reimbursements)	-	-	(230,000)	(230,000)	0%
13. Parent Services		-	-	-	
Parent Conference Registration - PA11	-	-	9,000	9,000	0%
Parent Resources (Parenting Books, Videos, etc.) - PA11	-	-	1,000	1,000	0%
PC Orientation, Trainings, Materials & Translation - PA11	99	99	7,700	7,601	1%
Policy Council Activities	16	16	4,000	3,984	0%
Male Involvement Activities	-	-	2,500	2,500	
Parent Activities (Sites, PC, BOS luncheon) & Appreciation	2,825	2,825	5,500	2,675	51%
Child Care/Mileage Reimbursement	-	-	5,100	5,100	0%
14. Accounting & Legal Services		-	-	-	
Auditor Controllers	-	-	2,000	2,000	0%
Data Processing/Other Services & Supplies	1,024	1,024	15,000	13,976	7%
15. Publications/Advertising/Printing		-	-	-	
Outreach/Printing	-	-	100	100	0%
Recruitment Advertising (Newspaper, Brochures)	-	-	8,500	8,500	0%
16. Training or Staff Development		-	-	-	
Agency Memberships (WIPFLI, Meeting Fees, NHSA, NAE	-	-	22,098	22,098	0%
Staff Trainings/Dev. Conf. Registrations/Memberships - PA	-	-	48,000	48,000	0%
Family, Community and Parent Involvement	-	-	95,000	95,000	0%
17. Other					
Site Security Guards	-	-	35,000	35,000	0%
Dental/Medical Services	-	-	1,000	1,000	0%
Vehicle Operating/Maintenance & Repair	4,195	4,195	70,000	65,805	6%
Equipment Maintenance Repair & Rental	-	-	82,000	82,000	0%
Dept. of Health and Human Services-data Base (CORD)	912	912	6,000	5,088	15%
Other Operating Expenses (Facs Admin/Other admin)	726	726	186,748	186,022	0%
Other Departmental Expenses	-	-	-	-	
h. OTHER (6h)	**17,524**	**17,524**	**1,500,246**	**1,482,722**	**1%**
I. TOTAL DIRECT CHARGES (6a-6h)	**547,747**	**547,747**	**15,183,359**	**14,635,612**	**4%**
j. INDIRECT COSTS	**-**	**-**	**945,168**	**945,168**	**0%**
k. TOTALS (ALL BUDGET CATEGORIES)	**547,747**	**547,747**	**16,128,527**	**15,580,780**	**3%**
Non-Federal Share (In-kind)	***136,937***	***136,937***	***4,032,132***	***3,895,195***	***3%***

CONTRA COSTA COUNTY
COMMUNITY SERVICES BUREAU
2018 EARLY HEAD START PROGRAM
January 2018 Expenditures

1 DESCRIPTION	2 YTD Actual	3 Total Budget	4 Remaining Budget	5 % YTD
a. PERSONNEL	$ 27,700	$ 601,077	$ 573,377	5%
b. FRINGE BENEFITS	15,514	384,355	368,841	4%
c. TRAVEL	-	-	-	0%
d. EQUIPMENT	-	-	-	0%
e. SUPPLIES	-	16,800	16,800	0%
f. CONTRACTUAL	-	2,292,672	2,292,672	0%
g. CONSTRUCTION	-	-	-	0%
h. OTHER	-	99,983	99,983	0%
I. TOTAL DIRECT CHARGES	$ 43,214	$ 3,394,887	$ 3,351,673	1%
j. INDIRECT COSTS	-	143,657	143,657	0%
k. TOTAL-ALL BUDGET CATEGORIES	**$ 43,214**	**$ 3,538,544**	**$ 3,495,330**	**1%**
In-Kind (Non-Federal Share)	*$ 10,803*	*$ 884,636*	*$ 873,833*	*1%*

CONTRA COSTA COUNTY
COMMUNITY SERVICES BUREAU
2018 EARLY HEAD START PROGRAM
January 2018 Expenditures

1	2	3	4	5	6
	Actual Jan-18	**Total YTD Actual**	**Total Budget**	**Remaining Budget**	**% YTD**
Expenditures					
a. Salaries & Wages (Object Class 6a)					
Permanent 1011	25,341	25,341	519,798	494,457	5%
Temporary 1013	2,359	2,359	81,279	78,920	3%
a. PERSONNEL (Object class 6a)	**27,700**	**27,700**	**601,077**	**573,377**	**5%**
b. FRINGE (Object Class 6b)	**15,514**	**15,514**	**384,355**	**368,841**	**4%**
e. SUPPLIES (Object Class 6e)					
1. Office Supplies	-	-	1,000	1,000	0%
2. Child and Family Serv. Supplies/classroom Su	-	-	11,000	11,000	0%
4. Other Supplies	-	-		-	
Computer Supplies, Software Upgrades, Con	-	-	2,000	2,000	0%
Health/Safety Supplies	-	-	500	500	0%
Miscellaneous Supplies	-	-	2,300	2,300	0%
Household Supplies	-	-	-	-	
e. SUPPLIES (Object Class 6e)	**-**	**-**	**16,800**	**16,800**	**0%**
f. CONTRACTUAL (Object Class 6f)					
1. Adm Svcs (Legal, Accounting, Temporary Co	-	17	1,000	983	2%
2. Health/Disabilities Services	-	-		-	
Health Consultant	-	-	19,500	19,500	0%
5. Training & Technical Assistance - PA11		-			
Interaction	-	-	5,500	5,500	0%
Diane Godard	-	-	7,500	7,500	0%
Josephine Lee ($35,000/2)	-	-	5,000	5,000	0%
Susan Cooke ($60,000/2)	-	-	6,500	6,500	
8. Other Contracts					
FB-Fairgrounds Partnership	-	-	84,000	84,000	0%
FB-E. Leland/Mercy Housing Partnership	-	-	180,000	180,000	0%
Apiranet	-	-	388,800	388,800	0%
Crossroads	-	-	110,000	110,000	0%
Martinez ECC	-	-	96,000	96,000	0%
Child Outcome Planning & Admini. (COPA/Nu	-	-	3,000	3,000	0%
Enhancement/wrap-around HS slots with Sta	-	-	1,385,872	1,385,872	0%
f. CONTRACTUAL (Object Class 6f)	**-**	**-**	**2,292,672**	**2,292,672**	**0%**
h. OTHER (Object Class 6h)					
2. Bldg Occupancy Costs/Rents & Leases	-	-	1,800	1,800	0%
(Rents & Leases/Other Income)	-	-	-	-	
4. Utilities, Telephone	-	-	3,600	3,600	0%
5. Building and Child Liability Insurance	-	-	-	-	
6. Bldg. Maintenance/Repair and Other Occupa	-	-	9,200	9,200	0%
8. Local Travel (55.5 cents per mile)	-	-	6,500	6,500	0%
9. Nutrition Services		-	-	-	
Child Nutrition Costs	-	-	1,100	1,100	0%
(CCFP & USDA Reimbursements)	-	-	(800)	(800)	
13. Parent Services					
Parent Conference Registration - PA11	-	-	4,000	4,000	0%
PC Orientation, Trainings, Materials & Trans	-	-	4,000	4,000	0%
Policy Council Activities	-	-	1,000	1,000	0%
Parent Activities (Sites, PC, BOS luncheon)	-	-	500	500	0%
Child Care/Mileage Reimbursement	-	-	2,500	2,500	0%
14. Accounting & Legal Services					
Data Processing/Other Services & Supplies	-	-	3,200	3,200	0%
15. Publications/Advertising/Printing					
Recruitment Advertising (Newspaper, Brochu	-	-	100	100	
16. Training or Staff Development					
Agency Memberships (WIPFLI, Meeting Fee	-	-	20,200	20,200	0%
Staff Trainings/Dev. Conf. Registrations/Mei	-	-	30,244	30,244	0%
17. Other					
Vehicle Operating/Maintenance & Repair	-	-	8,000	8,000	0%
Equipment Maintenance Repair & Rental	-	-	1,000	1,000	0%
Other Operating Expenses (Facs Admin/Othe	-	-	3,839	3,839	0%
Other Departmental Expenses	-	-	-	-	
h. OTHER (6h)	**-**	**-**	**99,983**	**99,983**	**0%**
I. TOTAL DIRECT CHARGES (6a-6h)	**43,214**	**43,214**	**3,394,887**	**3,351,673**	**1%**
j. INDIRECT COSTS	**-**	**-**	**143,657**	**143,657**	**0%**
k. TOTALS - ALL BUDGET CATEGORIES	**43,214**	**43,214**	**3,538,544**	**3,495,330**	**1%**
Non-Federal Match (In-Kind)	***10,803***	***10,803***	***884,636***	***873,833***	***1%***

CONTRA COSTA COUNTY
COMMUNITY SERVICES BUREAU
EARLY HEAD START- CC PARTNERSHIP #1
January 2018 Expenditures

1 DESCRIPTION	2 YTD Actual	3 Total Budget	4 Remaining Budget	5 % YTD
a. PERSONNEL	$ 165,269	$ 299,555	$ 134,286	55%
b. FRINGE BENEFITS	102,298	216,733	114,435	47%
c. TRAVEL	-	-	-	0%
d. EQUIPMENT	-	-	-	0%
e. SUPPLIES	6,497	4,800	(1,697)	135%
f. CONTRACTUAL	177,548	456,920	279,372	39%
g. CONSTRUCTION			-	0%
h. OTHER	45,790	50,813	5,023	90%
I. TOTAL DIRECT CHARGES	$ 497,401	$ 1,028,821	$ 531,420	48%
j. INDIRECT COSTS	45,541	62,557	17,016	73%
k. TOTAL-ALL BUDGET CATEGORIES	**$ 542,943**	**$ 1,091,378**	**$ 548,435**	**50%**
In-Kind (Non-Federal Share)	***$ 168,843***	***$ 272,845***	***$ 104,002***	***62%***

CONTRA COSTA COUNTY
COMMUNITY SERVICES BUREAU
EARLY HEAD START- CC PARTNERSHIP #1
January 2018 Expenditures

1	2	3	4	5	6	7	8
	Jul-17 thru Sep-17	Oct-17 thru Dec-17	Actual Jan-18	Total YTD Actual	Total Budget	Remaining Budget	% YTD
Expenditures							
a. Salaries & Wages (Object Class 6a)							
Permanent 1011	86,175	56,267	22,826	165,269	299,555	134,286	55%
Temporary 1013	-	-	-	-	-	-	
a. PERSONNEL (Object class 6a)	**86,175**	**56,267**	**22,826**	**165,269**	**299,555**	**134,286**	**55%**
b. FRINGE BENEFITS (Object Class 6b)							
Fringe Benefits	52,846	35,449	14,003	102,298	216,733	114,435	47%
b. FRINGE (Object Class 6b)	**52,846**	**35,449**	**14,003**	**102,298**	**216,733**	**114,435**	**47%**
e. SUPPLIES (Object Class 6e)							
1. Office Supplies	61	1,172	554	1,786	1,000	(786)	179%
2. Child and Family Serv. Supplies/classroom Supplies	40	522	-	562	1,200	638	47%
4. Other Supplies	-	-					
Computer Supplies, Software Upgrades, Comp Replacemnt	1,089	1,279	19	2,386	1,200	(1,186)	199%
Miscellaneous Supplies	-	25	-	25	100	75	25%
Household Supplies	936	793	8	1,737	1,300	(437)	134%
e. SUPPLIES (Object Class 6e)	**2,125**	**3,791**	**581**	**6,497**	**4,800**	**(1,697)**	**135%**
f. CONTRACTUAL (Object Class 6f)							
1. Adm Svcs (e.g., Legal, Accounting, Temporary Contracts)	-	-	-	-	12,000	12,000	0%
8. Other Contracts	-	117,416	-	117,416	312,000	194,584	38%
Contra Costa Child Care Council	-	-	-	-	20,000	20,000	0%
First Baptist (20 slots x $450)	-	-	-	-	3,000	3,000	0%
Child Outcome Planning and Administration (COPA/Nulinx)	53,000	(3,000)	10,000	60,000	109,920	49,920	55%
Enhancement/wrap-around HS slots with State CD Prog.	-	132	-	132	-	(132)	
f. CONTRACTUAL (Object Class 6f)	**53,000**	**114,548**	**10,000**	**177,548**	**456,920**	**279,372**	**39%**
h. OTHER (Object Class 6h)							
2. Bldg Occupancy Costs/Rents & Leases	4,760	3,595	383	8,738	3,800	(4,938)	230%
(Rents & Leases/Other Income)	-	-	-	-	-	-	
4. Utilities, Telephone	3,210	5,109	2,038	10,358	6,000	(4,358)	173%
5. Building and Child Liability Insurance	-	-	-	-	-	-	
6. Bldg. Maintenance/Repair and Other Occupancy	1,145	35	5	1,185	1,400	215	85%
8. Local Travel (54 cents per mile)	702	889	29	1,620	4,200	2,580	39%
13. Parent Services	-	-	-	-	-	-	0%
14. Accounting & Legal Services	-	-					
Data Processing/Other Services & Supplies	269	403	134	806	1,000	194	81%
15. Publications/Advertising/Printing	-	-	-	-	-	-	
Outreach/Printing	-	-	-	-	400	400	
16. Training or Staff Development							
Agency Memberships (WIPFLI, Meeting Fees, NHSA, NAE	-	-	-	-	-	-	
Staff Trainings/Dev. Conf. Registrations/Memberships - PA	14,746	2,895	10	17,651	25,907	8,256	68%
17. Other							
Vehicle Operating/Maintenance & Repair	688	224	-	912	2,000	1,088	46%
Equipment Maintenance Repair & Rental	2,468	428	395	3,291	4,000	709	82%
Other Operating Expenses (Facs Admin/Other admin)	590	492	147	1,229	2,106	877	58%
h. OTHER (6h)	**28,578**	**14,071**	**3,141**	**45,790**	**50,813**	**5,023**	**90%**
I. TOTAL DIRECT CHARGES (6a-6h)	**222,725**	**224,125**	**50,551**	**497,401**	**1,028,821**	**531,420**	**48%**
j. INDIRECT COSTS	**14,702**	**23,601**	**7,238**	**45,541**	**62,557**	**17,016**	**73%**
k. TOTALS - ALL BUDGET CATEGORIES	**237,427**	**247,727**	**57,789**	**542,943**	**1,091,378**	**548,435**	**50%**
Non-federal Match In-Kind	***31,710***	***105,349***	***31,784***	***168,843***	***272,845***	***104,002***	***62%***

CONDADO DE CONTRA COSTA
DIVISION DE SERVICIOS COMUNITARIOS
PROGRAMA DE HEAD START TEMPRANO - CC PARTNERSHIP #2
Enero 2018 desembolso

1 DESCRIPCCIÓN	2 YTD Actual	3 Presupuesto Total	4 Cuenta Restante	5 % YTD
a. PERSONAL	$ 164,905	$ 859,703	$ 694,798	19%
b. BENEFICIOS SUPLEMENTARIOS	107,573	655,766	548,193	16%
c. VIAJES	-	-	-	0%
d. EQUIPO	388	225,000	224,612	0%
e. ARTICULOS DE OFICINA	95,899	382,500	286,601	25%
f. CONTRATOS	170,627	1,559,100	1,388,473	11%
g. CONSTRUCCIÓN	-	-	-	0%
h. MISCELÁNEO	186,318	681,655	495,337	27%
I. TOTAL DE CARGOS DIRECTOS	$ 725,710	$ 4,363,724	$ 3,638,014	17%
j. CARGOS INDIRECTOS	48,930	183,117	134,187	27%
k. TOTAL-CATEGORÍAS DEL PRESUPUE	**$ 774,641**	**$ 4,546,841**	**$ 3,772,200**	**17%**
Donación de mercancías y servicios (In-	***$ 261,564***	***$ 1,136,710***	***$ 875,146***	***23%***

CONTRA COSTA COUNTY
COMMUNITY SERVICES BUREAU
EARLY HEAD START- CC PARTNERSHIP #2
January 2018 Expenditures

1 DESCRIPTION	2 YTD Actual	3 Total Budget	4 Remaining Budget	5 % YTD
a. PERSONNEL	$ 164,905	$ 859,703	$ 694,798	19%
b. FRINGE BENEFITS	107,573	655,766	548,193	16%
c. TRAVEL	-	-	-	0%
d. EQUIPMENT	388	225,000	224,612	0%
e. SUPPLIES	95,899	382,500	286,601	25%
f. CONTRACTUAL	170,627	1,559,100	1,388,473	11%
g. CONSTRUCTION	-	-	-	0%
h. OTHER	186,318	681,655	495,337	27%
I. TOTAL DIRECT CHARGES	$ 725,710	$ 4,363,724	$ 3,638,014	17%
j. INDIRECT COSTS	48,930	183,117	134,187	27%
k. TOTAL-ALL BUDGET CATEGORIES	**$ 774,641**	**$ 4,546,841**	**$ 3,772,200**	**17%**
In-Kind (Non-Federal Share)	***$ 261,564***	***$ 1,136,710***	***$ 875,146***	***23%***

CONTRA COSTA COUNTY
COMMUNITY SERVICES BUREAU
EARLY HEAD START- CC PARTNERSHIP #2
January 2018 Expenditures

1	2 Mar-17 thru Jun-17	3 Jul-17 thru Sep-17	4 Oct-17 thru Dec-17	5 Actual Jan-18	6 Total YTD Actual	7 Total Budget	8 Remaining Budget	9 % YTD
Expenditures								
a. Salaries & Wages (Object Class 6a)								
Permanent 1011	24,236	52,324	61,589	24,296	162,444	759,356	596,912	21%
Temporary 1013	-	-	-	2,461	2,461	100,347	97,886	2%
a. PERSONNEL (Object class 6a)	**24,236**	**52,324**	**61,589**	**26,757**	**164,905**	**859,703**	**694,798**	**19%**
b. FRINGE BENEFITS (Object Class 6b)		-	-	-	-			
Fringe Benefits	14,651	34,877	41,603	16,442	107,573	655,766	548,193	16%
b. FRINGE (Object Class 6b)	**14,651**	**34,877**	**41,603**	**16,442**	**107,573**	**655,766**	**548,193**	**16%**
d. EQUIPMENT (Object Class 6d)								
1. Office Equipment/Computer Equipment	-	388	-	-	388	125,000	124,612	0%
2. Vehicle Purchase	-	-	-	-	-	100,000	100,000	0%
d. EQUIPMENT (Object Class 6d)	**-**	**388**	**-**	**-**	**388**	**225,000**	**224,612**	**0%**
e. SUPPLIES (Object Class 6e)								
1. Office Supplies	-	18	1,964	-	1,982	2,000	18	99%
2. Child and Family Serv. Supplies/classroo Suppl	-	73	3,853	-	3,926	46,000	42,074	9%
Start-Up Child and Family Serv. Supplies/classro	22,531	3,045	56,982	2,800	85,358	216,000	130,642	40%
3. Other Supplies								
Computer Supplies, Software Upgrades, Comp F	-	1,724	2,650	33	4,407	12,000	7,593	37%
Health/Safety Supplies	-	-	-	-	-	3,500	3,500	0%
Start-Up Health/Safety Supplies				-	-	102,000	102,000	0%
Miscellaneous Supplies	-	-	51	113	164	500	336	33%
Household Supplies	-	13	35	14	63	500	437	13%
e. SUPPLIES (Object Class 6e)	**22,531**	**4,872**	**65,536**	**2,960**	**95,899**	**382,500**	**286,601**	**25%**
f. CONTRACTUAL (Object Class 6f)								
1. Adm Svcs (e.g., Legal, Accounting, Temporary C	-	-	-	-	-	18,000	18,000	0%
2. Health/Disabilities Services								
Health Consultant	-	-	-	-	-	19,500	19,500	0%
3. Training & Technical Assistance - PA11								
Interaction	-	-	-	-	-	10,000	10,000	0%
Josephine Lee	-	-	8,010	3,060	11,070	30,000	18,930	37%
UCSF Benioff	9,375	-	-	-	9,375	21,600	12,225	43%
4. Other Contracts								
Crossroads (20 slots x12 x$500)	-	-	-	-	-	120,000	120,000	0%
Martinez ECC (16 slots x12 x$500)	-	-	-	4,000	4,000	96,000	92,000	4%
Loss of Subsidy	-	-	-	-	-	194,000	194,000	0%
Child Outcome Planning and Administration (CC	-	-	946	-	946	3,000	2,054	32%
Enhancement EHS slots with State Child Dev. P	-	-	105,530	39,705	145,235	1,047,000	901,765	14%
f. CONTRACTUAL (Object Class 6f)	**9,375**	**-**	**114,486**	**46,765**	**170,627**	**1,559,100**	**1,388,473**	**11%**
h. OTHER (Object Class 6h)								
1. Bldg Occupancy Costs/Rents & Leases	-	217	13	15	246	36,000	35,754	1%
2. Utilities, Telephone	-	78	259	16	354	5,000	4,646	7%
3. Bldg. Maintenance/Repair and Other Occupancy	-	72	27	-	99	56,300	56,201	0%
Start-Up Bldg. Maintenance/Repair and Other Occ	1,627	-	76,226	87,664	165,516	377,000	211,484	44%
4. Local Travel (54 cents per mile)	29	219	201	283	732	7,000	6,268	10%
5. Parent Services								
Parent Conference Registration - PA11	-	-	-	-	-	1,000	1,000	0%
PC Orientation, Trainings, Materials & Translatic	-	-	-	-	-	5,000	5,000	0%
Policy Council Activities	-	-	-	-	-	3,000	3,000	0%
Parent Activities (Sites, PC, BOS luncheon) & A	-	-	-	-	-	3,200	3,200	0%
Child Care/Mileage Reimbursement	-	-	-	-	-	1,600	1,600	0%
6. Accounting & Legal Services								
Audit	-	-	-	-	-	500	500	0%
Auditor Controllers	-	-	-	-	-	500	500	0%
Data Processing/Other Services & Supplies	-	425	638	235	1,299	2,500	1,201	52%
7. Publications/Advertising/Printing								
Outreach/Printing	-	172	254	-	426	1,000	574	43%
Recruitment Advertising (Newspaper, Brochures)	-	243	-	-	243	1,000	757	24%
8. Training or Staff Development								
Agency Memberships (WIPFLI, Meeting Fees, M	-	-	-	-	-	22,108	22,108	0%
Staff Trainings/Dev. Conf. Registrations/Membe	6,175	6,541	1,558	1,156	15,430	60,500	45,070	26%
9. Other								
Site Security Guards		-	-	-	-	2,000	2,000	0%
Dental/medical Services		-	-	-	-	500	500	0%
Vehicle Operating/Maintenance & Repair	-	-	-	-	-	7,800	7,800	0%
Equipment Maintenance Repair & Rental	-	781	21	-	801	6,000	5,199	13%
Health and Safety Improvements	-	-	-	-	-	3,000	3,000	0%
Other Operating Expenses (Facs Admin/Other ac	205	254	627	85	1,171	79,147	77,976	1%
h. OTHER (6h)	**8,035**	**9,002**	**79,825**	**89,455**	**186,318**	**681,655**	**495,337**	**27%**
I. TOTAL DIRECT CHARGES (6a-6h)	**78,827**	**101,464**	**363,039**	**182,380**	**725,710**	**4,363,724**	**3,638,014**	**17%**
j. INDIRECT COSTS	**9,679**	**5,899**	**29,157**	**4,196**	**48,930**	**183,117**	**134,187**	**27%**
k. TOTALS - ALL BUDGET CATEGORIES	**88,506**	**107,362**	**392,196**	**186,576**	**774,641**	**4,546,841**	**3,772,200**	**17%**
Non-federal Match In-Kind	***-***	***36,300***	***113,319***	***111,946***	***261,564***	***1,136,710***	***875,146***	***23%***

COMMUNITY SERVICES BUREAU
SUMMARY CREDIT CARD EXPENDITURE

Agency: Community Services Bureau

Month: December 2017

Credit Card: Visa/U.S. Bank

Authorized Users	
C. Rand, Bureau Dir	xxxx8798
K. Mason, Div Mgr	xxxx2364
C. Reich, Div Mgr	xxxx4959
S. Kim, Sr. Bus. Systems Analyst	xxxx1907
C. Johnson, AD	xxxx0220
J. Rowley, AD	xxxx2391
P. Arrington, AD	xxxx3838
I. Renggenathen, AD	xxxx0494
R. Radeva, PSA III	xxxx1899
Corporate Acct. Number	xxxx5045

Acct. code	Stat. Date	Card Account #	Amount	Program	Purpose/Description
2100	12/22/17	xxxx1907	872.97	Indirect Admin Costs	Office Exp
2100	12/22/17	xxxx1907	580.93	Child Care Svs Program	Office Exp
2100	12/22/17	xxxx1907	53.13	EHS-Child Care Partnership	Office Exp
2100	12/22/17	xxxx1907	330.35	HS Basic Grant	Office Exp
2100	12/22/17	xxxx0220	154.22	HS Basic Grant	Office Exp
			1,991.60		
2200	12/22/17	xxxx8798	11.95	Indirect Admin Costs	Memberships
2200	12/22/17	xxxx8798	(11.95)	Indirect Admin Costs	Memberships
			-		
2300	12/22/17	xxxx2364	68.39	HS Basic Grant	Transportation & Travel
2300	12/22/17	xxxx2364	45.59	EHS-Child Care Partnership #2	Transportation & Travel
2300	12/22/17	xxxx3838	2,029.62	HS Parent Services	Transportation & Travel
			2,143.60		
2303	12/22/17	xxxx4959	406.56	EHS-Child Care Partnership #2	Other Travel Employees
2303	12/22/17	xxxx1907	96.48	HS Basic Grant	Other Travel Employees
2303	12/22/17	xxxx1907	96.48	Child Care Svs Program	Other Travel Employees
2303	12/22/17	xxxx2364	195.55	HS Basic Grant	Other Travel Employees
2303	12/22/17	xxxx2364	130.37	EHS-Child Care Partnership #2	Other Travel Employees
2303	12/22/17	xxxx0494	200.96	EHS-Child Care Partnership #2	Other Travel Employees
2303	12/22/17	xxxx8798	1,232.14	Child Care Svs Program	Other Travel Employees
2303	12/22/17	xxxx3838	1,437.04	HS Parent Services	Other Travel Employees
2303	12/22/17	xxxx1899	743.52	Indirect Admin Costs	Other Travel Employees
			4,539.10		
2467	12/22/17	xxxx1907	697.00	CSD Liheap PGE Assistance	Training & Registration
2467	12/22/17	xxxx0494	175.00	EHS-Child Care Partnership #2	Training & Registration
2467	12/22/17	xxxx8798	350.00	Indirect Admin Costs	Training & Registration
			1,222.00		
2477	12/22/17	xxxx2391	1,902.96	HS Basic Grant	Educational Supplies
			1,902.96		
2479	12/22/17	xxxx1899	225.00	Indirect Admin Costs	Other Special Dpmtal Exp
			225.00		
2490	12/22/17	xxxx2391	34.87	Indirect Admin Costs	Misc Services/Supplies
2490	12/22/17	xxxx0220	550.00	Marsh Creek Site Costs	Misc Services/Supplies
			584.87		
		Total	**12,609.13**		

COMMUNITY SERVICES BUREAU

SUMMARY CREDIT CARD EXPENDITURE

Agency: Community Services Bureau

Month: January 2018

Credit Card: Visa/U.S. Bank

Authorized Users	
C. Rand, Bureau Dir	xxxx8798
K. Mason, Div Mgr	xxxx2364
C. Reich, Div Mgr	xxxx4959
S. Kim, Sr. Bus. Systems Analyst	xxxx1907
C. Johnson, AD	xxxx0220
J. Rowley, AD	xxxx2391
P. Arrington, AD	xxxx3838
I. Renggenathen, AD	xxxx0494
R. Radeva, PSA III	xxxx1899
Corporate Acct. Number	xxxx5045

Acct. code	Stat. Date	Card Account #	Amount	Program	Purpose/Description
2100	01/22/18	xxxx1907	102.00	HS Basic Grant	Office Exp
2100	01/22/18	xxxx1907	94.01	Child Care Svs Program	Office Exp
			196.01		
2102	01/22/18	xxxx8798	88.15	HS Basic Grant	Books, Periodicals
2102	01/22/18	xxxx8798	6,140.72	HS Basic Grant	Books, Periodicals
2102	01/22/18	xxxx8798	(173.67)	HS Basic Grant	Books, Periodicals
			6,055.20		
2300	01/22/18	xxxx4959	12.99	EHS-Child Care Partnership #2	Transportation & Travel
2300	01/22/18	xxxx2391	843.91	EHS-Child Care Partnership #2	Transportation & Travel
			856.90		
2303	01/22/18	xxxx4959	505.00	EHS-Child Care Partnership #2	Other Travel Employees
2303	01/22/18	xxxx4959	2,639.76	HS Basic Grant	Other Travel Employees
2303	01/22/18	xxxx1907	450.00	HS Basic Grant	Other Travel Employees
2303	01/22/18	xxxx1907	450.00	Child Care Svs Program	Other Travel Employees
2303	01/22/18	xxxx2364	0.06	HS Basic Grant	Other Travel Employees
2303	01/22/18	xxxx2364	0.04	EHS-Child Care Partnership #2	Other Travel Employees
2303	01/22/18	xxxx8798	289.72	Child Care Svs Program	Other Travel Employees
2303	01/22/18	xxxx8798	328.80	HS Basic Grant	Other Travel Employees
2303	01/22/18	xxxx2391	82.79	HS Basic Grant	Other Travel Employees
2303	01/22/18	xxxx2391	212.56	EHS-Child Care Partnership #2	Other Travel Employees
			4,958.73		
2467	01/22/18	xxxx4959	515.00	HS Basic Grant	Training & Registration
2467	01/22/18	xxxx4959	53.03	Head Start T & TA	Training & Registration
2467	01/22/18	xxxx2364	4,880.00	HS Basic Grant	Training & Registration
2467	01/22/18	xxxx0494	150.00	EHS-Child Care Partnership #2	Training & Registration
2467	01/22/18	xxxx8798	65.00	Child Care Svs Program	Training & Registration
2467	01/22/18	xxxx2391	2,145.00	HS Basic Grant	Training & Registration
			7,808.03		
2477	01/22/18	xxxx0494	26.86	Brookside Site Costs	Educational Supplies
2477	01/22/18	xxxx3838	436.96	GM III Site Costs	Educational Supplies
2477	01/22/18	xxxx3838	287.40	Balboa Site Costs	Educational Supplies
2477	01/22/18	xxxx2391	260.74	HS Basic Grant	Educational Supplies
2477	01/22/18	xxxx0220	124.53	Riverview Site Costs	Educational Supplies
2477	01/22/18	xxxx0220	1,359.81	HS Parent Services	Educational Supplies
			2,496.30		
2479	01/22/18	xxxx2391	150.00	Indirect Admin Costs	Other Special Dpmtal Exp
			150.00		
2490	01/22/18	xxxx0494	38.63	Child Nutrition Food Services	Misc Services/Supplies
			38.63		
		Total	**22,559.80**		

Community Services Bureau
Monitoring Report Summary
February 2018

Description: Community Services Bureau implements a process of ongoing monitoring of its operations and services that includes: (1) using measures, tools, or procedures to implement the system of ongoing monitoring; (2) assigning staff and consultants to the ongoing monitoring of each service; (3) collecting, analyzing and reporting on the program's progress towards its own goals for quality; and (4) following-up on and correcting any weaknesses identified through ongoing monitoring.

This summary report reflects the compiled results of the monitoring conducted for the period of August 2017 through December 2017.

Summary of Monitoring Activities:

Monitoring was conducted for directly operated CSB centers, partner agency centers, and the Delegate Agency, First Baptist Head Start. This report highlights the monitoring results in the areas of Center Monitoring, Need and Eligibility, Comprehensive Services, Education, and Classroom Assessment Scoring System (CLASS) for preschool classrooms.

Data sources utilized by the team included: child and family files, classroom observations, CLOUDS database reports, and parent and staff interviews.

- **671** child and family files reviewed
- **16** classrooms sampled for center monitoring
- **62** directly operated, partner and delegate agency infant, toddler, and preschool classroom environments observed
- **31** classrooms received CLASS Observations completed between November-December

Center Monitoring
Top 3 Strengths: ➢ Head counts are completed, current and accurate; counts in binder are complete. ➢ Surveillance monitor shows clear, unobstructed views of classrooms, entrances and playgrounds. ➢ All staff and children in attendance are signed into CLOUDS
Areas Needing Improvement: ➢ Current emergency cards are readily available in one place. ➢ Toothbrushes are sorted in covered holders, not touching each other and are handled in a sanitary manner. ➢ Required emergency drills are conducted monthly.
Corrective Actions: Corrective actions were taken and validated.
NEED AND ELIGIBILITY
Top 3 Strengths: ➢ Child and Family Files are locked to ensure confidentiality. ➢ Child meets eligibility criteria established by the funding source(s). ➢ Files are organized in accordance with cover sheets.
Areas Needing Improvement: ➢ Income eligibility is current, correct, verified and matches CLOUDS. ➢ Admission Agreement is complete, signed, updated, and hours match CLOUDS, (S) NOA, and CD 9600/9600S. ➢ Eligible income snapshot in CLOUDS reflects income and family size.
Corrective Actions: Corrective actions were taken and validated.
COMPREHENSIVE SERVICES
Top 3 Strengths: ➢ Copy of the goals and objectives of IEP/IFSP is provided to the teacher. ➢ Positive Guidance Policy Step Letter to Parents (CSB521), and Positive Guidance Plan (CSB134B) are followed and in file. ➢ All subsequent sensory screenings for returning children are completed per the EPSDT Schedule.
Areas Needing Improvement: ➢ Ensure up-to-date child health status. Health Examination - Well Child Check (CSB207) is current, completed, signed, date stamped with the date received/reviewed and entered in CLOUDS. ➢ CLOUDS Health History including the consents section is completed. ➢ (F, P/S) Dental exam is current, completed, signed, date stamped with the date received/reviewed and entered in CLOUDS.
Corrective Actions: Corrective actions were taken and validated.

EDUCATION FILE
Top 3 Strengths: ➢ Education referrals, family meetings, and re-screenings are documented in file and CLOUDS. ➢ Kindergarten Transition Meeting, if applicable. ➢ Toddler Transition Plan: IFSP information is included
Areas Needing Improvement: ➢ ASQ-3 Screening is conducted for newly enrolled children only within 45 days and form is completed, scored, signed, and in file and CLOUDS. ➢ (ASQ-SE) is conducted for newly enrolled children within 45 days during home visit with parent and completed in file and on CLOUDS. ➢ Initial Home Visit completed and in file. (First 45 Days)
Corrective Actions: Corrective actions were taken and validated.
FCC ENVIRONMENT & EDUCATION
Top 3 Strengths: ➢ All areas under Learning Environment/Room Organization ➢ All areas under Outdoor Area ➢ All areas under Provider-Child Interactions
Areas Needing Improvement: ➢ Child individualization is evident on lesson plans. ➢ Health, safety, nutrition social environment and mental health activities and discussions are reflected on the weekly lesson plans. ➢ Language and literacy, math, art, science, writing, music and movement, gross motor, and fine motor activities are reflected on the lesson plan.
PRESCHOOL EDUCATION ENVIRONMENT
Top 3 Strengths: ➢ **Personal Care Routines:** Greeting/Departing ➢ **Interaction:** General supervision of children ➢ **Program Structure:** Provisions for children with disabilities
Areas Needing Improvement: ➢ **Space and Furnishing:** Child-related display ➢ **Personal Care Routines:** Health practices ➢ **Language Reasoning:** Using language to develop reasoning skills.
Corrective Actions: Corrective action plans were developed and validated.
INFANT/TODDLER EDUCATION ENVIRONMENT
Top 3 Strengths: ➢ **Space and Furnishing:** Indoor Space ➢ **Listening and Talking:** Helping children use language ➢ **Program Structure:** Provisions for children with disabilities
Areas Needing Improvement: ➢ **Interaction:** Discipline
Corrective Actions: Corrective action plans were developed and validated.
CLASS

Domain	CSB Average Score	CSB Threshold	Federal Threshold Based on lowest 10% of CLASS Scores of programs reviewed in 2017.
Emotional Support	6.50	6	5.7024
Classroom Organization	6.17	6	5.3264
Instructional Support	3.25	3	2.3095

CSB average scores exceed current Designation Renewal System threshold.

CAO Monthly Report
CSBG and Weatherization Programs
Year-to-Date Expenditures
As of January 31, 2018

1. 2017 LIHEAP WX
Contract # 17B-3005
Term: Oct. 1, 2016 - March 31, 2018
Amount: WX $ 963,937

Total Contract	$	963,937
Expenditures		(767,889)
Balance	$	196,048
Expended		80%

2. 2017 LIHEAP ECIP/EHA 16
Contract # 17B-3005
Term: Oct. 1, 2016 - March 31, 2018
Amount: EHA 16 $ 1,034,329

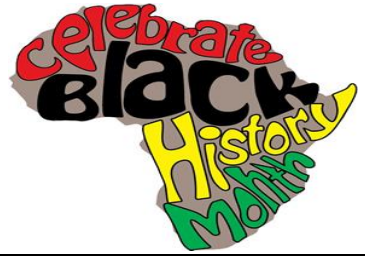
Total Contract	$	1,034,329
Expenditures		(956,028)
Balance	$	78,301
Expended		92%

4. 2017 COMMUNITY SERVICES BLOCK GRANT (CSBG)
Contract # 17F-2007
Term: Jan. 1, 2017 - December 31, 2017
Amount: $ 846,479

Total Contract	$	846,479
Expenditures		(766,366)
Balance	$	80,113
Expended		91%

fldr/fn:CAO Monthly Reports/WX YTD Exp-CAO Mo Rprt 1-2018

February 2018 – COMMUNITY SERVICES BUREAU PRESCHOOL MENU

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
			1 **BREAKFAST** 1 ea. FRESH BANANA ⅓ c. CHEERIOS **LUNCH** ***Baja Bean Taco*** ⅜ c. KIDNEY BEANS & PINTO BEANS ⅛ c. SHREDDED LETTUCE ⅛ c. SALSA ¼ c. FRESH KIWI 1 ea. CORN TORTILLA **PM SNACK** ½ c. DICED PEACHES 1 ea. MOZZARELLA CHEESE STICK	2 **BREAKFAST** ½ c. UNSWEETNED APPLESAUCE ½ sl. WHOLE WHEAT CINNAMON BREAD **LUNCH** 1 oz. ***Roasted Turkey*** ½ oz. SWISS CHEESE MAYO & MUSTARD DRESSING ¼ c. GREEN LEAF LETTUCE & TOMATO SLICE ¼ c. MANGO CHUNKS 1 sl. WHOLE WHEAT BREAD **PM SNACK** 1 ea. HARD BOILED EGG ½ c. FRESH ORANGE
5 **BREAKFAST** ½ c. FRESH APPLE ⅓ c. KIX CEREAL **LUNCH** ⅜ c. ***Cuban Black Bean*** ¼ c. BABY CARROTS (no dressing) ¼ c. FRESH KIWI 6 ea. WHOLE CORN TORTILLA CHIPS **PM SNACK** 1 pkg. GOLDFISH CRACKERS ½ c. 1% LOW-FAT MILK	6 **BREAKFAST** ½ c. FRESH TANGERINE ⅓ c. CORN CHEX CEREAL **LUNCH** ⅔ c. ****Ground Turkey & Spanish Rice*** (ground turkey, tomatoes, green pepper, onion) ¼ c. FRESH PEAR **PM SNACK** ½ c. FRESH APPLE 1 ea. CHEDDAR CHEESE STICK	7 **BREAKFAST** ½ c. MANGO CHUNKS ½ ea. WHOLE WHEAT BAGEL/CREAM CHEESE **LUNCH** ¾ c. ****Beef Vegetable Stew*** (beef cubes, sliced carrots, green peas, potatoes) ¼ c. FRESH ORANGE HALVE ½ ea. WHOLE WHEAT ROLL **PM SNACK** 2 pkgs. RITZ CRACKERS 1 tbsp. SUNBUTTER	8 **BREAKFAST** 1 ea. FRESH BANANA ¼ c. CINNAMON OATMEAL & RAISINS **LUNCH** ⅜ c. ***Pinto Beans*** ¼ c. RAINBOW COLESLAW ¼ c. FRESH APPLE 1 sq. HOMEMADE MEXICALI CORNBREAD **PM SNACK** ½ c. SALSA(PICO DE GALLO) 6 ea. WHOLE CORN TORTILLA CHIPS	9 **BREAKFAST** ½ c. FRESH ORANGE ⅓ c. RICE CHEX CEREAL **LUNCH** 1 ½ ozs. ***TUNA SALAD*** (tuna, eggs, mayo, relish, celery, onions) ¼ c. SPRING SALAD MIX/ITALIAN DRESSING ¼ c FRESH KIWI 1 sl. WHOLE WHEAT BREAD **PM SNACK** ⅓ c. LETS GO FISHING TRAIL MIX (corn chex, pretzels, fish & cheese crackers) ½ c. 1% LOW-FAT MILK
12 **BREAKFAST** ½ c. FRESH PEAR ⅓ c. BRAN CEREAL **LUNCH** ****Veggie Wrap*** ¼ c. LEAFY SALAD GREENS & SHREDDED CARROTS ½ oz. SHREDDED CHEESE 1 ea. HARD BOILED EGG ¼ c. FRESH TANGERINE 1 ea. WHOLE WHEAT TORTILLA **PM SNACK** 2 pkgs. WHOLE WHEAT CRACKERS/HUMMUS ½ c. 1% LOW-FAT MILK	13 **BREAKFAST** ½ c. FRESH ORANGE ⅓ c. RICE CHEX CEREAL **LUNCH** 1 ½ oz. ***Sloppy Joe*** ¼ c. MEXICALI CORN ¼ c. FRESH APPLE SLICES ½ ea. WHOLE WHEAT HAMBURGER BUN **PM SNACK** 1 pkg. ANIMAL CRACKERS ½ c. 1% LOW-FAT MILK	14 **BREAKFAST** 1 ea. FRESH BANANA ⅓ c. KIX CEREAL **LUNCH** ½ c. ***Red Pozole Soup*** (diced chicken, tomato paste, hominy) ¼ c. SHREDDED CABBAGE & CILANTRO ¼ c. MANGO CHUNKS 6 ea. WHOLE CORN TORTILLA CHIPS **PM SNACK** 1 ea. SOFT PRETZEL STICK ½ c. CUCUMBER & CARROT STICKS/RANCH DRESSING	15 **BREAKFAST** ½ c. FRESH ORANGE ½ sl. WHOLE WHEAT CINNAMON BREAD **LUNCH** ⅜ c. ***Hoppin' John Blackeye Peas*** ¼ c. COLLARD GREENS ¼ c. FRESH PEAR 1 sq. HOMEMADE CORNBREAD SQUARE **PM SNACK** ½ c. PINEAPPLE TIDBITS ⅛ c. COTTAGE CHEESE	16 **BREAKFAST** 1 ea. FRESH BANANA ⅓ c. CHEERIOS **LUNCH** ½ c. ****Chinese Chicken Salad*** (diced chicken, napa cabbage, red cabbage, carrots, scallions, chow mein noodles) ¼ c. FRESH TANGERINE ½ ea. WHOLE WHEAT ROLL **PM SNACK** ½ c. FRESH APPLE 1 tbsp. SUNBUTTER
19 	20 **BREAKFAST** ½ c. FRESH ORANGE ⅓ c. CORN CHEX CEREAL **LUNCH** ¾ c. ****Vegetable Chili*** (kidney beans, tomatoes, bulgur wheat, yogurt, & cheddar cheese) ¼ c. FRESH KIWI 2 pkgs. WHEAT CRACKERS **PM SNACK** ⅓ c. FRIENDS TRAIL MIX (kix, cheerios, corn chex, raisins, pretzels, and dried apricots) ½ c. 1% LOW-FAT MILK	21 **BREAKFAST** 1 ea. FRESH BANANA ⅓ c. CORNFLAKES **LUNCH** ½ c. ****Turkey Spaghetti Casserole*** (ground turkey, tomato paste, onions with whole wheat spaghetti) ¼ c. FRESH APPLE **PM SNACK** ½ c. FRESH BROCCOLI & CAULIFLOWER/RANCH DIP 6 ea. WHEAT THIN CRACKERS	22 **BREAKFAST** ½ c. FRESH KIWI ½ ea. ENGLISH MUFFIN WITH SUNBUTTER & JELLY **LUNCH** 1 ea. ****Mexican Pizza*** (refried beans, tomato paste, chunky salsa) ½ oz. SHREDDED MOZZARELLA CHEESE ¼ c. MANGO CHUNKS 1 ea. WHOLE WHEAT TORTILLA **PM SNACK – ANTS ON A LOG** 2 tbsps. SUNBUTTER ¼ c. CELERY STICKS 1 tbsp. RAISINS ½ c. 1% LOW-FAT MILK	23 **BREAKFAST** 1 ea. FRESH BANANA ⅓ c. RICE CHEX CEREAL **LUNCH** 1 oz. ***Turkey Ham & ½ oz. Swiss Cheese*** MAYO & MUSTARD DRESSING ¼ c. GREEN LEAF LETTUCE & TOMATO SLICE ¼ c. FRESH TANGERINE 1 sl. WHOLE WHEAT BREAD **PM SNACK** ¼ c. LOW-FAT PLAIN YOGURT ½ c. MIXED FRUIT
26 **BREAKFAST** ½ c. FRESH ORANGE ⅓ c. RICE CHEX CEREAL **LUNCH** ½ c. ***Vegetarian Beans*** ½ ea. TOASTED CHEESE SANDWICH ¼ c. SPRING SALAD MIX/ITALIAN DRESSING ¼ c. FRESH APPLE **PM SNACK** 2 pkgs. RITZ CRACKERS ½ c. 1% LOW-FAT MILK	27 **BREAKFAST** ½ c. FRESH KIWI ⅓ c. BRAN CEREAL **LUNCH** 1 ½ ozs. ***Filipino Adobo*** (beef stew meat, soy sauce, vinegar) ¼ c. FRESH BROCCOLI FLORETS/RANCH DRESSING ¼ c. FRESH TANGERINE ¼ c. BROWN RICE **PM SNACK** 1 ea. FRESH BANANA 1 tbsp. SUNBUTTER	28 **BREAKFAST** ½ c. FRESH APPLE ½ ea. WHOLE WHEAT BAGEL/CREAM CHEESE **LUNCH** 1 serv. ***Chicken Chilaquiles With Whole Grain Corn Tortilla Chips*** ¼ c. GREEN SALAD/ITALIAN DRESSING ¼ c. FRESH PEAR **PM SNACK** ½ c. TROPICAL FRUIT SALAD 1 pkg. GRAHAM CRACKERS		**ALL BREAKFAST & LUNCH SERVED WITH 1% LOW-FAT MILK** *Indicates vegetable included in main dish **WATER IS OFFERED THROUGHOUT THE DAY**

Contra Costa County

To: Board of Supervisors

From: John Kopchik, Director, Conservation & Development Department

Date: March 27, 2018

Subject: Annual Update on Implementation of the County General Plan

RECOMMENDATION(S):

1. ACCEPT the annual progress report by the Department of Conservation and Development (DCD) on implementation of the Contra Costa County General Plan 2005-2020, as required under California Government Code Section 65400.

2. DIRECT DCD staff to forward the General Plan annual progress report to the Governor's Office of Planning and Research (OPR) and the California Department of Housing and Community Development (HCD), as required under California Government Code Section 65400.

FISCAL IMPACT:

No impact to the General Fund. The report on the County's progress in implementing its General Plan is funded 100% from the Land Development Fund, FY 2017/2018.

BACKGROUND:

California Government Code Section 65400 requires the planning agency for certain cities and all 58 counties to submit an annual report to their legislative body (city council or board of supervisors, respectively), OPR, and HCD on the status of their General Plan and progress on its implementation. The annual report provides the local legislative body with information regarding the status of its General Plan

- [x] APPROVE
- [ ] OTHER
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Will Nelson, (925) 674-7791

cc:

BACKGROUND: (CONT'D)

and gives OPR the opportunity to identify statewide trends in land use decision making, including how local planning and development activities relate to statewide planning goals and policies. Additionally, it enables OPR to track progress on a local jurisdiction's General Plan in terms of its comprehensiveness and consistency with the current OPR General Plan Guidelines and other State mandates.

There is no standardized form or format for preparation of the General Plan annual progress report. OPR leaves it up to each jurisdiction to determine which locally-relevant issues are important to include, but they do suggest general content to cover within the report. The attached report covering calendar year 2017 follows the general guidance of OPR in terms of content.

Staff notes that under a separate section of the Government Code, all local jurisdictions are required to submit a report to HCD on certain housing information, including the jurisdiction's progress in meeting its share of regional housing needs and local efforts to remove governmental constraints to development of housing. On March 27, 2018, the Board is scheduled to consider accepting the County's General Plan Housing Element implementation report for 2017. Information in that report is incorporated into the attached General Plan annual progress report.

Staff calls to the Board's attention the County's progress in meeting its share of regional housing needs. Current data indicates that through calendar year 2017, the third year of the current eight-year Housing Element cycle, the County has issued building permits for 62.6 percent of its allocated share of the region's housing needs. While the County has already made significant progress in achieving gross housing production goals, production of new housing units available to households in the low- and very low-income categories continues to stagnate. In 2017, the County issued three permits for new units available to low- and very low-income households. Through the first three years of the current housing cycle only 11 such permits have been issued, constituting 1.2 percent of the total building permits issued for new units.

CONSEQUENCE OF NEGATIVE ACTION:

State law requires DCD to submit this report to the Board of Supervisors prior to submitting it to OPR and HCD. The purpose of this report is to provide an update to the Board of Supervisors on General Plan implementation.

ATTACHMENTS

General Plan Annual Progress Report for 2017

CONTRA COSTA COUNTY
2017 GENERAL PLAN ANNUAL PROGRESS REPORT

Submitted to:
Board of Supervisors
Contra Costa County
March 27, 2018

Prepared by:

Contra Costa County
Department of Conservation and Development

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I. INTRODUCTION/PURPOSE OF ANNUAL REPORT

Purpose of this report is to comply with California Government Code section 65400(b)(1), which mandates that all cities and counties submit to their legislative bodies an annual report on the status of their General Plan and progress in its implementation. A copy of this report will, as required under the statute, be provided to the Governor's Office of Planning and Research (OPR) and California Department of Housing and Community Development (HCD). The County will provide a separate report to HCD in fulfillment of a statutory requirement to report certain housing information, including the County's progress in meeting its share of regional housing needs and local efforts to remove governmental constraints to maintenance, improvement, and development of housing, as defined in Government Code sections 65584 and 65583.

In compliance with Government Code Section 65400(b)(1), this General Plan Annual Progress covering calendar year 2017 has been prepared for the Contra Costa County Board of Supervisors' consideration and acceptance. This report:

1. Summarizes the status of the Contra Costa County General Plan and describes steps taken to implement General Plan policies in 2017;

2. Provides a summary of General Plan Amendments (GPAs) adopted by the Board of Supervisors in 2017;

3. Describes Housing Element implementation pursuant to Government Code sections 65584 and 65583(c)(3); and

4. Concludes with a discussion on goals, objectives, and work activities related to General Plan implementation for calendar years 2018 and 2019.

II. GENERAL PLAN STATUS AND IMPLEMENTATION

A. GENERAL PLAN BACKGROUND

The Contra Costa County Department of Conservation and Development (DCD) is a division of the planning agency for the unincorporated area of Contra Costa County and is responsible for proper preparation and administration of the County General Plan (County Ordinance Code section 26-2.808[1]). The Board of Supervisors adopted a comprehensive General Plan in January 1991 following an extensive public outreach and participation process initiated in 1986. This updated General Plan superseded the County's prior General Plan (and each of the previously adopted elements), and consolidated several area-specific General Plans into one comprehensive document.

The General Plan was re-adopted by the Board of Supervisors in July 1996 to consolidate General Plan Amendments approved between 1991 to 1995 and correct minor errors and omissions discovered in the original 1991 General Plan text. This reconsolidated General Plan covered the period from 1995 through 2010. The General Plan was re-adopted again in January 2005 to consolidate General Plan Amendments adopted between 1995 and 2004, revise text and maps to reflect the 1999 incorporation of the City of Oakley (formerly an unincorporated community covered under the County General Plan), and incorporate the 2001 Housing Element update. The second County General Plan "reconsolidation" covers the period from 2005 through 2020.

Government Code section 65302 specifies the seven mandatory General Plan elements. Each mandatory element of the County General Plan was prepared or updated in compliance with the *State of California General Plan Guidelines* published by OPR. Local jurisdictions may also include optional elements as they see fit. The County General Plan includes two such elements. Table 1 indicates the status of each General Plan element, including the year it was originally adopted and the year it was most recently revised.

TABLE 1: STATUS OF GENERAL PLAN ELEMENTS

Element	First Adopted	Last Revised
Land Use	1963	2005
Transportation/Circulation	1963	2005
Housing	1970	2014
Conservation	1973	2005
Open Space	1973	2005
Safety	1975	2005
Noise	1975	2005
Growth Management (optional)	1991	2005
Public Facilities/Services (optional)	1972	2005

B. ADOPTED GENERAL PLAN AMENDMENTS FOR CALENDAR YEAR 2017

Pursuant to Government Code section 65358(b), the County may amend the mandatory General Plan elements up to four times per calendar year. However, each amendment may include more than one change to the General Plan. DCD refers to amendments to the mandatory elements as “consolidated” because each may consolidate multiple changes in one action. The Board of Supervisors, acting in its capacity as the legislative body for the unincorporated areas of Contra Costa County, adopted four amendments to the County General Plan during calendar year 2017, which are summarized as follows:

- **1st Consolidated General Plan Amendment**

  Saranap Village Mixed-Use Project (County File GP#13-0003): Amended the Land Use Element Map, Transportation and Circulation Element text, and Roadway Network Map to allow a mixed-use infill project consisting of 198 multi-family units and approximately 22,000 square feet of neighborhood-serving commercial uses. Adopted by the Board of Supervisors on August 15, 2017. Initiated by the private sector.

- **2nd Consolidated General Plan Amendment**

  Olympic Boulevard Five-Lot Subdivision (County File GP#15-0002): Amended the Land Use Element Map to increase the allowed density at an infill site. Adopted by the Board of Supervisors on December 5, 2017. Initiated by the private sector.

- **3rd Consolidated General Plan Amendment**

  Land Use Element Map Update (County File #GP17-0005): Amended the Land Use Element Map to reflect land acquisitions and use by public agencies. Adopted by the Board of Supervisors on December 19, 2017. Initiated by the County.

Commercial Solar Energy Amendment (County File #GP17-0006): Amended the text of the Land Use Element to allow commercial/distribution-scale solar energy generating facilities in areas designated Commercial, Light Industry, and Heavy Industry on the Land Use Element Map. Adopted by the Board of Supervisors on December 19, 2017. Initiated by the County.

C. GENERAL PLAN AMENDMENTS AND OTHER ACTIVITIES RELATED TO GENERAL PLAN IMPLEMENTATION INITIATED IN 2017

Proposals to amend the General Plan, whether submitted from the private sector or County-initiated, must be preliminarily reviewed by the Board of Supervisors before DCD may begin the full GPA process. In 2017 the Board of Supervisors preliminarily reviewed the following proposals:

- *Bixler Road Mini-Storage GPA (County File GP#17-0001)*: A request to amend the Land Use Element Map to redesignate a 6.6-acre site from Office to Commercial to allow development of a mini-storage facility. Initiated by the private sector.
- *Discovery Bay Mixed-Use GPA (County File: GP#17-0003):* A request to amend the Land Use Element Map to redesignate a 7.2-acre infill site from Commercial to Multiple-Family Residential – Medium Density to allow development of a multi-family residential project. Initiated by the private sector.

D. COMPLIANCE WITH OFFICE OF PLANNING AND RESEARCH *GENERAL PLAN GUIDELINES* AND ASSOCIATED DIRECTIVES

Government Code section 65400 requires jurisdictions to discuss the degree to which the adopted General Plan complies with the *General Plan Guidelines*. The *Guidelines* provide a definitive interpretation of State statutes and case law as they relate to the General Plan. Additionally, the *Guidelines* outline the general framework for preparation and revision of a General Plan, Attorney General Opinions, and the relationship of the General Plan to the requirements of the California Environmental Quality Act (CEQA). The *Guidelines* are advisory in nature rather than prescriptive, and thereby preserve opportunities for a local jurisdiction to address contemporary planning topics in a locally appropriate manner. DCD staff has determined that the County General Plan is consistent with the 2003 version of the *Guidelines*.

OPR issued a comprehensive update to the *Guidelines* in August 2017. This new version includes topics and issues not currently addressed in the County General Plan, such as climate change, environmental justice, and community health. The County will address these and other topics as part of the upcoming General Plan update (see discussion below).

In addition to the *General Plan Guidelines*, OPR has issued other advisories and guidance related to State planning law requirements for cities and counties. DCD has endeavored to incorporate these advisories into the County's planning process. For example, in November 2005 OPR issued a supplement to the *Guidelines* providing advisory guidance on the process for consulting with California Native American tribes during adoption or amendment of local General Plans or Specific Plans in order to protect Traditional Tribal Cultural Places (also known as SB 18 Tribal Consultation). DCD has established a protocol for SB 18 Tribal Consultation on General Plan Amendments and Specific Plans in accordance with the November 2005 guidance.

In December 2010 OPR provided guidance on amending circulation elements in response to AB 1358 (Leno), The California Complete Streets Act, which requires cities and counties to plan for development of multi-modal transportation networks. In 2008, the Board of Supervisors amended the Land Use, Transportation and Circulation, and Open Space Elements of the General Plan to include language supporting the Complete Streets philosophy. Then in July 2016 the Board adopted the *Complete Streets Policy of Contra Costa County*, which builds upon the 2008 amendments. Pursuant to AB 1358, Complete Streets/multi-modal transportation planning will be fully integrated into the Transportation and Circulation Element upon its next substantial revision, which is anticipated to occur in 2020 (see below).

In May 2015 OPR issued a technical advisory on fire hazard planning which among other things, provides guidance on amending safety elements pursuant to SB 1241 (Kehoe). DCD is in the process of amending the County General Plan Safety Element to comply with SB 1241 (see below).

OPR has also worked to improve communication and encourage collaboration between local governments and the United States military on land use planning and development issues in response to passage in 2002 of SB 1468 (Knight) and SB 1462 (Kuehl) in 2004. DCD has established a protocol to determine whether notification to the U.S. military is necessary if a project is located within 1,000 feet of a military installation or within special airspace as defined in the Public Resources Code section 21098. DCD uses the California Military Land Use Compatibility Analyst, which was prepared by the State Resources Agency in conjunction with OPR to help cities and counties find the location of military installations and training facilities within their jurisdiction and to determine whether a project triggers notification to the U.S. military.

III. HOUSING ELEMENT IMPLEMENTION AND PROGRESS IN MEETING SHARE OF REGIONAL HOUSING NEEDS

The County General Plan Housing Element was preliminarily approved by the Board of Supervisors in 1970, approximately one year after State law established the element as one of the mandatory General Plan elements. The Housing Element was formally adopted by the Board in December 1980 following new mandates established in the mid-1970s, and has been updated several times as part of the mandated cycle of Housing Element updates adopted by the State Legislature beginning in 1985. The current Housing Element, which was certified by HCD on March 11, 2015, sets forth the County's housing goals, objectives, policies, and implementation measures.

The attached tables listed as A, A3, B, and C are from Contra Costa County's Annual Housing Element Progress Report for 2017. These tables contain detailed information pertaining to progress and implementation activities for the 5th Cycle Housing Element planning period, which began January 31, 2015, and ends in 2023.

A. SHARE OF REGIONAL HOUSING NEED

Table 2 summarizes the County's share of projected regional housing needs in the San Francisco Bay Area over the 5th Cycle Housing Element planning period.

TABLE 2: SHARE OF REGIONAL HOUSING NEEDS

Regional Housing Needs Allocation (RHNA)
by Income Category for San Francisco Bay Area and Contra Costa County, 2015-2023

State Affordability - Income Category	SF Bay Area Total RHNA	Contra Costa County RHNA	
		Unincorporated + Cities	Unincorporated only
Very-Low Income	46,680	5,264	374
Low Income	28,940	3,086	218
Moderate Income	33,420	3,496	243
Above-Moderate Income	78,950	8,784	532
TOTAL Housing Need	**187,990**	**20,630**	**1,367**

The RHNA for the 5th Cycle was adopted by the Association of Bay Area Governments (ABAG) in July 2013.[1]

B. HOUSING PRODUCTION

Table 3 provides a breakdown by income level of the County's housing production for 2017 along with a running total for the current Housing Element cycle.

TABLE 3: UNIT COUNT - UNINCORPORATED COUNTY HOUSING PRODUCTION

Income Level		RHNA by Income Level	Units Built in 2017 (Percentage)[2]	Total 5th Cycle Units Built (Percentage)[3]	Total Remaining RHNA Units
Very-Low	Deed Restricted	374	0 (0.0%)	0 (0.0%)	374
	Non-Restricted		0 (0.0%)	0 (0.0%)	
Low	Deed Restricted	218	3 (0.01%)	3 (0.01%)	207
	Non-Restricted		0 (0.0%)	8 (0.03%)	
Moderate		243	31 (12.7%)	124 (51.0%)	119
Above-Moderate		532	244 (45.9%)	721 (135.5%)	0
TOTAL		**1,367**	**278 (20.3%)**	**856 (62.6%)**	**700**

The County issued 278 permits for new residential units in 2017, equaling 20.3 percent of the entire eight-year 5th Cycle RHNA. This represents a 3.6 percent annual increase from 2016. Through 2017, the third year of the 5th Cycle, the County has issued permits for 62.6 percent of its RHNA share and has already exceeded its share of above-moderate income units. The County is on pace to exceed its share of moderate-income units as well. However, only 3 permits were issued in 2017 for units which would be affordable to very low- or low-income households (income at 51 to 80 percent of the area median income [AMI] for Contra Costa County). While the County is well on its way toward meeting its total

[1] Source: ABAG Website, *Regional Housing Need Plan for the San Francisco Bay Area: 2014-2022*
[2] Indicates percentage of units constructed during the current reporting year relative to the total RHNA for each income category.
[3] Indicates cumulative percentage of units constructed for the 5th Cycle relative to the total RHNA for each income category.

RHNA share, 84.2 percent of new housing production has been in the above-moderate income category and less than 1 percent has been in the very-low and low-income categories.

C. BARRIERS TO HOUSING DEVELOPMENT AND AFFORDABLE HOUSING ACTIVITY IN CALENDAR YEAR 2017

Market factors such as the high cost of land suitable for residential development and high construction costs continue to be the most significant constraints on development of affordable housing in Contra Costa County. The County attempts to counter these factors with strategies and subsidy programs, which are identified in the General Plan Housing Element, aimed at developing affordable rental housing and expanding homeownership opportunities. The key funding sources the County utilizes include Community Development Block Grant (CDBG), HOME Investment Partnerships Act, Emergency Solutions Grant Funds, Housing Opportunities for Persons with AIDS (HOPWA), Mental Health Services Act, Housing Successor (former Redevelopment Set-Aside) Funds, bond financing, Mortgage Credit Certificates, low-income housing tax credits, and Section 8 Assistance.

Table C, attached, briefly outlines the housing programs contained in the Housing Element and describes their 2017 performance. Some notable County actions include:

- Issuing $146.79 million in tax-exempt bonds for construction of 376 new units in the unincorporated community of North Richmond and cities of El Cerrito and Richmond.
- Issuing $19.50 million in tax-exempt bonds for rehabilitation of 114 units in the unincorporated community of Bay Point and City of Concord.
- Providing $625,000 in HOME funds to support rehabilitation of a 14-unit apartment complex in the community of Bay Point.
- Issuing $100,000 in CDBG funds for an 82-unit senior housing project in the City of Pleasant Hill.
- Weatherizing 348 residential units (273 extremely-low income and 75 very-low income).
- Providing 24 Mortgage Credit Certificates worth $1.89 million for first-time homebuyers.
- Approving a 193-unit apartment project in the community of Bay Point, which included a density bonus.
- Issuing 28 building permits for Accessory Dwelling Units (ADUs).
- Amending the ADU Ordinance to streamline approval of internal conversions.
- Adopting the Farmworker Housing Ordinance.

A barrier to affordable housing also exists in the form of discrimination. Contra Costa County affirmatively furthers fair housing through the ongoing support of fair housing counseling, education, and outreach activities. In addition, all housing projects funded by the County are required to undertake broad marketing activities in a manner consistent with federal and State fair housing laws, including outreach to underserved populations. The Analysis of Impediments to Fair Housing (AI) was adopted by the Board of Supervisors in 2010 and updated April 2017.

IV. GOALS, OBJECTIVES, AND WORK ACTIVITIES RELATED TO GENERAL PLAN IMPLEMENTION FOR CALENDAR YEARS 2018 AND 2019

In 2018 and 2019 DCD will continue a significant work effort associated with General Plan implementation in response to the following State mandates:

Safety Element

Fire Hazard Severity Map – As required under SB 1241, the Fire Hazard Severity Map in the Safety Element will be updated to reflect new mapping by the California Department of Forestry and Fire Protection (Cal Fire) of wildland fire hazards and risks, and to identify State responsibility areas and very-high fire hazard severity zones in Contra Costa County. Accordingly, the Safety Element's goals, policies, and implementation measures related to wildland fire hazards will be reviewed and updated, as necessary.

Land Use Element

Disadvantaged Unincorporated Communities – SB 244 (Wolk, 2011) requires cities and counties to address the infrastructure and service needs of unincorporated disadvantaged communities (DUCs) in their respective General Plans. DUCs are defined under SB 244 as:

- Containing 10 or more dwelling units in close proximity to one another;
- Within a city Sphere of Influence (SOI), or is an island surrounded by a city, or is geographically isolated and has existed for more than 50 years; and,
- Having a median household income that is 80 percent or less than the statewide median household income.

SB 244 requires that the Land Use Element be updated to identify DUCs and analyze the water, wastewater, stormwater drainage, and structural fire protection deficiencies and needs for each. Funding alternatives for extension of services to the DUCs must also be identified.

General Plan Update

The term of the County General Plan extends through calendar year 2020. In December 2017, the Board of Supervisors formally directed DCD staff to begin an update of the General Plan and provided direction regarding the document's content. Among other improvements, the updated General Plan will address economic development, community health, climate change, and environmental justice; include a fully rewritten Transportation and Circulation Element to address SB 743; and incorporate the most recent version of numerous planning documents such as *Plan Bay Area 2040*, the Bay Area Air Quality Management District's *2017 Clean Air Plan*, the Delta Protection Commission's updated *Land Use and Resource Management Plan for the Primary Zone of the Delta*, the *Contra Costa County Community Climate Action Plan*, and the *Contra Costa County Hazard Mitigation Plan*. Work on the General Plan update will begin in earnest in 2018 and extend through 2020.

List of Attachments (Tables taken from 2017 Housing Element Progress Report to HCD)

Table A: Annual Building Activity Report Summary – New Construction of Very Low-, Low-, and Mixed-Income Multifamily Projects

Table A3: Annual Building Activity Report for Above Moderate-Income Units (not including those units reported on Table A)

Table B: Regional Housing Needs Allocation Progress

Table C: Program Implementation Status

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction CONTRA COSTA COUNTY

Reporting Period 01/01/2017 - 12/31/2017

Table A

Annual Building Activity Report Summary - New Construction
Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information									Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions
1	2	3	4				5	5a	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
			Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income			See Instructions	See Instructions	
Driftwood Estates	SF	Owner	0	3	0	44	47	0		DB	
(9) Total of Moderate and Above Moderate from Table A3					31	244					
(10) Total by Income Table A/A3			0	3	31	244					
(11) Total Extremely Low-Income Units*			0								

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction CONTRA COSTA COUNTY

Reporting Period 01/01/2017 - 12/31/2017

Table A3
Annual building Activity Report Summary for Above Moderate-Income Units
(not including those units reported on Table A)

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for **Moderate**	0	0	0	28	3	31	0
No. of Units Permitted for **Above Moderate**	200	0	0	0	0	200	0

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction CONTRA COSTA COUNTY

Reporting Period 01/01/2017 - 12/31/2017

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.													Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level		RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9			
Very Low	Deed Restricted	374	0	0	0	0	0	0	0	0	0		0	374
	Non-Restricted		0	0	0	0	0	0	0	0	0			
Low	Deed Restricted	218	0	0	3	0	0	0	0	0	0		11	207
	Non-Restricted		8	0	0	0	0	0	0	0	0			
Moderate		243	65	28	31	0	0	0	0	0	0		124	119
Above Moderate		532	276	201	244	0	0	0	0	0	-		721	0
Total RHNA by COG. Enter allocation number:		1367	349	229	278	0	0	0	0	0	0		856	700
Total Units ► ► ►														
Remaining Need for RHNA Period ► ► ► ► ►														

Note: units serving extremly low-income households are included in the very low-income permitted units totals.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction CONTRA COSTA COUNTY

Reporting Period 01/01/2017 - 12/31/2017

Table C

Program Implementation Status

Program Description (By Housing Element Program Names)	**Housing Programs Progress Report - Government Code Section 65583.** Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.		
Name of Program	**Objective**	**Timeframe in H.E.**	**Status of Program Implementation**
Review of Zoning & Subdivision Ordinance	Periodically review subdivision ordinance to ensure it does not unduly constrain housing development. Revise zoning code to allow emergency shelters by right, single room occupancy housing, transitional and permanent supportive housing, and agricultural worker housing.	Ongoing	The agricultural worker housing, permanent supportive housing, and transitional housing zoning ordinances were adopted on September 19, 2017.
Coordinated County Department Review of Development Applications	Expedite application review through a better coordinated process with other County departments	Ongoing	The County strives to coordinate and reach-out to other County departments and agencies when processing new applications.
Anti-Discrimination Program	Promote fair housing.	Complete update to the AI after promulgation of new regulations	The Analysis of Impediments to Fair Housing (AI) was adopted by the Board of Supervisors on May 25, 2010. An update to the AI was completed April 12, 2017. The County is currently working on a County-wide Assessment of Fair Housing report and has entered into contract with a consultant to prepare this document.

Residential Displacement Program	Limit number of households being displaced or relocated because of County sponsored programs or projects.	Ongoing	There are no updates to report this period within the unincorporated County.
Residential Energy Conservation Program	Participate in Bay Area regional efforts to reduce energy consumption.	Ongoing	Solar permits for roof-mounted residential PV systems are available on-line under the Application and Permit Center web page. Instructions for in-person and on-line submittal for expedited review is posted on the County's web page. The number of solar permits issued is 1,515. The County also participates in BayREN a regional energy network, which is a collaboration of the nine counties that make up the San Francisco Bay Area. This program is led by the Association of Bay Area Governments, and is an incentive and rebate program for owners and property managers for Homeowner's Associations for single-family and multi-family units for energy efficiency retrofits. There were 482 upgrades County-wide, with 27 upgrades in the unincorporated County.
Neighborhood Preservation Program	Improve the quality of existing housing & neighborhoods.	Ongoing	There were seven homes within the unincorporated county that were rehabilitated. Of those seven projects, two households were extremely low income (30% AMI), one household was very low-income (50% AMI), and two households were low-income (80% AMI).
Weatherization Program	Assist homeowners and renters with minor home repairs.	Ongoing	348 units have been weatherized in County cities, towns, and communities. 273 units were extremely low income and 75 units were very low income.
Code Enforcement	Maintain & improve the quality of existing housing & neighborhoods.	Ongoing	There were a total of 838 cases opened and 738 cases closed. Approximately 99% of all cases were residential.
Preservation of Affordable Housing Assisted with Public Funds	Preserve the existing stock of affordable housing.	Ongoing	The County awarded $280,000 to RNHS in CDBG funds for a scattered sites rehabilitation of three single-family rental homes in Richmond. The County also closed financing and issued $19,500,000 in tax-exempt bonds on rehabilitation projects, which includes Elaine Null a 14-unit apartment in Bay Point, Camara Circle a 52-unit apartment in Concord, and Riley Court a 48-unit apartment in Concord. The County previously allocated HOME and CDBG funds to Elaine Null and Riley Court. In addition, there were two rehabilitation projects where the county provided CDBG and HOME funds in a prior year completed construction. This includes Virginia Lane, a 91-unit project in Concord and East Bluff, a 144-unit project in Pinole.
New Construction of Affordable Housing	Increase the supply of affordable housing, including units affordable to extremely low income households.	Annual: Award HOME, CDBG, and HOPWA funds to experienced housing developers	The County awarded CDBG and HOME funds for various projects within the county and cities. The County provided $2,750,000 in CDBG funding and $15,790,000 in tax-exempt bonds to Heritage Point, a 42-unit rental project in North Richmond. The County previously allocated CDBG and Former Redevelopment Area funds to this project. Additionally, the County issued $21,000,000 tax-exempt bonds to Hana Gardens a 63-unit senior rental project in El Cerrito, which was previously funded with HOME and CDBG. The County also awarded $1,000,000 in CDBG funds, $1,200,000 in HOME funds to St.

		(fun	Paul's Commons a 45-unit rental project in Walnut Creek. In addition, the County awarded $100,000 in CDBG funds for Aging in Place, an 82-unit senior project in Pleasant Hill and $110,000,000 in tax-exempt bonds for 21 and 23 Nevin a 271-unit apartment in Richmond.
Housing Successor to the former Redevelopment Agency	Utilize County owned property (former redevelopment agency) to develop affordable housing	Disposition agreements by 2020	The Rodeo Senior Housing Extension project in Rodeo is under an Exclusive Negotiating Agreement, which was approved in January 2017. The County also entered into an Exclusive Negotiating Agreement with a developer for a 325-unit multi-family housing development, Orbisonia Heights in Bay Point.
Inclusionary Housing	Integrate affordable housing within market-rate developments.	Ongoing	There were no in-lieu fees collected during this reporting period.
Acquisition/ Rehabilitation	Improve existing housing and increase supply of affordable housing.	Ongoing	The County awarded $625,000 in HOME funds for the rehabilitation of the Elaine Null Apartments an existing 14-unit rental development in Bay Point.
Second Units	Facilitate the development of second units.	Ongoing	There were 28 building permits issued for second units.
Affordability by Design	Develop affordability by design program to promote creative solutions to building design and construction.	2017	There is nothing to report for this reporting period.
New Initiatives Program	Develop new programs or policies to fund or incentivize affordable housing development	2017	The County updated the Accessory Dwelling Unit Ordinance to streamline internal conversions.
Special Needs Housing	Increase the supply of special needs housing.	Annually: Include a priority for special needs housing in CDBG, HOME, HOPWA NOFA	There were no projects in this reporting period within the unincorporated County.
Developmental Disabled Housing	Increase the supply of housing available to persons with developmental disabilities	Annually: Include a priority for special needs housing in CDBG, HOME, HOPWA NOFA	There were no projects this reporting period in the unincorporated County.

Accessible Housing	Increase the supply of accessible housing.	Ongoing	The County continues to require accessible units in all new construction projects that received HOME or CDBG funding. Accessible units are included in rehabilitation projects when feasible where five percent of the units must be accessible to the physically impaired and an additional two percent of the units must be accessible to the hearing/vision impaired. (See New Construction and Affordable Housing Program)
Reasonable Accommodation	Increase the supply of special needs and accessible housing.	Ongoing	Through the NPP program, the County assisted in the funding of 2 projects that included accessibility improvements for accessible bathroom renovations.
Contra Costa Interagency Council on Homelessness	Meet the housing & supportive services needs of the homeless	Ongoing	This program is currently known as the Council on Homelessness. They continue to support the development of permanent supportive housing. Hearth Act funds are used for the support of existing permanent supportive housing units or placement of people into permanent supportive housing.
Farmworker Housing	Increase the supply of farmworker housing	Annually: Include farmworker housing in CDBG, HOME NOFA (See #5 above)	There were none built this reporting period. The County's Farmworker Housing Ordinance was adopted in September 2017.
First-Time Homebuyer Opportunities	Provide additional homeownership opportunities.	Ongoing	The County provided 24 households with Mortgage Credit Certificate Program (MCC) funds throughout the county and cities with a total of $1,890,150 in MCC funds.
Extremely Low Income Housing	Promote development of housing affordable to extremely low income households.	Annually: Include a priority for extremely-low income housing in CDBG, HOME, HOP	The County continues to provide funding preferences to developers who include units that are affordable to extremely-low income households. There were a total of 275 extremely low income housing projects during this reporting period (See Neighborhood Preservation Program and Weatherization Program).
Sites Inventory	Provide for adequate housing sites, including 'as-right development' sites for homeless facilities	Ongoing maintenance of site inventory.	There are no changes or updates for this reporting period.
Mixed-Use Developments	Encourage mixed-use developments.	2016/2017: Draft outline of revised ordinance and meet with	The Saranap Village project in the Saranap community was granted planning entitlements for retail with 70 for-sale condominiums, 6 for-sale townhomes, and 122 rental apartment units.

		stakeholder groups	
Density Bonus & Other Development Incentives	Support affordable housing development.	Ongoing	The Bay Point Family Apartments project in Bay Point was granted planning entitlements for a 193-unit apartment building, which included a density bonus.
Infill Development	Facilitate infill development.	Biennially: Review site inventory and adjust for planned and completed developme	The County continues to use the Small Lot Review process to assist applicants in developing infill single-family residences on substandard-size lots and streamline the administrative review process for infill housing in the former redevelopment areas.
Planned Unit District	Provide flexibility in design for residential projects.	Ongoing	The County began drafting a revised ordinance to remove the minimum lot size requirements for Planned-Unit Development projects.
Development Fees	Reduce the cost of development	Ongoing	There are no updates to report during this period.
Quick Turn-around Program	Develop program to expedite review of small projects, and conditions of approval	2017	This program continues to be utilized for ensuring expedited review of infill projects and various planning applications including tree permits, variances, and design reviews.

Contra Costa County

To: Board of Supervisors

From: Kathy Gallagher, Employment & Human Services Director

Date: March 27, 2018

Subject: Acknowledgement of Emergency Closures of Childcare Sites During Fiscal Year 2017-18

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to seek reimbursement from the California Department of Education in an amount not to exceed $2,096, to maintain Child Days of Enrollment during emergency closures at one of it's partner sites, We Care Services for Children, during FY 2017-18.

FISCAL IMPACT:
Approval of this action will allow the County to maintain Child Days of Enrollment for FY 2017-18, preserving revenue of $2,096 from the California Department of Education.

BACKGROUND:
During FY 2017-18, two emergency closures occurred at one of the County's childcare partner sites, We Care Services for Children. The closure affected 61 children in total. On December 14-15, 2017, the center could not operate due to a broken heater. On February 6, 2018, the center could not operate due to interrupted electric service all day during PG&E performing maintenance.

In order to prevent a loss of funds during this period, the County has the option to submit a Board Order to the State in order to maintain childcare fund reimbursement for the impacted days of closure.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [x] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: CSB (925) 681-6334

cc: Nelly Ige, Ressie Dayco

BACKGROUND: (CONT'D)

This option is allowable per California Department of Education, Child Development Management Bulletin 10-09 "Reduced Days of Operation or Attendance Due to Emergency Conditions."

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, the County will forego $2,096 in potential revenue.

CHILDREN'S IMPACT STATEMENT:

The Employment and Human Services Department, Community Services Bureau supports three of Contra Costa County's community outcomes - Outcome 1: Children Ready for and Succeeding in School, Outcome 3: Families that are Economically Self-sufficient, and Outcome 4: Families that are Safe, Stable, and Nurturing. These outcomes are achieved by offering comprehensive services, including high quality early childhood education, nutrition, and health services to low-income children throughout Contra Costa County.

ATTACHMENTS

Management Bulletin

December closure report

February closure report

California DEPARTMENT OF EDUCATION

Management Bulletin 10-09

Early Education and Support Division

Subject: Reduced Days of Operation or Attendance Due to Emergency Conditions

Number: 10-09

Date: October 2010

Expires: Until Rescinded

Authority: California *Education Code* Section 8271

Attention: Executive Officers and Program Directors of all Child Care and Development Programs

Purpose

The purpose of this Management Bulletin, which supersedes Management Bulletin 09–16, is to remind agencies that California *Education Code (EC)* Section 8271 provides against loss of funds due to circumstances that are beyond control of the contractor.

Background

This Management Bulletin, which supersedes Management Bulletin 09–16, is to remind agencies that *EC* Section 8271 provides against loss of funds due to circumstances that are beyond control of the contractor. It states:

In the event that operating agencies are unable to operate due to incomplete renovations authorized by administering state agencies, or due to circumstances beyond the control of the operating agency, including earthquakes, floods, or fires, such programs shall not be penalized for incurred program expenses nor in subsequent annual budget allocations.

Circumstances beyond the control of operating contractors include, but are not necessarily limited to:

1. Earthquakes
2. Floods
3. Fires
4. Epidemics

5. Impassable roads
6. The imminence of a major health or safety hazard, as determined by the local health department or law enforcement agency
7. A strike affecting transportation services for children provided by a non-agency entity
8. Incomplete facility renovations authorized by the California Department of Education, pursuant to California *Education Code* sections 8277.1 and 8277.2
9. State of California budget impasse

Policy

Whenever a contractor's days of operation are reduced for any of the above reasons, and the reduction in days of operation did not require the contractor to reduce staff through layoffs or unpaid furloughs, the contractor's governing board, or the executive office for contractors not having a governing board, must adopt a resolution that clearly and fully describes the nature of the emergency condition as well as the specific effect on program operations. The resolution should include:

- Dates program operation was necessarily suspended or substantially reduced
- Daily attendance for both certified and non-certified children for the week prior to the date operation was suspended or reduced

Whenever the contractor's days of operation are reduced because of a state budget impasse and this reduction requires the contractor to reduce staff through layoffs or unpaid furloughs, the contractor may request reimbursement for ongoing administrative and operational expenses that occurred during the emergency closure. The contractor's governing board, or the executive office for contractors not having a governing board, must adopt a resolution that clearly and fully describes the nature of the emergency condition as well as the specific effect on program operation. The resolution should include:

- Dates program operation was suspended
- A detailed list of actual program expenses incurred during the period of closure

Application Submission Requirements

The resolution should be faxed, e-mailed, or mailed to the appropriate Field Services Office Consultant in the Early Education and Support Division (EESD). Upon receiving the resolution, the EESD will jointly review the information with Child Development Fiscal Services to determine the amount of reimbursement for actual program expense incurred during the period of closure or reduced operation. Funding in subsequent fiscal years will not be affected by the above, contingent upon the availability of funds appropriated in the Annual Budget Act.

If you have any questions, please contact your assigned EESD Field Services Consultant at http://www.cde.ca.gov/sp/cd/ci/assignments.asp or by phone at 916-322-6233.

This Management Bulletin is mandatory only to the extent that it cites a specific statutory and/or regulatory requirement. Any portion of this Management Bulletin that is not supported by a specific statutory and/or regulatory requirement is not prescriptive pursuant to California Education Code Section 33308.5.

Questions: Early Education and Support Division | 916-322-6233

Last Reviewed: Thursday, April 20, 2017

CALIFORNIA DEPARTMENT OF EDUCATION
ATTENDANCE AND FISCAL REPORT
FOR CHILD DEVELOPMENT PROGRAMS

CDNFS 8501 Pg. 1 of 4 (07/17)
CALIFORNIA DEPARTMENT OF EDUCATION
Child Development Fiscal Services
1430 N Street, Suite 2213

Please read instructions before completing report.

REPORTING PERIOD		CONTRACT NUMBER							
MONTH ENDING	YEAR								
December	**2017**	**C**	**S**	**P**	**P**	**7**	**0**	**5**	**0**
		COUNTY			VENDOR CODE				
		0	**7**		**2**	**2**	**0**	**7**	

FULL NAME OF CONTRACTOR	FISCAL ANALYST
CONTRA COSTA COUNTY COMMUNITY SERVICES BUREAU OF EMPLOYMENT & HUMAN SERVICES DEPARTMENT "WE CARE" Emergency Closure December 14-15	**Kimberly Conover**

SECTION I –	**COLUMN A**	**COLUMN B**	**COLUMN C**	**COLUMN D**	**COLUMN E**
CERTIFIED CHILDREN DAYS OF ENROLLMENT	CUMULATIVE PRIOR PERIOD (Col. C Prior Report)	CURRENT PERIOD	CUMULATIVE FISCAL YEAR (Col. A + Col. B)	ADJUST-MENT FACTOR	ADJUSTED DAYS OF ENROLLMENT (Col. C x Col. D) (Do not round)
Three Years and Older					
Full-time-plus	0	0	0	1.18	0.0000
Full-time	0	0	0	1	0.0000
Three-quarters-time	0	0	0	0.75	0.0000
One-half-time	0	24	24	0.6193	14.8632
Exceptional Needs					
Full-time-plus	0	0	0	1.416	0.0000
Full-time	0	0	0	1.2	0.0000
Three-quarters-time	0	0	0	0.9	0.0000
One-half-time	0	0	0	0.6193	0.0000
Limited and Non-English Proficient					
Full-time-plus	0	0	0	1.298	0.0000
Full-time	0	0	0	1.1	0.0000
Three-quarters-time	0	0	0	0.825	0.0000
One-half-time	0	9	9	0.6193	5.5737
At Risk of Abuse or Neglect					
Full-time-plus	0	0	0	1.298	0.0000
Full-time	0	0	0	1.1	0.0000
Three-quarters-time	0	0	0	0.825	0.0000
One-half-time	0	0	0	0.6193	0.0000
Severely Disabled					
Full-time-plus	0	0	0	1.77	0.0000
Full-time	0	0	0	1.5	0.0000
Three-quarters-time	0	0	0	1.125	0.0000
One-half-time	0	0	0	0.6193	0.0000
TOTAL DAYS OF ENROLLMENT	0	33	33		20.4369
DAYS OF OPERATION	0	2	2		
DAYS OF ATTENDANCE	0	33	33		

X NO NONCERTIFIED CHILDREN Check this box and continue to Section III if no noncertified children are enrolled in the program.

COMMUNITY SERVICE BUREAU
WE CARE SERVICES FOR CHILDREN
ENROLLMENT PRIOR TO DECEMBER 14-15, 2017 EMERGENCY CLOSURE

Site	Classroom	Date	# children Enrolled	Contract	Closure Date	Total Children
We Care	Room 2-AM(Little Learner)	12/5/2017	12	CSPP	12/14/17-12/15/17	
We Care	Room 2-AM(Little Learner)	12/6/2017	12	CSPP	12/14/17-12/15/17	
We Care	Room 2-AM(Little Learner)	12/7/2017	12	CSPP	12/14/17-12/15/17	
We Care	Room 2-AM(Little Learner)	12/8/2017	12	CSPP	12/14/17-12/15/17	
We Care	Room 2-AM(Little Learner)	12/11/2017	12	CSPP	12/14/17-12/15/17	
We Care	Room 2-AM(Little Learner)	12/12/2017	12	CSPP	12/14/17-12/15/17	
We Care	Room 2-AM(Little Learner)	12/13/2017	12	CSPP	12/14/17-12/15/17	
We Care	Room 2-PM(Little Learner)	12/5/2017	9	CSPP	12/14/2017	
We Care	Room 2-PM(Little Learner)	12/6/2017	9	CSPP	12/14/2017	
We Care	Room 2-PM(Little Learner)	12/7/2017	9	CSPP	12/14/2017	
We Care	Room 2-PM(Little Learner)	12/8/2017	9	CSPP	12/14/2017	
We Care	Room 2-PM(Little Learner)	12/11/2017	9	CSPP	12/14/2017	
We Care	Room 2-PM(Little Learner)	12/12/2017	9	CSPP	12/14/2017	
We Care	Room 2-PM(Little Learner)	12/13/2017	9	CSPP	12/14/2017	
Rm 2am closed on 12/14 & 12/15; Rm 2pm closed on 12/14 - WE CARE TOTAL ENROLLED WEEK DEC 14-15, 2017 before the Emergency Closure						**21**

We Care
Since 1960
Services For Children

Memo

To: LL Preschool Families

From: Darcie Azzolini

Date: December 13, 2017

Re: Classroom Closure

Hello Families,

Our heating/air conditioning unit that supports your child's classroom has had a motor stop working. The part has been ordered and we anticipate the unit will be fixed and running by Monday December 18, 2017. The program will be closed on Thursday December 14 and Friday December 15, 2017 due to no heating unit. We will see you again on Monday December 18th. Please don't hesitate to contact me if you have questions. Thank you for your patience.

Darcie Azzolini Paiva
Director of Developmental Services
dazzolini@wecarechildren.org
(925) 671-0777 x226

CALIFORNIA DEPARTMENT OF EDUCATION
ATTENDANCE AND FISCAL REPORT
FOR CHILD DEVELOPMENT PROGRAMS

CDNFS 8501 Pg. 1 of 4 (07/17)
CALIFORNIA DEPARTMENT OF EDUCATION
Child Development Fiscal Services
1430 N Street, Suite 2213

Please read instructions before completing report.

REPORTING PERIOD		CONTRACT NUMBER							
MONTH ENDING	YEAR								
February 6	**2018**	**C**	**S**	**P**	**P**	**7**	**0**	**5**	**0**
		COUNTY			VENDOR CODE				
		0	**7**		**2**	**2**	**0**	**7**	

FULL NAME OF CONTRACTOR	FISCAL ANALYST
CONTRA COSTA COUNTY COMMUNITY SERVICES BUREAU OF EMPLOYMENT & HUMAN SERVICES DEPARTMENT "WE CARE" Emergency Closure February 6	**Kimberly Conover**

SECTION I –	**COLUMN A**	**COLUMN B**	**COLUMN C**	**COLUMN D**	**COLUMN E**
CERTIFIED CHILDREN DAYS OF ENROLLMENT	CUMULATIVE PRIOR PERIOD (Col. C Prior Report)	CURRENT PERIOD	CUMULATIVE FISCAL YEAR (Col. A + Col. B)	ADJUST-MENT FACTOR	ADJUSTED DAYS OF ENROLLMENT (Col. C x Col. D) (Do not round)
Three Years and Older					
Full-time-plus	0	0	0	1.18	0.0000
Full-time	0	0	0	1	0.0000
Three-quarters-time	0	0	0	0.75	0.0000
One-half-time	0	35	35	0.6193	21.6755
Exceptional Needs					
Full-time-plus	0	0	0	1.416	0.0000
Full-time	0	0	0	1.2	0.0000
Three-quarters-time	0	0	0	0.9	0.0000
One-half-time	0	0	0	0.6193	0.0000
Limited and Non-English Proficient					
Full-time-plus	0	0	0	1.298	0.0000
Full-time	0	0	0	1.1	0.0000
Three-quarters-time	0	0	0	0.825	0.0000
One-half-time	0	6	6	0.6193	3.7158
At Risk of Abuse or Neglect					
Full-time-plus	0	0	0	1.298	0.0000
Full-time	0	0	0	1.1	0.0000
Three-quarters-time	0	0	0	0.825	0.0000
One-half-time	0	0	0	0.6193	0.0000
Severely Disabled					
Full-time-plus	0	0	0	1.77	0.0000
Full-time	0	0	0	1.5	0.0000
Three-quarters-time	0	0	0	1.125	0.0000
One-half-time	0	0	0	0.6193	0.0000
TOTAL DAYS OF ENROLLMENT	0	41	41		25.3913
DAYS OF OPERATION	0	1	1		
DAYS OF ATTENDANCE	0	41	41		

COMMUNITY SERVICE BUREAU
ENROLLMENT PRIOR TO EMERGENCY CLOSURE
FY 2017-2018

Site	Classroom	Date	# children Enrolled	Contract	Closure Date
We Care	Room 1-AM(Busy Builder)	1/26/2018	12	CSPP	2/6/2018
We Care	Room 1-AM(Busy Builder)	1/29/2018	12	CSPP	2/6/2018
We Care	Room 1-AM(Busy Builder)	1/30/2018	12	CSPP	2/6/2018
We Care	Room 1-AM(Busy Builder)	1/31/2018	12	CSPP	2/6/2018
We Care	Room 1-AM(Busy Builder)	2/1/2018	12	CSPP	2/6/2018
We Care	Room 1-AM(Busy Builder)	2/2/2018	12	CSPP	2/6/2018
We Care	Room 1-AM(Busy Builder)	2/5/2018	12	CSPP	2/6/2018
We Care	Room 1-PM(Busy Builder)	1/26/2018	8	CSPP	2/6/2018
We Care	Room 1-PM(Busy Builder)	1/29/2018	8	CSPP	2/6/2018
We Care	Room 1-PM(Busy Builder)	1/30/2018	8	CSPP	2/6/2018
We Care	Room 1-PM(Busy Builder)	1/31/2018	8	CSPP	2/6/2018
We Care	Room 1-PM(Busy Builder)	2/1/2018	8	CSPP	2/6/2018
We Care	Room 1-PM(Busy Builder)	2/2/2018	8	CSPP	2/6/2018
We Care	Room 1-PM(Busy Builder)	2/5/2018	8	CSPP	2/6/2018
We Care	Room 2-AM(Little Learner)	1/26/2018	12	CSPP	2/6/2018
We Care	Room 2-AM(Little Learner)	1/29/2018	12	CSPP	2/6/2018
We Care	Room 2-AM(Little Learner)	1/30/2018	12	CSPP	2/6/2018
We Care	Room 2-AM(Little Learner)	1/31/2018	12	CSPP	2/6/2018
We Care	Room 2-AM(Little Learner)	2/1/2018	12	CSPP	2/6/2018
We Care	Room 2-AM(Little Learner)	2/2/2018	12	CSPP	2/6/2018
We Care	Room 2-AM(Little Learner)	2/5/2018	12	CSPP	2/6/2018
We Care	Room 2-PM(Little Learner)	1/26/2018	8	CSPP	2/6/2018
We Care	Room 2-PM(Little Learner)	1/29/2018	9	CSPP	2/6/2018
We Care	Room 2-PM(Little Learner)	1/30/2018	9	CSPP	2/6/2018
We Care	Room 2-PM(Little Learner)	1/31/2018	9	CSPP	2/6/2018
We Care	Room 2-PM(Little Learner)	2/1/2018	9	CSPP	2/6/2018
We Care	Room 2-PM(Little Learner)	2/2/2018	9	CSPP	2/6/2018
We Care	Room 2-PM(Little Learner)	2/5/2018	9	CSPP	2/6/2018
WE CARE CLOSED Oct 12-13, 2017 - WE CARE TOTAL ENROLLED WEEK_Jan_26 to Feb_5, 2018 before the Emergency Closure					**41**

Pacific Gas and Electric Company®

Letter ID: 235305

January 22, 2018

An Important Notice of a Planned Electric Service Interruption in Your Area

002282

WE CARE SOCIETY INC
DBA WE CARE CENTER
2191 KIRKER PASS RD
CONCORD, CA, 94521-1629

Dear Valued Customer,

PG&E will be temporarily interrupting your electric service in order to safely perform the following work in your area:

Replace Electric Pole

The planned electric service interruption affects the following vicinity or property address:

Kirker Pass Road - City of Concord
Meter#: 1008844961

Although we will do our best to minimize the length of the service interruption, please be prepared to be without electric service on the following date(s) and **estimated timeframe(s)**:

Tuesday, February 6, 2018 from 8:30 AM to 4:00 PM

We will make every effort to complete the work as scheduled, however, unsafe weather conditions or an unforeseen emergency may force us to cancel the work on the scheduled day. In such a case, we may be unable to notify you in advance of the cancellation.

We greatly appreciate your cooperation and thank you for your patience. If you have any questions or concerns, please contact me at the number below. For general questions about your PG&E service, call our customer service center at 1-800-743-5000.

NAOMI- CONTRA COSTA COUNTY
Planned Outage Coordinator
(925) 674-6571

(See Reverse)

Para ayuda en español por favor llame al 1-800-660-6789

Contra Costa County

To: Board of Supervisors

From: John Kopchik, Director, Conservation & Development Department

Date: March 27, 2018

Subject: Annual Housing Element Progress Report for Calendar Year 2017

RECOMMENDATION(S):

ACCEPT the 2017 Annual Housing Element Progress Report, in accordance with Government Code Section 65400.

FISCAL IMPACT:

There is no fiscal impact.

BACKGROUND:

The Housing Element is one of seven mandatory elements that every jurisdiction must include in its General Plan. State law mandates that all local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The Association of Bay Area Governments allocates the Bay Area regional housing need to all the cities and counties in the Bay Area. Pursuant to Government Code Section 65400, the County is required to submit an annual report to the State Department of Housing and Community Development and the State Office of Planning and Research by April 1st of each year.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [x] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Christine Louie, (925) 674-7787

cc:

BACKGROUND: (CONT'D)

Jurisdictions are also required to submit the annual report to their legislative bodies for review and comment. Attached to this Board Order is the County's 2017 Annual Housing Element Progress Report.

The County's Housing Element (Fifth Cycle) covers the planning period from 2015 to 2023 and plans for the provision of 1,367 units of housing in the unincorporated County. This is the third report for the Fifth Cycle Housing Element.

In 2017, the County issued 278 building permits for single-family dwellings, 28 building permits were issued for accessory dwelling units, or second units, and 3 building permits were issued for mobile homes. Of these issued building permits, a total of 31 units were determined to be moderate-income housing units based on the location of the units and the type of dwelling (e.g. accessory dwelling units), and three units were lower-income units with density bonus deed restrictions. The number of building permits issued for above-moderate income housing was 244 units. During this reporting period, the County issued building permits for a total of 333 units.

Staff calls to the Board's attention the County's progress in meeting its share of regional housing needs. Current data indicates that through calendar year 2017, the third year of the current eight-year Housing Element cycle, the County has issued building permits for 62.6 percent of its allocated share of the region's housing needs. Through the first three years of the current housing cycle, the total number of units for which the County has issued building permits is 856 units, which includes 11 low-income units, 124 moderate-income units, and 721 above-moderate income units. While the County has already made significant progress in achieving gross housing production goals, production of new housing units available to households in the low- and very low-income categories continues to stagnate. In 2017, the County issued three permits for new units available to low- and very low-income households. Through the first three years of the current housing cycle only 11 such permits have been issued, constituting 1.2 percent of the total building permits issued for new units.

The County continues to implement 31 housing related programs, including programs designed to remove governmental constraints to maintaining, improving, and developing housing. A summary of the programs and recent accomplishments are included as Table C in the attached report.

CONSEQUENCE OF NEGATIVE ACTION:

There is no consequence of a negative action. The County is required to provide the annual Housing Element Progress Report to the Board of Supervisors in a public meeting to allow the public an opportunity to review and comment on the report.

ATTACHMENTS

2017 Housing Element Progress Report

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction CONTRA COSTA COUNTY

Reporting Period 01/01/2017 - 12/31/2017

Pursuant to GC 65400 local governments must provide by April 1 of each year the annual report for the previous calendar year to the legislative body, the Office of Planning and Research (OPR), and the Department of Housing and Community Development (HCD). By checking the "Final" button and clicking the "Submit" button, you have submitted the housing portion of your annual report to HCD only. Once finalized, the report will no longer be available for editing.

The report must be printed and submitted along with your general plan report directly to OPR at the address listed below:

Governor's Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction CONTRA COSTA COUNTY

Reporting Period 01/01/2017 - 12/31/2017

Table A

Annual Building Activity Report Summary - New Construction
Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information									Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions
1	2	3	4				5	5a	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
			Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income			See Instructions	See Instructions	
Driftwood Estates	SF	Owner	0	3	0	44	47	0		DB	
(9) Total of Moderate and Above Moderate from Table A3					31	244					
(10) Total by Income Table A/A3			0	3	31	244					
(11) Total Extremely Low-Income Units*			0								

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction CONTRA COSTA COUNTY

Reporting Period 01/01/2017 - 12/31/2017

Table A2
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program it its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA whichmeet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity	0	0	0	0	
(2) Preservation of Units At-Risk	0	0	0	0	
(3) Acquisition of Units	0	0	0	0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction CONTRA COSTA COUNTY

Reporting Period 01/01/2017 - 12/31/2017

Table A3
Annual building Activity Report Summary for Above Moderate-Income Units
(not including those units reported on Table A)

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for **Moderate**	0	0	0	28	3	31	0
No. of Units Permitted for **Above Moderate**	200	0	0	0	0	200	0

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction CONTRA COSTA COUNTY

Reporting Period 01/01/2017 - 12/31/2017

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.													Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level		RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9			
Very Low	Deed Restricted	374	0	0	0	0	0	0	0	0	0		0	374
	Non-Restricted		0	0	0	0	0	0	0	0	0			
Low	Deed Restricted	218	0	0	3	0	0	0	0	0	0		11	207
	Non-Restricted		8	0	0	0	0	0	0	0	0			
Moderate		243	65	28	31	0	0	0	0	0	0		124	119
Above Moderate		532	276	201	244	0	0	0	0	0	-		721	0
Total RHNA by COG. Enter allocation number:		1367	349	229	278	0	0	0	0	0	0		856	700
Total Units ► ► ►														
Remaining Need for RHNA Period ► ► ► ► ►														

Note: units serving extremly low-income households are included in the very low-income permitted units totals.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction CONTRA COSTA COUNTY

Reporting Period 01/01/2017 - 12/31/2017

Table C

Program Implementation Status

Program Description (By Housing Element Program Names)	**Housing Programs Progress Report - Government Code Section 65583.** Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.		
Name of Program	**Objective**	**Timeframe in H.E.**	**Status of Program Implementation**
Review of Zoning & Subdivision Ordinance	Periodically review subdivision ordinance to ensure it does not unduly constrain housing development. Revise zoning code to allow emergency shelters by right, single room occupancy housing, transitional and permanent supportive housing, and agricultural worker housing.	Ongoing	The agricultural worker housing, permanent supportive housing, and transitional housing zoning ordinances were adopted on September 19, 2017.
Coordinated County Department Review of Development Applications	Expedite application review through a better coordinated process with other County departments	Ongoing	The County strives to coordinate and reach-out to other County departments and agencies when processing new applications.
Anti-Discrimination Program	Promote fair housing.	Complete update to the AI after promulgation of new regulations	The Analysis of Impediments to Fair Housing (AI) was adopted by the Board of Supervisors on May 25, 2010. An update to the AI was completed April 12, 2017. The County is currently working on a County-wide Assessment of Fair Housing report and has entered into contract with a consultant to prepare this document.

Residential Displacement Program	Limit number of households being displaced or relocated because of County sponsored programs or projects.	Ongoing	There are no updates to report this period within the unincorporated County.
Residential Energy Conservation Program	Participate in Bay Area regional efforts to reduce energy consumption.	Ongoing	Solar permits for roof-mounted residential PV systems are available on-line under the Application and Permit Center web page. Instructions for in-person and on-line submittal for expedited review is posted on the County's web page. The number of solar permits issued is 1,515. The County also participates in BayREN a regional energy network, which is a collaboration of the nine counties that make up the San Francisco Bay Area. This program is led by the Association of Bay Area Governments, and is an incentive and rebate program for owners and property managers for Homeowner's Associations for single-family and multi-family units for energy efficiency retrofits. There were 482 upgrades County-wide, with 27 upgrades in the unincorporated County.
Neighborhood Preservation Program	Improve the quality of existing housing & neighborhoods.	Ongoing	There were seven homes within the unincorporated county that were rehabilitated. Of those seven projects, two households were extremely low income (30% AMI), one household was very low-income (50% AMI), and two households were low-income (80% AMI).
Weatherization Program	Assist homeowners and renters with minor home repairs.	Ongoing	348 units have been weatherized in County cities, towns, and communities. 273 units were extremely low income and 75 units were very low income.
Code Enforcement	Maintain & improve the quality of existing housing & neighborhoods.	Ongoing	There were a total of 838 cases opened and 738 cases closed. Approximately 99% of all cases were residential.
Preservation of Affordable Housing Assisted with Public Funds	Preserve the existing stock of affordable housing.	Ongoing	The County awarded $280,000 to RNHS in CDBG funds for a scattered sites rehabilitation of three single-family rental homes in Richmond. The County also closed financing and issued $19,500,000 in tax-exempt bonds on rehabilitation projects, which includes Elaine Null a 14-unit apartment in Bay Point, Camara Circle a 52-unit apartment in Concord, and Riley Court a 48-unit apartment in Concord. The County previously allocated HOME and CDBG funds to Elaine Null and Riley Court. In addition, there were two rehabilitation projects where the County provided CDBG and HOME funds in a prior year completed construction. This includes Virginia Lane, a 91-unit project in Concord and East Bluff, a 144-unit project in Pinole.
New Construction of Affordable Housing	Increase the supply of affordable housing, including units affordable to extremely low income households.	Annual: Award HOME, CDBG, and HOPWA funds to experienced housing developers	The County awarded CDBG and HOME funds for various projects within the County and cities. The County provided $2,750,000 in CDBG funding and $15,790,000 in tax-exempt bonds to Heritage Point, a 42-unit rental project in North Richmond. The County previously allocated CDBG and Former Redevelopment Area funds to this project. Additionally, the County issued $21,000,000 tax-exempt bonds to Hana Gardens a 63-unit senior rental project in El Cerrito, which was previously funded with HOME and CDBG. The County also awarded $1,000,000 in CDBG funds, $1,200,000 in HOME funds to St.

		(fun	Paul's Commons a 45-unit rental project in Walnut Creek. In addition, the County awarded $100,000 in CDBG funds for Aging in Place, an 82-unit senior project in Pleasant Hill and $110,000,000 in tax-exempt bonds for 21 and 23 Nevin a 271-unit apartment in Richmond.
Housing Successor to the former Redevelopment Agency	Utilize County owned property (former redevelopment agency) to develop affordable housing	Disposition agreements by 2020	The Rodeo Senior Housing Extension project in Rodeo is under an Exclusive Negotiating Agreement, which was approved in January 2017. The County also entered into an Exclusive Negotiating Agreement with a developer for a 325-unit multi-family housing development, Orbisonia Heights in Bay Point.
Inclusionary Housing	Integrate affordable housing within market-rate developments.	Ongoing	There were no in-lieu fees collected during this reporting period.
Acquisition/ Rehabilitation	Improve existing housing and increase supply of affordable housing.	Ongoing	The County awarded $625,000 in HOME funds for the rehabilitation of the Elaine Null Apartments an existing 14-unit rental development in Bay Point.
Second Units	Facilitate the development of second units.	Ongoing	There were 28 building permits issued for second units.
Affordability by Design	Develop affordability by design program to promote creative solutions to building design and construction.	2017	There is nothing to report for this reporting period.
New Initiatives Program	Develop new programs or policies to fund or incentivize affordable housing development	2017	The County updated the Accessory Dwelling Unit Ordinance to streamline internal conversions.
Special Needs Housing	Increase the supply of special needs housing.	Annually: Include a priority for special needs housing in CDBG, HOME, HOPWA NOFA	There were no projects in this reporting period within the unincorporated County.
Developmental Disabled Housing	Increase the supply of housing available to persons with developmental disabilities	Annually: Include a priority for special needs housing in CDBG, HOME, HOPWA NOFA	There were no projects this reporting period in the unincorporated County.

Accessible Housing	Increase the supply of accessible housing.	Ongoing	The County continues to require accessible units in all new construction projects that received HOME or CDBG funding. Accessible units are included in rehabilitation projects when feasible where five percent of the units must be accessible to the physically impaired and an additional two percent of the units must be accessible to the hearing/vision impaired. (See New Construction and Affordable Housing Program)
Reasonable Accommodation	Increase the supply of special needs and accessible housing.	Ongoing	Through the NPP program, the County assisted in the funding of 2 projects that included accessibility improvements for accessible bathroom renovations.
Contra Costa Interagency Council on Homelessness	Meet the housing & supportive services needs of the homeless	Ongoing	This program is currently known as the Council on Homelessness. They continue to support the development of permanent supportive housing. Hearth Act funds are used for the support of existing permanent supportive housing units or placement of people into permanent supportive housing.
Farmworker Housing	Increase the supply of farmworker housing	Annually: Include farmworker housing in CDBG, HOME NOFA (See #5 above)	There were none built this reporting period. The County's Farmworker Housing Ordinance was adopted in September 2017.
First-Time Homebuyer Opportunities	Provide additional homeownership opportunities.	Ongoing	The County provided 24 households with Mortgage Credit Certificate Program (MCC) funds throughout the county and cities with a total of $1,890,150 in MCC funds.
Extremely Low Income Housing	Promote development of housing affordable to extremely low income households.	Annually: Include a priority for extremely-low income housing in CDBG, HOME, HOP	The County continues to provide funding preferences to developers who include units that are affordable to extremely-low income households. There were a total of 275 extremely low income housing projects during this reporting period (See Neighborhood Preservation Program and Weatherization Program).
Sites Inventory	Provide for adequate housing sites, including 'as-right development' sites for homeless facilities	Ongoing maintenance of site inventory.	There are no changes or updates for this reporting period.
Mixed-Use Developments	Encourage mixed-use developments.	2016/2017: Draft outline of revised ordinance and meet with	The Saranap Village project in the Saranap community was granted planning entitlements for retail with 70 for-sale condominiums, 6 for-sale townhomes, and 122 rental apartment units.

		stakeholder groups	
Density Bonus & Other Development Incentives	Support affordable housing development.	Ongoing	The Bay Point Family Apartments project in Bay Point was granted planning entitlements for a 193-unit apartment building, which included a density bonus.
Infill Development	Facilitate infill development.	Biennially: Review site inventory and adjust for planned and completed developme	The County continues to use the Small Lot Review process to assist applicants in developing infill single-family residences on substandard-size lots and streamline the administrative review process for infill housing in the former redevelopment areas.
Planned Unit District	Provide flexibility in design for residential projects.	Ongoing	The County began drafting a revised ordinance to remove the minimum lot size requirements for Planned-Unit Development projects.
Development Fees	Reduce the cost of development	Ongoing	There are no updates to report during this period.
Quick Turn-around Program	Develop program to expedite review of small projects, and conditions of approval	2017	This program continues to be utilized for ensuring expedited review of infill projects and various planning applications including tree permits, variances, and design reviews.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction CONTRA COSTA COUNTY

Reporting Period 01/01/2017 - 12/31/2017

General Comments:

In addition to supporting important affordable housing developments in the unincorporated County, such as the 48 unit Heritage Point apartments in North Richmond and the 193 unit Bay Point Family apartments in Bay Point, the County is an active junior lender and issuer of multi-family mortgage revenue bonds (MF MRB) for developments in Contra Costa cites.

The County loans Community Development Block Grant (CDBG), HOME Investment Partnerships Act (HOME), and Housing Opportunities for Persons with HIV/AIDs (HOPWA) funds to affordable housing developers. These funds support both preservation of existing affordable housing and new construction.

Over the past year, the County awarded $3.3 million in CDBG and HOME funds to development in Antioch, Pleasant Hill, Pittsburg, Richmond, and Walnut Creek; and issued $167 million in MF MRB to support developments in Concord, El Cerrito, Pinole, Richmond, and Walnut Creek.

See Table C for additional information.

Contra Costa County

To: Board of Supervisors

From: David O. Livingston, Sheriff-Coroner

Date: March 27, 2018

Subject: Purchase Order - Optiv Security, Inc.

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute a purchase order on behalf of the Sheriff-Coroner with Optiv Security, Inc. in the amount of $135,000 for the purchase of a Palo Alto Networks Firewall for the Office of the Sheriff.

FISCAL IMPACT:
$105,000 - 78% Homeland Security Grant 2017 (Y7A) funded
$30,000 - 22% General Fund, Budgeted

BACKGROUND:
A firewall is a network device used to prevent access into and out of the Sheriff's Office secure network. It is a requirement to have a firewall in place between the network and the internet to meet the Criminal Justice Information Services (CJIS) security. Without this, no law enforcement agencies in the County can access the California Law Enforcement Telecommunications System (CLETS). The Sheriff's Office Tech Services Division uses the Palo Alto firewalls to filter users from going to inappropriate websites and prevent potential hackers from accessing critical data. The firewalls currently in place are over five years old. It is the County standard to replace this equipment every three years, no more than five years.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Liz Arbuckle, 925 335-1529

cc: Liz Arbuckle, Heike Anderson, Tim Ewell

Contra Costa County

To: Board of Supervisors

From: John Kopchik, Director, Conservation & Development Department

Date: March 27, 2018

Subject: Participation in the Bay Area Urban Manufacturing Initiative

RECOMMENDATION(S):
AUTHORIZE the County to participate as a member in the Bay Area Urban Manufacturing Initiative to support the manufacturing sector in Contra Costa County.

FISCAL IMPACT:
There is no direct cost to join as a member at this time. There will be options to participate in special events and projects in the future at additional cost.

BACKGROUND:
The Bay Area Urban Manufacturing Initiative (BAUM) is a regional public-private effort to support existing manufacturers and their middle-income employment sector. BAUM provides training for public agency staff to help their manufacturing sector, such as specialized survey techniques and cannabis' impact on industrial real estate values. BAUM also organizes Bay Area-wide events to bring together public agencies and manufacturing businesses. The Initiative's signature event is an annual Manufacturing Summit, which will take place later this year. Cities, counties and other agencies may join BAUM at no cost, indicating support for the manufacturing sector within their jurisdictions. Further levels of participation in BAUM's collaborative programs are possibilities, such as organizing a local event on BAUM's regional Manufacturing Day (October 5).

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Amalia Cunningham, 925-674-7869

cc:

BACKGROUND: (CONT'D)

Contra Costa cities Antioch, Concord, Oakley, and Pittsburg are already BAUM members. Other public sector members are agencies with industrial real estate with which the county's unincorporated areas compete, such as Hayward, Fairfield, and San Leandro. The County's participation is consistent with policy in the Northern Waterfront Economic Development Initiative to support and expand middle-income employment opportunities in the County's industrial areas. BAUM is a productive vehicle to leverage regional support for growing more jobs in the industrial/advanced manufacturing sector. The BAUM registration form provides some additional information on membership benefits and expectations and is included as Attachment A.

CONSEQUENCE OF NEGATIVE ACTION:

If the County does not join the regional initiative, it will continue its independent efforts to support and promote industrial and advanced manufacturing uses within its boundaries without the benefit of the collaborative training and events, potentially becoming less competitive with the member cities that are participating.

CHILDREN'S IMPACT STATEMENT:

There is no impact on children.

ATTACHMENTS

BAUM Registration Form

Bay Area Urban Manufacturing Initiative
City Participation

Launched in May of 2016, the **Bay Area Urban Manufacturing Initiative** is a three-year, multicity public-private partnership to catalyze a **powerful and interconnected regional manufacturing ecosystem**. By participating in the Bay Area Urban Manufacturing Initiative you will elevate the importance of local manufacturing and make a public commitment to your manufacturing community. The Initiative creates opportunities for your city to collaborate across the region on a sector specific strategy for equitable job sustainability and creation. **We must seize this opportunity to retain and create middle-class jobs for a more equitable Bay Area.**

Partner cities will receive:

- Complimentary invitations (2) to the Summer Shares Event
- Recognition as a partner at the Bay Area Urban Manufacturing Summit, in the *Bay Area State of Urban Manufacturing* report, and at www.bayareamfg.org
- Complimentary invitations (2) to the Bay Area Urban Manufacturing Summit
- Access to manufacturing resources and technical assistance around direct surveying techniques for manufacturers, collaborative policy initiatives, and industrial real estate
- Opportunities to promote your manufacturing sector throughout the Bay Area and the nation

Partner cities will:

- Hosting at least one event for Manufacturing Day
- Attending the Bay Area Urban Manufacturing Summit and Summer Shares Event
- Introducing the Initiative to a local manufacturer for the regional PR campaign
- Participating in the Initiative to the fullest extent possible

Partner cities will amplify the Initiative by allocating staff time to the above tasks. If you are unable to support staff participation, we would appreciate alternative assistance to enable the Initiative to support promotion and related efforts in your city.

Primary Initiative contact:

Name	Title
E-mail	Phone Number
City	Date

Contra
Costa
County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Approve New and Recredentialing Providers in Contra Costa Health Plan's Community Provider Network

RECOMMENDATION(S):
APPROVE the list of providers recommended by Contra Costa Health Plan's Medical Director on February 21, 2018, and by the Health Services Director, as required by the State Departments of Health Care Services and Managed Health Care, and the Centers for Medicare and Medicaid Services.

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
The National Committee on Quality Assurance (NCQA) requires that evidence of Board of Supervisors' approval must be contained within each Contra Costa Health Plan (CCHP) provider's credentials file. Approval of this list of providers as recommended by the CCHP Medical Director will enable the CCHP to comply with this requirement.

CONSEQUENCE OF NEGATIVE ACTION:
If this action is not approved, CCHP's providers will not be appropriately credentialed and in compliance with the NCQA.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Patricia Tanquary, 925-313-6004

By: , Deputy

cc: Tasha Scott, Marcy Wilhelm, Heather Wong

ATTACHMENTS

Attachment

Contra Costa Health Plan
Provider Approved by Medical Director
February 21, 2018

CREDENTIALING PROVIDERS FEBRUARY 2018	
Name	**Specialty**
Alonzo, Rosa, RBT	Behavior Analysis
Bautista, Marjorie, PT	Physical Therapy
Bowles, Laura, BCBA	Behavior Analysis
Braidman, Marcy, RBT	Behavior Analysis
Caldwell, Kenneth, MD	Surgery – Orthopaedic
Caranto, Jashmyn, RBT	Behavior Analysis
Dominguez, Tina, PA	Mid-Level Allergy & Immunology
Ellis, Selena, MD	Neurology
Espinoza-Fregoso, Melina, RBT	Behavior Analysis
Hopson, Christina, DO	Infectious Disease
Huffaker, Michelle, MD	Mid-Level Allergy & Immunology
Kraintz, Pamela, RBT	Behavior Analysis
Lemus, Jennifer, RBT	Behavior Analysis
McCracken, Sara, RBT	Behavior Analysis
Orquiz, Chelsea, BCBA	Behavior Analysis
Rios, Daisy, RBT	Behavior Analysis
Rosano, Paige, RBT	Behavior Analysis
Ruiz Morales, Maria, RBT	Behavior Analysis
Sachs, Anne, MFT	Mental Health Services
Salazar, Amelia, RBT	Behavior Analysis
Seferovich, Emily, RD	Dietitian
Sigurdson, Kristin, BCBA	Behavior Analysis
Wong, Kam, DPM	Podiatry

CREDENTIALING ORGANIZATIONAL PROVIDERS FEBRUARY 2018		
Provider Name	**Provide the Following Services**	**Location**
Guardian Home Health & Hospice, Inc.	Home Health & Hospice	Fremont
Shadelands Advanced Endoscopy Institute, Inc.	Ambulatory Surgery Center	Walnut Creek
Summit BHC Sacramento, Lilac dba Valley Recovery Center of California	Substance Abuse	Sacramento

RECREDENTIALING PROVIDERS FEBRUARY 2018	
Name	**Specialty**
Amirdelfan, Kasra, MD	Pain Medicine
Breton, Jenna, NP	Mid-Level Family Planning
Brown, Michael, MD	Urology
Garrehy, Bridget, PA	Mid-Level Orthopaedic Surgery Assistant
Griego, Ann-Elizabeth, MD	Family Planning
Hayden, Lynn, CNM	Midwife
Hitchcox, Charmaine, PhD	Mental Health Services
Javaheri, Shahin, MD	Surgery – Plastic & Reconstructive Otolaryngology (ENT)
Kuri, Mauricio, MD	Surgery – Plastic
Landers, Mallory, LCSW	Mental Health Services
Lowenthal, Julia, NP	Mid-Level Family Planning
Miller, Terina, MD	Nephrology
Patel, Swati, MD	Nephrology
Rohra, Srikrishin, MD	Cardiovascular Disease
Sachdeva, Gopal, MD	Radiation Oncology
Salzman, John R., MD	Radiation Oncology
Scafidi, Jennifer, CNM	Midwife
Sweitzer, Melissa, BCBA, PhD	Behavior Analysis
Tran, Thanh, MD	Neurology
Uhl, Valery, MD	Radiation Oncology
Zody, Michelle, BCBA	Behavior Analysis

RECREDENTIALING ORGANIZATIONAL PROVIDERS FEBRUARY 2018		
Provider Name	**Provide the Following Services**	**Location**
Harmony Healthcare, LLC dba: Harmony Home Health	Home Health	Sunnyvale
Healthy Living at Home - East Bay, LLC	Home Health	Concord

Contra Costa County

To: Board of Supervisors

From: David Twa, County Administrator

Date: March 27, 2018

Subject: FY 2017/18 CERTIFICATION OF PROPOSITION 172 PUBLIC SAFETY SALES TAX MAINTENANCE OF EFFORT

RECOMMENDATION(S):
APPROVE and AUTHORIZE the County Administrator, or designee, to execute the Maintenance of Effort Certification Form for Fiscal Year 2017/18 as required by Chapter 886, Statutes of 1994 to receive Proposition 172 (public safety sales tax increment) funds, and to submit the Certificate to the County Auditor-Controller.

FISCAL IMPACT:
This Certificate of Maintenance of Effort is required by State statute as implemented by guidelines issued by the California State Controller. Failure to submit the required certification form would result in the loss of more than $80.1 million in State Proposition 172 funds for the current fiscal year.

BACKGROUND:
This ½ cent sales tax was authorized in 1994 as a result of the 1993/94 state budget process. Proposition 172 (Senate Bill 509) designated that the ½ cent sales tax be deposited to newly-created state and local public safety trust funds and allocated to local agencies to fund public safety activities such as police, sheriff, fire, district attorney, county corrections, and ocean lifeguards. Court operations were explicitly excluded.

To prevent supplantation of local revenues that would have otherwise been allocated to public safety functions with Proposition 172 sales tax, the Legislature enacted Assembly Bill 2788 as Chapter 886, Statutes of 1994. AB 2733 requires a local agency to commit at least the same resources as were committed

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☑ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Timothy Ewell, (925) 335-1036

cc:

in FY 1992/93 (minus certain exclusions), adjusted each year by any growth in its Proposition 172 revenue, as maintenance of effort (MOE) in order to qualify to receive Proposition 172 (Public Safety Sales Tax).

BACKGROUND: (CONT'D)

> AB 2733 does not specifically define what is meant by “public safety services” and allows each county to make its own computation. In implementing the MOE section of Assembly Bill 2788 on May 16, 1995, as indicated in the Certification Form, it was most advantageous for this County to define public safety as follows: District Attorney (Department 0242), Probation (Departments (0308, 0309, 0310), Public Defender (Department 0243), Sheriff-Coroner (Departments 0255, 0277, 0300, and 0359), and Inmate Medical Care (Department 0301). It should be noted that the definition of “public safety services” for computation of the MOE obligation does not in any way detract from the Board’s authority to designate those funds to whatever public safety department or service it chooses.

The Board of Supervisors, in 1993, directed that all public safety sales tax proceeds will be allocated to the District Attorney and Sheriff departments. Due to the downturn in the California economy, public safety sales taxes received by Contra Costa County has gradually declined since FY 2005/06, by more than 10% over that five-year period. For the 2017/18 fiscal year, it is estimated that Proposition 172 funds will provide $66.1 million to fund operations in the Sheriff's Office and $14.0 million to fund operations in the District Attorney’s Office.

2005/06 Actual	$69,281,424
2006/07 Actual	$67,318,904
2007/08 Actual	$65,314,410
2008/09 Actual	$57,641,994
2009/10 Actual	$55,379,148
2010/11 Actual	$60,388,430
2011/12 Actual	$63,922,867
2012/13 Actual	$67,178,163
2013/14 Actual	$72,053,360
2014/15 Actual	$74,736,241
2015/16 Actual	$74,141,898
2016/17 Actual	$77,499,977
2017/18 Budgeted	$80,053,422

We have determined that for FY 2017/18, the adopted budget for the County-defined public safety services exceeded the County’s MOE obligation by more than $188.2 million. In computing the MOE, we followed the Public Safety MOE Requirement Uniform Guidelines for California Counties and Cities approved by the State Association of County Auditors. By authorizing the County Administrator to execute and submit the MOE Certification Form to the County Auditor-Controller, the Board will assure that the County will receive its full allotment of Proposition 172 funds for the current year.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to file the required certification will jeopardize the County's eligibility to receive public safety sales tax revenue.

ATTACHMENTS

Attachment A: FY 2017/18 Prop. 172 Maintenance of Effort Certification Form
Attachment B: FY 2017/18 Prop. 172 Maintenance of Effort Calculation Worksheet (Form A)
Attachment C: FY 2017/18 Prop. 172 Maintenance of Effort Base Year Calculation (Form C)

Auditor-Controller
CONTRA COSTA COUNTY
AB2788 (Chapter 866/94)
Maintenance of Effort Certification Form

Name of County: Contra Costa

Fiscal Year of Certification: 2017/18

AB2788 Maintenance of Effort (MOE) Calculation:

Line 1: Total Public Safety Adopted Budget (Amount of Line 4.1 from Form A)	317,500,203.00
Line 2: Public Safety MOE (Amount of Line 3.2 from Form A)	129,213,695.53
Line 3: Difference (Amount of Line 1 minus Line 2) Over/(Under) AB2788 MOE Requirements	188,286,507.47

(*Enter this amount below.)

Certification Statement:

I hereby certify that the County of Contra Costa is over /under (please circle one) the AB2788 Maintenance of Effort requirements concerning the use of Proposition 172 revenues in the amount of * 188,286,507.47 . Forms A and C are submitted in support of this calculation. Detailed records concerning this calculation are available upon request and will be retained.

Signature of County Official: [signature]

Date Signed: 3/21/2018

Form A: AB2788 MOE Calculation Worksheet

Contra Costa
2017/18

Step #1: Public Safety Services as Previously Defined

In 1994/95, the County established their definition of public safety services consistent with Government Code Section 30052. Listed below are all departments included in this definition.

District Attorney	**Health Detention-Inmates**	**Probation**
Public Defender	**Sheriff (including Coroner)**	

Step #2: Growth Adjusted Base Year

The County determined the AB2788 base year amount in 1994/95 on Form B by using the 1992/93 adopted budget for all defined public safety departments.

Line 2.1: Total Base Year Forward (Adjusted AB2788 Base Amount from Prior Year Form A, Line 3.2)	125,855,616.41

Step #3: New Base Amount for Local Agency

AB2788 includes a growth factor provision equal to the previous years' growth in Proposition 172 revenues. The Auditor-Controller's Office will provide cities and counties with this amount. If appropriate, this amount should be added to the AB2788 Base Year.

Line 3.1: Growth Amount	3,358,079.12
Line 3.2: Total Base Amount for Local Agency (Total of lines 2.1 and 3.1)	129,213,695.53

Step #4: Determine AB2788 Public Safety Budget for Certification Year

The County should determine the AB2788 Public Safety Budget for the Certification year. The same departments and adjustments that were included in the AB2788 base year calculation have been entered on Form C. Please complete Form C to provide the following:

Line 4.1: Total AB2788 Public Safety Budget	317,500,203.00

Step #5: AB2788 Maintenance of Effort (MOE) Calculation

Please complete the AB2788 Certification Form using the above information. The calculation would be as follows:

Line 1 of the Certification Form	Take the amount of Line 4.1, Form A
Line 2 of the Certification Form	Less the amount of LIne 3.2, Form A
Line 3 of the Certification Form	Equals the amount over/(under) AB2788 MOE requirement.

Form C: AB2788 Maintenance-of-Effort (MOE) Base Year Calculation

Certification Year: 2017/18

CONTRA COSTA COUNTY

Please complete the following Form to calculate the AB2788 MOE base year. Describe all AB2788 adjustments in the space provided below.

Public Safety Department	Certification Year Adopted Budget	AB 2788 Adjustments (1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	Adjusted AB2788 Certification Year
District Attorney (0242)	41,576,422		10,000	6,066,000	960,813		260,000		810,000			33,469,609
Probation (0308)	33,333,780			8,415,182						149,361		24,769,237
Probation (0309)	32,531,226			5,958,132								26,573,094
Probation (0310)	11,427,015							4,000,000				7,427,015
Public Defender (0243)	25,323,975			2,721,416								22,602,559
Sheriff (0255)	122,146,984	1,264,865	150,000	1,463,906			17,854,514					101,413,699
Sheriff Contract Services (0277)	20,317,741					20,317,741						0
Sheriff Detention (0300)	85,981,999	410,605		12,115,565						280,115		73,175,714
Sheriff-Coroner (0359)	3,329,573											3,329,573
Hlth Detention Inmates (0301)	24,739,774	71										24,739,703
Total	400,708,489	1,675,541	160,000	36,740,201	960,813	20,317,741	18,114,514	4,000,000	810,000	429,476	0	317,500,203

Enter amount on Form A, Line 4.1

AB2788 MOE Adjustments:

Comments:

(1) Fixed Assets, Lease Purchases & Debt Service
(2) POST
(3) Grants
(4) Transfers/Recording Fees for Real Estate Fraud
(5) Court Security, Hospital Security, EHS Security
(6) Contracts with Other Jurisdictions
(7) State Aid & Fed Aid Placement
(8) Narcotics, Environmental, Fraud Forfeitures/Damages
(9) STC Reimbursement

Completed By: Timothy M. Ewell, Chief Assistant County Administrator

Phone: (925) 335-1036

Date: 3/21/2018

Contra Costa County

To: Board of Supervisors

From: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

Date: March 27, 2018

Subject: ACCEPT the attached 2017 annual report from the Transportation, Water and Infrastructure Committee.

RECOMMENDATION(S):
ACCEPT the attached 2017 annual report from the Transportation, Water and Infrastructure Committee.

FISCAL IMPACT:
None.

BACKGROUND:
The Transportation, Water and Infrastructure Committee on December 11, 2017, reviewed and approved its annual report for transmittal to the full Board of Supervisors. The annual report documents the work performed by the Committee during 2017. The Committee recommends the Board of Supervisors accept the report, which is attached.

CONSEQUENCE OF NEGATIVE ACTION:
None.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

Contact: John Cunningham (925) 674-7833

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

By: , Deputy

cc:

ATTACHMENTS

TWIC 2017 Referral Report

Status Report: Referrals to the Transportation, Water, and Infrastructure Committee - 2017

Approved: December 11, 2017 TWIC Meeting

Referral	Status
1. Review legislative matters on transportation, water, and infrastructure.	• Recommended the Board of Supervisors (BOS) ADOPT positions of various state transportation bills as follows (**Various Dates**): • Received a report on Senate Bill 595 (Bridge Tolls) and forwarded a "consider" recommendation to the BOS **July, August 2017** • Received reports regarding the status of the Iron Horse Corridor relative to legacy obligations to the State. The County's legislative advocate met with Caltrans, California State Transportation Agency (CalSTA), and California Transportation Commission (CTC) leadership, and provided documentation, communication and reports to the Committee. **Various Dates. Activities also relate to Referral #s 12 & 15.** • Monitored and provided direction to staff and consultants, and made recommendations to the full BOS regarding the efforts by the State Legislature and Governor's office to reform the state transportation funding system. **Various Dates.** • Coordinated a visit to Senator Glazer to discuss school siting, transportation funding, and Delta issues. **February 2017** • Monitored SB 1 activities in compliance with new requirements. **August 2017** • In the context of reports of declining state transportation revenues, the Committee provided direction to staff on project prioritization in light of reduced available funding. **February 2017** • The Committee provided recommendations to the full BOS for revisions to the County's state and federal legislative platforms. **October 2017**
2. Review applications for transportation, water and infrastructure grants to be prepared by the Public Works and Conservation and Development Departments.	• The Committee reviewed a joint CC County/CCTA grant to Caltrans under the SB1 Sustainable Transportation Planning Grant program. **August 2017** • Directed staff to develop a grant reporting/tracking system. **July 2017** • Received a report on efforts to pursue the Marsh Creek Trail concept including grants in support of a corridor plan. **October, November 2017** • Received a report on a grant for a plan to develop a bicycle superhighway system in the Iron Horse Corridor. • The Committee approved grants to be submitted to CCTA under the OBAG Program. **December *2016***

Referral	Status
3. Monitor the Contra Costa Transportation Authority (CCTA) including efforts to implement Measure J.	• Provided input and direction to staff on initiating an accessible transit study. **Various Dates. Also relates to referral #17,**
4. Monitor EBMUD and Contra Costa Water District projects and activities.	
5. Review projects, plans and legislative matters that may affect the health of the San Francisco Bay and Delta, including but not limited to conveyance, flood control, dredging, climate change, habitat conservation, governance, water storage, development of an ordinance regarding polystyrene foam food containers, water quality, supply and reliability, consistent with the Board of Supervisors adopted Delta Water Platform.	• Monitored the implementation and implications of Municipal Regional Permit 2.0, provided direction to staff, initiated communication with the State Water Resources Control Board. **April, July 2017** • Received a report on the Lower Walnut Creek Restoration Project. **October 2017**
6. Review and monitor the establishment of Groundwater Sustainability Agencies and Groundwater Sustainability Plans for the three medium priority groundwater basins within Contra Costa County as required by the Sustainable Groundwater Management Act.	• Monitored, received reports, and provided direction to staff on the response to the Sustainable Groundwater Management Act of 2014 (SGMA) **April, December 2017**
7. Review issues associated with County flood control facilities.	
8. Monitor creek and watershed issues and seek funding for improvement projects related to these issues.	**Related items in #5**
9. Monitor the implementation of the Integrated Pest Management (IPM) policy.	• Received reports and provided direction to IPM staff on the program and interaction with the public, and forwarded reports to the full BOS. **February, December 2017**

Referral	Status
10. Monitor the status of county park maintenance issues including, but not limited to, transfer of some County park maintenance responsibilities to other agencies and implementation of Measure WW grants and expenditure plan.	
11. Monitor and report on the East Contra Costa County Habitat Conservation Plan (HCP).	*The Board of Supervisors received a report on the HCP, referred by TWIC, in September 2017.*
12. Monitor the implementation of the County Complete Streets Policy.	• Received report on the San Pablo Avenue Complete Streets Study **December 2017** • Received report on complete streets/vision zero implementation. **October 2017**
13. Monitor and report on the Underground Utilities Program.	• Received report on revisions to the 20a general agreement and considered a letter to the Public Utilities Commission on the same. **December 2017**- **Activities also relate to Referral #15**
14. Monitor implementation of the Letter of Understanding (LOU) with PG&E for the maintenance of PG&E streetlights in Contra Costa.	• Received updates on the status of streetlight maintenance and the LOU. **December 2017**
15. Freight transportation issues, including but not limited to potential increases in rail traffic such as that proposed by the Port of Oakland and other possible service increases, safety of freight trains, rail corridors, and trucks that transport hazardous materials, the planned truck route for North Richmond; and the deepening of the San Francisco-to-Stockton Ship Channel.	• Reviewed and approved a grant application for a shoreline freight rail study in the Northern Waterfront area to the federal Economic Development Administration. **Also relevant to referral #1**. **December 2017**
16. Monitor the Iron Horse Corridor Management Program.	**See referral #1for related activities.**
17. Monitor and report on the eBART Project.	

Referral	Status
18. Review transportation plans and services for specific populations, including but not limited to County Low Income Transportation Action Plan, Coordinated Human Services Transportation Plan for the Bay Area, Priorities for Senior Mobility, Bay Point Community Based Transportation Plan, Contra Costa County Mobility Management Plan, and the work of Contra Costans for Every Generation.	• See Referrals #2, 3 for related actions. • The Committee reviewed and provided direction to staff regarding implementing an Accessible Transit Study in cooperation with CCTA. **Various Dates**
19. Monitor issues of interest in the provision of general transportation services, including but not limited to public transportation and taxicab, transportation network companies.	• Monitored staff's effort in implementing a regional taxicab permitting process, received reports, provided direction to staff, and kept the full BOS apprised of progress. **December 2017** • Related, Assembly Bill 1069 (Low) Local Government: Taxicab Transportation Services came before TWIC but was ultimately taken up by the County Administrator's Office.
20. Monitor the statewide infrastructure bond programs.	
21. Monitor implementation and ensure compliance with the single-use carryout bag ban consistent with Public Resources Code, Chapter 5.3 (resulting from Senate Bill 270 [Padilla – 2014]).	*No update in 2017*

Contra
Costa
County

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: March 27, 2018

Subject: Amendment Agreement #26-338-20 with American Red Cross

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute Contract Amendment Agreement #26-338-20 with American Red Cross, a non-profit corporation, effective March 20, 2018, to amend Contract #26-338-19 to include additional blood services at Contra Costa Regional Medical Center (CCRMC) with no change in the original payment limit of $1,500,000 or term April 1, 2017 through March 31, 2020.

FISCAL IMPACT:
This amendment is 100% funded by Hospital Enterprise Fund I.

BACKGROUND:
On March 21, 2017, the Board of Supervisors approved Contract #26-338-19 with American Red Cross to provide total blood and blood component products and associated services as needed for patients at the CCRMC for the period from April 1, 2017 through March 31, 2020.

The Contractor has taken a proactive approach to enhance safety of their blood supply by making reduced pathogen platelets available to hospitals. Reduced pathogen platelets can significantly reduce the risk of viruses, bacteria and parasites that may be present in blood products, which is the most significant risk in blood transfusions.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Jaspreet Benepal, 925-370-5741

cc: L Walker , M Wilhelm

BACKGROUND: (CONT'D)

Approval of Contract Amendment Agreement #26-338-20 will allow Contractor to provide pathogen reduced platelet blood services to CCRMC through March 31, 2020.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, the contractor will not be able to provide additional blood services benefiting patients who need pathogen reduced platelets, which may increase the risk of infections during blood transfusions.

Contra Costa County

To: Board of Supervisors

From: Joseph E. Canciamilla, Clerk-Recorder

Date: March 27, 2018

Subject: Accept and Declare Results of the Special Mail Election Conducted March 6, 2018

RECOMMENDATION(S):
Accept and declare the results of the Special Mail Election conducted on March 6, 2018 as on file in the Contra Costa Elections Division for the East Contra Costa Fire Protection District Measure A and Diablo Community Services District Measure B.

FISCAL IMPACT:
None.

BACKGROUND:
Elections Code 15372 requires the Elections Official to prepare a certified statement of the results of the election and submit it to the governing body within 28 days of the election.

A certified Statement of Votes is attached to this Board Order.

CONSEQUENCE OF NEGATIVE ACTION:
The following list of local jurisdiction measures will not receive official approval and authorization to declare and accept the results.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Rosa Mena, 925.335.7806

By: , Deputy

cc:

ATTACHMENTS

StatementVotes30618

STATEMENT OF VOTES CAST

SPECIAL MAIL BALLOT ELECTION

March 6, 2018

JOSEPH E. CANCIAMILLA
COUNTY CLERK-RECORDER AND REGISTRAR OF VOTERS
CONTRA COSTA COUNTY, CALIFORNIA

CERTIFICATION OF COUNTY CLERK / REGISTRAR OF VOTERS TO THE RESULTS OF THE CANVASS OF THE MARCH 6, 2018 SPECIAL MAIL BALLOT ELECTION

STATE OF CALIFORNIA

COUNTY OF CONTRA COSTA } **ss.**

I, **JOSEPH E. CANCIAMILLA**, County Clerk/Registrar of Voters of said county, do hereby certify that, in pursuance to the provisions of Elections Code Section 15300, et seq., I did canvass the results of the votes cast in the Presidential General Election held in said County on March 6, 2018, for measures that were submitted to the vote of the voters, and that the Statement of Votes Cast to which this certificate is attached, is full, true and correct.

I hereby set my hand and official seal this 14th day of March 2018, at the County of Contra Costa.

Rosa M. Mena

By: Rosa M. Mena
Elections Processing Supervisor

County of Contra Costa
State of California

Contra Costa County
Special Mail Ballot Election
March 6, 2018
Official Results - Final

Precincts Reported: 84 of 84 (100.00%)

Registered Voters: 12,055 of 65,085 (18.52%)

Ballots Cast: 12,055

A-EAST CONTRA COSTA FIRE PROTECTION DISTRICT MEASURE TO REDUCE NUMBER DIRECTORS - MAJORITY

Precincts Reported: 83 of 83 (100.00%)

	Total	
Times Cast	11,772 / 64,351	18.29%

Candidate	Total	
Yes	10,605	90.46%
No	1,119	9.54%

		Total

B-DIABLO COMMUNITY SERVICES DISTRICT SPECIAL TAX MEASURE - 2/3

Precincts Reported: 1 of 1 (100.00%)

	Total	
Times Cast	283 / 734	38.56%

Candidate	Total	
Yes	191	67.73%
No	91	32.27%

		Total

Contra Costa County
Special Mail Ballot Election
March 6, 2018
Statement of Votes Cast
Official Results - Final

Precinct	Registered Voters	Cards Cast	Voters Cast	% Turnout
Electionwide				
Contra Costa County				
BETH101	1,381	312	312	22.59%
BKDI801	10	2	2	20.00%
BKDI802	265	50	50	18.87%
BKDI803	2	0	0	0.00%
BREN101	1,317	142	142	10.78%
BREN102	830	118	118	14.22%
BREN103	1,291	198	198	15.34%
BREN104	795	170	170	21.38%
BREN105	577	60	60	10.40%
BREN106	526	58	58	11.03%
BREN107	1,280	183	183	14.30%
BREN108	1,159	181	181	15.62%
BREN109	1,311	226	226	17.24%
BREN110	1,076	183	183	17.01%
BREN111	1,470	245	245	16.67%
BREN112	1,003	169	169	16.85%
BREN113	839	102	102	12.16%
BREN114	651	88	88	13.52%
BREN115	769	98	98	12.74%
BREN116	1,576	539	539	34.20%
BREN117	572	93	93	16.26%
BREN118	1,132	181	181	15.99%
BREN119	1,204	222	222	18.44%
BREN120	832	105	105	12.62%
BREN121	566	271	271	47.88%
BREN122	866	127	127	14.67%
BREN123	1,017	173	173	17.01%

Precinct	Registered Voters	Cards Cast	Voters Cast	% Turnout
BREN124	1,370	191	191	13.94%
BREN125	243	28	28	11.52%
BREN126	1,066	126	126	11.82%
BREN127	1,553	733	733	47.20%
BREN128	1,227	635	635	51.75%
BREN129	535	87	87	16.26%
BREN130	1,018	136	136	13.36%
BREN131	652	86	86	13.19%
BREN132	699	100	100	14.31%
BREN133	767	160	160	20.86%
BREN801	6	0	0	0.00%
BREN802	118	22	22	18.64%
BRVL101	461	126	126	27.33%
BRVL801	93	38	38	40.86%
BYRN101	498	108	108	21.69%
BYRN801	156	40	40	25.64%
BYRN802	63	10	10	15.87%
BYRN803	5	2	2	40.00%
DBAY101	1,442	275	275	19.07%
DBAY102	1,452	250	250	17.22%
DBAY103	734	171	171	23.30%
DBAY104	1,194	330	330	27.64%
DBAY105	593	61	61	10.29%
DBAY106	1,599	401	401	25.08%
DBAY107	1,029	267	267	25.95%
DBAY801	220	31	31	14.09%
DIAB101	734	283	283	38.56%
KNGT101	846	203	203	24.00%
KNGT801	51	13	13	25.49%
KNGT802	10	2	2	20.00%
KNGT803	123	24	24	19.51%
KNGT804	97	14	14	14.43%
MARC801	232	50	50	21.55%
MARC802	32	5	5	15.63%
MARC803	32	11	11	34.38%
OKLY101	1,008	144	144	14.29%

Precinct	Registered Voters	Cards Cast	Voters Cast	% Turnout
OKLY102	1,071	145	145	13.54%
OKLY103	1,120	170	170	15.18%
OKLY104	1,404	160	160	11.40%
OKLY105	1,023	151	151	14.76%
OKLY106	1,237	227	227	18.35%
OKLY107	744	93	93	12.50%
OKLY108	883	110	110	12.46%
OKLY109	975	112	112	11.49%
OKLY110	990	139	139	14.04%
OKLY111	872	153	153	17.55%
OKLY112	851	127	127	14.92%
OKLY113	1,579	210	210	13.30%
OKLY114	1,224	195	195	15.93%
OKLY115	1,080	130	130	12.04%
OKLY116	1,362	175	175	12.85%
OKLY117	932	110	110	11.80%
OKLY118	645	78	78	12.09%
OKLY119	796	104	104	13.07%
OKLY801	4	0	0	0.00%
TASJ802	12	6	6	50.00%
TASJ803	6	1	1	16.67%
Contra Costa County - Total	65,085	12,055	12,055	18.52%
Cumulative				
Cumulative	0	0	0	N/A
Cumulative - Total	0	0	0	N/A
Electionwide - Total	65,085	12,055	12,055	18.52%

A-EAST CONTRA COSTA FIRE PROTECTION DISTRICT MEASURE TO REDUCE NUMBER DIRECTORS - MAJORITY

Precinct	Times Cast	Registered Voters
Electionwide		
Contra Costa County		
BETH101	312	1,381
BKDI801	2	10
BKDI802	50	265
BKDI803	0	2
BREN101	142	1,317
BREN102	118	830
BREN103	198	1,291
BREN104	170	795
BREN105	60	577
BREN106	58	526
BREN107	183	1,280
BREN108	181	1,159
BREN109	226	1,311
BREN110	183	1,076
BREN111	245	1,470
BREN112	169	1,003
BREN113	102	839
BREN114	88	651
BREN115	98	769
BREN116	539	1,576
BREN117	93	572
BREN118	181	1,132
BREN119	222	1,204
BREN120	105	832
BREN121	271	566
BREN122	127	866
BREN123	173	1,017
BREN124	191	1,370

Precinct	Yes		No		Total Votes
Electionwide					
Contra Costa County					
BETH101	268	86.17%	43	13.83%	311
BKDI801	2	100.00%	0	0.00%	2
BKDI802	43	86.00%	7	14.00%	50
BKDI803	0		0		0
BREN101	135	95.07%	7	4.93%	142
BREN102	106	90.60%	11	9.40%	117
BREN103	184	92.93%	14	7.07%	198
BREN104	159	94.08%	10	5.92%	169
BREN105	49	81.67%	11	18.33%	60
BREN106	55	94.83%	3	5.17%	58
BREN107	163	89.56%	19	10.44%	182
BREN108	172	95.03%	9	4.97%	181
BREN109	207	91.59%	19	8.41%	226
BREN110	169	92.86%	13	7.14%	182
BREN111	228	93.06%	17	6.94%	245
BREN112	142	84.02%	27	15.98%	169
BREN113	100	98.04%	2	1.96%	102
BREN114	81	92.05%	7	7.95%	88
BREN115	87	88.78%	11	11.22%	98
BREN116	503	93.67%	34	6.33%	537
BREN117	88	94.62%	5	5.38%	93
BREN118	169	94.41%	10	5.59%	179
BREN119	201	90.95%	20	9.05%	221
BREN120	98	94.23%	6	5.77%	104
BREN121	249	91.88%	22	8.12%	271
BREN122	117	92.13%	10	7.87%	127
BREN123	158	91.86%	14	8.14%	172
BREN124	173	90.58%	18	9.42%	191

Precinct	Times Cast	Registered Voters
BREN125	28	243
BREN126	126	1,066
BREN127	733	1,553
BREN128	635	1,227
BREN129	87	535
BREN130	136	1,018
BREN131	86	652
BREN132	100	699
BREN133	160	767
BREN801	0	6
BREN802	22	118
BRVL101	126	461
BRVL801	38	93
BYRN101	108	498
BYRN801	40	156
BYRN802	10	63
BYRN803	2	5
DBAY101	275	1,442
DBAY102	250	1,452
DBAY103	171	734
DBAY104	330	1,194
DBAY105	61	593
DBAY106	401	1,599
DBAY107	267	1,029
DBAY801	31	220
KNGT101	203	846
KNGT801	13	51
KNGT802	2	10
KNGT803	24	123
KNGT804	14	97
MARC801	50	232
MARC802	5	32
MARC803	11	32

Precinct	Yes		No		Total Votes
BREN125	21	75.00%	7	25.00%	28
BREN126	117	93.60%	8	6.40%	125
BREN127	674	92.71%	53	7.29%	727
BREN128	617	97.47%	16	2.53%	633
BREN129	79	91.86%	7	8.14%	86
BREN130	127	93.38%	9	6.62%	136
BREN131	76	88.37%	10	11.63%	86
BREN132	88	89.80%	10	10.20%	98
BREN133	149	93.13%	11	6.88%	160
BREN801	0		0		0
BREN802	20	90.91%	2	9.09%	22
BRVL101	82	65.08%	44	34.92%	126
BRVL801	29	76.32%	9	23.68%	38
BYRN101	99	92.52%	8	7.48%	107
BYRN801	33	82.50%	7	17.50%	40
BYRN802	9	90.00%	1	10.00%	10
BYRN803	2	100.00%	0	0.00%	2
DBAY101	252	92.31%	21	7.69%	273
DBAY102	228	91.20%	22	8.80%	250
DBAY103	155	90.64%	16	9.36%	171
DBAY104	305	92.99%	23	7.01%	328
DBAY105	57	93.44%	4	6.56%	61
DBAY106	371	93.22%	27	6.78%	398
DBAY107	250	93.63%	17	6.37%	267
DBAY801	26	83.87%	5	16.13%	31
KNGT101	165	81.68%	37	18.32%	202
KNGT801	10	76.92%	3	23.08%	13
KNGT802	1	50.00%	1	50.00%	2
KNGT803	20	86.96%	3	13.04%	23
KNGT804	12	85.71%	2	14.29%	14
MARC801	42	85.71%	7	14.29%	49
MARC802	5	100.00%	0	0.00%	5
MARC803	11	100.00%	0	0.00%	11

Precinct	Times Cast	Registered Voters
OKLY101	144	1,008
OKLY102	145	1,071
OKLY103	170	1,120
OKLY104	160	1,404
OKLY105	151	1,023
OKLY106	227	1,237
OKLY107	93	744
OKLY108	110	883
OKLY109	112	975
OKLY110	139	990
OKLY111	153	872
OKLY112	127	851
OKLY113	210	1,579
OKLY114	195	1,224
OKLY115	130	1,080
OKLY116	175	1,362
OKLY117	110	932
OKLY118	78	645
OKLY119	104	796
OKLY801	0	4
TASJ802	6	12
TASJ803	1	6
Contra Costa County - Total	11,772	64,351
Cumulative		
Cumulative	0	0
Cumulative - Total	0	0
Electionwide - Total	11,772	64,351

Precinct	Yes		No		Total Votes
OKLY101	127	89.44%	15	10.56%	142
OKLY102	126	86.90%	19	13.10%	145
OKLY103	147	86.47%	23	13.53%	170
OKLY104	134	83.75%	26	16.25%	160
OKLY105	134	89.33%	16	10.67%	150
OKLY106	202	89.38%	24	10.62%	226
OKLY107	77	83.70%	15	16.30%	92
OKLY108	91	82.73%	19	17.27%	110
OKLY109	94	84.68%	17	15.32%	111
OKLY110	118	86.76%	18	13.24%	136
OKLY111	131	86.18%	21	13.82%	152
OKLY112	121	96.03%	5	3.97%	126
OKLY113	172	81.90%	38	18.10%	210
OKLY114	176	90.72%	18	9.28%	194
OKLY115	111	85.38%	19	14.62%	130
OKLY116	161	92.53%	13	7.47%	174
OKLY117	93	84.55%	17	15.45%	110
OKLY118	63	80.77%	15	19.23%	78
OKLY119	82	78.85%	22	21.15%	104
OKLY801	0		0		0
TASJ802	6	100.00%	0	0.00%	6
TASJ803	1	100.00%	0	0.00%	1
Contra Costa County - Total	10,605	90.46%	1,119	9.54%	11,724
Cumulative					
Cumulative	0		0		0
Cumulative - Total	0		0		0
Electionwide - Total	10,605	90.46%	1,119	9.54%	11,724

B-DIABLO COMMUNITY SERVICES DISTRICT SPECIAL TAX MEASURE - 2/3

Precinct	Times Cast	Registered Voters
Electionwide		
Contra Costa County		
DIAB101	283	734
Contra Costa County - Total	283	734
Cumulative		
Cumulative	0	0
Cumulative - Total	0	0
Electionwide - Total	283	734

Precinct	Yes		No		Total Votes
Electionwide					
Contra Costa County					
DIAB101	191	67.73%	91	32.27%	282
Contra Costa County - Total	191	67.73%	91	32.27%	282
Cumulative					
Cumulative	0		0		0
Cumulative - Total	0		0		0
Electionwide - Total	191	67.73%	91	32.27%	282

Contra Costa County

March 6, 2018 Special Mail Ballot Election

Completion of One Percent Manual Count

3/9/2018

Pursuant to Elections Code 15360, Contra Costa County Elections Division conducted a one percent manual tally of precinct results for the March 6, 2018 Special Mail Ballot Election.

The random selection of precincts was conducted at the Elections Division on Wednesday, March 7th at 10:00 AM. Two precincts were drawn and counted in the one percent manual tally:

Precincts Selected – Results

Brentwood122 – Manual tally matches voting system tally

Diablo101 – Manual tally matches voting system tally

Contra Costa County

To: Board of Supervisors

From: Kathy Gallagher, Employment & Human Services Director

Date: March 27, 2018

Subject: Recognizing Janissa Rowley for 38 Years of County Service

---

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

Contact: CSB, (925) 681-6389

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

By: , Deputy

cc: Nasim Eghlima, Camilla Rand, Monique Young-Edwards

ATTACHMENTS

Resolution No.
2018/112

The Board of Supervisors of
Contra Costa County, California

In the matter of: **Resolution No. 2018/112**

Recognition of Thirty-Eight Years of Service to Contra Costa County by Janissa Rowley on the Occasion of her Retirement

Whereas, Janissa Rowley has been an employee of Contra Costa County Community Services since 1991; and with Contra Costa County since 1979; and
Whereas, Janissa has been a leader in the field of early care and education for over fifty years; and
Whereas Janissa has been an assistant teacher, teacher, home visitor, education manager and assistant director throughout her career; and
Whereas Janissa has devoted her career to ensuring that disadvantaged children and their families have access to affordable, quality care; and
Whereas Janissa has embodied the belief that every child and their family has the right to be treated with dignity and respect; and
Whereas Janissa was instrumental in developing the very first childcare partnership in Contra Costa County in the 1990s; and
Whereas Janissa has devoted her career to advocating for equitable pay for early care teachers; and
Whereas Janissa has represented Community Services throughout her career on the Contra Costa Community College District Board, The Local Planning Council for Early Care and Education, Contra Costa Association for the Education of Young Children, California Childcare Director's Association and numerous task forces; and
Whereas Janissa has developed several sustainable programs to support and encourage teacher development and education such as the Teacher Assistant Trainee and Teacher Apprenticeship Programs; and
Whereas Janissa has built strong relationships with the community colleges to ensure early care and education teachers have access to quality and affordable education and that there are avenues for higher education; and
Whereas Janissa has led the Community Services Education Team over the past seven years to bring numerous quality initiatives into the classrooms; and
Whereas Janissa's legacy of nurturing staff, children and families and her advocacy and commitment to the field will long be remembered throughout Contra Costa County and the State of California;

Now, Therefore, Be It Resolved that the Board of Supervisors of Contra Costa County congratulates Janissa Rowley on the occasion of her retirement.

_____
KAREN MITCHOFF
Chair, District IV Supervisor

_____ _____
JOHN GIOIA **CANDACE ANDERSEN**
District I Supervisor District II Supervisor

_____ _____

DIANE BURGIS
District III Supervisor

FEDERAL D. GLOVER
District V Supervisor

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

ATTESTED: March 27, 2018

David J. Twa,

By: _____, Deputy

Contra Costa County

To: Board of Supervisors

From: David Twa, County Administrator

Date: March 27, 2018

Subject: CONTINUE EXTENSION OF EMERGENCY DECLARATION REGARDING HOMELESSNESS

RECOMMENDATION(S):
CONTINUE the emergency action originally taken by the Board of Supervisors on November 16, 1999 regarding the issue of homelessness in Contra Costa County.

FISCAL IMPACT:
None.

BACKGROUND:
On November 16, 1999, the Board of Supervisors declared a local emergency, pursuant to the provisions of Government Code Section 8630 on homelessness in Contra Costa County.

Government Code Section 8630 requires that, for a body that meets weekly, the need to continue the emergency declaration be reviewed at least every 14 days until the local emergency is terminated. In no event is the review to take place more than 21 days after the previous review. On March 13, 2018, the Board of Supervisors reviewed and approved the emergency declaration.

With the continuing high number of homeless individuals and insufficient funding available to assist in sheltering all homeless individuals and families, it is appropriate for the Board to continue the declaration of a local emergency regarding homelessness.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** [x] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

By: , Deputy

Contact: Susan Smith, (925) 335-1042

cc:

Contra Costa County

To: Board of Supervisors

From: Sharon L. Anderson, County Counsel

Date: March 27, 2018

Subject: Conflict of Interest Code for the Central Contra Costa Transit Authority

RECOMMENDATION(S):
APPROVE amended Conflict of Interest Code for the Central Contra Costa Transit Authority ("County Connection"), including the list of designated positions.

FISCAL IMPACT:
None.

BACKGROUND:
County Connection has amended its Conflict of Interest Code and submitted the revised code, attached as Exhibit A, to the Board for approval pursuant to Government Code section 87306 and 87306.5.

The changes include an updated list of positions designated to file conflict of interest statements. These changes will ensure that the Conflict of Interest Code accurately reflects the current positions and organizational structure in use by County Connection. A strike-out version of the Conflict of Interest Code is attached as Exhibit B.

CONSEQUENCE OF NEGATIVE ACTION:
None.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

Contact: Cynthia Schwerin, Deputy County Counsel, (925) 335-1800

By: , Deputy

cc: David Twa, Clerk of the Board of Supervisors, Cynthia Schwerin, Deputy County Counsel, Rick Ramacier, General Manager, County Connection

ATTACHMENTS

Ex. A - County Connection COI Code

Ex. B - County Connection COI Code - STRIKEOUT

RESOLUTION NO. 2018-010

BOARD OF DIRECTORS, CENTRAL CONTRA COSTA TRANSIT AUTHORITY
STATE OF CALIFORNIA

* * *

ADOPTING AMENDED CONFLICT OF INTEREST CODE

WHEREAS, the County of Contra Costa and the Cities of Clayton, Concord, the Town of Danville, Lafayette, Martinez, the Town of Moraga, Orinda, Pleasant Hill, San Ramon and Walnut Creek (hereinafter "Member Jurisdictions") have formed the Central Contra Costa Transit Authority ("County Connection"), a joint exercise of powers agency created under California Government Code Section 6500 *et seq.*, for the joint exercise of certain powers to provide coordinated and integrated public transportation services within the area of its Member Jurisdictions;

WHEREAS, California Government Code Section 87306.5 requires that County Connection review its Conflict of Interest Code every other year, and revise it if necessary;

WHEREAS, Legal Counsel and the General Manager have reviewed the current Conflict of Interest Code and have determined that the Code should be updated to reflect current job titles and responsibilities; and

WHEREAS, Legal Counsel and the General Manager recommend adopting the attached Conflict of Interest Code.

NOW, THEREFORE, BE IT RESOLVED by the Central Contra Costa Transit Authority Board of Directors that the revised Conflict of Interest Code hereby is adopted; and

BE IT FURTHER RESOLVED that the Board Clerk is directed to transmit a copy of the revised Code to the Board of Supervisors of Contra Costa County.

Regularly passed and adopted this 15th day of February 2018, by the following vote.

AYES: Directors Dessayer, Haydon, Hoffmeister, Noack, Schroder, Storer, Tatzin and Wilk

NOES: None

ABSTENTIONS: None

ABSENT: Directors Andersen, Hudson and Worth

Rob Schroder, Chair, Board of Directors

ATTEST:

Lathina Hill, Clerk to the Board

CONFLICT OF INTEREST CODE

CENTRAL CONTRA COSTA TRANSIT AUTHORITY

Adopted on February 19, 1981 pursuant to Resolution No. 1981-001

Amended on July 16, 1988 pursuant to Resolution No. 1988-043

Amended on September 15, 1994 pursuant to Resolution No. 1995-008

Amended on September 19, 1996 pursuant to Resolution No. 1997-001

Amended on September 17, 1998 pursuant to Resolution No. 1999-02

Amended on September 21, 2000 pursuant to Resolution No. 2001-007

Amended on September 19, 2002 pursuant to Resolution No. 2003-007

Amended on September 16, 2004 pursuant to Resolution No. 2005-003

Amended on September 21, 2006 pursuant to Resolution No. 2007-009

Amended on August 21, 2008 pursuant to Resolution No. 2009-004

Amended on September 16, 2010 pursuant to Resolution No. 2011-003

Amended on September 16, 2012 pursuant to Resolution No. 2013-003

Amended on December 18, 2014 pursuant to Resolution No. 2015-016

Amended on February 15, 2018 pursuant to Resolution No. 2018-010

CONFLICT OF INTEREST CODE FOR THE CENTRAL CONTRA COSTA TRANSIT AUTHORITY (County Connection)

The Political Reform Act of 1974, Government Code Sections 81000, *et seq.*, requires State and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 California Code of Regulations Section 18730, which contains the terms of a standard Conflict of Interest Code which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments by the Fair Political Practices Commission in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendices, designating positions and establishing disclosure categories, shall constitute the Conflict of Interest Code of the Central Contra Costa Transit Authority (County Connection).

Individuals holding designated positions shall file their statements of economic interests with County Connection, which will make the statements available for public inspection and reproduction. (Gov. Code Sec. 81008.) County Connection will retain a copy of each statement and forward the originals to the Contra Costa County Board of Supervisors, which shall be the filing officer.

APPENDIX A

DESIGNATED POSITIONS

Designated Positions	Disclosure Category(ies)
Assistant General Manager of Administration	1, 2, 3
Chief Operating Officer & Safety/EOC	1, 2, 3
Director of Human Resources	2, 3
Director of Innovation and Mobility	1, 2, 3
Director of IT	2
Director of Planning and Marketing	1, 2
Director of Recruitment & Employee Development/DBE Officer	2
Director of Transportation	1, 2, 3
Manager of Accounting	2, 3
Manager of Accessible Services	1, 2
Manager of Customer Service and Public Outreach	2
Manager of Facilities & Grants	1, 2
Manager of Marketing & Customer Service	2
Manager of Planning	1, 2
Manager of Transportation	1, 2
Buyer	1, 2, 3
Legal Counsel	1, 2, 3
Consultants/New Positions	*

*Pursuant to Title 2, Division 6, California Code of Regulations, section 18734, Consultants/New Positions that make or participate in the making of decisions that may foreseeably have a material effect on any financial interest are included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the Code, subject to the following limitation:

The General Manager may determine in writing that a particular consultant or a new position, is hired to perform a range of duties that are limited in scope and thus not required to comply with the disclosure requirements described in this section. Such determination shall include a statement of the consultant's or a new position's duties, and, based upon that description, a statement of the extent of disclosure requirements. The determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Section 81008.) Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.

The positions listed below are NOT covered by the Conflict of Interest Code because they must file a statement of economic interests pursuant to Government Code Section 87200 and, therefore, are listed for information purposes only:

Members of the County Connection Board of Directors
Alternate Members of the County Connection Board of Directors
Chief Financial Officer
General Manager

An individual holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe their position has been categorized incorrectly. The Fair Political Practices Commission makes the determination whether a position is covered by Section 87200.

APPENDIX B

DISCLOSURE CATEGORIES

Category 1: Interests in real property located within or not more than two miles outside the boundaries of the jurisdiction of or within a two mile radius of any land owned or used by County Connection.

Category 2: Investments and business positions in business entities, and income, including receipt of gifts, loans, and travel payments, from sources that provide products, services, supplies, materials, machinery, or equipment of the type utilized by County Connection or in projects funded by County Connection, including buses, insurance, information technology, telecommunications, public utilities, consultants, transportation companies, and manufacturers.

Category 3: Investments and business positions in business entities, and income, including receipt of gifts, loans, and travel payments, from, sources that filed a claim with or against County Connection during the previous two years, or have a claim pending with or against County Connection.

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Director of Planning and Marketing	1, 2
Director of Recruitment & Employee Development/DBE Officer	2
Director of Transportation	1, 2, 3
~~Senior~~ Manager of ~~Human Resources~~	~~1~~Accounting 2, 3
~~Senior~~ Manager of ~~Transportation~~	~~2~~Accessible Services 1, 2
Manager of Customer Service and Public Outreach	2
Manager of Facilities & Grants	1, 2
Manager of Marketing & Customer Service	2
Manager of Planning	1, 2
Manager of ~~Purchasing and Grants~~	Transportation 1, 2
~~Manager of Safety and Training~~	~~3~~
Buyer	1, 2, 3
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Contra Costa County

To: Board of Supervisors

From: David Twa, County Administrator

Date: March 27, 2018

Subject: Resolution No. 2018/122 - California Nurses Association Side Letter Extending Duration of Agreement

RECOMMENDATION(S):
ADOPT Resolution No. 2018/122 approving the Side Letter between Contra Costa County and the California Nurses Association (CNA) modifying the Preamble and Section 64 Duration of Agreement of the Memorandum of Understanding to extend the contract from March 31, 2018 through May 31, 2018.

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
This Side Letter extends the current memorandum of understanding from March 31, 2018 through May 31, 2018, to allow both parties to work together to negotiate an agreement. Both the Preamble and Section 64 - Duration of Agreement are modified. The effect of this Side Letter is that all other terms and conditions of the MOU, specifically including Section 60 and 62, are extended accordingly for the new term of the MOU between the County and CNA (August 1, 2014 – May 31, 2018).

CONSEQUENCE OF NEGATIVE ACTION:
Members will continue working under an expired contract.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/27/2018** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: March 27, 2018

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

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

By: , Deputy

cc: Dianne Dinsmore, Human Resources Director, Robert Campbell, County Auditor-Controller

ATTACHMENTS

CNA Side Letter dated 3/21/18

SIDE LETTER AGREEMENT
Duration of Agreement

This Side Letter is by and between the County of Contra Costa ("County") and the California Nurses Association ("CNA") and is effective March 21, 2018, subject to approval by the Board of Supervisors.

This Side Letter modifies the Preamble and Section 64 – Duration of Agreement of the Memorandum of Understanding (MOU) (August 1, 2014 – March 31, 2018) between the County and CNA by extending the current MOU from January 31, 2018 to May 31, 2018.

The effect of this Side Letter is that all other terms and conditions of the MOU, specifically including Section 60 and 62, are extended accordingly for the new term of the MOU between the County and CNA (August 1, 2014 – May 31, 2018).

Date: 3-21-18

Contra Costa County: *(Signature / Printed Name)*	**California Nurses Association:** *(Signature / Printed Name)*
/ Kelly Tuffo	/ Kati Johnson
/ Nancy Hendra	/ Charlotte F. Adams
/ Shanna Edwards	/ Kathleen Avila
/ Brie Lewis	/ Anne Scanlon
/ Dorette McCollum	/
/	/