

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.

AGENDA
August 14, 2018

9:00 A.M. Convene and announce adjournment to closed session in Room 101.

Closed Session

A. CONFERENCE WITH LABOR NEGOTIATORS

1. Agency Negotiators: David Twa and Richard Bolanos.

Employee Organizations: Public Employees Union, Local 1; AFSCME Locals 512 and 2700; California Nurses Assn.; SEIU Locals 1021 and 2015; District Attorney Investigators' Assn.; Deputy Sheriffs Assn.; United Prof. Firefighters I.A.F.F., Local 1230; Physicians' & Dentists' Org. of Contra Costa; Western Council of Engineers; United Chief Officers Assn.; Contra Costa County Defenders Assn.; Contra Costa County Deputy District Attorneys' Assn.; Prof. & Tech. Engineers IFPTE, Local 21; and 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))

9:30 A.M. Call to order and opening ceremonies.

Inspirational Thought- *"Knowing is not enough; we must apply. Wishing is not enough; we must do."* ~ Johann Wolfgang Von Goethe

CONSIDER CONSENT ITEMS (Items listed as C.1 through C.88 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 honoring Dr. Felisa Gaffney, Dr. Victoria Bianco, and Ryan Berg for their outstanding contributions to the ABOUTFACE program and accepting the Veterans In the Arts report. (Tess Snook O'Riva, AC5 Chair, Arts and Culture Commission of Contra Costa County)

- PR.2** PRESENTATION by the Contra Costa County Office of Education on the Sandy Hook Promise. (Terry Koehne, Chief Communication Officer, Office of Education)

- PR.3** PRESENTATION of the Economic Significance of the County Airports, Buchanan Field and Byron. (Supervisors Mitchoff and Burgis)

DISCUSSION ITEMS

D. 1 CONSIDER Consent Items previously removed.

D. 2 PUBLIC COMMENT (2 Minutes/Speaker)

- D.3** CONSIDER accepting the 2017 Annual Performance Evaluation of Alliance Emergency Medical Services presented by the County EMS Director and the Contra Costa County Fire Protection District Fire Chief. (Pat Forst, EMS Agency Director & Jeff Carman, Fire Chief)

- D.4** CONSIDER accepting report from the Health Services Department on the implementation of the County's Safe Drug Disposal Ordinance. (Marilyn Underwood, Environmental Health Director)

- D.5** CONSIDER adopting Resolution 2018/465, censuring County Assessor Gus Kramer for engaging in conduct that was inconsistent with the County's policy of providing a workplace free from sexual harassment, and REFER this matter to the Contra Costa County Civil Grand Jury to consider whether further investigation by the Grand Jury is warranted. (Supervisors Mitchoff and Gioia)

- D.6** CONSIDER authorizing the County Administrator or designee to execute contract renewals with the NonPERS Health/Medical Plans, Dental Plan, Life Insurance, and Voluntary Vision Insurance Plan carriers and the Computer Vision Care Program for the period January 1, 2019 - December 31, 2019. (Dianne Dinsmore, Human Resources Director)

D. 7 CONSIDER reports of Board members.

Closed Session

ADJOURN

CONSENT ITEMS

Road and Transportation

- C. 1** APPROVE the Rodeo Downtown Infrastructure Project and take related actions under the California Environmental Quality Act, and AUTHORIZE the Public Works Director, or designee, to advertise the Project, Rodeo area. (65% Former Redevelopment Agency Funds and 35% Local Road Funds)
- C. 2** RESCIND Traffic Resolution No. 1976/2181, and ADOPT Traffic Resolution No. 2018/4475 declaring a stop-control on Roundhill Drive (Road No. 4437V) at Roundhill Road (Road No. 4437U), as recommended by the Public Works Director, Alamo area. (No fiscal impact)
- C. 3** APPROVE the submission of grant applications to the State of California, Department of Transportation under the Highway Safety Improvement Program, as recommended by the Public Works Director, Countywide. (100% State Funds)
- C. 4** ADOPT Traffic Resolution No. 2018/4473 to prohibit time-limited right turns from Taylor Boulevard (Road No. 3552A) southbound onto Gloria Terrace (Road No. 3667A) westbound, as recommended by the Public Works Director, Lafayette area. (No fiscal impact)
- C. 5** ADOPT Traffic Resolution No. 2018/4474 to prohibit time-limited right turns from Taylor Boulevard (Road No. 3552A) southbound onto Withers Avenue (Road No. 3564) westbound, as recommended by the Public Works Director, Lafayette area. (No fiscal impact)
- C. 6** ADOPT Traffic Resolution No. 2018/4472 to prohibit time-limited left turns from Grayson Road (westbound) onto Reliez Valley Road (Road No. 3554) southbound, as recommended by the Public Works Director, Pleasant Hill area. (No fiscal impact)

Engineering Services

- C. 7 ADOPT Resolution No. 2018/452 approving the Final Map and Subdivision Agreement for subdivision SD17-09300, for a project being developed by Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (No fiscal impact)
- C. 8 ADOPT Resolution No. 2018/453 approving the fifth extension of the Subdivision Agreement for subdivision SD05-09037, for a project being developed by Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, Danville area. (No fiscal impact)
- C. 9 ADOPT Resolution No. 2018/455 approving the second extension of the Subdivision Agreement for subdivision SD14-09328, for a project being developed by Shapell Homes, Inc., a Division of Shapell Industries, a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (No fiscal impact)
- C. 10 ADOPT Resolution No. 2018/458 approving and authorizing the Public Works Director, or designee, to fully close a portion of San Pablo Dam Road between El Portal Drive and Appian Way, on September 16, 2018 from 6:00 AM through 7:00 PM, for the purpose of 24th Annual El Sobrante Stroll, El Sobrante area. (No fiscal impact)

Special Districts & County Airports

- C. 11 APPROVE and AUTHORIZE the Director of Airports, or designee to use a portion of the Mariposa Energy Project Community Benefits Fund to update the Byron Airport Chapter of the Airport Land Use Compatibility Plan, as recommended by Supervisor Burgis. (100% Mariposa Energy Project Community Benefit)
- C. 12 ADOPT Resolution No. 2018/462 recognizing the contributions of Buchanan Field Airport and Byron Airport to the aeronautical community and the local economy, as recommended by Supervisors Mitchoff and Burgis.

Claims, Collections & Litigation

- C. 13 DENY claims filed by Marco Antonio Gutierrez, Hillside Group, LLC; Lucia Albers; Elizabeth Ann Iannaccone, Trustee, Suneel Kumar, Iraj Namdar, Jesus Cardoza & Edith Ramirez, Debbie Rodriguez, Steven Daniel Rodriguez, Safeco Ins. For Bogdan Zimkowski, and Antonio Smith.

Statutory Actions

C. 14 ACCEPT Board members meeting reports for July 2018.

Honors & Proclamations

- C. 15 ADOPT Resolution No. 2018/460 honoring Nicole Kozicki, California Department of Fish and Wildlife, upon the occasion of her retirement, as recommended by Supervisor Burgis.
- C. 16 ADOPT Resolution No. 2018/461 honoring Dr. Felisa Gaffney, Dr. Victoria Bianco, and Ryan Berg for their outstanding contributions to the ABOUTFACE program; and ACCEPT the 2018 ABOUTFACE Report: Bringing Art to the Veteran Community, as recommended by the Arts and Culture Commission.
- C. 17 ADOPT Resolution 2018/464 recognizing the Monument Crisis Center for their 15 years of service to our community, as recommended by Supervisor Mitchoff.

Ordinances

- C. 18 Acting as the Governing Body of the Contra Costa County Fire Protection District, ADOPT Ordinance Code 2018-05 amending the County Ordinance Code to exclude from the Merit System the new classification of Fire District Aide-Exempt, as recommended by the Human Resources Director.
- C. 19 INTRODUCE Ordinance 2018-026 amending the County Ordinance Code to exclude from the Merit System the Chief Information Technology Security Officer-Exempt, WAIVE reading, and FIX September 11, 2018 for adoption.
- C. 20 INTRODUCE Ordinance No. 2018-25, amending the requirements regulating the collection and disposal of sewage and septic systems, WAIVE reading, and FIX September 11, 2018, for adoption of Ordinance No. 2018-25 and related Health Officer Regulations for Sewage Collection and Disposal, as recommended by the Health Services Director.

Appointments & Resignations

- C. 21 REAPPOINT Gareth Ashley to the District IV seat and Matt Regan to the District IV Alternate seat on the First 5 Children and Families Commission, as recommended by Supervisor Mitchoff.
- C. 22 ACCEPT the resignation of Julie McCarter, DECLARE a vacancy in the Appointee 3 seat on the Kensington Municipal Advisory Council, and DIRECT the Clerk of the Board to post the vacancy, as recommended by Supervisor Gioia.

- C. 23** APPOINT Curtis Caldwell to the Knightsen Town Community Services District, as recommended by Supervisor Burgis.
- C. 24** REAPPOINT Clark Dawson to the District III seat on the Fish and Wildlife Committee, as recommended by Supervisor Burgis.
- C. 25** APPOINT Steve Larsen to the Appointee 3 seat on the Byron Municipal Advisory Council, as recommended by Supervisor Burgis.
- C. 26** REAPPOINT Don McCormick to the District III seat on the County Library Commission, as recommended by Supervisor Burgis.
- C. 27** REAPPOINT Charles Kreling to the District III seat on the Contra Costa County Merit Board, as recommended by Supervisor Burgis.
- C. 28** ACCEPT the resignation of Scott Sweet, DECLARE a vacancy in the Appointee 6 seat on County Service Area, P-2A Citizen Advisory Committee, and DIRECT the Clerk of the Board to post the vacancy, as recommended by Supervisor Burgis.

Personnel Actions

- C. 29** ADOPT Position Adjustment Resolution No. 22270 to add three Systems Software Analyst I (represented) positions and cancel one Information Systems Technician II (represented), one Network Manager (represented), and one Secretary-Advanced Level (represented) positions in the Health Services Department. (100% Hospital Enterprise Fund I)
- C. 30** ADOPT Position Adjustment Resolution No. 22328 to increase the hours of one part time (32/40) Librarian (represented) position to full time and add one part time (20/40) Clerk - Experienced Level (represented) position in the Library Department. (100% City of San Pablo)
- C. 31** ADOPT Position Adjustment Resolution No. 22319 to add one Librarian position, and one Clerk–Senior Level position; increase the hours of one part time (20/40) Library Assistant–Journey Level position and one part time (20/40) Clerk–Experienced Level position to full time; and cancel one part time Library Assistant–Journey Level position and one part time Clerk–Experienced Level position (all positions represented) in the Library Department. (100% City of Brentwood)
- C. 32** ADOPT Position Adjustment Resolution No. 22333 to re-activate the class of Deputy Director Chief Information Security Officer-Exempt, retitle the class to Chief Information Technology Security Officer- Exempt, reallocate the salary, and add one position; and cancel one Information Systems Programmer Analyst IV (represented) position in the Department of Information Technology. (100%

Department user fees)

- C. 33** ADOPT Position Adjustment Resolution No. 22332 to add one Electrician (represented) and one Carpenter (represented) in the Public Works Department. (100% User Charges)

Grants & Contracts

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

- C. 34** APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute a contract with the California Department of Food and Agriculture in an amount not to exceed \$4,100 for reimbursement of regulatory inspections for the California Organic Program for the period July 1, 2018 through June 30, 2019. (No County match)
- C. 35** APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute a contract with the California Department of Food and Agriculture in an amount not to exceed \$1,041 for reimbursement of plant nursery inspections and enforcement activities for the period July 1, 2018 through June 30, 2019. (No County match)
- C. 36** APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute a contract with the California Department of Food and Agriculture in an amount not to exceed \$398,304 for reimbursement of the Pierce's Disease Control Program for the period July 1, 2018 through June 30, 2019. (No County match)
- C. 37** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with the City of Antioch to increase the amount payable to the County by \$30,000 to a new payment limit of \$60,000 and extend the term through June 30, 2019, for homeless outreach services under the County's Coordinated Outreach, Referral and Engagement Program. (No County match)
- C. 38** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with the City of Antioch to increase the amount payable to the County by \$10,000 to a new payment limit of \$25,212 under the City's Community Development Block Grant and extend the term through June 30, 2019 for the operation of the Adult Interim Housing Program. (No County match)
- C. 39** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with the Pittsburg Unified School District, to pay the County an amount not to exceed \$150,000 to provide school-based mental health intervention services to seriously emotionally disturbed children and youth for the period July 1, 2018 through June 30, 2019. (No County match)

- C. 40** APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a contract with the California Commission on Peace Officer Standards and Training, including full indemnification of the State of California, to pay the County an initial allocation of \$44,000 for the instruction of accredited Driving Simulator and Force Option Simulator courses for the period July 1, 2018 through June 30, 2019. (100% State)
- C. 41** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with the Martinez Unified School District, to pay the County an amount not to exceed \$178,960 to provide mental health intervention services for seriously emotionally disturbed special education students for the period July 1, 2018 through June 30, 2019. (No County match)
- C. 42** APPROVE and AUTHORIZE the Health Services Director, or designee, to apply to the California Department of Health Care Services for funding in an amount not to exceed \$25,000 for expanding medication assisted treatment services in the County's detention facilities for the period August 1, 2018 through March 31, 2019. (No County match)
- C. 43** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with the California Governor's Office of Emergency Services to increase the contract payment limit by \$300,000 to a new payment limit of \$700,000, and extend the term from July 1, 2016 through June 30, 2018 to July 1, 2016 through December 31, 2019, to deliver services that prevent and support victims of elder and dependent adult abuse. (20% In-kind match)
- C. 44** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract containing modified indemnification language with the City of Richmond, for its Community Services Department, to provide congregate meal services for County's Senior Nutrition Program for the period July 1, 2018 through June 30, 2019, with a three-month automatic extension through September 30, 2019. (No County match)
- C. 45** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with the Mt. Diablo Unified School District, to pay the County an amount not to exceed \$533,891 to provide professional school-based mental health services, crisis intervention, and day treatment services for seriously emotionally disturbed students for the period July 1, 2018 through June 30, 2019. (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. 46** APPROVE and AUTHORIZE the County Administrator, or designee, to execute a contract with Industrial Employers and Distributors Association, including modified indemnification language, in an amount not to exceed \$22,588 to provide In-Home Supportive Services Authority (IHSS) negotiations and support services, for the period September 1, 2018 through August 31, 2019. (31% Federal, 32% State, and 37% County)
- C. 47** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a software agreement containing modified indemnification language with Medical Information Technology, Inc., in an amount not to exceed \$121,667 for the license and annual maintenance of software modules for the period April 1, 2018 through March 31, 2019. (100% Hospital Enterprise Fund I)
- C. 48** APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute a contract with PlaceWorks, a corporation, in an amount not to exceed \$3,190,376 for consulting services related to updating the Contra Costa County General Plan, Contra Costa County Zoning Code, and Contra Costa County Climate Action Plan, and preparation of an environmental impact report for said updates, for the period August 15, 2018 through December 31, 2021. (At minimum 50% DCD Land Development Fund and up to 50% from the County General Fund)
- C. 49** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Gayatri Mahajan, M.D, in an amount not to exceed \$130,000 to provide pediatric developmental behavioral services for patients of Contra Costa Regional Medical Center and Health Centers for the period August 1, 2018 through July 31, 2019. (100% Hospital Enterprise Fund I)
- C. 50** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute contract amendment with All City Management Services, Inc., to increase the payment limit by \$90,000 to a new payment limit of \$234,500 and extend the term from August 15, 2018 through August 15, 2019, to provide crossing guard services at various schools, Bay Point area. (100% Keller Canyon Mitigation Funds)
- C. 51** APPROVE and AUTHORIZE the the County Administrator, or designee, to execute a contract with Bay Area Community Resources in an amount not to exceed \$305,000 to provide Smart Reentry Transitional Age Youth Services for the period January 1, 2018 through September 30, 2019. (100% Federal)
- C. 52** APPROVE and AUTHORIZE the County Librarian, or designee, to execute a software and services agreement amendment with OrangeBoy, Inc., effective August 1, 2018, to extend the term from October 31, 2018 to October 31, 2019 and to increase the payment limit by \$7,200 to a new payment limit of \$83,475, to provide additional on-site training services.(100% Library Fund)

- C. 53** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Contra Costa Family Justice Alliance, a non-profit corporation, in an amount not to exceed \$123,912 to provide project, service, and training coordination, and integrated data system services as part of the Contra Costa County Elder Abuse Prevention Project for victims of financial elder abuse for the period September 1, 2018 through December 31, 2019. (100% Federal)
- C. 54** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Enlight Consulting Co., in an amount not to exceed \$750,000 to provide primary care physician services for Contra Costa Health Plan members for the period August 1, 2018 through July 31, 2020. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 55** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment effective August 1, 2018 with James Pak, M.D., Inc., to increase the payment limit by \$53,000 to a new payment limit of \$222,000 and extend the term from August 31, 2018 through February 28, 2019 for additional anesthesiology services at Contra Costa Regional Medical and Health Centers. (100% Hospital Enterprise Fund I)
- C. 56** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Mount Diablo Solano Oncology Group Medical Associates in an amount not to exceed \$3,000,000 to provide hematology/oncology services to Contra Costa Health Plan members for the period August 1, 2018 through July 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 Amarjit Dosanjh, M.D., A Medical Corporation, in an amount not to exceed \$425,000 to provide plastic and reconstructive surgery services for Contra Costa Health Plan members for the period August 1, 2018 through July 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 Lao Family Community Development, Inc., in an amount not to exceed \$190,416 to provide prevention and early mental health intervention services to Asian and South East Asian adults for the period July 1, 2018 through June 30, 2019, with a six-month automatic extension through December 31, 2019 in an amount not to exceed \$95,208. (100% Mental Health Services Act)
- C. 59** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Teodoro P. Nissen, M.D., Inc. (dba Bay Area Orthopedic Surgery and Sports Medicine), in an amount not to exceed \$200,000 to provide orthopedic surgery services for Contra Costa Health Plan members for the period August 1, 2018 through July 31, 2020. (100% Contra Costa Health Plan Enterprise Fund II)

- C. 60** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Meals on Wheels Diablo Region in an amount not to exceed \$138,137 to provide direct service provider training and care manager services to victims of financial elder abuse as part of the Contra Costa County Elder Abuse Prevention Project for the period July 1, 2018 through June 30, 2019. (100% Federal Funding)
- C. 61** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Sheriff-Coroner, a purchase order with R-Computer in an amount not to exceed \$450,000 to provide computer hardware and equipment for the period July 1, 2018 through June 30, 2020. (100% General Fund)
- C. 62** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with People Who Care Children Association in an amount not to exceed \$223,102 to provide prevention and early mental health intervention services for the period July 1, 2018 through June 30, 2019, with a six-month automatic extension through December 31, 2019 in an amount not to exceed \$111,551. (100% Mental Health Service Act)
- C. 63** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment, effective August 1, 2018, with Crestwood Behavioral Health, Inc., to add a rate for unoccupied bed holds for subacute skilled nursing care services, with no change in the total payment limit of \$8,389,976 and no change in the term of July 1, 2018 through June 30, 2019. (92% Mental Health Realignment, 8% Mental Health Services Act)
- C. 64** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Touchstone Counseling Services, Inc., in an amount not to exceed \$169,950 to provide mental health services to CalWORKS recipients for the period July 1, 2018 through June 30, 2019, with a six-month automatic extension through December 31, 2019 in an amount not to exceed \$84,975. (100% State CalWORKS Program)
- C. 65** APPROVE and AUTHORIZE the Director of Human Resources, or designee, to execute an Online Services Agreement with GovernmentJobs.com, Inc., d/b/a NeoGov, in an amount not to exceed \$370,000, including modified indemnification language, to provide a vendor-hosted internet-based applicant tracking and onboarding software system, for the period of July 1, 2018 through June 30, 2021. (100% General Fund)
- C. 66** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with John E. Hawkins, M.D., in an amount not to exceed \$209,664 to provide professional outpatient psychiatric services to adults in East County for the period September 1, 2018 through August 31, 2019. (100% Mental Health Realignment)

- C. 67** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with 03, Inc. (dba 03 Apps, Inc.), in an amount not to exceed \$185,000 to provide consultation and technical assistance to improve the usability of the Health Services Department's emergency management software system and to develop web applications to improve workflows for the period July 1, 2018 through March 30, 2020. (100% State)
- C. 68** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute an amendment to the Software and Services Agreement with Cityspan Technologies, Inc. to extend the termination date from June 30, 2018 to September 30, 2018, with no change in the payment limit, for the continued development, implementation, hosting and maintenance of a web-based contract management system. (10% County, 48% State, 42% Federal)
- C. 69** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Rubicon Programs Incorporated, a non-profit corporation of California, in an amount not to exceed \$1,050,000, to operate and manage America's Job Center of California, and deliver Adult and Dislocated Worker Career Services to County residents under the Workforce Innovation and Opportunity Act, for the period of August 1, 2018 through June 30, 2019. (100% Federal)
- C. 70** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Maxim Healthcare Services, Inc., in an amount not to exceed \$500,000 to provide temporary medical staff services at Contra Costa Regional Medical Center and Health Centers for the period July 1, 2018 through June 30, 2019. (100% Hospital Enterprise Fund I)
- C. 71** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with AYA Healthcare, Inc., in an amount not to exceed \$1,000,000 to provide temporary nursing staff for the Contra Costa Regional Medical Center and Health Centers for the period July 1, 2018 through June 30, 2019. (100% Hospital Enterprise Fund I)
- C. 72** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Per Diem Staffing Systems, Inc., in an amount not to exceed \$800,000 to provide temporary respiratory therapists, nursing services and other medical services at the Contra Costa Regional Medical Center and Health Centers for the period July 1, 2018 through June 30, 2019. (100% Hospital Enterprise Fund I)
- C. 73** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Medical Solutions, LLC (dba Nebraska Medical Solutions, LLC), in an amount not to exceed \$3,300,000 to provide temporary nursing and medical staff at Contra Costa Regional Medical Center and Health Centers and the County's detention facilities for the period July 1, 2018 through June 30, 2019. (100% Hospital Enterprise Fund I)

- C. 74** APPROVE and AUTHORIZE the Health Services Director or designee, to execute a contract with SHC Services, Inc. (dba Supplemental Health Care), in an amount not to exceed \$1,500,000 to provide temporary medical staff at Contra Costa Regional Medical Center and Health Centers and the County's Detention Facilities for the period April 1, 2018 through March 31, 2019. (100% Hospital Enterprise Fund I)
- C. 75** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract containing modified indemnification language with Cross Country Staffing, Inc., in an amount not to exceed \$5,000,000 to provide temporary medical and specialty staffing services for the Contra Costa Regional Medical Center and Health Centers for the period July 1, 2018 through June 30, 2019. (100% Hospital Enterprise Fund I)

Other Actions

- C. 76** ACCEPT the fiscal year 2017/18 Real Estate Fraud Prosecution Trust Fund Annual Report and APPROVE the continued expenditure of funds from the County's Real Estate Fraud Prosecution Trust Fund for the fiscal year 2018/19, as recommended by the District Attorney. (100% Real Estate Fraud Protection Trust Fund)
- C. 77** REFER to the Finance Committee a proposal to create a central reporting process for County grants, as recommended by the County Administrator.
- C. 78** APPROVE and AUTHORIZE the Director of Conservation and Development, or designee, to file, on behalf of the County and the Contra Costa County Water Agency, an administrative appeal with the Delta Stewardship Council to challenge a determination by the California Department of Water Resources that the California WaterFix Project is consistent with the Delta Plan, and authorize the execution of related legal services contracts and a joint appeal agreement. (100% Water Agency funds.)
- C. 79** ADOPT report as the Board of Supervisors' response to Civil Grand Jury Report No. 1806, entitled "The Opioid Crisis", and DIRECT the Clerk of the Board to transmit the Board's response to the Superior Court, as recommended by the County Administrator.
- C. 80** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with the Mt. Diablo Unified School District, Adult Education to provide supervised field instruction to dental assistant students in the County's Public Health Division for the period July 1, 2018 through June 30, 2020. (Non-financial agreement)

- C. 81** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract containing modified indemnification language with the City of Walnut Creek, for its Police Department, to develop and implement a joint outreach program designed to help certain high-risk adults who have a serious and persistent mental illness for the period June 1, 2018 through May 31, 2019. (Non-financial agreement)
- C. 82** APPROVE and AUTHORIZE the Clerk-Recorder or designee to execute a one-day use permit with the City of Richmond Community Services Department for the use of the Lucretia Edwards Shoreline Park on September 7, 2018, and agreeing to indemnify and hold the City harmless for any claims arising out of the County's use of the park. (No fiscal impact)
- C. 83** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract containing modified indemnification language with AAA Northern California, Nevada & Utah for the AAA Child Passenger Safety Donation Program to provide car seats and car seat boosters to low-income families for the period August 7, 2018 through December 14, 2018. (Non-financial agreement)
- C. 84** APPROVE and ACKNOWLEDGE that the contractor, in the contract between the County and Compass Group USA, Inc. (dba Bateman Community Living), pertaining to the provision of home delivered meals to the County's Senior Nutrition Program and initially approved by the Board on May 22, 2018 (Item C.69), has changed its name to Elixir, Inc. (dba Bateman Community Living, LLC), as recommended by the Health Services Director.
- C. 85** ACCEPT report on the FY 2017/18 activities and key accomplishments and proposed 2018/19 work plan of the Local Planning Council as they relate to membership and funding of local child care and development planning in Contra Costa County, as recommended by the Family and Human Services Committee.
- C. 86** APPROVE clarification of Board action of June 5, 2018 (Item C.85) which authorized the Health Services Director to execute a contract with Groupware Technology, Inc., for consulting and technical assistance for data migration to the Health Service Department's Information Technology Unit Data Center, to reflect the correct term of June 5, 2018 through December 31, 2018 with no change in the payment limit. (100% Hospital Enterprise Fund I)
- C. 87** ACCEPT report from the Employment and Human Services Department on youth services and the Independent Living Skills Program (ILSP); and continue to support services to foster youth in the ILSP program, as recommended by the Family and Human Services Committee. (No fiscal impact)

- C. 88** APPROVE response to Civil Grand Jury Report No. 1809, entitled "Community Reentry from Jail" and DIRECT the Clerk of the Board to forward the response to the Superior Court following Board action, 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	September 12, 2018	11:00 a.m.	See above
Family & Human Services Committee	August 27, 2018 Canceled Next Meeting September 24, 2018	10:30 a.m.	See above
Finance Committee	August 27, 2018 Canceled Next Meeting September 24, 2018	9:00 a.m.	See above
Hiring Outreach Oversight Committee	September 10, 2018 Canceled Next Meeting October 1, 2018	1:00 p.m.	See above

Internal Operations Committee	September 10, 2018	1:00 p.m.	See above
Legislation Committee	September 10, 2018	10:30 a.m.	See above
Public Protection Committee	September 3, 2018 Canceled Special Meeting September 10, 2018	9:00 a.m.	See above
Transportation, Water & Infrastructure Committee	Special Meeting August 20, 2018	2:00 p.m.	See above

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

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

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

AB Assembly Bill
ABAG Association of Bay Area Governments
ACA Assembly Constitutional Amendment
ADA Americans with Disabilities Act of 1990
AFSCME American Federation of State County and Municipal Employees
AICP American Institute of Certified Planners
AIDS Acquired Immunodeficiency Deficiency Syndrome
ALUC Airport Land Use Commission
AOD Alcohol and Other Drugs
ARRA American Recovery & Reinvestment Act of 2009
BAAQMD Bay Area Air Quality Management District
BART Bay Area Rapid Transit District
BayRICS Bay Area Regional Interoperable Communications System
BCDC Bay Conservation & Development Commission
BGO Better Government Ordinance
BOS Board of Supervisors
CALTRANS California Department of Transportation
CalWIN California Works Information Network
CalWORKS California Work Opportunity and Responsibility to Kids
CAER Community Awareness Emergency Response
CAO County Administrative Officer or Office
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 (CCCYPD) 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: Karen Mitchoff, District IV Supervisor
Date: August 14, 2018

Subject: Presentation by the Contra Costa County Office of Education on the Sandy Hook Promise

RECOMMENDATION(S):

Presentation recognizing Contra Costa County Office of Education's county-wide school safety initiative and formalized partnership with Sandy Hook Promise.

FISCAL IMPACT:

None.

BACKGROUND:

Terry Koehne, Chief Communications Officer for the Contra Costa County Office of Education and Paula Fynboh, the Sandy Hook Promise National Field Director, will present the Contra Costa County Office of Education's upcoming county-wide school safety initiative. The Contra Costa County Office of Education has recently partnered with Sandy Hook Promise, whose mission is to prevent gun violence on school campuses. They approach this from a comprehensive, holistic perspective with a heavy emphasis on student mental wellness. It is a comprehensive and evidence-based student mental health approach. Sandy Hook Promise is a national non-profit organization founded and led by several family members whose loved ones were killed at Sandy Hook Elementary School on December 14, 2012. Their intent is to honor all victims of gun violence by turning tragedy into a moment of transformation by providing programs and practices that protect children from gun violence.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Lia Bristol, (925)
521-7100

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

> Sandy Hook Promise works to build a national movement of parents, schools and community organizations engaged and empowered to deliver gun violence prevention programs and mobilize for the passage of sensible state and national policy. They will accomplish this by:

1. Building A National Base by attracting, educating and engaging parents, schools and community organizations to join SHP through social media, advertising, speaking engagements, major events and initiatives.
2. Organizing at a Community Level by identifying, training and empowering volunteer “Promise Leaders” to raise awareness, educate and deliver programs to help prevent gun violence in their community.
3. Developing and Delivering Mental Health & Wellness Programs that identify, intervene and help at-risk individuals and gun safety practices that ensure firearms are kept safe and secure.
4. Advocating for State and Federal Policy by mobilizing and leveraging our national base and Promise Leaders for the passage of sensible mental health & wellness and gun safety laws.

CHILDREN'S IMPACT STATEMENT:

Sandy Hook Promise is committed to driving and sustaining positive change that results in the protection of children from gun violence through prevention.



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: 2017 Annual Performance Report of Alliance Emergency Ambulance Medical Services

RECOMMENDATION(S):

ACCEPT the 2017 Annual Performance Evaluation Report of Alliance Emergency Medical Services presented by the County EMS Director and the Contra Costa County Fire Protection District Fire Chief.

ACKNOWLEDGE that the Fire District's purchase of \$439,592 in fixed assets benefits the County EMS System and satisfies all outlier response penalty fee accruals for 2016 and 2017.

FISCAL IMPACT:

None.

BACKGROUND:

The Contra Costa County Fire Protection District was awarded the contract for Emergency Ambulance Services for Exclusive Operating Areas I, II and V, covering approximately 92% of Contra Costa County. The contract went into effect on January 1, 2016. Emergency ambulance services covered under this agreement perform these services utilizing the unique emergency ambulance service delivery model known as the Alliance. The Contra Costa Fire Protection District is responsible for the subcontractor performance provided by American Medical Response.

This is the second annual performance evaluation report presented to the Board of Supervisors. The joint presentation by the EMS Agency and Contra Costa County Fire Protection District will describe emergency ambulance services delivered during 2017.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

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

Contact: Patricia Frost,
925-646-4690, Jeff Carman

By: , Deputy

cc: Rachel Morris, Tasha Scott, Marcy Wilhelm

The performance evaluation reports on the following:

1. Response Time performance standards assessed with reference to the minimum requirements in the contract.
2. Clinical performance standards assessed with reference to the minimum requirements in the contract.
3. Initiation of innovative programs to improve system performance.
4. Workforce stability.
5. Compliance of pricing and revenue recovery efforts with rules and regulations.
6. Compliance with information reporting requirements.
7. Financial stability and sustainability.

Under the contract, the EMS Agency may impose penalty fees if Code 2 outlier responses do not meet standards specified in the contract. In 2016 and 2017, approximately \$424,500 in penalty fees were accrued. During performance year 2017, the EMS Agency Director and Fire Chief implemented a data driven analysis and improvement process to reduce Code 2 outlier response time delays. As part of the process, the EMS Agency Director and Fire Chief resolved the issue of outstanding outlier penalty fees by agreeing that the following fixed asset purchases satisfy all outlier response fee accruals for 2016 and 2017 by benefiting the County EMS system:

BACKGROUND:
(CONT'D)

Year	Code 2 Outliers Total Number/Fee**	Code 2 Outlier Optimization Re-investment
2016	174 (\$240,000)	DECCAN System Status Management Dispatch Platform (Total Cost \$235,000)
2017	139 (\$199,500)	4 Motorola Dispatch Radio Consoles (Total Cost \$204,592)

** Outlier within reasonable control of the provider

CONSEQUENCE OF NEGATIVE ACTION: The Board will not receive the Alliance performance evaluation report.
ATTACHMENTS Outlier FAQ Alliance 2017 Annual Report



Contra Costa County Emergency Medical Services Agency (CCCEMSA)

Alliance Emergency Ambulance Response: Outlier FAQs

What is an Emergency Ambulance Response Outlier? These are 911 calls that have ambulance response times of greater than 150% of performance requirements AND are validated to be within the ambulance provider's control.

Why does "Outlier Response Time Performance" exist in the current ambulance contract? The outlier requirement was established as part of the 2015 emergency ambulance request for proposal (RFP) to reduce disparities in countywide emergency ambulance response. The requirement serves as a safety net that enables the county to merge ambulance response zones for efficiency while providing exceptional EMS ambulance service.

How is Outlier Ambulance Response defined by contract? An outlier ambulance response is defined in the RFP as a *"response time that is excessive for the category such that it represents a potential threat to health and safety"* (RFP page 43¹).

Outlier call priorities, time limits and fees

Priority Level	High Call Density (Urban)	Low Call Density (Rural)	Fee per Outlier
Priority 1 Outlier	>18: 59 min	> 29:59 min	\$ 1,500
Priority 2 Outlier	>22:59 min	>44:59 min	\$ 1,000
Priority 3 Outlier	>39:59 min	>59:59 min	\$ 750

(Standard ambulance response criteria are 11:45 minutes or less 90% of the time for urban areas and 30 minutes or less for rural areas.)

Where do ambulance outlier delays occur? Outlier ambulance delay mapping demonstrates that outliers can and do occur anywhere in the county.

Is the Alliance being held to a higher performance standard than the prior contracts? Yes. The standard was increased to optimize ambulance service delivery.

How do outlier ambulance delays impact patients and communities? While the vast majority of ambulance response delays involve patients with medical conditions that are stable, delays in emergency ambulance response increases the time it takes for a patient to arrive at an emergency department and may impact patient outcomes.

¹ Contra Costa Emergency Services Request for Proposal <https://cchealth.org/ems/pdf/RFP2015-contracosta-ambulance.pdf>



How often do outliers occur? The chart below lists the number of outliers within the reasonable control of the contractor and represents less than 0.2% of all responses.

Year	Total Responses	Contract Compliance Performance*	Total Response Time delays**	Total Outliers***	Outlier Delay Range****
2016	90,153	94%	5,409	174	19-47 minutes
2017	93,368	96%	3,734	139	20-56 minutes

* Number represents contractor annual performance

** Total number of ambulance response time delays based on contractor's annual performance level

*** Total number of outliers validated to be within the reasonable control of the ambulance provider

**** Outlier Response Time delay in minutes

How are outlier response times validated and outlier fees assigned? After CCCEMSA uses a third-party Online Compliance Utility (OCU) process to validate each emergency ambulance response for compliance, response time fees would be levied in accordance with the contract.

What are fees used for? Fees are focused on “fixing the problem of ambulance delays” and invested in equipment, technology and software that reduce ambulance response delays as approved by the Board of Supervisors.

Can outliers be eliminated? Outlier emergency ambulance delays, which are within the control of the ambulance provider, can and should be reduced if not eliminated. Improvement efforts to reduce outliers are part of contract requirements to optimize the availability of emergency ambulance services.

Annual Performance Evaluation Emergency Medical Services (EMS)

A Comprehensive Report of Emergency Ambulance Services
Delivered by the Alliance 2017

Pat Frost, EMS Director

Contra Costa County EMS Agency

Jeff Carman, Fire Chief

Contra Costa County Fire Protection District



Performance Evaluation 2017

- * **Performance Based Contract:**

- * Key Driver of Countywide EMS System enhancement

- * **Performance Report**

- * Response times
- * Clinical Performance
- * Innovation
- * Workforce Stability
- * Pricing & Revenue Recovery
- * Reporting Compliance
- * Fiscal Stability & Sustainability



The Alliance

Year Two of Outstanding Service

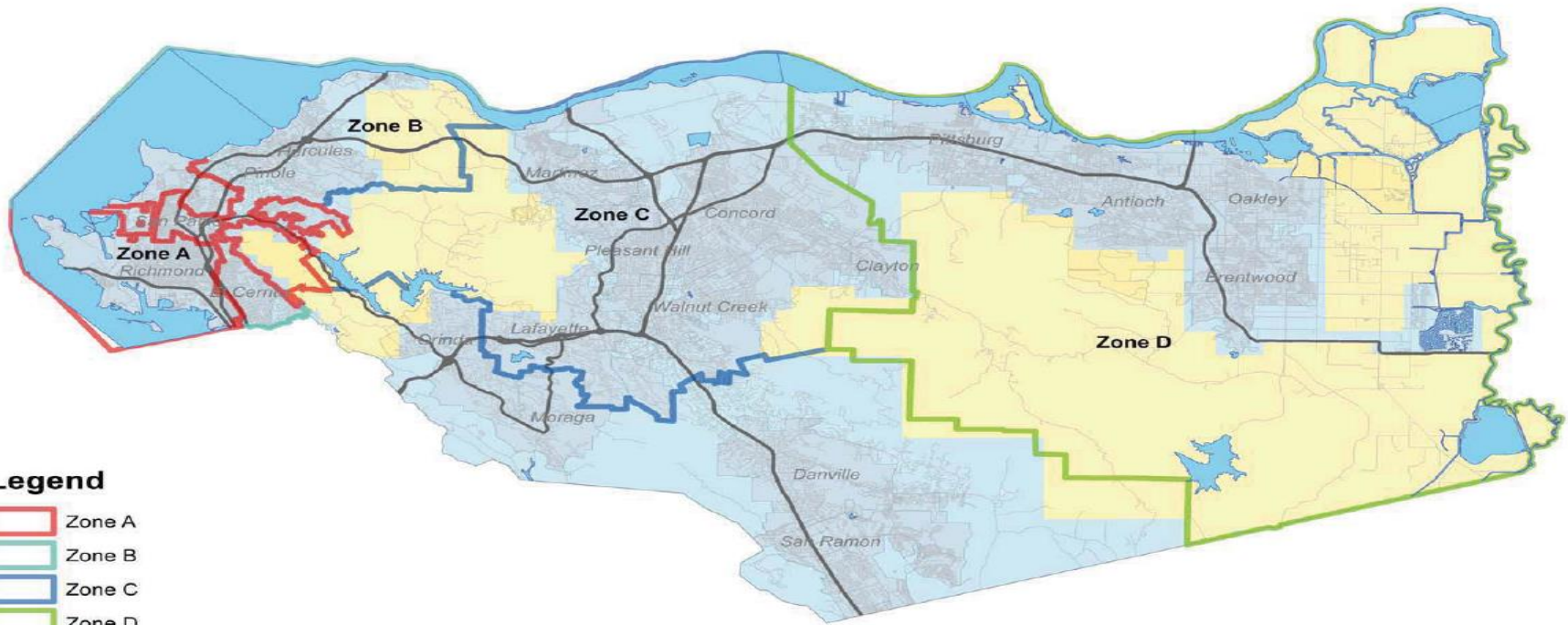
- * **On January 1, 2016,**

Contra Costa County Fire Protection District (CCCFPD) assumed Emergency Ambulance Services for Exclusive Operating Areas (EOAs) I, II and V covering West, Central and East County = 92% of the County.

- * **Alliance Model:** CCCFPD (contractor) operationally responsible for the subcontractor performance provided by American Medical Response (AMR). CCCEMS (contract performance oversight and compliance evaluator)

EMS Response Re-designed 4 New Response Zones

Contra Costa County High Density/Low Density Response Zones - Plan A



Legend

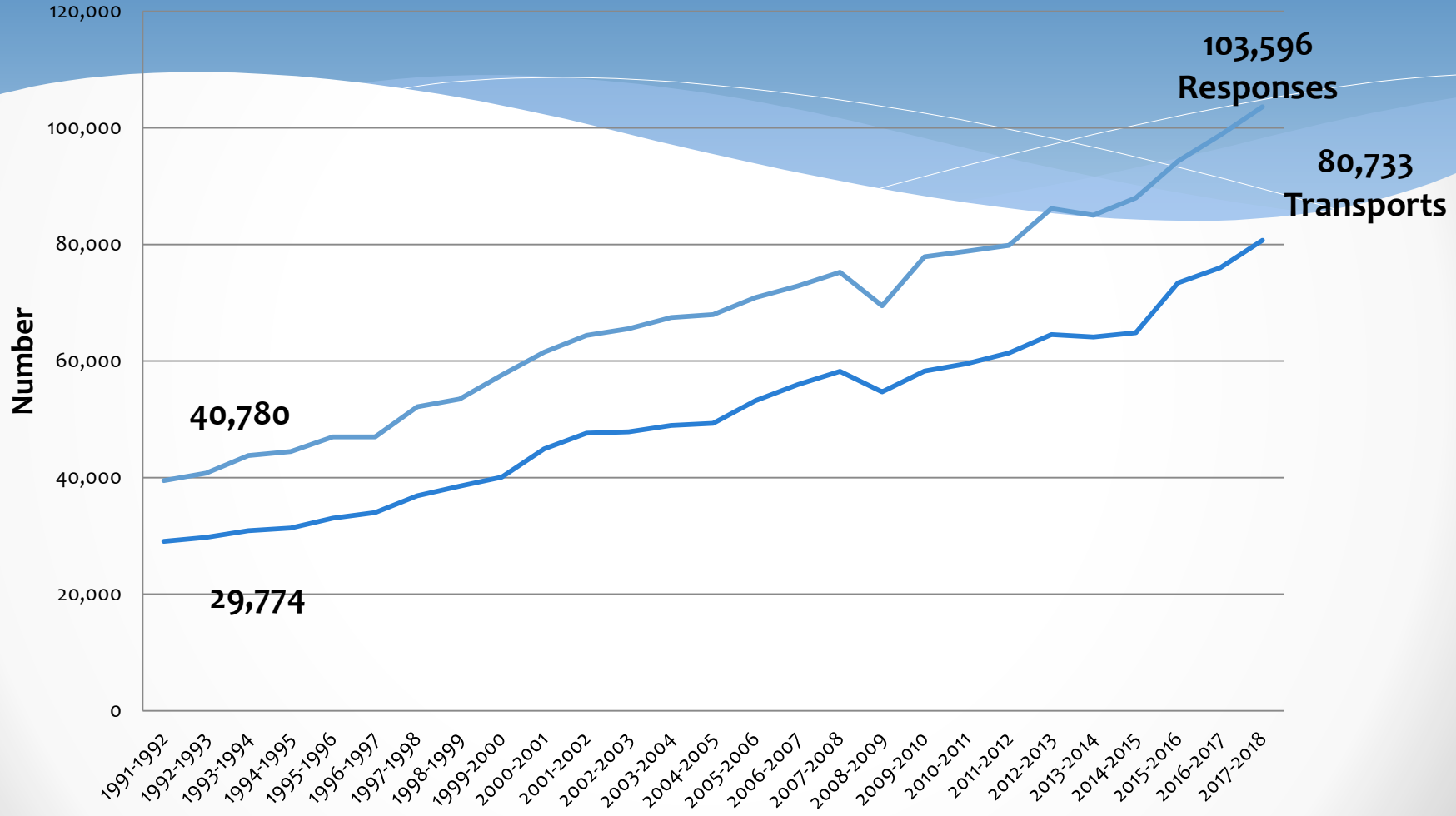
- Zone A
- Zone B
- Zone C
- Zone D
- High Density
- Low Density

Source: Contra Costa EMS
December 2014

0 4.25 8.5 17 Miles



Contra Costa Emergency Medical Services EMS System Responses and Transports



Countywide EMS Ambulance Volume 2017

A Powerhouse of 9-1-1 EMS System Delivery

	All Providers		Contra Costa County Fire	
	#	%	#	%
Total Dispatches	103617	100.0%	93389	100.0%
Transported	80585	77.8%	74111	79.4%
Canceled	23032	22.2%	19278	20.6%
Total Patient Transports	80585	100.0%	74111	100.0%
Transported Code 3	4196	5.2%	3723	5.0%
Transported Code 2	75430	93.6%	69429	93.7%
Transport Code Not Reported	959	1.2%	959	1.3%
Total Canceled	23032	100.0%	19278	100.0%
Enroute	6581	28.6%	5511	28.6%
On Scene	16451	71.4%	13767	71.4%

Alliance Emergency Ambulance Services Provide...

90% of All EMS Ambulance Responses Countywide

92% of All EMS Ambulance Transports

Before and After...

Alliance Model and System Redesign

Response Zone	2015 Average Response Time in Minutes (AMR)	2017 Average Response Time In Minutes (Alliance)
Zone A (Richmond)	4:41	4:05 ↓
Zone B (West)	5:03	4:31 ↓
Zone C (Central)	5:31	4:38 ↓
Zone D (East)	5:05 to 6:40**	4:34 ↓

** As of 1/1/2016 East County Ambulance Response Zones D and E were consolidated into a single Zone D

Response Time Performance Highly Reliable Service

Response Area	Response Time Performance Requirement High Density (Code 3)	Alliance Performance 2016	Alliance Performance 2017	Average Response Time (in minutes) 2016	Average Response Time (in minutes) 2017
Zone A (Richmond)	10:00 minutes 90% of the time	94%	96%	4:07	4:05
Zone B (West)	11:45 minutes 90% of the time	95%	96%	4:38	4:31
Zone C (Central)	11:45 minutes 90% of the time	94%	95%	4:40	4:38
Zone D** (East)	11:45 minutes 90% of the time	94%	95%	4:45	4:34

* Average compliance prior to Alliance model was 93%

Partners in System Optimization

2017 Focus: Reduce Ambulance Response Time Delays

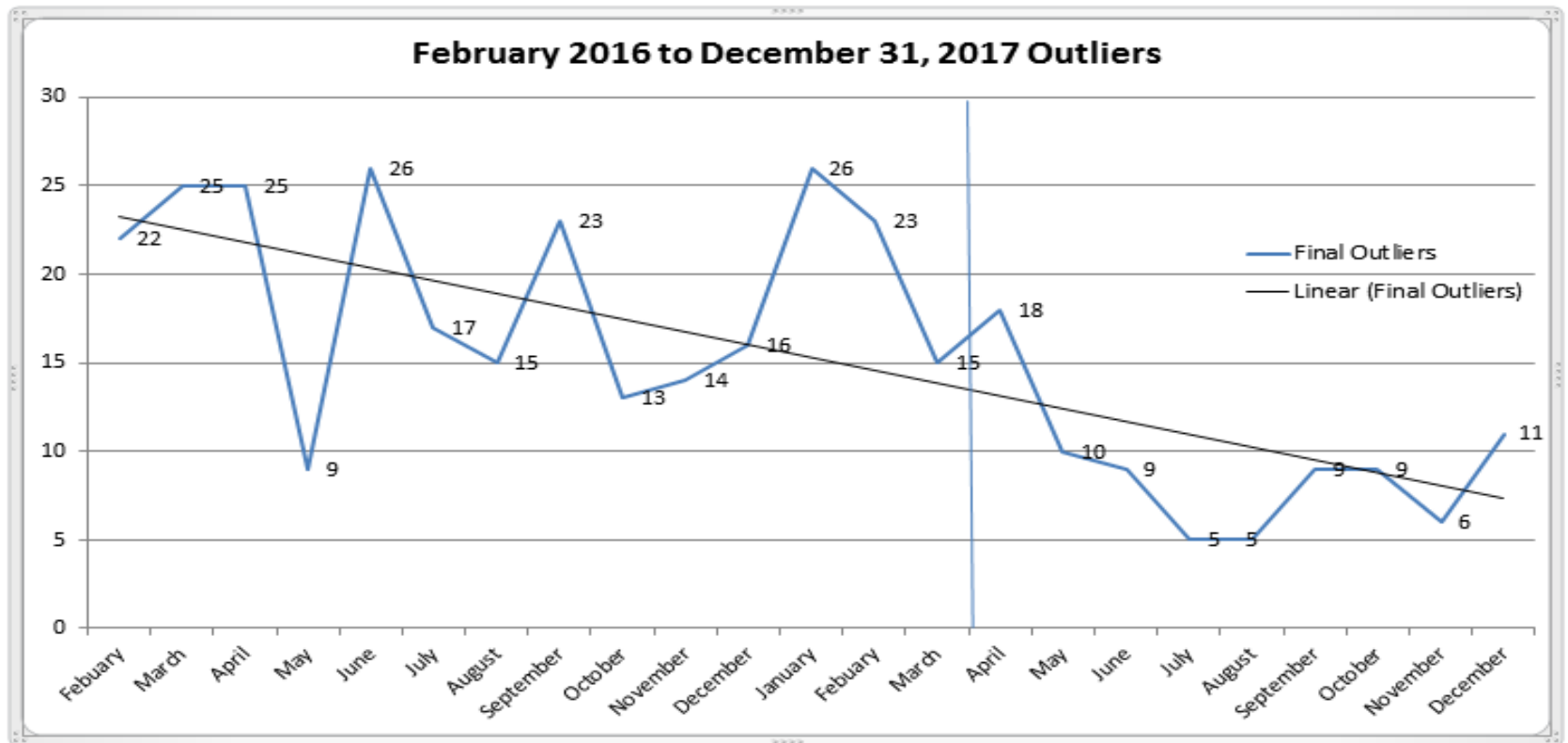
- * Even with excellent contract compliance EMS ambulance response *delays* occur in *all* EMS Systems
- * EMS Modernization Study Findings: Delays A Public Concern
 - * Fire stations closures
 - * Population Growth
 - * Hospital Closures
- * RFP focus: Control Outliers
 - * Improve Reliability in Response
 - * Reduce delays in vulnerable communities



Ambulance Response Time Performance

The Outlier Improvement Initiative

(Average 7,782 ambulance responses/month)



2016

2017

1/17 = 4 code 3 return transports
 3/17 = 2 code 3 return transports
 5/17 = 2 code 3 return transports

9/17 = 1 code 3 return transport
 10/17 = 1 code 3 return transport

Outlier Fee Re-Investment

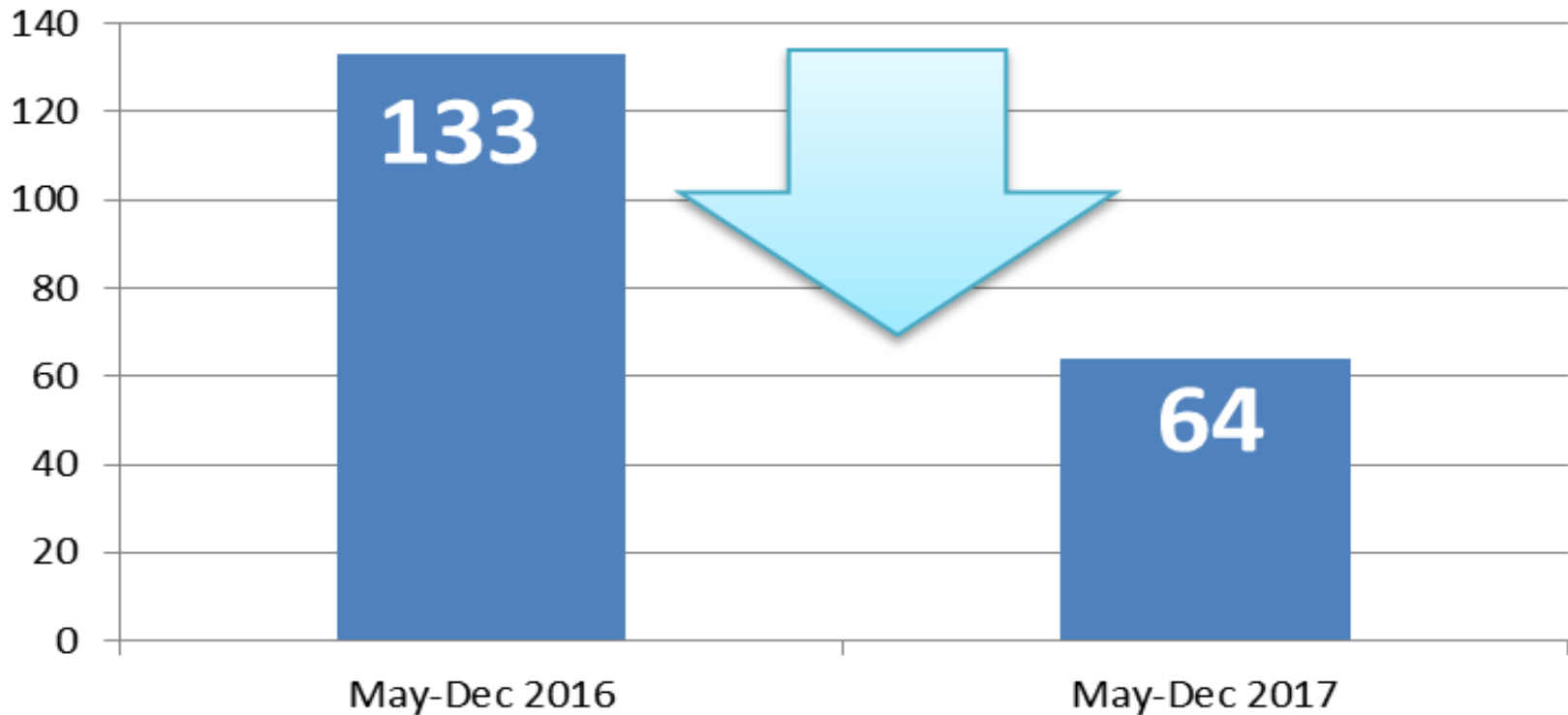
Alliance Accountability Supporting
EMS System Optimization

Year	Responses Per Year	Total Number** (fee)	Code 2 Outlier Optimization Re-investment
2016	89,768	174 (\$240,000)	DECCAN System Status Management Dispatch (Total Cost \$235,000)
2017	93,389	139 (\$184,500)	4 Motorola Dispatcher Radio Consoles (Total Cost \$204,592)

**Outliers within reasonable control of the provider

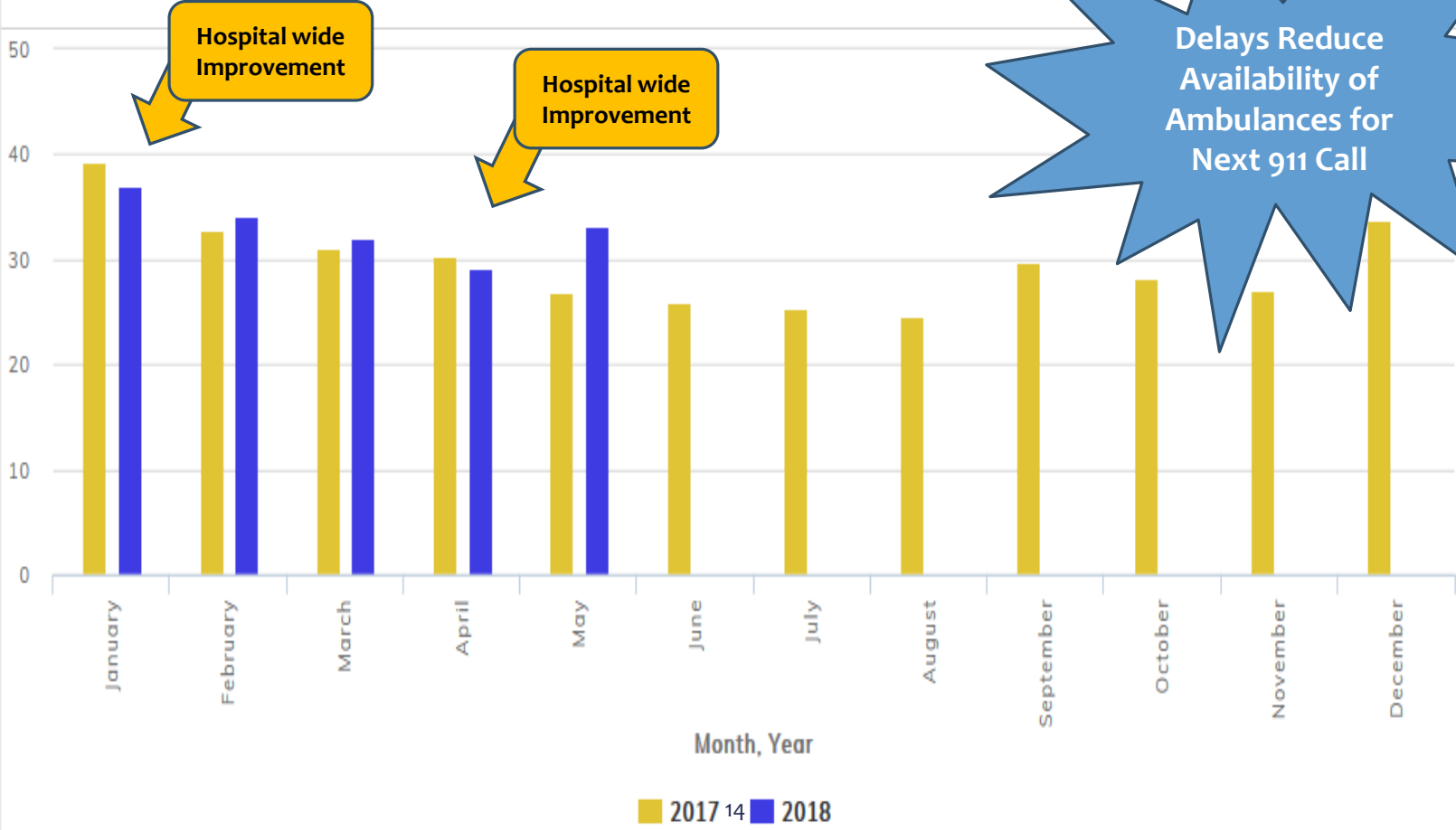
48% Improvement in Countywide Uniform Ambulance Response

May to Dec 2016-2017 Outliers



Ambulance Patient Offload Time (APOT) EMS System Hospital APOT Standard **20 min 90% of the Time**

Contra Costa 9-1-1 System APOT (90th Percentile in Minutes)



Hospital wide Improvement



Hospital wide Improvement

Delays Reduce Availability of Ambulances for Next 911 Call

2017¹⁴ 2018

Hospital Delays In Ambulance Patient Transfer of Care (APOT) > 60 minutes

Delaying ambulance availability for next 911 call

Year	2014	2015	2016	2017
Total Emergency Department Encounters (All Hospitals)	411,022	425,037	381,791	424,705
Total EMS Transports (All Providers)	64,870	73,064	76,376	80,110
EMS Portion of all Emergency Department Encounters	15.8%	17.2%	20.0%	18.9%
Total Annual APOT Delays > 60 minutes	401	483	618	752 
Average APOT Delays > 60 minutes/month	33	40	52	63 

Service Line Expansion

Paramedic Inter-facility Transport



- * Advanced Life Support Inter-facility Transport (ALS-IFT)
- * Launched March 6, 2018
- * Community Hospital Need
- * RFP Requirement
- * Revenue Opportunity

Emergency Medical Dispatch Improvement Right Resources to the Right Patient

LEMSA
approved



* Emergency Medical Dispatch Improvement Goals:

- * Introduce flexibility into the EMS system
- * Introduce added safety into our EMS response
- * Introduce efficiency into our EMS response
- * Understand that there is no “one size fits all”



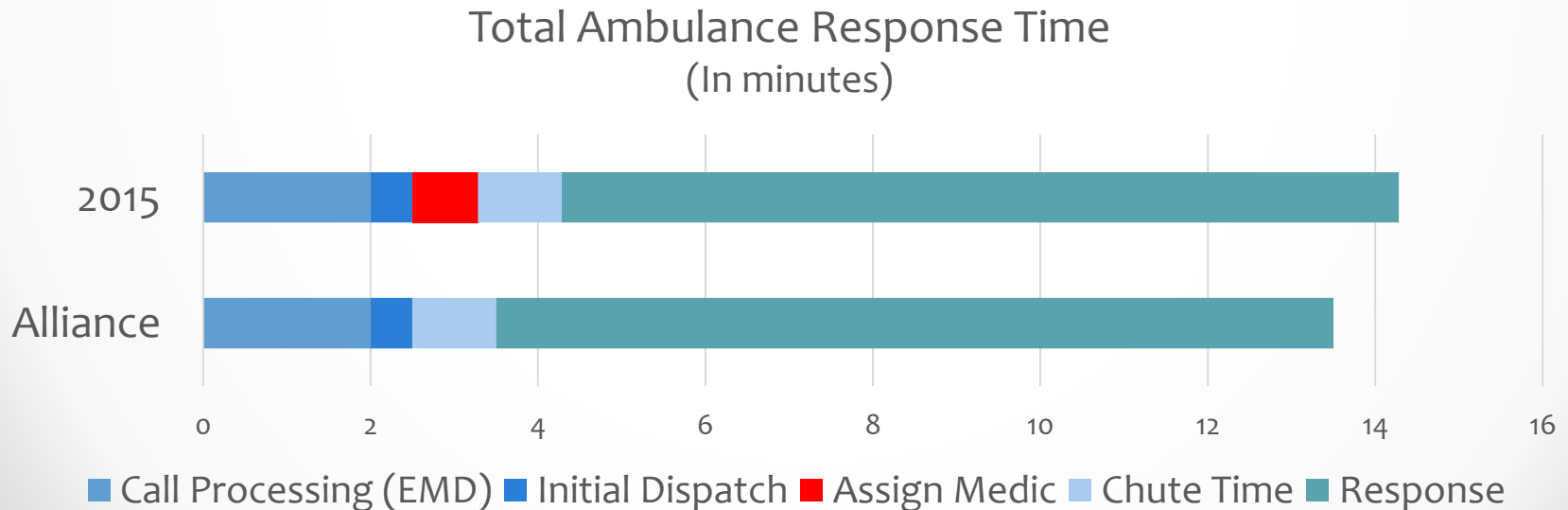
Fire / EMS Communication Center Benefits All

- Common Communications
- One Computer Aided Dispatch (CAD) System
- Improved Situational Awareness for All
 - Vehicle Location
 - CAD Comments
 - Location Information
 - Safety Related Issues



Fire / EMS Communication Center Decreased Total Response Times

- Previous contract had 60 seconds to assign a medic after an engine was assigned
- Today, paramedic units are assigned at the same time that engines are assigned
- 47 seconds on average has completely been eliminated



Dedicated Workforce

- * CCCFPD – Paramedics 123/EMTs 147
- * AMR – Paramedics: 171/EMTs 165

- * AMR Retention Strategies
 - * Annual scholarships for paramedic school and CE reimbursements
 - * Wellness program
 - * CISM/EAP
 - * Resilience Training
 - * Wellness Education
 - * Quarterly town hall meetings



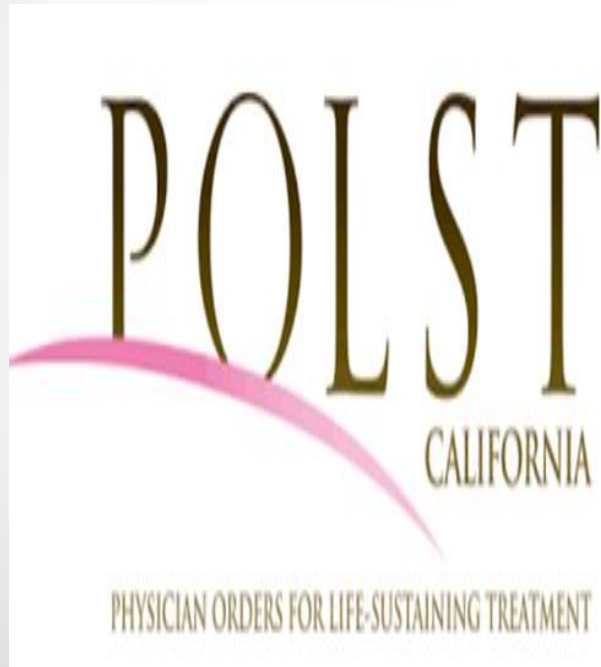
Financial Stability and Transparency

*At the current payer mix, collections rate, and contract expenses,
Alliance model is financially sustainable*

- * **The CCCFPD established a separate fund and budget (EMS Transport Fund) associated with Alliance ambulance service delivery.**
 - * Allows tracking of revenue from different payer groups and expenditures associated with the provision of ambulance services.
- * **The End of Year fund balance (EMS Transport Fund) for Fiscal Year 2016-17**
 - * **\$10.5 million.**
- * **In November 2015, the Board authorized the Auditor-Controller to transfer funds as necessary from the District's General Operating Fund to the EMS Transport Fund to pay expenditures in anticipation of future revenue.**
 - * \$3 million was transferred to fund start-up costs and in *January 2018, the District transferred back \$3 million and still had fund balance remaining.*
- * **The District continues to build appropriate reserves and to prepare for future uncertainties in the health care system and payer plans.**
 - * It is the District's goal to set aside six months of operating expenses as reserves



Physician Orders for Life Sustaining Treatment California State POLST Registry Pilot *Proof on Concept*



- * **Senate Bill 19:** Statewide POLST Registry
- * **ePOLST Pilot (EMSA)**
 - * 2 State Sites: Contra Costa and San Diego
- * **Regional Partnership**
 - * California Health Care Foundation
 - * Coalition for Compassionate Care
 - * Alameda and Contra Costa Medical Association (ACCMA)
 - * Vynca Technologies
 - * Limited to Alliance ambulance



Contra Costa EMS System is 92% Dependent on Alliance Data to Improve Patient Care



EMS Agency/System Stakeholder “System of Care” Achievement

BECAUSE TIME MATTERS.



Mission:
Lifeline[®]
EMS

2018 Mission: Lifeline[®] EMS Recognition

The American Heart Association proudly recognizes

Contra Costa County EMS Martinez, CA

Team Organizations: East Contra Costa Fire Protection District, Richmond Fire, El Cerrito Fire, Rodeo-Hercules Fire, Pinole Fire, Moraga-Orinda Fire District, San Ramon Valley Fire Protection District, American Medical Response, Contra Costa County Fire Protection District

**Mission: Lifeline[®]-EMS – GOLD PLUS
Achievement Award – EMS Agency**

The American Heart Association/American Stroke Associations recognizes this EMS provider organization, and the EMS provider organizations it supports, as an integrated EMS team. The EMS team has demonstrated continued success in using the Mission Lifeline[®]-EMS program. Thank you for applying the most up-to-date evidence-based treatment guidelines to improve patient care and outcomes in the community you serve.*

Nancy Brown
Chief Executive Officer
American Heart Association

Eric Smith, MD
Chairperson, Get With The Guidelines[®]
Steering Committee

John Warner, MD
President American Heart Association



The Alliance Model

- * **Evolved from a Robust EMS System Redesign**
 - * Responsive to Public & Stakeholder Input
- * **First of its Kind Service Delivery Model**
 - * Focus on EMS System Optimization
 - * Positioned to be fiscally resilient and patient-centric
- * **Focus of Statewide and National interest**
 - * Not replicated in California since



The Alliance Model Benefits the Public

- * Complete financial transparency
- * Continuity of care
 - * Dispatch, first response, ambulance transport
- * Better resource allocation options
 - * Choose right resource to match incident
 - * Known location of all resources
- * Faster dispatch times
- * Revenue reinvestment





Collaborative Partnerships *Stronger Together!*



CCCFPD-AMR-CCCEMS



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Safe Drug Disposal Ordinance – Implementation

RECOMMENDATION(S):

CONSIDER accepting report from the Health Services Department on the implementation of the County's Safe Drug Disposal Ordinance.

FISCAL IMPACT:

None.

BACKGROUND:

On December 20, 2016, the Board adopted Ordinance No. 2016-24 (the "Ordinance,"), attached, which set forth requirements for drug manufacturers to establish one or more stewardship programs for the collection and disposal of unwanted drugs from residents in the unincorporated area.

Since the adoption of the Ordinance, staff has been working to implement its provisions. On September 26, 2017, staff provided a status report on its efforts to the Board, which included a discussion regarding outreach to cities that may wish to have drug collection kiosks in incorporated areas and possible ordinance amendments. The Board accepted the report and directed staff to return with a follow-up report.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 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

BACKGROUND: (CONT'D)

The attached report summarizes implementation efforts to date and recommendations with regard to amending the Ordinance. The report also summarizes key components of a stewardship plan submitted by MED-Project on behalf of several manufacturers (copy attached), which was approved by the County Health Officer in June and is scheduled to be implemented in September.

CONSEQUENCE OF NEGATIVE ACTION:

The Board would not receive staff's report on implementation of the Ordinance.

ATTACHMENTS

Report

Ordinance Clean

MED Project Plan



Date: August 14, 2018
To: Contra Costa Board of Supervisors
From: Daniel Peddycord, Public Health Director
Marilyn Underwood PhD, Environmental Health Director
Subject: Update on Safe Drug Disposal Program

Background:

On December 13, 2016, the Contra Costa Board of Supervisors introduced Ordinance No. 2016-24 ("Ordinance"), the Safe Drug Disposal Ordinance. Final adoption occurred on December 20, 2016. The Ordinance requires drug manufacturers to establish and pay for a system to collect and dispose of unwanted pharmaceutical drugs. The goal is to establish at least three drop-off sites in each of the five supervisorial districts in locations that allow for convenient and equitable access by residents of the unincorporated areas of those districts. Preference is given for establishing drop-off sites in pharmacies and law enforcement agencies, which can accept controlled drugs, such as opioid based pain medications. The Board directed that a follow up report be provided.

On September 26th, 2017, a follow up report was provided, at the request of the Board, to address the following:

- An update on implementation of the Ordinance
- Advice on whether to establish additional requirements on the drug stewardship organization, specifically in terms of how it is organized as an entity.
- Opportunities to include hospitals as drop-off sites versus limiting drop-off sites to retail pharmacies and law enforcement.
- Advisability of including sharps as part of the drug takes back program.
- Progress to seek adoption of similar ordinances in each city within the County.
- Update on a Public Awareness Campaign to increase awareness of the program and provide useful information to pharmacies, law enforcement, cities and citizens, hazardous material collectors, and sanitation districts.
- Ordinance amendments for consideration.

To emphasize the importance of a continued focus on the national opioid epidemic, a March 8, 2018, report by the Centers for Disease Prevention (CDC) reported that from 2015 to 2016 opioid overdose deaths increased 27.7%, indicating a worsening of the opioid epidemic. Further, during the period from July 2016-September 2017, emergency department (ED) visits for opioid overdose, among those age 11 and older, increased 29.7% overall. . . <https://www.cdc.gov/vitalsigns/>

Progress to Date on Implementing the Ordinance:

As reported in September of 2017, following final adoption of the Ordinance, the Public and Environmental Health Divisions of Contra Costa Health Services (EH) endeavored to contact pharmaceutical wholesalers to alert them to the new Ordinance, to request information confirming that they sell prescription and/or over-the-counter drugs in Contra Costa County, and to provide the names and manufacturers of all covered drugs that the drug wholesaler sells or distributes in the unincorporated area of the county. Letters were sent to over 3,000 purported drug wholesalers.

As of May 1, 2017, 95 wholesalers responded indicating that they are exempt from the Ordinance and 60 responded confirming that they wholesale drugs in Contra Costa County. Some 1,632 drug producers were subsequently contacted by letter in early June of 2017 about their potential responsibility to participate in the County's safe drug take-back ordinance. This letter referred to the Ordinance and relevant time lines and advised them of the deadline to provide a notice of intent to participate in the Pharmaceutical Product Stewardship Work Group (PPSWG) program¹ or a different stewardship program.

On June 30, 2017, the Division of Environmental Health received an email from MED-Project, a pharmaceutical product stewardship consortium, informing us that they would be submitting a plan to comply with the County Ordinance on behalf of 378 producers of covered drugs. That number has since grown to nearly 450. Many of the producers that were submitted by MED-Project are on the list to whom letters were sent. Environmental Health has also been in contact with the Plan Director for MED-Project, based in Washington, D.C.

As of September 7, 2017, Environmental Health received responses from 81 producers indicating that they would be participating by working with MED-Project. One producer indicated they would be submitting a plan, not participating with MED-Project. Another 72 responded in the following manner: 48 indicated they do not sell drugs that are used in the home; 30 responded that they do not sell in Contra Costa County, and 31 chose the "Other" category and provided a text response. The text responses most often stated that they were a distributor and not a producer or that they produced medical products and they do not produce pharmaceuticals.

Consistent with the time line required, producers submitted their plans to comply with the County Ordinance in January of 2018. MED-Project submitted a comprehensive plan. Two other smaller producers, Medac and CAO Group, Inc., submitted plans as well. On behalf of the County Health Officer, the plans were reviewed

¹ A mechanism by which to contact and work with the wholesalers and drug manufacturers is via the PPSWG and MED-Project. PPSWG is a membership association for drug manufacturers and marketers. The group was formed to address the complexities and uncertainties of new laws that govern the disposal of unused and unwanted pharmaceutical products. PPSWG provides "members with a platform to organize and present science-based data about safe pharmaceutical disposal practices. PPSWG also coordinates the industry's efforts to raise awareness about appropriate disposal methods, and to respond to disposal laws." MED-Project is the name for the PPSWG's activity on the drug take-back front. There is a website that they have developed to disseminate information about drug disposal, and they add information about each of the jurisdiction's that have programs as implementation unfolds: <http://www.med-project.org/locations>

by staff of the Environmental and Public Health Divisions of Contra Costa Health Services and some revisions and clarification were requested.

On June 25th, 2018 Contra Costa Health Services approved the revised plan submitted by Med-Project, that is attached for reference. Under the Ordinance, Med-Project has 90 days from plan approval to commence operation of the stewardship program described in the plan. This will include establishment of the drop-off sites and mail-back services described in the plan. Based on this requirement, Staff anticipates a functioning program by the fall of 2018. Med-Project has expressed interest in a kick-off event and we are coordinating efforts to that end.

One aspect that is key to the MED-Project plan is their intention to install disposal kiosk at any participating pharmacy or law enforcement agency that meets legal requirements. This implies that we should expect to see more than the minimum of 15 drop off sites (disposal kiosk) required in the County Ordinance.

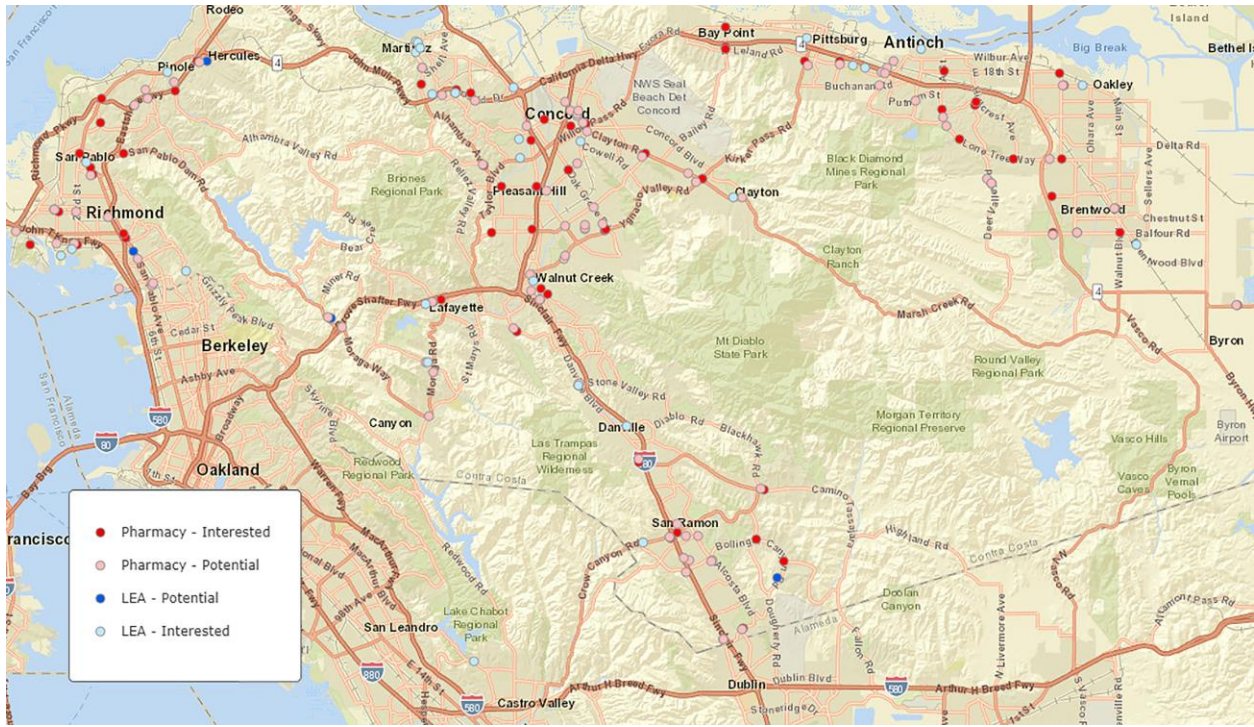
Highlight of Details in MED-Project - Safe Drug Disposal Plan:

The following is a summary of the key components of the Med-Project stewardship plan approved by the health officer:

1. Kiosk Drop-Off Site Locations

MED-Project notified 163 pharmacies and 33 law enforcement agencies located in the county of the opportunity to serve as a Kiosk Drop-Off Site Host. Of those, 94 pharmacies and 29 law enforcement agencies expressed interest in participating in the stewardship program.

A map of the interested and potential Kiosk Drop-Off Site Host locations is noted below.



As of July 2018, specific locations for drop-off sites (disposal kiosk) are still under negotiation between Med-Project and interested Pharmacies and Law Enforcement Agencies (collectors). **As noted above, MED-Project intends to include in its program all retail pharmacies and law enforcement agencies (collectors) that are willing to serve voluntarily as a Drop-Off Site for unwanted pharmaceuticals and can satisfy all applicable legal requirements. This will effectively create a county-wide program, over time.** Pharmacies and law enforcement agencies that host drop-off sites now may participate in the program by signing agreements with MED-Project and, if necessary, modifying their Drug Enforcement Agency (DEA) registrations. MED-Project plans to work with these Kiosk Drop-Off Site Hosts to transition to MED-Project’s program and its waste vendor, Stericycle Specialty Waste Solutions, Inc..

The construction and location of the kiosks are regulated by the DEA under Title 21, Part 1317 of the Code of Federal Regulations (C.F.R.) (“DEA Regulations”), and the California Board of Pharmacy under its prescription drug take-back services regulations. (Cal. Code Regs., tit. 16, § 1776 et seq.) The MED-Project kiosks will be made of heavy gauge steel and have multiple locks, tamper-proof slots and commercial hinges, and be accessible to wheelchair users. The plan indicates that kiosks at hospitals or clinics with an on-site pharmacy will be placed in an area regularly monitored by employees but not near areas of the facility where emergency or urgent care is provided. (21 C.F.R. § 1317.75, subd. (d)(2)(i).)

2. Kiosk Collection – DEA Regulations

Under the DEA Regulations, pharmacy Kiosk Drop-Off Sites must dispose of sealed inner liners and their contents either on-site, through common or contract carrier delivery to or pick-up by a distributor or reverse

distributor, or with DEA assistance. (21 C.F.R. § 1317.05(c)(2)(iv).) Section 1317.75(c) prohibits the counting, sorting, inventorying, or individual handling of any substances deposited into a pharmacy kiosk. Additionally, Section 1317.60 limits inner liner access to employees of the collector and requires two employees to immediately seal the inner liner upon its removal from the pharmacy kiosk's permanent outer container. (21 C.F.R. § 1317.60(b)-(c).) Section 1317.75(g) provides that pharmacy kiosk inner liner installation or removal shall be performed "by or under the supervision of at least two employees of the authorized collector." The pharmacy kiosk sealed inner liner must not be opened, x-rayed, analyzed, or otherwise penetrated. (21 C.F.R. § 1317.60(c).)

At law enforcement Kiosk Drop-Off Sites, the service vendor, Stericycle Specialty Waste Solutions, Inc. and the law enforcement agency will maintain any records of removal, storage, or destruction of the collected unwanted pharmaceuticals in a manner consistent with the law enforcement agency's recordkeeping requirements for illicit controlled substances evidence pursuant to Section 1317.35. Law enforcement will record the unique barcode number and size of the sealed inner liner transferred to Vendor. See (21 C.F.R. § 1317.35.) Additionally, unwanted pharmaceuticals will be stored in a manner to prevent the diversion of controlled substances and consistent with the law enforcement agency's standard procedures for storing illicit controlled substances

3. Frequency of Pick-Up

Initially, all Kiosk Drop-Off Site Hosts not previously hosting a kiosk will be scheduled for a monthly pick-up from the kiosk. MED-Project will communicate with the Kiosk Drop-Off Site Host in the event the frequency of pick-up needs to be changed based on the volumes collected over time. The service vendor, Stericycle Specialty Waste Solutions, Inc., will monitor volumes collected per service to ensure that all sites are receiving the appropriate service frequency. The vendor will manage pick-up services as frequently as necessary to prevent overflow of the kiosk without providing unnecessary interruption to the participating Kiosk Drop-Off Site and monitor the weight of collected unwanted pharmaceuticals at each participating Kiosk Drop-Off Site.

4. Procedures if a Kiosk is Full Prior to Scheduled Pick-Up

The Kiosk Drop-Off Site Host shall be instructed to lock the drop-slot to the kiosk when the kiosk is full and notify MED-Project of the need for service if prior to the scheduled service date. Service will be done within 2 to 3 business days.

5. Implementation:

MED-Project anticipates that establishment of Kiosk Drop-Off Sites within 90 days of approval of the Plan. Once all drop-off locations are fully operational, the program expects to collect approximately 360 pounds per Kiosk Drop-Off Site during each calendar year, based on collection totals in other jurisdictions. Assuming 15 Kiosk Drop-Off Sites are operational for a full year, MED-Project anticipates collecting approximately 5,400 pounds of unwanted pharmaceuticals from Kiosk Drop-Off Sites in 2019.

Should Take-Back events be necessary MED-Project anticipates collection of 50 to 200 pounds of unwanted pharmaceuticals per event, based on collection totals in other jurisdictions.

MED-Project mail-back packages have a capacity of 8oz. per package

6. Patient Privacy

Instructions at each Kiosk Drop-Off Site Host location will inform people who deposit unwanted pharmaceuticals that they should completely cross out, remove, or otherwise make unreadable all personally

identifiable information on the drug containers and packaging before depositing them in the kiosk. In cases where people follow the instructions, there will be no personally identifiable information.

In addition to kiosk signage, MED-Project promotional and educational materials will encourage residents to protect their information by ensuring that identifiable information is not present before depositing containers into kiosks.

City Participation:

The Ordinance is not enforceable within cities. However, the County health officer acts as the city health officer in all of the cities in Contra Costa County. If cities adopt substantially similar ordinances, the County health officer could then coordinate the take-back programs in both the cities and the unincorporated area. To the extent a city ordinance established different standards with regard to location or number of take-back sites to serve incorporated areas, a drug stewardship plan already approved by the County health officer – such as the MED-Project plan -- could simply be amended to conform to the new standards. The Ordinance does not require amendment to allow cities to adopt their own ordinances. However, staff has evaluated possible amendments to the Ordinance that would, among other things, clarify the above process.

In the course of evaluating possible amendments to the Ordinance, staff became aware of activity in the California legislature pertaining to pharmaceutical waste. As written when introduced in February 2017, Senate Bill 212 would only have added a definition of “home-generated pharmaceutical waste” to the Medical Waste Management Act. But in June 2018, the bill was substantially amended. If passed as currently drafted, the legislation would instead add a new chapter to the Public Resources Code to establish a statewide pharmaceutical and sharps waste stewardship program, under which a drug manufacturer would be required, either individually or through a stewardship organization, to establish, implement and pay the costs of a stewardship program. CalRecycle would be the enforcing agency, and would be empowered to impose civil penalties on manufacturers for selling pharmaceuticals that are not subject to a stewardship plan.

One provision of the legislation would “preempt a local stewardship program for covered products enacted by an ordinance that has an effective date on or after April 18, 2018.” This language would not affect the enforceability of the Ordinance, which took effect in January 2017. Amending the Ordinance, however, could give rise to preemption arguments, if this provision ultimately becomes law. Under the circumstances, staff determined that evaluation of potential risks presented by amending the Ordinance is warranted prior to bringing amendments forward.

Public Awareness and Notifying Key Stakeholders:

The Ordinance requires the producers of covered drugs to provide annual written notices to nonparticipating and new retail pharmacies located in the county regarding the opportunity to participate as collectors. Hence, the map noted above may change year by year if nonparticipating and new pharmacies decide to participate in the program. In addition the producers are required to implement measures that are designed to result in the use of the collection services by county residents. MED-Project has proposed to outreach to not only the general public but also pharmacies, health care providers, veterinary providers, public health agencies, and law enforcement agencies. Med-Project has also indicated that they will provide educational and mailing materials as well as media outreach in English, Spanish, Chinese and Vietnamese.

In addition Contra Costa Health Services will continue to maintain a web page with information for the public regarding the safe disposal of unwanted medications: <http://cchealth.org/safe-drug-disposal/>

The California Product Stewardship Council also maintains a web page of resources regarding the safe disposal of unwanted medications. The website is informative and includes packing instructions and a bin finder. <https://dontrushtoflush.org/>

Other related activity:

California Counties: On July 3rd, 2018 Tehama County adopted an Extended Producer Ordinance for medications and sharps joining 10 other counties that have adopted EPR ordinances covering medications. (San Francisco, San Mateo, Santa Barbara, Santa Clara, Contra Costa, Marin, Sonoma, San Luis Obispo and Los Angeles)

DEA: The U.S Drug Enforcement Administration (DEA) continues to sponsor their periodic drug take-back events. Their next event, the 15th since the inception of the program, was held on Saturday April 28th, 2018 at several locations across the County. The most recent prior DEA Prescription Take-Back event was held Saturday, October 28, 2017.

Washington State: In February 2018, the Washington House and Senate approved new secure medicine return legislation and on March 29th, Governor Islee signed the bill into law. The law (ESHB 1047) requires drug manufacturers to finance and coordinate a convenient and secure take-back system for unused medicines. When the program is launched, residents will be able to bring leftover prescription and over-the-counter drugs into their local pharmacies, hospitals and other places for safe disposal. In areas without collection sites, prepaid return mailers will be provided. If this bill passes into law, it will be the first comprehensive drug take-back program in the nation that is provided by the pharmaceutical industry. Similar local laws are already in place in King, Snohomish, Kitsap, Pierce, Clallam, and Whatcom Counties requiring pharmaceutical manufacturers to provide a drug take-back program. The statewide law will expand access to the program to all residents of Washington. To find out more about the Secure Drug Take-back Act: <http://app.leg.wa.gov/bills/summary?BillNumber=1047&Year=2018>

New York: On July 10, 2018, New York Governor Andrew Cuomo signed a Drug Take Back Act creating a statewide disposal program for covered drugs. Previously on, February 20, 2018 The New York State Department of Environmental Conservation (NYS DEC) [announced](#) that 172 new retail pharmacies, hospitals, and long-term care facilities have enrolled in its statewide pilot drug take-back program, bringing the total to 246. The two-year pilot is funded by \$2 million from the state's Environmental Protection Fund.

Walmart: On Wed, 17 Jan 2018 Walmart announced that they will begin offering a free DisposeRx home disposal pouch when dispensing opioid prescriptions. However, this may be limited to certain markets, may require pre-approval from State and local solid waste and hazardous materials authorities and may discourage consumers from using Kiosk to dispose of other, non-opioid medication. <https://www.forbes.com/sites/elliekincaid/2018/01/17/walmart-to-give-away-kits-to-dispose-of-opioids-at-home/#4088fbae139f>

Their website claims: DisposeRx drug destroying gel uses proprietary, patent-pending technology made of solidifying cross-linking chemical polymers that permanently sequester all medications. The Counties of Alameda, Contra Costa, Marin, San Francisco, San Mateo, Santa Barbara, and Santa Clara are asking Walmart to refrain from deploying the chemical deactivation process, strictly for opioids, and rather to consider:

(1) hosting MED-Project medicine collection kiosks in Walmart and Sam's Club stores located in our counties; and (2) refraining from providing the medication disposal packets at these same locations. .

CVS Pharmacy: CVS Pharmacy is actively working to roll out kiosk placement and are initiating a pilot project in Santa Cruz.

Walgreens: As previously reported Walgreens has taken the lead as the nation's first large retail pharmacy chain to establish a drug take-back program. To date, Walgreens has elected not to become part of the MED-Project program, but remains committed to improving options for the safe disposal of medications. From the program's inception in February 2016 to April 2017, the retailer installed disposal kiosks in more than 600 of their pharmacies located in 45 states. By October of 2017 the retailer reported collecting 155 tons of unwanted medication and has established a two year goal to collect an additional 300 tons. Walgreens has also more recently announced an expansion of the kiosk program to 1500 kiosks nationwide. <http://news.walgreens.com/press-releases/general-news/amerisourcebergen-blue-cross-blue-shield-association-pfizer-and-prime-therapeutics-join-walgreens-to-combat-prescription-drug-abuse-by-expanding-safe-medication-disposal-program.htm>

ORDINANCE NO. 2016-24

(Safe Drug Disposal)

The Contra Costa County Board of Supervisors ordains as follows:

SECTION I. SUMMARY. This ordinance adds Chapter 418-16 to the Contra Costa County Ordinance Code to establish a stewardship program for the collection and disposal of unwanted drugs.

SECTION II. AUTHORITY. This ordinance is adopted pursuant to Health and Safety Code section 101025, article XI, section 7 of the California Constitution and Government Code section 53069.4.

SECTION III. FINDINGS.

(a) Pharmaceutical drugs allow people to live longer, healthier and more productive lives.

(b) There is a lack of sufficient safe and convenient disposal locations for unwanted pharmaceutical drugs in this county.

(c) As a result, unwanted pharmaceutical drugs are often left in homes, where they can be accidentally ingested by children, adults and the elderly, thus increasing their risk of poisoning and death.

(d) In 2015, approximately 2,800 of more 6,500 calls to the California Poison Control System from locations within Contra Costa County concerned children under 5 who had unintentionally overdosed on prescription or non-prescription pharmaceutical drugs. Of the calls involving poisonings by non-prescription pharmaceutical drugs, the most common were ibuprofen (133 calls), acetaminophen (86 calls) and dextromethorphan, a cough suppressant (17 calls).

(e) The improper or careless disposal of unwanted prescription drugs can also lead to illegal resales of drugs and drug addiction.

(f) Nationwide, the drug overdose death rate increased by 137 percent from 2000 to 2014. Nearly 500,000 people died from drug overdoses in that time period. More than 50 percent of those deaths were related to overdoses of prescription drugs, primarily opioids.

(g) The sales of, and overdose-related deaths from, prescription opioids quadrupled nationwide from 1999 to 2010. From 1999 to 2014, more than 165,000 people died from prescription opioid-related overdoses.

(h) In Contra Costa County, 96 accidental drug overdose deaths were reported to the Contra Costa County Coroner's Office in 2014.

(i) Opioid prescription guidelines have been developed and implemented at emergency rooms throughout Contra Costa County to limit the potential for opioid abuse. However, prescription limitations alone are not enough to curb the abuse of opioids, and do not address the misuse of non-prescription pharmaceutical drugs.

(j) A survey conducted by the Contra Costa Health Services Public Health Division in 2016 revealed that 73 percent of 1,653 respondents reported having unused or leftover prescription drugs in their homes. Of 1,204 respondents, 43 percent said they hadn't gotten around to disposing of them, 38 percent said there was no convenient means of proper disposal and 18 percent were uncertain how to properly dispose of them.

(k) Accumulated pharmaceutical drugs pose a serious risk of misuse, abuse and death of residents of Contra Costa County.

(l) There is currently no mandatory statewide drug stewardship program for unwanted household pharmaceutical drugs in California.

(m) The West Contra Costa Integrated Waste Management Authority, Central Contra Costa Sanitary District and Delta Diablo Sanitation District currently provide collection bins at locations such as the County hospital, police stations and waste disposal facilities, but only for unwanted pharmaceutical drugs that are not controlled substances.

(n) Unused prescription opioids and other controlled pharmaceutical drugs, however, may be lawfully collected only by law enforcement and pharmacists, and to date collection options for these types of drugs are very limited. Only two police stations and two pharmacies in Contra Costa County collect unused controlled pharmaceutical drugs, and none is located in the unincorporated area. The U.S. Drug Enforcement Administration sponsors take-back events where controlled pharmaceutical drugs may be dropped off, but these events are held only a few times each year.

(o) Due to the locations and limitations of these collection options, the above measures do not go far enough to address the risks of misuse, addiction and death from pharmaceutical drugs, particularly those drugs that are controlled substances.

(p) Because existing programs to take back unused and unwanted pharmaceutical drugs are either too limited or not convenient, establishing the drug stewardship program described in this ordinance is necessary to preserve and protect the health of residents of Contra Costa County.

(q) The drug stewardship program described in this ordinance will benefit the public by significantly increasing convenient disposal options for county residents, enabling collection of larger quantities of unwanted pharmaceutical drugs and reducing the above risks to public health.

SECTION IV. Chapter 418-16 is added to the County Ordinance Code, to read:

Chapter 418-16 Safe Drug Disposal

418-16.202 Definitions.

For purposes of this chapter, the following words and phrases have the following meanings:

(a) "Approved stewardship plan" means a stewardship plan approved by the health officer.

(b) "Approved stewardship program" means a stewardship program that is described in and operates in accordance with an approved stewardship plan.

(c) "Collector" means a person or government entity that collects unwanted covered drugs in an approved stewardship program.

(d) "County residents" means human beings who reside in the unincorporated area of the county.

(e) "Covered drug" means a drug as defined in subsection 418-16.202(f), except for the following:

(1) Vitamins or supplements;

(2) Herbal-based remedies and homeopathic drugs, products or remedies;

(3) Cosmetics, shampoos, sunscreens, toothpaste, lip balm, antiperspirants, or other personal care products that are regulated as both cosmetics and nonprescription drugs under the federal Food, Drug, and Cosmetic Act (21 U.S.C. § 301 et seq.);

(4) Drugs for which producers provide a pharmaceutical product stewardship or take-back program as part of a federal Food and Drug Administration-managed risk evaluation and mitigation strategy under section 355-1 of title 21 of the United States Code;

(5) Biological products as defined by 21 Code of Federal Regulations part 600.3(h) (2015) for which a producer provides a pharmaceutical product stewardship or take-back program; and

(6) Medical devices or their component parts or accessories.

(f) “Drug” means a drug defined in section 321(g)(1) of title 21 of the United States Code.

(g) “Drug wholesaler” means a person who engages in the sale or distribution of covered drugs to retailers or other entities located in the unincorporated area of the county but not individual consumers.

(h) “Mail-back service” means a collection method for the return of unwanted covered drugs that utilizes prepaid and preaddressed mailing envelopes.

(i) “Manufacturing” means the production, preparation or compounding of a drug, but does not include the repackaging or relabeling of a drug or the preparation, compounding, packaging, labeling, dispensing or distribution of a drug by a practitioner in the course of his or her professional practice.

(j) “Manufacturer” means a person engaged in manufacturing.

(k) “Pharmacy” means a place licensed by the State of California Board of Pharmacy where the practice of pharmacy is conducted.

(l) “Producer” means the manufacturer of a covered drug that is sold or distributed in any form in the unincorporated area of the county.

(m) “Retail pharmacy” means a pharmacy licensed by the State of California Board of Pharmacy for the retail sale and dispensing of drugs.

(n) “Stewardship plan” means a written document that describes a stewardship program.

(o) “Stewardship program” means a program operated by or on behalf of a producer that provides for the collection, transportation and disposal of unwanted covered drugs generated by county residents.

(p) “Stewardship organization” means a person designated by a producer to develop or implement a stewardship plan or operate a stewardship program on behalf of the producer.

(q) “Unwanted covered drug” means any covered drug that a county resident has obtained and intends to discard, or has discarded, or has abandoned. (Ord. 2016-24 § 4).

418-16.204 Drug wholesalers.

Within 60 days after the effective date of this chapter, and no later than April 1 of every year thereafter, a drug wholesaler shall submit written notification to the health officer of the names and manufacturers of all covered drugs that the drug wholesaler sells or distributes in the unincorporated area of the county. (Ord. 2016-24 § 4).

418-16.206 Producers.

A producer shall satisfy all of the obligations set forth in this section, either individually, jointly with other producers, or by and through a stewardship organization:

(a) Notice of intent.

(1) Within six months after the effective date of this chapter, a producer shall provide written notice to the health officer of the producer’s intent to participate in a stewardship program.

(2) Within six months after the commencement of sale or distribution in the unincorporated area of the county of a covered drug manufactured by the producer, a producer that has not submitted the notice described in subsection 418-16.206(a)(1) shall submit that notice to the health officer.

(b) Identification of operator.

(1) Within nine months of the effective date of this chapter, a producer shall provide written notice to the health officer of the name of, and contact information for, a person who operates or will operate a stewardship program in which the producer intends to participate.

(2) Within nine months of commencement of sale or distribution in the unincorporated area of the county of a covered drug manufactured by the producer, a producer who has not submitted the notice described in subsection 418-16.206(b)(1) shall submit that notice to the health officer.

(c) Notification to retail pharmacies and law enforcement.

(1) Within nine months after the effective date of this chapter, a producer shall provide written notices to all retail pharmacies located in the county and all law enforcement agencies with jurisdiction in the county of the opportunity to participate as collectors. The notice must explain the process for entering into an agreement to participate in the stewardship program.

(2) Within nine months of commencement of sale in the unincorporated area of the county of a covered drug manufactured by the producer, a producer who has not provided the notices described in subsection 418-16.206(c)(1) shall provide those notices to the designated recipients.

(3) Annually after providing the notices required under subsections 418-16.206(c)(1) or 418-16.206(c)(2), a producer shall provide the same notices to all nonparticipating or new retail pharmacies located in the county.

(d) Plan submission; fee.

(1) Within one year after the effective date of this chapter, a producer shall submit to the health officer a stewardship plan that conforms to the requirements set forth in section 418-16.208, together with payment of a fee established by the board by resolution.

(2) Within one year after commencement of sale in the unincorporated area of the county of a covered drug manufactured by the producer, a producer who has not submitted a stewardship plan under subsection 418-16.206(d)(1) shall submit to the health officer a stewardship plan that conforms to the requirements set forth in section 418-16.208, together with payment of a fee established by the board by resolution. If a producer seeks to participate in an existing approved stewardship program in lieu of commencing a new stewardship program, the plan required by this subsection must be an amended stewardship plan, and the amended stewardship plan must be submitted by all of the producers identified in the amended plan.

(e) Plan implementation.

(1) Except as set forth in subsection 418-16.206(e)(2), within 90 days after the health officer's approval of a stewardship plan under subsection 418-16.210(b), a producer shall implement the plan by commencing operation of the stewardship program described in the plan. Commencement of operations of an approved stewardship program must include:

(A) Establishment of the drop-off sites and mail-back services identified in the approved stewardship plan.

(B) Public notice of the availability of unwanted covered drug collection services through postings at collection sites and advertising in local media.

(2) Changes to an approved stewardship program that are set forth in an amended stewardship plan that has been approved by the health officer under subsection 418-16.212(a)(1) must be implemented by the participating producer(s) within 10 business days after the approval.

(f) Program participation. A producer shall participate in an approved stewardship program by providing for the continued operation of an approved stewardship program in accordance with an approved stewardship plan. (Ord. 2016-24 § 4).

418-16.208 Content of stewardship plans.

A stewardship plan must fully describe a stewardship program. The plan must include all of the following:

(a) Identification of and contact information for each participating producer.

(b) Identification of and contact information for the person who will operate the stewardship program.

(c) Description of a collection system that conforms to Section 418-16.214(a), including a list of all collection methods and collectors, a list of drop-off sites, a description of how any periodic take-back events will be scheduled and located, a description of how mail-back services will be provided and an example of the prepaid, preaddressed mailers that may be used.

(d) Description of a system for transporting and disposing of the collected unwanted covered drugs that conforms to section 418-16.216, including identification of, and contact information for, transporters and disposal facilities to be used.

(e) Description of the policies and procedures to be followed by persons handling collected unwanted covered drugs, including a description of (1) how the collected unwanted covered drugs will be safely and securely tracked from collection through final disposal; (2) how all persons participating in the stewardship plan will comply with all applicable federal and state laws, rules and guidelines, including but not limited to those of the U.S. Drug Enforcement Administration and State of California Board of Pharmacy.

(f) Description of measures reasonably calculated to result in the use by county residents of the collection services to be offered under the stewardship program, such as public education and promotional materials, signage, standardized instructions and establishment of a toll-free number and website where collection options may be publicized.

(g) The short-term and long-term goals of the stewardship program in terms of collection amounts, education, and promotion.

(h) Description of how the stewardship program will consider:

(1) Use of existing providers of pharmaceutical waste services;

(2) Separation of covered drugs from packaging to the extent feasible to reduce transportation and disposal costs; and

(3) Recycling of drug packaging to the extent feasible. (Ord. 2016-24 § 4).

418-16.210 Inspection, approval and rejection of stewardship plans.

(a) Upon submission of a stewardship plan, the health officer will inspect it for the purpose of determining whether it satisfies the requirements set forth in section 418-16.208.

(b) Within 90 calendar days after submission of a stewardship plan, the health officer will either approve or reject the plan. If the plan conforms to the requirements set forth in section 418-16.208, the health officer will approve the plan and provide written notice to the producer of the approval.

(c) If the health officer rejects a stewardship plan, the health officer will provide to the producer written notice of the rejection that includes the reasons for the rejection.

(d) Within 60 calendar days after the date of the written notice of rejection of a stewardship plan for a new stewardship program, the producer shall submit to the health officer a revised stewardship plan that conforms to the requirements set forth in section 418-16.208, together with payment of a fee established by the board by resolution.

(e) If the health officer rejects a revised stewardship plan, each producer identified in the plan is in violation of this chapter and will remain in violation of this chapter until the producer commences participation in an approved stewardship program. (Ord. 2016-24 § 4).

418-16.212 Changes to existing stewardship programs; new programs.

(a) Changes.

(1) Substantive changes may be made to an existing approved stewardship program only with the prior written approval of the health officer. Substantive changes include changes in the location, number or operating hours of drop-off sites or periodic take-back events; changes in collection methods; changes in mail-back service procedures; changes in the policies or procedures to be followed by persons handling collected unwanted covered drugs; changes required in response to federal, state or local laws or regulations; and changes in stewardship program operators or participating producers. Except as set forth in subsection 418-16.206(d)(2), the participating producers identified in the approved stewardship plan shall submit any proposed substantive changes to the health officer in the form of an amended stewardship plan, along with a written explanation of the change(s) and payment of a fee established by the board by resolution. The health officer will approve an amended stewardship plan if it conforms to applicable requirements set forth in section 418-16.208. If an amended stewardship plan submitted to the health officer under this section is rejected by the health officer for non-conformance with the applicable requirements set forth in section 418-16.208, the approved stewardship program may continue to operate in accordance with the approved stewardship plan.

(2) The following non-substantive changes to an approved stewardship program may be made only with 20 days advance written notification by the program operator to the health officer: Changes in location of a collection kiosk within a retail pharmacy; changes in methods of distribution of prepaid, preaddressed mailers used for the mail-back of unwanted covered drugs; changes in contact information for the program operator and participating producers; and changes in the system described in Subsection 418-16.208(d).

(3) Other than the changes described in subsections 418-16.212(a)(1) and 418-16.212(a)(2), changes may be made to an approved stewardship program without the prior approval of or notification to the health officer.

(4) An approved stewardship plan that is changed in accordance with this section will be deemed an approved stewardship plan. An approved stewardship program that is changed in accordance with this section will be deemed an approved stewardship program.

(b) New programs. After implementation of an approved stewardship program, a participating producer may propose the formation of a new stewardship program by submitting to the health officer a stewardship plan that conforms to the requirements set forth in section 418-16.208, together with payment of a fee established by the board by resolution. (Ord. 2016-24 § 4).

418-16.214 Collection of unwanted covered drugs.

(a) Collection system requirements. A stewardship program's collection system must meet all of the following requirements:

(1) Provide safe and secure collection services within the unincorporated area.

(2) Provide for the operation of at least three drop-off sites in each supervisorial district for the collection of unwanted covered drugs, in locations that allow for convenient and equitable access by residents of the unincorporated areas of those districts, to the greatest extent feasible. If providing for the operation of at least three drop-off sites is not feasible in a supervisorial district, a stewardship program's collection system must provide for the operation of as many drop-off sites in the district as is feasible, in addition to both of the following methods of collection of unwanted covered drugs:

(A) A free mail-back service that allows for convenient and equitable access by all county residents in the district.

(B) Periodic take-back events that are at least six hours in length and held once per quarter of each calendar year in at least three locations in the district.

(3) Give preference to having retail pharmacies and law enforcement agencies serve as collectors.

(4) Include, as collectors, any retail pharmacy or any law enforcement agency that offers to serve as a collector of unwanted covered drugs and is able to meet the requirements of this chapter within three months of the offer.

(5) Make available free mail-back services to county residents who are disabled or homebound, in a manner that allows for convenient and equitable access to these services by these persons.

(b) Collector requirements.

(1) A collector shall operate a drop-off site in accordance with this chapter and all applicable state and federal laws and regulations applicable to the handling of covered drugs.

(2) A collector shall accept all unwanted covered drugs from county residents during all hours that the collector is normally open for business.

(3) A collector that is not a law enforcement agency shall utilize secure collection bins in compliance with all applicable legal requirements.

(c) Commencement. The collection of unwanted covered drugs under a stewardship program under this chapter may commence only after the stewardship plan under which the program will operate has been approved by the health officer.

(d) Nothing in this chapter shall be construed to require any person or government entity to serve as a collector under a stewardship plan. (Ord. 2016-24 § 4).

418-16.216 Transport and disposal.

(a) All unwanted covered drugs that are collected under an approved stewardship program must be transported only by a person who operates under all required permits and licenses.

(b) All unwanted covered drugs that are collected under an approved stewardship program must be disposed of only at a medical waste facility or hazardous waste facility that operates under all required permits and licenses. (Ord. 2016-24 § 4).

418-16.218 Reporting.

Within six months after the end of the first 12-month period of operation of an approved stewardship program, and annually thereafter, the program operator shall submit a report to the health officer that details the following information about program operations during the reporting period:

- (a) A list of all participating producers.
- (b) The weight of all unwanted covered drugs collected, including the weight of unwanted covered drugs collected using each collection method utilized in the program.
- (c) A list of all drop-off sites.
- (d) The number of mailers provided to county residents.
- (e) The locations where mailers were provided, if applicable.
- (f) The dates and locations of collection events held, if applicable.
- (g) A list of all transporters used.
- (h) A list of all facilities to which the collected unwanted covered drugs were transported.
- (i) Any safety or security problems that occurred during collection, transportation or disposal of unwanted covered drugs, and changes made or proposed to alleviate those problems.
- (j) A description of all public education and promotion activities.
- (k) A description of how collected packaging was recycled to the extent feasible; including identification of the recycling facilities used.
- (l) A discussion of the degree of success in meeting the short- and long-term goals of the approved stewardship program, and to the extent goals were not met, plans to achieve those goals in the next reporting period.
- (m) Total expenditures of the approved stewardship program. (Ord. 2016-24 § 4).

418-16.220 Costs and fees.

(a) The administrative and operational costs of an approved stewardship program will be the sole responsibility of the participating producer(s), except as set forth in subsection 418-16.220(c).

(b) No person may charge a point-of-sale fee or point-of-collection fee to recoup any costs of an approved stewardship program.

(c) Nothing in this chapter shall be construed to require a producer to pay for staff time provided by collectors who agree to participate in an approved stewardship program.

(d) Revenues from fees paid under this chapter may be used only to pay for the costs incurred by the health officer in the performance of investigations, inspections and audits under this chapter and the administrative enforcement and adjudication thereof. (Ord. 2016-24 § 4).

418-16.222 Audits, inspections and investigations.

(a) Audits. The health officer may audit the records of stewardship program for the purpose of enforcing the provisions of this chapter. Upon request of the health officer, the operator of the program shall provide the health officer with access to perform audits of the program's records at reasonable times.

(b) Inspections and investigations. Whenever it is necessary to inspect a drop-off site or other property to enforce the provisions of this chapter, or whenever the health officer has cause to believe that there exists on any property any violation of this chapter, the health officer may enter the property to inspect and gather evidence or perform the duties imposed on the health officer by this chapter. Entry may be made at any reasonable time upon advance notice to the

owner or occupant of the property. If entry is refused, the health officer is authorized to proceed pursuant to Code of Civil Procedure section 1822.50 and following, and pursue any and all other remedies provided by law, to secure entry. (Ord. 2016-24 § 4).

418-16.224 Enforcement.

(a) The health officer will enforce the provisions of this chapter.

(b) The health officer is authorized to determine whether a person has violated a provision of this chapter.

(c) If the health officer determines that any person has violated any provision of this chapter, the health officer will first serve a notice of violation on the person who violated it as specified in section 418-16.226, subsection (h), and provide an opportunity to the person to cure the violation before any other enforcement action is taken under section 418-16.226 or other provisions of this code. The notice of violation will include all of the following information:

(1) The date of the violation.

(2) The name of the violator.

(3) The address or location where the violation occurred.

(4) The code section(s) violated and a description of the violation.

(5) A description of how the violation can be corrected.

(6) A specified time period, beginning on the service date, within which the violation must be corrected.

(7) An advisement that the violator may be subject to an administrative fine under this article if the violation is not corrected by the effective date, and the amount of that fine.

(d) The person shall have 30 calendar days after receipt of the notice, or other time agreed to in writing by the person and the health officer, to correct the violation. (Ord. 2016-24 § 4).

418-16.226 Administrative Penalties.

(a) Applicability and Authorization.

(1) This section provides for administrative fines that the health officer may impose, enforce, and collect to address any violation of this chapter.

(2) Remedies under this section are in addition to any other remedy allowed by this code or applicable law.

(b) Definitions. For purposes of this section, the following words and phrases have the following meanings:

(1) "Effective date" means the date by which a violation must be corrected, as specified in a notice of violation.

(2) "Hearing examiner" means the Public Health Director.

(3) "Service date" means the date a notice or decision is served in accordance with subsection 418-16.226(h).

(4) "Responsible person" means a person who is determined by the health officer to have violated a provision of this chapter.

(c) Administrative Fines.

(1) Imposition. The health officer may impose an administrative fine on a responsible person if the violation has not been corrected in the time period specified in the notice of violation.

(2) Notice of fine. An administrative fine will be assessed by means of a notice of fine. The responsible person will be served with the notice of fine as specified in subsection 418-16.226(h). The notice of fine will include all of the following information:

- (A) The date of the violation.
- (B) The code section(s) violated and a description of the violation.
- (C) The amount of the fine.
- (D) An advisement of the right to request a hearing before the hearing examiner,

contesting the imposition of the fine.

(3) Continuing violations. Acts, omissions, or conditions in violation of any section of this chapter that continue, exist or occur on more than one day constitute separate violations and offenses on each day. Violations continuing, existing, or occurring on the service date, the effective date, and each day between the service date and the effective date are separate violations.

(4) Fine amounts. The amount of the fine is one hundred dollars for a first violation, two hundred dollars for a second violation of the same provision of this chapter, and five hundred dollars for each additional violation of the same provision within one year.

(d) Appeals.

(1) Any person upon whom an administrative fine is imposed by the health officer may request a hearing pursuant to the procedures set forth in this subsection. The appellant must file a written appeal with the health officer within fifteen calendar days after the service date of the notice of fine. The written appeal must contain:

(A) A brief statement explaining who the appealing party is and what interest the appealing party has in challenging the imposition of the fine; and

(B) A brief statement of the material facts that the appellant claims supports his or her contention that no administrative fine should be imposed or that an administrative fine of a different amount is warranted.

(2) Notice of the hearing will be served on the appellant as specified in subsection 418-16.226(h). The health officer will set the hearing no sooner than twenty days and no later than forty-five days following the service date of the notice of hearing.

(3) An appeal of an administrative fine imposed for violations of this chapter will be heard by the hearing examiner.

(4) At the hearing, the appellant will be given the opportunity to testify, and present written and oral evidence.

(5) An appellant's failure to appear at the hearing shall constitute an abandonment of any defense the appellant may have to the administrative fine.

(6) After considering the testimony and evidence submitted at the hearing, or after the appellant has failed to appear at the hearing, the hearing examiner will issue a written decision to uphold, modify, or cancel the administrative fine and will list in the decision the reason or reasons for that decision. The decision will be served as specified in subsection 418-16.226(h).

(e) Final administrative order. The imposition of the administrative fine becomes a final administrative order at one of the following times:

(1) On the date the notice of fine is served, if the responsible person fails to file a written appeal to the health officer within the time specified.

(2) On the date the written decision by the hearing examiner is served, if the responsible person files a written appeal to the health officer within the time specified.

(f) Payment of the fine. The fine must be paid to the county within thirty days after the imposition of the administrative fine becomes a final administrative order. Payment of a fine under this article does not excuse or discharge any continuation or repeated occurrence of the violation that is the subject of the notice of fine. The payment of a fine does not bar the county from taking any other enforcement action regarding a violation that is not corrected.

(g) Collection. If the fine is not paid within thirty days after the imposition of the fine becomes a final administrative order, the county may collect the fine, the county's collection costs, and interest. An administrative fine accrues interest at the same annual rate as any civil judgment, beginning on the twentieth day after the fine becomes a final administrative order. The county may collect by using any available legal means, including but not limited to the following:

(1) The county may file a civil action. If a civil action is commenced, the county is entitled to recover all costs associated with the collection of the fine, including those costs set forth in Code of Civil Procedure section 1033.5.

(2) The county may take such other actions as are allowed for enforcement of a civil judgment as provided for pursuant to the Enforcement of Judgments Law, California Code of Civil Procedure section 680.010 et seq.

(h) Service. All notices or decisions required to be served by this section or section 418-16.224 will be served by any of the methods specified below:

(1) First class mail. First class mail will be addressed to the responsible person at the address for service of process for the responsible person or to the last address provided by the responsible party to the health officer. Service is deemed complete upon the deposit of the notice or decision, postage pre-paid, in the United States mail.

(2) Personal service. Personal service is deemed complete on the date the notice or decision is personally served on the violator.

(i) Judicial Review. A final administrative order may be appealed to the superior court of the county in accordance with the provisions set forth in Government Code section 53069.4. (Ords. 2016-24 § 4).

418-16.228 Regulations.

The health officer may propose regulations to make more detailed or specific the provisions of this chapter. The regulations are not effective unless adopted by the board by resolution. Effective regulations will be deemed incorporated into this chapter by this reference. (Ord. 2016-24 § 4).

SECTION V. Section 14-8.008 of the County Ordinance Code is amended to read:

14-8.008 - Infraction arrest and citation.

(a) The following officers, or their designated subordinates, shall have and are hereby vested with the authority to arrest any person who violates the following provisions of this code and other codes as indicated, punishable as infractions:

- (1) Director of health services: Division 413, Division 445, Chapters 414-4, 414-6, 416-14, 418-2, 418-6, 418-12, 418-16, 420-2, 420-6, 450-6, and Labor Code Section 6404.5;
- (2) Director of building inspection: Title 7;
- (3) Director of community development: Title 8;
- (4) Director of public works: Divisions 1002, 1010, 1014, 1106 and 1110;

(5) Sheriff: Division 54, Chapter 54-2, and Divisions 410 and 1110.

(b) The above-listed officers, or their designated subordinates, may issue citations for infraction violations of the above-listed code provisions.

(c) The county administrator may by written order issue regulations to provide for administration, procedures and policy direction for this section. (Ords. 2016-24 § 5, 2006-66 § 8, 2004-30 § 2, 2003-01 § 5, 2002-48 § 2, 2001-03 § 1, 98-31 § 1, 98-22 § 2, 96-21 § 2, 95-36 § 1, 90-122 § 2, 86-80 § 2; Penal Code §§ 19.7, 836.5, and 853.6; Labor Code § 6404.5).

SECTION VI. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published in the East Bay Times, a newspaper published in this County. This ordinance shall be published in a manner satisfying the requirements of Government Code section 25124, with the names of the supervisors voting for and against it.

PASSED on _____, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

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

By: _____
Deputy

Board Chair

[seal]

LW/

H:\Ordinances\Drug Disposal\Ord.2016-24.docx



A Product Stewardship Plan For Unwanted Medicine from Households

Contra Costa County, California
June 15, 2018

Table of Contents

I. Introduction	5
II. Contact Information	5
III. Plan Definitions.....	5
IV. Unwanted Medicine	6
V. Collection of Unwanted Medicine	6
A. Unwanted Medicine Collection Program Implementation.....	6
1. Outreach	6
2. Implementation	7
3. Convenience.....	7
4. Fees and Costs	8
B. Kiosk Drop-Off Sites	8
1. Kiosk Drop-Off Site Locations.....	8
2. Drop-Off Site Kiosk Placement and Maintenance Program	9
3. Kiosk Specifications.....	10
4. Kiosk Collection	11
5. Frequency of Pick-Up.....	12
6. Procedures if a Kiosk is Full Prior to Scheduled Pick-Up.....	12
7. Unplanned Event Preparedness	12
C. Take-Back Events.....	13
1. Method.....	13
2. Procedures	13
D. Disposal of Unwanted Medicine	14
E. Unwanted Medicine Mail-Back Services	14
1. Mail-Back Services for Unwanted Medicine	14
2. Mail-Back Package Availability	15
3. Mail-Back Package Collection and Disposal	15
VI. Plan and Collection Goals	15
VII. Patient Privacy	16
VIII. Call Center.....	17
IX. Training	17
A. Service Technician Training	18
X. Transporter and Disposal Facility Information	18
A. Vendor for Kiosk Drop-Off Sites and Take-Back Events.....	18
B. Transporter of Unwanted Medicine from Kiosk Drop-Off Sites and Take-Back Events.....	18
1. Carrier	18
2. Transporter 1.....	18
3. Transporter 2	19
C. Reverse Distributor and Disposal Facility for Unwanted Medicine from Kiosk Drop-Off Sites and Take-Back Events.....	19
1. Reverse Distributor Facility.....	19
2. Disposal Facility 1.....	19
3. Disposal Facility 2.....	19
D. Vendor for Mail-Back Services	19

E. Shipper of Mail-Back Packages.....	19
F. Disposal Facility for Mail-Back Packages	19
XI. Unwanted Medicine Educational and Outreach Programming	20
A. Overview.....	20
B. Audiences.....	20
C. Messages.....	20
D. Tools/Communications Channels.....	21
1. Phone.....	21
2. Website.....	21
3. Materials.....	21
4. Media Outreach	22
5. Broadcast Outreach.....	22
E. Collaboration with County Officials and Community Organizations.....	22
F. Disclaimer	22
XII. Packaging.....	23
XIII. Compliance with Applicable Laws, Regulations, and Other Legal Requirements	23
A. DEA Controlled Substances Act and Implementing Regulations	23
1. DEA Registration Modification	24
A. United States Department of Transportation (USDOT)	24
B. California State Board of Pharmacy	25
XIV. Annual Report.....	25
Appendix A.....	26
MED-Project Participants.....	26
Appendix B	27
Sample Contact List for Outreach and Education to the Community.....	27
Appendix C	28
Kiosk Drop-Off Sites with Expressions of Interest.....	28
Appendix D.....	33
Potential Additional Kiosk Drop-Off Sites.....	33
Appendix E.....	36
Picture of Kiosk Prototype	36
Sample Kiosk Signage	37
Sample Kiosk Signage	38
Sample Kiosk Signage	39
Sample Kiosk Signage	40
Appendix F.....	41
Community Events That May Serve as Future Take-Back Events.....	41
Appendix G.....	42
Sample Media List.....	42
Appendix H.....	44
Sample Mail-Back Package	44
Sample Mail-Back Package Insert	45

Appendix I	47
Sample Template: Education and Outreach Call Script [1-844-MED-PROJ]	47
Appendix J	50
MED-Project Website	50
Appendix K	58
Brochure Mockup.....	58
FAQ Outline	60
Appendix L	62
Sample Template: Take-Back Event Media Advisory	62
Appendix M	63
Sample Digital and Local Social Networks.....	63

I. Introduction

MED-Project LLC (“MED-Project”), on behalf of the participating companies as described in [Appendix A](#), submits this Product Stewardship Plan (“Plan”) for Unwanted Medicine in compliance with Chapter 418-16 of the Contra Costa County Ordinance Code (“Ordinance”). The Ordinance requires pharmaceutical Producers¹ to develop a Product Stewardship Program to finance and manage the collection, transportation, and disposal of Unwanted Medicine from Contra Costa County households.

II. Contact Information

The primary contact person for MED-Project is:

Irina Butler, Plan Development Director
MED-Project
1800 M Street NW, Suite 400S
Washington, DC 20036
202-495-3125
ibutler@med-project.org

III. Plan Definitions

Available Languages are English, Spanish, Chinese, and Vietnamese.

Carrier is United Parcel Service, Inc., the common carrier used by Vendor to transport Unwanted Medicine.

County means the unincorporated area of Contra Costa County.

DEA is the U.S. Drug Enforcement Administration.

DEA Rule is the DEA Final Rule, “Disposal of Controlled Substances,” 79 Fed. Reg. 53520 *et seq.*, adopted on September 9, 2014.

Kiosk Drop-Off Site is a location that is accessible to the public, hosting a MED-Project kiosk for the collection of Unwanted Medicine.

Kiosk Drop-Off Site Host is the designated contact person or persons at the Kiosk Drop-Off Site.

Law Enforcement Agency or **LEA** is a federal, state, tribal, or local law enforcement office or agency.

Mail-Back Services is the provision of pre-paid, pre-addressed envelopes or other packages for the collection and disposal of Unwanted Medicine.

Plan or **Product Stewardship Plan** is the product stewardship plan presented in this submittal by MED-Project.

Program or **Product Stewardship Program** is the product stewardship program set forth in this Product Stewardship Plan.

Residents or **County Residents** means human beings who reside in the unincorporated area of the County.

Service Technicians are service personnel trained to remove and transport the Unwanted Medicine from Program kiosks. Service Technicians will be managed by Vendor.

Take-Back Event is an event at least 6 hours in length at a location accessible to the public conducted by MED-Project with oversight by law enforcement for the collection of Unwanted Medicine.

¹ All capitalized terms used but not otherwise defined herein shall have their respective meanings set forth in the Ordinance.

Unwanted Medicine is defined in Section IV of this Plan.

Vendor is any vendor retained by MED-Project to carry out its obligations under the Program.

IV. Unwanted Medicine

For the purposes of the Plan, “Unwanted Medicine” includes all materials identified as “Covered drug[s]” under Ordinance § 418-16.202(e) that qualify as “Unwanted covered drug[s]” under Ordinance § 418-16.202(q). Unwanted Medicine does not include the following:

- i. Expired undispensed samples direct from physicians’ offices;
- ii. Unused or expired drugs from hospitals and institutions;
- iii. Bulk animal pharmaceuticals from farms (business use);
- iv. Vitamins or supplements;
- v. Herbal-based remedies and homeopathic drugs, products, or remedies;
- vi. Compressed cylinders, and inhalers;
- vii. Iodine-containing medications;
- viii. Mercury-containing thermometers;
- ix. Cosmetics, shampoos, sunscreens, toothpaste, lip balm, antiperspirants, or other personal care products that are regulated as both cosmetics and nonprescription drugs under the federal Food, Drug, and Cosmetic Act (Title 21 U.S.C. Chapter 9);
- x. Hard surface and toilet disinfectant cleaners;
- xi. Drugs administered in a healthcare setting;
- xii. Drugs for which Producers provide a pharmaceutical product stewardship or take-back program as part of a federal Food and Drug Administration-managed risk evaluation and mitigation strategy (Title 21 U.S.C. § 355-1);
- xiii. Biological products as defined by 21 CFR 600.3(h) for which a Producer provides a pharmaceutical product stewardship or take-back program;
- xiv. Medical devices or their component parts or accessories, including medical sharps and needles, and injector products;
- xv. Used, empty containers, vials, and pouches;
- xvi. Schedule I or other illicit drugs; and
- xvii. Any other items excluded pursuant to the Ordinance.

See Section XIII.A for collection limitations imposed by the DEA Rule.

V. Collection of Unwanted Medicine

The Plan provides services to collect Unwanted Medicine, including controlled substances. The collection methods and any applicable legal requirements are described below.

A. Unwanted Medicine Collection Program Implementation

1. Outreach

Per Ordinance § 418-16.206(c)(1), MED-Project initially notified 163 retail pharmacies and 33 LEA locations in the County of the opportunity to participate as a Kiosk Drop-Off Site Host. MED-Project performs outreach to these locations through calls and emails with the goal of establishing Kiosk Drop-Off Sites distributed throughout the County. As part of this outreach, MED-Project asked if the sites were interested in participating in the Program, whether the sites currently host a kiosk or other services for the disposal of Unwanted Medicine, whether pharmacies are DEA registrants, and if the sites would like more information regarding the Program.

LEAs, pharmacies, and other eligible DEA registrants that currently host kiosks in the County may transition into the Program upon entering into an agreement with MED-Project. Existing drop-off sites are available at the following locations:

Pharmacy kiosk hosts:	LEA kiosk hosts:
<ol style="list-style-type: none"> 1. City Center Pharmacy Brentwood 2. Walgreens – Walnut Creek 3. Walgreens – El Cerrito 	<ol style="list-style-type: none"> 1. Contra Costa Regional Medical Center Sheriff's Substation 2. CCC Sheriff's Field Operations Building 3. City of Clayton, Police Department, City Hall 4. City of Concord, Police Department 5. City of Martinez, Police Department, City Hall 6. Town of Moraga, Police Department 7. City of Orinda, Police Department, City Hall 8. City of Pleasant Hill, Police Department 9. City of San Ramon, Police Department 10. City of Walnut Creek, Police Department, City Hall 11. City of Richmond, Police Department 12. City of San Pablo, Police Department 13. City of Pinole, Police Department

2. Implementation

MED-Project has begun work with LEAs and pharmacies identified during outreach (*see* Section V.A.1.) to determine interest in having Kiosk Drop-Off Site Host signed agreements. MED-Project is working to satisfy the collection system requirement established in Ordinance § 418-16.214(a)(2) through signed agreements with Kiosk Drop-Off Site Hosts. Ninety days after Plan approval, MED-Project will commence operation of the Program. MED-Project will seek to provide three Kiosk Drop-Off Sites in each supervisorial district in the unincorporated areas of the County, and where that is not feasible, MED-Project will satisfy the collection system requirement in the unincorporated areas of the County through quarterly Take-Back Events at three locations and Mail-Back Services in any supervisorial district where signed agreements have not been obtained from three Kiosk Drop-Off Site Hosts. *See* Sections V.C and V.E.2 for details of how the Program will satisfy the collection system requirement.

Collection of Unwanted Medicine will begin at collection locations once agreements have been executed with each location, kiosks have been installed, sites have been trained, and, in the case of pharmacies, all requirements of the DEA and the California State Board of Pharmacy have been met.

Mail-Back Services will be available to disabled and home bound Residents upon request, thereby offering more opportunities to dispose of Unwanted Medicine.

3. Convenience

MED-Project will assess performance, gauge feedback, and revise its approach as appropriate. As implementation proceeds, MED-Project shall continue to approach organizations that may be available as future Kiosk Drop-Off Site Hosts on an annual basis. These organizations are listed in [Appendix B](#).

The Plan will be implemented in a flexible manner, offering coverage to Residents through a combination of Kiosk Drop-Off Sites, Take-Back Events, and Mail-Back Services. Current activities taking place prior to Plan approval include outreach to LEAs and pharmacies regarding their interest and ability to participate in the Program as Kiosk Drop-Off Sites and outreach to potential Take-Back Event Hosts. Over the course of

implementation, Kiosk Drop-Off Sites will be established to the extent that (1) additional eligible LEAs and/or DEA-registered pharmacies agree to participate, and (2) contracts can be executed with such entities. MED-Project will conduct supplemental Take-Back Events and provide Mail-Back Services in any supervisorial district where agreements to host a kiosk have been signed by fewer than three Kiosk Drop-Off Site Hosts. Contracts outlining the responsibilities of all involved parties will be drafted, reviewed by appropriate entities, and signed by all parties before MED-Project installs kiosks or schedules Take-Back Events with an LEA or pharmacy.

Once MED-Project obtains three agreements in a supervisorial district with Kiosk Drop-Off Site Hosts, these supplemental services shall cease within the district, however mail-back services for disabled and home bound Residents will be available. *See* Section V.E.2 for more information about the availability of Mail-Back Services.

For more information regarding Take-Back Event scheduling, coverage, and frequency, *see* Section V.C.

4. Fees and Costs

MED-Project will pay all administrative, operational, and disposal costs and fees associated with the collection of Unwanted Medicine as a part of the Program.

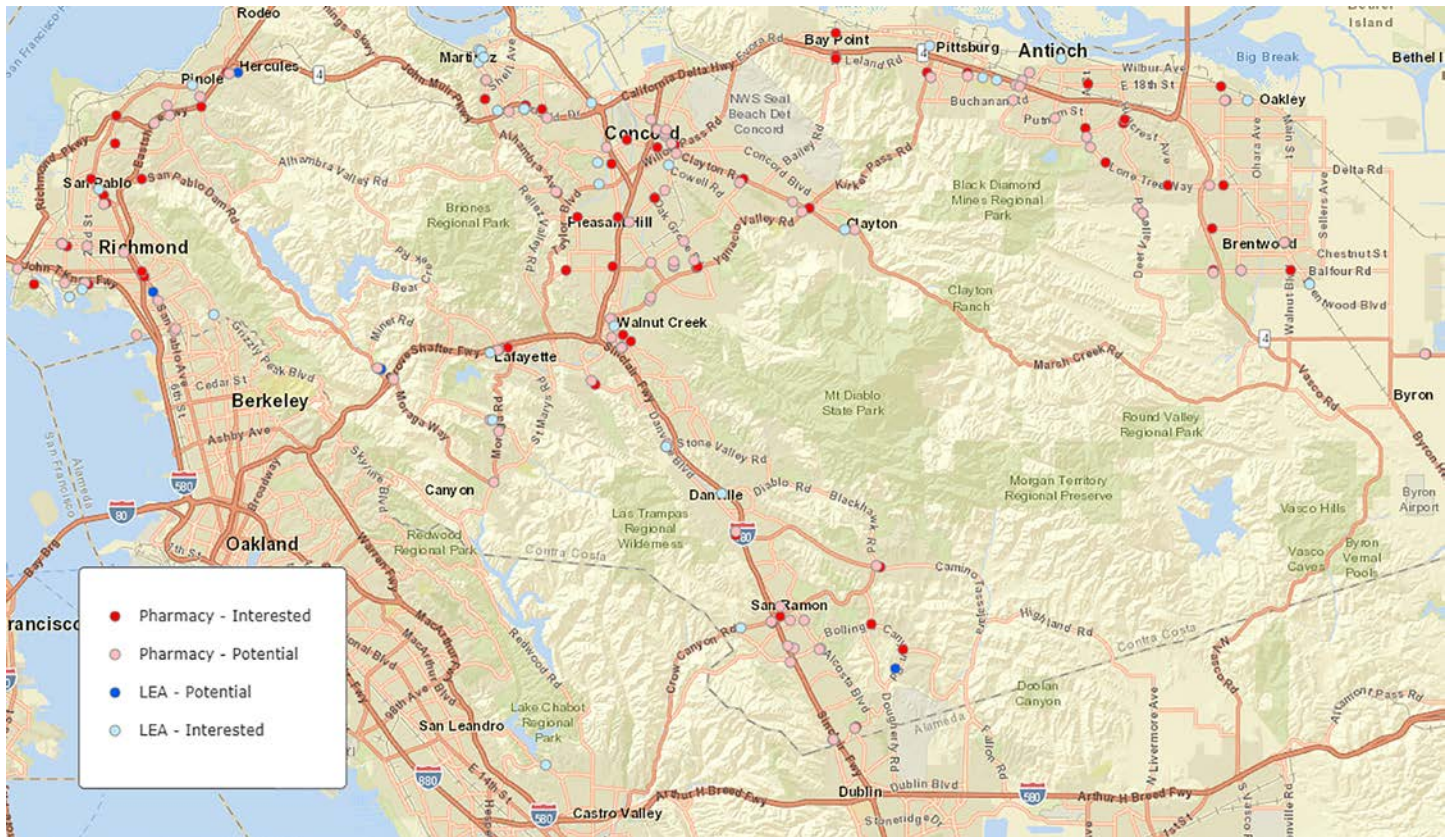
B. Kiosk Drop-Off Sites

Kiosk Drop-Off Sites will be placed across the County to meet the collection system requirement established by the Ordinance. This network will provide Residents several different outlets to participate in the Program. Kiosk Drop-Off Site Hosts will accept unwanted Medicine from Residents during all regular business hours.

1. Kiosk Drop-Off Site Locations

MED-Project contacted 163 pharmacies and 33 LEAs located in the County about the opportunity to serve as a Kiosk Drop-Off Site Host. Of the locations contacted, 94 pharmacies and 29 LEAs expressed interest in participating in the Program. These interested Kiosk Drop-Off Site Hosts are identified in [Appendix C](#).

A map of the interested and potential Kiosk Drop-Off Site Host locations is below.



MED-Project will continue outreach via emails, phone calls, and in-person site visits to potential Kiosk Drop-Off Site Hosts that have not expressed interest in Program participation until the collection system requirement has been met and annually thereafter. These sites are listed in [Appendix D](#). MED-Project will be balancing the need to meet the service convenience requirement with the potential for outreach fatigue on the part of potential sites.

As required under Ordinance § 418-16.214(a)(4), within three months of their offer to participate (unless the collector requests a longer time-frame), the Program will include as a Kiosk Drop-Off Site any retail pharmacy or LEA willing to serve voluntarily as a Kiosk Drop-Off Site for Unwanted Medicine and able to meet all applicable laws, regulations, and other legal requirements. Locations currently serving as a drop-off site may participate in the Program by signing agreements with MED-Project and modifying their DEA registrations if required. The process for modifying DEA registrations is outlined in Section XIII.A.1. MED-Project will work with the Kiosk Drop-Off Site Host to transition to the Program and Vendor.

See Section V.C for more information on Take-Back Events and Section V.E *et seq.* for Mail-Back Services.

2. Drop-Off Site Kiosk Placement and Maintenance Program

Kiosk installation shall be the responsibility of MED-Project at LEA and pharmacy Kiosk Drop-Off Sites if the Kiosk Drop-Off Site Host has identified a placement location. All kiosks in the Program must be securely placed and maintained inside a collector’s registered location or LEA’s physical location in accordance with DEA Rule §§ 1317.75(d)(1) and 1317.35(a). At pharmacies, kiosks will be placed in the immediate proximity of a designated area where controlled substances are stored and at which an employee is present (*i.e.*, can be seen from the counter), pursuant to § 1317.75(d)(2). At a hospital or clinic with an on-site pharmacy, kiosks will be placed in an area regularly monitored by employees but not near areas of the facility where emergency or urgent care is provided. § 1317.75(d)(2)(i). Kiosk placement will also comply with any

applicable Board of Pharmacy requirements. Costs associated with installation and maintenance will be paid by MED-Project per the contracts with the Kiosk Drop-Off Site Hosts.

The maintenance program will address items such as:

- Periodic inspection of kiosks to monitor general wear and tear;
- Service Technician access to the kiosks during regularly scheduled pick-ups and scheduling of service if necessary; and
- Reporting by the Kiosk Drop-Off Site Host of damage to a kiosk or requested maintenance service.

3. Kiosk Specifications

A kiosk will be offered to all host locations. Pursuant to DEA Rule § 1317.75(e), MED-Project kiosks at pharmacies will:

- Be securely fastened to a permanent structure;
- Be securely locked, substantially constructed containers with a permanent outer container and removable inner liner;
- Include a small opening in the outer container that allows contents to be added to the inner liner, but does not allow removal of the inner liner's contents;
- Prominently display a sign indicating that only Schedule II-V controlled and non-controlled substances are acceptable to be placed in the kiosk; and
- Have the small opening in the outer container locked or made inaccessible to the public when a Kiosk Drop-Off Site employee is not present.

The proposed design of the pharmacy kiosk and proposed signage ([Appendix E](#)) satisfies these requirements through the use of heavy gauge steel; multiple locking mechanisms, including a locking mechanism on the drop slot; a tamper-proof slot; and commercial hinges. The design will increase the likelihood of consumer participation by providing easy access to wheelchair users. The locking mechanism on the drop slot will prevent kiosk over-flow once the container has reached its maximum level and is locked by the Kiosk Drop-Off Site Host. MED-Project pharmacy kiosks will come with appropriate regulatory signage and instructions, including an instruction to remove or strike out personal information from any Unwanted Medicine and packaging before depositing them and language required under the DEA Rule² and by the Board of Pharmacy. Kiosk signage will provide information about what is and is not accepted in the kiosk.

Additionally, under § 1317.60(a), MED-Project kiosk inner liners will:

- Be waterproof, tamper-evident, and tear-resistant;
- Be removable and sealable immediately upon removal without emptying or touching kiosk contents;
- When sealed, make the contents of the inner liner not viewable from the outside;
- Clearly indicate the size of the inner liner; and
- Bear a permanent, unique barcode for tracking purposes.

MED-Project kiosks and inner liners will also comply with Board of Pharmacy requirements.

While the DEA Rule does not require LEA kiosks to meet these same requirements, MED-Project will offer these kiosks and inner liners to LEAs. See DEA Rule at 53531.

² Specifically, as required under § 1317.75(e)(4), all kiosks will prominently display a sign stating that: "Only Schedule II-V controlled and non-controlled substances that are lawfully possessed by the ultimate user are acceptable to be placed in the kiosk. Schedule I controlled substances, illicit or dangerous substances, and any controlled substances not lawfully possessed by the ultimate user may not be placed in the kiosk."

4. Kiosk Collection

Under § 1317.05(c)(2)(iv), pharmacy Kiosk Drop-Off Sites must dispose of sealed inner liners and their contents either on-site, through common or contract carrier delivery to or pick-up by a distributor or reverse distributor, or with DEA assistance.

Section 1317.75(c) prohibits the counting, sorting, inventorying, or individual handling of any substances deposited into a pharmacy kiosk. Additionally, § 1317.60 limits inner liner access to employees of the collector and requires two employees to immediately seal the inner liner upon its removal from the pharmacy kiosk's permanent outer container. *See* § 1317.60(b), (c). Section 1317.75(g) provides that pharmacy kiosk inner liner installation or removal shall be performed "by or under the supervision of at least two employees of the authorized collector." The pharmacy kiosk sealed inner liner must not be opened, x-rayed, analyzed, or otherwise penetrated. *See* § 1317.60(c).

At LEA Kiosk Drop-Off Sites, Vendor and the LEA will maintain any records of removal, storage, or destruction of the collected Unwanted Medicine in a manner consistent with the LEAs' recordkeeping requirements for illicit controlled substances evidence pursuant to § 1317.35. Law enforcement will record the unique barcode number and size of the sealed inner liner transferred to Vendor. *See* § 1317.35. Additionally, any Unwanted Medicine will be stored in a manner to prevent the diversion of controlled substances and consistent with the LEA's standard procedures for storing illicit controlled substances. *See* § 1317.35. Collected Unwanted Medicine will be transferred to the disposal facility in a manner to prevent the diversion of Unwanted Medicine and consistent with the LEA's standard procedures for transferring illicit controlled substances. *See* § 1317.35.

MED-Project's Kiosk Drop-Off Site collection system complies with these DEA requirements for pharmacy and LEA Kiosk Drop-Off Sites. Vendor, pharmacies, and LEAs participating in the Plan will keep all records required under the DEA Rule, including those required under §§ 1304 and 1317.35. Pharmacy Kiosk Drop-Off Site Hosts and Vendor will be instructed never to count, sort, inventory, or individually handle kiosk contents. However, pharmacy kiosks will be located where an employee is present affording employees the opportunity to visually inspect Unwanted Medicine that Residents attempt to deposit. *See* Section V.B.2. LEA kiosks will be located inside the LEA's physical location. *See* Section V.B.2. MED-Project's kiosk drop-off site collection system will also comply with all applicable Board of Pharmacy requirements.

Pick-up of Unwanted Medicine collected at Kiosk Drop-Off Sites will be scheduled for all Kiosk Drop-Off Sites year-round based on their regular business hours and volume collected. When arriving at a Kiosk Drop-Off Site, the kiosk will be reviewed by the Service Technicians for any damage.

A Service Technician will arrive at the Kiosk Drop-Off Site with a pre-printed shipping label. Unwanted Medicine will be securely removed from the kiosk by Service Technicians and Kiosk Drop-Off Site employees following standard operating procedures meeting all DEA requirements. Specifically, two Kiosk Drop-Off Site employees will hold the two keys to unlock the kiosk. Once the kiosk is unlocked, the inner liner will be removed from the kiosk and immediately sealed, a new inner liner will be installed, and the two Kiosk Drop-Off Site employees will lock the kiosk. The inner liner provided in the kiosk will be opaque to prevent visual recognition of the contents. The sealed inner liner will not be opened, x-rayed, analyzed, or otherwise penetrated.

Under the supervision of two Kiosk Drop-Off Site employees, the Service Technicians will package the sealed inner liner for shipping. The unique identifier of the inner liner will be matched to the tracking number on the shipping label. The Service Technician will schedule a pickup from the Carrier to be completed within a few business days and leave the packaged, sealed inner liner with the Kiosk Drop-Off Site Host for storage in compliance with all applicable laws, regulations, and other legal requirements until Carrier pickup.

Vendor will prepare the materials for shipment and perform applicable pre-transportation functions to comply with Department of Transportation (DOT) Hazardous Materials Regulations.

5. Frequency of Pick-Up

Initially, all Kiosk Drop-Off Site Hosts not previously hosting a kiosk will be scheduled for a monthly pick-up from the kiosk. MED-Project will communicate with the Kiosk Drop-Off Site Host in the event the frequency of pick-up needs to be changed based on the volumes collected over time. Vendor will monitor volumes collected per service to ensure that all sites are receiving the appropriate service frequency. Vendor will manage pick-up services as frequently as necessary to prevent overflow of the kiosk without providing unnecessary interruption to the participating Kiosk Drop-Off Site. Moreover, Vendor will monitor the weight of Unwanted Medicine generated at each participating Kiosk Drop-Off Site.

6. Procedures if a Kiosk is Full Prior to Scheduled Pick-Up

The Kiosk Drop-Off Site Host shall be instructed to lock the drop-slot to the kiosk when the kiosk is full and notify MED-Project of the need for service if prior to the scheduled service date.

Vendor shall provide a network of trained Service Technicians. Vendor will direct service to a trained Service Technician who is in closest proximity to the Kiosk Drop-Off Site requesting the service. This process provides for a timely response to Kiosk Drop-Off Sites requiring service prior to the scheduled date.

Service timelines will be assessed based on the specific characteristics of the Kiosk Drop-Off Site's need. If necessary, Vendor will be able to respond within hours of the request. If the request does not require an urgent response, Vendor will plan the response within two to three business days of the request. Vendor will not exceed one business week from the initial request. In the interim, pharmacy Kiosk Drop-Off Site Hosts shall be instructed to secure the kiosk and its contents in accordance with DEA requirements.

7. Unplanned Event Preparedness

Vendor maintains a network of emergency responders that can be called on in the case of an emergency or spill incident. Vendor ensures compliance of all service providers through a business confidential qualification process. This process reviews the compliance history, management structure, financial stability, and other key indicators of a reliable emergency response service provider. Emergency responders will bring all equipment necessary to manage the specific needs of the Kiosk Drop-Off Site requiring an emergency response.

A major event, such as a flood, earthquake or fire, may require a response by a service team. This event can jeopardize the security characteristics of the kiosk as well as the structural integrity of the participating location. The team will assess the safety of the area along with the locations to be serviced. Once it is determined the area is safe for access, the team will work to secure the kiosk and remove its contents.

Along with major event preparedness, Vendor provides timely responses to events that may cause an inconvenience to the Kiosk Drop-Off Site Host. An example of this kind of event would be if the kiosk is giving off an odor prior to the scheduled service date. The Kiosk Drop-Off Site Host will contact MED-Project via the dedicated phone number or email address. Vendor is able to respond within two to three hours in most cases when notified of a need for an urgent response. If the request is an emergency that poses an immediate threat to the environment or health, the Kiosk Drop-Off Site Host is advised to call 911. If the request is not urgent or an emergency, Vendor will typically respond to a service location within two to three business days of an event not requiring an urgent response.

In addition, personal items that a resident inadvertently drops into a kiosk (i.e. dentistry, watch, keys, wallet, etc.) will not be retrieved and will not be treated as an unplanned event.

C. Take-Back Events

Ninety days after Plan approval, MED-Project will conduct a gap assessment of signed agreements with Kiosk Drop-Off Site Hosts. Thirty days after the gap assessment, MED-Project will schedule quarterly Take-Back Events at three locations in any supervisorial district where the collection system requirement is not met through signed Kiosk Drop-Off Site agreements.

Federal, state, tribal, or local law enforcement shall oversee all Take-Back Events. If possible, MED-Project will work to conduct the Take-Back Events in coordination with other scheduled events (*i.e.*, Earth Day celebrations, Health and Wellness Fairs) to maximize convenience to Residents. Targeted events can be viewed in [Appendix F](#). In situations where a location in the Supervisorial District is not available, MED-Project will work with the participating LEA to host the event at other locations available to the public.

Due to the continuously changing schedule of Take-Back Events, the list of take-back dates and locations will be maintained on the MED-Project website as events are scheduled.

1. Method

Hosting of Take-Back Events is contingent upon participation and oversight by contracted LEAs. MED-Project will work with participating LEAs to ensure Take-Back Events are compliant and successful. Events will be promoted and communicated to the public through local communication channels as outlined in [Appendix G](#).

The process of conducting Take-Back Events will meet all applicable laws, regulations, and other legal requirements. MED-Project will contract with LEAs to oversee Take-Back Events. These contracts will provide for the collection, transportation, and disposal of Unwanted Medicine from Take-Back Events and ensure that all requirements of participating LEAs are met. MED-Project will work with LEAs to accommodate any reasonable requirements.

2. Procedures

MED-Project will partner with LEAs to ensure that at least one law enforcement officer oversees collection at all Take-Back Events pursuant to DEA Rule § 1317.65(a), (b). The law enforcement officers will maintain control and custody of all Unwanted Medicine collected at Take-Back Events from collection until secure transfer, storage, or destruction of the Unwanted Medicine, as required by § 1317.65(b). Only ultimate users and persons authorized to dispose of an ultimate user decedent's property in lawful possession of controlled substances in Schedules II-V may transfer these substances to the LEA during the event. § 1317.65(e). No other person will handle controlled substances at Take-Back Events under § 1317.65(e); however, Vendor may assist LEAs in the collection of Unwanted Medicine at Take-Back Events. See DEA Rule at 53539.

Take-Back Events will typically be staffed by at least two Vendor employees. Vendor will work in coordination with MED-Project and LEAs to monitor and ensure collection of all material at Take-Back Events is compliant with all applicable laws, regulations, and other legal requirements and meets the expectations of the planned event. Vendor will work in conjunction with local law enforcement to ensure all material is placed in a compliant collection receptacle and securely shipped to meet all applicable laws, regulations, and other legal requirements. Any material that is not Unwanted Medicine or does not meet legal requirements will be rejected.

Vendor and the LEA will maintain all records of removal, storage, or destruction of the collected Unwanted Medicine in a manner consistent with the LEA's recordkeeping requirements for illicit controlled substances evidence pursuant to § 1317.35. Any collected Unwanted Medicine will be stored to prevent the diversion of controlled substances and consistent with the LEA's standard procedures for storing illicit controlled substances. Any storage of Unwanted Medicine by Vendor will also comply with the applicable

security requirements of §§ 1301 and 1317, including the requirement that Unwanted Medicine is securely stored in a manner consistent with the security requirements for Schedule II controlled substances.

Vendor will package Unwanted Medicine inner liners, match the unique inner liner identifier to shipping labels, and prepare the inner liners for shipment in compliance with all applicable laws, regulations, and other legal requirements. Collected material will be weighed following the completion of each event. With the sealed inner liners remaining under the control and custody of the LEA, Vendor will assist the LEA with the transportation of the sealed inner liners to the LEA's facility. Vendor will schedule a pickup from the LEA facility to take place within a few business days of the event.

D. Disposal of Unwanted Medicine

Vendor and Carrier shall manage the Unwanted Medicine from Kiosk Drop-Off Sites and Take-Back Events in compliance with all applicable laws, regulations, and other legal requirements. Carrier shall deliver Unwanted Medicine collected from Kiosk Drop-Off Sites and Take-Back Events to the reverse distributor facility identified in Section X.C.1.

All Unwanted Medicine will be destroyed no later than 30 calendar days after receipt at the reverse distributor facility from the Carrier. See Section X.C. for additional details.

All inner liners will be destroyed in accordance with all applicable laws, regulations, and other legal requirements at the disposal facility identified in Section X.C.2.

E. Unwanted Medicine Mail-Back Services

MED-Project will provide Mail-Back Services for Unwanted Medicine at no cost to disabled and home bound Residents. MED-Project will also offer Mail-Back Services to all Residents in supervisorial districts where the required number of Kiosk Drop-Off Sites have not yet been obtained through agreements signed by Kiosk Drop-Off Site Hosts. Mail-back packages will be pre-paid and pre-addressed, and Mail-Back Services will comply with all applicable laws, regulations, and other legal requirements.

1. Mail-Back Services for Unwanted Medicine

Pursuant to DEA Rule § 1317.70(c), the mail-back packages for all Unwanted Medicine will be:

- Nondescript and without any markings or information potentially indicating that they contain Unwanted Medicine, including controlled substances;
- Water and spill-proof, tamper-evident, tear-resistant, and sealable;
- Pre-addressed with and delivered to Vendor's registered address;
- Pre-paid;
- Provided with a unique identifier enabling tracking; and
- Provided with instructions indicating the process for mailing back the packages, a list of accepted substances, a notice about mailing restrictions, and a notice that only packages provided by Vendor will be accepted for destruction.

Ultimate users and persons lawfully entitled to dispose of an ultimate user decedent's property will not be required to provide any personally identifiable information when using Mail-Back Services to dispose of Unwanted Medicine. See § 1317.70(d). As required under § 1317.70(e), Vendor will only accept mail-back packages it made available (or packages lawfully forwarded under DEA requirements). Within three business days of receipt, Vendor will notify the DEA if it receives mail-back packages likely containing controlled substances that Vendor did not make available or did not agree to receive pursuant to DEA requirements. In accordance with § 1317.70(f), when mail-back packages are received, only Vendor employees will handle the mail-back packages. Mail-back packages will not be opened, x-rayed, analyzed, or otherwise penetrated upon receipt by Vendor. See § 1317.70(f). Vendor and MED-Project will keep all records required under the DEA Rule, including those identified in § 1304.22(f).

See [Appendix H](#) for a sample package and package specifications.

2. Mail-Back Package Availability

Disabled and home bound Residents may request mail-back packages for Unwanted Medicine by calling the call center or through a link on the MED-Project website. Upon such request, mail-back packages complying with all applicable federal, state, and local laws, regulations, and other legal requirements will be shipped to Residents within 5 to 10 business days.

Mail-back packages will contain an insert with instructions for use and information about other options for disposing of Unwanted Medicine in the Available Languages. See [Appendix H](#) for a sample package insert.

Ninety days after Plan approval, MED-Project will conduct a gap assessment of established Kiosk Drop-Off Sites. If fewer than the required number of sites have been obtained through agreements signed by Kiosk Drop-Off Site Hosts in any supervisorial district in the unincorporated areas of the County, MED-Project will supplement Kiosk Drop-Off Sites by offering Mail-Back Services to all Residents in the supervisorial district. Until MED-Project has signed agreements with three Kiosk Drop-Off Site Hosts in the supervisorial district, MED-Project will communicate via website and social media to Residents in the district notifying them of the opportunity to request a mail-back package through the MED-Project call center or website. Once agreements have been signed with three Kiosk Drop-Off Site Hosts within a district, MED-Project will offer Mail-Back Services only to disabled and home bound Residents.

3. Mail-Back Package Collection and Disposal

Requests to receive mail-back packages will be taken through the call center or a link on the MED-Project website.

Residents will be directed to follow the instructions provided in the mail-back package and to place their Unwanted Medicine in the pre-addressed/pre-paid package. The United States Postal Service estimates up to three business days for delivery of First Class Mail. The mail-back package shall be sent to an approved disposal facility and handled in compliance with all Applicable Laws. Upon arriving at the medical waste disposal facility listed in Section X.F, the mail-back packages will be scanned for verification of receipt and incinerated. Any storage of filled mail-back packages by Vendor will comply with the applicable security requirements of DEA Rule Section 1317, including the requirement that Unwanted Medicine is securely stored in a manner consistent with the security requirements for Schedule II controlled substances. All Unwanted Medicine will be destroyed promptly.

VI. Plan and Collection Goals

The short- and long-term goals of the Plan are described generally as follows. Additional detail on implementation is provided in Section V.A.2.

MED-Project anticipates that establishment of Kiosk Drop-Off Sites will begin within 90 days of approval of the Plan. Once all drop-off locations are fully operational, the program expects to collect approximately 360 pounds per Kiosk Drop-Off Site during each calendar year, based on collection totals in other jurisdictions. Assuming 15 Kiosk Drop-Off Sites are operational for a full year, MED-Project anticipates collecting approximately 5,400 pounds of Unwanted Medicine from Kiosk Drop-Off Sites in 2019. See section V.B. for more information about Kiosk Drop-Off Site collection.

Until the collection system requirement is met, MED-Project anticipates supplementing Kiosk Drop-Off Sites through Mail-Back Services and Take-Back Events. Based on Take-Back Event collection totals in other jurisdictions, MED-Project anticipates collection of 50 to 200 pounds of Unwanted Medicine per Take-Back Event.

MED-Project mail-back packages have a capacity of 8oz. per package. Due to the lack of information available from current MED-Project Programs, MED-Project's estimated collection totals in 2018 could vary based on actual usage. Collection in 2018 will be used to adjust subsequent years' collection goals.

Data from 2018 will be utilized to establish baseline collection and estimate collection goals for future years.

Anticipated Collection Amounts (Lbs.):		
	2018	2019
Kiosk Drop-Off Sites	1,000	5,400
Take-Back Events & Mail-Back	500	N/A
Pounds Collected	1,500	5,400

Goal Area	Short-Term	Long-Term
Collection	Approximately 1,500 pounds of Unwanted Medicine collected through Kiosk Drop-Off Sites, Mail-Back Services, and Take-Back Events.	Approximately 5,400 pounds of Unwanted Medicine collected through Kiosk Drop-Off Sites, Mail-Back Services, and/or Take-Back Events. Increased reliance on established Kiosk Drop-Off Sites and limited or no collection through Take-Back Events or Mail-Back Services.
Education & Promotion	<p>Develop baseline number of website page views or unique visitors.</p> <p>Establish a baseline of LEAs; retail pharmacies; other pharmacies (healthcare, etc.); community groups; and other third parties contacted, and report appropriate statistics as outlined in the Annual Report section of this Plan.</p> <p>Establish a baseline number of media outlets receiving press advisory, with a minimum of five outlets.</p> <p>Establish a baseline percentage of community centers reached.</p> <p>Establish a baseline number of messages to MED-Project returned within predetermined timeframe.</p>	<p>On an ongoing basis, MED-Project may revise and/or add communications materials based on changes to the Plan.</p> <p>MED-Project will evaluate media and public outreach in order to make adjustments and improvements to the Program. The review will consider percent awareness of the Stewardship Plan, assess to what extent Kiosk Drop-Off Sites and other collection methods are convenient and easy to use, and assess knowledge and attitudes about risks of abuse, poisonings, and overdoses from prescription and nonprescription medicines used in the home. A summary of this review will be included in the annual report.</p>

VII. Patient Privacy

Instructions at each Kiosk Drop-Off Site Host location will inform people who deposit Unwanted Medicine that they should completely cross out, remove, or otherwise make unreadable all personally identifiable information on the drug containers and packaging before depositing them in the kiosk. In cases where people follow the instructions, there will be no personally identifiable information.

In addition to kiosk signage, all MED-Project promotional and educational materials encourage residents to protect their information by ensuring that identifiable information is not present before depositing containers into kiosks. Examples of MED-Project brochures, signage, and website materials are available in [Appendix E](#) and [Appendix J](#).

Vendor has additional protections available for keeping residents' personal identifiable information safe and secure. Service Technicians are well trained in managing items containing sensitive patient information. Privacy training is part of a Service Technician's prerequisite for field services. As added protection, the liners for the kiosk will be opaque rather than clear, in compliance with the DEA Rule. This will prevent anyone, including the Service Technician, from seeing any information on the containers placed in the kiosks.

Materials to help Residents cross out any personally identifiable information will also be available at Take-Back Events. This will ensure any patient information on drug packaging will be unreadable.

VIII. Call Center

Questions from Residents will be managed by a call center with an interactive voice response (IVR) system and the support of an operator available during business hours of 9:00am to 5:00pm PST Monday through Friday. If the operator is unavailable, a caller will be able to leave a message to which the operator will respond. All operators shall be trained to respond based on the requirements set by MED-Project.

The IVR will answer general questions, including questions on the following topics:

1. Items that can be disposed;
2. Disposal options;
3. Direction to the Program website and call center operators for additional information; and
4. How to request mail-back packages.

Because the list of Kiosk Drop-Off Sites and Take-Back Events is subject to change, Residents will be directed to the MED-Project website or to an operator for detailed information about kiosk locations and service hours and Take-Back Event times and locations.

IX. Training

Operational procedures, including training, are the responsibility of the Kiosk Drop-Off Site. MED-Project will support training if agreed to with the Kiosk Drop-Off Site. Additionally, MED-Project will manage a support hotline to answer questions and monitor comments for participating Kiosk Drop-Off Sites.

The support hotline will support two general communication functions:

1. Answer questions and monitor comments from participating Kiosk Drop-Off Site Hosts.
2. Support and direct service requests from participating Kiosk Drop-Off Sites.

Messages received from Kiosk Drop-Off Sites will be returned within one business day.

Vendor will comply with all applicable laws, regulations, and other legal requirements. Vendor's internal training process will address the following:

- Onboarding & on-truck observation of job functions;
- DOT Training;
- DEA Training;
- United States Environmental Protection Agency ("EPA") Waste Characterization;
- Occupational Safety and Health Administration ("OSHA") Training;
- Waste Handling Demo;
- Truck Operation;

- DEA Handling Demo;
- Health Insurance Portability and Accountability Act (“HIPAA”) requirements;
- OSHA Bloodborne Pathogens Standard;
- Review & Written Test; and
- Perform work under supervision to demonstrate proficiency prior to certification to service client accounts.

A. Service Technician Training

The Service Technicians handling, collecting, and transporting the Unwanted Medicine will complete comprehensive training under the direction of a Certified Hazardous Materials Manager certified Senior Environmental Health and Safety Manager. This training includes instruction on:

- DOT hazardous materials requirements;
- EPA waste characterization requirements;
- Resource Conservation and Recovery Act (“RCRA”) hazardous waste requirements;
- DEA controlled substances transfer protocols;
- OSHA requirements; and
- HIPAA requirements.

Service Technicians must complete a 24 or 40-hour Hazardous Waste Operations and Emergency Response Standard (“HAZWOPER”) course. Additionally, Service Technicians must complete annual refresher training that includes an 8-hour training on DOT, HAZWOPER, HIPAA, OSHA, RCRA, and safety and security. Finally, Service Technicians receive ongoing training in the form of daily “tips”, weekly meetings, and online refresher courses. All Vendor employees servicing Take-Back Events or Kiosk Drop-Off Sites or receiving mail-back packages will have a training base similar to that of Service Technicians, with customized training as needed.

X. Transporter and Disposal Facility Information

A. Vendor for Kiosk Drop-Off Sites and Take-Back Events

- Name: **Stericycle Specialty Waste Solutions, Inc.** will service Kiosk Drop-Off Sites and Take-Back Events.
- Address: 2850 100th Court NE Blaine, MN 55449
- Phone: (612) 285-9865
- Website: www.stericycleenvironmental.com

B. Transporter of Unwanted Medicine from Kiosk Drop-Off Sites and Take-Back Events

1. Carrier

- Name: **United Parcel Service, Inc.** will transport Unwanted Medicine from Kiosk Drop-Off Sites to the Stericycle, Inc., Indianapolis, Indiana Facility. United Parcel Service, Inc. may also be used to transport Unwanted Medicine from Take-Back Events to the Stericycle, Inc., Indianapolis, Indiana Facility.
- Address: 55 Glenlake Parkway NE, Atlanta, GA, 30328
- Phone: (800) PICK-UPS
- Website: www.UPS.com/

2. Transporter 1

- Name: **Heritage Transport** may be used to transport Unwanted Medicine from the Stericycle, Inc., Indianapolis, Indiana Facility to Heritage Thermal Services – Ohio.
- Address: 1626 Research Way, Indianapolis, IN 46231
- Phone: (317) 486-2973

- Website: <http://www.heritage-enviro.com/>

3. Transporter 2

- Name: **Stericycle Specialty Waste Solutions, Inc.** Stericycle Specialty Waste Solutions, Inc. may be used to transport Unwanted Medicine from the Stericycle, Inc., Indianapolis, Indiana Facility to Veolia-Port Arthur.
- Address: 2850 100th Court NE Blaine, MN 55449
- Phone: (612) 285-9865
- Website: www.stericycleenvironmental.com

C. Reverse Distributor and Disposal Facility for Unwanted Medicine from Kiosk Drop-Off Sites and Take-Back Events

1. Reverse Distributor Facility

- Name: **Stericycle, Inc., Indianapolis, Indiana Facility** will receive Unwanted Medicine from the Carrier.
- Address: 2670 Executive Drive, Suite A, Indianapolis, IN 46241-9901
- Phone: (317) 275-7530
- Website: <http://www.stericycle.com/>

2. Disposal Facility 1

- Name: **Heritage Thermal Services – Ohio** will incinerate Unwanted Medicine received from the Stericycle, Inc., Indianapolis, Indiana Facility.
- Address: 1250 Saint George Street, East Liverpool, Ohio, 43920
- Phone: (800) 545-7655
- Website: <http://www.heritage-thermal.com/>

3. Disposal Facility 2

- Name: **Veolia – Port Arthur** will incinerate Unwanted Medicine as an alternative disposal facility to Heritage Thermal Services - Ohio.
- Addresses: 7665 Texas Highway 73, Beaumont, TX 77705.
- Phone: (409) 736-2821
- Website: www.veolianorthamerica.com

D. Vendor for Mail-Back Services

- Name: **Stericycle Specialty Waste Solutions, Inc.** will provide mail-back packages.
- Address: 2850 100th Court NE Blaine, MN 55449
- Phone: (612) 285-9865
- Website: www.stericycleenvironmental.com

E. Shipper of Mail-Back Packages

- Name: **United States Postal Service** will ship mail-back packages to the Stericycle, Inc. Warren, Ohio.
- Address: 475 L'Enfant Plaza, S.W. Washington, DC 20260
- Phone: (202) 268-2000
- Website: www.USPS.com/

F. Disposal Facility for Mail-Back Packages

- Name: **Stericycle, Inc. Warren, Ohio** will incinerate the mail-back packages from United States Postal Service
- Address: 1901 Pine Avenue, S.E., Warren, OH 44483
- Phone: (330) 393-0370

- Website: www.stericycle.com/service-locations/ohio/warren

XI. Unwanted Medicine Educational and Outreach Programming

A. Overview

The following communications plan includes a description of the public education and outreach efforts that MED-Project will undertake to educate Residents about the collection and disposal of Unwanted Medicine from households.

While MED-Project operates an education and outreach program specific to each individual Plan, MED-Project websites, signage, and printed material will provide consistent branding across all counties to the extent possible.

B. Audiences

To effectively educate the public about the Plan, MED-Project has developed a comprehensive communications campaign featuring both broad communications tactics (*e.g.*, media advisories, etc.) as well as targeted outreach to audiences directly involved in the distribution and use of medicines to Residents. These audiences include:

- General public
- Pharmacies and Retailers of Covered Drugs
- Health care providers
- Veterinary providers
- Public health facilities
- Law enforcement agencies

This Plan details efforts to reach the varied cultural, geographic, and age demographics, including through outreach to local media ([Appendix G](#)); outreach to community organizations serving a broad range of audiences ([Appendix B](#)); and availability of educational information through a broad range of channels, including a toll-free call center, broadcast media, and the internet.

Demographic information, including race/ethnicity, age, and geographic data, will be analyzed to appropriately direct outreach and create educational materials to best serve the unique needs of Residents. Efforts to ensure that materials are appropriately targeted and available to these populations will be pursued with associations, agencies, and organizations that can be viewed in [Appendix B](#).

C. Messages

MED-Project messaging will focus on the following goals:

- Educating Residents about the appropriate use, storage, and disposal of Unwanted Medicine,
- Educating Residents about the availability of Mail-Back Services and Take-Back Events, and
- Providing Residents with clear steps to properly manage the disposal of their Unwanted Medicine, including following instructions found on the medicine label, use of Kiosk Drop-Off Sites, use of available Mail-Back Services, and availability of Take-Back Events.

Key points of emphasis will include:

- The importance of taking medicines as prescribed by your health care provider;
- The importance of adhering to and completing your provider-prescribed therapy;
- The importance of properly and securely storing medicines locked, out of reach of children, and inaccessible to visitors;
- The importance of promptly and properly disposing of Unwanted Medicine;

- How to find and use Kiosk Drop-Off Sites;
- How to properly use the Mail-Back Services provided;
- How to properly dispose of Unwanted Medicine; and
- Privacy issues (removing personally identifiable information from labeled prescription containers).

D. Tools/Communications Channels

The Program will include several components designed to reach Residents and provide consistent access to timely and relevant information. Distribution of materials will include audiences such as LEAs, pharmacies, health care providers and systems, health associations, local government agencies, and other community organizations and will be evaluated regularly for effectiveness. Tools and communication channels will include:

1. Phone

MED-Project will provide a toll-free telephone number (1-844-MED-PROJ) for Residents to obtain information about Kiosk Drop-Off Sites, educational materials, and other aspects of the Program. The toll-free number will provide:

- The MED-Project toll-free telephone line will provide an option for callers to be transferred to a staffed call center.
- A recorded-line script at 1-844-MED-PROJ will provide basic information about how the Program works, where to obtain more information (e.g., the website), and will also include an option to talk with an operator to find a Kiosk Drop-Off Site, request Mail-Back Services, or find a Take-Back Event in the caller's ZIP code or local area.
- The recorded call script will include language directing callers with medical emergencies to call 911. Patients with medication-related questions will be directed to contact their health care provider(s).

Please *see* [Appendix I](#) for a sample template of the recorded call script.

2. Website

MED-Project is developing a mobile-friendly website with translations in the Available Languages. Information available to users will include locations of Kiosk Drop-Off Sites, educational materials, frequently asked questions and responses, Mail-Back Services information, and Take-Back Event dates and locations.

- The Plan includes a sample mockup of the website and its supporting pages. [Appendix J](#) provides a proof of concept for each page.
- The website will also include access to a public relations toolkit in a downloadable format (*see* Section XI.D.3) and contact information for Residents. A toolkit available on the website includes a brochure ([Appendix K](#)) and a frequently asked questions (FAQ) document ([Appendix K](#)) which will be reviewed and updated periodically. Translations of the brochure and FAQ will be available in the Available Languages
- Community and government organizations and other public interest groups seeking materials to promote the Program will be encouraged to access these resources.

3. Materials

Educational materials about the Program and describing how to properly dispose of Unwanted Medicine will be provided in the Available Languages through the website, potential third-party partners, community organizations, and at Kiosk Drop-Off Sites. These partners will include pharmacies, health care facilities, and veterinary facilities. MED-Project will also provide local governments and other interested parties with materials covering the proper disposal of Unwanted Medicine. Until the Collection system requirement has

been met, MED-Project will promote the Mail-Back Services through additional educational materials that will be made available to all Residents (*see Appendix K*).

The Plan includes a sample of the educational brochure ([Appendix K](#)) and media advisory promoting Take-Back Events ([Appendix L](#)). An additional sample brochure has been created to provide information regarding Mail-Back Services available to Residents ([Appendix K](#)). Educational materials use plain language and explanatory images to promote consumer education and collection options to Residents with limited English proficiency.

4. Media Outreach

The Program will conduct public outreach through media such as traditional and social media, posting of educational signage, and at community events. Public outreach through written materials will be conducted in the Available Languages. Outreach efforts will encourage media outlets and third-party groups to download and use the toolkit. MED-Project will coordinate outreach for scheduled Take-Back Events to promote participation. The following materials support the Unwanted Medicine educational and outreach programming:

- Please *see Appendix I* for a sample education and outreach call script with the toolkit, including flyers in [Appendix K](#) and website information included in [Appendix J](#).
- Please *see Appendix G* for a sample list of key media outlets.
- Please *see Appendix M* for a sample list of social media outlets.
- Please *see Appendix L* for a sample template media advisory announcing Take-Back Events.

5. Broadcast Outreach

MED-Project will utilize local television outlets to conduct outreach to Residents. Outreach will be conducted through local print, online, television, and radio outlets, as well as through outlets specifically targeting the diverse demographic communities within the County. Please *see Appendix G* for a sample media list of key outlets.

E. Collaboration with County Officials and Community Organizations

MED-Project will work in collaboration with the County as appropriate to build on existing community outreach resources, such as local organizations, media lists, available public media outlets, etc. MED-Project will conduct the following outreach efforts:

- *Briefing Materials Provided to Support Coordination with County Officials:*
 - MED-Project will provide access to Educational and Outreach Programming materials, including the sample brochure (*see Appendix K*), to relevant departments and officials.
- *Outreach through Community Organizations:*
 - MED-Project will further promote the Program by engaging relevant stakeholders and community organizations, for example, by providing community organizations identified in [Appendix B](#) with the toolkit included in [Appendix K](#).
- *Briefing Materials Provided to Support Collaboration with Home Health Care Providers.*
 - MED-Project will collaborate with home health care providers to promote the use of Mail-Back Services by disabled and homebound residents. MED-Project will provide home health care providers with the brochure included in [Appendix K](#).

F. Disclaimer

The written and verbal educational materials and public outreach tools that are required by the Ordinance and disseminated under this Product Stewardship Plan will include a disclaimer similar to the following: “This material has been provided for the purposes of compliance with legislation and does not necessarily

reflect the views of MED-Project or the Producers participating in the MED-Project Product Stewardship Plan.”

XII. Packaging

The Ordinance requires that a Plan consider “[s]eparation of covered drugs from packaging to the extent feasible to reduce transportation and disposal costs; and [r]ecycling of drug packaging to the extent feasible.” Ordinance §§ 418-16.208(h)(2) and 418-16.208(h)(3).

MED-Project has considered and evaluated options for the separation and recycling of drug packaging. Separating and recycling drug packaging collected under the Plan would require the management of separate waste streams at Kiosk Drop-Off Sites and Take-Back Events: a waste stream for drug packaging and a waste stream for the drugs themselves.

While drug packaging is expected to constitute a significant amount of the waste incinerated under the Plan, MED-Project has concluded that separation of inner and/or outer packaging from Unwanted Medicine or recycling packaging would raise three significant concerns:

1. Separating and recycling drug packaging could result in the disclosure of confidential patient information appearing on prescription drug packaging;
2. Separating and recycling drug packaging could increase the potential of releases and leakage of Unwanted Medicine; and
3. Separating and recycling drug packaging could increase diversion risks by adding additional steps to the collection process and because drug packaging is used in drug counterfeiting and would be a diversion target itself.

For these reasons, the Plan does not provide for the separation and recycling of packaging from Unwanted Medicine.

MED-Project education and outreach materials instruct Residents to return Unwanted Medicine at a Kiosk Drop-Off Site, via Mail-Back Services, or at a Take-Back Event in its original container or in a sealed bag. These materials encourage Residents who transfer their Unwanted Medicine in a sealed bag to recycle all remaining packaging.

XIII. Compliance with Applicable Laws, Regulations, and Other Legal Requirements

The Ordinance requires that a Product Stewardship Plan describe how all entities participating in the Program will comply with all applicable laws, regulations, and other legal requirements. Ordinance § 418-16.208(e)(2). As described in more detail below, the Plan is designed such that all entities participating in the Program shall comply with all applicable laws, regulations, and other legal requirements.

A. DEA Controlled Substances Act and Implementing Regulations

On October 12, 2010, the United States Congress enacted the Secure and Responsible Drug Disposal Act of 2010 (“Disposal Act”) as amendments to the Controlled Substances Act (“CSA”). The Disposal Act amended the CSA to allow for the expansion of entities to which users can deliver pharmaceutical controlled substances for disposal, subject to regulations to be promulgated. On September 9, 2014, the DEA adopted a rule entitled “Disposal of Controlled Substances” to implement the Disposal Act.

Under the DEA Rule, collection of controlled substances is limited to Schedule II, III, IV, or V controlled substances that are lawfully possessed by an ultimate user or person entitled to dispose of an ultimate

user decedent's property. *See* DEA Rule §§ 1317.75(b) (Kiosk Drop-Off Sites)³; 1317.65(d) (Take-Back Events); 1317.70(b) (Mail-Back Services). Schedule I controlled substances, controlled substances that are not lawfully possessed as described above, and other illicit or dangerous substances will not be collected. Additionally, as these provisions of the DEA Rule limit collection of controlled substances to those lawfully possessed by an ultimate user or certain other persons, pharmacies are prohibited from disposing their own inventory or stock through the Program. *See id.*; *see also* § 1317.05.

The DEA Rule provides that LEAs can continue to accept controlled substances for disposal. However, the DEA Rule also provides that pharmacies, reverse distributors, hospitals/clinics with on-site pharmacies, and certain other entities, can register with the DEA as “collectors” and become authorized at their discretion on a voluntary basis to accept controlled substances. The DEA Rule:

- Provides for the collection of controlled substances at Kiosk Drop-Off Sites at LEAs, pharmacies, and hospitals or clinics with on-site pharmacies;
- Provides for collection of controlled substances at Take-Back Events;
- Provides for the use of mail-back programs to collect controlled substances;
- Allows for the commingling of controlled and non-controlled substances;
- Establishes detailed collection, recordkeeping, security, and other measures for all approved collection methods; and
- Provides that all collected pharmaceutical products be destroyed so that the products are rendered non-retrievable.

The Plan is designed such that all entities that are part of the Plan, including Vendor, are individually responsible to comply with their respective compliance obligations under the DEA Rule. Vendor will ensure that the transportation of Unwanted Medicines collected from Kiosk Drop-Off Sites and Take-Back Events, including controlled substances, complies with all DEA requirements, including those in § 1317.

Controlled substances collected pursuant to the Program may be commingled with non-controlled substances at Kiosk Drop-Off Sites, Take-Back Events, and through Mail-Back Services per the DEA Rule. *See* §§ 1317.75(b) (Kiosk Drop-Off Sites); 1317.65(d) (Take-Back Events); 1317.70(b) (Mail-Back Services).

1. DEA Registration Modification

Pursuant to 21 C.F.R. § 1301.51(b), pharmacies may modify their registrations to become authorized collectors by submitting a request to the DEA or online at www.DEAdiversion.usdoj.gov. This request must contain:

- The registrant's name, address, and registration number (as printed on the registration certificate);
- The collection methods the registrant intends to conduct; and
- A signature in accordance with § 1301.13(j).

See § 1301.51(b). MED-Project will consult with participating pharmacies, as requested, regarding how to modify DEA registrations to become authorized collectors.

A. United States Department of Transportation (USDOT)

When transporting Unwanted Medicine, Vendor will ensure compliance with the USDOT Hazardous Materials Regulations.

³ For Kiosk Drop-Off Site collection, only certain substances “that are lawfully possessed by an ultimate user or other authorized non-registrant person may be collected.” § 1317.75(b). This language is similar to, but slightly different than, provisions limiting collection at Take-Back Events and through Mail-Back Services to ultimate users or other persons (lawfully) entitled to dispose of an ultimate user decedent's property. *See* §§ 1317.65(d); 1317.70(b).

B. California State Board of Pharmacy

On June 8, 2017, the California State Board of Pharmacy adopted the Board of Pharmacy Regulations, Article 9.1 of Division 17 of Title 16 of the California Code of Regulations. Largely based on the DEA Rule, the Board of Pharmacy Regulations establish requirements applicable to pharmacies, hospitals/clinics with on-site pharmacies, distributors, and reverse distributors conducting certain drug take-back services.

Among other things, the Board of Pharmacy Regulations provide:

- That California-licensed pharmacies and hospitals/clinics with on-site pharmacies must be in good standing with, and notify, the California Board of Pharmacy to host a drug kiosk. *See* 16 CCR §§ 1776, 1776.1(i).
- That pharmacies must “know and adhere” to all applicable “federal, state, and local requirements governing the collection and destruction of dangerous drugs” when operating a drug take-back program. *See* 16 CCR § 1776.1(b).
- Drug kiosk placement and monitoring requirements. *See* 16 CCR §§ 1776.3(b)-(d).
- Drug kiosk inner liner, container, and signage requirements. *See* 16 CCR §§ 1776.3(f), (h), (m).
- Inner liner handling, storage, and destruction requirements for drug kiosks. *See, e.g.*, 16 CCR §§ 1776.3(h)-(j), 1776.5(a)-(c).
- Pharmacy and reverse distributor recordkeeping requirements. *See* 16 CCR §§ 1776.5(e)-(f), 1776.6.
- Pharmacy drug mail-back program requirements. *See* 16 CCR § 1776.2.

The Plan is designed such that all entities that are part of the Plan, including Vendor, are individually responsible for complying with their respective compliance obligations under the Board of Pharmacy Regulations.

XIV. Annual Report

The first annual report will be submitted for the 2018 partial operating year and 2019 operating period by July 1, 2020. An annual report will be provided to the Health Department within six months of the end of the subsequent 12-month period of operation and annually thereafter. Ordinance § 418-16.218.

For the reporting period, the report will include:

- A list of producers participating in the Plan;
- The amount, by weight, of Unwanted Medicine collected from Kiosk Drop-Off Sites and Take-Back Events. For Mail-Back Services, MED-Project will identify the number of mail-back packages destroyed;
- A list of Kiosk Drop-Off Sites;
- The number of mailers provided;
- The dates and locations of Take-Back Events held, if applicable;
- Transporters used;
- All facilities to which Unwanted Medicine was transported;
- Whether any safety or security problems occurred during collection, transportation, or disposal of Unwanted Medicine and, if so, what changes have been made or proposed to alleviate the problem;
- A description of public education and promotion activities;
- A summary of the Product Stewardship Plan’s goals, the degree of success meeting these goals in the past year, and how these goals will be achieved in the next year if they were not met; and
- The total expenditures of the Program.

Appendix A

MED-Project Participants

The list of participating Producers in MED-Project's Program in Contra Costa County is provided to the County on an ongoing basis. The list was last submitted in conjunction with this plan.

Appendix B

Sample Contact List for Outreach and Education to the Community

The following are associations, agencies, and organizations that will be contacted for assistance with outreach and education to the community.

Health Systems & Clinics:

Contra Costa Regional Medical Center
West County Health Center
John Muir Medical Center, Walnut Creek
John Muir Health, Concord Medical Center
Sutter Delta Medical Center
San Ramon Regional Medical Center
Contra Costa County Hospital
Antioch Convalescent Hospital
Alta Bates Summit Medical Center Berkeley
Campus
Sutter East Bay Medical Foundation
UCSF Benioff Children’s Hospital Oakland
Kaiser Permanente

Health Associations and Societies:

Contra Costa Meds Coalition
Contra Costa Dental Society
Alameda Contra Costa Medical Association
California State Board of Pharmacy
California Pharmacists Association
Medical Board of California
California Board of Registered Nursing
California Nurses Association
California Department of Healthcare Services
California Health and Human Services Agency

Organizations, Districts, and Agencies:

Contra Costa County
Contra Costa County Sheriff
Contra Costa Fire Protection District
Contra Costa County Office of Education
Contra Costa Public Health Division
Contra Costa Behavioral Health & AOD Division
Antioch Police Department
Brentwood Police Department
Clayton Police Department
Concord Police Department
Danville Police Department
East Bay Regional Park Police
El Cerrito Police Department
Hercules Police Department
Kensington Police Department
Lafayette Police Department
Martinez Police Department
Moraga Police Department
Oakley Police Department
Orinda Police Department
Pinole Police Department
Pittsburg Police Department
Pleasant Hill Police Department
Richmond Police Department
San Pablo Police Department
Walnut Creek Police Department

Appendix C

Kiosk Drop-Off Sites with Expressions of Interest

MED-Project will provide the County with a list of participating Kiosk Drop-Off Sites on an on-going basis.

Below is a list of locations that have expressed interest in participating as a Kiosk Drop-Off Site. The pharmacy and LEA responses below reflect information provided by the sites surveyed as of November 24, 2017. Chain pharmacy interest expressed was at the local pharmacy level. Chain pharmacy participation could be contingent upon agreement with regional and national offices. MED-Project will continue to outreach and work within the corporate structure where applicable.

Type	Site Name	Address	City
RX	ADVANCE MEDICAL PHARMACY	112 LA CASA VIA #100	WALNUT CREEK
RX	BACON EAST PHARMACY	2425 EAST STE., STE 5	CONCORD
RX	BSB VETERINARY CORP D.B.A. PET VALUE MART	2465 SALVIO ST, SUITE B	CONCORD
RX	CAREZONE PHARMACY	860 HARBOUR WAY SOUTH, STE E	RICHMOND
RX	CENTRAL PHARMACY	2300 MACDONALD AVE	RICHMOND
RX	CITY CENTER PHARMACY BRENTWOOD INC	50 EAGLE ROCK WAY STE C	BRENTWOOD
RX	CITY CENTER PHARMACY INC	1270 E LELAND RD #102	PITTSBURG
RX	CONTRA COSTA REG MED CTR HSP PHY	2500 ALHAMBRA AVE	MARTINEZ
RX	CONTRA COSTA REG MED CTR OUTPATIENT PHY	2500 ALHAMBRA AVE BLDG 1	MARTINEZ
RX	COSTCO PHARMACY #1002	2201 VERNE ROBERTS CIRCLE	ANTIOCH
RX	COSTCO PHARMACY #21	3150 FOSTORIA WAY	DANVILLE
RX	COSTCO PHARMACY #482	4801 CENTRAL AVE	RICHMOND
RX	COSTCO PHARMACY NO 663	2400 MONUMENT BLVD	CONCORD
RX	CUSTOM CARE COMPOUNDING PHARMACY	124 MARKET PLACE	SAN RAMON
RX	CVS PHARMACY #4326	4028 LONE TREE WAY	ANTIOCH
RX	CVS/PHARMACY # 16117	560 CONTRA COSTA BLVD	PLEASANT HILL
RX	CVS/PHARMACY # 16118	4301 CENTURY BLVD	PITTSBURG
RX	CVS/PHARMACY # 16222	1400 FITZGERALD DR	PINOLE
RX	CVS/PHARMACY # 16365	2610 BISHOP DR	SAN RAMON
RX	CVS/PHARMACY # 16563	1871 N MAIN ST	WALNUT CREEK
RX	CVS/PHARMACY # 16837	4500 MACDONALD AVE	RICHMOND

Type	Site Name	Address	City
RX	CVS/PHARMACY # 16940	5769 LONE TREE WAY	ANTIOCH
RX	CVS/PHARMACY #09509	4424 TREAT BLVD	CONCORD
RX	CVS/PHARMACY #09511	1175 2ND ST	BRENTWOOD
RX	CVS/PHARMACY #09536	490 MARKET PLACE	SAN RAMON
RX	CVS/PHARMACY #09545	1123 S CALIFORNIA BLVD	WALNUT CREEK
RX	CVS/PHARMACY #09565	14830 HIGHWAY 4	DISCOVERY BAY
RX	CVS/PHARMACY #09800	650 SAN RAMON VALLEY BLVD	DANVILLE
RX	CVS/PHARMACY #09815	738 BANCROFT RD	WALNUT CREEK
RX	CVS/PHARMACY #09827	5408 YGNACIO VALLEY RD	CONCORD
RX	CVS/PHARMACY #09868	2455 SAN RAMON VALLEY BLVD	SAN RAMON
RX	CVS/PHARMACY #09875	230 ATLANTIC AVE	PITTSBURG
RX	CVS/PHARMACY #09938	3625 MT DIABLO BLVD	LAFAYETTE
RX	CVS/PHARMACY #09939	50 MORAGA WAY	ORINDA
RX	CVS/PHARMACY #09989	6668 ALHAMBRA AVE	MARTINEZ
RX	CVS/PHARMACY #09991	3158 DANVILLE BLVD	ALAMO
RX	CVS/PHARMACY #3053	10650 SAN PABLO AVE	EL CERRITO
RX	CVS/PHARMACY #3078	2151 MEEKER AVE	RICHMOND
RX	CVS/PHARMACY #4283	3171 BALFOUR RD	BRENTWOOD
RX	CVS/PHARMACY #6526	6490 CLAYTON RD	CLAYTON
RX	CVS/PHARMACY #9086	670 EL CERRITO PLAZA	EL CERRITO
RX	CVS/PHARMACY #9203	580 MORAGA ROAD	MORAGA
RX	CVS/PHARMACY #9238	2677 CLAYTON RD	CONCORD
RX	CVS/PHARMACY #9253	560 CENTER AVE	MARTINEZ
RX	CVS/PHARMACY #9296	3420 CAMINO TASSAJARA	DANVILLE
RX	CVS/PHARMACY #9299	1401 TARA HILL DR	PINOLE
RX	CVS/PHARMACY #9324	1914 TICE VALLEY BLVD	WALNUT CREEK
RX	CVS/PHARMACY #9348	9120 ALCOSTA BLVD	SAN RAMON
RX	CVS/PHARMACY #9372	1480-D MORAGA RD	MORAGA
RX	DIABLO PHARMACY	BISHOP RANCH 11	SAN RAMON

Type	Site Name	Address	City
RX	JOHN MUIR BEHAVIORAL HEALTH CENTER PHARMACY	2740 GRANT ST	CONCORD
RX	JOHN MUIR MEDICAL CENTER	1601 YGNACIO VALLEY ROAD	WALNUT CREEK
RX	JOHN MUIR MEDICAL CENTER CONCORD CAMPUS PHARMACY	2540 EAST STREET	CONCORD
RX	KAISER DELTA SQUARE PHARMACY	3670 DELTA FAIR BLVD	ANTIOCH
RX	KAISER FDN HSP INP PHY 12A	901 NEVIN AVENUE	RICHMOND
RX	KAISER FDN HSP INP PHY 51A	1425 SOUTH MAIN STREET	WALNUT CREEK
RX	KAISER FDN HSP INP PHY 54A	200 MUIR ROAD	MARTINEZ
RX	KAISER FOUND HOSPITAL PHRMCY #57A	4501 SAND CREEK RD 1ST FL RM 1374	ANTIOCH
RX	KAISER HEALTH PARK SHADELANDS PHY 501	320 LENNON LANE	WALNUT CREEK
RX	KAISER HEALTH PLAN YOSEMITE PHY 502	350 LENNON LANE YOSEMITE BUILDING	WALNUT CREEK
RX	KAISER HEALTH PLAN MAIN PHY 551	3400 DELTA FAIR BLVD	ANTIOCH
RX	KAISER HEALTH PLAN MOB 1 PHY 511	1425 SOUTH MAIN STREET	WALNUT CREEK
RX	KAISER HEALTH PLAN MOB PHARMACY 541	400 MUIR ROAD	MARTINEZ
RX	KAISER HEALTH PLAN SKYVIEW PHY 124	901 NEVIN AVENUE	RICHMOND
RX	KAISER MOB 2 2ND FLOOR PHY 512	1425 SOUTH MAIN STREET	WALNUT CREEK
RX	KAISER ONCOLOGY PHARMACY #573	4501 SAND CREEK RD 4TH FL	ANTIOCH
RX	KAISER OUTPATIENT HOSPITAL PHARMACY 123	901 NEVIN AVENUE MOB ADDITION	RICHMOND
RX	KAISER PERMANENTE PHARMACY #503	2880 SHADELANDS DR STE 201	WALNUT CREEK
RX	KAISER PERMANENTE PHARMACY #514	1425 S MAIN ST 2ND FL	WALNUT CREEK
RX	KAISER PERMANENTE PHARMACY #571	5601 DEER VALLEY RD	ANTIOCH
RX	KAISER PERMANENTE PHARMACY #572	4501 SAND CREEK RD 1ST FL RM 1125	ANTIOCH
RX	KAISER PERMANENTE PHARMACY #931	2300 CAMINO RAMON FL 1	SAN RAMON
RX	KAISER PERMANENTE PHARMACY NO 515	1425 SOUTH MAIN ST 1ST FL CENTRAL	WALNUT CREEK
RX	KAISER PERMANENTE PHRMCY 120	1301 PINOLE VALLEY RD 1ST FL	PINOLE

Type	Site Name	Address	City
RX	LONGS DRUG STORES CALIFORNIA LLC D/B/A CVS/PHARMACY #9772	3130 BUCHANAN ROAD	ANTIOCH
RX	LUCKY PHARMACY #212	3190 CONTRA LOMA BLVD	ANTIOCH
RX	LUCKY PHARMACY #705	5190 CLAYTON RD	CONCORD
RX	LUCKY PHARMACY #709	1000 EL CERRITO PLAZA	EL CERRITO
RX	LUCKY PHARMACY #718	1590 SYCAMORE AVE	HERCULES
RX	LUCKY PHARMACY #737	2545 MAIN ST	OAKLEY
RX	LUCKY PHARMACY #742	1530 FITZGERALD DR	PINOLE
RX	LUCKY PHARMACY #770	21001 SAN RAMON VALLEY RD	SAN RAMON
RX	OAK GROVE PHARMACY	785 OAK GROVE ROAD G2	CONCORD
RX	POINT RX	139 W RICHMOND AVE STE B	POINT RICHMOND
RX	PREMIER PHARMACY	18080 SAN RAMON VALLEY BLVD, STE 104	SAN RAMON
RX	RHEEM SPECIALTY PHARMACY LLC	346 RHEEM BLVD_STE 109	MORAGA
RX	SAN RAMON REGIONAL MEDICAL CENTER	6001 NORRIS CANYON RD	SAN RAMON
RX	SCRIPTWORKS - A PROFESSIONAL PHARMACY	480 N WIGET LANE	WALNUT CREEK
RX	SOLANO PHARMACY	2172 SOLANO WAY	CONCORD
RX	SUTTER DELTA MEDICAL CENTER	3901 LONE TREE WAY	ANTIOCH
RX	SYCAMORE MEDICAL PHARMACY	2485 HIGH SCHOOL STREET SUITE 114	CONCORD
RX	THE MEDICINE SHOPPE	2100 MONUMENT BLVD	PLEASANT HILL
RX	THE MEDICINE SHOPPE	282 VILLAGE SQUARE	ORINDA
RX	VALE ROAD PHARMACY	2023 VALE RD STE 101	SAN PABLO
LE	Contra Costa County Sheriff-Coroner Office Alamo	150 Alamo Plz Ste C	Alamo
LE	Antioch Police Department	300 'L' Street	Antioch
LE	Contra Costa County Probation - Antioch	4549 Delta Fair Blvd	Antioch
LE	Brentwood Police Department	9100 Brentwood Blvd	Brentwood
LE	East Bay Regional Park Police	17930 Lake Chabot Rd	Castro Valley
LE	Clayton Police Department	6000 Heritage Trail	Clayton
LE	Concord Police Department	1350 Galindo Street	Concord

Type	Site Name	Address	City
LE	Danville Police Department	510 La Gonda Way	Danville
LE	Kensington Police Department	217 Arlington Avenue	Kensington
LE	Lafayette Police Department	3675 Mt. Diablo Blvd. #130	Lafayette
LE	California Highway Patrol	5001 Blum Rd	Martinez
LE	Contra Costa Community College District PD	500 Court St	Martinez
LE	Contra Costa County Probation - Martinez	50 Douglas Drive	Martinez
LE	Contra Costa Sheriff-Coroner Office Martinez	651 Pine Street	Martinez
LE	Martinez Police Department	525 Henrietta Street	Martinez
LE	Contra Costa County Sheriff's Office	920 Mellus St	Martinez
LE	Contra Costa County Sheriff-Coroner Office	198 Muir Rd	Martinez
LE	Moraga Police Department	350 Rheem Blvd. Ste 1	Moraga
LE	Oakley Police Department	3231 Main St	Oakley
LE	Pinole Police Department	880 Tennent Avenue	Pinole
LE	Los Medanos College District PD	2700 East Leland Rd	Pittsburg
LE	Pittsburg Police Department	65 Civic Avenue	Pittsburg
LE	Diablo Valley College District PD	321 Golf Club Road	Pleasant Hill
LE	Pleasant Hill Police Department	330 Civic Drive	Pleasant Hill
LE	Contra Costa County Probation-Richmond	1275 Hall Ave	Richmond
LE	Richmond Police Department	1701 Regatta Boulevard	Richmond
LE	San Pablo Police Department	13880 San Pablo Ave	San Pablo
LE	San Ramon Police Department	2401 Crow Canyon Rd	San Ramon
LE	Walnut Creek Police Department	1666 North Main Street	Walnut Creek

Appendix D

Potential Additional Kiosk Drop-Off Sites

Type	Business Name	Address	City
RX	BROOKVALE MEDICAL CENTER PHARMACY	2101 VALE RD STE 100	SAN PABLO
RX	CARDINAL HEALTH 414, LLC	1007 CANAL BOULEVARD	RICHMOND
RX	ISORX	845 MARINA BAY PKWY NO A-9	RICHMOND
RX	RALEYS PHARMACY #304	2077 MAIN STREET	OAKLEY
RX	RALEYS PHARMACY #333	3632 LONE TREE WAY	ANTIOCH
RX	RALEYS PHARMACY #336	2400 SAND CREEK ROAD	BRENTWOOD
RX	RIDGECREST PHARMACY	1844 SAN MIGUEL DRIVE 105	WALNUT CREEK
RX	RITE AID #6356	4100 LONE TREE WAY	ANTIOCH
RX	RITE AID 5907	130 ALAMO PLAZA	ALAMO
RX	RITE AID 5908	20 EAST 18TH STREET	ANTIOCH
RX	RITE AID 5909	3353 DEER VALLEY ROAD	ANTIOCH
RX	RITE AID 5913	1905 MONUMENT BOULEVARD	CONCORD
RX	RITE AID 5915	2140 CONTRA COSTA BOULEVARD	PLEASANT HILL
RX	RITE AID 5923	1560 SYCAMORE AVENUE	HERCULES
RX	RITE AID 5927	1165 ARNOLD DRIVE	MARTINEZ
RX	RITE AID 5931	2555 MAIN STREET	OAKLEY
RX	RITE AID 5933	27 ORINDA WAY	ORINDA
RX	RITE AID 5935	580 BAILEY ROAD	BAY POINT
RX	RITE AID 5940	3207 CROW CANYON PLACE	SAN RAMON
RX	RITE AID 5947	1997 TICE VALLEY BOULEVARD	WALNUT CREEK
RX	RITE AID 5948	1526 PALOS VERDES MALL	WALNUT CREEK
RX	SAFEWAY PHARMACY #0783	3540 MT. DIABLO BLVD	LAFAYETTE
RX	SAFEWAY PHARMACY #0917	600 S BROADWAY	WALNUT CREEK
RX	SAFEWAY PHARMACY #0955	2600 WILLOW PASS RD	CONCORD
RX	SAFEWAY PHARMACY #0972	6688 ALHAMBRA AVE	MARTINEZ
RX	SAFEWAY PHARMACY #0982	2505 SAN RAMON VALLEY BLVD	SAN RAMON
RX	SAFEWAY PHARMACY #1192	4309 CLAYTON RD	CONCORD
RX	SAFEWAY PHARMACY #1195	5431 CLAYTON RD	CLAYTON

Type	Business Name	Address	City
RX	SAFEWAY PHARMACY #1211	3496 CAMINO TASSAJARA RD	DANVILLE
RX	SAFEWAY PHARMACY #1215	660 BAILEY RD	PITTSBURG
RX	SAFEWAY PHARMACY #1234	1125 SECOND ST	BRENTWOOD
RX	SAFEWAY PHARMACY #1259	3365 DEER VALLEY RD	ANTIOCH
RX	SAFEWAY PHARMACY #1541	1978 CONTRA COSTA BLVD	PLEASANT HILL
RX	SAFEWAY PHARMACY #1917	14840 HWY 4	DISCOVERY BAY
RX	SAFEWAY PHARMACY #2621	3110 BALFOUR AVE	BRENTWOOD
RX	SAFEWAY PHARMACY #2712	11050 BOLLINGER CANYON RD	SAN RAMON
RX	SAFEWAY PHARMACY #2940	11450 SAN PABLO AVE	EL CERRITO
RX	SAFEWAY PHARMACY #2941	707 CONTRA COASTA BLVD	PLEASANT HILL
RX	SAFEWAY PHARMACY #3026	2800 YGNACIO VALLEY RD	WALNUT CREEK
RX	SAM'S CLUB PHARMACY 10-6612	1225 CONCORD AVE	CONCORD
RX	WAL MART PHARMACY 10 1615	2203 LOVERIDGE ROAD	PITTSBURG
RX	WAL-MART PHARMACY 10-5610	9100 ALCOSTA BLVD	SAN RAMON
RX	WALGREEN CO D/B/A WALGREENS #15078	2995 YGNACIO VALLEY RD	WALNUT CREEK
RX	WALGREEN CO D/B/A WALGREENS #15947	13691 SAN PABLO AVE	SAN PABLO
RX	WALGREENS #02112	5437 CLAYTON ROAD	CLAYTON
RX	WALGREENS #02485	21001 SAN RAMON VALLEY BLVD	SAN RAMON
RX	WALGREENS #02506	1150 MACDONALD AVE	RICHMOND
RX	WALGREENS #02560	611 SAN RAMON VALLEY BLVD	DANVILLE
RX	WALGREENS #03164	1800 CONCORD AVE	CONCORD
RX	WALGREENS #03770	11565 SAN PABLO AVE	EL CERRITO
RX	WALGREENS #04026	2900 N MAIN ST	WALNUT CREEK
RX	WALGREENS #04049	3630 SAN PABLO DAM RD	EL SOBRANTE
RX	WALGREENS #04491	15650 SAN PABLO AVE	SAN PABLO
RX	WALGREENS #04724	3416 DEER VALLEY RD	ANTIOCH
RX	WALGREENS #05864	721 GREGORY LANE	PLEASANT HILL
RX	WALGREENS #06101	3655 ALHAMBRA AVE	MARTINEZ
RX	WALGREENS #06871	4520 BALFOUR RD	BRENTWOOD

Type	Business Name	Address	City
RX	WALGREENS #07376	2901 RAILROAD AVE	PITTSBURG
RX	WALGREENS #09102	2271 BALFOUR RD	BRENTWOOD
RX	WALGREENS #09978	6570 LONE TREE WAY	BRENTWOOD
RX	WALGREENS #11614	2750 PINOLE VALLEY RD	PINOLE
RX	WALGREENS #13026	2700 WILLOW PASS RD	BAY POINT
RX	WALGREENS #13796	14280 SAN PABLO AVE	SAN PABLO
RX	WALGREENS #15003	1990 MONUMENT BLVD	CONCORD
RX	WALGREENS #15946	3614 MT DIABLO BLVD	LAFAYETTE
RX	WALGREENS #16090	11440 WINDEMERE PKWY	SAN RAMON
RX	WALMART PHARMACY #10-3455	1400 HILLTOP MALL RD	RICHMOND
RX	WALMART PHARMACY NO 10-2697	4893 LONE TREE WAY	ANTIOCH
RX	WALMART PHARMACY NO 10-3493	1021 ARNOLD DR	MARTINEZ
LE	El Cerrito Police Department	10900 San Pablo Avenue	El Cerrito
LE	Hercules Police Department	111 Civic Drive	Hercules
LE	Orinda Police Department	26 Orinda Way	Orinda
LE	San Ramon Valley Campus PD	1690 Watermill Rd	San Ramon

Appendix E

Picture of Kiosk Prototype

The design of the kiosk recognizes the paramount importance of security using heavy gauge steel, multiple locking mechanisms, tamper-proof slot, and commercial hinges, meeting the stringent requirements under law. At the same time, the design provides accessibility and ease of use.



Sample Kiosk Signage

Front Panel Signage

SAFELY DISPOSE OF UNWANTED & EXPIRED MEDICINES



- 1** Cross out or remove personal identifying information from the medicine bottle.



OR



- 2** Leave the product in its original container or place solid medicines in a sealed plastic bag.

If transferring medications to a sealed bag, please be sure to recycle all remaining packaging.



- 3** Put medicine in the kiosk.



ACCEPTED: MEDICATIONS IN ANY DOSAGE FORM, EXCEPT FOR THOSE LISTED BELOW, IN THEIR ORIGINAL CONTAINER OR SEALED BAG.



NOT ACCEPTED: HERBAL REMEDIES, VITAMINS, SUPPLEMENTS, COSMETICS, OTHER PERSONAL CARE PRODUCTS, COMPRESSED CYLINDERS, INHALERS, MEDICAL DEVICES, PET PESTICIDE PRODUCTS, SHARPS, ILLICIT DRUGS, MERCURY CONTAINING THERMOMETERS AND IODINE-CONTAINING MEDICATIONS.

ONLY SCHEDULE II-V CONTROLLED AND NON-CONTROLLED SUBSTANCES THAT ARE LAWFULLY POSSESSED BY THE ULTIMATE USER ARE ACCEPTABLE TO BE PLACED IN THE KIOSK. SCHEDULE I CONTROLLED SUBSTANCES, ILLICIT OR DANGEROUS SUBSTANCES, AND ANY CONTROLLED SUBSTANCES NOT LAWFULLY POSSESSED BY THE ULTIMATE USER MAY NOT BE PLACED IN THE KIOSK.

PROP 65 WARNING: *Entering this area, or coming into contact with items or materials in this kiosk, may expose you to chemicals known to the State of California to cause cancer, birth defects, reproductive toxicity and/or other reproductive harm.*

For more information about the MED-Project program, please go to www.med-project.org or call 1-844-MED-Proj.

MED-Project
Medication Education & Disposal

Sample Kiosk Signage

Side Panel Signage



MED-ProjectTM
Medication Education & Disposal

Sample Kiosk Signage

Drop Slot Signage



ACCEPTED: MEDICATIONS IN ANY DOSAGE FORM, EXCEPT FOR THOSE LISTED BELOW, IN THEIR ORIGINAL CONTAINER OR SEALED BAG.



NOT ACCEPTED: HERBAL REMEDIES, VITAMINS, SUPPLEMENTS, COSMETICS, OTHER PERSONAL CARE PRODUCTS, COMPRESSED CYLINDERS, AEROSOLS, INHALERS, MEDICAL DEVICES, PET PESTICIDE PRODUCTS, SHARPS, ILLICIT DRUGS, MERCURY CONTAINING THERMOMETERS AND IODINE-CONTAINING MEDICATIONS.

Sample Kiosk Signage

Sample Pharmacy Contact Information

Name: 123 Pharmacy

Contact: (555) 555-5555

Appendix F

Community Events That May Serve as Future Take-Back Events

The following are examples of events that may be targeted for Take-Back Events based on timing and geographic needs:

- Brentwood Farmers Market
- Danville Farmer's Market
- Lafayette Farmer's Market
- Earth Day
- Pinole Farmer's Market
- Art and Wine Festival, Clayton, CA
- City-Wide Garage Sale, Hercules, CA
- Clayton Cleans Up Day
- Community Clean Up Day, Hercules, CA
- Contra Costa County Fair, Antioch, CA
- Culture in the Community Celebration, San Ramon, CA
- Oakley Out of the Darkness Community Walk, Oakley, CA
- Senior Holiday Luncheon, Danville Senior Center, Danville, CA

Appendix G

Sample Media List

The following is a representative list of key media outlets to help educate residents about proper disposal of Unwanted Medicine. The list includes local print, online, television, and radio outlets.

Print Outlets	City/Coverage Area	Website
Contra Costa Times	Contra Costa County	www.eastbaytimes.com
West County Times	Western Contra Costa County	http://www.eastbaytimes.com/west-contra-costa
San Ramon Valley Times	Suburbs of San Ramon	www.sanramonvalleytimes.com
Walnut Creek Journal	Walnut Creek	http://walnutcreek.contracostatimes.com/
Lamorinda Sun	Lafayette, Moraga, Orinda	www.contracostatimes.com/orinda-lafayette-moraga
The Montclarion	Montclair	www.eastbaytimes.com/location/montclair
El Cerrito Journal	El Cerrito, Albany, Kensington	www.insidebayarea.com/albany
Berkeley Voice	Berkeley	www.eastbaytimes.com/berkeley
Alameda Journal	Alameda	www.eastbaytimes.com/alameda
The Piedmonter	Piedmont	www.eastbaytimes.com/piedmont
Pleasant Hill/Martinez Record	Pleasant Hill, Martinez	www.contracostatimes.com/the-record
Concord Transcript	Concord	www.eastbaytimes.com/concord
Brentwood News	Brentwood	www.eastbaytimes.com/location/california/bay-area/east-bay/contra-costa-county/east-contra-costa

Television Outlets	Network
CCTV, Ch 27	Contra Costa TV
KTVU FOX, Ch 2	FOX affiliate Bay Area
KPIX CBS, Ch 5	CBS affiliate Bay Area
KQED PBS, Ch 9	PBS affiliate Bay Area
KNTV NBC, Ch 11	NBC affiliate Bay Area
Radio Outlets	City/Coverage Area
CCTV, Ch 27	Contra Costa TV
KTVU FOX, Ch 2	FOX affiliate Bay Area
KPIX CBS, Ch 5	CBS affiliate Bay Area
KQED PBS, Ch 9	PBS affiliate Bay Area
KNTV NBC, Ch 11	NBC affiliate Bay Area
CCTV, Ch 27	Contra Costa TV

Appendix H

Sample Mail-Back Package



Description:

Plastic Package with Merchandise Return Label and instructional flyer

Page Size:

Package: Outer Dimension: 8.25" x 12"

Sample Mail-Back Package Insert

MAIL-BACK PACKAGE IS FOR
UNWANTED OR
EXPIRED
MEDICATIONS



ACCEPTED: Medications in any dosage form, except those listed below, in their original container or sealed bag.

NOT ACCEPTED: Herbal remedies, vitamins, supplements, cosmetics, other personal care products, inhalers, aerosols, medical devices, sharps, illicit drugs and iodine-containing medications.

This material has been provided for the purpose of compliance with legislation and does not necessarily reflect the views of the MED-Project or the Producers participating in the MED-Project Product Stewardship Plan.

MED-Project

Medication Education & Disposal

DISPOSAL OPTIONS:

1 CHECK THE PACKAGE

If there are specific instructions for disposal on the label, package, or package insert, please follow those instructions.

2 CONVENIENT LOCATIONS

To find convenient locations in your area, visit www.med-project.org for more information.

3 MAIL-BACK

Mail-back services for Unwanted Medicines, are available to disabled and home bound residents upon request.

Visit www.med-project.org to order a mail-back package.

4 TAKE-BACK EVENTS

Local take-back events offer residents a free and convenient way to dispose of expired or unwanted medicines. Visit www.med-project.org for information on events in your area.

For more information about the MED-Project program, please go to www.med-project.org or call 1-844-MED-Project.

This material has been provided for the purpose of compliance with legislation and does not necessarily reflect the views of the MED-Project or the Producers participating in the MED-Project Product Stewardship Plan.

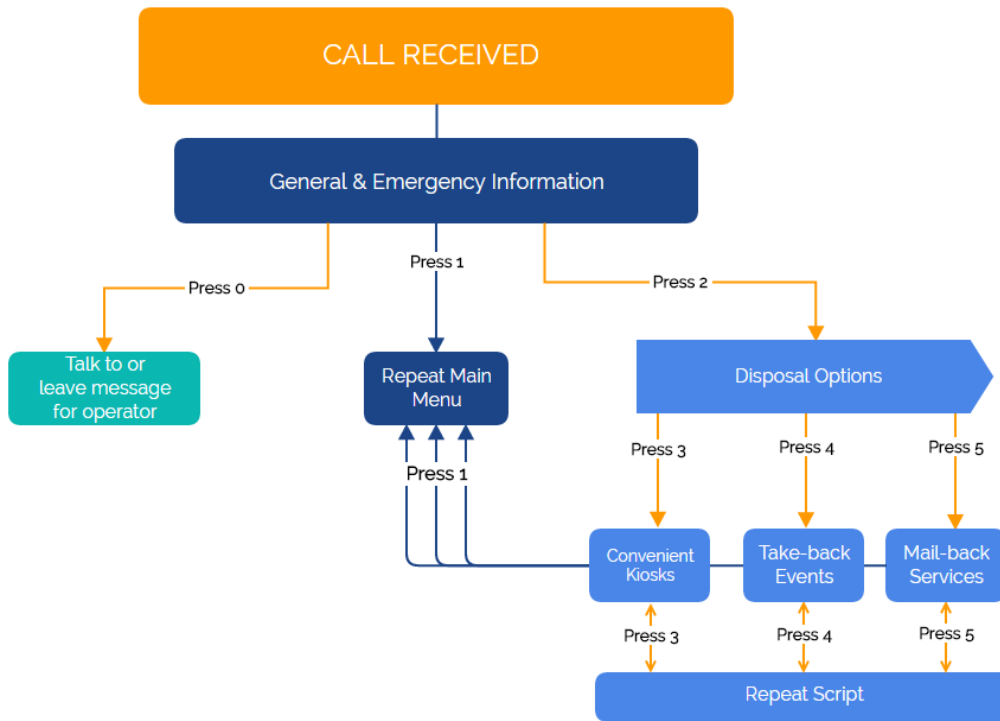
Appendix I

Sample Template: Education and Outreach Call Script [1-844-MED-PROJ]

MED-Project

Medication Education & Disposal

Thank you for calling the information line for the Medication Education and Disposal Project, or MED-Project.



- If you are experiencing a medical emergency, please hang up and dial 9-1-1.
- If you are experiencing a non-emergency but suspect that you or a family member has ingested something poisonous, please call California Poison Control at 800-222-1222.
- Unwanted Medicine Kiosks are located throughout your local area and provide convenient options for disposing of expired or Unwanted Medicines. Press 3 for more information about convenient kiosks.
- Take-back events may be available in your area. Press 4 for more information.
- Mail-back services are available to Residents. Press 5 for more information.
- You may press 0 at any time to speak with an operator about disposal options.
- MED-Project is a consumer education campaign dedicated to proper medication use and consumer disposal.
- MED-Project reminds you that taking your medicine as directed by your health care provider is critically important to your health.
- If you have questions about your medication, please hang up and dial your health care provider.

- For additional questions about the proper disposal of expired or unwanted medications from households, please go to www.med-project.org or press 0 to talk to an operator.
- To hear this menu again, please press 1.
- *Thank you for calling MED-Project.*

Unwanted Medicine Kiosk Drop-Off Site Script for when 3 is selected:

- Kiosks to collect expired and Unwanted Medicine are located throughout your local area. To locate the kiosk site nearest you, or for precise information about kiosk site contact information, press 0 to speak with an operator or visit med-project.org to search by your zip code.
- Kiosks accept medications in any dosage form in their original container or sealed bag. No herbal remedies, vitamins, supplements, cosmetics or other personal care products; compressed cylinders, and inhalers; medical devices; pet pesticide products; sharps; illicit drugs; or iodine-containing medications will be accepted.
- If you do transfer your medications to a sealed bag before placing it into a kiosk, please be sure to recycle all remaining packaging.
- To protect your privacy, remove or black out all personally identifiable information before disposing of your medications or recycling your drug packaging.
- To repeat this information, press 3.
- To return to the main menu, please press 1.
- *Thank you for calling MED-Project.*

Take-back Event Script for when 4 is selected:

- MED-Project is working with local law enforcement and other community organizations to offer Unwanted Medicine take-back events in your area. For a complete list of take-back events, please press 0 to speak to the operator or visit: www.med-project.org.
- Medications in any dosage form in their original container or sealed bag are accepted at take-back events. No herbal remedies, vitamins, supplements, cosmetics or other personal care products; compressed cylinders, and inhalers; medical devices; pet pesticide products; sharps; illicit drugs; or iodine-containing medications will be accepted.
- If you do transfer your medications to a sealed bag, please be sure to recycle all remaining packaging.
- To protect your privacy, remove or black out all personally identifiable information before disposing of your medications or recycling your drug packaging.
- To repeat this information, press 4.
- To return to the main menu, please press 1.
- *Thank you for calling MED-Project.*

Mail-back Package Script for when 5 is selected:

- Mail-back services are available to Residents who are disabled or homebound.
- To request a mail-back package, please press 0 to talk to the operator or visit www.med-project.org.
- Unwanted medicine mail-back packages accept medications in any dosage form in their original container or sealed bag. No herbal remedies, vitamins, supplements, cosmetics or other personal care products; compressed cylinders, aerosols, and inhalers; medical devices; pet pesticide products; sharps; illicit drugs; or iodine-containing medications will be accepted.
- If you do transfer your medications to a sealed bag, please be sure to recycle all remaining packaging.
- To protect your privacy, remove or black out all personally identifiable information before disposing of your medications or recycling your drug packaging.
- To repeat this information, press 5.
- To return to the main menu, please press 1.

- *Thank you for calling MED-Project.*

Appendix J

MED-Project Website

Medicines help treat diseases, manage chronic conditions, and improve health and well-being for millions of Americans. It's vitally important that patients take their medicines as prescribed by their health care provider. However, if you have expired or unwanted medication, proper disposal is important and easy.



CLICK ON ANY OF THE RECOMMENDED DISPOSAL OPTIONS BELOW TO LEARN MORE



CHECK THE PACKAGE



CONVENIENT KIOSKS



MAIL BACK



TAKE-BACK EVENTS

This material has been provided for the purpose of compliance with legislation and does not necessarily reflect the views of MED-Project or the Producers participating in the MED-Project Product Stewardship Plan.

CHECK THE PACKAGE

If there are any specific instructions for disposal on the label, package or package insert, please follow those instructions.

To protect your privacy, consumers are reminded to remove all personally identifiable information on medication labels or packaging before disposing of unwanted medicine.

Source: www.fda.gov/ForConsumers/ConsumerUpdates/ucm101653.htm, last updated January 24, 2018.



CHECK THE PACKAGE



CONVENIENT KIOSKS



MAIL BACK



TAKE-BACK EVENTS

This material has been provided for the purpose of compliance with legislation and does not necessarily reflect the views of MED-Project or the Producers participating in the MED-Project Product Stewardship Plan.

CONVENIENT KIOSKS

Community kiosk drop-off sites allow residents to bring expired or unwanted medicines to a convenient, centralized location for proper disposal.

ACCEPTED: Medications in any dosage form, except for those listed below, in their original container or sealed bag.

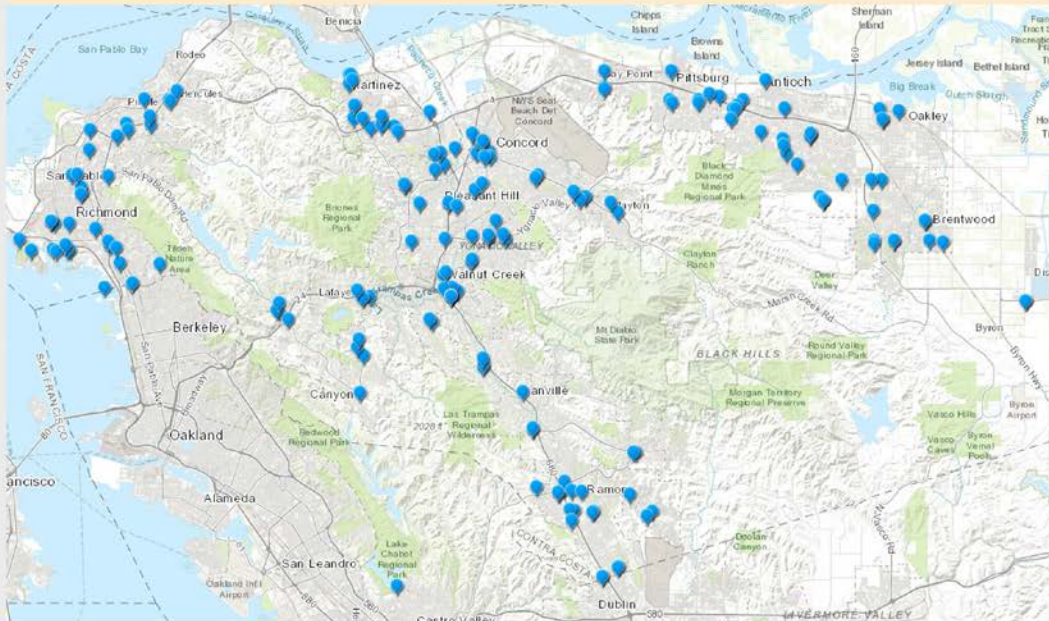
NOT ACCEPTED: Herbal remedies, vitamins, supplements, cosmetics, other personal care products, compressed cylinders, inhalers, pet pesticide products, medical devices, sharps, illicit drugs, mercury containing thermometers and iodine-containing medications.

To find the nearest disposal locations for unwanted medicine enter your zip code below.



Enter your zip code

SUBMIT



This material has been provided for the purpose of compliance with legislation and does not necessarily reflect the views of MED-Project or the Producers participating in the MED-Project Product Stewardship Plan.

MAIL-BACK

Mail-Back Services are available to disabled and home bound residents upon request.

Please complete the below form to request a pre-paid, pre-addressed mail-back package. Instructions for disposal will be provided with all mail-back services.

Select your Package type*

Contact Information

SUBMIT REQUEST



CHECK THE PACKAGE



CONVENIENT KIOSKS



MAIL BACK



TAKE-BACK EVENTS

This material has been provided for the purpose of compliance with legislation and does not necessarily reflect the views of MED-Project or the Producers participating in the MED-Project Product Stewardship Plan.

TAKE-BACK EVENTS

Local take-back events offer residents a free and convenient way to dispose of expired or unwanted medicines. The local authorities and MED-Project may also sponsor drug take-back events in your area.

ACCEPTED: Medications in any dosage form, except for those listed below, in their original container or sealed bag.

NOT ACCEPTED: Herbal remedies, vitamins, supplements, cosmetics, other personal care products, compressed cylinders, inhalers, pet pesticide products, medical devices, sharps, illicit drugs, mercury containing thermometers and iodine-containing medications.



CALENDAR OF LOCAL TAKE-BACK EVENTS

Thursday June 14, 2018

TAKE-BACK DAY

Contra Costa Sheriff's Office

651 Pine St

Martinez, CA 94553

Start Time: 2:00 PM

End Time: 5:00 PM

[Link to Website](#)



CHECK THE PACKAGE



CONVENIENT KIOSKS



MAIL BACK



TAKE-BACK EVENTS

This material has been provided for the purpose of compliance with legislation and does not necessarily reflect the views of MED-Project or the Producers participating in the MED-Project Product Stewardship Plan.

MEDInfo

Medicines help treat diseases, manage chronic conditions, and improve health and well-being for millions of Americans. It's vitally important that patients take their medicines as prescribed by their health care provider and as indicated on the label or packaging. It's also important to keep medications locked, out of the reach of children and inaccessible to visitors.

There are a number of ways to dispose of expired or unwanted medicines and sharps. To protect your privacy, consumers are reminded to remove all personally identifiable information on prescription labels or materials before using any of the available disposal options.


For additional information on the program, MED-Project has developed an educational toolkit, including:

- [Brochure](#)
- [Frequently Asked Questions](#)

If you would like any of these materials emailed to you, contact contracostacounty@med-project.org.


This material has been provided for the purpose of compliance with legislation and does not necessarily reflect the views of the MED-Project or the Producers participating in the MED-Project Product Stewardship Plan.


MEDfaq

 What is the MED-Project?

MED-Project is the entity implementing the County Product Stewardship Plan, including the education and outreach programming.

 What should I do if I am having a medical emergency?


 What should I do if I think I have ingested something poisonous?


 What should I do if my pet has ingested medication?

 Whom should I call with a question about my medication?

 Where can I find information about the safe storage of medication?


 Where can I find information about California's Prop 65?


 Can I flush my medication down the toilet?

 Should I remove my personal information before disposing of my medication?


 Where are the MED-Project disposal locations nearest me?


 Will it cost me anything to dispose of my expired or unwanted medications?

 What items can I dispose of in the MED-Project kiosks?

 Will there be any take-back events in my area?

 I am differentially-abled or homebound and unable to go to a kiosk. How can I dispose of my expired or unwanted medicine?

 Where else can I find information about the safe disposal of expired or unwanted medicines?

 I have a question not answered by this website. Is there someone I can contact with a question about MED-Project?

 What is recommended for safe disposal of expired or unwanted medicine in my area?

This material has been provided for the purpose of compliance with legislation and does not necessarily reflect the views of MED-Project or the Producers participating in the MED-Project Product Stewardship Plan.

CONTACT

If you are experiencing a medical emergency, please dial 9-1-1. If you are experiencing a non-emergency but suspect that you or a family member has ingested something poisonous, please call Poison Control at 800-222-1222. If you have questions about your medication, please dial your health care provider.

For answers to some frequently asked questions about MED-Project, [click here](#).

Pharmacies and Law Enforcement Offices

If you are a retail pharmacy or a law enforcement agency interested in hosting a drop-box, contact:

Dr. Victoria Travis, PharmD, MBA, MS
Program Director
MED-Project LLC
Phone: (844) 677-6532
Fax: (510) 686-8837
Email: contracostacounty@med-project.org

Drug Producers

If you are drug producer interested in participating in a MED-Project stewardship plan contact:

Phone: (202) 495-3131
Email: compliance@med-project.org

This material has been provided for the purpose of compliance with legislation and does not necessarily reflect the views of MED-Project or the Producers participating in the MED-Project Product Stewardship Plan.

Appendix K

Brochure Mockup

Front of brochure

DISPOSAL OPTIONS

1 CHECK THE PACKAGE



If there are specific instructions for disposal on the label, package or package insert, please follow those instructions. To protect your privacy, consumers are reminded to remove all personally identifiable information on medication labels or package before disposing of unwanted medicine.

2 CONVENIENT KIOSKS



To find convenient kiosks in your area, visit www.med-project.org for more information.

What items can I dispose of?



ACCEPTED:

MEDICATIONS IN ANY DOSAGE FORM, EXCEPT FOR THOSE LISTED BELOW, IN THEIR ORIGINAL CONTAINER OR SEALED BAG.

If transferring medications to a sealed bag, please be sure to recycle all remaining packaging.



NOT ACCEPTED:

HERBAL REMEDIES, VITAMINS, SUPPLEMENTS, COSMETICS, OTHER PERSONAL CARE PRODUCTS, COMPRESSED CYLINDERS, INHALERS, MEDICAL DEVICES, PET PESTICIDE PRODUCTS, SHARPS, ILLICIT DRUGS, MERCURY CONTAINING THERMOMETERS AND IODINE-CONTAINING MEDICATIONS.

DISPOSAL OPTIONS

3 MAIL-BACK



Mail-Back Services for unwanted medicine are available to disabled and home bound residents upon request. Visit the mail-back section of www.med-project.org to order a mail-back package.

4 TAKE-BACK EVENTS



Local take-back events offer residents a free and convenient way to dispose of expired or unwanted medicines. Visit the take-back events section of www.med-project.org for more information on events in your area.



To protect your privacy, consumers are reminded to remove all personally identifiable information on prescription labels or materials before using any of the disposal options listed above.

*Source: www.fda.gov/ForConsumers/ConsumerUpdates/ucm101653.htm, last updated December 5 2017.

WHAT SHOULD YOU DO WITH YOUR UNWANTED OR EXPIRED MEDICINES?

MED-Project
Medication Education & Disposal

SAFELY DISPOSE OF UNWANTED & EXPIRED MEDICINES

There are a number of ways to dispose of expired or unwanted medicines.

For more information about the MED-Project program, go to www.med-project.org/SF or call 1-844-MED-PROJ

What should you do with your expired or unwanted medicines?



Medicines help treat diseases, manage chronic conditions, and improve health and well-being for millions of Americans. It's vitally important that patients take their medicine as prescribed by their health care provider and as indicated on the label or packaging. It's also important to keep medications locked, out of the reach of children, and inaccessible to visitors.

If you have expired or unwanted medication, proper disposal is easy. To protect your privacy, consumers are reminded to remove all personally identifiable information on prescription labels or materials before using any of the following disposal options.

(Source: U.S. Food and Drug Administration)



This material has been provided for the purpose of compliance with legislation and does not necessarily reflect the views of the MED-Project or the Producers participating in the MED-Project Product Stewardship Plan.



MED-Project
Medication Education & Disposal
www.med-project.org

FAQ Outline

The following are suggested questions to be addressed by the “Frequently Asked Questions” section of the MED-Project website/public relations toolkit. All text is subject to change.

What is the MED-Project?

MED-Project is the entity implementing the Product Stewardship Plan, including the education and outreach programming.

What should I do if I am having a medical emergency?

If you are having a medical emergency, contact emergency medical services immediately by dialing 911.

What should I do if I think I have ingested something poisonous?

If you think you have ingested something poisonous, contact emergency services immediately. Please dial 911 or contact your local poison control center.

What should I do if my pet has ingested medication?

If you believe your pet may have ingested human or animal medication not intended for consumption by your pet, please contact your veterinarian or local animal poison control hotline.

Whom should I call with a question about my medication?

Please direct all questions about your medication to your health care provider.

Where can I find information about the safe storage of medication?

You should follow any storage instructions provided by your healthcare provider and any written instructions provided with your medication or listed on its packaging.

In addition, many government agencies provide information regarding safe storage of medication. Possible sources include the [National Institutes of Health's information page](#) and the [Center for Disease Control's information page](#).

Where can I find information about California's Prop 65?

California's Office of Environmental Health Hazard Assessment (OEHHA) provides information regarding Proposition 65. Information can be accessed via OEHHA's Proposition 65 web site, available here: <http://oehha.ca.gov/prop65/background/p65plain.html>

Should I remove my personal information before disposing of my medication?

Please remove all personal and identifying information from your medication labels and/or its packaging before disposal.

Where are the MED-Project disposal locations nearest me?

MED-Project is providing disposal locations throughout the County. For more information about the location nearest to you, please visit the “Convenient Kiosks” portion of the MED-Project web site or call the hotline at 1-844-MED-PROJ.

Will it cost me anything to dispose of my expired or unwanted medications?

There will be no fee for medication disposal charged at the point of collection.

What items can I dispose of in the MED-Project kiosks?

Kiosks accept medications in any dosage form in their original container or sealed bag. No herbal remedies, vitamins, supplements, cosmetics or other personal care products; compressed cylinders, and inhalers; medical devices; pet pesticide products; sharps; illicit drugs; or iodine-containing medications will be accepted.

If you do transfer your medications to a sealed bag, please be sure to recycle all remaining packaging.

Will there be a take-back event in my area?

Please visit “Take-Back Event” portion of the MED-Project website or dial the hotline at 1-844-MED-PROJ to learn about take-back events in your area.

I am disabled or home bound and am unable to go to a kiosk or attend a take-back event. How can I dispose of my expired or unwanted medicine?

Please dial the hotline at 1-844-MED-PROJ or visit the mail-back page of the MED-Project website to request a pre-paid envelope to return your unwanted or expired medicine.

Where else can I find information about the safe disposal of expired or unwanted medicines?

Several government agencies provide information regarding safe disposal of medication. Please refer to the FDA’s website for more information [“Consumer Updates: How to Dispose of Unused Medicines.”](#)

I have a question not answered by this website. Is there someone I can contact with a question about MED-Project?

For more information, please dial the hotline at 1-844-MED-PROJ.

What is recommended for safe disposal of expired or unwanted medicine?

Check the Package: Follow any specific disposal instructions on the prescription drug labeling or patient information that accompanies the medicine.

Take-Back Events: Take advantage of programs that allow the public to take unused drugs to a central location for proper disposal. Call your local law enforcement agencies to see if they sponsor medicine take-back programs in your community. Contact your city’s or county government’s household trash and recycling service to learn about medication disposal options and guidelines for your area.

Convenient Kiosks: Transfer unused medicines to collectors registered with the Drug Enforcement Administration (DEA). Authorized sites may be retail, hospital or clinic pharmacies, and law enforcement locations. Some offer mail-back programs or collection receptacles (“kiosks”). Visit the [DEA’s website](#) or call 1-800-882-9539 for more information and to find an [authorized collector](#) in your community.

Mail-Back Packages: Mail-Back Services for unwanted medicine are available to disabled or home bound residents upon request. Please dial the hotline at 1-844-MED-PROJ or visit the mail-back page of the MED-Project website to request a pre-paid envelope to return your unwanted or expired medicine.

If you have a question about your medicine, ask your health care provider or pharmacist.

Appendix L

Sample Template: Take-Back Event Media Advisory

MED-Project

Medication Education & Disposal

ADVISORY * * * ADVISORY * * * ADVISORY * * * ADVISORY

MED-Project to Support Take-Back Event on [Date, 2017]

Residents are invited to bring
expired or unwanted medications to
[Location] from [x time] to [y time] for disposal

Contra Costa County, California, [Date] – The Medication Education & Disposal Project (MED-Project), a consumer education campaign dedicated to responsible medication use and disposal, announced today that it will be supporting a medication take-back event supervised by a local law enforcement agency for consumers in [town] on [date]. All County residents are invited to bring their expired or unwanted medications for disposal. The service is free. [Insert information for residents about what can be collected]. To protect privacy, consumers are reminded to remove all personally identifiable information on prescription labels or materials that are brought to this take-back event.

What: MED-Project Medication Take-Back Event – bring your expired or Unwanted Medicines for disposal

When: [Date], [Time]

Where: [Location]

For more information about disposal options for expired or Unwanted Medicine, visit www.med-project.org.

###

Contact:
MED-Project Public Affairs at (844) 677-6532 (844-6PROJECT)

Appendix M

Sample Digital and Local Social Networks

The following is a representative list of local organizations and their social media networks in Contra Costa County. MED-Project will reach out to relevant groups to help promote the Program.

Outlet	Facebook	Twitter
Contra Costa County	https://www.facebook.com/pages/Contra-Costa-County-California/103143409725846	
Contra Costa County Health Services Department	https://www.facebook.com/ContraCostaHealthServices/	
Contra Costa County Sheriffs	https://www.facebook.com/CONTRA-COSTA-SHERIFF-OFFICIAL-PAGE-224837426560/	
City of Antioch	https://www.facebook.com/cityofantiochca/	@cityofantiochca
City of Brentwood	https://www.facebook.com/ourtownbrentwoodca/	@ourtownbrentwoodca
City of Concord	https://www.facebook.com/CityofConcordCA/	@cityofconcordca
City of Danville	https://www.facebook.com/DanvilleCA/	@danvilleca
City of El Cerrito	https://www.facebook.com/cityofelcerrito/	@cityofelcerrito
City of Hercules Parks and Rec	https://www.facebook.com/herculesrecreation/	@herculesrecreation
City of Lafayette	https://www.facebook.com/WeLoveLafayette/	@welovelafayette
City of Martinez	https://www.facebook.com/City-of-Martinez-CA-City-Hall-132924266718772/	
City of Oakley	https://www.facebook.com/CityofOakley/	@cityofoakley
City of Orinda Parks and Rec	https://www.facebook.com/CityOfOrindaParksandRec/	@cityoforindaparksandrec
Pinole Chamber of Commerce	https://www.facebook.com/Pinole-Chamber-of-Commerce-153489268038471/	
City of Pittsburg	https://www.facebook.com/Pittsburg.94565/	@pittsburg.94565
City of Pleasant Hill	https://www.facebook.com/CityofPleasantHill/	@cityofpleasanthill
City of Richmond	https://www.facebook.com/City-of-Richmond-CA-Local-Government-139438544014/	
City of San Pablo	https://www.facebook.com/sanpabloca/	@sanpabloca
City of Walnut Creek	https://www.facebook.com/cityofwalnutcreek/	@cityofwalnutcreek



Contra
Costa
County

To: Board of Supervisors
From: Supervisor Karen Mitchoff & Supervisor John Gioia
Date: August 14, 2018

Subject: Censure of County Assessor Gus Kramer

RECOMMENDATION(S):

ADOPT Resolution 2018/465 censuring County Assessor Gus Kramer for engaging in the conduct described in the attached resolution which was inconsistent with the County’s policy of providing a workplace free from sexual harassment.

REFER this matter to the Contra Costa County Civil Grand Jury to evaluate whether further investigation of the Assessor’s conduct or the operational procedures of the Assessor’s Office with regard to sexual harassment complaints is warranted.

FISCAL IMPACT:

No impact.

BACKGROUND:

There are six County departments that are managed by elected department heads: the Assessor, Auditor, Clerk-Recorder, District Attorney, Sheriff, and Treasurer-Tax Collector. These elected officials are responsible for managing the County employees who work in their departments. The Board of Supervisors does not have

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

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

Contact: -

By: , Deputy

cc:

BACKGROUND: (CONT'D)

the power to discipline elected officials when their conduct fails to meet the standards of behavior expected of all other County department heads.

In 2018, the County hired an outside independent attorney investigator to investigate two allegations of sexual harassment by County Assessor Gus Kramer in 2015 or earlier. The investigator found that, prior to mid-2015, it is more likely than not that Mr. Kramer made certain comments and engaged in conduct that the two individuals who worked in his department considered to be offensive and inappropriate in the workplace, as further described in the attached resolution.

The Board adopts the attached resolution to censure County Assessor Gus Kramer for engaging in the conduct described the attached resolution, which it considers to have been inappropriate and unbecoming of a County official. The Board reminds Mr. Kramer that, as a County officer, he is expected to provide a workplace free from sexual harassment. This is what the Board expects of all of its department heads, regardless of whether they are appointed or elected.

The Board also refers this issue to the Contra Costa County Civil Grand Jury to determine whether further investigation of the Assessor's conduct or the operational procedures of the Assessor's department with regard to sexual harassment complaints is warranted.

ATTACHMENTS

Resolution No. 2018/465

Attachment to Resolution No. 2018/465 - Text Messages

Administrative Bulletin No. 429.4, Policy Against Unlawful Discrimination, Harassment and Retaliation & Unlawful Discrimination, Harassment and Retaliation Complaint Procedure

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

Adopted this Resolution on 08/14/2018 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2018/465

Censure of Gus Kramer, County Assessor

WHEREAS, Contra Costa County is committed to providing a work environment that is free from unlawful discrimination, harassment and retaliation, where the sexual harassment of an employee, applicant for employment, intern, volunteer or contractor is never tolerated.

WHEREAS, County Administrative Bulletin 429.4, Policy Against Unlawful Discrimination, Harassment and Retaliation & Unlawful Discrimination, Harassment and Retaliation Complaint Procedure (copy attached) addresses the County's policy against unlawful employment practices and sets forth a complaint procedure that permits employees who believe they have experienced unlawful harassment or discrimination to: (1) file a complaint of unlawful harassment or discrimination with their supervisor or their department's Equal Employment Opportunity Coordinator; (2) file a complaint with the County's Equal Employment Opportunity Officer; or (3) file a complaint with the Contra Costa County Merit Board. The County Equal Employment Opportunity Officer is empowered to: (1) work with the Department to mediate the complaint; (2) refer the employee to the Contra Costa County Merit Board; or (3) conduct an investigation. These policies and procedures create a comprehensive system that supports the County's equal employment opportunity program.

WHEREAS, Administrative Bulletin 429.4 defines sexual harassment to include unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature made by someone from or in the workplace; or a pattern of repeated sexually harassing conduct that creates an abusive or hostile work environment. Examples may include: verbal conduct (advances, flirtations, inappropriate comments on a person's dress or physical features, inappropriate stories or jokes), visual conduct (derogatory posters, cartoons, drawings, emails, texts, or website content), or physical conduct (assault, impeding or blocking movement, offensive or unwanted touching, pinching grabbing, patting).

WHEREAS, in January 2018, a female Associate Appraiser in the Assessor's Office filed a complaint with the County's Equal Employment Opportunity Officer. Her complaint alleged that in 2014 and 2015, County Assessor Gus Kramer, made unwelcome comments to her of a sexual nature. She was concerned that her career in the Assessor's Office had been stalled after she reported these matters in 2015 to her department's Equal Employment Opportunity Coordinator. Following receipt of the complaint, an investigation of these matters by an independent outside attorney investigator was initiated.

WHEREAS, During the intake process another employee was named as a witness. It was alleged that this witness had also complained in 2015 to the department's Equal Employment Opportunity Coordinator about inappropriate comments of a sexual nature made by the Assessor, and that the witness believed that she had not been promoted for bringing her concerns forward. The outside attorney investigator also investigated this allegation.

WHEREAS, the independent outside attorney investigator sustained the following allegations, meaning that the investigator determined that it was more likely than not that the incidents listed below took place:

1. As to the initial complainant, there was sufficient evidence to indicate that Mr. Kramer engaged in the following conduct in 2014 and 2015:
 - a. Mr. Kramer frequently visited the complainant's cubicle on the first floor and the complainant frequently visited Mr. Kramer's office during 2014 and up to March 2015. During these visits they discussed work related and non-work related matters.
 - b. On one occasion Mr. Kramer told her that he had given a vibrator to a woman (not a County employee) as a gift. She thought that this was inappropriate and offensive.

- c. Mr. Kramer sent her two text messages in 2014 that she believed suggested a romantic/sexual interest in her. The partial text messages provided by the complainant in support of this allegation are attached. She considered the texts to be inappropriate and unwelcome.
 - d. In May 2014, he offered her a rose, which she interpreted to be a romantic gesture.
2. As to the second employee/witness, there was sufficient evidence to indicate that Mr. Kramer made a comment in her presence in 2008 and told a story in her presence in 2013 concerning his social interactions with women that she thought were inappropriate and offensive; and that on one occasion in 2015 he made a comment to her that she believed was intended to be sexually suggestive and considered inappropriate, offensive and unwelcome.

WHEREAS, despite the fact that the independent attorney investigator found that: (1) the evidence did not show that Mr. Kramer retaliated against either employee or take action to negatively impact their careers; (2) the evidence did show that Mr. Kramer stopped making inappropriate and offensive comments of a sexual nature to both employees after he learned of their complaints in 2015; and (3) no further harassment complaints from these or any other employees have been made against Mr. Kramer since mid-2015; the Board considers the conduct described above to have been inappropriate and unbecoming of an elected County official. The Board expects all County employees, supervisors, department heads and officials to refrain from any conduct in the workplace that a reasonable person would consider to be inappropriate, offensive and unwelcome.

WHEREAS, although elected officials are not subject to the normal avenues of employee discipline, they should never consider themselves to be above reproach and should always be mindful of the fact that they are accountable to the voters.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Supervisors of Contra Costa County does hereby censure Assessor Gus Kramer for engaging in the conduct described above and reminds Mr. Kramer that, as a County officer, it is his duty to provide a workplace free from sexual harassment. This is what the Board expects of all of its department heads, whether they are appointed or elected.

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

ATTESTED: August 14, 2018

Contact: -

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

By: , Deputy

cc:

Hand:

Yes.....corona . How did you know?

By the lake. It's hot outside. Cold beer required to complete the picture. Lol

Aug 2, 2014, 6:40 PM

No..... You and beer. But that stays between you and .i .

Aug 3, 2014, 8:47 AM

Sorry about getting carried away yesterday. Have a good day and

iMessage
Today 1:11 PM

Got it, thank you

Delivered

asked for last, best, and final
and Bruce refused to provide
one. They have not responded
to our proposals in writing
since May 13th.

Two weeks ago we asked for
last, best, and final.

Jun 17, 2014, 9:39 AM

You cancelled my birthday
party tomorrow, otherwise
known as CORP. Lol

Jun 17, 2014, 10:43 AM

Because i wanted have you all
to myself. ! Haha. Sorry.....
Wait untill you hear the rest of
the story.

Jul 11, 2014, 9:21 PM

We are done. Finally.

CONTRA COSTA COUNTY
Office of the County Administrator

ADMINISTRATIVE BULLETIN

Number: 429.4
Date: 10-1-17
Section: Personnel

SUBJECT: Policy Against Unlawful Discrimination, Harassment and Retaliation & Unlawful
Discrimination, Harassment and Retaliation Complaint Procedure

I. PURPOSE

This bulletin sets forth the County policy and procedures against unlawful discrimination, harassment and retaliation.

II. APPLICABILITY

This bulletin is applicable to all County departments and agencies.

III. AUTHORITY

In accordance with the provisions of Contra Costa County Ordinance Code Section 24-4.008, the County Administrator has the authority and responsibility to establish and enforce personnel policies in County departments and agencies.

IV. POLICY AGAINST UNLAWFUL DISCRIMINATION, HARASSMENT & RETALIATION.

Contra Costa County is committed to providing a work environment that is free from unlawful discrimination, harassment and retaliation. Unlawful discrimination, harassment and retaliation by co-workers, supervisors, managers and third-parties (e.g. vendors and customers) will not be tolerated. Unlawful discrimination and harassment against an employee, applicant for employment, intern, volunteer or contractor on the basis of a protected class will not be tolerated.

A protected class is a group of people legally protected from unlawful discrimination and harassment. The following protected class groups are legally protected by state or federal law and the Personnel Management Regulations: age (40 and above), ancestry, color, disability (mental and physical, including HIV and AIDS), genetic information, marital status, medical condition (cancer/genetic characteristics & information), military or veteran status, national origin (including language use restrictions), request for pregnancy disability leave, political activity, race, religion, religious activities, request for family care leave, request for leave for an employee's own serious health condition, retaliation for reporting patient abuse in tax-supported institutions, sex (gender, gender identity, gender expression), sexual orientation, or union activities. [The California Fair Employment and Housing Act, Government Code sections 12900 through 12906, and its implementing regulations,

California Code of Regulations, Title 2, sections 11000 through 11141; and Contra Costa County Personnel Management Regulations, Part 14.]

Additionally, the County does not condone retaliation against employees, applicants for employment, interns, volunteers or contractors for engaging in legally protected activities.

V. DEFINITIONS:

A. Unlawful Discrimination & Harassment.

Unlawful discrimination and harassment as used in this policy may result from words or conduct directed at a protected class, such as, verbal conduct (slurs, jokes, insults, epithets, gestures, or teasing), or visual conduct (offensive posters, symbols, cartoons, drawings, computer displays, or emails) or physical conduct (physically threatening another person, assault, or impeding or blocking a person's movements).

B. Sexual Harassment.

Sexual harassment as used in this policy includes unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature made by someone from or in the work place; or a pattern of repeated sexually harassing conduct that creates an abusive or hostile work environment. Examples may include: verbal conduct (advances, flirtations, inappropriate comments on a person's dress or physical features, inappropriate stories or jokes), visual conduct (derogatory posters, cartoons, drawings, emails, texts, or website content), or physical conduct (assault, impeding or blocking movement, offensive or unwanted touching, pinching, grabbing, patting).

C. Retaliation.

Retaliation as used in this policy means taking an adverse employment action against an employee, applicant for employment, intern, volunteer or contractor in retaliation for making an unlawful discrimination or unlawful harassment complaint or good faith participation in the investigation of an unlawful discrimination or unlawful harassment complaint.

D. Prevention.

All employees, including department heads, supervisors, and other management personnel are expected and required to abide by this policy. Supervisors and management personnel are expected to take steps to prevent unlawful discrimination, harassment and retaliation from occurring in the workplace. An employee who engages in unlawful, discrimination, harassment or retaliation will be subject to disciplinary action, including the possible termination of employment.

E. Education.

- All supervisors must receive a two-hour sexual harassment training every two years, as required by Government Code section 12950.
- All employees must receive sexual harassment training at least once every three years, as required by a Board Order dated October 22, 1991.

VI. UNLAWFUL DISCRIMINATION, HARASSMENT & RETALIATION COMPLAINT PROCEDURE.

Complaints of unlawful discrimination, harassment and retaliation filed by County employees, interns or volunteers (collectively, referenced as Complainants) will be investigated in accordance with the procedure set forth below.

A. What Kind of Complaints Can Be Filed?

Unlawful discrimination, harassment and retaliation complaints filed with the County must be based on one or more of the protected classes listed above, or as otherwise specified by law.

B. How Does a Complainant File a Complaint?

1. Internal: Using County Process

The County encourages Complainants to discuss any workplace issues or concerns including complaints of unlawful discrimination, harassment and retaliation with their immediate supervisor. If the issue isn't resolved at that level, a Complainant may file an oral or written complaint of unlawful discrimination, harassment and retaliation with: (1) their immediate supervisor, manager or department head; or (2) their department equal employment opportunity officer; or (3) the County Equal Employment Opportunity Officer ("EEO Officer"). Any supervisor who receives a complaint of unlawful discrimination, harassment and retaliation must immediately report it to their manager.

2. Additional Internal Avenue for County Employees

In addition to these avenues, the Contra Costa County Merit Board has jurisdiction over employees who are in the Merit System. A County employee in the Merit System may file a written complaint of unlawful discrimination, harassment and retaliation through the Director of Human Resources to the Merit Board. A complaint to the Merit Board must be filed within sixty (60) days after the alleged acts or within thirty (30) days after the date of the letter from the County Equal Employment Opportunity Officer stating the results of the informal resolution attempts, whichever is later. A complaint filed with the Merit Board must describe the facts upon which the unlawful discrimination, harassment or retaliation is alleged, and the employee must request a remedy.

3. External: Complaint Filed with State or Federal Agencies

Complainants are encouraged to take advantage of this County's internal complaint process so that the County can take immediate steps to address and resolve their concerns. However, nothing in this policy bars a person from filing a complaint with the California Department of Fair Employment and Housing, and/or the U.S. Equal Employment Opportunity Commission. Contact information for these agencies is available on the internet or in telephone directories.

C. Complaint Procedure

All internal complaints of unlawful discrimination, harassment and retaliation:

- Will be kept confidential to the extent possible and permitted by law;
- Will be responded to and resolved in a timely manner;

- Will be investigated by qualified personnel in a timely and impartial manner; and
- Will be documented and tracked for reasonable progress.

When the County receives allegations of unlawful discrimination, harassment or retaliation, a fair, timely, impartial, and thorough investigation, commensurate with the circumstances is to be undertaken at the appropriate level of supervision. The goal of the investigation is to provide all parties appropriate due process and reach reasonable conclusions based on the evidence collected. As mentioned above, the investigation is to remain confidential to the extent possible and permitted by law, however, complete confidentiality may not always be possible because there are circumstances in which it may be necessary to speak with others about the complaint or investigation (for example, a witness identified by the Complainant).

D. Applicants for Employment

This policy and procedure also applies to complaints of unlawful discrimination, harassment and retaliation filed by applicants for employment. Applicants for employment should direct complaints of unlawful discrimination, harassment and retaliation to the Director of Human Resources.

E. Contractors

This policy and procedure also applies to complaints of unlawful discrimination, harassment and retaliation filed by contractors. A contractor may file an oral or written complaint of unlawful discrimination, harassment and retaliation with the County Equal Employment Opportunity Officer, or the federal or state agencies identified above.

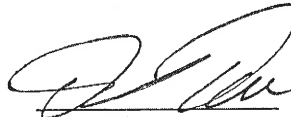
VII. RETALIATION

Unlawful retaliation is prohibited by this policy. If you believe someone has violated this policy against unlawful retaliation, please notify your supervisor, manager, department head, or the County's Equal Employment Opportunity Officer.

VIII. CORRECTION

Appropriate remedial measures for a violation of this policy may be taken following investigation and resolution of the complaint. The department head is responsible for selecting an appropriate level of discipline for employees within his/her department.

This Administrative Bulletin supersedes Administration Bulletin 429.3.



David Twa
County Administrator

Orig. Dept.: Risk Management

Antoine Wilson
Equal Employment Opportunity Officer
Division of Risk Management
2530 Arnold Drive, #140
Martinez, California 94553-1229
Direct: (925) 335-1455
Fax: (925) 335-1421
antoine.wilson@riskm.cccounty.us

David Twa
County Administrator

Contra Costa County



Board of Supervisors

John M. Gioia
1st District

Candace Andersen
2nd District

Diane Burgis
3rd District

Karen Mitchoff
4th District

Federal Glover
5th District

Unlawful Discrimination, Harassment and Retaliation Complaint Form

Complainant: _____

Job Title: _____ Department: _____

Email Address: _____ Supervisor's Name: _____

Home Address: _____

Work #: () _____ Home #: () _____ Cell #: () _____

1. On what basis do you believe you have been unlawfully discriminated/harassed against and why? *Please check only those which apply.*

- | | | |
|---|--|---|
| <input type="checkbox"/> Race/Color | <input type="checkbox"/> Disability (mental and physical, including HIV and AIDS) | <input type="checkbox"/> Request for Pregnancy Disability Leave |
| <input type="checkbox"/> Sex/Gender/Gender Identity/ Gender Expression | <input type="checkbox"/> Medical Condition (cancer/ genetic characteristics and information) | <input type="checkbox"/> Request for Leave for an Employee's Own Serious Health Condition |
| <input type="checkbox"/> Age (40 and over) | <input type="checkbox"/> Military/Veteran Status | <input type="checkbox"/> Retaliation for Reporting Patient Abuse in Tax Supported Hospitals |
| <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Union Activity | <input type="checkbox"/> Other (please specify) |
| <input type="checkbox"/> Religion/Religious Activity | <input type="checkbox"/> Political Activity | |
| <input type="checkbox"/> National Origin/Ancestry (including language use restrictions) | <input type="checkbox"/> Request for Family Care Leave | |
| <input type="checkbox"/> Marital Status | | |

2. Briefly explain why you believe the box or boxes above apply to your situation:

3. Date of occurrence(s) that gave rise to the alleged discrimination/harassment/retaliation:

4. What information do you have to indicate that you were affected by unlawful discrimination, harassment or retaliation? Please be as specific as possible and include all pertinent dates, names, and incidents involving the alleged unlawful discrimination, harassment or retaliation. Please include a separate sheet of paper if more room is needed and attach to this document.

5. List names, job title and phone number (if possible) of witness(es) you feel can provide evidence helpful to the investigation and resolution of the complaint:

6. What remedy are you seeking?

7. If you are a County employee:
- a. Have you filed a Grievance/Merit Board Complaint regarding this matter? Yes No
 - b. Date Grievance/Merit Board Complaint was filed. _____
(If Applicable)
 - c. Are you being represented by a labor organization? Yes No
 - d. Name of representative _____ Organization _____

8. All complainants:

- a. Do you have an attorney? Yes No

If so, please provide name, address, and telephone number: _____
Name

Address Phone

- b. Have you filed a complaint on this matter with any other agency? If so, please specify:

Equal Employment Opportunity Commission _____ Date complaint filed _____
 Department of Fair Employment and Housing _____ Date complaint filed _____
 Other _____ Date complaint filed _____

My signature hereby authorizes the Equal Employment Opportunity Access Office to gather all essential information in the investigation of my complaint, and, if necessary, to share this information with other parties involved in the resolution of this complaint.

Signature of Complainant Date

Please complete and return to:

Antoine Wilson
Equal Employment Opportunity Officer
2530 Arnold Drive, #140
Martinez, California 94553-1229
(925)-335-1455 (Office)
(925) 335-1421 (Fax)
antoine.wilson@riskm.cccounty.us



**Contra
Costa
County**

To: Board of Supervisors
From: Dianne Dinsmore, Human Resources Director
Date: August 14, 2018

Subject: 2019 Renewals for NonPERS Health Plans

RECOMMENDATION(S):

AUTHORIZE the County Administrator or designee to execute contract renewals with the NonPERS Health/Medical Plans, Dental Plan, Vision Insurance, Life Insurance Plan carriers and the Computer Vision Care Program for the period January 1, 2019 - December 31, 2019.

FISCAL IMPACT:

Premiums for active, retired and survivor enrollees are funded by a combination of charges to County Departments and Special Districts, and employee/retiree/survivor contributions. The fiscal impact is based on projections of 2019 using 2018 census data with no adjustment for future migration between plans. The 2019 projected total premium cost for active employees is approximately \$116.2 million, this figure was \$103.9 million in 2018. The currently negotiated cost to the County is \$88.7 million of that total (\$80.6 million in 2018). The 2019 increased premium cost is \$11.0 million (\$6.6 million in 2018), of which \$6.8 million is the increased County subsidy (\$3.6 million in 2018).

There were no increases to the Delta Care HMO plan, or the VSP Voluntary Vision, Computer Vision Care plans and Voya Basic Life/AD & D and Supplemental Insurance plans. The Delta Dental PPO plan premium equivalency will increase by 2.0%.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Ann Elliott
925-335-1747

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

By: , Deputy

cc: Jeffrey Bailey, Labor Relations Manager, Lisa Driscoll, Finance Director

BACKGROUND:

Insurance coverage is an important benefit and a valuable recruitment and retention tool. To ensure that high quality insurance is available for eligible Contra Costa County employees and retirees, the County contracts for group health, dental and life insurance, voluntary vision insurance, as well as computer vision care coverage, on an annual basis with a number of carriers/providers. The County's existing insurance and coverage contracts are for the calendar year and expire December 31, 2018. In order to ensure uninterrupted coverage for enrolled members (eligible active employees, retired employees and survivors of retired employees) staff requests authorization from the Board of Supervisors to renew existing insurance coverage at the rates provided on the attached chart. This information indicates the different premium structures - either a Two Tier or Three Tier - based on what has been negotiated with various bargaining groups.

To assist the County in negotiating the best possible health care terms for our active and retired employees, the County contracts with Segal Consultants, who has expertise in public sector employee benefit plan design and rate structure. All health/medical insurance contracts continue to offer essential health/medical benefits and coverage compliant with the requirements of the Affordable Care Act (ACA).

Proposed rates for the 2019 plan year for the medical, dental, life insurance, voluntary vision or computer vision care coverage offered to eligible employees, retirees or survivors of employees are attached and are effective January 1, 2019. In summary for 2019, there is no increase to supplemental life insurance or the dental HMO plan premiums, VSP Voluntary Vision and CVC plan. Additionally, the VSP Voluntary Vision plan will now offer enhanced coverage for glasses and contacts. The plan will increase the amount paid for glasses from \$150 to \$175 and the allowance for contacts will increase from \$130 to \$175.

CONSEQUENCE OF NEGATIVE ACTION:

In order to prevent the disruption of services for group benefits that are offered to eligible employees and their dependents, it is necessary to execute contract renewals prior to open enrollment which is planned for October 2018 for the 2019 plan year.

ATTACHMENTS

2019 NonPERS Renewal Rates

NonPERS Medical, Dental, Vision, CVC and Life Insurance Renewal Rates

EXISTING PLANS and PERCENTAGE of RATE INCREASE or DECREASE

NonPERS Medical Plans

3 Tier Rate Structure	Coverage	2018	2019	% of Change
Contra Costa Health Plan A	Employee (EE)	\$744.86	\$812.06	9.00 %
	EE + 1	\$1,489.70	\$1,624.10	9.00 %
	EE + 2 or more	\$2,234.57	\$2,436.18	9.00 %
Contra Costa Health Plan B	Employee (EE)	\$825.69	\$900.19	9.00 %
	EE + 1	\$1,651.38	\$1,800.37	9.00 %
	EE + 2 or more	\$2,477.07	\$2,700.56	9.00 %
Kaiser Permanente Plan A	Employee (EE)	\$783.86	\$877.30	11.92%
	EE + 1	\$1,567.71	\$1,754.60	11.92%
	EE + 2 or more	\$2,351.57	\$2,631.90	11.92%
Kaiser Permanente Plan B	Employee (EE)	\$623.05	\$697.28	11.91%
	EE + 1	\$1,246.09	\$1,394.56	11.91%
	EE + 2 or more	\$1,869.14	\$2,091.84	11.91%
Kaiser Permanente HDHP	Employee (EE)	\$499.94	\$559.68	11.95%
	EE + 1	\$999.88	\$1,119.36	11.95%
	EE + 2 or more	\$1,499.82	\$1,679.04	11.95%
Teamsters Local Union No. 856	Employee (EE)	\$655.00	\$720.00	9.92%
Trust Fund KP Health Plan	EE + 1	\$1,245.00	\$1,369.00	9.96%
	EE + 2 or more	\$1,736.00	\$1,909.00	9.97%
Health Net HMO Plan A	Employee (EE)	\$1,512.68	\$1,677.56	10.90%
	EE + 1	\$3,025.36	\$3,355.12	10.90%
	EE + 2 or more	\$4,538.04	\$5,032.68	10.90%
Health Net HMO Plan B	Employee (EE)	\$1,051.89	\$1,166.55	10.90%
	EE + 1	\$2,103.78	\$2,333.10	10.90%
	EE + 2 or more	\$3,155.67	\$3,499.65	10.90%
Health Net CA & OOS PPO Plan A	Employee (EE)	\$2,039.71	\$2,340.40	14.70%
	EE + 1	\$4,079.42	\$4,680.80	14.70%
	EE + 2 or more	\$6,119.13	\$7,021.20	14.70%

2 Tier Rate Structure *	Coverage	2018	2019	% of Change
Contra Costa Health Plan A	Employee (EE)	\$803.79	\$876.31	9.00%
	Family	\$1,915.06	\$2,087.84	9.00%
Contra Costa Health Plan B	Employee (EE)	\$891.01	\$971.40	9.00%
	Family	\$2,117.18	\$2,308.20	9.00%
Kaiser Permanente Plan A	Employee (EE)	\$856.59	\$958.66	11.92%
	Family	\$1,996.96	\$2,233.68	11.85%
Kaiser Permanente Plan B	Employee (EE)	\$698.46	\$781.64	11.91%
	Family	\$1,627.40	\$1,821.23	11.91%
Health Net HMO Plan A	Employee (EE)	\$1,619.72	\$1,796.27	10.90%
	Family	\$3,968.31	\$4,400.86	10.90%
Health Net HMO Plan B	Employee (EE)	\$1,126.32	\$1,249.09	10.90%
	Family	\$2,759.48	\$3,060.27	10.90%
Health Net CA & OOS PPO Plan A	Employee (EE)	\$2,109.35	\$2,420.31	14.70%
	Family	\$5,020.25	\$5,760.34	14.70%

* The 2 Tier Rate Structure only applies to CNA Actives and Early Retirees

NonPERS Medicare Coordination of Benefits (COB) Plans

	Coverage	2018	2019	% of Change
Contra Costa COB Health Plan A	Retiree	\$369.69	\$403.04	9.00%
	Family, 1 Medicare	\$1,183.02	\$1,289.74	9.00%
	2 Medicare	\$739.39	\$806.09	9.00%
	Family, 2 Medicare	\$1,109.08	\$1,209.13	9.00%
Contra Costa COB Health Plan B	Retiree	\$380.78	\$415.13	9.00%
	Family, 1 Medicare	\$1,218.50	\$1,328.43	9.00%
	2 Medicare	\$761.56	\$830.27	9.00%
	Family, 2 Medicare	\$1,142.34	\$1,245.40	9.00%
Health Net HMO A COB Plan	Retiree/Spouse Only	\$772.06	\$877.90	13.71%
	Retiree & Spouse	\$1,544.12	\$1,755.80	13.71%
Health Net HMO B COB Plan	Retiree/Spouse Only	\$717.87	\$816.21	13.71%
	Retiree & Spouse	\$1,435.62	\$1,632.42	13.71%
Health Net CA & OOS COB PPO Plan A	Retiree/Spouse Only	\$1,113.11	\$1,201.53	7.94%
	Retiree & Spouse	\$2,226.22	\$2,403.06	7.94%

Medicare Senior Advantage Plans

	Coverage	2018	2019	% of Change
Health Net Seniority Plus Plan A	Retiree/Spouse Only	\$567.59	\$595.96	5.00%
	Retiree & Spouse	\$1,135.18	\$1,191.92	5.00%
Health Net Seniority Plus Plan B	Retiree/Spouse Only	\$476.49	\$500.31	5.00%
	Retiree & Spouse	\$952.98	\$1,000.62	5.00%
Kaiser Senior Advantage Plan A	A & B	\$351.15	\$368.54	4.95%
Kaiser Senior Advantage Plan B	A & B	\$266.25	\$279.40	4.94%

Dental

2 Tier & 3 Tier Rate Structure	Coverage	2018	2019	% of Change
Delta Dental PPO ASO Fees	N/A	\$5.03	\$5.03	No change
Delta Dental PPO	Employee (EE)	\$45.16	\$46.06	2.00%
	EE + 1 (Family)	\$102.00	\$104.04	2.00%
	EE + 2 or more (Family)	\$102.00	104.04	2.00%
Delta Care HMO	Employee (EE)	\$29.06	\$29.06	No change
	EE + 1 (Family)	\$62.81	\$62.81	No change
	EE + 2 or more (Family)	\$62.81	\$62.81	No change

Vision

		2018	2019	% of Change
VSP Computer Vision Care Plan (CVC)	Employee (EE)	\$4.31	\$4.31	No Change
VSP Voluntary Vision Plan	Employee (EE)	\$10.08	\$10.08	No Change
	EE + 1	\$20.14	\$20.14	No Change
	EE + 2 or more	\$32.44	\$32.44	No Change

Life Insurance

	2018	2019	% of Change
VOYA Basic Life AD & D Program	\$0.08/\$1000	\$0.08/\$1000	No change

VOYA Supplemental Life Program			
Employee Age	Rate per \$1000	Rate per \$1000	No change
0-24	\$0.07	\$0.07	No change
25-29	\$0.08	\$0.08	No change
30-34	\$0.10	\$0.10	No change
35-39	\$0.11	\$0.11	No change
40-44	\$0.16	\$0.16	No change
45-49	\$0.26	\$0.26	No change
50-54	\$0.42	\$0.42	No change
55-59	\$0.65	\$0.65	No change
60-64	\$1.01	\$1.01	No change
65-69	\$1.82	\$1.82	No change
≥ 70	\$3.52	\$3.52	No change



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: August 14, 2018

Subject: APPROVE the Rodeo Downtown Infrastructure Project (Project) and take related actions under CEQA, Rodeo area..

RECOMMENDATION(S):

APPROVE the Rodeo Downtown Infrastructure Project (Project) and AUTHORIZE the Public Works Director, or designee, to advertise the Project, Rodeo area. [County Project No. 0662-6R4125, DCD-CP#17-19] (District V).

DETERMINE the Project is a California Environmental Quality Act (CEQA), Class 1(c) Categorical Exemption, pursuant to Article 19, Section 15301(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

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.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Alex Nattkemper (925)
313-2364

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

By: , Deputy

cc: Ave Brown - Environmental Division Manager

FISCAL IMPACT:

Estimated Project cost: \$1,301,000. 65% Former Redevelopment Agency (RDA) Funds and 35% Local Road Funds.

BACKGROUND:

The purpose of this Project is to provide pedestrian infrastructure improvements from the Rodeo Creek trailhead on Investment Street and along Pacific Avenue from Parker Avenue to the Bay Trail entrance at San Pablo Avenue near the Rodeo Marina. The Project will fill several sidewalk gaps and improve outdated or non-existent Americans with Disabilities Act (ADA) compliant sidewalks and curb ramps to provide continuous pedestrian infrastructure.

CONSEQUENCE OF NEGATIVE ACTION:

Delay in approving the project may result in a delay of design, construction, and may jeopardize funding.

ATTACHMENTS

CEQA Document

PUBLIC WORKS DEPARTMENT
INITIAL STUDY OF
ENVIRONMENTAL SIGNIFICANCE

PROJECT NUMBER: 0662-6R4125
CP# 17-19

PROJECT NAME: Rodeo Downtown Infrastructure Project

PREPARED BY: Alex Nattkemper *AB*

DATE: June 6, 2018

APPROVED BY: *Jean B. Moran*

DATE: 6/20/2018

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 minor alteration of existing public facilities, involving negligible expansion of use beyond that previously existing, pursuant to section 15301(c) of the CEQA guidelines.

What changes to the project would mitigate the identified impacts: N/A

USGS Quad Sheet: <u>Mare Island</u>	Base Map Sheet #: <u>D-7, E-7</u>	Parcel #: <u>N/A</u>
-------------------------------------	-----------------------------------	----------------------

GENERAL CONSIDERATIONS:

- Location:** The project is located along Pacific Avenue, San Pablo Avenue, Rodeo Avenue, First Street, Second Street, and Investment Street in the unincorporated community of Rodeo [Figures 1-3].
- Project Description:** The purpose of this Project is to provide pedestrian infrastructure improvements from the Rodeo Creek trailhead on Investment Street and along Pacific Avenue from Parker Avenue to the Bay Trail entrance at San Pablo Avenue near the Rodeo Marina. The Project will fill several sidewalk gaps and improve outdated or non-existent Americans with Disabilities Act (ADA) compliant sidewalks and curb ramps to provide continuous pedestrian infrastructure. The proposed sidewalks will provide ADA clearances around existing utility poles and existing utilities within the proposed sidewalks will be adjusted to grade. Specific Project segments are described below.
 - Approximately 75 feet of curb, gutter and sidewalk on San Pablo Avenue,
 - Approximately 400 feet of curb, gutter and sidewalk along Pacific Avenue from San Pablo Avenue to First Street,
 - A pedestrian path on the west side of Pacific Avenue (approximately 80 feet long),
 - Approximately 150 feet of curb, gutter and sidewalk on the south corner of Pacific Avenue and First Street,
 - A pedestrian median and painted crosswalk across Pacific Avenue at the northwestern corner of Pacific Avenue and Rodeo Avenue,
 - On the east side of Rodeo Avenue, approximately 180 feet of curb, gutter, and sidewalk, and associated drainage infrastructure will wrap around a proposed triangular area at the northeast corner of Rodeo Avenue and Second Street that will close through traffic to Pacific Avenue and reconfigure the intersection of Rodeo Avenue and Second Street. This triangular area may be considered for implementation of a storm water bio-retention basin. The reconfigured intersection will reduce the number of traffic conflicts in order to improve vehicle and pedestrian safety.
 - Approximately 150 feet of curb, gutter and sidewalk will be installed along Investment Street west of Parker Avenue.
 - A new ADA ramp and retaining wall will connect to the existing Rodeo Creek Trail.

In addition, painted crosswalks and ADA curb ramps will be installed throughout the Project area. Approximately seven wayfinding signs will also be installed to direct visitors and residents around town and identify destinations and landmarks. The Project may include the following: asphalt concrete (AC) removal, importation of fill material, relocation of utility poles, street signs, private fences, mailboxes and landscaping, minor levee excavation, new signage installation, pavement striping and driveway modifications. The Project will maintain the existing drainage pattern. Applicable standard Best Management Practices (BMPs) will be implemented during construction. Utility adjustments or relocations may be necessary in support of the Project. All improvements are expected to be constructed within existing right-of-way. Although no permanent right-of-way acquisition is anticipated, real property transactions, such as temporary construction easements, may be needed in support of the Project. To facilitate the sidewalk improvements, approximately ten trees and four bushes will be removed. Tree and shrubbery trimming may be necessary throughout the Project area. During construction at least one lane will be open to allow for through traffic and 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 A minor 408 permit from the U.S. Army Corps of Engineers, Readiness Branch

5. Is the project within the Sphere of Influence of any city? No

Rodeo Downtown Infrastructure Project

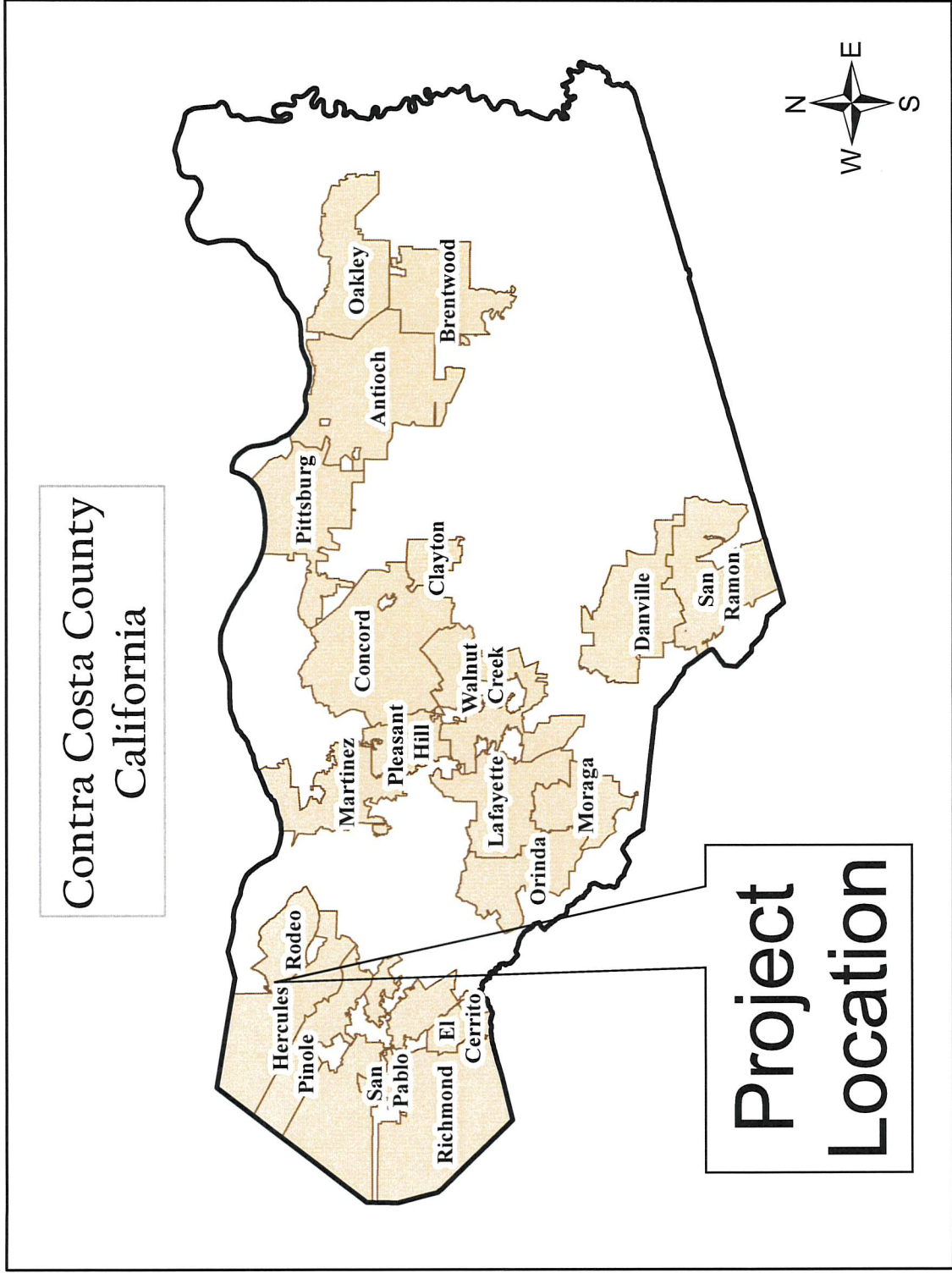
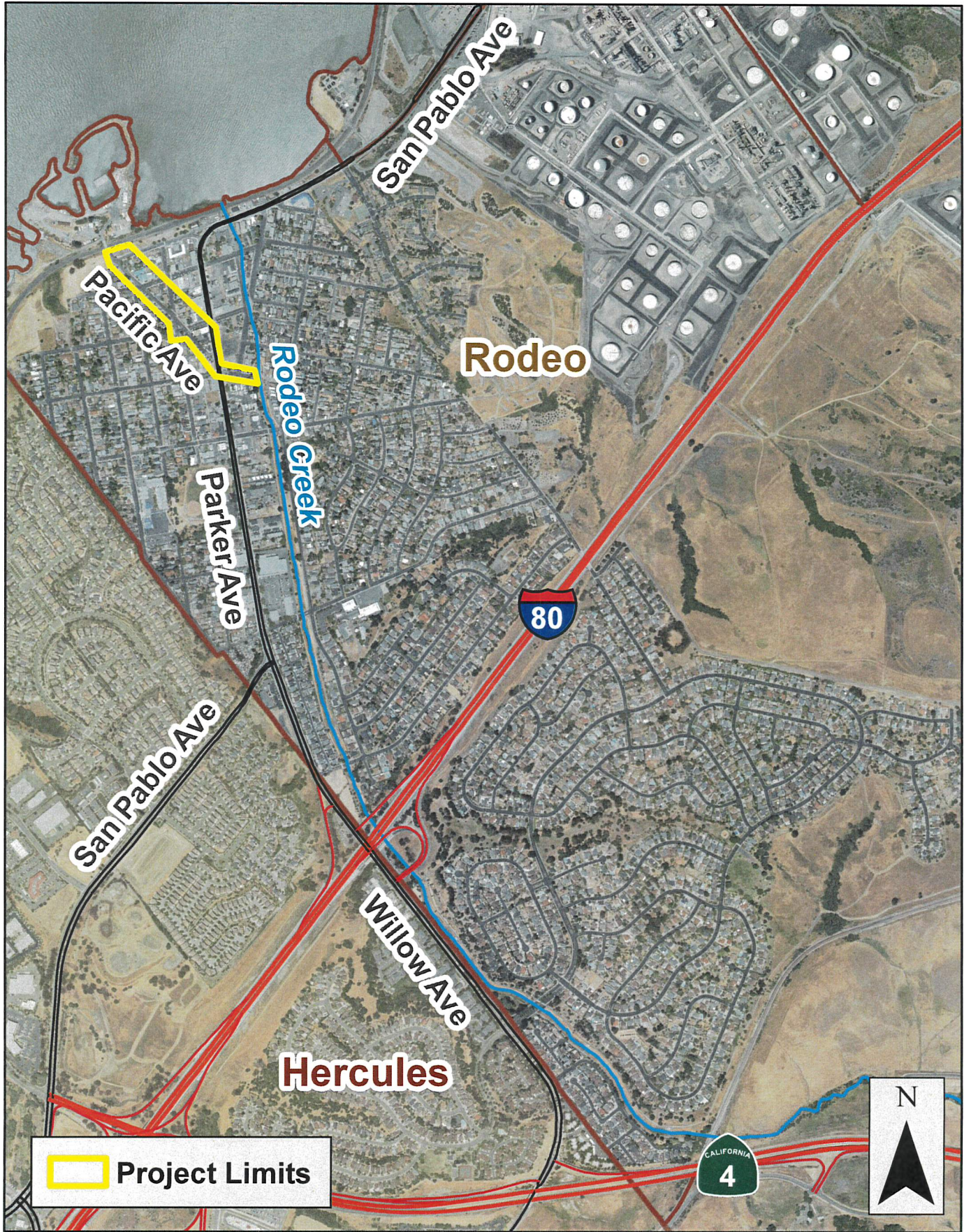


Figure 1

Rodeo Downtown Infrastructure Project



0 0.5 1 Miles

Figure 2

Rodeo Downtown Infrastructure Project



Figure 3

CALIFORNIA ENVIRONMENTAL QUALITY ACT
Notice of Exemption

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

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

County Clerk
County of: Contra Costa

Project Title: Rodeo Downtown Infrastructure Project
Proj. No. 0662-6R4125 CP#17-19

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

Project Location – **Specific:** Along portions of Pacific Avenue, Rodeo Avenue and Investment Street

Project Location: Unincorporated community of Rodeo

Project Location – County: West Contra Costa

Description of Nature, Purpose and Beneficiaries of Project: The purpose of this Project is to provide pedestrian infrastructure improvements from the Rodeo Creek trailhead on Investment Street and along Pacific Avenue from Parker Avenue to the Bay Trail entrance at San Pablo Avenue near the Rodeo Marina. The Project will fill several sidewalk gaps and improve outdated or non-existent Americans with Disabilities Act (ADA) compliant sidewalks and curb ramps to provide continuous pedestrian infrastructure. The proposed sidewalks will provide ADA clearances around existing utility poles and existing utilities within the proposed sidewalks will be adjusted to grade. Specific Project segments are described below.

- Approximately 75 feet of curb, gutter and sidewalk on San Pablo Avenue,
- Approximately 400 feet of curb, gutter and sidewalk along Pacific Avenue from San Pablo Avenue to First Street,
- A pedestrian path on the west side of Pacific Avenue (approximately 80 feet long),
- Approximately 150 feet of curb, gutter and sidewalk on the south corner of Pacific Avenue and First Street,
- A pedestrian median and painted crosswalk across Pacific Avenue at the northwestern corner of Pacific Avenue and Rodeo Avenue,
- On the east side of Rodeo Avenue, approximately 180 feet of curb, gutter, and sidewalk, and associated drainage infrastructure will wrap around a proposed triangular area at the northeast corner of Rodeo Avenue and Second Street that will close through traffic to Pacific Avenue and reconfigure the intersection of Rodeo Avenue and Second Street. This triangular area may be considered for implementation of a storm water bio-retention basin. The reconfigured intersection will reduce the number of traffic conflicts in order to improve vehicle and pedestrian safety.
- Approximately 150 feet of curb, gutter and sidewalk will be installed along Investment Street west of Parker Avenue.
- A new ADA ramp and retaining wall will connect to the existing Rodeo Creek Trail.

In addition, painted crosswalks and ADA curb ramps will be installed throughout the Project area. Approximately seven wayfinding signs will also be installed to direct visitors and residents around town and identify destinations and landmarks. The Project may include the following: asphalt concrete (AC) removal, importation of fill material, relocation of utility poles, street signs, private fences, mailboxes and landscaping, minor levee excavation, new signage installation, pavement striping and driveway modifications. The Project will maintain the existing drainage pattern. Applicable standard Best Management Practices (BMPs) will be implemented during construction. Utility adjustments or relocations may be necessary in support of the Project. All improvements are expected to be constructed within existing right-of-way. Although no permanent right-of-way acquisition is anticipated, real property transactions, such as temporary construction easements, may be needed in support of the Project. To facilitate the sidewalk improvements, approximately ten trees and four bushes will be removed. Tree and shrubbery trimming may be necessary throughout the Project area. During construction at least one lane will be open to allow for through traffic and 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:

- | | |
|---|--|
| <input type="checkbox"/> Ministerial Project (Sec. 21080(b) (1); 15268; | <input checked="" type="checkbox"/> Categorical Exemption: <u>Class 1(c)</u> |
| <input type="checkbox"/> Declared Emergency (Sec. 21080(b)(3); 15269(a)); | <input type="checkbox"/> Other Statutory Exemption, Code No.: _____ |
| <input type="checkbox"/> Emergency Project (Sec. 21080(b)(4); 15269(b)(c)); | <input type="checkbox"/> General Rule of Applicability [Article 5, Section 15061 (b)(3)] |

Reasons why project is exempt: The project consists of minor alteration of existing public facilities, involving negligible expansion of use beyond that previously existing, pursuant to Section 15301(c) of the CEQA guidelines.

Lead Agency Contact Person: **Alex Nattkemper - Public Works Dept.** Area Code/Telephone/Extension: **(925) 313-2364**

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: Alex Nattkemper
Environmental Services Division
Phone: (925) 313-2364

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: August 14, 2018

Subject: Declaring Roundhill Drive stop-controlled at Roundhill Road, Alamo area.

RECOMMENDATION(S):

RESCIND Traffic Resolution No. 1976/2181, and ADOPT Traffic Resolution No. 2018/4475 declaring a stop-control on Roundhill Drive (Road No. 4437V) and Roundhill Road (Road No. 4437U), as recommended by the Public Works Director, Alamo area.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

Roundhill Drive is currently yield controlled at its intersection with Roundhill Road. As requested by the Roundhill Club's General Manager, Public Works Traffic Engineering Staff initiated an investigation of the intersection to determine if a stop control of Roundhill Drive could be justified.

Based on the investigation, it has been determined that a stop control may be placed on Roundhill Drive at Roundhill Road pursuant to California Vehicle Section 21354, which states that stop signs may be placed at entrances to "through highways". Traffic Resolution 3201, approved by the

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Monish Sen,
925.313-2187

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Board of Supervisors on September 15, 1987, designated Roundhill Road as a through highway. Therefore, the Public Works Department recommends that the existing yield control be replaced with a stop control on Roundhill Drive at Roundhill Road, to enhance the orderly flow of traffic, and allow enforcement of the traffic regulation.

CONSEQUENCE OF NEGATIVE ACTION:

Roundhill Drive at Roundhill Road will remain a yield controlled intersection.

ATTACHMENTS

Traffic Res. 4475

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

Adopted this Traffic Resolution on August 14, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

TRAFFIC RESOLUTION NO. 2018/4475
Supervisorial District II

SUBJECT: Declaring a stop-control on Roundhill Drive (Road No. 4437V) at Roundhill Road (Road No. 4437U), Alamo area.

The Contra Costa Board of Supervisors RESOLVES that:

Based on the recommendations of the County Public Works Department's Transportation Engineering Division and pursuant to County Ordinance Code Sections 46-2.002 - 46-2.012, the following traffic regulation is established (and other action to be taken, as indicated):

Pursuant to Section 21354 of the California Vehicle Code, Roundhill Drive (Road No. 4437V) is hereby declared to be stop-controlled at its intersection with Roundhill Road (Road No. 4437U), and all vehicles traveling on Roundhill Drive shall stop before entering said intersection.

Traffic Resolution 1976/2181, pertaining to vehicles traveling westbound on Roundhill Drive that must yield the right of way to traffic on Roundhill Road, is hereby rescinded.

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

ATTESTED: _____
DAVID TWA, Clerk of the Board of Supervisors and
County Administrator

By _____,
Deputy

MS:sr

Orig. Dept.: Public Works (Traffic)
Contact: Monish Sen (925-313-2187)

c: California Highway Patrol
Sheriff's Department



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: August 14, 2018

Subject: Submission of grant applications to Caltrans, Countywide.

RECOMMENDATION(S):

APPROVE the submission of grant applications to the State of California, Department of Transportation (Caltrans) under the Highway Safety Improvement Program (HSIP), as recommended by the Public Works Director, Countywide.

FISCAL IMPACT:

If approved, grants would generate funding from the State - Department of Transportation.

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Mary Halle,
925.313.2327

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

By: , Deputy

cc:

BACKGROUND:

The Highway Safety Improvement Program (HSIP) is a core federal-aid program to States for the purpose of achieving a significant reduction in fatalities and serious injuries on all public roads. The Division of Local Assistance (DLA) at Caltrans manages California's local agencies' share of HSIP funds. California's Local HSIP focuses on infrastructure projects with nationally recognized crash reduction factors (CRFs). Local HSIP projects must be identified on the basis of crash experience, crash potential, crash rate, or other data-supported means.

The Public Works Department has historically submitted grant applications for the HSIP. This is the 9th cycle of the HSIP. The County has experienced significant success in receiving funding through this program. The Public Works Department is currently working with a consultant team to prepare a Vision Zero Safety Program for the County. Submittal of project candidates for funding will assist the County in achieving the goals that will be identified for the Vision Zero Safety Program.

This is the third time that agencies are asked to submit projects under specific categories. The application categories include:

- Common Benefit Cost Ratio Application
- Set-aside for High Friction Surface Treatment
- Set-aside for Guardrail Upgrades
- Set-aside for Horizontal Curve Signing
- Set-aside for pedestrian Crossing Enhancements
- Set-aside for Tribes

PROJECT RECOMMENDATIONS

The data base of collisions throughout unincorporated Contra Costa was used to generate a list of the locations with the highest rate of incidents. Staff found that many of the most frequent collision locations coincide with recently completed capital improvement projects or sites currently in design. This is a positive indication that the past HSIP funds have been programmed to the locations with the highest need.

After a review of the last 5 years of collision data, staff has developed a recommended list of candidate projects to compete for HSIP funding. The descriptions below provide the relative frequency of collisions that have occurred at these locations. The proposed candidate projects and the corresponding submittal category are indicated below:

Common Benefit Cost Ratio Category

Projects in this category are rated solely upon the benefit to cost ratio. The State has pre-determined a percentage of future collisions that can be avoided on average by a specific countermeasure. The selected countermeasure and crash reduction factor provides the calculation for potential benefit for a proposed project. The project cost is estimated and then a ratio is calculated of the potential benefit to estimated cost. A project must meet a minimum benefit to cost ratio of 3.5 to be eligible for consideration.

Appian Way Complete Street – Roundabout at Valley View

The project is located along Appian Way between Valley View and San Pablo Dam Road in the El Sobrante area. The application will include improvements intended to calm traffic, improve safety at pedestrian crossings, and provide pedestrian and bicycle improvements to meet current standards. The intersections at San Pablo Dam Road and Valley View ranked the 12th and 36th highest for collision incident locations in the County. The project limits will be adjusted depending on the project size that can

be supported based upon the calculated benefit.

Bailey Road Bicycle and Pedestrian Improvement Project

The project is located along Bailey Road between Canal Road and Willow Pass Road in the Bay Point area. The application will include pedestrian crossing improvements to improve pedestrian safety and visibility and potential median improvements to discourage mid-block crossings. The project will also include narrowing of travel lanes to calm traffic, striping of buffered bike lanes, and installation of a buffer between pedestrians and the traveled way. The intersections at Canal Road and Willow Pass Road ranked the 1st and 9th highest incident locations.

Deer Valley Road Safety Enhancement Project

The project is located on Deer Valley Road between the City of Antioch and Marsh Creek Road. Countermeasures will be proposed to reduce run off the road injury collisions. The likely countermeasure will be installation of rumble strips although further study of options will be conducted prior to application submittal. This road segment is ranked 41st for locations with high collision incidents.

Set-Aside for High Friction Surface Treatment

Norris Canyon Road Safety Enhancement Project

The proposed project is located on Norris Canyon Road between Ashbourne Drive and the Alameda County limits in the San Ramon area. The project will consist of a high friction surface treatment and installation of guardrail to reduce run off the road collisions. This location ranked 25th on the list for collision incidents.

Set-Aside for Guardrail Upgrades

Guardrail Upgrades Countywide – Guardrail standards have been modified in recent years to raise the standard height to better coincide with the average height of modern vehicles and to design end treatments that absorb energy and retract upon impact. The County was awarded grant funds in Cycle 8 to upgrade guardrails. If awarded funding through Cycle 9, the County would be able to continue guardrail upgrades to bring this element of our road network up to current standard across all the primary routes through the unincorporated area.

Conceptual Design Underway

The recommended projects are based upon the locations with the highest rate of injury collisions. While staff is preparing these applications, they will consider all the available tools or countermeasures available to reduce future collisions and prepare the corresponding cost estimate for those countermeasures. If during preparation of the grant applications, a project does not meet this minimum benefit cost ratio of 3.5:1, it will not be submitted.

CONSEQUENCE OF NEGATIVE ACTION:

If staff is not authorized to submit applications, grant funding will not be available, which will delay the design and construction of these projects.



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: August 14, 2018

Subject: Prohibit time-limited right turns from Taylor Boulevard (Rd. No. 3552A) southbound onto Gloria Terrace (Rd. No. 3667A) westbound, Lafayette area.

RECOMMENDATION(S):

ADOPT Traffic Resolution No. 2018/4473 to prohibit time-limited right turns from Taylor Boulevard (Road No. 3552A) southbound onto Gloria Terrace (Road No. 3667A) westbound, as recommended by the Public Works Director, Lafayette area. (District V)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

Last year, area residents contacted the Public Works Department indicating that they were experiencing unusually high volumes of “cut-through” traffic on Reliez Valley Road, particularly during the morning peak, contributing significantly to longer wait times, longer queues, and illegal movements when dropping their children off at local schools. Residents speculated that the situation appeared to worsen due to the proliferation of GPS-driven turn-by-turn navigation apps, such as Waze or Google Maps. It appeared to them that the navigation apps were sending commuters from other communities through the Reliez Valley Road corridor, compounding the traffic congestion on the roadway. Meanwhile, staff became aware of a signal retiming program

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Monish Sen,
925.313-2187

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

downstream on Taylor Boulevard that had been recently implemented by the City of Lafayette that may have contributed to additional cut-through traffic on Reliez Valley Road.

Traffic Engineering staff subsequently collected data and observed that there was what appeared to be some cut through traffic on Reliez Valley Road during those morning peak traffic times, and specifically there appeared to be a slight reduction in travel time for road users headed south on Reliez Valley Road, instead of Taylor Boulevard, south of Grayson Road. After consultation with the Supervisors office, local city officials, and residents, it was determined that certain time limited turn restrictions should be implemented, on a limited basis as a pilot project in an effort to reduce cut through traffic on Reliez Valley Road. This pilot program is intended to be in effect for at least half the school year, but could then become “permanent” if found to be successful and not opposed by many local residents. During this trial basis, County Public Works will seek to measure and observe the relative effectiveness of the restrictions.

CONSEQUENCE OF NEGATIVE ACTION:

Turning movements will remain unrestricted at all times at this intersection.

ATTACHMENTS

TR 4473

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

Adopted this Traffic Resolution on August 14, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

TRAFFIC RESOLUTION NO. 2018/4473
Supervisorial District V

SUBJECT: Prohibit time-limited right turns from Taylor Boulevard (Road No. 3552A) southbound onto Gloria Terrace (Road No. 3667A) westbound, Lafayette area.

The Contra Costa Board of Supervisors RESOLVES that:

Based on recommendations by the County Public Works Department's Transportation Engineering Division, and pursuant to County Ordinance Code Sections 46-2.002 - 46-2.012, the following traffic regulation is established:

Pursuant to Section 22101(c) of the California Vehicle Code, all vehicular right turns (with the exception of buses) from Taylor Boulevard (Road No. 3552A) southbound onto Gloria Terrace (Road No. 3667A) westbound are hereby declared to be prohibited between the hours of 7:00 AM to 8:30 AM, Monday through Friday, except Holidays, Lafayette area.

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

ATTESTED: _____
David Twa, Clerk of the Board of Supervisors and County Administrator

By _____, Deputy

MS:sr

Orig. Dept: Public Works (Traffic)
Contact: Monish Sen, 313-2187

cc: California Highway Patrol
Sheriff Department



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: August 14, 2018

Subject: Prohibit time limited right turns from Taylor Boulevard (Rd. No. 3552A) southbound onto Withers Avenue (Road No. 3564) westbound, Lafayette area.

RECOMMENDATION(S):

ADOPT Traffic Resolution No. 2018/4474 to prohibit time-limited right turns from Taylor Boulevard (Road No. 3552A) southbound onto Withers Avenue (Road No. 3564) westbound, as recommended by the Public Works Director, Lafayette area. (District II & V)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

Last year, area residents contacted the Public Works Department indicating that they were experiencing unusually high volumes of “cut-through” traffic on Reliez Valley Road, particularly during the morning peak, contributing significantly to longer wait times, longer queues, and illegal movements when dropping their children off at local schools. Residents speculated that the situation appeared to worsen due to the proliferation of GPS-driven turn-by-turn navigation apps, such as Waze or Google Maps. It appeared to them that the navigation apps were sending commuters from other communities through the Reliez Valley Road corridor, compounding the traffic congestion on the roadway. Meanwhile, staff became aware of a signal retiming program

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Monish Sen,
925.313-2187

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

downstream on Taylor Boulevard that had been recently implemented by the City of Lafayette that may have contributed to additional cut-through traffic on Reliez Valley Road.

Traffic Engineering staff subsequently collected data and observed that there was what appeared to be some cut through traffic on Reliez Valley Road during those morning peak traffic times, and specifically there appeared to be a slight reduction in travel time for road users headed south on Reliez Valley Road, instead of Taylor Boulevard, south of Grayson Road. After consultation with the Supervisors office, local city officials, and residents, it was determined that certain time limited turn restrictions should be implemented, on a limited basis as a pilot project in an effort to reduce cut through traffic on Reliez Valley Road. This pilot program is intended to be in effect for at least half the school year, but could then become “permanent” if found to be successful and not opposed by many local residents. During this trial basis, County Public Works will seek to measure and observe the relative effectiveness of the restrictions.

CONSEQUENCE OF NEGATIVE ACTION:

Turning movements will remain unrestricted at all times at this intersection.

ATTACHMENTS

TR 4474

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

Adopted this Traffic Resolution on August 14, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

TRAFFIC RESOLUTION NO. 2018/4474
Supervisorial District II & V

SUBJECT: Prohibit time-limited right turns from Taylor Boulevard (Road No. 3552A) southbound onto Withers Avenue (Road No. 3564) westbound, Lafayette area.

The Contra Costa Board of Supervisors RESOLVES that:

Based on recommendations by the County Public Works Department's Transportation Engineering Division, and pursuant to County Ordinance Code Sections 46-2.002 - 46-2.012, the following traffic regulation is established:

Pursuant to Section 22101(c) of the California Vehicle Code, all vehicular right turns (with the exception of buses) from Taylor Boulevard (Road No. 3552A) southbound onto Withers Avenue (Road No. 3564) westbound are hereby declared to be prohibited between the hours of 7:00 AM to 8:30 AM, Monday through Friday, except Holidays, Lafayette area.

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

ATTESTED: _____
David Twa, Clerk of the Board of Supervisors and County Administrator

By _____, Deputy

MS:sr

Orig. Dept: Public Works (Traffic)
Contact: Monish Sen, 313-2187

cc: California Highway Patrol
Sheriff Department



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: August 14, 2018

Subject: Prohibit time-limited left turns from Grayson Road onto Reliez Valley Road (Rd. No. 3554), Pleasant Hill area.

RECOMMENDATION(S):

ADOPT Traffic Resolution No. 2018/4472 to prohibit time-limited left turns from Grayson Road (westbound) onto Reliez Valley Road (Road No. 3554) southbound, as recommended by the Public Works Director, Pleasant Hill area. (District V)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

Last year, area residents contacted the Public Works Department indicating that they were experiencing unusually high volumes of “cut-through” traffic on Reliez Valley Road, particularly during the morning peak, contributing significantly to longer wait times, longer queues, and illegal movements when dropping their children off at local schools. Residents speculated that the situation appeared to worsen due to the proliferation of GPS-driven turn-by-turn navigation apps, such as Waze or Google Maps. It appeared to them that the navigation apps were sending commuters from other communities through the Reliez Valley Road corridor, compounding the traffic congestion on the roadway. Meanwhile, staff became aware of a signal retiming program

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Monish Sen,
925.313-2187

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

downstream on Taylor Boulevard that had been recently implemented by the City of Lafayette that may have contributed to additional cut-through traffic on Reliez Valley Road.

Traffic Engineering staff subsequently collected data and observed that there was what appeared to be some cut through traffic on Reliez Valley Road during those morning peak traffic times, and specifically there appeared to be a slight reduction in travel time for road users headed south on Reliez Valley Road, instead of Taylor Boulevard, south of Grayson Road. After consultation with the Supervisors office, local city officials, and residents, it was determined that certain time limited turn restrictions should be implemented, on a limited basis as a pilot project in an effort to reduce cut through traffic on Reliez Valley Road. This pilot program is intended to be in effect for at least half the school year, but could then become “permanent” if found to be successful and not opposed by many local residents. During this trial basis, County Public Works will seek to measure and observe the relative effectiveness of the restrictions.

CONSEQUENCE OF NEGATIVE ACTION:

Turning movements will remain unrestricted at all times at this intersection.

ATTACHMENTS

TR 4472

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

Adopted this Traffic Resolution on August 14, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

TRAFFIC RESOLUTION NO. 2018/4472
Supervisorial District V

SUBJECT: Prohibit time-limited left turns from Grayson Road (westbound) onto Reliez Valley Road (Road No. 3554) southbound, Pleasant Hill area.

The Contra Costa Board of Supervisors RESOLVES that:

Based on recommendations by the County Public Works Department's Transportation Engineering Division and pursuant to County Ordinance Code Sections 46-2.002 - 46-2.012, the following traffic regulation is established:

Pursuant to Section 22101(c) of the California Vehicle Code, all vehicular left turns (with the exception of buses) from Grayson Road southbound onto Reliez Valley Road (Road No. 3554) southbound are hereby declared to be prohibited between the hours of 7:00 AM to 8:30 AM, Monday through Friday, except Holidays, Pleasant Hill area.

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

ATTESTED: _____
David Twa, Clerk of the Board of Supervisors and County Administrator

MS:sr

Orig. Dept: Public Works (Traffic)
Contact: Monish Sen, 313-2187

cc: California Highway Patrol
Sheriff Department

By _____, Deputy



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: August 14, 2018

Subject: Approve the Final Map and Subdivision Agreement for subdivision SD17-09300, San Ramon (Dougherty Valley) area.

RECOMMENDATION(S):

ADOPT Resolution No. 2018/452 approving the Final Map and Subdivision Agreement for subdivision SD17-09300, for a project being developed by Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

FISCAL IMPACT:

No fiscal impact

BACKGROUND:

The Public Works Department has reviewed the conditions of approval for subdivision SD17-09300 and has determined that all conditions of approval for Final Map approval have been satisfied.

CONSEQUENCE OF NEGATIVE ACTION:

The Final 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: **08/14/2018** 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: August 14, 2018

Contact: Craig Standafer (925)
313-2018

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

By: , Deputy

cc: Jocelyn LaRocque- Engineering Services, Randolph Sanders- Engineering Services, Craig Standafer- Engineering Services, Renee Hutchins - Records, Trixie Gothro - Design & Construction, Chris Hallford -Mapping , Mike Mann- Finance, Ruben Hernandez - DCD, Chris Low - City of San Ramon, Shapell Homes, a Division of Shapell Industries, Inc., Philadelphia Indemnity Insurance Company, Western Surety Company, First American Title, Co, T-06/14/2019

ATTACHMENTS

Resolution No. 2018/452

Final Map

Subdivision Agreement & Bond

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 08/14/2018 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2018/452

IN THE MATTER OF approving the Final Map and Subdivision Agreement for subdivision SD17-09300, for project being developed by Shapell Industries Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

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

I. Map

The Final Map of subdivision SD17-09300, property located in the San Ramon (Dougherty Valley) area, Supervisorial District II, said map having been certified by the proper officials.

II. Subdivision Agreement

A subdivision agreement with Shapell Industries Inc., a Delaware Corporation, 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: \$22,500

Auditor's Deposit Permit No. 761124 Date: May 4, 2018

Submitted by: Toll Brothers, Inc.

B. Surety Bond

Bond Company: Philadelphia Indemnity Insurance Company

Bond Number: PB00579800090 Date: April 19, 2018

Performance Amount: \$2,215,500.00

Labor & Materials Amount: \$1,117,500.00

Principal: Shapell Industries, Inc., a Delaware Corporation

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 \$185,585.00, with security guaranteeing payment of said tax lien as follows:

* Tax Surety

Bond Company: Western Surety Company

Bond Number: 30043678 Date: June 27, 2018

Amount: \$185,585.00

Submitted by/Principal: Shapell Industries, Inc., a Delaware Corporation

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 Final 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: August 14, 2018

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

By: , Deputy

cc: Jocelyn LaRocque- Engineering Services, Randolph Sanders- Engineering Services, Craig Standafer- Engineering Services, Renee Hutchins - Records, Trixie Gothro - Design & Construction, Chris Hallford -Mapping , Mike Mann- Finance, Ruben Hernandez - DCD, Chris Low - City of San Ramon, Shapell Homes, a Division of Shapell Industries, Inc., Philadelphia Indemnity Insurance Company, Western Surety Company, First American Title, Co, T-06/14/2019

OWNER'S STATEMENT

THE UNDERSIGNED, BEING THE PARTIES HAVING A RECORD TITLE INTEREST IN THE LANDS DELINEATED AND EMBRACED WITHIN THE SUBDIVISION BOUNDARY ON THIS MAP, ENTITLED, "SUBDIVISION 9300, GALE RANCH, CONTRA COSTA COUNTY, CALIFORNIA", DO HEREBY CONSENT TO THE MAKING AND RECORDATION OF THE SAME, AND DO HEREBY DECLARE THAT THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED IN FEE FOR PUBLIC PURPOSES: THOSE PORTIONS OF SAID LANDS DESIGNATED ON THIS MAP AS: BERGAMOT WAY, BERGAMOT COURT, AND ROSEUM COURT.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES: THE AREAS DESIGNATED AS "PUBLIC UTILITY EASEMENT" OR "PUE" ARE FOR PUBLIC UTILITY PURPOSES INCLUDING: POLES, WIRES, CONDUITS, STORM DRAINS, FLOOD AND SURFACE WATER DRAINAGE, WATER LINES, GAS LINES, ELECTRIC, TELEPHONE AND CABLE TELEVISION UTILITIES, INCLUDING THE RIGHTS OF INGRESS, EGRESS, CONSTRUCTION, RECONSTRUCTION, ACCESS FOR MAINTENANCE OF WORKS, IMPROVEMENTS AND STRUCTURES, AND THE CLEARING OF OBSTRUCTIONS AND VEGETATION.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES: THE AREAS DESIGNATED AS "SIGHT DISTANCE EASEMENT" OR "SDE" ARE FOR DEDICATION TO THE COUNTY OF CONTRA COSTA OR ITS DESIGNEE OR SUCCESSOR AS A NON-EXCLUSIVE SURFACE EASEMENT FOR SIGHT DISTANCE PURPOSES INCLUDING THE CLEARING OF OBSTRUCTIONS AND VEGETATION FOR THE PURPOSE OF MAINTAINING THE AREA SUCH THAT NO STRUCTURES OR VEGETATION ARE HIGHER THAN 2 FEET ABOVE THE TOP OF CURB.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES: THE AREAS DESIGNATED AS "STORM DRAIN EASEMENT" OR "SDE" ARE FOR DEDICATION TO THE COUNTY OF CONTRA COSTA OR ITS DESIGNEE OR SUCCESSOR FOR STORM, FLOOD AND SURFACE WATER DRAINAGE INCLUDING CONSTRUCTION, RECONSTRUCTION, ACCESS FOR MAINTENANCE OF WORKS, IMPROVEMENTS AND STRUCTURES, WHETHER COVERED OR OPEN, AND FOR THE CLEARING OF OBSTRUCTIONS AND VEGETATION.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES: THE AREAS DESIGNATED AS "EMERGENCY VEHICLE ACCESS EASEMENT" OR "EVAE" ARE FOR INGRESS AND EGRESS OF EMERGENCY VEHICLES.

THE REAL PROPERTY DESIGNATED AS "DRIVEWAY RECIPROCAL ACCESS, DRAINAGE AND UTILITY EASEMENT" OR "DRA" ARE FOR THE PURPOSES OF INGRESS AND EGRESS TO ADJOINING LOTS (BOTH VEHICULAR AND PEDESTRIAN), MAINTENANCE OF PRIVATE STORM DRAINAGE, PRIVATE SANITARY SEWER, AND WATER SERVICES, MAINTENANCE OF SAID AREAS WILL BE AS SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS WHICH WILL ENCLUMBER THIS SUBDIVISION. SAID AREAS ARE NOT OFFERED FOR DEDICATION TO THE PUBLIC.

THE AREA DESIGNATED AS "MET ZONE EASEMENT" OR "WZE" IS HEREBY DEDICATED TO THE HOMEOWNERS ASSOCIATION OF SUBDIVISION 9300 FOR WEED ABATEMENT AND TO THE COUNTY OF CONTRA COSTA OR ITS DESIGNEE OR SUCCESSOR FOR MAINTAINING A FIRE BREAK AREA, INCLUDING CONSTRUCTION, ACCESS OR MAINTENANCE, PLANTING, AND IRRIGATION.

THE AREAS DESIGNATED AS "LANDSCAPE MAINTENANCE EASEMENT" OR "LME" ARE HEREBY DEDICATED TO THE COUNTY OF CONTRA COSTA OR ITS DESIGNEE OR SUCCESSOR FOR LANDSCAPE MAINTENANCE PURPOSES.

THE AREAS DESIGNATED AS "WATER LINE EASEMENT" OR "WLE" ARE HEREBY DEDICATED TO THE DUBLIN SAN RAMON SERVICES DISTRICT (DSRSD) FOR THE CONSTRUCTION, MAINTENANCE, USE AND OPERATION OF WATER DISTRIBUTION PIPELINES, AND ALL NECESSARY APPURTENANCES THERETO; TOGETHER WITH THE RIGHT OF INGRESS TO AND EGRESS FROM SAID EASEMENT. NO BUILDING OR STRUCTURE MAY BE PLACED ON SAID EASEMENT, NOTHING SHALL BE DONE THEREON WHICH MAY INTERFERE WITH THE DUBLIN SAN RAMON SERVICES DISTRICT'S FULL ENJOYMENT OF SAID EASEMENT.

THE AREAS DESIGNATED AS "PRIVATE IRRIGATION EASEMENT" OR "PIE" ARE HEREBY RETAINED BY THE OWNER FOR SEPARATE CONVEYANCE TO THE HOMEOWNERS ASSOCIATION OF SUBDIVISION 9300.

THE REAL PROPERTY DESIGNATED AS PARCELS "A," AND "B" ARE HEREBY RETAINED BY THE OWNER FOR DEDICATION TO THE GEOLOGIC HAZARD ABATEMENT DISTRICT "GHAD" 90-01.

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

**SUBDIVISION 9300
GALE RANCH**

BRING A SUBDIVISION OF A PORTION OF "NEW PARCEL L" AS DESCRIBED IN THE DEED RECORDED DECEMBER 4, 2015 UNDER DOCUMENT NO. 2015-0250738 CONTRA COSTA COUNTY RECORDS

CONTRA COSTA COUNTY
CALIFORNIA
RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
MARCH 2018

OWNER'S STATEMENT (CONTINUED)

SHAPPELL INDUSTRIES, INC., A DELAWARE CORPORATION

DATE: _____ BY: _____
NAME: _____
TITLE: _____
BY: _____
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 _____)
ON _____, 2018, BEFORE ME,
A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY
APPEARED _____ AND
WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE
PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE FOREGOING
STATEMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE
SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY THE
SIGNATURE(S) ON THE STATEMENT THE PERSON(S) OR THE ENTITY UPON
BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE STATEMENT.
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: _____

PRINT NAME: _____
MY COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
PRINCIPAL COUNTY OF BUSINESS: _____

RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 2018, AT _____ M.
IN BOOK _____ OF MAPS AT PAGES _____ AT THE REQUEST OF
FIRST AMERICAN TITLE COMPANY.

DOCUMENT NO. _____

JOSEPH E. GANCIAMILLA
COUNTY RECORDER

BY: _____
DEPUTY COUNTY RECORDER

**SUBDIVISION 9300
GALE RANCH**

BEING A SUBDIVISION OF A PORTION OF
"NEW PARCEL L" AS DESCRIBED IN THE DEED
RECORDED DECEMBER 4, 2015
UNDER DOCUMENT NO. 2015-0250798
CONTRA COSTA COUNTY RECORDS

CONTRA COSTA COUNTY
CALIFORNIA

RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
MARCH 2018

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF SHAPELL INDUSTRIES, INC., IN JANUARY 2014, AND IS TRUE AND COMPLETE AS SHOWN. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP. I HEREBY STATE THAT THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS AS INDICATED OR THAT THEY WILL BE SET IN THE POSITIONS INDICATED BEFORE DECEMBER 2020. THE MONUMENTS ARE OR WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.



SCOTT A. SHORTLIDGE, L.S. 6441

DATE

PLANNING COMMISSION'S STATEMENT

I HEREBY STATE THAT THE PLANNING COMMISSION OF THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, HAS APPROVED THE TENTATIVE MAP OF THIS SUBDIVISION UPON WHICH THIS FINAL MAP IS BASED.

ARUNA BHAT
DEPUTY DIRECTOR
DEPARTMENT OF CONSERVATION AND DEVELOPMENT
COMMUNITY DEVELOPMENT DIVISION

BY: _____ DATE: _____, 2018.

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.

JAMES A. STEIN, P.L.S. 6571
COUNTY SURVEYOR

DATE

BY: _____ DATE: _____, 2018.

BUILDING INSPECTION STATEMENT

A GEOTECHNICAL INVESTIGATION REPORT, PREPARED BY ENGeo INCORPORATED, DATED JUNE 18, 2004, REPORT NO. 2849.1-402.01, HAS BEEN RECEIVED AND APPROVED. THE REPORT IS ON FILE IN THE BUILDING INSPECTION DIVISION, CONTRA COSTA COUNTY.

JASON CRAPO
DEPUTY DIRECTOR
DEPARTMENT OF CONSERVATION AND DEVELOPMENT
BUILDING INSPECTION DIVISION

BY: _____ DATE: _____, 2018.

CLERK OF THE BOARD OF SUPERVISORS CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF CONTRA COSTA) SS.

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 MAP ENTITLED "SUBDIVISION 9300, GALE RANCH", CONTRA COSTA COUNTY, CALIFORNIA, WAS PRESENTED TO SAID BOARD OF SUPERVISORS, AS PROVIDED BY LAW, AT A REGULAR MEETING THEREOF HELD ON THE _____ DAY OF _____, 2018, 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, PARCELS OR EASEMENTS SHOWN THEREON AS DEDICATED TO PUBLIC USE.

I FURTHER CERTIFY THAT ALL TAX LENS HAVE BEEN SATISFIED AND THAT ALL BONDS AS REQUIRED BY LAW TO ACCOMPANY THIS 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 _____, 2018.

DAVID TWA
CLERK OF THE BOARD OF SUPERVISORS
AND COUNTY ADMINISTRATOR

BY: _____
DEPUTY CLERK

NOTES:

1. ALL MONUMENT TIE LINES ARE AT RIGHT ANGLES TO THE MONUMENT LINE UNLESS OTHERWISE NOTED.
2. PACIFIC GAS AND ELECTRIC COMPANY EASEMENT 2000-32570 IS NOT DEFINED OF RECORD AND THEREFORE IS NOT SHOWN HEREON.

BASIS OF BEARINGS

THE LINE BETWEEN TWO FOUND MONUMENTS ON DOUGHERTY ROAD AS SHOWN ON RECORD OF SURVEY NO. 3749 FILED JULY 11, 2016 IN BOOK 153 OF LICENSED SURVEYORS' MAPS AT PAGE 1, OFFICIAL RECORDS OF CONTRA COSTA COUNTY, TAKEN AS N11°19'06" W, CALIFORNIA COORDINATE SYSTEM ZONE III, (CCS27) IS THE BASIS OF BEARINGS FOR THIS MAP. DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY BY 0.9999294 TO OBTAIN GRID DISTANCES.

LEGEND

- SUBDIVISION MAP BOUNDARY
- LOT LINE
- EXISTING EASEMENT AS NOTED
- - - NEW EASEMENT AS NOTED
- MONUMENT LINE
- MONUMENT TIE LINE
- EXISTING LOT LINE
- FOUND STANDARD COUNTY MONUMENT PER REFERENCE AS SHOWN, LS6441
- ◎ SET STANDARD COUNTY MONUMENT, STAMPED LS6441
- PUE PUBLIC UTILITY EASEMENT
- DRA DRIVEWAY RECIPROCAL ACCESS, DRAINAGE AND UTILITY EASEMENT
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- SE SIGHT DISTANCE EASEMENT
- SDE STORM DRAIN EASEMENT
- LME LANDSCAPE MAINTENANCE EASEMENT
- PIE PRIVATE IRRIGATION EASEMENT
- WZE WET ZONE EASEMENT
- WLE WATER LINE EASEMENT
- PG&E PACIFIC GAS AND ELECTRIC COMPANY EASEMENT
- (M-M) MONUMENT TO MONUMENT
- EX EXISTING
- OR OFFICIAL RECORDS
- (R) RADIAL BEARING
- (T) TOTAL
- (I) RECORD REFERENCES

**SUBDIVISION 9300
GALE RANCH**

BEING A SUBDIVISION OF A PORTION OF "NEW PARCEL L" AS DESCRIBED IN THE DEED RECORDED DECEMBER 4, 2015 UNDER DOCUMENT NO. 2015-0250738 CONTRA COSTA COUNTY RECORDS

CONTRA COSTA COUNTY
CALIFORNIA

RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
MARCH 2018

SCALE: 1" = 100'

JOB NO. 165024 SHEET 3 OF 9 SHEETS

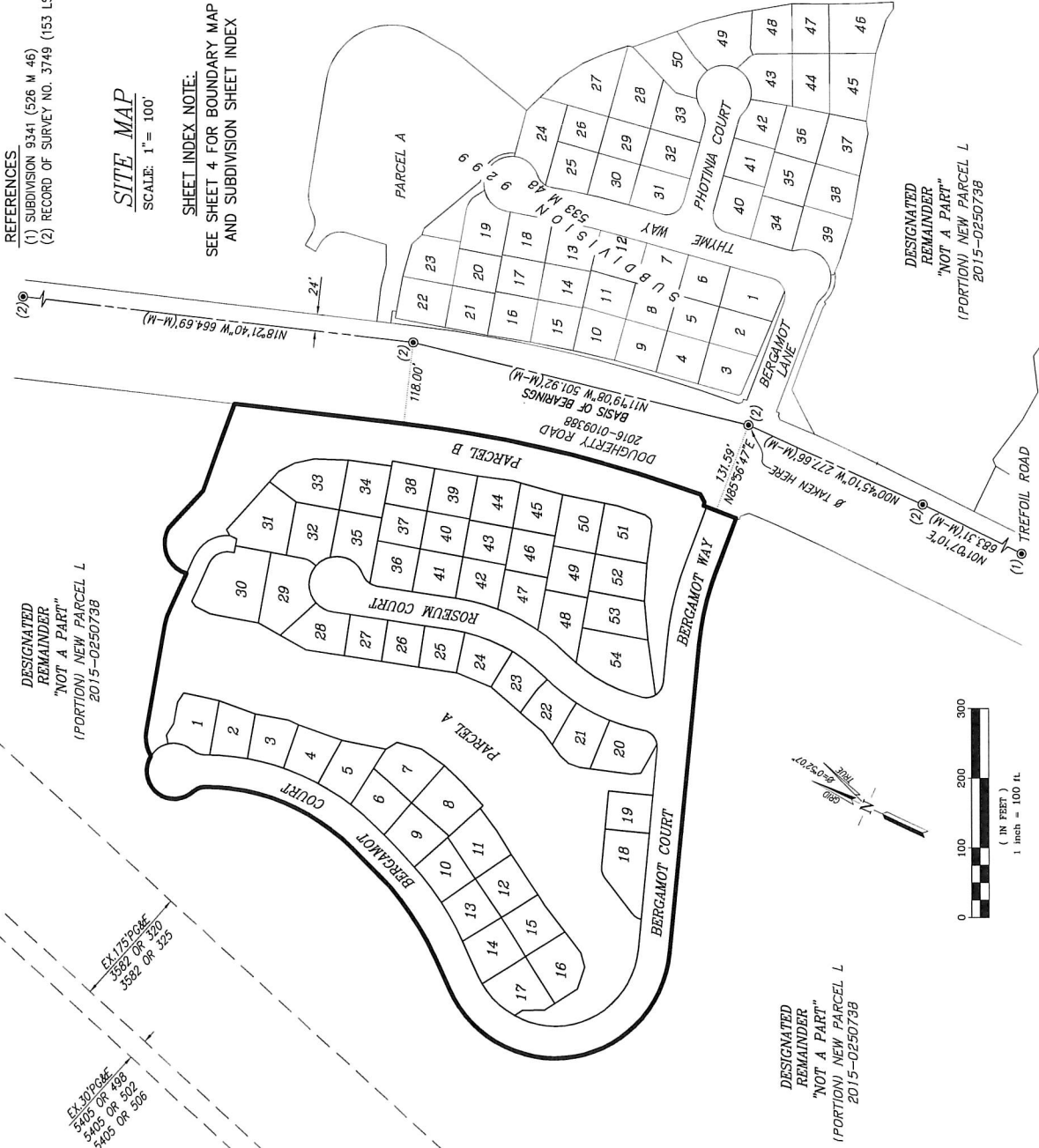
REFERENCES

- (1) SUBDIVISION 9341 (526 M. 46)
- (2) RECORD OF SURVEY NO. 3749 (153 LSM 1)

SITE MAP
SCALE: 1" = 100'

SHEET INDEX NOTE:

SEE SHEET 4 FOR BOUNDARY MAP AND SUBDIVISION SHEET INDEX



BOUNDARY MAP

SCALE: 1" = 60'
AREA WITHIN SUBDIVISION = 12.305-ACRES
SHEET NUMBER (5)

- REFERENCES**
- (1) SUBDIVISION 9341 (526 M. 46)
 - (2) RECORD OF SURVEY NO. 3749 (153 LSM 1)

Curve	Radius	Delta	Length
C1	397.00'	152°14'17"	106.45'
C2	168.00'	150°04'08"	440.02'
C3	397.00'	20°48'19"	144.16'
C4	301.00'	45°06'08"	236.94'
C5	25.00'	42°42'24"	18.63'
C6	40.00'	165°03'38"	115.23'
C7	53.50'	40°34'53"	38.05'
C8	64.50'	142°35'35"	16.24'
C9	45.00'	101°50'58"	79.99'

Line	Bearing	Distance
L1	N04°03'13"W	51.00'
L2	N85°56'47"E	84.37'
L3	N40°39'08"E	51.41'
L4	N19°50'49"E	54.52'
L5	N89°33'41"E	64.33'
L6	N72°40'16"W	74.29'
L7	N65°18'37"E	132.35'
L8	N36°14'48"E	12.71'
L9	N85°56'47"E	5.02'
L10	N04°03'13"W	20.02'
L11	N04°03'13"W	30.98'
L12	N65°56'47"E	131.59'

No.	Bearing	Radius
R1	N6°44'41"E	25.00'
R2	N22°02'17"E	25.00'
R3	N07°05'55"E	40.00'
R4	N55°36'47"W	53.50'
R5	N82°20'44"E	45.00'
R6	N04°11'42"E	45.00'

DESIGNATED
REMAINDER
"NOT A PART"
(PORTION) NEW PARCEL L
2015-0250738

- NOTES:**
1. ALL MONUMENT TIE LINES ARE AT RIGHT ANGLES TO THE MONUMENT LINE UNLESS OTHERWISE NOTED.
 2. PACIFIC GAS AND ELECTRIC COMPANY EASEMENT 2000-32570 IS NOT DEFINED OF RECORD AND THEREFORE IS NOT SHOWN HEREON.

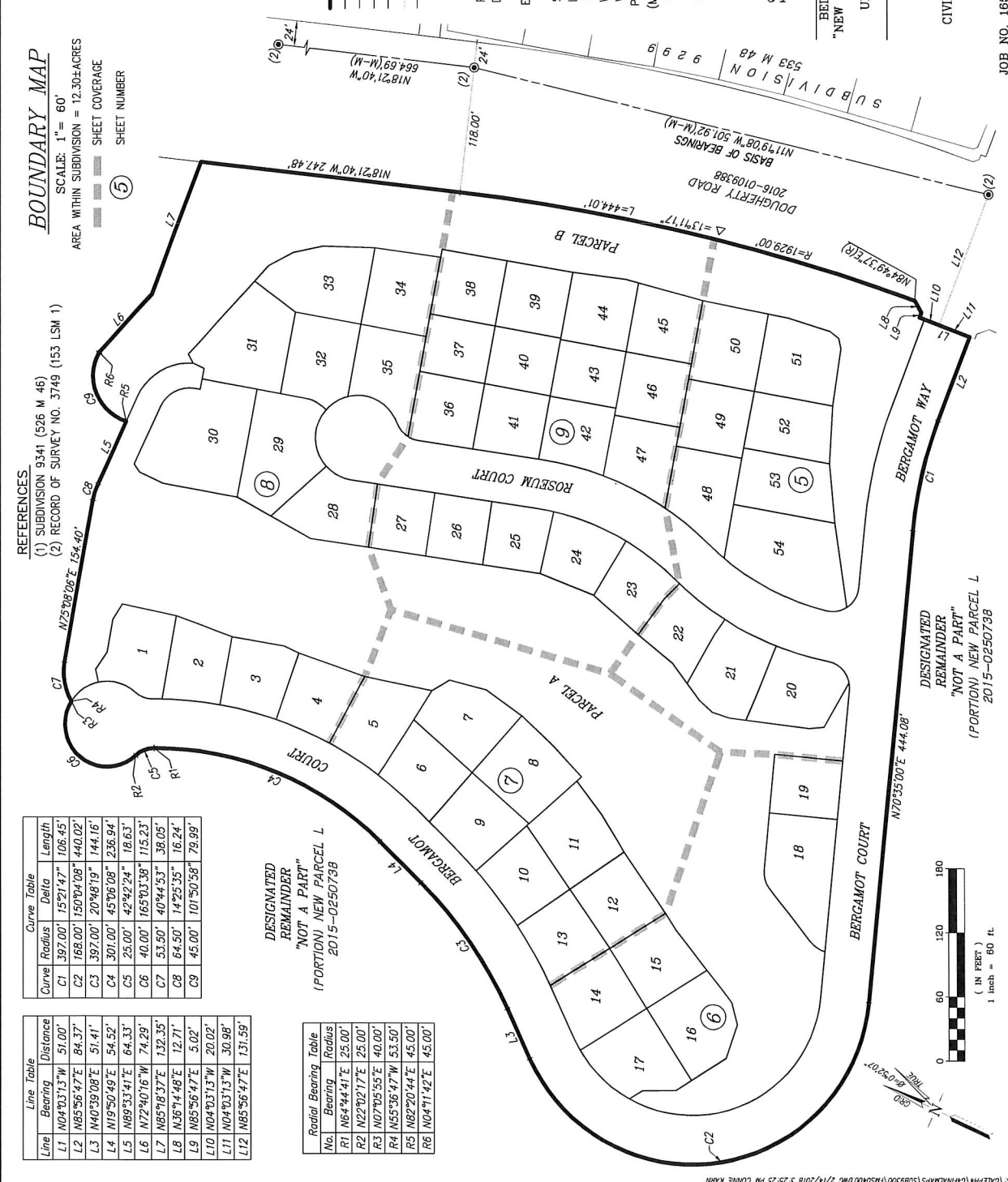
BASIS OF BEARINGS
THE LINE BETWEEN TWO FOUND MONUMENTS ON DOUGHERTY ROAD AS SHOWN ON RECORD OF SURVEY NO. 3749 FILED JULY 11, 2016 IN BOOK 135 OF LICENSED SURVEYORS' MAPS AT PAGE 1, OFFICIAL RECORDS OF CONTRA COSTA COUNTY, TAKEN AS N17°08'W, CALIFORNIA COORDINATE SYSTEM ZONE III, (CCS27) IS THE BASIS OF BEARINGS FOR THIS MAP. DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY BY 0.9999294 TO OBTAIN GRID DISTANCES.

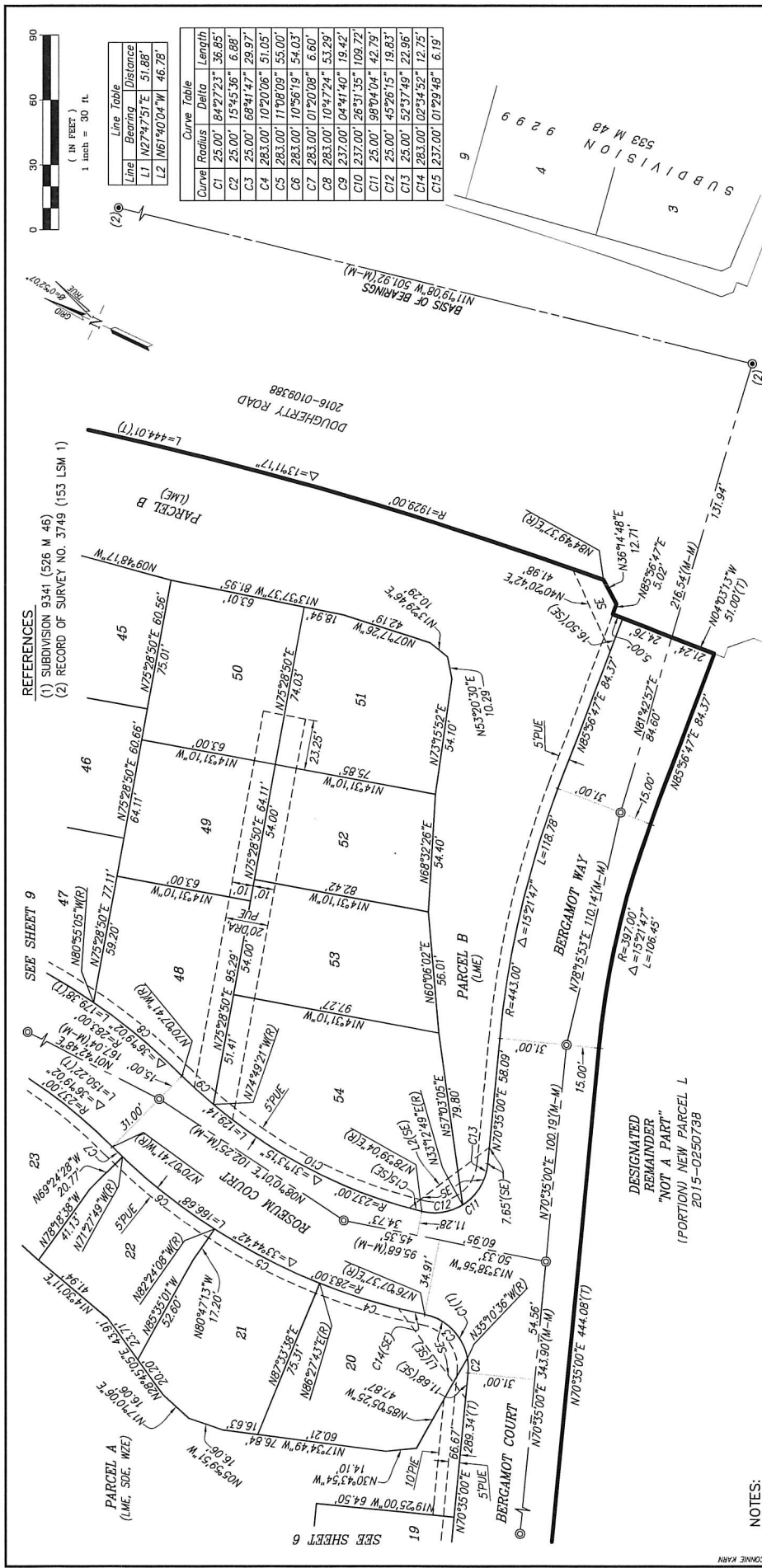
- LEGEND**
- SUBDIVISION MAP BOUNDARY
 - LOT LINE
 - EXISTING EASEMENT AS NOTED
 - NEW EASEMENT AS NOTED
 - MONUMENT LINE
 - MONUMENT TIE LINE
 - EXISTING LOT LINE
 - FOUND STANDARD COUNTY MONUMENT PER REFERENCE AS SHOWN, LS6441
 - SET STANDARD COUNTY MONUMENT, STAMPED LS6441
 - PUE PUBLIC UTILITY EASEMENT
 - DRA DRIVEWAY RECIPROCAL ACCESS, DRAINAGE AND UTILITY EASEMENT
 - EVAE EMERGENCY VEHICLE ACCESS EASEMENT
 - SE SIGHT DISTANCE EASEMENT
 - SDE STORM DRAIN EASEMENT
 - LME LANDSCAPE MAINTENANCE EASEMENT
 - PIE PRIVATE IRRIGATION EASEMENT
 - WZE WET ZONE EASEMENT
 - WLE WATER LINE EASEMENT
 - PG&E PACIFIC GAS AND ELECTRIC COMPANY EASEMENT
 - MONUMENT TO MONUMENT
 - EX. EXISTING
 - OR OFFICIAL RECORDS
 - (R) RADIAL BEARING
 - (T) TOTAL
 - (1) RECORD REFERENCES

SUBDIVISION 9300 GALE RANCH

BRING A SUBDIVISION OF A PORTION OF "NEW PARCEL L" AS DESCRIBED IN THE DEED RECORDED DECEMBER 4, 2015 UNDER DOCUMENT NO. 2015-0250738 CONTRA COSTA COUNTY RECORDS

CONTRA COSTA COUNTY
CALIFORNIA
RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
MARCH 2018
SCALE: 1" = 60'





**SUBDIVISION 9300
GALE RANCH**

BEING A SUBDIVISION OF A PORTION OF
"NEW PARCEL L" AS DESCRIBED IN THE DEED
RECORDED DECEMBER 4, 2015
UNDER DOCUMENT NO. 2015-0250738
CONTRA COSTA COUNTY RECORDS

CONTRA COSTA COUNTY
CALIFORNIA
RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
MARCH 2016
SCALE: 1" = 30'

JOB NO. 166024 SHEET 5 OF 9 SHEETS

- REFERENCES**
- (1) SUBDIVISION 9341 (526 M. 46)
 - (2) RECORD OF SURVEY NO. 3749 (153 LSM 1)

SEE SHEET 9

SEE SHEET 6

LEGEND

- SUBDIVISION MAP BOUNDARY
- LOT LINE
- EXISTING EASEMENT AS NOTED
- NEW EASEMENT AS NOTED
- MONUMENT LINE
- MONUMENT TIE LINE
- EXISTING LOT LINE
- FOUND STANDARD COUNTY MONUMENT PER REFERENCE AS SHOWN, L56441
- SET STANDARD COUNTY MONUMENT STAMPED L56441
- PUBLIC UTILITY EASEMENT
- DRIVEWAY RECIPROCAL ACCESS, DRA
- DRAINAGE AND UTILITY EASEMENT
- EMERGENCY VEHICLE ACCESS EASEMENT
- SIGHT DISTANCE EASEMENT
- STORM DRAIN EASEMENT
- LANDSCAPE MAINTENANCE EASEMENT
- PRIVATE IRRIGATION EASEMENT
- WET ZONE EASEMENT
- WATER LINE EASEMENT
- PACIFIC GAS AND ELECTRIC COMPANY EASEMENT
- MONUMENT TO MONUMENT
- EX
- OR
- OFFICIAL RECORDS
- RADIAL BEARING
- TOTAL
- RECORD REFERENCES

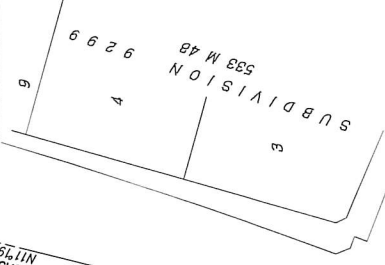
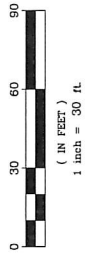
NOTES:

1. ALL MONUMENT TIE LINES ARE AT RIGHT ANGLES TO THE MONUMENT LINE UNLESS OTHERWISE NOTED.
2. PACIFIC GAS AND ELECTRIC COMPANY EASEMENT 2000-32570 IS NOT DEFINED OF RECORD AND THEREFORE IS NOT SHOWN HEREON.

BASIS OF BEARINGS

THE LINE BETWEEN TWO FOUND MONUMENTS ON DOUGHERTY ROAD AS SHOWN ON RECORD OF SURVEY NO. 3749 FILED JULY 11, 2016 IN BOOK 153 OF LICENSED SURVEYORS' MAPS AT PAGE 1, OFFICIAL RECORDS OF CONTRA COSTA COUNTY, TAKEN AS N11°19'08"W, CALIFORNIA COORDINATE SYSTEM ZONE III, (CCS27) IS THE BASIS OF BEARINGS FOR THIS MAP. DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY BY 0.99999294 TO OBTAIN GRID DISTANCES.

Curve	Radius	Delta	Length
C1	25.00'	84°27'23"	36.85'
C2	25.00'	15°45'36"	6.88'
C3	25.00'	68°41'47"	29.97'
C4	283.00'	10°20'06"	51.05'
C5	283.00'	11°08'09"	55.00'
C6	283.00'	10°56'19"	54.03'
C7	283.00'	01°20'08"	6.60'
C8	283.00'	10°47'24"	53.29'
C9	237.00'	04°41'40"	19.42'
C10	237.00'	26°31'35"	109.72'
C11	25.00'	98°04'04"	42.79'
C12	25.00'	45°26'15"	19.83'
C13	25.00'	52°37'49"	22.96'
C14	283.00'	02°34'52"	12.75'
C15	237.00'	01°29'48"	6.19'



DESIGNATED REMAINDER "NOT A PART" (PORTION) NEW PARCEL L 2015-0250738

ROSEMONT COURT

BERGAMOT WAY

DOUGHERTY ROAD

PARCEL B (LME)

PARCEL A (LME, SDE, WZE)

SEE SHEET 9

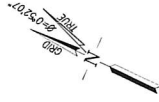
SEE SHEET 6

SEE SHEET 9

SEE SHEET 6

- REFERENCES**
- (1) SUBDIVISION 9341 (526 M. 46)
 - (2) RECORD OF SURVEY NO. 3749 (153 LSM 1)

Curve Table	Delta	Length
C1	15°45'36"	6.88'
C2	173°33'08"	241.79'
C3	30°47'17"	65.55'
C4	122°00'05"	43.43'
C5	00°25'22"	3.27'



- NOTES:**
1. ALL MONUMENT TIE LINES ARE AT RIGHT ANGLES TO THE MONUMENT LINE UNLESS OTHERWISE NOTED.
 2. PACIFIC GAS AND ELECTRIC COMPANY EASEMENT 2000-32570 IS NOT DEFINED OF RECORD AND THEREFORE IS NOT SHOWN HEREON.

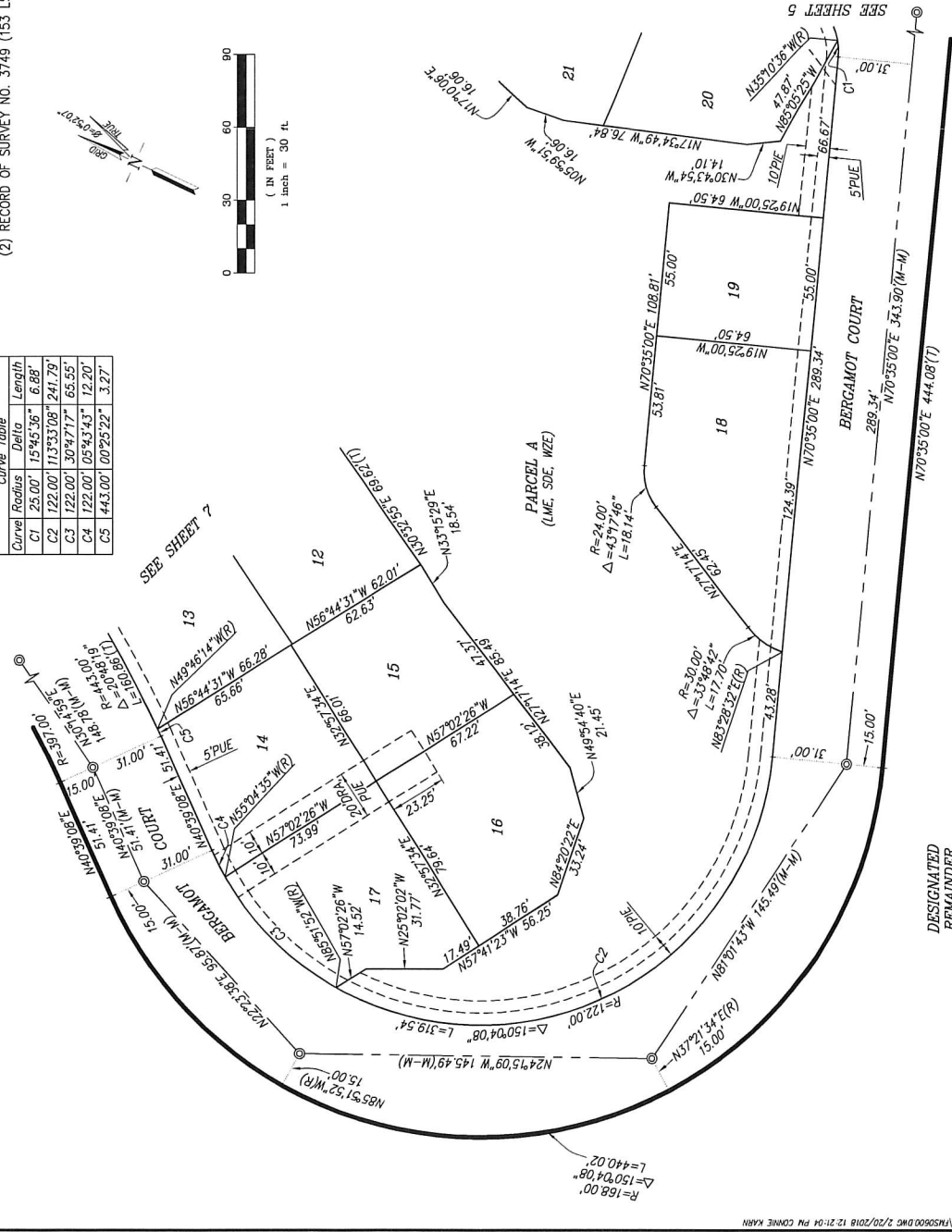
BASIS OF BEARINGS
 THE LINE BETWEEN TWO FOUND MONUMENTS ON DOUGHERTY ROAD AS SHOWN ON RECORD OF SURVEY NO. 3749 FILED JULY 11, 2016 IN BOOK 153 OF LICENSED SURVEYORS' MAPS AT PAGE 1, OFFICIAL RECORDS OF CONTRA COSTA COUNTY, TAKEN AS N11°19'08"W, CALIFORNIA COORDINATE SYSTEM, ZONE III, (CCS27) IS THE BASIS OF BEARINGS FOR THIS MAP. DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY BY 0.9999294 TO OBTAIN GRID DISTANCES.

- LEGEND**
- SUBDIVISION MAP BOUNDARY
 - LOT LINE
 - EXISTING EASEMENT AS NOTED
 - NEW EASEMENT AS NOTED
 - MONUMENT LINE
 - MONUMENT TIE LINE
 - EXISTING LOT LINE
- FOUND STANDARD COUNTY MONUMENT PER REFERENCE AS SHOWN, LS6441
 - ◎ SET STANDARD COUNTY MONUMENT, STAMPED LS6441
 - PUE PUBLIC UTILITY EASEMENT
 - DRA DRIVEWAY RECIPROCAL ACCESS, DRAINAGE AND UTILITY EASEMENT
 - EVAE EMERGENCY VEHICLE ACCESS EASEMENT
 - SE SIGHT DISTANCE EASEMENT
 - SDE STORM DRAIN EASEMENT
 - LME LANDSCAPE MAINTENANCE EASEMENT
 - PIE PRIVATE IRRIGATION EASEMENT
 - WZE WET ZONE EASEMENT
 - WLE WATER LINE EASEMENT
 - PG&E PACIFIC GAS AND ELECTRIC COMPANY EASEMENT
 - MONUMENT TO MONUMENT
 - EX EXISTING
 - OR OFFICIAL RECORDS
 - (R) RADIAL BEARING
 - (T) TOTAL
 - (I) RECORD REFERENCES

**SUBDIVISION 9300
 GALE RANCH**

BEING A SUBDIVISION OF A PORTION OF "NEW PARCEL L" AS DESCRIBED IN THE DEED RECORDED DECEMBER 4, 2015 UNDER DOCUMENT NO. 2015-0250738 CONTRA COSTA COUNTY RECORDS

CONTRA COSTA COUNTY
 CALIFORNIA
 RUGGERI-JENSEN-AZAR
 CIVIL ENGINEERS, PLANNERS, SURVEYORS
 PLEASANTON, CALIFORNIA
 MARCH 2018



DESIGNATED
 REMAINDER
 "NOT A PART"
 (PORTION) NEW PARCEL L
 2015-0250738

NOTES:

1. ALL MONUMENT TIE LINES ARE AT RIGHT ANGLES TO THE MONUMENT LINE UNLESS OTHERWISE NOTED.
2. PACIFIC GAS AND ELECTRIC COMPANY EASEMENT 2000-32570 IS NOT DEFINED OF RECORD AND THEREFORE IS NOT SHOWN HEREON.

BASIS OF BEARINGS

THE LINE BETWEEN TWO FOUND MONUMENTS ON DOUGHERTY ROAD AS SHOWN ON RECORD OF SURVEY NO. 3749 FILED JULY 11, 2016 IN BOOK 153 OF LICENSED SURVEYORS' MAPS AT PAGE 1, OFFICIAL RECORDS OF CONTRA COSTA COUNTY, TAKEN AS N11°19'08"W CALIFORNIA COORDINATE SYSTEM ZONE III, (CCS27) IS THE BASIS OF BEARINGS FOR THIS MAP. DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY BY 0.9999294 TO OBTAIN GRID DISTANCES.

LEGEND

- SUBDIVISION MAP BOUNDARY
- LOT LINE
- - - EXISTING EASEMENT AS NOTED
- - - NEW EASEMENT AS NOTED
- MONUMENT LINE
- MONUMENT TIE LINE
- EXISTING LOT LINE
- FOUND STANDARD COUNTY MONUMENT PER REFERENCE AS SHOWN, LS6441
- SET STANDARD COUNTY MONUMENT, STAMPED LS6441
- PUE PUBLIC UTILITY EASEMENT
- DRA DRIVEWAY RECIPROCAL ACCESS, DRAINAGE AND UTILITY EASEMENT
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- SE SIGHT DISTANCE EASEMENT
- SOE STORM DRAIN EASEMENT
- LME LANDSCAPE MAINTENANCE EASEMENT
- PIE PRIVATE IRRIGATION EASEMENT
- WZE WET ZONE EASEMENT
- WLE WATER LINE EASEMENT
- PC&E PACIFIC GAS AND ELECTRIC COMPANY EASEMENT
- (M-M) MONUMENT TO MONUMENT
- EX EXISTING
- OR OR OFFICIAL RECORDS
- (R) RADIAL BEARING
- (T) TOTAL
- (I) RECORD REFERENCES

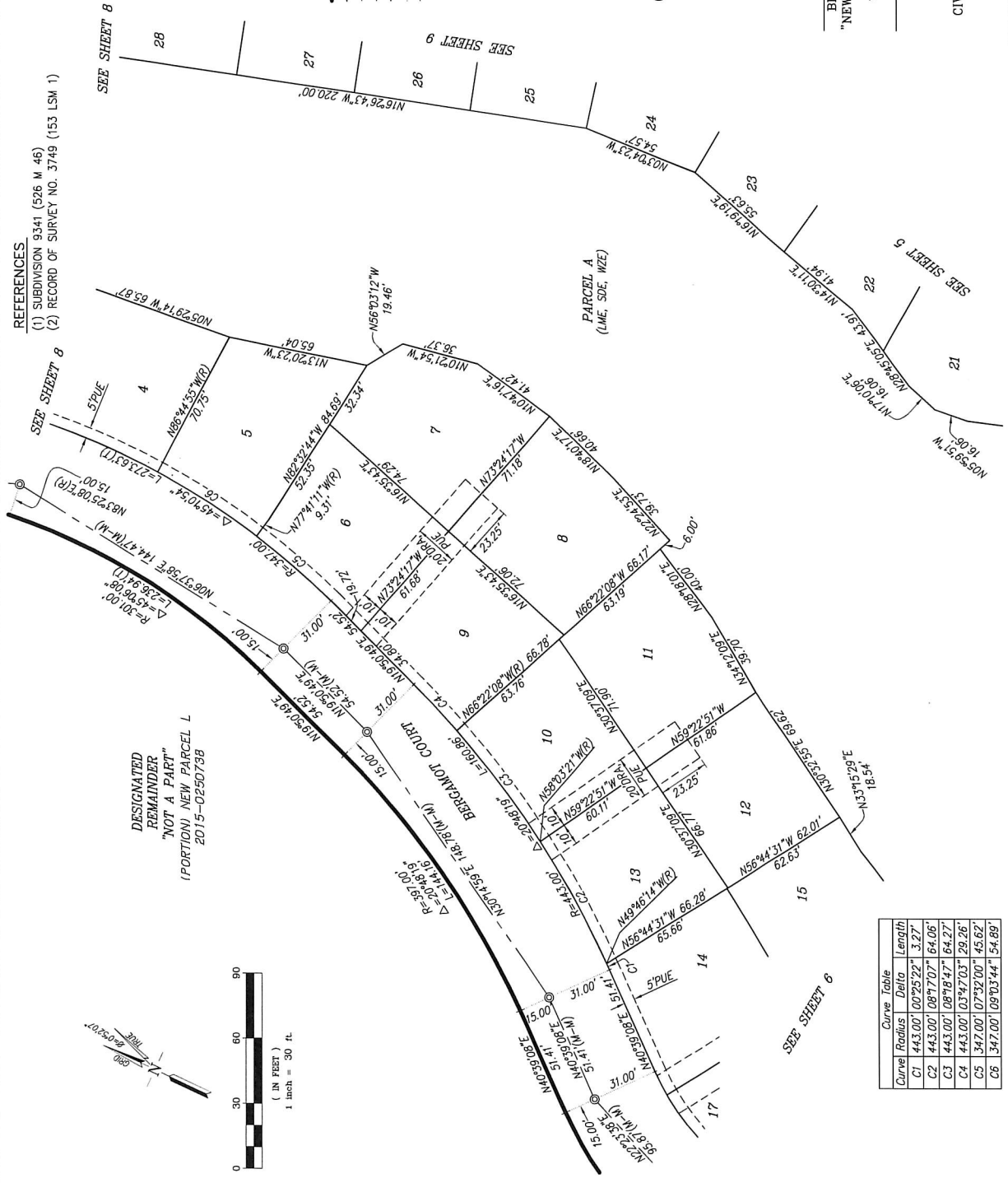
**SUBDIVISION 9300
GALE RANCH**

BEING A SUBDIVISION OF A PORTION OF "NEW PARCEL L" AS DESCRIBED IN THE DEED RECORDED DECEMBER 4, 2015 UNDER DOCUMENT NO. 2015-0250738 CONTRA COSTA COUNTY RECORDS

CONTRA COSTA COUNTY
CALIFORNIA
RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
MARCH 2018

JOB NO. 165024 SCALE: 1" = 30'
SHEET 7 OF 9 SHEETS

- REFERENCES**
- (1) SUBDIVISION 9341 (526 M. 46)
 - (2) RECORD OF SURVEY NO. 3749 (153 LSM 1)



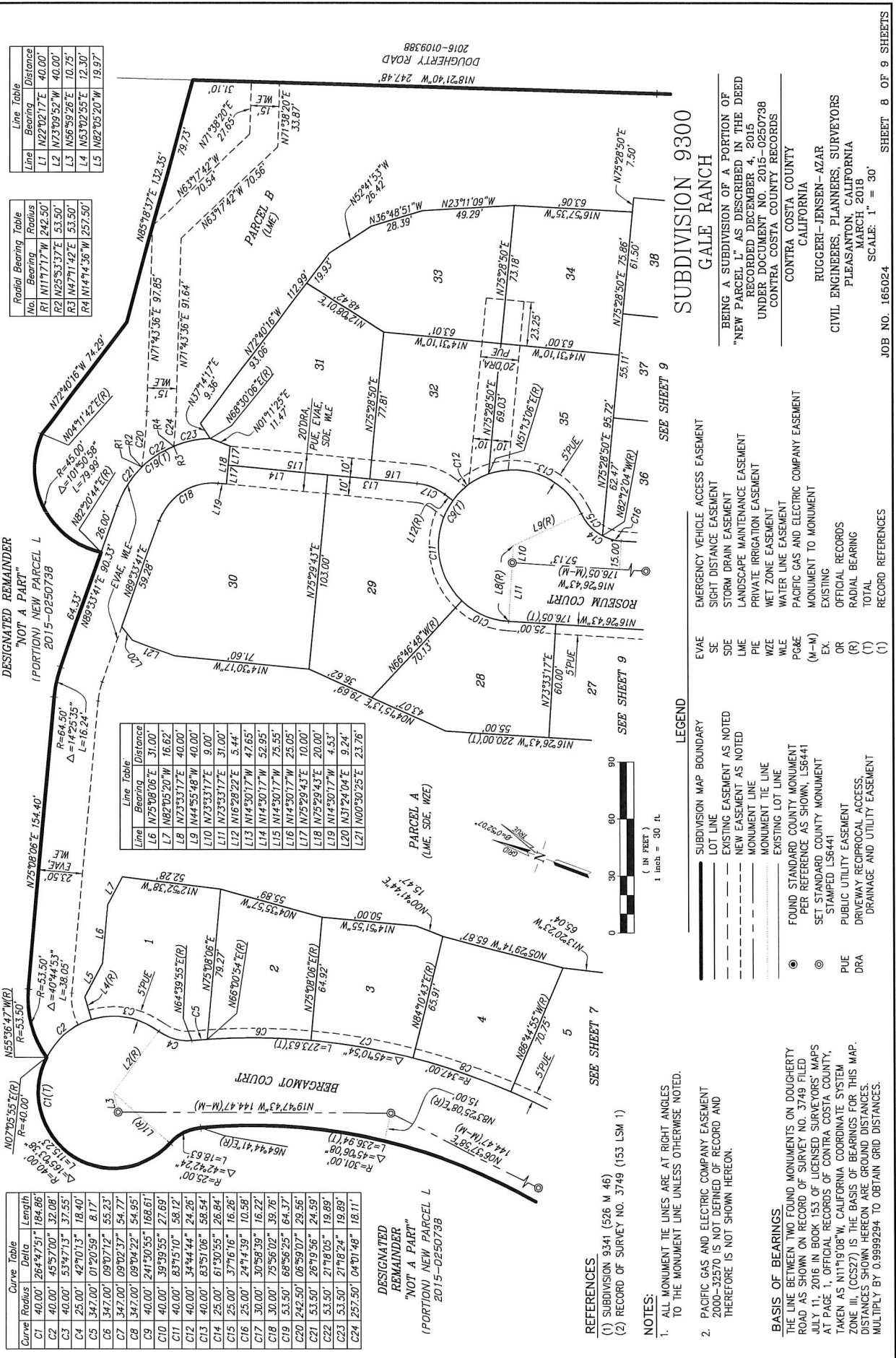
Curve	Radius	Delta	Length
C1	443.00'	00°25'22"	3.27'
C2	443.00'	08°7'07"	64.06'
C3	443.00'	08°18'47"	64.27'
C4	443.00'	03°47'03"	29.26'
C5	347.00'	07°32'00"	45.62'
C6	347.00'	09°03'44"	54.89'

Curve	Radius	Delta	Length
C1	40.00'	264°47'51"	184.86'
C2	40.00'	49°57'00"	32.08'
C3	40.00'	53°47'13"	37.55'
C4	25.00'	42°40'13"	18.40'
C5	342.00'	01°20'59"	8.17'
C6	342.00'	09°07'17"	55.23'
C7	347.00'	09°02'37"	54.77'
C8	347.00'	09°04'22"	54.95'
C9	40.00'	241°30'55"	166.61'
C10	40.00'	39°59'55"	27.69'
C11	40.00'	83°15'01"	58.12'
C12	40.00'	34°44'44"	24.26'
C13	40.00'	83°51'06"	58.54'
C14	25.00'	61°30'55"	26.84'
C15	25.00'	37°16'16"	16.26'
C16	25.00'	24°43'39"	10.58'
C17	30.00'	30°58'39"	16.22'
C18	30.00'	79°56'02"	39.76'
C19	53.50'	68°56'25"	64.37'
C20	242.50'	06°59'07"	29.56'
C21	53.50'	26°19'56"	34.59'
C22	53.50'	27°18'05"	39.89'
C23	53.50'	27°18'24"	39.89'
C24	257.50'	04°01'48"	18.11'

Line	Bearing	Distance
L1	N75°08'06"E	154.40'
L2	N75°08'06"E	154.40'
L3	N75°08'06"E	154.40'
L4	N75°08'06"E	154.40'
L5	N75°08'06"E	154.40'
L6	N75°08'06"E	154.40'
L7	N75°08'06"E	154.40'
L8	N75°08'06"E	154.40'
L9	N75°08'06"E	154.40'
L10	N75°08'06"E	154.40'
L11	N75°08'06"E	154.40'
L12	N75°08'06"E	154.40'
L13	N75°08'06"E	154.40'
L14	N75°08'06"E	154.40'
L15	N75°08'06"E	154.40'
L16	N75°08'06"E	154.40'
L17	N75°08'06"E	154.40'
L18	N75°08'06"E	154.40'
L19	N75°08'06"E	154.40'
L20	N75°08'06"E	154.40'
L21	N75°08'06"E	154.40'

Line	Bearing	Distance
L1	N22°02'17"E	40.00'
L2	N73°09'52"W	40.00'
L3	N56°59'26"E	10.75'
L4	N53°02'55"E	12.30'
L5	N82°05'20"W	19.97'

No.	Bearing	Radius
R1	N11°17'17"W	242.50'
R2	N25°53'37"E	53.50'
R3	N47°14'42"E	53.50'
R4	N14°14'36"W	257.50'



SUBDIVISION 9300 GALE RANCH

BEING A SUBDIVISION OF A PORTION OF
"NEW PARCEL L" AS DESCRIBED IN THE DEED
RECORDED DECEMBER 4, 2015
UNDER DOCUMENT NO. 2015-0250738
CONTRA COSTA COUNTY RECORDS

CONTRA COSTA COUNTY
CALIFORNIA
RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
MARCH, 2018
SCALE: 1" = 30'

JOB NO. 165024 SHEET 8 OF 9 SHEETS

LEGEND

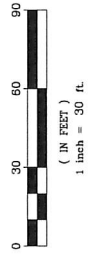
- SUBDIVISION MAP BOUNDARY
- LOT LINE
- EXISTING EASEMENT AS NOTED
- NEW EASEMENT AS NOTED
- MONUMENT TIE LINE
- EXISTING LOT LINE
- FOUND STANDARD COUNTY MONUMENT PER REFERENCE AS SHOWN, LS6441
- SET STANDARD COUNTY MONUMENT STAMPED LS6441
- PUBLIC UTILITY EASEMENT
- PUE
- DRA
- DRIVEWAY RECIPROCAL ACCESS, DRAINAGE AND UTILITY EASEMENT
- EMERGENCY VEHICLE ACCESS EASEMENT
- SIGHT DISTANCE EASEMENT
- STORM DRAIN EASEMENT
- LANDSCAPE MAINTENANCE EASEMENT
- PRIVATE IRRIGATION EASEMENT
- WATER LINE EASEMENT
- PACIFIC GAS AND ELECTRIC COMPANY EASEMENT
- MONUMENT TO MONUMENT
- EXISTING
- OR
- OFFICIAL RECORDS
- R
- RADIAL BEARING
- T
- TOTAL
- RECORD REFERENCES

REFERENCES

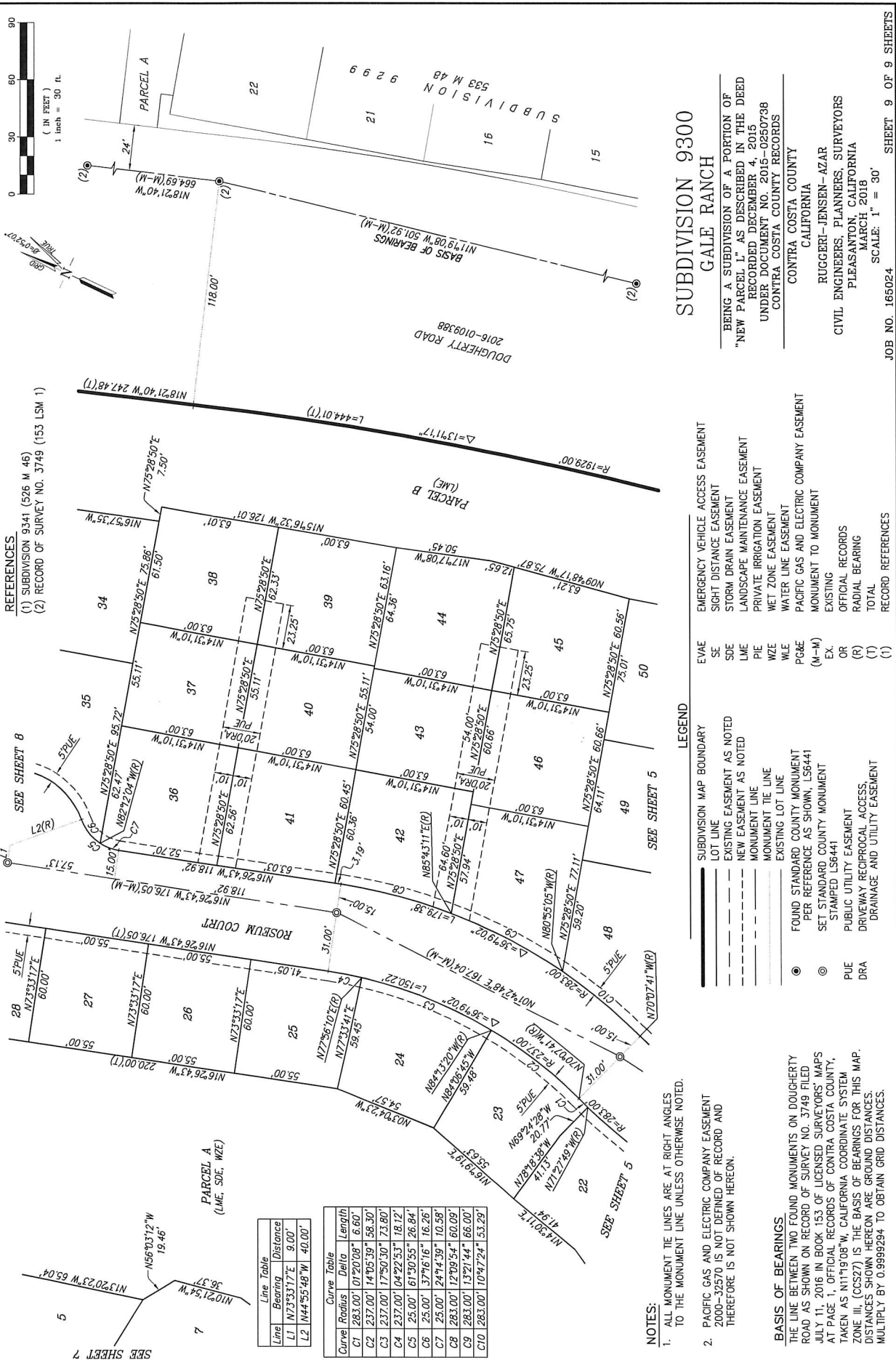
- (1) SUBDIVISION 9341 (526 M 46)
- (2) RECORD OF SURVEY NO. 3749 (153 LSM 1)

NOTES:

1. ALL MONUMENT TIE LINES ARE AT RIGHT ANGLES TO THE MONUMENT LINE UNLESS OTHERWISE NOTED.
 2. PACIFIC GAS AND ELECTRIC COMPANY EASEMENT 2000-32570 IS NOT DEFINED OF RECORD AND THEREFORE IS NOT SHOWN HEREON.
- BASIS OF BEARINGS**
THE LINE BETWEEN TWO FOUND MONUMENTS ON DOUGHERTY ROAD AS SHOWN ON RECORD OF SURVEY NO. 3749 FILED JULY 11, 2016 IN BOOK 153 OF LICENSED SURVEYORS' MAPS AT PAGE 1, OFFICIAL RECORDS OF CONTRA COSTA COUNTY, TAKEN AS N11°19'08"W, CALIFORNIA COORDINATE SYSTEM ZONE III, (CCS27) IS THE BASIS OF BEARINGS FOR THIS MAP. DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY BY 0.9999294 TO OBTAIN GRID DISTANCES.



- REFERENCES**
- (1) SUBDIVISION 9341 (526 M. 46)
 - (2) RECORD OF SURVEY NO. 3749 (153 LSM 1)



Line	Bearing	Distance
L1	N73°33'17"E	9.00'
L2	N44°55'48"W	40.00'

Curve	Radius	Delta	Length
C1	283.00'	01°20'08"	6.60'
C2	237.00'	14°05'39"	58.30'
C3	237.00'	17°50'30"	73.90'
C4	237.00'	04°22'53"	18.12'
C5	25.00'	161°50'55"	26.84'
C6	25.00'	37°46'16"	16.26'
C7	25.00'	24°4'39"	10.58'
C8	283.00'	12°09'54"	60.09'
C9	283.00'	13°21'44"	66.00'
C10	285.00'	10°47'24"	55.29'

- NOTES:**
- ALL MONUMENT TIE LINES ARE AT RIGHT ANGLES TO THE MONUMENT LINE UNLESS OTHERWISE NOTED.
 - PACIFIC GAS AND ELECTRIC COMPANY EASEMENT 2000-32570 IS NOT DEFINED OF RECORD AND THEREFORE IS NOT SHOWN HEREON.

BASIS OF BEARINGS
 THE LINE BETWEEN TWO FOUND MONUMENTS ON DOUGHERTY ROAD AS SHOWN ON RECORD OF SURVEY NO. 3749 FILED JULY 11, 2016 IN BOOK 153 OF LICENSED SURVEYORS' MAPS AT PAGE 1, OFFICIAL RECORDS OF CONTRA COSTA COUNTY, TAKEN AS N17°19'08"W, CALIFORNIA COORDINATE SYSTEM ZONE III, (CGS27) IS THE BASIS OF BEARINGS FOR THIS MAP. DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY BY 0.99999294 TO OBTAIN GRID DISTANCES.

- LEGEND**
- SUBDIVISION MAP BOUNDARY
 - LOT LINE
 - EXISTING EASEMENT AS NOTED
 - NEW EASEMENT AS NOTED
 - MONUMENT LINE
 - MONUMENT TIE LINE
 - EXISTING LOT LINE
 - FOUND STANDARD COUNTY MONUMENT PER REFERENCE AS SHOWN, L56441
 - SET STANDARD COUNTY MONUMENT STAMPED L56441
 - PUE PUBLIC UTILITY EASEMENT
 - DRA DRIVEWAY RECIPROCAL ACCESS, DRAINAGE AND UTILITY EASEMENT
 - EMERGENCY VEHICLE ACCESS EASEMENT
 - SIGHT DISTANCE EASEMENT
 - STORM DRAIN EASEMENT
 - LANDSCAPE MAINTENANCE EASEMENT
 - PRIVATE IRRIGATION EASEMENT
 - WET ZONE EASEMENT
 - WATER LINE EASEMENT
 - PACIFIC GAS AND ELECTRIC COMPANY EASEMENT
 - MONUMENT TO MONUMENT
 - EXISTING
 - OR OFFICIAL RECORDS
 - EX RADIAL BEARING
 - (R) TOTAL
 - (T) RECORD REFERENCES
 - (1)

SUBDIVISION 9300
GALE RANCH

BEING A SUBDIVISION OF A PORTION OF "NEW PARCEL 1" AS DESCRIBED IN THE DEED RECORDED DECEMBER 4, 2015 UNDER DOCUMENT NO. 2015-0250738 CONTRA COSTA COUNTY RECORDS

CONTRA COSTA COUNTY
 CALIFORNIA

RUGGERI-JENSEN-AZAR
 CIVIL ENGINEERS, PLANNERS, SURVEYORS
 PLEASANTON, CALIFORNIA
 MARCH 2018

SCALE: 1" = 30'

JOB NO. 1650524

SHEET 9 OF 9 SHEETS

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

Subdivision: SD17-09300
Subdivider: Shapell Industries, Inc., a Delaware Corp

Effective Date: _____
Completion Period: 2 years

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

SUBDIVIDER

Shapell Industries, Inc.

Print Name Steve Savage

Print Title Vice President

Print Name: Robert D. Moore

Print Title: Group President

FORM APPROVED: Silvano B. Marchesi, County Counsel

[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: \$ 22,500 cash, plus additional security, in the amount of \$ 2,212,500, 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.
- 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: \$ 1,117,500, 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
- 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.

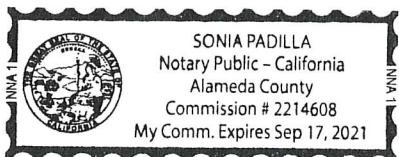
A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }
COUNTY OF Alameda }ss.

On April 27, 2018, before me, Sonia Padilla, Notary Public, personally appeared Robert D. Moore, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.



[Handwritten Signature]
Signature

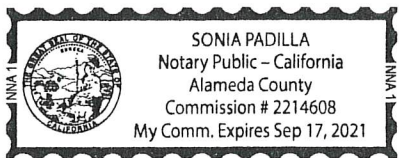
A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }
COUNTY OF Alameda }ss.

On April 27, 2018, before me, Sonia Padilla, Notary Public, personally appeared Steve Savage, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.



[Handwritten Signature]
Signature

Subdivision: 9300
Bond No.: PB00579800090
Premium: _____
Any claim under this Bond should be sent
to the following address:
8259 S. Monarch Road
San Ramon, CA 94583
925-362-3019

**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 9300 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.** Shapell Industries Inc., a Delaware Corporation, as Principal, and Philadelphia Indemnity Insurance Company, a corporation organized and existing under the laws of the State of Pennsylvania 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) Two Million Two Hundred Fifteen Thousand Five Hundred and 00/100 Dollars (\$ 2,215,500.00) for itself or any city assignee under the above Subdivision Agreement.

(B. Payment) One Million One Hundred Seventeen Thousand Five Hundred and 00/100 Dollars (\$ 1,117,500.00) to secure the claims to which reference is made in Title XV (commencing with Section 3082) of Part 4 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 April 19, 2018.

Principal: Shapell Industries Inc., a Delaware Corporation

Address: 250 Gibraltar Road

Horsham, PA

Zip: 19044

By: Steve Savage

Print Name: Steve Savage

Title: Vice President

Surety: Philadelphia Indemnity Insurance Company

Address: One Bala Plaza East, Suite 100

Bala Cynwyd, PA

Zip: 19004

By: Daniel P. Dunigan

Print Name: Daniel P. Dunigan

Title: Attorney-in-Fact

[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]

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 truthfulness, accuracy or validity of that document.

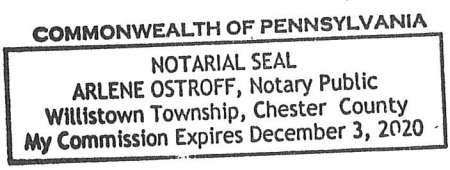
State of PENNSYLVANIA

County of CHESTER

On APRIL 19, 2018 before me, ARLENE OSTROFF, Notary Public

personally appeared DANIEL P. DUNIGAN

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 [Handwritten Signature] 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

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
Philadelphia Indemnity Insurance Company



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



PHILADELPHIA INDEMNITY INSURANCE COMPANY
One Bala Plaza, Suite 100
Bala Cynwyd, PA 19004-0950

Power of Attorney

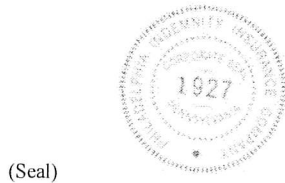
KNOW ALL PERSONS BY THESE PRESENTS: That PHILADELPHIA INDEMNITY INSURANCE COMPANY (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint Joseph W. Kolok, Jr., James L. Hahn, Daniel P. Dunigan, Richard J. Decker, Brian C. Block & William F. Simkiss of The Simkiss Agency, Inc., its true and lawful Attorney-in-fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed \$25,000,000.00.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PHILADELPHIA INDEMNITY INSURANCE COMPANY on the 14th of November, 2016.

RESOLVED: That the Board of Directors hereby authorizes the President or any Vice President of the Company: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

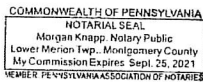
FURTHER RESOLVED: That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 27TH DAY OF OCTOBER, 2017.



Robert D. O'Leary Jr., President & CEO
Philadelphia Indemnity Insurance Company

On this 27th day of October, 2017, before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the PHILADELPHIA INDEMNITY INSURANCE COMPANY; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.



Notary Public: Morgan Knapp
residing at: Bala Cynwyd, PA
My commission expires: September 25, 2021

(Notary Seal)

I, Edward Sayago, Corporate Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and this Power of Attorney issued pursuant thereto on this 27th day of October, 2017 are true and correct and are still in full force and effect. I do further certify that Robert D. O'Leary Jr., who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of PHILADELPHIA INDEMNITY INSURANCE COMPANY,

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 19th day of April, 20 18.



Edward Sayago, Corporate Secretary
PHILADELPHIA INDEMNITY INSURANCE COMPANY

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)

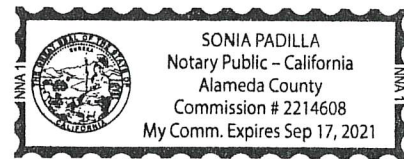
On April 27, 2018 before me, Sonia Padilla, Notary Public
(insert name and title of the officer)

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.

WITNESS my hand and official seal.

Signature  (Seal)



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: 6/12/2018

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:

<u>Tract / MS #</u>	<u>City</u>	<u>T.R.A.</u>
9300	SAN RAMON	66405
Parcel #:	222-270-055-7	

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

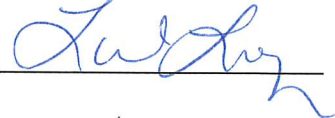
The 2017-2018 tax lien has been paid in full. Our estimate of the 2018-2019 tax lien, which became a lien on the first day of January, 2018 is

\$185,585.00

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: 

PRINCIPAL

**Shapell Industries, Incorporated
100 North Milpitas Boulevard
Milpitas, CA 95035
Attn: Dave Suico
408-946-1550**

BOND NO: 30043678

TITLE COMPANY

**First American Title Co.
6683 Owens Drive
Pleasanton, CA 94588
Attn: Bernadette Salas
Phone: 925-738-4043**

Order Number:

SURETY

**Name: Western Surety Company
Address: 100 Matsonford Road Suite 200
Radnor, PA 19087
Phone #: 610-964-5852**

Tax year 2018/ 2019

BOND AGAINST TAXES

KNOW ALL MEN BY THESE PRESENTS:

THAT, **Shapell Industries, Inc., a Delaware Corporation** as Principal and **Western Surety Company** (Surety), a corporation organized and existing under the laws of the State of South Dakota, 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 **One Hundred Eighty Five Thousand Five Hundred Eighty Five and 00/100** Dollars (**\$185,585.00**), 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 27 TH day of JUNE, 2018.

The conditions of the above obligation is such that WHEREAS, the above bounded principal is about to file a map entitled **Subdivision Map 9300** 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 **Principal**, shall pay all of the 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.

Shapell Industries, Incorporated, a Delaware Corporation

Western Surety Company

By: Steve Savage
Name: Steve Savage
Title: Vice President

William F. Simkiss
William F. Simkiss, Attorney-in-Fact

Principal

Surety

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

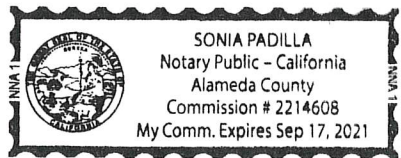
STATE OF California)SS
COUNTY OF Alameda)

On July 2, 2018, before me, Sonia Padilla, Notary Public, 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 with the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature [Signature]



My Commission Expires: 9/17/21

This area for official notarial seal

Notary Name: Sonia Padilla
Notary Registration Number: 2214608

Notary Phone: 510-299-5101
County of Principal Place of Business: Alameda

SEE ATTACHED NOTARY ACKNOWLEDGEMENT FOR SURETY ATTORNEY-IN-FACT

DATE: 7/5/2018
BOND REVIEWED AND APPROVED
CONTRA COSTA COUNTY
TREASURER - TAX COLLECTOR
BY: [Signature]

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 truthfulness, accuracy or validity of that document.

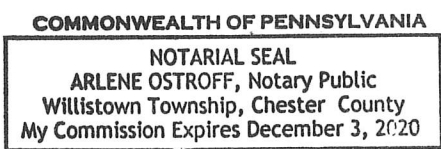
State of PENNSYLVANIA

County of CHESTER

On JUNE 27, 2018 before me, ARLENE OSTROFF, Notary Public

personally appeared WILLIAM F. SIMKISS

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 Arlene Ostroff Notary Public Signature Notary Registration Number 1124021

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.

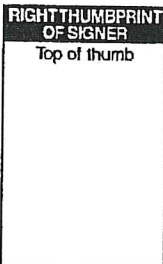
Description of Attached Document

Title or Type of Document

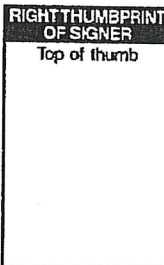
Document Date Number of Pages:

Signer's Name:

- Individual
Corporate Officer - Title(s):
Partner - Limited General
Guardian or Conservator
Attorney-in-Fact
Trustee
Other:
Signer is representing Western Surety Company



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



Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

William F Simkiss, Richard J Decker, Daniel P Dunigan, Joseph W Kolok Jr, Brian C Block, James L Hahn, Individually

of Paoli, PA, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 10th day of February, 2016.

WESTERN SURETY COMPANY

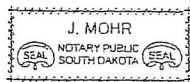


Paul T. Bruflat
Paul T. Bruflat, Vice President

State of South Dakota }
County of Minnehaha } ss

On this 10th day of February, 2016, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires
June 23, 2021



J. Mohr
J. Mohr, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 27TH day of JUNE, 2018

WESTERN SURETY COMPANY



L. Nelson
L. Nelson, Assistant Secretary

Authorizing By-Law

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: August 14, 2018

Subject: Approving the fifth extension of the subdivision Agreement for subdivision SD05-09037, Danville area.

RECOMMENDATION(S):

ADOPT Resolution No. 2018/453 approving the fifth extension of the Subdivision Agreement for subdivision SD05-09037, for a project being developed by Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, Danville area. (District III)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The terminal date of the Subdivision Agreement needs to be extended. The developer has not completed the required improvements and has requested more time. (Approximately 100% of the work has been completed to date.) By granting an extension, the County will give the developer more time to complete improvements and keeps the bond current.

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Randolph Sanders (925)
313-2111

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

By: , Deputy

CONSEQUENCE OF NEGATIVE ACTION:

The terminal date of the Subdivision Agreement will not be extended and the developer will be in default of the agreement, requiring the County to take legal action against the developer and surety to complete improvements.

ATTACHMENTS

Resolution No. 2018/453

Subdivision Agreement Extension

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

Adopted this Resolution on 08/14/2018 by the following vote:

AYE:
NO:
ABSENT:
ABSTAIN:
RECUSE:



Resolution No. 2018/453

IN THE MATTER OF approving the fifth extension of the Subdivision Agreement for subdivision SD05-09037, for a project being developed by Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, Danville area. (District III)

WHEREAS the Public Works Director having recommended that he be authorized to execute the fifth agreement extension which extends the Subdivision Agreement between Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation and the County for construction of certain improvements in subdivision SD05-09037, Danville area, through September 20, 2019.

APPROXIMATE PERCENTAGE OF WORK COMPLETE: 100%

ANTICIPATED DATE OF COMPLETION: House construction to be completed in 2023.

BOND NO.: 929 532 270 Date: August 23, 2011

REASON FOR EXTENSION: Completing construction of homes.

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: Randolph Sanders (925) 313-2111

ATTESTED: August 14, 2018

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

By: , Deputy

cc: Jocelyn LaRocque- Engineering Services, Randolph Sanders- Engineering Services, Alex Lopez - Engineering Services, Trixie Gothro - Design & Construction, Ruben Hernandez - DCD, Shapell Homes, a Division of Shapell Industries, Inc., The Continental Insurance Company, T- 07/20/2019

CONTRA COSTA COUNTY
SUBDIVISION AGREEMENT EXTENSION

Development Number: SD05-09037(Civil)
Developer: Shapell Homes, A Division of Shapell Industries, Inc., A Delaware Corporation
Original Agreement Date: September 20, 2011
Fifth Extension New Termination Date: September 20, 2018

Improvement Security

Surety: The Continental Insurance Company
Bond No. 929 532 270 **Date:** August 23, 2011

Security Type	Security Amount
Cash:	\$ <u>42,900.00</u> (1% cash, \$1,000 Min.)
SURETY BOND	\$ <u>114,225.00</u> (Performance)
	\$ <u>2,564,000.00</u> (Labor& Material)

The Developer and the Surety desire this Agreement to be extended through the above date; and Contra Costa County and said Surety hereby agree thereto and acknowledge same.

Dated: _____

Dated: July 2, 2018

FOR CONTRA COSTA COUNTY
 Brian M. Balbas, Public Works Director

Steve Saage
 Developer's Signature(s)

Steve Saage
 Printed

By: _____

Robert D. Moore
 Developer's Signature(s)

Robert D. Moore
 Printed

RECOMMENDED FOR APPROVAL:

6800 Kull Gtr Pkwy #320 Pleasanton CA 94566

Address

By: _____
 (Engineering Services Division)

The Continental Insurance Company

Surety or Financial Institution

100 Matsonford Road Suite 200, Radnor, PA 19087

Address

(NOTE: Developer's, Surety's and Financial Institution's Signatures must be Notarized.)

[Signature]

Attorney in Fact's Signature

FORM APPROVED: Victor J. Westman, County Counsel

After Approval Return to Clerk of the Board

Daniel P. Dunigan, Attorney-in-Fact

Printed

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

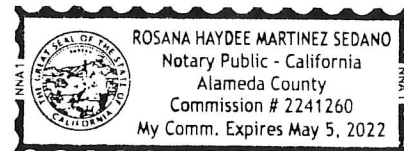
On July 12, 2018 before me, Rosana H. Martinez Sedano, Notary Public
(insert name and title of the officer)

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

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

WITNESS my hand and official seal.

Signature *Rosana H. Martinez Sedano* (Seal)



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 truthfulness, accuracy or validity of that document.

State of PENNSYLVANIA

County of CHESTER

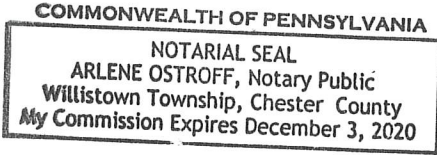


On JULY 2, 2018 before me, ARLENE OSTROFF, Notary Public

personally appeared DANIEL P. DUNIGAN

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 [Handwritten Signature] 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

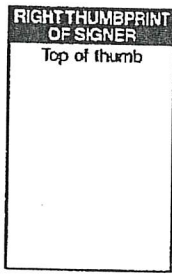
Document Date Number of Pages:

Signer's Name:

- Individual
Corporate Officer - Title(s):
Partner - Limited General
Guardian or Conservator
Attorney-in-Fact
Trustee
Other:
Signer is representing The Continental Insurance Company



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



POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That The Continental Insurance Company, a Pennsylvania insurance company, is a duly organized and existing insurance company having its principal office in the City of Chicago, and State of Illinois, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

William F Simkiss, Richard J Decker, Daniel P Dunigan, Joseph W Kolok Jr, Brian C Block, James L Hahn, Individually

of Paoli, PA, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind them thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the insurance company and all the acts of said Attorney, pursuant to the authority hereby given is hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law and Resolutions, printed on the reverse hereof, duly adopted, as indicated, by the Board of Directors of the insurance company.

In Witness Whereof, The Continental Insurance Company has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 1st day of July, 2015.

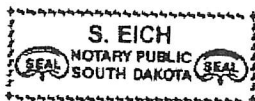


The Continental Insurance Company

Paul T. Bruflat Vice President

State of South Dakota, County of Minnehaha, ss:

On this 1st day of July, 2015, before me personally came Paul T. Bruflat to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is a Vice President of The Continental Insurance Company, a Pennsylvania insurance company, described in and which executed the above instrument; that he knows the seal of said insurance company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said insurance company and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said insurance company.



My Commission Expires February 12, 2021

S. Eich Notary Public

CERTIFICATE

I, D. Bult, Assistant Secretary of The Continental Insurance Company, a Pennsylvania insurance company, do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that the By-Law and Resolution of the Board of Directors of the insurance company printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said insurance company this 2ND day of JULY, 2018.



The Continental Insurance Company

D. Bult Assistant Secretary

Authorizing Resolutions

ADOPTED BY THE BOARD OF DIRECTORS OF THE CONTINENTAL INSURANCE COMPANY:

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the Board of Directors of the Company at a meeting held on May 10, 1995.

“RESOLVED: That any Group Vice President may authorize an officer to sign specific documents, agreements and instruments on behalf of the Company provided that the name of such authorized officer and a description of the documents, agreements or instruments that such officer may sign will be provided in writing by the Group Vice President to the Secretary of the Company prior to such execution becoming effective.”

This Power of Attorney is signed by Paul T. Bruflat, Vice President, who has been authorized pursuant to the above resolution to execution power of attorneys on behalf of The Continental Insurance Company.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 25th day of April, 2012:

“Whereas, the bylaws of the Company or specific resolution of the Board of Directors has authorized various officers (the “Authorized Officers”) to execute various policies, bonds, undertakings and other obligatory instruments of like nature; and

Whereas, from time to time, the signature of the Authorized Officers in addition to being provided in original, hard copy format, may be provided via facsimile or otherwise in an electronic format (collectively, “Electronic Signatures”); Now therefore be it resolved: that the Electronic Signature of any Authorized Officer shall be valid and binding on the Company.”



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: August 14, 2018

Subject: Approving the second extension of the Subdivision Agreement for subdivision SD14-09328, San Ramon (Dougherty Valley) area.

RECOMMENDATION(S):

ADOPT Resolution No. 2018/455 approving the second extension of the Subdivision Agreement for subdivision SD14-09328, for a project being developed by Shapell Homes, Inc., a Division of Shapell Industries, a Delaware Corporation as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

FISCAL IMPACT:

No fiscal impact

BACKGROUND:

The terminal date of the Subdivision Agreement needs to be extended. The developer has not completed the punch list items and has requested more time. (Approximately 100% of the work has been completed to date.) By granting an extension, the County will give the developer more time to complete improvements and keeps the bond current. The development is in the warranty period and the bond needs to be kept up to date.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Randolph Sanders (925)
313-2111

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

By: , Deputy

cc: Jocelyn LaRocque- Engineering Services, Randolph Sanders- Engineering Services, Alex Lopez - Engineering Services, Trixie Gothro - Design & Construction, Ruben Hernandez - DCD, Shapell Homes, a Division of Shapell Industries, Inc., The Continental Insurance Company, T -02/21/2019

CONSEQUENCE OF NEGATIVE ACTION:

The terminal date of the Subdivision Agreement will not be extended and the developer will be in default of the agreement, requiring the County to take legal action against the developer and surety to complete the improvements.

ATTACHMENTS

Resolution No. 2018/455

Subdivision Agreement Extension

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

Adopted this Resolution on 08/14/2018 by the following vote:

AYE:
NO:
ABSENT:
ABSTAIN:
RECUSE:



Resolution No. 2018/455

IN THE MATTER OF approving the Second extension of the Subdivision Agreement for subdivision SD14-09328 , for a project being developed by Shapell Homes, Inc., a Division of Shapell Industries, a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

WHEREAS the Public Works Director having recommended that he be authorized to execute the second agreement extension which extends the subdivision agreement between Shapell Homes, Inc., a Division of Shapell Industries, a Delaware Corporation and the County for construction of certain improvements in subdivision SD14-09328, San Ramon (Dougherty Valley) area, through April 21, 2019.

APPROXIMATE PERCENTAGE OF WORK COMPLETE: 100%

ANTICIPATED DATE OF COMPLETION: End of summer 2018

BOND NO.: 929525422 Date: March 28, 2011

REASON FOR EXTENSION: Improvements completed, working on warranty punch list.

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: Randolph Sanders (925) 313-2111

ATTESTED: August 14, 2018

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

By: , Deputy

cc: Jocelyn LaRocque- Engineering Services, Randolph Sanders- Engineering Services, Alex Lopez - Engineering Services, Trixie Gothro - Design & Construction, Ruben Hernandez - DCD, Shapell Homes, a Division of Shapell Industries, Inc., The Continental Insurance Company, T -02/21/2019

**CONTRA COSTA COUNTY
SUBDIVISION AGREEMENT EXTENSION**

Development Number: SD14-09328
Developer: Shapell Homes, Inc., a Division of Shapell Industries, a Delaware Corporation
Original Agreement Date: April 21, 2015
Second Extension New Termination Date: April 21, 2019

Improvement Security

SURETY : The Continental Insurance Company

BOND No.: 929525422

Date: March 28, 2011

Security Type

Security Amount

Cash:

\$ 7,000.00 (1% cash, \$1,000 Min.)

SURETY BOND:

\$ 670,000.00 (Performance)

\$ 338,500.00 (Labor & Material)

The Developer and the Surety desire this Agreement to be extended through the above date; and Contra Costa County and said Surety hereby agree thereto and acknowledge same.

Dated: _____

Dated: July 2, 2018

FOR CONTRA COSTA COUNTY
Brian M. Balbas, Public Works Director

Steve Savage
Developer's Signature(s)

By: _____

Steve Savage
Printed

RECOMMENDED FOR APPROVAL:

Robert D. Moore
Developer's Signature(s)

By: _____
(Engineering Services Division)

Printed
Robert D Moore PLEASANTON,
6800 Kull Center Plany #320 CA 94566
Address

(NOTE: Developer's, Surety's and Financial Institution's Signatures must be Notarized.)

The Continental Insurance Company
Surety or Financial Institution

FORM APPROVED: Victor J. Westman, County Counsel
After Approval Return to Clerk of the Board

100 Matsonford Road Suite 200, Radnor, PA19087
Address

Daniel P. Dunigan
Attorney in Facts Signature

Daniel P. Dunigan, Attorney-in-Fact
Printed

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 truthfulness, accuracy or validity of that document.

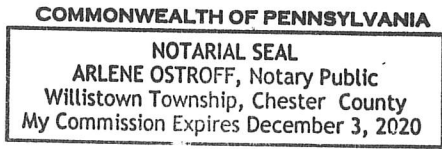
State of PENNSYLVANIA

County of CHESTER

On JULY 2, 2018 before me, ARLENE OSTROFF, Notary Public

personally appeared DANIEL P. DUNIGAN

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 [Handwritten Signature] 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

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 The Continental Insurance Company



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



POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That The Continental Insurance Company, a Pennsylvania insurance company, is a duly organized and existing insurance company having its principal office in the City of Chicago, and State of Illinois, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

William F Simkiss, Richard J Decker, Daniel P Dunigan, Joseph W Kolok Jr, Brian C Block, James L Hahn, Individually

of Paoli, PA, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind them thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the insurance company and all the acts of said Attorney, pursuant to the authority hereby given is hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law and Resolutions, printed on the reverse hereof, duly adopted, as indicated, by the Board of Directors of the insurance company.

In Witness Whereof, The Continental Insurance Company has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 1st day of July, 2015.

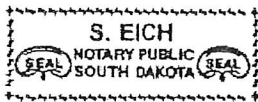


The Continental Insurance Company

Paul T. Bruflat Vice President

State of South Dakota, County of Minnehaha, ss:

On this 1st day of July, 2015, before me personally came Paul T. Bruflat to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is a Vice President of The Continental Insurance Company, a Pennsylvania insurance company, described in and which executed the above instrument; that he knows the seal of said insurance company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said insurance company and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said insurance company.



My Commission Expires February 12, 2021

S. Eich Notary Public

CERTIFICATE

I, D. Bult, Assistant Secretary of The Continental Insurance Company, a Pennsylvania insurance company, do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that the By-Law and Resolution of the Board of Directors of the insurance company printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said insurance company this 2ND day of JULY, 2018.



The Continental Insurance Company

D. Bult Assistant Secretary

Authorizing Resolutions

ADOPTED BY THE BOARD OF DIRECTORS OF THE CONTINENTAL INSURANCE COMPANY:

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the Board of Directors of the Company at a meeting held on May 10, 1995.

“RESOLVED: That any Group Vice President may authorize an officer to sign specific documents, agreements and instruments on behalf of the Company provided that the name of such authorized officer and a description of the documents, agreements or instruments that such officer may sign will be provided in writing by the Group Vice President to the Secretary of the Company prior to such execution becoming effective.”

This Power of Attorney is signed by Paul T. Bruflat, Vice President, who has been authorized pursuant to the above resolution to execution power of attorneys on behalf of The Continental Insurance Company.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 25th day of April, 2012:

“Whereas, the bylaws of the Company or specific resolution of the Board of Directors has authorized various officers (the “Authorized Officers”) to execute various policies, bonds, undertakings and other obligatory instruments of like nature; and

Whereas, from time to time, the signature of the Authorized Officers in addition to being provided in original, hard copy format, may be provided via facsimile or otherwise in an electronic format (collectively, “Electronic Signatures”); Now therefore be it resolved: that the Electronic Signature of any Authorized Officer shall be valid and binding on the Company.”

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 July 12, 2018 before me, Rosana H. Martinez Sedano, Notary Public
(insert name and title of the officer)

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

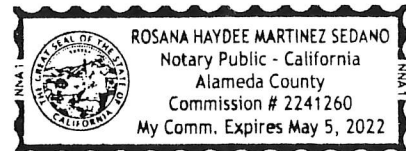
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

[Handwritten Signature]

(Seal)





**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: August 14, 2018

Subject: Close portion of San Pablo Dam Road between El Portal Drive & Appian Way, on Sept 16, 2018 from 6:00 AM through 7:00 PM, El Sobrante area.

RECOMMENDATION(S):

ADOPT Resolution No. 2018/458 approving and authorizing the Public Works Director, or designee, to fully close a portion of San Pablo Dam Road between El Portal Drive and Appian Way, on September 16, 2018 from 6:00 AM through 7:00 PM, for the purpose of 24th Annual El Sobrante Stroll, El Sobrante area. (District I)

FISCAL IMPACT:

No fiscal impact

BACKGROUND:

Applicant shall follow guidelines set forth by the Public Works Department.

CONSEQUENCE OF NEGATIVE ACTION:

Applicant will be unable to close the road for planned activities.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Bob Hendry (925)
674-7744

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

By: , Deputy

cc: Bob Hendry -Engineering Services, CHP, Sheriff - Patrol Division Commander

ATTACHMENTS

Resolution No.

2018/458

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

Adopted this Resolution on 08/14/2018 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2018/458

Approving and Authorizing the Public Works Director, or designee, to fully close a portion of San Pablo Dam Road between El Portal Drive and Appian Way, on September 16, 2018 from 6:00 AM through 7:00 PM, for the purpose of 24th Annual El Sobrante Stroll, El Sobrante area. (District I)

RC18-12

NOW, THEREFORE, BE IT RESOLVED that permission is granted to El Sobrante Chamber of Commerce to fully close San Pablo Dam Road between El Portal Drive and Appian Way, except for emergency traffic, on September 16, 2018 for the period of 6:00 AM through 7:00 PM, subject to the following conditions:

1. Traffic will be detoured via per traffic control plan reviewed by Public Works.
2. All signing to be in accordance with the California Manual on Uniform Traffic Control Devices.
3. El Sobrante Chamber of Commerce shall comply with the requirements of the Ordinance Code of Contra Costa County.
4. Provide the County with a Certificate of Insurance in the amount of \$1,000,000.00 for Comprehensive General Public Liability which names the County as an additional insured prior to permit issuance.
5. Obtain approval for the closure from the Sheriff's Department, the California Highway Patrol and the Fire District.
6. El Sobrante Chamber of Commerce shall maintain a 20-foot wide emergency vehicle lane at all times through the entire length of the closure.

I hereby certify that this 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: Bob Hendry (925) 674-7744

ATTESTED: August 14, 2018

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

By: , Deputy

cc: Bob Hendry -Engineering Services, CHP, Sheriff - Patrol Division Commander



**Contra
Costa
County**

To: Board of Supervisors
From: Diane Burgis, District III Supervisor
Date: August 14, 2018

Subject: Authorization to Use a Portion of the Mariposa Energy Project Community Benefits Fund to Update the Byron Airport Land Use Compatibility Plan

RECOMMENDATION(S):

APPROVE and **AUTHORIZE** the use of a portion of the Mariposa Energy Project Community Benefits Fund to update the Byron Airport Chapter of the Airport Land Use Compatibility Plan as recommended by Supervisor Diane Burgis (District III).

FISCAL IMPACT:

There is no negative impact on the General Fund. The total cost for the update to the Byron Airport Chapter of the Airport Land Use Compatibility Plan is \$49,250. This project is not eligible for FAA funding and the Mariposa Energy Project Community Benefits Fund will provide project funds. The Mariposa Community Benefit Fund was established to enhance and support the Byron Airport

BACKGROUND:

The Byron Airport (Airport) Master Plan, approved in 2005, identified a diversity of aviation and aviation-related land uses for the long term build-out of the Airport. To fully implement the Airport Master Plan, it was necessary to undertake a General Plan Amendment (GPA) process to provide consistency with and allow for the range of contemplated land uses. The GPA also requires an environmental analysis of the proposed changes before the amendment can be considered for approval.

This process was initiated by the Department of Conservation and Development, working in collaboration

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Alicia Nuchols,
925-252-4500

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

with the Airports, in December 2012. The GPA and environmental processes were estimated to have a project cost range of \$90,000 to \$250,000. On December 11, 2012, the Board approved using up to \$250,000 of the Mariposa Community Benefit Fund for this GPA and related environmental processes.

The project cost estimate did not include updating, if so needed, the Byron Airport Chapter of the Airport Land Use Compatibility Plan (ALUCP). The intent was to bring any additional work items, such as updating the Byron Airport Chapter of the ALUCP, back to the Airport Committee and the Board of Supervisors for consideration at a later date if additional Mariposa Energy Community Benefits Funds were needed.

The consultants performing the GPA and environmental processes has determined that an update to the Byron Chapter of the ALUCP is necessary to make it consistent with the GPA and Airport Master Plan. The cost to update the Airport Chapter of ALUCP update is \$49,250 and it is not eligible for Federal Aviation Administration (FAA) funding.

The Mariposa Energy Project Community Benefits Fund was established to enhance and support the Byron Airport. The proposed use of the Mariposa Community Benefit Fund to update the Byron Airport Chapter of the ALUCP was reviewed and approved by the Aviation Advisory Committee at their June 14, 2018 meeting.

On July 18, 2018, the Airport Committee approved forwarding the use of \$49,250 of the Mariposa Community Benefit Funds to update the Byron Airport Chapter of the ALUCP to the full Board of Supervisors for their review and approval.

CONSEQUENCE OF NEGATIVE ACTION:

If the Airports Division is unable to proceed with an update to the Byron Airport Chapter of the ALUCP, it will be inconsistent with the Airport Master Plan and GPA which could cause the contemplated development opportunities not to be realized.

CHILDREN'S IMPACT STATEMENT:

None.

ATTACHMENTS

10/5/2010 Mariposa Board Order

12/14/2010 Mariposa Cooperation Agreement

To: Board of Supervisors
From: Catherine Kutsuris, Conservation & Development Director
Date: October 5, 2010



Contra
Costa
County

Subject: Mariposa Energy Project Cooperation Agreement

RECOMMENDATION(S):

APPROVE the Mariposa Energy Project Cooperation Agreement with Mariposa Energy LLC, including the payment to the County by Mariposa Energy LLC in the amount of \$800,000.00 for consideration of mutual or community benefits accruing from the project, and AUTHORIZE the Chair to execute the agreement.

FISCAL IMPACT:

There would be positive fiscal impact in that the community benefits fund would establish a new funding source for projects aimed at enhancing the Byron Airport, and it enables the County to use these funds as the local match for Federal Aviation Administration grants, thus leveraging federal funds for airport improvements.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 12/14/2010 APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYES _____ NOES _____
ABSENT _____ ABSTAIN _____
RECUSE _____

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

ATTESTED: December 14, 2010

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

Contact: Patrick Roche
(925-335-1242)

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

APPROVE the Mariposa Energy Project Cooperation Agreement with Mariposa Energy LLC, including the payment to the County by Mariposa Energy LLC in the amount of \$800,000.00 for consideration of mutual or community benefits accruing from the project, and AUTHORIZE the Chair to execute the agreement.

CONSIDER placing the \$800,000.00 payment from Mariposa Energy LLC into a "Mariposa Energy Project Community Benefits Fund"; and, ESTABLISH that these community benefit funds are intended to assist the County with funding enhancements to the Byron Airport, as defined in the capital improvement program under the 2006 Byron Airport Master Plan, and may be used as the local match to Federal Aviation Administration grants.

BACKGROUND:

The Mariposa Energy Project (MEP) is a proposal to build a 200 megawatt power plant in Alameda County approximately one mile from the county line and 2 miles from the Byron Airport. The power plant requires approval of the California Energy Commission (CEC) and an application for the project is now pending before the CEC.

The Board of Supervisors previously submitted two letters to the CEC regarding MEP, with the most recent letter, dated October 4, 2010, stating the Board's support for the project because it would provide economic benefits in the form of local spending, local high wage jobs, and a community benefits package.

MEP Project Sponsor, Mariposa Energy LLC submitted to the County a proposed agreement that outlines cooperative efforts to expedite County services and actions. The purpose of the cooperative agreement is to meet their goal of the CEC issuing a Final Decision on MEP on or before April 6, 2011 with a target of starting MEP operations by July 1, 2012. The agreement describes expedited County service and actions to assist Mariposa Energy LLC in meeting the target dates, for CEC approval and powerplant start-up operation, and establishes a community benefits payment to the County in the sum of \$800,000. After consultation with affected Departments, the version of agreement submitted by Mariposa Energy LLC was revised to fit into a more streamlined agreement. County Counsel has reviewed the attached agreement as to legal form. The Department recommends the Board approve the attached cooperation agreement with Mariposa Energy LLC in substantially the form presented, and authorize the Chair to execute the agreement. Representatives from Mariposa Energy LLC have reviewed the agreement presented herein and have indicated their acceptance of its terms and conditions.

As a final matter, the Department recommends that when the agreement is fully executed the Board consider establishing the "Mariposa Energy Project Community Benefits Fund" for the \$800,000. It is recommended that this fund be used to assist the County with enhancements to the Byron Airport. The fund may be used as the local match to FAA grants in completion of projects identified in the capital improvement program described in the 2006 Byron Airport Master Plan. Supervisorial District III and the Director of Airports would recommend projects to the Board's Airport Committee to be funded from the "Mariposa Energy Project Community Benefits Fund," based on the Byron Airport Master Plan priorities and FAA grant availability, and the Board's Airport Committee would then forward its recommendation to the Board of Supervisors for approval.

CONSEQUENCE OF NEGATIVE ACTION:

If the cooperation agreement is not approved, the County would not receive the commitment of \$800,000.00 in community benefit funds from Mariposa Energy LLC.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

MARIPOSA ENERGY PROJECT COOPERATION AGREEMENT

This Mariposa Energy Project Cooperation Agreement (the "Agreement") is entered into this 14th day of December, 2010, by and between the County of Contra Costa, California, a political subdivision of the State of California ("County"), and Mariposa Energy, LLC, a Delaware limited liability company and subsidiary of Diamond Generating Corporation ("Mariposa"). Hereinafter, the County and Mariposa may be referred to individually as a "Party" or collectively as "the Parties."

RECITALS

- A. Mariposa proposes to develop a simple cycle power plant with a nominal capacity of 200 MW, to be known as the Mariposa Energy Project ("MEP" or "the Project"), on real property located southeast of the intersection of Bruns Road and Kelso Road on a 10-acre portion of a 158-acre parcel, known as "the Lee Property," in the County of Alameda, California.
- B. Notwithstanding that MEP is located within the County of Alameda, it is located one mile south of the border of the County and therefore may have impacts within Contra Costa County.
- C. Mariposa has advised County that, under the Warren-Alquist State Energy Resources Conservation and Development Act ("Warren-Alquist Act"), beginning at Section 25500 of the Public Resources Code, construction and operation of the Project is subject to approval by the California Energy Commission ("CEC"), which is given the exclusive authority to certify (approve) sites and related facilities for any proposed thermal power plant over 50-megawatts in generating capacity. Mariposa has advised that under the Warren-Alquist Act, such approval by the CEC is in lieu of any permit, certificate, or similar document required by any state, local or regional agency, or federal agency to the extent permitted by federal law, for such use of the site and related facilities, and supersedes any applicable statute, ordinance, or regulation of any state, local, or regional agency, or federal agency to the extent permitted by federal law.
- D. Mariposa has advised that: pursuant to Sections 21080.5 and 25519(c) of the Public Resources Code, the power plant siting process of the CEC is a certified state regulatory program under the California Environmental Quality Act ("CEQA"); that for MEP, the CEC is the lead agency for all matters of compliance with CEQA; that the CEC is not required to issue or certify an Environmental Impact Report for the Project, but will issue a comprehensive environmental document through its staff (the "Staff Assessment"); and that the CEC's review and permitting processes require extensive review of all environmental matters concerning the Project, including potential project impacts (such as air quality, public health, hazardous materials usage, waste management, biological and cultural resources, facility design, plant safety and reliability, land use, noise, socioeconomic effects, visual impacts, water and soils, and local system effects); conformance with local, state and federal legal requirements; and project alternatives.

- E. Mariposa anticipates that CEC will adopt a final decision certifying the MEP site and related facilities (the **"Final Decision"**), and that the Final Decision will include extensive environmental mitigation requirements, project design, construction and operation requirements, compliance verification, and other conditions of certification of the Project, which may be modified by the CEC from time to time in accordance with its rules and procedures (collectively, the **"Conditions of Certification"**). Mariposa represents that, under the Warren-Alquist Act, the Project will be required to strictly comply with all Conditions of Certification, both during construction and operation.
- F. Both Parties believe that the development of MEP will provide benefits to the County. The Contra Costa County Board of Supervisors submitted two comment letters to the CEC, one dated April 13, 2010 and another dated October 4, 2010. Both letters addressed the Project's relationship to and compatibility with the Byron Airport located within Contra Costa County. In the October 4, 2010, letter the Board stated its support for the Project because it would provide economic benefits in the form of local spending, a community benefits package, and local high-wage jobs.
- G. The Parties shall use their best efforts to move forward so that the Project can receive a Final Decision from the CEC in a timely fashion, with the goal of the Project becoming operational by July 1, 2012.
- H. The Parties will mutually benefit from establishing a cooperative relationship for the development of MEP.

NOW THEREFORE, for good and valuable consideration, Mariposa and the County enter into this Agreement, on the terms and conditions set forth herein.

ARTICLE 1 COOPERATIVE EFFORTS

1.1 Purpose.

In addition to the purposes recited above or elsewhere in this Agreement, the primary purpose of this Agreement is to establish the terms under which the Parties will participate in a cooperative working relationship with the goal of achieving the timeline related to CEC issuance of a Final Decision on the Project and Mariposa's desire that the Project become operational by July 1, 2012, as more specifically defined and described in this Agreement.

1.2 Timelines.

1.2.1 Project Schedule.

Mariposa desires to have CEC issue a Final Decision on or before April 6, 2011, so that the Project can become operational by July 1, 2012.

1.2.2 Processing of CEC Application.

The County shall cooperate with Mariposa in the processing of its application before CEC or other regulatory agencies in a timely manner in recognition of the Project Schedule as described in 1.2.1.

1.3 County Efforts

1.3.1 Best and Reasonable Efforts for Expedited County Staff Services and Actions.

The County shall use best and reasonable efforts to provide expedited County services and actions to meet the goal of the CEC issuing the Final Decision on or before April 6, 2011, and Mariposa starting MEP operations by July 1, 2012. The County shall also use best and reasonable efforts to provide expedited County services and actions relating to CEC's monitoring of the Project's construction and operations. As used in this Agreement, "expedite" or "expedited" means that work will be carried out quickly and efficiently, while still complying with all legal, practical and procedural requirements of the County. Mariposa acknowledges and agrees that the County's agreement to use best and reasonable efforts to provide these expedited services to Mariposa, and to perform such reasonable actions as are necessary to accomplish the purposes and intent of this Agreement, is valuable consideration and a benefit conferred to Mariposa by this Agreement.

The County will provide the following staff services and actions to Mariposa under this Agreement:

- a. Prompt responses to any inquiries by CEC regarding the Project;
- b. Senior-level planning staff attendance, or other participation at CEC proceedings, including: (i) Staff Assessment Workshops; (ii) Evidentiary Hearings; (iii) Committee Hearing on PMPD; and (iv) Final Adoption Hearing, when requested by the CEC, to answer questions pertaining to County's laws, ordinances, regulations, and standards;
- c. Sharing with Mariposa of any written County responses to CEC prior to County's submission to CEC;
- d. Confirmation, where necessary, of the County's review and evaluation of the Project's impacts, and that the Project is consistent with the County's laws, ordinances, regulations, and standards; and
- e. No action to directly or indirectly oppose the Project by the County.

1.3.2 Board Efforts

The County Board of Supervisors has provided written support for the project in a letter dated October 4, 2010. The Board of Supervisors will ensure that a representative of the Board is available to attend CEC meetings identified in section 1.3.1.b, as necessary, to reaffirm the Board's support for the project and to address questions that the CEC may have of the County.

ARTICLE 2 PROCESSING OF PERMITS AND APPLICATIONS

2.1 Review.

The County shall provide expedited acceptance of, review of, and actions on all applications, plans, permits, approvals, and plan checks submitted by Mariposa to the County in connection with MEP. Such expedited actions may include the County's engagement of such consultants to which the County and Mariposa reasonably agree ("County Consultants"). The County may also make appropriate assignments of County staff to evaluate and coordinate the work of the County Consultants.

2.2 Reimbursement.

Mariposa shall reimburse the County for all services provided by County Consultants described in Section 2.1. The County will provide written monthly invoices to Mariposa that identify the invoiced services provided by County Consultants. Mariposa shall reimburse the County within thirty (30) days after receipt of each invoice from the County. Upon written request by Mariposa, County shall provide documentation supporting the subject invoice within ten (10) days after receipt of Mariposa's request.

In addition, Mariposa shall reimburse the County Department of Conservation and Development a sum of fifteen thousand U.S. dollars (\$15,000) for County staff involved in the efforts described in Sections 1.3.1 and 2.1. Such reimbursement will occur upon satisfaction of the condition precedent described in Section 4.2.

ARTICLE 3 LINEAR FACILITIES RIGHTS OF WAY

3.1 Generally.

Mariposa currently anticipates development, construction, and operation of a natural gas pipeline, an electric transmission line and a waterline, in connection with the development, construction and operation of MEP. Such gas pipeline, electric transmission line, and water line, and any other communications lines and/or storm drain pipelines are hereinafter referred to as "Linear Facilities." The County agrees to provide an expedited review of applications or requests filed by Mariposa with the County

involving County roads or County rights-of-way necessary for Linear Facilities or road improvements related to the development, construction, and operation of MEP. In recognition that the long-range development plans for the Byron Airport depend in part on the ability to connect the airport to certain utilities, such as a waterline, Mariposa shall consider and expedite any future County request for access to the Linear Facilities for the purpose of serving the Byron Airport that is submitted after the Final Decision. This Agreement is not, however, a commitment nor an announcement of an intent by the County to acquire any real property interests that may be necessary for rights-of-way for such Linear Facilities or road improvements. Nothing in this Agreement shall be construed as approval by the County or any other governmental entity, acting in its or their governmental capacity, of any application or request by Mariposa, to require such approval, or to release Mariposa from any governmental review or requirement pertaining to any application made by Mariposa in connection with the Project. No decision of the Contra Costa County Flood Control and Water Conservation District, Contra Costa County Fire Protection District, Contra Costa County Airport Land Use Commission, or any special services district, acting in its or their governmental capacity, will constitute a breach of this Agreement, invalidate this Agreement or constitute grounds for rescinding or otherwise terminating this Agreement.

ARTICLE 4 COMMUNITY BENEFITS TO COUNTY

4.1 Mariposa's Payment to County.

Provided the conditions precedent set forth in Section 4.2 have been satisfied, Mariposa shall pay to the County the sum of Eight Hundred Thousand United States Dollars (\$800,000) (the "Payment"), as consideration for the mutual benefits provided under this Agreement. These funds may be utilized by the County for County programs and facilities as recommended by the District III Supervisor and approved by the Board of Supervisors in its sole discretion. Provided the conditions precedent to Payment set forth in Section 4.2 have been satisfied, Mariposa shall pay County the sum described above no later than thirty (30) days after the Commencement of Construction as defined in Section 4.3.

4.2 Condition Precedent to Mariposa's Obligations.

Mariposa's obligation to make the Payment described in this Article 4 shall be conditioned upon Commencement of Construction of the Project as defined in Section 4.3.

4.3 Definition of Commencement of Construction.

The Commencement of Construction of the Project shall be deemed to occur upon completion of site preparation for the MEP Site following the Final Decision, including any grading and compaction activities required, and the commencement of on-site work

to install permanent equipment or structures on the MEP Site. Construction does not include (a) the installation of environmental monitoring equipment, (b) soil or geological investigation, (c) topographical survey, (d) any other study or investigation to determine the environmental acceptability or feasibility of the use of the MEP Site for any particular facility, or (e) any work to provide access to the MEP Site for any of the purposes specified in subparts (a), (b), (c), or (d).

ARTICLE 5 MISCELLANEOUS

5.1 Governing Law.

This Agreement shall be governed by, construed under and enforced in accordance with the laws of the State of California.

5.2 Captions.

The captions and headings in this Agreement are inserted only as a matter of convenience and for reference, and they in no way define, limit or describe the scope of this Agreement or the intent of any provision thereof.

5.3 Authority.

The Parties hereby represent and warrant that the persons who have executed this Agreement are authorized to do so.

5.4 Notices.

All notices to be given hereunder shall be in writing and shall be served, either personally or by mail, postage prepaid, to the County or Mariposa at the addresses set forth below, or to any other address provided by one (1) Party to the other Party in writing. Mariposa reserves the right to change the identity of the Party to whom notices to Mariposa hereunder should be sent by notifying the other Party in writing.

Notices to the County:

Department of Conservation & Development
651 Pine Street, 4-th Floor North Wing
Martinez, California 94553
Attn: Director
Fax: (925) 335-1299
Phone: (925) 335-1290

Notices to Mariposa:

Mariposa Energy, LLC
333 South Grand Avenue, Suite 1570
Los Angeles, California 90071 USA
Attn: President
Fax: (213) 620-1170
Phone: (213) 473-0080

The effective date of such written notice shall be the date of personal delivery or the date of receipt by certified mail.

5.5 Entire Agreement.

This Agreement contains the entire understanding between the Parties with respect to the subject matters herein. There are no representations, agreements, or understandings whether oral or written between or among the Parties relating to the subject matter of this Agreement which are not fully expressed or referenced herein. This Agreement may not be amended except by written instrument signed by all the Parties.

5.6 No Third Party Beneficiary.

The Parties hereto mutually agree that this Agreement is for their sole benefit and is not intended by them to be, in part or in whole, for the benefit of any third party. There is no third party beneficiary to this Agreement.

5.7 Assignment.

5.7.1 Generally.

This Agreement shall be binding upon, and inure to the benefit of, each of the Parties and their respective successors and permitted assigns. Except as provided in Section 5.7.2, no Party shall assign this Agreement or its rights or interests hereunder without the prior written consent of the other Party, which consent shall not be unreasonably withheld, conditioned or delayed.

5.7.2 Certain Exceptions.

Notwithstanding the provisions of Section 5.7.1, the Parties agree that, once the Project becomes operational, Mariposa will have the right to assign its rights and delegate its duties under this Agreement to (a) an Affiliate of Mariposa, (b) a successor-in-interest by merger, consolidation or reorganization, or (c) a purchaser or other transferee of the Project, under the following conditions:

- a. Mariposa will give County's Department of Conservation and Development thirty (30) calendar days prior notice of the proposed assignment. The notice must be accompanied by written documentation that, in the reasonable discretion of County, establishes to County's satisfaction that: (i) the proposed assignee is of good financial reputation and financial responsibility and has assets sufficient to carry out Mariposa's obligations under this Agreement; (ii) the proposed assignee's use of the Project is identical to the use by Mariposa, as described in this Agreement and the documents referenced in this Agreement, and (iii) all of the representations made by Mariposa in this Agreement are still true and accurate.
- b. Upon notification from County's Department of Conservation and Development that the foregoing conditions have been met, Mariposa may

assign its rights and duties under this Agreement without further consent from County.

- c. The rights under this Section 5.7.2 are exclusive to Mariposa and do not apply to subsequent assignees. This Section 5.7.2 applies only to an assignment of the entire Project, and not to a partial assignment of interest.

As used herein, the terms "Affiliate of" or "entity affiliated with" a specified entity or person means any other entity or person that directly, or indirectly, through one or more intermediaries, controls, is controlled by or is under common control with the entity or person specified. For purposes of the foregoing, "control," "controlled by," and "under common control with," with respect to any entity or person, shall mean the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of such entity or person, whether through the ownership of voting securities, partnership or member interests, by contract or otherwise.

5.7.3 Release.

Upon the execution of a written assignment and assumption agreement, in a form approved by County's Department of Conservation and Development, such approval not to be unreasonably delayed or denied, pursuant to which any such permitted and qualified assignee expressly assumes all of the obligations of the assignor hereunder, the assignor shall automatically be released and discharged from any and all liability and obligations arising out of or relating to this Agreement that arise after the date of such assignment, provided that, in the event of any such assignment by Mariposa occurring while any performance or payments required by Article 2, Article 3, or Article 4 are still outstanding, Mariposa shall have provided the County assurances reasonably satisfactory to the County that such obligations will be assigned to a person or entity financially capable of performing or causing said payments to be made. No Project lender shall be required to assume the obligations of Mariposa hereunder in connection with any assignment of Mariposa's rights and obligations under this Agreement as collateral to support the Project financing contemplated in Section 5.7.2 above. Neither Mariposa nor any subsequent assignee will be released or discharged from any obligation that is not accepted in full and in writing by a permitted and qualified assignee.

5.7.4 Other Assignments Null and Void.

Any assignment in violation of this Section 5.7 will be null and void and of no force or effect whatsoever.

5.8 Development as a Private Undertaking.

No partnership, joint venture or other association of any kind by or between the County and Mariposa is formed, implied or deemed to have arisen by operation of this Agreement.

5.9 Nonwaiver.

Unless otherwise expressly provided in this Agreement, no waiver by a Party of any provision hereof shall be deemed to have been made unless expressed in writing and signed by such Party. No delay or omission in the exercise of any right or remedy accruing to any Party shall impair such right or remedy or be construed as a waiver of any such right or remedy, whether theretofore or thereafter arising or occurring. The waiver by a Party of any term, covenant or condition herein stated shall not be deemed to be a waiver of any other term, covenant or condition.

5.10 Performance Criteria.

5.10.1 Use of Best Efforts.

During the term of this Agreement, the Parties shall work together in good faith using best efforts (as defined below) to carry out the purposes of this Agreement (including the purposes and Project schedule set forth or otherwise referred to in Sections 1.1 and 1.2 above). For purposes of this Agreement, the term "best efforts" means that each Party shall work together with the other Party in good faith and a spirit of cooperation in making such reasonably prompt, substantial and persistent efforts which under the circumstances are commercially, technically, legally and financially reasonable in order to achieve the purposes of this Agreement, but best efforts does not require any person or entity to take any extraordinary or unusual actions that would not be commercially, technically, legally and financially reasonable in the particular circumstances.

5.10.2 Resolution of Issues; Take All Reasonable Steps.

Each Party agrees to attempt in good faith (a) to identify and attempt to resolve any and all problems arising with respect to the Project and the other matters described herein; and (b) to take all reasonable steps and perform all reasonable actions necessary to accomplish the purposes and intent of this Agreement.

5.11 Indemnification

Mariposa or its successor in interest shall, to the fullest extent permitted by law, indemnify, protect, defend and hold harmless County, and its employees, officials, and agents, from any and all direct demands, losses, claims, costs, liabilities, and expenses for any property damage, injury, or death, that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of Mariposa, its officers, employees, agents, contractors, subconsultants, or any persons under its direction or control, with

regard to the Project, this Agreement, or the Parties' actions pursuant to the Project or this Agreement. Mariposa's obligations under this section exist regardless of concurrent negligence, recklessness, or willful misconduct on the part of County or any other person; provided, however, that Mariposa shall not be required to indemnify, including the cost to defend, County for the proportion of liability that does not arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of Mariposa, its officers, employees, agents, contractors, subconsultants, or any persons under its direction or control. This indemnification clause will survive the termination or expiration of this Agreement.

5.12 Remedies

The sole remedy for violation of this Agreement is the specific performance of this Agreement. Mariposa and County waive their respective rights to trial by jury of any claim or cause of action arising out of this Agreement.

5.13 Termination

This Agreement shall terminate on the earlier of (i) January 1, 2015, or (ii) the first anniversary of the Project's commercial operation date.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed as of the date first set forth above by their duly authorized representatives as follows:

MARIPOSA ENERGY, LLC

CONTRA COSTA COUNTY

By: [Signature]

By: [Signature]

Name: Tetsuji Nakagawa

Name: JOHN GIOIA

Title: President

Title: CHAIR, BOARD OF SUPERVISORS





Contra
Costa
County

To: Board of Supervisors
From: AIRPORTS COMMITTEE
Date: August 14, 2018

Subject: Recognition of the Economic Significance of the County Airports, Buchanan Field and Byron

RECOMMENDATION(S):

ADOPT Resolution No. 2018/462 recognizing the contributions of Buchanan Field Airport and Byron Airport to the aeronautical community and the local economy.

FISCAL IMPACT:

Continued growth of the County airports will have a positive effect on the local economy and the County's General Fund.

BACKGROUND:

The County owns and operates two airports, Buchanan Field Airport in Concord and Byron Airport in Byron. In exchange for its financial support of public airports, the Federal Aviation Administration requires public airports to be as self-sufficient as possible. For that reason, operating the County's airports is similar to operating a business (albeit a business that operates within a governmental framework). Revenue generated by ground leases, hangar rentals and usage fees pays for the airports' operating expenses, including airport management, operations, and facility maintenance. In addition to being self-funded, airport operations benefit the entire County by contributing revenue to the County General Fund and to other public entities through possessory interest taxes, sales taxes, and other taxes.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Beth Lee, (925)
681-4200

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

By: , Deputy

cc:

In fiscal year 2015-2016, airport operations contributed approximately \$2.77 million to the County General Fund, \$1.2 million to local schools and \$273,200 to other public entities. In addition to their contribution to the public good through tax revenue generation, the County airports benefit the local economy. In 2016, the County airports contributed to the local economy (in the form of direct and indirect impact) by generating approximately \$106 million in total annual economic output, which includes 828 jobs, \$8 million in state and local revenue, and \$10.2 million in federal tax revenue.

These kind of results do not just happen. The County's airports operate in a competitive marketplace in which airport users can choose among multiple airport options in the region. Not long ago, the County's Airports Division embarked on a path to identify ways to retain existing, and attract new, business. Airport management convened a working group comprised of representatives of all airport stakeholders to develop a program to strengthen, diversify and grow the airports. The result, the Economic Development Incentive Program (EDIP), is a compilation of projects and programs that airport management is committed to carrying out. Among the strategic plans being undertaken as a result of the EDIP are the following:

-

BACKGROUND: (CONT'D)

Streamline the County's development and entitlement process to best position the airports to react and behave more like a business when presented with development opportunities.

- Operate premier facilities, including providing timely responses to facility maintenance and improvement needs.
- Implement additional economic development initiatives, to more readily attract and retain tenants and businesses.
- Optimize financial performance to increase and further diversify revenue base.

The Airports Division is now primed and ready to implement its economic development strategy. The airports' approach is consistent with, and a precursor to, the Countywide economic development program. The attached resolution is in support of all of these efforts.

Nothing in this board order or the attached resolution may be construed as approval by the County or any other governmental entity, acting in its or their governmental capacity, of a development application.

ATTACHMENTS

Resolution No. 2018/462

County Airports Importance 2018

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

Adopted this Resolution on 08/14/2018 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2018/462

A RESOLUTION RECOGNIZING THE CONTRIBUTIONS OF BUCHANAN FIELD AIRPORT AND BYRON AIRPORT TO THE AERONAUTICAL COMMUNITY AND THE ECONOMIC GROWTH OF CONTRA COSTA COUNTY

WHEREAS the County of Contra Costa (the "County") is the ninth most populous county in California and is centrally located in the San Francisco Bay Area; and WHEREAS the County operates two public airports: Buchanan Field Airport in Concord, and Byron Airport in Byron, together serving a diverse mix of aviation and non-aviation businesses and providing a base of operation to over 600 aircraft; and WHEREAS the businesses operated and aircraft based at Buchanan Field Airport and Byron Airport generated approximately \$106 million in total direct and indirect annual economic output in 2016, which includes the creation of 828 jobs, \$8 million in state and local revenue, and \$10.2 million in federal tax revenue; and WHEREAS Buchanan Field Airport and Byron Airport are operated and maintained without the use of County General Funds; instead, each contributes revenue to the County General Fund each year; and WHEREAS, in fiscal year 2015-2016, Buchanan Field Airport and Byron Airport, together, contributed approximately \$2.77 million to the County General Fund, \$1.2 million to local schools, and \$273,216 to other public entities from associated possessory interest and sales tax; and WHEREAS the economic impact of the County airports increases substantially with each new business development and each time an operator chooses to base an aircraft at Buchanan Field Airport or Byron Airport. One new executive hangar development that stores five aircraft that are new to the airport could equate to \$275,000, or more, annually to the County General Fund from associated possessory income tax; and WHEREAS the total revenue generated by Buchanan Field Airport and Byron Airport has increased by over 29% since 2010; and WHEREAS Buchanan Field Airport and Byron Airport have been awarded approximately \$6.8 million in grants from the Federal Aviation Administration, and approximately \$242,500 in grants from the California Transportation Authority since 2010, in support of various facility and infrastructure improvement projects; and WHEREAS County airport staff have received numerous professional awards, including the American Association of Airport Executives Excellence Award for Airport Training 2012, 2013, 2014, 2015, 2016 and 2017 (and expected in 2018), the John Martin Partnered Project of the Year in 2013 from the International Partnering Institute, and the Quality in Construction Award in 2012 from the National Asphalt Pavement Association; and WHEREAS Buchanan Field Airport has maintained its Federal Aviation Administration Commercial Operating Certificate since December 24, 1974, and recently attracted scheduled charter passenger service between Buchanan Field Airport and two popular destinations: Burbank and Las Vegas; and WHEREAS both Buchanan Field Airport and Byron Airport have land available for development; and WHEREAS the County airports operate as a business in a competitive market where tenants, business operators, and other airport users can choose among multiple airport options in the region, thus creating the need for the County airports to maintain a competitive spirit and to proactively position themselves as the airports of choice in the region;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County as follows:

1. Buchanan Field Airport and Byron Airport are essential economic engines that aid the County in meeting the current and future transportation and economic needs of the community.
2. The Director of Airports shall continue to actively pursue innovative and sustainable opportunities to enhance airport facilities and partnerships to remain competitive in the regional marketplace.
3. The Director of Airports will work closely with the County Administrator's Office and the County's Office of Economic Development to further the economic development potential of airports, as they are capital assets to the County and an integrated transportation asset to the Bay Area region.

I hereby certify that this 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: Beth Lee, (925) 681-4200

ATTESTED: August 14, 2018

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

By: , Deputy

cc:

BOARD OF SUPERVISORS OF THE COUNTY OF CONTRA COSTA

RESOLUTION 2018/___

A RESOLUTION RECOGNIZING THE CONTRIBUTIONS OF
BUCHANAN FIELD AIRPORT AND BYRON AIRPORT
TO THE AERONAUTICAL COMMUNITY AND THE ECONOMIC GROWTH OF
CONTRA COSTA COUNTY

WHEREAS the County of Contra Costa (the “County”) is the ninth most populous county in California and is centrally located in the San Francisco Bay Area; and

WHEREAS the County operates two public airports: Buchanan Field Airport in Concord, and Byron Airport in Byron, together serving a diverse mix of aviation and non-aviation businesses and providing a base of operation to over 600 aircraft; and

WHEREAS the businesses operated and aircraft based at Buchanan Field Airport and Byron Airport generated approximately \$106 million in total direct and indirect annual economic output in 2016, which includes the creation of 828 jobs, \$8 million in state and local revenue, and \$10.2 million in federal tax revenue; and

WHEREAS Buchanan Field Airport and Byron Airport are operated and maintained without the use of County General Funds; instead, each contributes revenue to the County General Fund each year; and

WHEREAS, in fiscal year 2015-2016, Buchanan Field Airport and Byron Airport, together, contributed approximately \$2.77 million to the County General Fund, \$1.2 million to local schools, and \$273,216 to other public entities from associated possessory interest and sales tax; and

WHEREAS the economic impact of the County airports increases substantially with each new business development and each time an operator chooses to base an aircraft at Buchanan Field Airport or Byron Airport. One new executive hangar development that stores five aircraft that are new to the airport could equate to \$275,000, or more, annually to the County General Fund from associated possessory income tax; and

WHEREAS the total revenue generated by Buchanan Field Airport and Byron Airport has increased by over 29% since 2010; and

WHEREAS Buchanan Field Airport and Byron Airport have been awarded approximately \$6.8 million in grants from the Federal Aviation Administration, and approximately \$242,500 in grants from the California Transportation Authority since 2010, in support of various facility and infrastructure improvement projects; and

WHEREAS County airport staff have received numerous professional awards, including the American Association of Airport Executives Excellence Award for Airport Training 2012, 2013, 2014, 2015, 2016 and 2017 (and expected in 2018), the John Martin Partnered Project of the Year in 2013 from the International Partnering Institute, and the Quality in Construction Award in 2012 from the National Asphalt Pavement Association; and

WHEREAS Buchanan Field Airport has maintained its Federal Aviation Administration Commercial Operating Certificate since December 24, 1974, and recently attracted scheduled charter passenger service between Buchanan Field Airport and two popular destinations: Burbank and Las Vegas; and

WHEREAS both Buchanan Field Airport and Byron Airport have land available for development; and

WHEREAS the County airports operate as a business in a competitive market where tenants, business operators, and other airport users can choose among multiple airport options in the region, thus creating the need for the County airports to maintain a competitive spirit and to proactively position themselves as the airports of choice in the region;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County as follows:

1. Buchanan Field Airport and Byron Airport are essential economic engines that aid the County in meeting the current and future transportation and economic needs of the community.
2. The Director of Airports shall continue to actively pursue innovative and sustainable opportunities to enhance airport facilities and partnerships to remain competitive in the regional marketplace.
3. The Director of Airports will work closely with the County Administrator's Office and the County's Office of Economic Development to further the economic development potential of airports, as they are capital assets to the County and an integrated transportation asset to the Bay Area region.



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: August 14, 2018

Subject: Claims

RECOMMENDATION(S):

DENY claims filed by Marco Antonio Gutierrez, Hillside Group, LLC; Lucia Albers; Elizabeth Ann Iannaccone, Trustee, Suneel Kumar, Iraj Namdar, Jesus Cardoza & Edith Ramirez, Debbie Rodriguez, Steven Daniel Rodriguez, Safeco Ins. For Bogdan Zimkowski, and Antonio Smith.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

Marco Antonio Gutierrez: Property claim for damage to vehicle in the amount of \$2,039.70. Claimant alleges his car was damaged by a faulty gate at a parking lot in juvenile hall.

Hillside Group, LLC; Lucia Albers; Elizabeth Ann Iannaccone, Trustee: Property claim for damage to land in an amount to exceed \$10,000. Claimants allege their property was damaged by wetlands created by actions of the Flood Control and Water Conservation District.

Suneel Kumar: Personal injury claim for injuries sustained at the West County Detention Facility in an amount to be determined. Claimant alleges he was attacked by another inmate at West County and that deputies were deliberately indifferent to risk to his

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Scott Selby
925.335.1400

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

safety.

Iraj Namdar: Personal injury claim for injuries sustained in car accident in an amount to exceed \$25,000. Claimant alleges he was injured when he was struck by a Solano County Transit bus in Walnut Creek.

Jesus Cardoza & Edith Ramirez: Personal injury claim for injuries and fatalities sustained when their car was hit by another car that was being pursued by Sheriff deputies, in an amount in excess of \$20,000,000.

Debbie Rodriguez: Property claim for injury to dog in the amount of \$677.56. Claimant alleges the dog she adopted from the shelter was attacked by another dog.

Steven Daniel Rodriguez: Personal injury claim for anxiety and depression in an amount to be determined. Claimant makes allegations about unspecified threats by unidentified County employees.

Safeco Ins. For Bogdan Zimkowski: Property claim for damage to vehicle in the amount of \$1,793.81. Insurer claims insured's car was damaged in motor vehicle accident with County employee.

Antonio Smith: Personal injury claim for injury resulting from bus accident in an amount not to exceed \$1,000,000. Claimant alleges he was injured by a County Connection bus.



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: August 14, 2018

Subject: ACCEPT Board members meeting reports for July 2018

RECOMMENDATION(S):

ACCEPT Board members meeting reports for July 2018.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

Government Code section 53232.3(d) requires that members of legislative bodies report on meetings attended for which there has been expense reimbursement (mileage, meals, lodging ex cetera). The attached reports were submitted by the Board of Supervisors members in satisfaction of this requirement. District V has nothing to report.

CONSEQUENCE OF NEGATIVE ACTION:

The Board of Supervisors will not be in compliance with Government Code 53232.3(d).

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Joellen Bergamini
925.335.1906

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

By: , Deputy

cc:

ATTACHMENTS

District III July 2018
Report

District II July 2018 Report

District I July 2018 Report

District IV July 2018
Report

Supervisor Diane Burgis - July 2018 AB123

(Government Code Section 53232.3(d) requires that public bodies report on meetings attended for which there is reimbursement (mileage, meals, lodging, etc.))

Date	Meeting Name	Location
4-Jul	Brentwood 4th of July Parade	Brentwood
4-Jul	Antioch 4th of July Parade	Antioch
5-Jul	Meeting with Brentwood City Manager, Gus Vina	Brentwood
5-Jul	Meeting with Deputy District Attorney's Association	Brentwood
5-Jul	Meeting with Environmental Health Director, Marilyn Underwood	Brentwood
5-Jul	Constituent Meeting	Brentwood
6-Jul	Family Justice Center Meeting	Concord
6-Jul	Meeting with First 5 Executive Director, Sean Casey	Concord
6-Jul	Meeting with Contra Costa Resource Conservation District	Martinez
7-Jul	Oakley Cityhood Celebration	Oakley
9-Jul	Delta Counties Coalition Phone Meeting	Brentwood
10-Jul	Board of Supervisors Meeting	Martinez
10-Jul	Contra Costa Fire Protection District Meeting	Martinez
10-Jul	Housing Authority Meeting	Martinez
10-Jul	Meeting with LAFCO Executive Director, Lou Ann Texeira	Martinez
11-Jul	Meeting with Health Services Director, Anna Roth	Martinez
11-Jul	LAFCO Meeting	Martinez
12-Jul	NACO Conference	Nashville, TN
13-Jul	NACO Conference	Nashville, TN
14-Jul	NACO Conference	Nashville, TN
15-Jul	NACO Conference	Nashville, TN
16-Jul	NACO Conference	Nashville, TN
17-Jul	NACO Conference	Nashville, TN
18-Jul	Airport Committee Meeting	Concord
19-Jul	Meeting with Employment & Human Services Director, Kathy Gallagher	Brentwood
19-Jul	Meeting with Downtown Streets Team	Brentwood
19-Jul	Interviews for the Knightsen CSD Appointment	Brentwood
19-Jul	East Contra Costa Fire Protection District Strategic Planning Session	Knightsen
20-Jul	Delta Counties Coalition Phone Meeting	Brentwood
20-Jul	Urban Tilth Farm Tour of East County	Brentwood
20-Jul	Domestic Violence Forum	Martinez

21-Jul	Save the California Delta Alliance Charity Golf Event	Discovery Bay
23-Jul	Meeting with Sheriff Livingston	Concord
24-Jul	Board of Supervisors Meeting	Martinez
24-Jul	Luncheon with Judicial Bench of Contra Costa County Supervisor Court	Martinez
24-Jul	Truth Act Forum	Martinez
25-Jul	Meeting with Contra Costa Public Information Officer, Susan Shiu	Brentwood
25-Jul	Meeting with Antioch Mayor Sean Wright	Brentwood
25-Jul	Meeting with SEIU 2015	Brentwood
25-Jul	Tri-Delta Transit Meeting	Antioch
26-Jul	Meeting with Meals on Wheels	Brentwood
26-Jul	Meeting with Antioch City Manager, Ron Bernal	Brentwood
29-Jul	X Class Drone Racing - Drone Demonstration	Antioch
31-Jul	Liberty Union High School District Annual District Convocation	Brentwood
31-Jul	Three Creeks Tour	Brentwood
31-Jul	Meeting with County Librarian, Melinda Cervantes	Brentwood
31-Jul	Meeting with BART Customer Accessibility, Bob Franklin	Brentwood

* Reimbursement may come from an agency other than Contra Costa County

34 Report

members legislative
e has been expense
, etc).

Purpose

Community Outreach

Community Outreach

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Community Outreach

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Community Outreach

Business Meeting

Business Meeting

Business Meeting

Community Outreach
Business Meeting
Business Meeting
Business Meeting
Community Outreach
Business Meeting
Business Meeting
Business Meeting
Business Meeting
Business Meeting
Business Meeting
Community Outreach
Community Outreach
Business Meeting
Business Meeting
Business Meeting

Supervisor Candace Andersen – Monthly Meeting Report *July 2018*

Date	Meeting	Location
4	Flag Raising	Orinda
4	Kiwanis Parade	Danville
9	TWIC	Martinez
10	Board of Supervisors	Martinez
11	CCCERA	Concord
11	LAFCO	Martinez
11	Mental Health Commission	Concord
12	MP&L	Lafayette
16	Alamo Liaison	Danville
23	Family & Human	Martinez
24	Board of Supervisors	Martinez
25	CCCERA	Concord
25	East Bay EDA	Oakland
26	CCCSWA	Walnut Creek
26	San Ramon Library	San Ramon

Supervisor John Gioia

July – 2018 Monthly Meeting Statement

Government Code section 53232.3(d) requires that members of legislative bodies report on meetings attended for which there has been expense reimbursement (mileage, meals, lodging, etc.).

1. Meeting Date: July 13 to July 17, 2018

Meeting: NACO Conference

Location: Nashville, TN

Supervisor sought reimbursement from the County for meetings that he attended in his capacity as a County Supervisor during the month of July 2018.

**Supervisor Karen Mitchoff
July 2018**

DATE	MEETING NAME	LOCATION	PURPOSE
07/03/18	Meeting at Martinez Office	Martinez	Community Outreach
07/09/18	Meeting at Martinez Office	Martinez	Community Outreach
07/10/18	Board of Supervisors Meeting	Martinez	Decisions on agenda items
07/11/18	Delta Diablo Board of Directors Meeting	Antioch	Decisions on agenda items
07/11/18	CCTA Planning Committee	Walnut Creek	Decisions on agenda items
	BAAQMD Personnel Committee		
07/12/18	Meeting	San Francisco	Decisions on agenda items
7/13/2018 & 7/17/18	Mileage to/from SFO Airport	San Francisco	Flight to NACO Annual Conference
07/18/18	CCTA Authority Board Meeting	Walnut Creek	Decisions on agenda items
	ABAG Legislation and Finance		
07/19/18	Committee Meetings	San Francisco	Decisions on agenda items
07/21/18	ConFIRE Memorial Ceremony	Concord	Community Outreach
07/23/18	Finance Committee	Martinez	Decisions on agenda items
07/24/18	Board of Supervisors Meeting	Martinez	Decisions on agenda items



Contra
Costa
County

To: Board of Supervisors
From: Diane Burgis, District III Supervisor
Date: August 14, 2018

Subject: Celebration of Retirement for Nicole Kozicki with the California Department of Fish and Wildlife

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **08/14/2018** 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: August 14, 2018

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

Contact: Alicia Nuchols,
925-252-4500

By: , Deputy

cc:

ATTACHMENTS

Resolution No.
2018/460

*The Board of Supervisors of
Contra Costa County, California*

In the matter of:

Resolution No. 2018/460

Honoring Officer Nicole Kozicki, California Department of Fish and Wildlife, upon the occasion of her retirement,

WHEREAS, Officer Nicole Kozicki has dedicated nearly 30 years of service as a game warden for the California Department of Fish and Wildlife in Contra Costa County; and

WHEREAS, Officer Kozicki attended the California Maritime Academy in Vallejo as one of the first 13 female recruits and the youngest cadet to graduate from the Fish and Game Academy on June 16, 1989; and

WHEREAS, her tireless investigations of poaching, pollution and environmental crimes have been an example to her fellow wildlife officers in California and to others throughout the country; and

WHEREAS, Officer Kozicki received the Pogue-Elms Wildlife Law Enforcement Office of the Year award in July 2017 from the Western Association of Fish and Wildlife Agencies, their highest honor; and the California Department of Fish and Wildlife selected her as 2017 Wildlife Officer of the Year in 2017; and

WHEREAS, Officer Kozicki has earned an exceptional reputation in handling complex, large-scale investigations, many of which have involved harm to threatened and endangered species, earning a reputation as an expert in the field of environmental crimes; and

WHEREAS, her tireless pursuit of the truth has resulted in hundreds of acres of mitigated lands being preserved in perpetuity and has generated millions of dollars in fines that in turn are donated to programs that enrich the natural environment; and

WHEREAS, Officer Kozicki's work with the Fish & Wildlife Committee has contributed to the award of more than a million dollars towards community projects that benefit the protection, conservation, propagation, and preservation of fish and wildlife through the Annual Contra Costa County Fish and Wildlife Propagation Grant program.

NOW, THEREFORE, BE IT RESOLVED that the Contra Costa County Board of Supervisors does hereby recognize and honor Officer Nicole Kozicki for extraordinary service to the protection of the natural environment as a game warden for the California Department of Fish and Wildlife in Contra Costa County.

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: August 14, 2018

David J. Twa,

By: _____, Deputy



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: August 14, 2018

Subject: Resolution No. 2018/461 contributions to ABOUTFACE

RECOMMENDATION(S):

ADOPT Resolution No. 2018/461 honoring Dr. Felisa Gaffney, Dr. Victoria Bianco, and Ryan Berg for their outstanding contributions to the ABOUTFACE program; and ACCEPT the 2018 ABOUTFACE Report: Bringing Art to the Veteran Community.

FISCAL IMPACT:

Not applicable.

BACKGROUND:

The Arts and Culture Commission of Contra Costa County (AC5) collaborated with the Veterans Service Department, the County Library and the Office of Communications and Media to support ABOUTFACE: Self-understanding through Self-portraits – 2018. The goal of this effort was to engage veterans in artistic endeavors so veterans could gain confidence and enhance their creativity. AC5 continued for a third year to offer ABOUTFACE: Self-understanding through Self-portraits. A report of FY 2017/18 activities is attached.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Roger Renn, AC5 Managing
Director 925-646-2278

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

By: , Deputy

cc: Roger Renn, AC5 Managing Director

ATTACHMENTS

Resolution No. 2018/461

2018 ABOUTFACE

Report

ABOUTFACE Flyer

*The Board of Supervisors of
Contra Costa County, California*

In the matter of:

Resolution No. 2018/461

In the matter of: **Honoring the 2018 Arts and Culture Commission Veterans Initiative in the Arts Program**

Whereas, The ABOUTFACE: Self-understanding through Self-portraits program is rooted in the desire to address the needs and improve the lives of the county's veterans through quality arts programming that is sensitive and responsive to veterans' unique experiences, and

Whereas, The ABOUTFACE program has reached out to groups such as U.S. Department of Veterans Affairs, Concord Vet Center, JFK University VALOR Center, Veterans Affairs Norther CA Health Care System, Student Veterans Resource Center at DVC, Returning Veterans of Diablo Valley, The Delta Veterans Group and Vietnam Veterans of Diablo Valley, and

Whereas, Dr. Felisa Gaffney, Psy D, aka "Dr. G" by the participating veterans, is a 20 year U.S. Air Force veteran having been deployed twice to Kuwait, has worked for over 12 years in the mental health field before coming to the Concord Veterans Center, and as the Veteran Facilitator, used an approach that encouraged expression in non-verbal, non-threatening ways which helped the painters understand their issues, and engaged the participating veterans, and their families, in meaningful self-reflection; and

Whereas, Teaching Artist Victoria Bianco, PhD, Lifestyles is a watercolor teaching artist for Veterans at the Martinez VA Physical Therapy and Rehabilitation Department for the California Watercolor Association (CWA) Out-Reach program, she has a solid foundation of drawing concepts and visual composition and provided instruction in painting, for the participating veterans, and their families, to document life experiences for enjoyment, relaxation and inspiration; and

Whereas, ABOUTFACE Coordinator Ryan Berg, is a U.S. Marine Corps Veteran and was deployed twice to Iraq in support of Operation Iraqi Freedom, has a bachelors in Rhetorical Theory and a Masters in Leadership Studies, worked with the County Veterans Service Department, Office of Communications and Media and Contra Costa County Library to help identify locations and potential participants, distribute project information, communicate with the Veterans Community, and worked with all parties to ensure good community outreach.

Now, Therefore, Be it Resolved that the Board of Supervisors hereby recognize and congratulate Dr. Felisa Gaffney, Dr. Victoria Bianco, Ryan Berg and the Contra Costa County Arts & Culture Commission for their outstanding achievements and contributions to the Contra Costa County ABOUTFACE program.

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: August 14, 2018

David J. Twa,

By: _____, Deputy



2018 ABOUTFACE REPORT

Bringing Art to the Veteran Community

FY16-17 VETERANS INITIATIVE IN THE ARTS

CA Arts Council Grant – VIA-16-00004

Grant Period: 7-1-2017 to 6-30-2018

Grant Award

\$8,000 CA Arts Council

\$4,000 Contra Costa County

\$4,000 match

\$16,000 = Total

Jason Jong, VIA Program, California Arts Council, 1300 I Street, Suite 930, Sacramento, CA 95814, (916) 322-6338, jason.jong@arts.ca.gov

ABOUTFACE Program

LaMar Anderson, AC5 Commissioner & Project Director

Nathan D. Johnson, County Veterans Service Officer

Chris Verdugo, Director of Office of Communications and Media

Brooke Converse, Public Information Officer, Contra Costa County Library

Ryan Berg, Workshop Coordinator & Community Outreach

Felisa Gaffney, PsyD. Workshop facilitator

Victoria Bianco, Artist, Instructor

Roger Renn, AC5 Managing Director, Arta & Culture Commission of Contra Costa County, 651 Pine Street, 10th Floor, Martinez, CA 94553 (925) 646-2278, STAFF@AC5.cccounty.us

The Grant:



The California Arts Council's Veterans Initiative in the Arts program is rooted in the desire to address the needs and improve the lives of California's veterans through quality arts programming that is sensitive and responsive to veterans' unique experiences. Contra Costa County is offering ABOUT FACE to

encourage arts learning and the artistic expression of veterans and to contribute to public understanding of, and appreciation for, the diverse range of veterans' experiences.

Community Description

The veteran community is wide spread throughout Contra Costa County. Veterans Services has offices in Martinez, San Pablo, Danville and Brentwood to serve over 49,000 veterans.

ABOUTFACE has reached out to groups such as the U.S. Department of Veterans Affairs, Concord Vet Center, the John F. Kennedy University VALOR Center, US Department of Veterans Affairs Northern CA Health Care System, Student Veterans Resource Center at Diablo Valley College, Returning Veterans of Diablo Valley, the Delta Veterans Group and Vietnam Veterans of Diablo Valley.

Goals:

ABOUTFACE offers visual art activities that motivate Veterans and their families to explore self-understanding. Our painting activities help Veterans to think creatively, be innovative and improve their quality of life. ABOUTFACE strategies include allowing for mistakes, acting on the positive, being non-judgmental and leaving room for growth. The workshops promote using creative process to enable veterans to identify self-understanding, try new solutions to express this understanding and validate those that are effective through self-portrait paintings. ABOUTFACE incorporates activities such as self-portraits that motivate veterans to explore self-understanding. These visual art activities help develop problem-solving veterans who are able to think creatively and be innovative. Veterans who participate in these ABOUTFACE workshops develop skills that allow them to communicate effectively and deal with ambiguity. The activities in this workshop create opportunities for Veterans to think visually and critique their work. The three critical issues addressed in this workshop are

- 1.) Developing visual abilities
- 2.) Incorporating metacognitive reflection
- 3.) Encouraging experimentation

ABOUTFACE: Self-understanding through Self-portraits – 2018

AC5 collaborated with the Veterans Service Department, the County Library and the Office of Communications and Media. The goal of this effort was to engage veterans in artistic endeavors

so Veterans could gain confidence and enhance their creativity. AC5 continued for a third year to offer ***ABOUTFACE: Self-understanding through Self-portraits***. The program was offered six times throughout the county. Each two-day workshops taught Veterans how to paint their portraits on an 18' x 24" canvas. Each day offered a three-hour session. An experienced teaching artist working with a Veteran facilitator presented workshops throughout the county at Veteran facilities and other public spaces. Workshops addressed the goal of encouraging veterans to express themselves by painting self-portraits. Each participant learned painting technics allowing them to express their feelings.

Our team recognizes the importance of choice and engagement as key to positive outcomes. Our Veteran facilitator used an approach that encouraged expression in non-verbal, non-threatening ways which helped the painters understand their issues. Their paintings allowed for a depiction of what they are really struggling with in ways that are not just visual but truly visceral.

Our teaching team consisted of a workshop coordinator, Ryan Berg, a facilitator, Felisa Gaffney, PsyD. (both are Veterans) and Victoria Bianco, an artist. The primary role of Dr. Gaffney was to engage the participating Veterans in meaningful self-reflection. Ms. Bianco has experience working with the Veteran population as well as a solid foundation of drawing concepts and visual composition. She provided instruction in painting to document life experiences for enjoyment, relaxation and inspiration.



Later, Veterans will be offered the opportunity to have their self-portrait become part of a gallery exhibit that will be displayed on a traveling basis in several locations in the County. Contra Costa County Veterans Services, the County Office of Communication and Media, the County Library and the Arts and Culture Commission are all County entities committed to maintaining a strong, ongoing work relation to support a successful VIA project for County veterans.

AC5 was the lead partner, responsible for coordinating all activities and working with the local

artist. The County Veterans Service Department, Office of Communications and Media and Contra Costa County Library were all responsible for talking with veterans about the project and identifying locations to distribute project information, identifying potential participants and communicating with the Veterans community. Ryan Berg, Marine Corp Veteran worked with all parties to ensure good community outreach. The expected impact on the participant will be the discovery by Veterans of a new way of expression, allowing them an artistic outlet for their feelings.

By the Numbers:

2018 ABOUTFACE Participants in the six workshops were from across the county and represented a cross section of military service and age groups. ABOUTFACE was successful if measured by the satisfaction of the veterans who participated.

Registration data indicated an increase in female Veteran participation. We also allowed family members to participate this year, drawing several Veterans and their children into the workshop. Participants represented a cross section of services. The years of service spanned from 1963 to 2016.

Responses included:

“I had a good time doing something new and different and meeting new people. Learning new stuff is such a good feeling. ”

“Most Veterans are critical about professionalism. I think the artist was great but having Dr. G. made it better!”

“This was an eye-opening experience for me. It brought forth the hidden emotions that I apparently have been denying. It was uncomfortable but needed. The facilitators were most helpful during this period because I was fighting the urge to leave and not deal with what I was experiencing. The facilitators talked me through these troubling feelings and I was able to complete the process.”

100% of workshop participants:

- ❖ **Would recommend ABOUTFACE to another Veteran**
- ❖ Said ABOUTFACE brought them together with other Veterans in a good way
- ❖ Responded that they had a better understanding of themselves
- ❖ **Intend to continue painting**

Participants responded 82% that they strongly agreed and 18% that they agreed:

- ❖ **ABOUTFACE gave them the chance to explore their creativity**
- ❖ ABOUTFACE allowed them to relax and enjoy this time for themselves
- ❖ ABOUTFACE taught them techniques to help them paint

Over half responded that they are looking forward to exhibiting their self-portrait for the public to see and understand.

IMPACT:

ABOUTFACE has been successful because of our careful integration of art participation and self-reflection that is sensitive and responsive to Veterans' unique experiences. The workshops were designed to develop visual abilities and let Veterans reflect on what they are doing.

No other arts engagement program like ABOUTFACE exists solely for veterans in Contra Costa County. We feel the program develops the artistic abilities and creative expression of Veterans and provides greater access to the Arts for Veteran communities.

Community support for ABOUTFACE is notable. Participation has increased since linking up with Adult Services provided by Contra Costa County Libraries. Since veterans and their families often use the library, this has proven to be a good avenue for both advertising and conducting the workshops.

Support from the community is demonstrated by the willingness of local merchants to give financial support. Home Depot Stores have donated over \$300 in supplies used to bring the program to a wider range of locations and giving us better outreach to our widely geographically distributed veterans. Community involvement included help from many Veterans Post and Chapters. Their involvement was key to getting full participation from the Veteran groups and individual Veterans within our County.

ABOUTFACE's success will be seeing Veterans' unique stories conveyed to others throughout the County through their painted canvas. Our program is rooted in the desire to improve the lives of Veterans through quality arts programming that is sensitive to Veterans' unique

experiences. ABOUTFACE encourages arts learning and the artistic expression of veterans and contributes to public appreciation for the diverse range of Veterans' experiences.

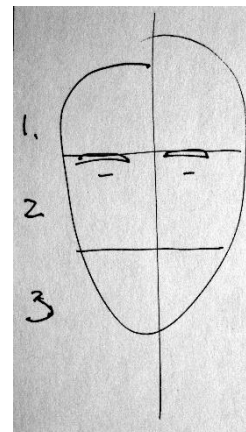


ABOUTFACE is designed to help Contra Costa Veterans deal with challenges they encounter as they make their transition back into civilian society. Our focus is to give veterans space for mindfulness, social engagement and participation in a leisure activity. Our program provides an artistic outlet that supports our Veterans' self-directed participation in painting, develops their artistic expressions and enhances their creativity.



We continue to offer ABOUTFACE because of the gratitude expressed to us from Veterans who participate in the workshops. It is hard to predict ahead of time the emotional release many Veterans experience upon finishing their self-portraits. These men and women are profoundly changed. We see that individuals have the capacity to heal themselves and improve their ability to function. We see that a mentoring relationship approach with Veterans effectively engages them in the process of painting and encourage artistic expression.

We are confident that this program, rooted in the desire to improve the lives of veterans, does allow them to reduce stress, think positively and increase self-esteem.



ABOUTFACE is making art programs available to the Contra Costa County Veterans Community

The California Arts Council's *Veterans Initiative in the Arts* program is rooted in the desire to address the needs and improve the lives of California's Veterans through quality arts programming that is sensitive and responsive to Veterans' unique experiences.

Contra Costa County offers ABOUTFACE to encourage arts learning and self-expression. Veterans learn acrylic painting techniques that allow them to express their feelings by visualizing, painting self-portraits and by telling their stories. The program also contributes to public appreciation for the diverse range of Veterans' experiences through gallery exhibits.

The Arts & Culture Commission of Contra Costa County is dedicated to advancing the arts in a way that promotes education and collaboration throughout Contra Costa County so that we may grow creatively as a community that preserves and celebrates our diverse cultural expression.

Arts & Culture Commission of Contra Costa County
651 Pine Street Martinez, CA 94553
staff@ac5.cccounty.us 925-646-2278
AC5.org

Contra Costa County Board of Supervisors

John M. Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

Content & design by Ryan Berg and Roger Renn



Bringing Art to the Veteran Community



This activity is funded in part by the Contra Costa County Board of Supervisors and the California Arts Council, a state agency.



Our Beginnings

Contra Costa County has participated in the *Veterans in the Arts Program* since it was established in 2015 by the California Arts Council. **ABOUTFACE: Self-understanding through Self-portraits** is a program created by the Arts & Culture Commission in response to the needs of veterans in our community. A collaboration with the Veterans Service Department, Contra Costa TV and the County Library has enriched many Veterans' lives through our workshops. Veterans have been enthusiastic about participating and their portraits have been appreciated by the public when exhibited in galleries.

The Arts & Culture Commission and the Physical Rehabilitation Service at Veterans Affairs Health Care in Martinez developed a portrait workshop based on the belief that **“This was an eye opening experience for me”** individuals have the capacity to heal themselves. Using best practices and a mentoring approach, ABOUTFACE effectively engages Veterans in the process of painting and encourages artistic expression. This program is rooted in the desire to improve the lives of local Veterans by engaging them in recreational painting.

One of the most difficult experiences for Veterans is the transition from military to civilian life. Workshop activities include meditation, peer discussion, and sketching one another; as well as painting a portrait.

ABOUTFACE workshops were initially held in a small art studio, but as word spread, we expanded into libraries and Veterans' buildings throughout the county. Since establishing a strong relationship with the Concord Veterans Center we're able to bring an even deeper quality of art engagement that is both sensitive and responsive to Veterans' unique experiences.



Meet the Team



Felisa Gaffney
PsyD., Air Force Veteran

“Doc G,” as she is known by Veterans, served twenty years in the Air Force, and deployed twice to Kuwait. She is a licensed Marriage and Family Therapist and currently serves as a readjustment counselor at the Concord Veterans Center.



Victoria Bianco
Visual Artist

Victoria wrote the curriculum for ABOUTFACE. She teaches watercolors to veterans at the Martinez VA and is instrumental in guiding Veterans through the painting process.



Ryan Berg
Marine Corps Veteran

Ryan served in the Marine Corps and deployed twice to Iraq. He obtained an MA from Saint Mary's College. Ryan coordinates the workshops and supports community outreach.



LaMar Anderson
AC5 Commissioner & Project Director

Nathan D. Johnson
Contra Costa County Veterans Service

ABOUTFACE Goals

We believe Veterans can play an active role in determining their wellness. ABOUTFACE helps Veterans and their families to:

- Think positively & be non-judgmental
- Be creative & try new solutions
- Accept mistakes & adapt to change
- Self-reflect & gain insight
- Increase self-esteem & reduce stress

“I have always enjoyed looking at art now I'm learning that I enjoy making art”

- Veteran participant



Visual art contributes to healing by providing enjoyment, relaxation and inspiration. The Arts introduce creative processes to enhance self-awareness.



Research Shows

Engaging in the arts promotes wellness and alleviates pain. Art programs provide a sense of achievement that diminishes emotional stress, creates an outlet for expression of feelings and channels energies into healthy behavior. Painting can encourage self-expression, communication and socialization.



PARTICIPATION CONTINUES TO INCREASE



Positive Impact

ABOUTFACE is successful because of our careful integration of self-reflection and painting. Workshops develop artistic abilities and create space for Veterans to reflect on their process.

- Veterans consistently report that the workshop allows them to express themselves on canvas; providing an outlet for memories to surface
- Thomas, an Army Veteran, picked up a paintbrush at ABOUTFACE and has since completed dozens of paintings
- A husband shared long-held memories of his time in Vietnam with his wife after his portrait was publicly displayed
- A Vietnam Veteran reported that he felt like nobody cared about him when he came home and that ABOUTFACE gave him the sense that someone cared





Contra
Costa
County

To: Board of Supervisors
From: Karen Mitchoff, District IV Supervisor
Date: August 14, 2018

Subject: Recognizing the 15th Anniversary of Monument Crisis Center

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Colleen Isenberg,
925-521-7100

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

By: , Deputy

cc:

ATTACHMENTS

Resolution No.

2018/464

*The Board of Supervisors of
Contra Costa County, California*

In the matter of:

Resolution No. 2018/464

Recognizing the Monument Crisis Center for their 15 years of service to our community

Whereas in 2003, a small group of concerned citizens banded together and founded the Monument Crisis Center; and

Whereas, with start-up funding that was provided by the Safeway Foundation, Salvation Army, Soroptimist International of Pleasant Hill and several individual donors, the Monument Crisis Center opened its doors on August 19, 2003; and

Whereas, Monument Crisis Center initially started to serve the community as a food pantry that worked out of one single office and food “closet” and served 84 families on the first day of food distribution in the Monument Corridor; and

Whereas, today they provide services to roughly 1,300 new families each year; and

Whereas, 15,000 Households are signed up for the Food Distribution Program alone and 80 to 120 families are served at each distribution event; and

Whereas, not only does the Monument Crisis Center still have the food pantry, but they have several other programs as well including: Senior Moments, After School Café, Summer and Holiday Food Box Drives, Annual Backpack Drive, etc.; and

Whereas, Monument Crisis Center seeks to improve the health of the community through Nutrition and Cooking classes, health screens, dental screening and physical education; and

Whereas, After School Café is tutoring program held through the school year where high school students help to tutor the neighborhood children. Not only do the younger students learn and improve in school, but the high school students learn responsibility and accountability; and

Whereas, Senior Moments provides health screenings, lunch, groceries and fun in the form of bingo to about 120 seniors at each event; and

Whereas, Monument Crisis Center continues to expand their services and works local partners to provide workshops and additional services. Those services include English Language Learners classes, Employment Opportunity Workshops, and the Rotacare Bay Area Mobile Health Clinic.

Now Therefore Be it Resolved that the Board of Supervisors does hereby honor Monument Crisis Center on their 15th anniversary and the work they do to address the many needs in our community including: distributing food to those who need it, educating children through summer camps and tutoring, and improving the health and well-being of our seniors.

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: August 14, 2018

David J. Twa,

By: _____, Deputy



**Contra
Costa
County**

To: Contra Costa County Fire Protection District Board of Directors
From: Dianne Dinsmore, Human Resources Director
Date: August 14, 2018

Subject: ADOPT Ordinance Code 2018-05 amending the County Ordinance Code to exclude the Fire District Aide-Exempt classification from the Merit System

RECOMMENDATION(S):

Acting as the Governing Body of the Contra Costa County Fire Protection District, ADOPT Ordinance Code 2018-05 amending the County Ordinance Code to exclude from the Merit System the new classification of Fire District Aide-Exempt.

FISCAL IMPACT:

If approved, the fiscal impact of establishing this classification will be negligible. The Fire District already has a cadre of Student Interns assigned to various divisions. Some of the Fire District's current cadre of Student Interns will be replaced by the Fire District Aide-Exempts. It is not anticipated that this transition will have a meaningful impact on temporary wages.

BACKGROUND:

The Human Resources Department recommends creation of Fire District Aide-Exempt pursuant to Administrative Bulletin 430.1.

Creation of the Fire District Aide-Exempt classification is necessary to accomplish time-limited non-professional work in the Fire

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Dianne Dinsmore (925) 335-1766

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

By: , Deputy

cc: Eric Suitos, Holly Trieu

BACKGROUND: (CONT'D)

District under direct supervision. This classification is distinguished from the class of Student Intern in that the latter requires current enrollment in Fire/EMS related college courses or possession of a degree and limits incumbents to working 20 hours per week. The establishment of this classification will give the Fire District the flexibility to hire temporary/seasonal workers during fire season, weed abatement season, Firefighter Recruit academies, and for additional logistics and administrative support as needed.

CONSEQUENCE OF NEGATIVE ACTION:

The Fire District will not have the flexibility to hire temporary/seasonal workers as needed.

CHILDREN'S IMPACT STATEMENT:

ATTACHMENTS

ADOPT Ordinance Code 2018-05

ORDINANCE NO. 2018-05

(Exclude from the Merit System the new classification of Fire District Aide-Exempt)

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

SECTION I: Section 33-5.343 of the County Ordinance Code is amended to exclude from the merit system the new classification of Fire District Aide-Exempt:

33-5.343 - Fire.

- (a) The class of fire chief - Contra Costa County fire protection district is excluded, and is appointed by the board of supervisors.
- (b) The class of assistant fire chief-exempt is excluded and is appointed by the fire chief - Contra Costa County fire protection district.
- (c) The one-position class of fire officer in the Contra Costa County fire protection district is excluded and is appointed by the fire chief - Contra Costa County fire protection district.
- (d) The class of deputy fire chief-exempt is excluded and is appointed by the fire chief - Contra Costa County Fire Protection District.
- (e) The class of fire district aide-exempt is excluded and is appointed by the fire chief- Contra Costa County fire protection district.

(Ord. Nos. 2018-05 § I, 08-14-18; 2015-23 § I, 11-3-15; Ords. 2000-23 § 1, 94-48 § 1, 81-70 § 2, 81-32 § I[18], 79-79: former § 32-2.640)

SECTION II: EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days of passage shall be published once with the names of the supervisors voting for and against it in the _____, a newspaper published in this County.

PASSED ON _____ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

By: _____
Deputy

_____ Board Chair

[SEAL]



Contra
Costa
County

To: Board of Supervisors
From: Dianne Dinsmore, Human Resources Director
Date: August 14, 2018

Subject: Introduce Ordinance No. 2018-026 amending the County Ordinance Code

RECOMMENDATION(S):

INTRODUCE Ordinance 2018-026 amending the County Ordinance Code to exclude from the Merit System the Chief Information Technology Security Officer-Exempt (LWS1), WAIVE reading, and FIX September 11, 2018 for adoption.

FISCAL IMPACT:

There is no cost associated with this action.

BACKGROUND:

DOIT has requested the establishment of the Chief Information Technology Security Officer-Exempt classification. The focus of the classification will be on design, development, implementation, operation and maintenance of Countywide information security programs that are designed to protect the confidentiality, integrity and availability of all information, voice mobile, data network, application and computer infrastructure and their associated information assets. The Chief Information Technology Security Officer will create a comprehensive security strategy and programs, formulate security policies and procedure to assure full compliance with applicable federal,

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Joanne Buenger (925)
313-1202

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

By: , Deputy

cc: Joanne Buenger, Eric Suitos

BACKGROUND: (CONT'D)

state, and local laws, ordinances and guidelines. Creation of this classification will allow the County Department of Technology to standardize and centrally deliver IT Security and disaster recovery services.

CONSEQUENCE OF NEGATIVE ACTION:

If this request is not approved, the Security division of DoIT will not be able to properly support the critical County Security program and could lead to severe negative impacts to all County Departments.

ATTACHMENTS

Ordinance 33-5.359

ORDINANCE NO. 2018-26

(Exclude from the Merit System the new classification of Chief Information Technology Security Officer-Exempt)

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

SECTION I: Section 33-5.359 of the County Ordinance Code is amended to exclude from the merit system the new classification of Chief Information Technology Security Officer-Exempt:

33-5.359 - Information technology.

- (a) The chief information officer/director of information technology is excluded and is appointed by the county administrator.
- (b) The deputy director of information technology is excluded and is appointed by the chief information officer/director of information technology.
- (c) The assistant chief information officer-exempt is excluded and is appointed by the chief information officer/director of information technology.
- (d) The chief information technology security officer-exempt is excluded and is appointed by the chief information officer/director of information technology.

(Ord. Nos. 2018-26 § I, 9-11-18; 2017-23 § I, 9-19-17; 2016-09 § II 4-12-16; Ords. 2002-15 § 1, 2002-06 § 1, 95-57 § 1, 85-4 § 2, 82-21 § 1)

SECTION II: EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days of passage shall be published once with the names of the supervisors voting for and against it in the _____, a newspaper published in this County.

PASSED ON _____ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

By: _____
Deputy

_____ Board Chair

[SEAL]



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Introduction of Ordinance No. 2018-25, amending requirements regulating the collection and disposal of sewage and septic systems

RECOMMENDATION(S):

INTRODUCE Ordinance No. 2018-25, amending requirements regulating the collection and disposal of sewage and septic systems, WAIVE reading, and FIX September 11, 2018, for adoption of Ordinance No. 2018-25 and related Health Officer Regulations for Sewage Collection and Disposal.

FISCAL IMPACT:

The recommended actions would have no impact on the General Fund.

BACKGROUND:

Introduction

Residents of many unincorporated areas of Contra Costa County are not served by sanitary sewers and rely on onsite wastewater treatment systems (OWTS), commonly known as septic systems, for the disposal of sewage. A typical septic system consists of a septic tank, which removes solids, and a disposal field, where treated sewage effluent percolates into the soil. The exact number of septic systems in the County is not known but is estimated to be in the thousands. Areas where septic systems are the predominant means of sewage disposal include Alhambra Valley, Briones, Knightsen, unincorporated Brentwood, Tassajara

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Marilyn Underwood,
925-692-2521

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

By: , Deputy

cc: Tasha Scott, Marcy Wilhelm, John Wiggins

BACKGROUND: (CONT'D)

Valley and unincorporated South County, Ayers Ranch in unincorporated Concord, and the Marsh Creek corridor east of Clayton.

Chapter 420-6 of the County Ordinance Code, which pertains to sewage collection and disposal, and the California Plumbing Code (adopted by the County and incorporated into the County's building regulations in Title 7 of the County Ordinance Code), require all structures in which plumbing fixtures are installed to be connected to either a sanitary sewer system or a septic system. Chapter 420-6 further requires that applications for building permits or certificates of occupancy for structures requiring disposal of sewage be submitted to the health officer for review and approval of the proposed sewage disposal system.

The installation or replacement of a septic system requires a permit issued by the health officer. Environmental Health Division staff, as the health officer's designee, reviews permit applications and system designs and issues permits on the basis of compliance with applicable requirements in Chapter 420-6 and regulations issued by the health officer. After a permit is issued, staff conducts construction inspections to verify that installations conform to permit requirements. Staff is also tasked with reviewing all building plans for new or remodeled structures on properties where septic systems are located to determine if proposed projects may adversely affect those systems, or areas reserved for the replacement of failing systems, and when conflicts are found, rejecting the plans and advising applicants of measures necessary to obtain approval.

In 2017, the Environmental Health Division issued 64 permits to construct, repair, or replace septic systems and received 100 applications for building plan reviews. Since 2002, the Environmental Health Division has issued nearly 900 construction permits to replace existing or construct new systems.

Chapter 420-6 and its associated health officer regulations were last amended in 2000. Since then, septic system technology and industry has evolved and new state regulatory requirements have been imposed. Proposed Ordinance No. 2018-25 ("Ordinance") and the proposed Health Officer Regulations for Sewage Collection and Disposal ("Regulations") address these changes and other issues.

New State Policy for Onsite Wastewater Treatment Systems

On September 27, 2000, then-Gov. Gray Davis signed Assembly Bill 885 into law. Assembly Bill 885 required the State Water Resources Control Board to adopt regulations or standards for the permitting and operation of onsite wastewater treatment systems. On June 19, 2012, the State Water Resources Control Board adopted the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems ("State Policy"). The State Policy took effect on May 13, 2013.

The State Policy established statewide minimum standards for septic systems. Local agencies were given the option of either enforcing the standards in the State Policy or implementing a Local Agency Management Program ("LAMP") approved by the Regional Water Quality Control Board. Under a LAMP, local agencies may establish standards that differ from those in the State Policy provided they achieve the same purpose, which is to protect water quality and public health. This enables a local agency to address local conditions and provides the flexibility to allow different types of septic systems, thereby providing more options to property owners.

In May 2016, the County health officer submitted a LAMP, based on current Chapter 420-6 of the Ordinance Code and the current health officer regulations, to the San Francisco Regional Water Quality Control Board ("Regional Board"). At that time, Regional Board staff was informed that Chapter 420-6

and the health officer regulations were undergoing revision to address several issues, including adding setback requirements from public water systems surface water intakes and public water wells to be consistent with the State Policy. The Regional Board has not yet acted on the submitted LAMP. Upon adoption by this Board, Chapter 420-6 as amended, and the Regulations, will be submitted to the Regional Board to replace the old standards in the LAMP.

Stakeholder Review

Last year, staff notified stakeholders of pending amendments to Chapter 420-6 and new regulations and solicited comments on earlier versions of the Ordinance Regulations. Stakeholders notified included the East Bay Municipal Utility District, Contra Costa Water District, East Bay Regional Park District, the John Muir Foundation, the 19 incorporated cities in the county, Infiltrator Water Technologies (a manufacturer of OWTS components) and more than 20 septic system consultants and contractors. Several stakeholders responded with comments, all of which were considered and many of which were incorporated into the Ordinance and Regulations. The general public has also had access to earlier versions of the Ordinance and Regulations that have been available for inspection on the Environmental Health Division's website since July 2017.

SIGNIFICANT CHANGES TO CHAPTER 420-6

Determination of Sewer Availability

Under existing law, a structure that contains or will contain plumbing fixtures generally must be connected to a sanitary sewer if the sewer is considered to be "available" for connection. Sewer availability is determined based on several factors, including the size of the parcel where the structure is located and the distance between the sewer and the parcel. Depending on other factors, a sanitary sewer might be considered available if the parcel is less than 40,000 square feet in area and less than 300 horizontal feet from the sewer. But a sewer would not be considered available to structure on a parcel that is more than 40,000 square feet in area if the structure to be served is more than 300 horizontal feet from the sewer. (Co. Ord. Code, § 420-6.115, subd. (b)(1)-(2).)

These availability standards do not take into consideration situations where a sanitary sewer is technically available by definition, but is not actually available. For example, if a sanitary sewer is within 300 feet of the property to be served, the sanitary sewer might be considered as being "available." However, in a situation where there is another parcel between the sanitary sewer and the property to be served, and the owner of the intervening parcel will not grant an easement or other legal rights necessary for installation and maintenance of a sewer lateral, the sanitary sewer would not be available as a practical matter. The current sewer availability standards in Chapter 420-6 are also in conflict with Title 7 of the Ordinance Code, which incorporates the California Plumbing Code. Under the Plumbing Code, a sewer is considered to be unavailable if it is more than 200 feet from a proposed structure or exterior drainage facility on a lot that abuts the public sewer.

The Ordinance amends the sewer availability standards so that a sanitary sewer would be deemed available to a structure if the entity operating the sewer determines that it can be connected, the sewer is located in a thoroughfare or right of way abutting the lot where the structure is located, and the sewer is within 200 feet of the structure to be served.

Lot Area

Section 420-6.505 of the County Ordinance Code requires a minimum lot size of 15,000 square feet if a structure will require a septic system for the disposal of sewage and 40,000 square feet if both a septic system and a private water supply, such as a well, are needed. But the health officer may grant a variance from the lot size requirement if the lot conforms to all other requirements of Chapter 420-6 and health officer regulations, and the variance would not create or contribute to a nuisance. The Ordinance would eliminate the minimum lot size requirement along with the provision for variances. The Ordinance would instead require the siting and installation of all septic systems in compliance with all applicable site criteria. Staff considers this a more equitable and enforceable standard.

Holding Tanks

Under Chapter 420-6, holding tanks may be used for the collection of sewage only under a variance, in very limited circumstances (i.e., the parcel is located within 50 to 1,000 feet from a drinking water reservoir or tributary stream), and only if the holding tank system is owned or operated by a public agency having statutory authority to provide such service. The Ordinance would broaden the circumstances under which the use of a holding tank might be allowed on a temporary basis to include (1) serving temporary structures during construction projects and (2) collecting sewage when an existing septic system is improperly functioning and there is no area on the property to install a replacement system. The holding tank system would not need to be owned or operated by a public agency.

Septic Systems Near Reservoirs

Section 420-6.507, subdivision (a) of the Ordinance Code generally prohibits any septic systems on lots within the drainage area of a drinking water reservoir, and requires connection to a community sewer system instead if a sanitary sewer is not available. However, there are two provisions that allow the health officer to grant variances from this requirement. If the lot is between 50 and 1,000 feet from the reservoir or tributary stream, the health officer may allow use of a holding tank owned by an authorized public agency (Ord. Code, § 420-507(b)(1). The second provision states: “Beyond one thousand feet from a reservoir or tributary stream an individual system or other similar acceptable system may be permitted . . .” (Ord. Code, § 420-6.507, subd. (b)2.)

The latter provision has been a source of confusion and differing interpretations over the years. The Ordinance would eliminate both of the above provisions. In their place would be a setback standard in the amended health officer regulations, requiring septic systems to be located at least 1,000 feet away from a reservoir or tributary stream.

Alternative Septic Systems

An alternative septic system is a septic system that provides supplemental treatment of the sewage effluent, removing additional solids, bacteria, and nitrogen from the effluent before it is discharged to a disposal field. Chapter 420-6 allows the use of alternative systems and requires a separate operating permit; however, the permit requirement has proven to be challenging to enforce with respect to existing systems.

The Ordinance cites specific circumstances when an alternative septic system will be required, and does not require an annual operating permit. In lieu of an operating permit, the owner of an alternative septic system will be required to monitor the operation of the system and submit periodic reports to the health officer. If the owner of the alternative septic system fails to submit the required reports, the system may

not be lawfully used and the owner may be subject to administrative fines.

Other

While the Ordinance deals primarily with sewers and septic systems, it also addresses various forms of sewage collection. In addition to temporary holding tanks, the Ordinance sets standards for septic tank and chemical toilet cleaners and the equipment they use, as well as standards for vault privies, which are typically used by park districts in remote areas in lieu of using portable toilets. The Ordinance also contains new requirements with regard to the abandonment of sewage disposal and sewage collection systems in specified circumstances.

SIGNIFICANT CHANGES TO THE HEALTH OFFICER REGULATIONS

The proposed Regulations repeal the previous health officer regulations in their entirety. The bulk of the proposed Regulations deals with technical standards applicable to different types of septic systems. The proposed Regulations also set forth standards and specifications for the siting and construction of septic systems, the monitoring of alternative septic systems, the review of building permit applications and subdivision maps, the design, installation and use of sewage collection systems, the abandonment of sewage disposal systems and sewage collection systems, and septic tank-chemical toilet cleaners.

Moratorium Areas

From 1964 to 1977, the health officer submitted memoranda to the Board and others, decreeing that the Health Services Department would no longer accept applications for approval of septic systems in six areas of the county. These areas, which are referenced and depicted in the current County General Plan, included the service area of the former San Pablo Sanitary District (North Richmond, East Richmond Heights and El Sobrante), the Rodeo Creek watershed drainage area, the unincorporated area of Canyon, the area served by Sanitation District 15 on Bethel Island, the Muir Oaks-Vine Hill Way area of Martinez, and the El Toyonal area of Orinda.

The so-called septic system moratorium areas were established for various reasons, including poor soil conditions, other restrictive conditions such as steep slopes and hills, and the proximity of areas to reservoirs. It is not entirely clear what standards were being applied in the evaluation of areas for installation of septic systems when the moratorium areas were established. Owners of residences in moratorium areas are prohibited from building residential additions that increase occupancy, installing gray water systems, or installing swimming pools without an approved means to dispose of the water. Consistent with these moratoria, the current health officer regulations prohibit the acceptance of applications for new septic systems.

In the course of considering amendments to the health officer regulations adopted in 2000, staff evaluated the need to retain the septic system moratorium areas and determined that they were no longer necessary, and that new site and soil criteria and testing standards would be sufficient to protect water quality and public health. These site and soil criteria and testing standards are set forth in the proposed Regulations. References to the moratorium areas were removed.

This change does not mean that the installation of septic systems in these areas will necessarily be permitted, given the prevalence of restrictive site conditions in these areas that prompted the establishment of the moratorium areas in the first place. But the change will allow for the submission of applications for permits to build septic systems in these areas. The applications would be reviewed on a case by case basis to see if the required site and soils criteria and other standards in the Ordinance Code and health officer regulations can be met.

Upon adoption of the Ordinance and Regulations, the health officer will rescind the six moratorium areas. Staff will also recommend removal of mention of the moratorium areas from the County General Plan following their rescission by the health officer.

Additions and Remodels

Additions and remodels on properties with septic systems are currently categorized into four types, each of which may require an upgrade to one of two classifications of systems depending on the type of remodel (bedroom addition, non-bedroom addition, remodels with no addition, detached non-living or non-habitable addition). The Proposed Regulations would eliminate the categorization of additions and remodels and the requirement to upgrade an existing system, provided that it is an approved system that is functioning properly and can accommodate the projected sewage flow from the existing structure as well as the addition or remodel.

CONSEQUENCE OF NEGATIVE ACTION:

The proposed ordinance and related health officer regulations would not be adopted.

ATTACHMENTS

Ordinance No. 2018-25

Redline of Chapter 420-6

HO Sewage Regs

ORDINANCE NO. 2018-25

(Sewage Collection and Disposal)

The Contra Costa County Board of Supervisors ordains as follows:

SECTION I. SUMMARY. This ordinance amends Chapter 420-6 of the County Ordinance Code by establishing new requirements and prohibitions pertaining to sanitary sewer connections, onsite wastewater treatment systems and other methods of sewage disposal.

SECTION II. AUTHORITY. This ordinance is adopted pursuant to Article 11, section 7 of the California Constitution.

SECTION III. Chapter 420-6 of the County Ordinance Code is amended to read:

Chapter 420-6

SEWAGE COLLECTION AND DISPOSAL

Article 420-6.2. General Provisions

420-6.202 Purpose.

The purpose of this chapter is to provide maximum protection to water quality and public health by establishing requirements for connection to sanitary sewers and minimum standards for the design, construction, operation and abandonment of sewage collection and disposal systems. (Ord. 2018-25 § 3).

420-6.204 Definitions.

Unless otherwise specially provided, or required by the context, the following terms have these meanings in this chapter.

(a) “Abandon” means to remove liquid waste from and either excavate or otherwise render inoperable a cesspool, privy, sewage holding tank, or tank utilized in an onsite wastewater treatment system.

(b) “Alternative onsite wastewater treatment system” means an onsite wastewater treatment system in which septic tank effluent undergoes supplemental treatment prior to discharge to a disposal field.

(c) “Approved sewage disposal system” means a system of sewage disposal constructed in conformance with any and all applicable design, construction, permitting and other legal requirements in force at the time of construction.

(d) “Construct” means to assemble, build, fabricate or install.

(e) “Designated disposal field area” means an area of land that is approved by the health officer based on a site evaluation for future use as a disposal field or in an onsite wastewater treatment system, but is not a reserve area.

(f) “Domestic water supply reservoir” means an existing or proposed open uncovered reservoir used or intended to impound water for human consumption or domestic purposes.

“Domestic water supply reservoir” includes a planned reservoir where the water impounder states in writing to the board its intent to install or construct the reservoir, and satisfies the board that it has appropriate rights in the land and the ability to finish and maintain the reservoir.

(g) “Drainage area” of a domestic water supply reservoir means all the land that can drain into the reservoir, whether or not the topographical configuration is artificially or naturally caused.

(h) “Health officer” means the county health officer and his or her duly authorized deputies and subordinates.

(i) “Improperly functioning,” as applied to a sewage collection or disposal system, means allowing sewage to escape to the surface of the ground, allowing sewage to return to the structure served by the system, allowing leaks, or preventing fixtures from draining.

(j) “Onsite wastewater treatment system” means a sewage treatment and disposal system that includes a septic tank and disposal field, serves one or more structures on only one lot, and is projected to receive a sewage flow of 10,000 gallons or less per day.

(k) “Pit privy” means a structure with no water supply that consists of shelter built over a pit with an unlined bottom and is used for the disposal of human waste.

(l) “Plumbing fixture” means a receptacle, device, appliance or other fixture that discharges wastewater to a drainage system.

(m) “Primary components” of an onsite wastewater treatment system means the septic tank, area(s) of land used for one or more disposal fields, pump tank and supplemental treatment unit, if any.

(n) “Reserve area” means an area of land that is approved by the health officer for future use as a replacement disposal field in an onsite wastewater treatment system.

(o) “Sanitary sewer” means a wastewater collection system, owned and operated by a public agency with legal authority to collect wastewater from structures within the territorial jurisdiction of the public agency, that collects wastewater and conveys it through a system of sewer pipes to a treatment works prior to disposal.

(p) “Septic tank-chemical toilet cleaner” means (1) a person engaged in the business of cleaning, or who cleans, septic tanks, sewage holding tanks, onsite wastewater treatment systems, privies, cesspools or seepage pits, or (2) a person engaged in the business of providing or cleaning, or who provides or cleans, chemical toilets.

(q) “Sewage” means liquid waste that contains or may be contaminated with human or animal excrement or offal.

(r) “Sewage disposal system” means any system of sewage disposal, including but not limited to an onsite wastewater treatment system, that is designed to serve one or more structures.

(s) “Sewage regulations” means sewage collection and disposal regulations adopted by the board under Section 420-6.606.

(t) “Vault privy” means a structure with no water supply that consists of a shelter built over a subsurface vault and is used for the collection of human waste.

(u) “Wastewater” means liquid waste, including but not limited to sewage. (Ords. 2018-25 § 3, 81-30 § 1, 74-67 § 3, 68-16 § 2, Ord. 1440 § 1).

Article 420-6.4. Sewer Connection

420-6.402 Sewer availability.

A sanitary sewer is considered available for connection to a structure requiring sewage disposal if:

- (a) The entity operating the sanitary sewer indicates in writing that the proposed structure can be connected to the sanitary sewer;
- (b) The sanitary sewer is in a thoroughfare or right of way abutting the lot or premises where the structure is located or proposed to be located; and
- (c) The sanitary sewer or any building or exterior drainage facility connected thereto is located within 200 feet of the structure. (Ords. 2018-25 § 3, 81-30 § 1, 74-67 § 3, 1440 § 1).

420-6.404 Sewer connection required; exceptions.

Every structure in which plumbing fixtures have been or are proposed to be installed, and all plumbing fixtures and sanitary drainage systems or parts thereof, must be connected to either a sanitary sewer or an alternative means of sewage collection or disposal in accordance with Subsections (a) or (b) of this section.

(a) Approved sewage disposal system.

(1) A structure may be connected to an approved sewage disposal system if the health officer determines that a sanitary sewer is not available for connection under Section 420-6.402.

(2) A structure connected to an approved sewage disposal system prior to the effective date of this section may remain connected to that system.

(3) An addition to or remodeled portion of a structure may be connected to an approved sewage disposal system in accordance with applicable standards set forth in the sewage regulations if the structure is served by and was connected to the system before a sanitary sewer became available for connection to the structure, except as otherwise provided in Section 420-6.602 or Chapter 78-2.

(b) Sewage holding tank system.

(1) General. A structure that contains plumbing fixtures may be connected to a sewage holding tank system for sewage collection if:

(A) The health officer determines that a sanitary sewer is not available for connection under Section 420-6.402;

(B) The sewage holding tank system will replace an approved sewage disposal system that is or has been serving the structure;

(C) The owner of the structure obtains a sewage holding tank permit under Section 420-6.1002; and

(D) One of the following applies:

(i) The sewage holding tank system will serve the structure only until replacement of the approved sewage disposal system with a new onsite wastewater treatment system; or

(ii) The approved sewage disposal system to be replaced is improperly functioning and the health officer has determined that there is no suitable area on the lot where the structure is located for an onsite wastewater treatment system.

(2) Public agencies. A structure that contains plumbing fixtures and is owned by a public agency may be connected to a sewage holding tank system for sewage collection if:

(A) The health officer determines that a sanitary sewer is not available for connection under Section 420-6.402;

(B) The structure cannot be connected to a new onsite wastewater treatment system in accordance with applicable laws and regulations;

(C) The sewage holding tank system is owned and operated by the public agency; and

(D) The public agency obtains a sewage holding tank permit under Section 420-6.1002.

(3) Temporary structures. A temporary structure that contains plumbing fixtures may be connected to a sewage holding tank system if the system was incorporated into the original design of the temporary structure. As used in this subsection, “temporary structure” means a structure that is placed at the site of a permitted construction project for use only during the project and then removed at the conclusion of the project. (Ords. 2018-25 § 3, 81-30 § 1).

Article 420-6.6. Enforcement

420-6.602 Prohibitions.

A person may not do any of the following:

(a) Build a structure that will contain plumbing fixtures without first lawfully connecting the lot where the structure will be located to a sanitary sewer or having an approved sewage disposal system that is designed to and may lawfully serve the structure.

(b) Remodel any portion of, or construct an addition to, a structure containing plumbing fixtures without first lawfully connecting the structure to a sanitary sewer or an approved sewage disposal system that is designed to serve the structure.

(c) Construct, modify in any way, relocate any part of, or take any action to connect a structure to, a sewage disposal system that is not an onsite wastewater treatment system.

(d) Discharge or deposit sewage to the surface of the ground.

(e) Have, use or operate an improperly functioning sewage collection or disposal system.

(f) Use a sewage disposal system that is not an approved sewage disposal system.

(g) Construct or have a privy except as expressly authorized by law. (Ords. 2018-25 § 3, 81-30 § 1, 1440 § 2, 640 §§ III-1, III-3, V-2).

420-6.604 Building permits; certificates of occupancy.

(a) Restriction on issuance of building permits.

(1) If a structure is, or is proposed to be, located outside the territorial boundaries of any public entity with legal authority to provide wastewater collection services, or in an area where connection to a sanitary sewer is otherwise not available to the structure, and plumbing fixtures have been or are proposed to be installed in the structure, a building permit will not be issued to build, remodel any portion of, or construct an addition to the structure unless the health officer has approved, in writing, a method of sewage collection or disposal for the structure.

(2) If a structure is, or is proposed to be, located in an area where connection to a sanitary sewer is available to the structure, plumbing fixtures have been or are proposed to be installed in the structure, and connection to a sanitary sewer is not proposed, a building permit will not be issued to build, remodel any portion of, or construct an addition to, the structure unless the health officer has approved, in writing, a method of sewage collection or disposal for the structure.

(3) A building permit will not be issued to build a structure located on a lot where an approved sewage disposal system, reserve area or designated disposal field area is located unless the health officer has approved, in writing, the proposed location of the structure.

(b) Restriction on issuance of certificates of occupancy.

(1) If a structure is located outside the territorial boundaries of any public entity with legal authority to provide wastewater collection services, or in an area where connection to a sanitary sewer is otherwise not available to the structure, and plumbing fixtures have been installed in the structure, a certificate of occupancy will not be issued to use or occupy the structure, or portion of the structure, unless the health officer has approved, in writing, a method of sewage collection or disposal for the structure.

(2) If a structure is located in an area where connection to a sanitary sewer is available to the structure, plumbing fixtures have been installed in the structure, and connection to a sanitary sewer is not proposed, a certificate of occupancy will not be issued to use or occupy the structure, or portion of the structure, unless the health officer has approved, in writing, a method of sewage collection or disposal for the structure.

(c) Application to health officer.

(1) A building permit applicant who proposes to build, remodel, or construct an addition to a structure described in Subsection (a)(1) of this section must submit a written application to the health officer for review and approval of a proposed method of sewage collection or disposal for the structure.

(2) A building permit applicant who proposes to build, remodel, or construct an addition to a structure described in Subsection (a)(2) of this section must submit a written application to the health officer for review and approval of the proposed method of sewage collection or disposal for the structure if the applicant does not propose to connect the structure to a sanitary sewer.

(3) A building permit applicant who proposes to build a structure in a location described in Subsection (a)(3) of this section must submit an application to the health officer for review and approval of the proposed location of the structure.

(4) An applicant for a certificate of occupancy of a structure described in Subsection (b)(1) of this section must submit a written application to the health officer for review of the proposed method of sewage collection or disposal for the structure.

(5) An applicant for a certificate of occupancy of a structure described in Subsection (b)(2) of this section must submit a written application to the health officer for review of the proposed sewage collection or disposal method for the structure if the applicant does not propose to connect the structure to a sanitary sewer.

(d) Determination.

(1) If the health officer finds, based on his or her review of an application submitted under Subsection (c)(1) or (c)(2) of this section, that a proposed method of sewage collection or disposal conforms to the applicable requirements in this chapter and the sewage regulations, the health officer will approve the proposed method of sewage collection or disposal. The health officer will not approve the proposed method of sewage collection or disposal, and the building inspection director will not issue the building permit, if the health officer finds that the proposed method of sewage collection or disposal does not conform to a provision of this chapter or the sewage regulations.

(2) If the health officer finds, based on his or her review of an application submitted under Subsection (c)(3) of this section, that construction of a proposed structure will not interfere with the use of a necessary approved sewage disposal system, reserve area or designated disposal field area, the health officer will approve the proposed location of the structure. The health officer will not approve the proposed location of the structure, and the building inspection director will not issue the building permit, if the health officer determines that construction of the structure would interfere with the use of a necessary approved sewage disposal system, reserve area or designated disposal field area.

(3) If the health officer finds, based on his or her review of an application submitted under Subsection (c)(4) or (c)(5) of this section, that a proposed method of sewage collection or disposal conforms to the applicable requirements in this chapter and the sewage regulations, the health officer will approve the proposed method of sewage collection or disposal. The health officer will not approve the proposed method of sewage collection or disposal, and the building inspection director will not issue the certificate of occupancy, if the health officer finds that the proposed method of sewage collection or disposal does not conform to a provision of this chapter or the sewage regulations. (Ords. 2018-25 § 3, 81-30 § 1, 1752 § 4, 1440 §§ 4, 9, 640 §§ II-7, III-6).

420-6.606 Regulations.

The health officer may propose regulations to make more detailed or specific the provisions of this chapter. The regulations are not effective unless adopted by the board by resolution. The health officer is responsible for the enforcement of this chapter and all adopted regulations. (Ords. 2018-25 § 3, 81-30 § 1, 640 § 1).

420-6.608 Investigations.

To the extent allowed by law, whenever necessary to enforce any provision of this chapter, the health officer may inspect any property to determine compliance with applicable provisions and requirements of this chapter or enter for the purpose of abatement as provided in Chapter 14-6 of this code. Entry may be made at any reasonable time upon advance notice to the owner or occupant of the property. If entry is refused, the health officer is authorized to proceed pursuant to Code of Civil Procedure section 1822.50 and following, and pursue any and all other remedies provided by law, to secure entry. (Ords. 2018-25 § 3, 81-30 § 1, 74-67 § 2, 1440 § 7).

420-6.610 Nuisance abatement.

(a) Abatement. Any installation made or condition existing in violation of this chapter is declared to be a public nuisance, and in addition to any other remedy available under the law, may be abated pursuant to Article 14-6.4.

(b) Emergency Abatement. If the health officer finds that a violation has created an emergency condition endangering the public health, the health officer may summarily abate the condition in accordance with Article 14-6.4. (Ords. 2018-25 § 3, 88-88 § 10, 81-30 § 1).

Article 420-6.8. Sewage Disposal Systems

420-6.802 Site.

An onsite wastewater treatment system may be constructed only on a site that conforms to applicable setbacks and groundwater depth, ground slope, soil depth and percolation rate standards specified in the sewage regulations. (Ord. 2018-25 § 3).

420-6.804 Design.

(a) Sewage flow. An onsite wastewater treatment system must be sized to accommodate the maximum volume of sewage that the system is projected to receive in a 24-hour period.

(b) Components. The septic tank, transport lines, pump tank, disposal field and any supplemental treatment unit in an onsite wastewater treatment system constructed under Subsection 420-6.404(a)(1), and the reserve area for the system, must conform to all applicable design standards set forth in the sewage regulations. (Ord. 2018-25 § 3.)

420-6.806 Construction permits.

(a) The construction, alteration, relocation or replacement of an onsite wastewater treatment system, or any primary components thereof, may be lawfully performed only under a valid construction permit issued by the health officer. "Alteration," as used in this section, means a change that causes an onsite wastewater treatment system, or primary component thereof, to function in a manner that is inconsistent with the design approved by the health officer, including but not limited to a change in design daily sewage flow and the installation of supplemental treatment units.

(b) The construction, alteration, relocation or replacement of an onsite wastewater treatment system, or any primary components thereof, may be lawfully performed only if the health officer has determined that a sanitary sewer is not available for connection to the structure to be served by the system.

(c) All work on an onsite wastewater treatment system under a construction permit issued under Section 420-6.808 must be inspected and approved by the health officer prior to use of the onsite wastewater treatment system. (Ord. 2018-25 § 3).

420-6.808 Permit procedure.

(a) Application; issuance. An application for a construction permit required under Section 420-6.806 or 420-6.1004 must be submitted to the health officer. The health officer will accept an application for a construction permit only if the application is complete and accompanied by payment of a permit fee established by the board by resolution. The health officer will approve a permit application and issue a permit based solely on compliance with this chapter and the sewage regulations.

(b) Expiration. Every construction permit issued by the health officer under this chapter becomes void if the work authorized by the construction permit is not commenced within 180 days from the permit's date, or if the work is suspended or abandoned for 180 days without excuse satisfying the health officer as being beyond control of and remedy by the permittee. Work under a construction permit will be deemed to have commenced if at least one health officer inspection of construction has been completed within 180 days of the permit issuance.

date. Once a construction permit becomes void, a new construction permit must be obtained before any work is commenced or recommenced, and a new permit fee must be paid.

(c) Renewal. Any permittee holding an unexpired construction permit may apply to the health officer for a permit extension upon a showing of good and satisfactory reason acceptable to the health officer. If the permittee is unable to commence work within the time required by this section, the health officer may extend the time of the permit for a period not exceeding 180 days upon written request by the permittee. No permit may be renewed more than once.

(d) Permit not approval of violations. The issuance of a construction permit under this chapter will not be construed as a permit for an approval of any violation of this chapter or code or determination that the permittee is the owner of the subject property or otherwise authorized to do the work for which the permit has been issued. No construction permit presuming to give authority to violate or cancel the provisions of this chapter will be valid except insofar as the work that it authorizes is lawful. The issuance of a construction permit based on plans and specifications does not prevent the health officer from later requiring the correction of errors in the plans and specifications or from preventing work under the permit in violation of this chapter. (Ords. 2018-25 § 3, 81-30 § 1, 1752 § 3, 1468 § 1, 1440 § 7).

420-6.810 Alternative onsite wastewater treatment systems.

(a) Mandatory use. Septic tank effluent must undergo supplemental treatment in an onsite wastewater treatment system if:

- (1) The system utilizes a drip dispersal system;
- (2) The system is located in an area where the depth from the natural grade to the anticipated highest seasonal level of groundwater is less than 3 feet;
- (3) The system will receive high strength wastewater; or
- (4) The system will replace another onsite wastewater treatment system and cannot meet the required horizontal setback from a public water well or a public water system's surface water intake point, unless the health officer makes both of the following two findings:

(A) There is no indication that the system to be replaced is adversely affecting the public water source; and

(B) There is limited potential that the replacement system could impact the public water source.

(b) Monitoring.

(1) The owner of an alternative onsite wastewater treatment system shall monitor the operation of the system for as long as the system remains in use, in accordance with the sewage regulations.

(2) A person may not use or operate an alternative onsite wastewater treatment system if the owner of that system fails to monitor that system in accordance with the sewage regulations.

(c) Mitigation measures.

(1) The owner of a replacement alternative onsite wastewater treatment system that does not conform to applicable horizontal setbacks from a public water well or a public water system's surface water intake point must comply with applicable mitigation measures set forth in the sewage regulations unless the health officer makes the findings set forth in Subsections (a)(4)(A) and (a)(4)(B) of this section.

(2) A person may not use or operate a replacement onsite wastewater treatment system described in Subsection (c)(1) of this section if the owner fails to comply with any applicable mitigation measure. (Ords. 2018-25 § 3, 2000-03 § 1, 81-30 § 1).

Article 420-6.10. Sewage Collection Systems

420-6.1002 Sewage holding tank systems.

(a) Site; design. The site and design of a sewage holding tank system under Subsection 420-6.404(b)(1) or Subsection 420-6.404(b)(2) must conform to applicable horizontal setbacks and other standards set forth in the sewage regulations.

(b) Permits. The installation of a sewage holding tank system may be lawfully performed only under a valid sewage holding tank permit issued by the health officer. The permit procedures set forth in Section 420-6.808 apply to sewage holding tank permits.

(c) Health officer approval. All work under a sewage holding tank permit must be approved by the health officer prior to use of the sewage holding tank system.

(d) Termination of use.

(1) Use of a sewage holding tank system connected to a structure under Subsection 420-6.404(b)(1)(D)(i) must terminate upon completion of construction of a new onsite wastewater treatment system that will serve the structure or within 90 calendar days after commencement of use of the sewage holding tank system, whichever occurs first.

(2) Use of a sewage holding tank system connected to a structure under Subsection 420-6.404(b)(1)(D)(ii) or Subsection 6.404(b)(2) must terminate within 90 calendar days after the health officer determines that connection to a sanitary sewer is available to the structure. (Ord. 2018-25 § 3.)

420-6.1004 Vault privies.

(a) A privy vault must be prefabricated and certified by the manufacturer as watertight.

(b) A vault privy may be constructed only on a site that conforms to the horizontal setbacks applicable to septic tanks.

(c) A vault privy may be lawfully constructed only under a valid construction permit issued by the health officer in accordance with the procedures set forth in Section 420-6.808.

(d) All work under a construction permit issued under this section must be inspected and approved by the health officer prior to use of the vault privy. (Ord. 2018-25 § 3.)

Article 420-6.12. Abandonment

420-6.1202 Sewage disposal systems.

(a) Onsite wastewater treatment systems and cesspools must be promptly abandoned under a permit issued by the health officer if:

(1) The system or cesspool is replaced with a connection to a sanitary sewer, a new onsite wastewater treatment system or a sewage collection system.

(2) The system or cesspool was constructed in violation of any applicable laws or regulations; or

(3) Use of the system or cesspool has ceased.

(b) Pit privies must be promptly abandoned under a permit issued by the health officer if:

- (1) The pit is filled with human waste to a point that is 24 inches or less below the surface of the ground adjacent to the pit; or
- (2) The pit privy was constructed in violation of any applicable laws or regulations. (Ord. 2018-25 § 3.)

420-6.1204 Sewage collection systems.

(a) A sewage holding tank system must be promptly abandoned under a permit issued by the health officer if:

- (1) The system is replaced with a connection to a sanitary sewer, an onsite wastewater treatment system or another sewage holding tank system;
- (2) The system was constructed in violation of any applicable laws or regulations; or
- (3) Use of the system has ceased.

(b) Vault privies. A vault privy must be promptly abandoned under a permit issued by the health officer if the vault privy was constructed in violation of any applicable laws or regulations. (Ord. 2018-25 § 3).

Article 420-6.14. Septic Tank-Chemical Toilet Cleaners

420-6.1402 Registration.

All septic tank-chemical toilet cleaners as defined in Subsection 420-6.204(p) are subject to the application and examination requirements set forth in Health and Safety Code sections 117415 and 117420. (Ord. 2018-25 § 3).

420-6.1404 Operations.

(a) Pumping and cleaning. A septic tank-chemical toilet cleaner must use all reasonable means to prevent the spillage of sewage. Any spilled sewage must immediately be removed and properly disposed of, and the area disinfected.

(b) Disposal. Sewage collected by a septic tank-chemical toilet cleaner must be disposed of only at a public facility that provides wastewater collection and treatment services.

(c) Reporting. No later than the tenth day of each month, a septic tank-chemical toilet cleaner shall submit a written report to the health officer in a form approved by the health officer that describes all pumping and cleaning operations conducted in the unincorporated area of the county in the previous month. (Ord. 2018-25 § 3).

420-6.1406 Vehicles; other equipment.

(a) Each vehicle utilized by a septic tank-chemical toilet cleaner in the course of collecting or transporting sewage must display a permit decal required under Section 413-3.806 and identification markings specified in the sewage regulations.

(b) All sewage collection tanks, pumps, pipes and hoses on vehicles used to collect or transport sewage must conform to all applicable design and construction standards set forth in the sewage regulations.

(c) All equipment utilized by a septic tank-chemical toilet cleaner in the course of collecting or transporting sewage must be made of durable and easily cleanable materials. (Ord. 2018-25 § 3).

420-6.1408 Chemical toilets.

Chemical toilets must be designed, constructed, marked and operated in accordance with applicable standards set forth in the sewage regulations. (Ord. 2018-25 § 3).

Article 420-6.16. Subdivision Maps

420-6.1602 Tentative maps.

(a) General. The tentative map forwarded to the health officer for review under Section 94-2.604 must show proposed provisions for sewage disposal, source of approved water supply, number of lots, the size of each lot, and contour lines at intervals of five feet or less.

(b) Health officer approval. The health officer will review the proposed tentative map for compliance with this chapter and the sewage regulations and in a timely manner report his or her conclusions thereon, together with any conditions recommended to insure such compliance, to the planning department. (Ords. 2018-25 § 3, 81-30 § 1, 1752 § 1, 1440 § 4, 640 § II-1).

420-6.1604 Final maps; parcel maps.

A final map or parcel map of a subdivision shall not be recorded unless the conditions recommended by the health officer and established by the advisory agency on approval of the tentative map of the subdivision have been satisfied. (Ords. 2018-25 § 3, 81-30 § 1, 1752 § 1, 1440 § 4, 640 § II-1).

Article 420-6.18. Appeals

420-6.1802 Appeals to health officer.

An applicant objecting to or disagreeing with a permit denial under this chapter or the sewage regulations may appeal the denial to the health officer. Any request for an appeal hearing must be in writing and must be received by the health officer within ten days after notice of the decision was mailed. Any request for an appeal hearing must state the legal and factual basis for the appeal and be accompanied by payment of a fee established by the board by resolution. A hearing on the appeal will be held within fifteen days after the request for appeal is received by the health officer. The health officer will issue a written decision supported by written findings. The decision will be based on the applicant's compliance or noncompliance with this chapter or the sewage regulations. The health officer may not delegate the duty to hear appeals under this chapter to any subordinate. (Ords. 2018-25 § 3, 93-84 § 3, 81-30 § 1).

420-6.1804 Other appeals.

Whenever the provisions of this chapter have been incorporated by a city ordinance or code and are applicable as city regulations within the incorporated area of that city, any appeal of a decision of the health officer must be directed to and decided by the city council of the involved city or to such other hearing body that may be designated by the city council to hear such appeals. (Ords. 2018-25 § 3, 93-84 § 3, 81-30 § 1).

Article 420-6.20. Fees

420-6.2002 Permit fees.

The health officer will collect a fee from the applicant for issuance of any permit under this chapter. Permit fees will be established by the board by resolution. (Ords. 2018-25 § 3, 81-30 § 1).

420-6.2004 Other fees.

(a) The health officer will collect a fee from the applicant for all services provided by the health officer in response to a request by the applicant, including plan reviews, investigations, inspections and the observation of site evaluations and tests.

(b) The health officer will collect a fee from the owner of an alternative onsite wastewater treatment system for audits of monitoring reports submitted under Section 420-6.810.

(c) All fees authorized by this section will be established by the board by resolution. (Ords. 2018-25 § 3, 81-30, § 1).

SECTION IV. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published in the East Bay Times, a newspaper published in this County. This ordinance shall be published in a manner satisfying the requirements of Government Code section 25124, with the names of the supervisors voting for and against it.

PASSED on _____, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

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

By: _____
Deputy

Board Chair

LW/

[seal]

H:\Ordinances\Ord.2018-25.docx

Chapter 420-6

SEWAGE COLLECTION AND DISPOSAL ~~SUBDIVISIONS AND INDIVIDUAL SYSTEMS~~

Article 420-6.12. General Provisions ~~Definitions~~

420-6.202 Purpose.

The purpose of this chapter is to provide maximum protection to water quality and public health by establishing requirements for connection to sanitary sewers and minimum standards for the design, construction, operation and abandonment of sewage collection and disposal systems. (Ord. 2018-25 § 3).

~~420-6.101~~204 Definitions ~~General~~.

Unless otherwise specially provided, or required by the context, the following terms have these meanings in this chapter. (~~Ord. 81-30 § 1; § 420-6.002; Ord. 74-67 § 3; prior code § 4640; Ord. 1440 § 1).~~

(a) “Abandon” means to remove liquid waste from and either excavate or otherwise render inoperable a cesspool, privy, sewage holding tank, or tank utilized in an onsite wastewater treatment system.

(b) “Alternative onsite wastewater treatment system” means an onsite wastewater treatment system in which septic tank effluent undergoes supplemental treatment prior to discharge to a disposal field.

(c) “Approved sewage disposal system” means a system of sewage disposal constructed in conformance with any and all applicable design, construction, permitting and other legal requirements in force at the time of construction.

(d) “Construct” means to assemble, build, fabricate or install.

(e) “Designated disposal field area” means an area of land that is approved by the health officer based on a site evaluation for future use as a disposal field or in an onsite wastewater treatment system, but is not a reserve area.

~~420-6.103~~ — Domestic water supply reservoir.

(f) “Domestic water supply reservoir” means an existing or proposed open uncovered reservoir used or intended to impound water for human consumption or domestic purposes.

~~“Domestic water supply reservoir” includes including a planned reservoir where the water impounder states in writing to the board his-its intent to install or construct itthe reservoir, and satisfies the board that he-it has appropriate rights in the land and the ability to finish and maintain itthe reservoir. (Ord. 81-30 § 1; § 420-6.002(6); Ords. 74-67 § 3, 68-16 § 2; prior code § 4640(f)).~~

~~420-6.105~~ — Drainage area.

(g) “Drainage area” of a domestic water supply reservoir means all the land that can ~~or may~~ drain into the reservoir, whether or not the topographical configuration is artificially or naturally caused. (~~Ord. 81-30 § 1; § 420-6.002(7); Ords. 74-67 § 3, 68-16 § 2; prior code § 4640(g)).~~

~~420-6.107~~ — Health officer.

(h) “Health officer” means the county health officer and his or her duly authorized deputies and subordinates. ~~includes any subordinate(s) that the health officer designates from time to time to~~

perform any or all of the health officer's functions hereunder. (Ord. 81-30 § 1: § 420-6.002(8); Ord. 74-67 § 3: prior code § 4640).

420-6.109 — Improper functioning.

(i) “Improperly functioning,” as applied to a sewage collection or disposal individual system, means a system allowing sewage to escape to the surface of the ground, allowing sewage to return to the structure served by the system, allowing leaks, or preventing fixtures from draining, which allows sewage to escape to the surface of the ground or prevents plumbing fixtures from draining. (Ord. 81-30 § 1: § 420-6.002(4); Ord. 74-67 § 3: prior code § 4640(d); Ord. 1440 § 1).

420-6.111 — Individual system.

“Individual system” means a system which consists of (1) the drainage pipes of a structure and the septic tank and subsurface absorption system to which they are connected; or (2) any alternative system designed for the disposal of sewage and acceptable to the health officer. (Ord. 81-30 § 1: § 420-6.002(3); Ord. 74-67 § 3: prior code § 4640(d); Ord. 1440 § 1).

(j) “Onsite wastewater treatment system” means a sewage treatment and disposal system that includes a septic tank and disposal field, serves one or more structures on only one lot, and is projected to receive a sewage flow of 10,000 gallons or less per day.

(k) “Pit privy” means a structure with no water supply that consists of shelter built over a pit with an unlined bottom and is used for the disposal of human waste.

(l) “Plumbing fixture” means a receptacle, device, appliance or other fixture that discharges wastewater to a drainage system.

(m) “Primary components” of an onsite wastewater treatment system means the septic tank, area(s) of land used for one or more disposal fields, pump tank, and supplemental treatment unit, if any.

(n) “Reserve area” means an area of land that is approved by the health officer for future use as a replacement disposal field in an onsite wastewater treatment system.

(o) “Sanitary sewer” means a wastewater collection system, owned and operated by a public agency with legal authority to collect wastewater from structures within the territorial jurisdiction of the public agency, that collects wastewater and conveys it through a system of sewer pipes to a treatment works prior to disposal.

(p) “Septic tank-chemical toilet cleaner” means (1) a person engaged in the business of cleaning, or who cleans, septic tanks, sewage holding tanks, onsite wastewater treatment systems, privies, cesspools or seepage pits, or (2) a person engaged in the business of providing or cleaning, or who provides or cleans, chemical toilets.

420-6.113 — Sewage.

(q) “Sewage” means liquid waste or solid waste substance, which is associated with human habitation or which that contains or may be contaminated with human or animal excrement or offal. (Ord. 81-30 § 1: § 420-6.002(1); Ord. 74-67 § 3: prior code § 4640(e); Ord. 1440 § 1).

(r) “Sewage disposal system” means any system of sewage disposal, including but not limited to an onsite wastewater treatment system, that is designed to serve one or more structures.

(s) “Sewage regulations” means sewage collection and disposal regulations adopted by the board under Section 420-6.606.

420-6.115 Sewer availability.

—“Sewer availability” means a sanitary sewer is available for connection to a structure requiring sewage disposal because:

—(a) The entity operating the sanitary sewer indicates in writing that the proposed structure can be connected to the sanitary sewer; and

—(b) The cost of providing sanitary sewer service, exclusive of all annexation fees, connection fees, and the sewer pipe installation costs between the structure and the publicly owned sewer in the street or right-of-way, is less than five thousand dollars, or ten percent of the full market value of all existing and proposed improvements, whichever is greater; and

—(1) The area of property to be served is less than forty thousand square feet and the sanitary sewer is less than three hundred feet, measured horizontally, from the nearest property boundary, or

—(2) The area of the property is more than forty thousand square feet and the structure requiring the disposal of sewage is located less than three hundred feet measured horizontally to the nearest property boundary adjacent to the sanitary sewer. (Ord. 81-30 § 1; § 420-6.002(5); Ord. 74-67 § 3; prior code § 4640(e); Ord. 1440 § 1).

420-6.117—Subdivision.

—“Subdivision” means a division or any use of real property that does or may reasonably be expected to generate sewage or require sewage disposal; and, “subdivider” means the owner of or applicant for a subdivision.

(Ord. 81-30 § 1; § 420-6.002(2); Ord. 74-67 § 2; prior code § 4640(b); Ord. 1440 § 1).

420-6.119—Site evaluation.

—“Site evaluation” means the investigation of a subdivision or a lot to determine the feasibility of installing an individual system. It shall include a determination of compliance with all applicable sanitation requirements and a sanitary survey of the area. Should the sanitary survey disclose failing individual systems in the immediate vicinity of the site evaluated, this shall be cause for denial of the feasibility of installing an individual system. (Ord. 81-30 § 1).

420-6.121—Community sewer collection system.

—“Community sewer collection system” means the structures, devices, equipment, and appurtenances intended for the collection, transportation, and pumping of sewage from two or more structures to a treatment or disposal facility.

(Ord. 81-30 § 1).

420-6.123 Sanitary sewer.

—“Sanitary sewer” means a system for collecting residential or municipal wastewater and directing the collected wastewater to a treatment works prior to disposal. (Ord. 81-30 § 1).

(t) “Vault privy” means a structure with no water supply that consists of a shelter built over a subsurface vault and is used for the collection of human waste.

(u) “Wastewater” means liquid waste, including but not limited to sewage. (Ords. 2018-25 § 3, 81-30 § 1, 74-67 § 3, 68-16 § 2, Ord. 1440 § 1).

Article 420-6.4. Sewer Connection

420-6.402 Sewer availability.

A sanitary sewer is considered available for connection to a structure requiring sewage disposal if:

(a) The entity operating the sanitary sewer indicates in writing that the proposed structure can be connected to the sanitary sewer;

(b) The sanitary sewer is in a thoroughfare or right of way abutting the lot or premises where the structure is located or proposed to be located; and

(c) The sanitary sewer or any building or exterior drainage facility connected thereto is located within 200 feet of the structure. (Ords. 2018-25 § 3, 81-30 § 1, 74-67 § 3, 1440 § 1).

420-6.404 Sewer connection required; exceptions.

Every structure in which plumbing fixtures have been or are proposed to be installed, and all plumbing fixtures and sanitary drainage systems or parts thereof, must be connected to either a sanitary sewer or an alternative means of sewage collection or disposal in accordance with Subsections (a) or (b) of this section.

(a) Approved sewage disposal system.

(1) A structure may be connected to an approved sewage disposal system if the health officer determines that a sanitary sewer is not available for connection under Section 420-6.402.

(2) A structure connected to an approved sewage disposal system prior to the effective date of this section may remain connected to that system.

(3) An addition to or remodeled portion of a structure may be connected to an approved sewage disposal system in accordance with applicable standards set forth in the sewage regulations if the structure is served by and was connected to the system before a sanitary sewer became available for connection to the structure, except as otherwise provided in Section 420-6.602 or Chapter 78-2.

(b) Sewage holding tank system.

(1) General. A structure that contains plumbing fixtures may be connected to a sewage holding tank system for sewage collection if:

(A) The health officer determines that a sanitary sewer is not available for connection under Section 420-6.402;

(B) The sewage holding tank system will replace an approved sewage disposal system that is or has been serving the structure;

(C) The owner of the structure obtains a sewage holding tank permit under Section 420-6.1002; and

(D) One of the following applies:

(i) The sewage holding tank system will serve the structure only until replacement of the approved sewage disposal system with a new onsite wastewater treatment system; or

(ii) The approved sewage disposal system to be replaced is improperly functioning and the health officer has determined that there is no suitable area on the lot where the structure is located for an onsite wastewater treatment system.

(2) Public agencies. A structure that contains plumbing fixtures and is owned by a public agency may be connected to a sewage holding tank system for sewage collection if:

(A) The health officer determines that a sanitary sewer is not available for connection under Section 420-6.402;

(B) The structure cannot be connected to a new onsite wastewater treatment system in accordance with applicable laws and regulations;

(C) The sewage holding tank system is owned and operated by the public agency; and

(D) The public agency obtains a sewage holding tank permit under Section 420-6.1002.

(3) Temporary structures. A temporary structure that contains plumbing fixtures may be connected to a sewage holding tank system if the system was incorporated into the original design of the temporary structure. As used in this subsection, "temporary structure" means a structure that is placed at the site of a permitted construction project for use only during the project and then removed at the conclusion of the project. (Ords. 2018-25 § 3, 81-30 § 1).

Article 420-6.63. Enforcement

~~420-6.301~~ Sewer connection required, exception.

~~Every structure in which plumbing fixtures have been or are proposed to be installed shall be connected to a sanitary sewer and all such plumbing fixtures and sanitary drainage systems or parts thereof shall be connected to the sanitary sewer except:~~

~~(a) Exception. If the health officer determines that connection to a sanitary sewer is unavailable under the provisions of Section 420-6.115, an application may be filed for a permit to install an individual system.~~

~~(b) Exception. Upon written application to the health officer and in only those cases where an existing individual system is found to be functioning improperly, the requirement for connection to the sanitary sewer may be waived by the health officer if the health officer finds:~~

~~(1) That such waiver shall be limited to minor repair of the "improperly functioning" existing individual system, provided no nuisance will be created, continued or maintained by such waiver, and~~

~~(2) That all requirements of this chapter and regulations can be met. (Ord. 81-30 § 1).~~

~~420-6.303~~ 602 Prohibitions.

A person may not do any of the following:

(a) Build a structure that will contain plumbing fixtures without first lawfully connecting the lot where the structure will be located to a sanitary sewer or having an approved sewage disposal system that is designed to and may lawfully serve the structure. No person shall build or alter any structure or build on or improve any land, requiring sewage disposal, without having a currently valid permit for an approved individual system or connecting to an approved sanitary sewer.

(b) Remodel any portion of, or construct an addition to, a structure containing plumbing fixtures without first lawfully connecting the structure to a sanitary sewer or an approved sewage disposal system that is designed to serve the structure.

(c) Construct, modify in any way, relocate any part of, or take any action to connect a structure to, a sewage disposal system that is not an onsite wastewater treatment system.

~~(d) No person shall discharge or deposit sewage to the surface of the ground.~~

(e) No person shall have, or permit use or operate an improperly functioning individual sewage collection or disposal system.

~~(d) No person shall install, construct, repair, reconstruct relocate, destroy, alter, or abandon any individual system, cesspool, pit privy, sewage holding tank, or seepage pit without the health officer's advance written approval.~~

~~(e) No person shall have or maintain an improperly functioning building sewer or lateral which conducts sewage from the building to a community sewer collection system.~~

~~—(f) No person shall engage in the business of cleaning septic tanks and subsurface leaching devices, sewage holding tanks, cesspools, or seepage pits or of providing or cleaning chemical toilets without having a valid permit, license and/or registration issued by the health officer.~~

~~—(g) No person shall change any approved plan or work without the health officer's advance written approval.~~

(f) Use a sewage disposal system that is not an approved sewage disposal system.

(g) Construct or have a privy except as expressly authorized by law. (Ords. 2018-25 § 3, 81-30 § 1, ~~§§ 420-6.004, .014, .016; prior code §§ 4641, 4646; Ords. 1440 § 2, 640 §§ III-1, III-3, V-2).~~

420-6.305604 Building permits; certificates of occupancy ~~restrictions.~~

(a) Restriction on issuance of building permits.

(1) If a structure is, or is proposed to be, located outside the territorial boundaries of any public entity with legal authority to provide wastewater collection services, or in an area where connection to a sanitary sewer is otherwise not available to the structure, and plumbing fixtures have been or are proposed to be installed in the structure, a building permit will not be issued to build, remodel any portion of, or construct an addition to the structure unless the health officer has approved, in writing, a method of sewage collection or disposal for the structure.

(2) If a structure is, or is proposed to be, located in an area where connection to a sanitary sewer is available to the structure, plumbing fixtures have been or are proposed to be installed in the structure, and connection to a sanitary sewer is not proposed, a building permit will not be issued to build, remodel any portion of, or construct an addition to, the structure unless the health officer has approved, in writing, a method of sewage collection or disposal for the structure.

(3) A building permit will not be issued to build a structure located on a lot where an approved sewage disposal system, reserve area or designated disposal field area is located unless the health officer has approved, in writing, the proposed location of the structure.

(b) Restriction on issuance of certificates of occupancy.

(1) If a structure is located outside the territorial boundaries of any public entity with legal authority to provide wastewater collection services, or in an area where connection to a sanitary sewer is otherwise not available to the structure, and plumbing fixtures have been installed in the structure, a certificate of occupancy will not be issued to use or occupy the structure, or portion of the structure, unless the health officer has approved, in writing, a method of sewage collection or disposal for the structure.

(2) If a structure is located in an area where connection to a sanitary sewer is available to the structure, plumbing fixtures have been installed in the structure, and connection to a sanitary sewer is not proposed, a certificate of occupancy will not be issued to use or occupy the structure, or portion of the structure, unless the health officer has approved, in writing, a method of sewage collection or disposal for the structure.

(c) Application to health officer.

(1) A building permit applicant who proposes to build, remodel, or construct an addition to a structure described in Subsection (a)(1) of this section must submit a written application to the health officer for review and approval of a proposed method of sewage collection or disposal for the structure.

(2) A building permit applicant who proposes to build, remodel, or construct an addition to a structure described in Subsection (a)(2) of this section must submit a written application to the health officer for review and approval of the proposed method of sewage collection or disposal for the structure if the applicant does not propose to connect the structure to a sanitary sewer.

(3) A building permit applicant who proposes to build a structure in a location described in Subsection (a)(3) of this section must submit an application to the health officer for review and approval of the proposed location of the structure.

(4) An applicant for a certificate of occupancy of a structure described in Subsection (b)(1) of this section must submit a written application to the health officer for review of the proposed method of sewage collection or disposal for the structure.

(5) An applicant for a certificate of occupancy of a structure described in Subsection (b)(2) of this section must submit a written application to the health officer for review of the proposed method of sewage collection or disposal for the structure if the applicant does not propose to connect the structure to a sanitary sewer.

(d) Determination.

(1) If the health officer finds, based on his or her review of an application submitted under Subsection (c)(1) or (c)(2) of this section, that a proposed method of sewage collection or disposal conforms to the applicable requirements in this chapter and the sewage regulations, the health officer will approve the proposed method of sewage collection or disposal. The health officer will not approve the proposed method of sewage collection or disposal, and the building inspection director will not issue the building permit, if the health officer finds that the proposed method of sewage collection or disposal does not conform to a provision of this chapter or the sewage regulations.

(2) If the health officer finds, based on his or her review of an application submitted under Subsection (c)(3) of this section, that construction of a proposed structure will not interfere with the use of a necessary approved sewage disposal system, reserve area or designated disposal field area, the health officer will approve the proposed location of the structure. The health officer will not approve the proposed location of the structure, and the building inspection director will not issue the building permit, if the health officer determines that construction of the structure would interfere with the use of a necessary approved sewage disposal system, reserve area or designated disposal field area.

(3) If the health officer finds, based on his or her review of an application submitted under Subsection (c)(4) or (c)(5) of this section, that a proposed method of sewage collection or disposal conforms to the applicable requirements in this chapter and the sewage regulations, the health officer will approve the proposed method of sewage collection or disposal. The health officer will not approve the proposed method of sewage collection or disposal, and the building inspection director will not issue the certificate of occupancy, if the health officer finds that the proposed method of sewage collection or disposal does not conform to a provision of this chapter or the sewage regulations. — Applications for building permits or certificates of occupancy for structures and/or to build on any premises requiring disposal of sewage shall, prior to their issuance, be submitted to the health officer for his review and written approval of the proposed sewage disposal system. When the building inspection director is advised that it has not been demonstrated that an adequate sewage disposal system complying with this chapter exists or is assured that such lack is a danger to or likely to cause public health problems, he may withhold the issuance of the requested permit or certificate. (Ords. 2018-25 § 3, 81-30 § 1, §§ 420-6.010, .018, .020; Ord. 1752 § 4, prior code §§ 4644, 4648, 4649; Ords. 1440 §§ 4, 9, 640 §§ III-7, III-6).

420-6.307606 Publication of rRegulations.

The health officer may ~~propose make and publish~~ regulations to make more detailed or specific the provisions of this chapter. The regulations are not effective unless adopted by the board by resolution. These regulations shall become effective two weeks after filing with the clerk of the

~~board of supervisors and posting in the county health department.~~ The health officer ~~shall~~ is be responsible for the enforcement of this chapter and all adopted regulations. (Ords. 2018-25 § 3, 81-30 § 1, ~~prior code § 4650; Ord. 640 § 1~~).

~~420-6.309608-~~ Investigations.

To the extent allowed by law, whenever necessary to enforce any provision of this chapter, the health officer may inspect any property to determine compliance with applicable provisions and requirements of this chapter or enter for the purpose of abatement as provided in Chapter 14-6 of this code. Entry may be made at any reasonable time upon advance notice to the owner or occupant of the property. If entry is refused, the health officer is authorized to proceed pursuant to Code of Civil Procedure section 1822.50 and following, and pursue any and all other remedies provided by law, to secure entry. ~~To enforce this chapter, the health officer may enter and inspect any premises, operations or work regulated hereby, at reasonable times and with such notice to the owner, occupant, operator, applicant, licensee, or permittee, as is reasonable and practicable under the circumstances. In conducting such inspections the health officer is authorized to proceed pursuant to the Code of Civil Procedure Sections 1822.50 and following.~~ (Ords. 2018-25 § 3, 81-30 § 1, ~~§§ 420-6.016(e), 420-2.008; Ord. 74-67 § 2, prior code § 4647(e); Ord. 1440 § 7~~).

~~420-6.311610~~ –Nuisance abatement.

(a) Abatement. Any installation made or condition existing in violation of this chapter is declared to be a public nuisance, and in addition to any other remedy available under the law, may be abated pursuant to Article 14-6.4.

(b) Emergency Abatement. If the health officer finds that a violation has created an emergency condition endangering the public health, ~~he the health officer~~ may summarily abate the condition in accordance with Article 14-6.4 ~~without giving notice~~. (Ords. 2018-25 § 3, 88-88 § 10, 8-1-30 § 1).

Article 420-6.85. Sewage Disposal Systems~~Individual Permits: Subdivision Approvals~~

420-6.802 Site.

An onsite wastewater treatment system may be constructed only on a site that conforms to applicable setbacks and groundwater depth, ground slope, soil depth and percolation rate standards specified in the sewage regulations. (Ord. 2018-25 § 3).

420-6.804 Design.

(a) Sewage flow. An onsite wastewater treatment system must be sized to accommodate the maximum volume of sewage that the system is projected to receive in a 24-hour period.

(b) Components. The septic tank, transport lines, pump tank, disposal field and any supplemental treatment unit in an onsite wastewater treatment system constructed under Subsection 420-6.404(a)(1), and the reserve area for the system, must conform to all applicable design standards set forth in the sewage regulations. (Ord. 2018-25 § 3.)

420-6.806 Construction permits.

(a) The construction, alteration, relocation or replacement of an onsite wastewater treatment system, or any primary components thereof, may be lawfully performed only under a valid construction permit issued by the health officer. “Alteration,” as used in this section, means a change that causes an onsite wastewater treatment system, or primary component thereof, to function in a manner that is inconsistent with the design approved by the health officer, including

but not limited to a change in design daily sewage flow and the installation of supplemental treatment units.

(b) The construction, alteration, relocation or replacement of an onsite wastewater treatment system, or any primary components thereof, may be lawfully performed only if the health officer has determined that a sanitary sewer is not available for connection to the structure to be served by the system.

(c) All work on an onsite wastewater treatment system under a construction permit issued under Section 420-6.808 must be inspected and approved by the health officer prior to use of the onsite wastewater treatment system. (Ord. 2018-25 § 3).

420-6.501 — General.

~~— Every person shall obtain a permit as provided for by this chapter to repair, relocate, install or construct an individual system unless connection to a sanitary sewer is required. When health officer approval is required, a currently valid permit issued pursuant to this article constitutes such approval. (Ord. 81-30 § 1).~~

420-6.503808 Permit procedure.

(a) Application; issuance. An application for a construction permit required under Section 420-6.806 or 420-6.1004 must shall be submittedmade to the health officer, and it shall expire after one hundred twenty days. The health officer will accept an application for a construction permit only if the application is complete and accompanied by payment of a permit fee established by the board by resolution. The health officer will approve a permit application and issue a permit based solely on compliance with this chapter and the sewage regulations.

(b) Expiration. Every construction permit issued by the health officer under this chapter becomes void if the work authorized by the construction permit is not commenced within 180 days from the permit's date, or if the work is suspended or abandoned for 180 days without excuse satisfying the health officer as being beyond control of and remedy by the permittee. Work under a construction permit will be deemed to have commenced if at least one health officer inspection of construction has been completed within 180 days of the permit issuance date. Once a construction permit becomes void, a new construction permit must be obtained before any work is commenced or recommenced, and a new permit fee must be paid.

~~— (b) The health officer shall approve, conditionally approve, or deny the application, and issue or withhold the permit accordingly, on the basis of compliance with this chapter and the health officer's regulations. Permits expire one hundred eighty days after issuance if the approved work is not started and diligently pursued.~~

(c) Renewal. Any permittee holding an unexpired construction permit may apply to the health officer for a permit extension upon a showing of good and satisfactory reason acceptable to the health officer. If the permittee is unable to commence work within the time required by this section, the health officer may extend the time of the permit for a period not exceeding 180 days upon written request by the permittee. No permit may be renewed more than once.

(d) Permit not approval of violations. The issuance of a construction permit under this chapter will not be construed as a permit for an approval of any violation of this chapter or code or determination that the permittee is the owner of the subject property or otherwise authorized to do the work for which the permit has been issued. No construction permit presuming to give authority to violate or cancel the provisions of this chapter will be valid except insofar as the work that it authorizes is lawful. The issuance of a construction permit based on plans and specifications does not prevent the health officer from later requiring the correction of errors in the plans and

specifications or from preventing work under the permit in violation of this chapter. (Ords. 2018-25 § 3, 81-30 § 1, ~~§ 420-6.016; Ords. 1752 § 3, 1468 § 1, prior code § 4647; Ord. 1440 § 7).~~

~~420-6.505 – Lot area, variances.~~

~~—(a) Lot Area. The total lot area, exclusive of underground and surface easements, shall be fifteen thousand square feet or more for a single family dwelling or other structure requiring an individual system. When both an individual system and private water supply are required, the total lot area, exclusive of underground and surface easements, shall be forty thousand square feet or more. These lot area requirements are prospective only and do not apply to the maintenance or repair of an existing system.~~

~~—(b) Variances. The health officer may grant variances to the provisions of this section when the health officer finds the following conditions to be met:~~

~~——(1) The lot in all other respects will comply with the requirements of this division and the regulations issued by the health officer;~~

~~——(2) The variance would not create nor contribute to the creation of a public health nuisance. (Ord. 81-30 § 1).~~

~~420-6.507 – Individual system near a reservoir, variances.~~

~~—(a) Location. If the parcel or lot is located within a drainage area of a domestic water supply reservoir, any structure requiring disposal of sewage shall be connected to a community sewer collection system.~~

~~—(b) Variances. If a community sewer collection system is not available the health officer may grant a variance subject to the following:~~

~~——(1) If the parcel or lot is between fifty and one thousand feet from the reservoir or tributary stream a watertight sewage holding tank system, or equal will be required. Such system must be owned or operated by a presently existing public agency having statutory authority to provide such service.~~

~~——(2) Beyond one thousand feet from a reservoir or tributary stream an individual system or other similar acceptable system may be permitted subject to all the conditions specified in Section 420-6.505.~~

~~—(c) Variance Temporary. It is the intent of this chapter to provide maximum protection to the water quality of the waters stored in these reservoirs and any variance granted must be considered as an interim method of sewage disposal which shall not create situations that may become a menace to the public health. (Ords. 81-30 § 1, 68-16 § 3, 1752: prior code § 4643; Ord. 1440).~~

420-6.509810 Alternative individual onsite wastewater treatment systems.

(a) Mandatory use. Septic tank effluent must undergo supplemental treatment in an onsite wastewater treatment system if:

——(1) The system utilizes a drip dispersal system;

——(2) The system is located in an area where the depth from the natural grade to the anticipated highest seasonal level of groundwater is less than 3 feet;

——(3) The system will receive high strength wastewater; or

——(4) The system will replace another onsite wastewater treatment system and cannot meet the required horizontal setback from a public water well or a public water system's surface water intake point, unless the health officer makes both of the following two findings:

——(A) There is no indication that the system to be replaced is adversely affecting the public water source; and

(B) There is limited potential that the replacement system could impact the public water source.

(b) Monitoring.

(1) The owner of an alternative onsite wastewater treatment system shall monitor the operation of the system for as long as the system remains in use, in accordance with the sewage regulations.

(2) A person may not use or operate an alternative onsite wastewater treatment system if the owner of that system fails to monitor that system in accordance with the sewage regulations.

~~—(a) Allowed. The health officer may approve, conditionally approve or deny an application to use an alternative system. No alternative system will be approved for installation in a septic tank moratorium area, a water quality control board prohibition zone, or in any incorporated city, or sanitary or sanitation district without approval by that city or district.~~

(c) Mitigation measures.

(1) The owner of a replacement alternative onsite wastewater treatment system that does not conform to applicable horizontal setbacks from a public water well or a public water system's surface water intake point must comply with applicable mitigation measures set forth in the sewage regulations unless the health officer makes the findings set forth in Subsections (a)(4)(A) and (a)(4)(B) of this section.

(2) A person may not use or operate a replacement onsite wastewater treatment system described in Subsection (c)(1) of this section if the owner fails to comply with any applicable mitigation measure.

~~—(b) Requirements. An alternative system must meet all applicable provisions of this chapter and:~~

~~—(1) All local, state and federal laws and regulations;~~

~~—(2) Certification and testing requirements of an appropriate governmental agency; and~~

~~—(3) Approval requirements of N.S.F. (National Sanitation Foundation), I.A.P.M.O. (International Association of Plumbing and Mechanical Officials), or other recognized industry standard.~~

~~—(c) Operating Permit Required. The property owner shall obtain and at all times maintain an operating permit for an alternative system. The operating permit may be issued for such period, and include such conditions (such as monitoring requirements) as the health officer determines for the protection of the public health, welfare and the environment. Pursuant to Section 420-6.307, the health officer may, from time to time, establish regulations for operating permits and the operation of alternative systems. (Ords. 2018-25 § 3, 2000-03 § 1, ~~81-30 § 1~~).~~

Article 420-6.10. Sewage Collection Systems

420-6.1002 Sewage holding tank systems.

(a) Site; design. The site and design of a sewage holding tank system under Subsection 420-6.404(b)(1) or Subsection 420-6.404(b)(2) must conform to applicable horizontal setbacks and other standards set forth in the sewage regulations.

(b) Permits. The installation of a sewage holding tank system may be lawfully performed only under a valid sewage holding tank permit issued by the health officer. The permit procedures set forth in Section 420-6.808 apply to sewage holding tank permits.

(c) Health officer approval. All work under a sewage holding tank permit must be approved by the health officer prior to use of the sewage holding tank system.

(d) Termination of use.

(1) Use of a sewage holding tank system connected to a structure under Subsection 420-6.404(b)(1)(D)(i) must terminate upon completion of construction of a new onsite wastewater treatment system that will serve the structure or within 90 calendar days after commencement of use of the sewage holding tank system, whichever occurs first.

(2) Use of a sewage holding tank system connected to a structure under Subsection 420-6.404(b)(1)(D)(ii) or Subsection 6.404(b)(2) must terminate within 90 calendar days after the health officer determines that connection to a sanitary sewer is available to the structure. (Ord. 2018-25 § 3.)

420-6.1004 Vault privies.

(a) A privy vault must be prefabricated and certified by the manufacturer as watertight.

(b) A vault privy may be constructed only on a site that conforms to the horizontal setbacks applicable to septic tanks.

(c) A vault privy may be lawfully constructed only under a valid construction permit issued by the health officer in accordance with the procedures set forth in Section 420-6.808.

(d) All work under a construction permit issued under this section must be inspected and approved by the health officer prior to use of the vault privy. (Ord. 2018-25 § 3.)

Article 420-6.12. Abandonment

420-6.1202 Sewage disposal systems.

(a) Onsite wastewater treatment systems and cesspools must be promptly abandoned under a permit issued by the health officer if:

(1) The system or cesspool is replaced with a connection to a sanitary sewer, a new onsite wastewater treatment system or a sewage collection system.

(2) The system or cesspool was constructed in violation of any applicable laws or regulations; or

(3) Use of the system or cesspool has ceased.

(b) Pit privies must be promptly abandoned under a permit issued by the health officer if:

(1) The pit is filled with human waste to a point that is 24 inches or less below the surface of the ground adjacent to the pit; or

(2) The pit privy was constructed in violation of any applicable laws or regulations. (Ord. 2018-25 § 3.)

420-6.1204 Sewage collection systems.

(a) A sewage holding tank system must be promptly abandoned under a permit issued by the health officer if:

(1) The system is replaced with a connection to a sanitary sewer, an onsite wastewater treatment system or another sewage holding tank system;

(2) The system was constructed in violation of any applicable laws or regulations; or

(3) Use of the system has ceased.

(b) Vault privies. A vault privy must be promptly abandoned under a permit issued by the health officer if the vault privy was constructed in violation of any applicable laws or regulations. (Ord. 2018-25 § 3.)

Article 420-6.14. Septic Tank-Chemical Toilet Cleaners

420-6.1402 Registration.

All septic tank-chemical toilet cleaners as defined in Subsection 420-6.204(p) are subject to the application and examination requirements set forth in Health and Safety Code sections 117415 and 117420. (Ord. 2018-25 § 3).

420-6.1404 Operations.

(a) Pumping and cleaning. A septic tank-chemical toilet cleaner must use all reasonable means to prevent the spillage of sewage. Any spilled sewage must immediately be removed and properly disposed of, and the area disinfected.

(b) Disposal. Sewage collected by a septic tank-chemical toilet cleaner must be disposed of only at a public facility that provides wastewater collection and treatment services.

(c) Reporting. No later than the tenth day of each month, a septic tank-chemical toilet cleaner shall submit a written report to the health officer in a form approved by the health officer that describes all pumping and cleaning operations conducted in the unincorporated area of the county in the previous month. (Ord. 2018-25 § 3).

420-6.1406 Vehicles; other equipment.

(a) Each vehicle utilized by a septic tank-chemical toilet cleaner in the course of collecting or transporting sewage must display a permit decal required under Section 413-3.806 and identification markings specified in the sewage regulations.

(b) All sewage collection tanks, pumps, pipes and hoses on vehicles used to collect or transport sewage must conform to all applicable design and construction standards set forth in the sewage regulations.

(c) All equipment utilized by a septic tank-chemical toilet cleaner in the course of collecting or transporting sewage must be made of durable and easily cleanable materials. (Ord. 2018-25 § 3).

420-6.1408 Chemical toilets.

Chemical toilets must be designed, constructed, marked and operated in accordance with applicable standards set forth in the sewage regulations. (Ord. 2018-25 § 3).

Article 420-6.16. Subdivision Maps

420-6.511602 ~~Tentative~~ Subdivision maps.

(a) ~~Tentative Maps-General. The tentative map forwarded to the health officer for review Pursuant to under Section 94-2.604 Title 9, a copy of any submitted tentative subdivision map shall be forwarded to, and filed with the health officer for investigation of the sewage disposal system. The tentative map shall~~ must show proposed provisions for sewage disposal, source of approved water supply, number of lots, the size of each lot, and contour lines at intervals of five feet or less.

(b) Health ~~o~~fficer ~~A~~pproval. The health officer ~~shall will~~ review the ~~proposed filed~~ tentative map for compliance with this chapter ~~(and any adopted the sewage regulations)~~ and in a timely manner report his ~~or her~~ conclusions thereon, together with any conditions recommended to insure such compliance, to the planning department ~~and advisory agency~~.

~~(c) Final Map. Final maps shall not be recorded unless the conditions recommended by the health officer and established by the advisory agency on approval of the tentative map have been~~

satisfied. (Ords. 2018-25 § 3, 81-30 § 1, ~~§§ 420-6.006, 420-6.010, 420-6.012~~; Ord. 1752 § 1, ~~prior code §§ 4642, 4644, 4645~~; Ords. 1440 § 4, 640 § II-1 ff).

420-6.1604 Final maps; parcel maps.

A final map or parcel map of a subdivision shall not be recorded unless the conditions recommended by the health officer and established by the advisory agency on approval of the tentative map of the subdivision have been satisfied. (Ords. 2018-25 § 3, 81-30 § 1, 1752 § 1, 1440 § 4, 640 § II-1).

Article 420-6.18. Appeals

420-6.5131802 Appeals to health officer.

~~(a) Except for determinations made pursuant to Section 420-6.311, a~~An applicant person objecting to or disagreeing with a permit denial under any decision made pursuant to this chapter, and/ or the pertinent sewage regulations thereto, may appeal the denial decision to the health officer, ~~or the health officer's designated subordinate(s).~~ Any request for an appeal hearing ~~must~~shall be in writing and must be received by the health officer within ten days after notice of the decision was mailed. Any request for an appeal hearing must state the legal and factual basis for the appeal and be accompanied by payment of a fee established by the board by resolution, the appropriate fee. A hearing on the appeal ~~will~~shall be held within fifteen days after the request for appeal is received by the health officer. The health officer will issue a written decision supported by written findings. The decision will be based on the applicant's compliance or noncompliance with this chapter or the sewage regulations. The health officer may not delegate the duty to hear appeals under this chapter to any subordinate.

~~—(b) Whenever the provisions of this chapter have been incorporated by a city ordinance or code and are applicable as city regulations within the incorporated area of that city, any appeal of a decision of the health officer shall be directed to and decided by the city council of the involved city. (Ords. 2018-25 § 3, 93-84 § 3, 81-30 § 1).~~

420-6.1804 Other appeals.

Whenever the provisions of this chapter have been incorporated by a city ordinance or code and are applicable as city regulations within the incorporated area of that city, any appeal of a decision of the health officer must be directed to and decided by the city council of the involved city or to such other hearing body that may be designated by the city council to hear such appeals. (Ords. 2018-25 § 3, 93-84 § 3, 81-30 § 1).

Article 420-6.720. Fees

420-6.2002 Permit fees.

The health officer will collect a fee from the applicant for issuance of any permit under this chapter. Permit fees will be established by the board by resolution. (Ords. 2018-25 § 3, 81-30 § 1).

420-6.2004 Other fees.

(a) The health officer will collect a fee from the applicant for all services provided by the health officer in response to a request by the applicant, including plan reviews, investigations, inspections and the observation of site evaluations and tests.

(b) The health officer will collect a fee from the owner of an alternative onsite wastewater treatment system for audits of monitoring reports submitted under Section 420-6.810.

(c) All fees authorized by this section will be established by the board by resolution. (Ords. 2018-25 § 3, 81-30, § 1).

420-6.701 General.

~~— The following nonrefundable fees shall be paid to the health officer at the time of filing for or requesting an investigation, test, inspection or permit required by this chapter. No fees are required when the health officer receives from the applicant a written statement by a district or city governing body indicating that sewers and a sewage treatment plant are available and adequate to handle the additional volume of sewage from the proposed improvement. (Ord. 81-30 § 1).~~

420-6.703 Subdivisions.

~~— The fees for a subdivision proposing to use individual sewage disposal systems are:~~

- ~~(1) Subdivision — Site evaluation~~
- ~~2— 4 lots, per lot.....\$ 50.00;~~
- ~~5 or more lots, maximum250.00;~~
- ~~(2) Percolation tests, per lot or building site tested, as required\$100.00;~~
- ~~(3) Appeal (except hearings called pursuant to Section 420-6.311)\$100.00.~~

~~(Ord. 81-30 § 1).~~

420-6.705 Individual systems.

~~— The fees related to individual sewage disposal systems are:~~

- ~~(1) Site evaluation\$ 40.00;~~
- ~~(2) Percolation test100.00;~~
- ~~Each additional test100.00;~~
- ~~(3) Permit (except minor rebuilding).....60.00;~~
- ~~(4) Review of existing individual system40.00;~~
- ~~(5) Investigate abandonment or sealing of septic tank25.00;~~
- ~~(6) Reinspection25.00;~~
- ~~(7) Appeal (except hearings called pursuant to Section 420-6.311)100.00;~~
- ~~(8) Advice, consultation, minor repair permit No fee.~~

~~(Ord. 81-30 § 1).~~

420-6.707 Penalties.

~~— Any person violating this chapter or regulations issued hereunder, by failing to submit plans, obtain necessary inspections and approvals, or pay fees, or by commencing or continuing construction or remodeling in violation hereof, shall pay triple the appropriate fee as a penalty and remain subject to other applicable penalties and enforcement procedures authorized by the state law and/or this code. (Ords. 81-30 § 1, 78-45, 78-43 § 2; § 420-6.022(d); Ords. 73-100, 1468; prior code § 4651; Ords. 1440 § 1I, 640 § 1V).~~

Contra Costa County



HEALTH OFFICER REGULATIONS FOR SEWAGE COLLECTION AND DISPOSAL

(Contra Costa County Ord. Code § 420-6.606)

Proposed by the Contra Costa County Health Officer

Chris Farnitano, M.D.

Date

Adopted by the Contra Costa County Board of Supervisors on
_____, 2018

Effective Date: _____

TABLE OF CONTENTS

SECTION 100:	GENERAL	1
101.	Purpose.....	1
102.	Prior Regulations and Policies.....	1
103.	Effective Date.....	1
104.	Definitions.....	1
SECTION 200:	SITE CRITERIA	4
201.	General.....	4
202.	Setbacks.....	4
203.	Depth to Groundwater.....	4
204.	Natural Ground Slope.....	4
205.	Soil Depth.....	4
206.	Percolation Rate.....	5
SECTION 300:	SITE EVALUATIONS	6
301.	General.....	6
302.	Soil Stability Evaluation.....	6
303.	Soil Profile Evaluation.....	6
304.	Soil Morphology Testing.....	7
305.	Soil Percolation Testing.....	7
306.	Wet Weather Period Evaluations.....	10
SECTION 400:	DESIGN OF ONSITE WASTEWATER TREATMENT SYSTEMS ...	12
401.	Design Daily Sewage Flows.....	12
402.	Septic Tanks.....	12
403.	Transport Lines.....	13
404.	Standard Disposal Fields.....	13
405.	Non-Standard Disposal Fields.....	17
406.	Reserve Areas; Secondary Disposal Fields.....	44
SECTION 500:	ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEMS	45
501.	General.....	45
502.	Design Specifications.....	45
503.	Monitoring.....	50
504.	Mitigation.....	51

SECTION 600:	CONSTRUCTION PERMITS.....	53
601.	General.....	53
602.	Application Requirements	53
603.	Permits for Tank Replacement.....	55
604.	No Guarantees.....	55
SECTION 700:	BUILDING PERMITS; CERTIFICATES OF OCCUPANCY; SUBDIVISION MAPS.....	56
701.	Building Permits	56
702.	Certificates of Occupancy.....	58
703.	Subdivision Maps.....	58
SECTION 800:	CONSTRUCTION, INSTALLATION AND INSPECTION.....	59
801.	General.....	59
802.	Commencement of Work.....	59
803.	Tanks.....	59
804.	Transport Lines	59
805.	Disposal Fields.....	59
806.	Inspections	60
SECTION 900:	ALTERATIONS AND CHANGES OF USE OF EXISTING STRUCTURES.....	61
901.	Alterations.....	61
902.	Non-Residential Changes in Use	61
SECTION 1000:	SEWAGE HOLDING TANK SYSTEMS	62
1001.	General.....	62
1002.	Permits	62
1003.	Design	62
1004.	Installations; Inspections.....	62
SECTION 1100:	ABANDONMENT	63
1101.	Sewage Disposal Systems.....	63
1102.	Sewage Collection Systems	63
SECTION 1200:	SEPTIC TANK-CHEMICAL TOILET CLEANERS.....	65
1201.	Registration	65
1202.	Equipment	65
1203.	Chemical Toilets	66

TABLE OF CONTENTS

LIST OF TABLES

Table 1: Depth to Groundwater.....	4
Table 2: Standard Disposal Field Cover Requirements	17
Table 3: Maximum Width of Mound Distribution Bed	29
Table 4: Maximum Mound Linear Loading Rates.....	31
Table 5: Wastewater Loading Rates for Mound Sand-Native Soil Interface.....	32
Table 6: Maximum At-Grade Bed Linear Loading Rates.....	36
Table 7: At-Grade Bed Lateral Extension of Cover Material	37
Table 8: Pressure-Dosed Trench Cover Requirements	40
Table 9: Pressure-Dosed Sand Trench Cover Requirements	41

LIST OF FIGURES

Figure 1: Standard Trench Cross-Section Details	14
Figure 2: Mound Cross-Section Details (Level Sites).....	19
Figure 3: At-Grade Bed Cross-Section Details	20
Figure 4: Pressure-Dosed Trench Cross-Section Details	21
Figure 5: Pressure-Dosed Sand Trench Cross-Section Details	22
Figure 6: Standard Trench with Imported Fill Cross-Section Details.....	23

APPENDICES

Appendix 1: Minimum Horizontal Setback Requirements	
Appendix 2: Estimated Sewage Flows For Non-Residential Uses	
Appendix 3: Wastewater Loading Rates	
Appendix 4: Sand Specifications	

SECTION 100: GENERAL

101. Purpose. The purpose of these Health Officer Regulations for Sewage Collection and Disposal (“Regulations”) is to set forth standards and specifications for the siting, design and construction of onsite wastewater treatment systems, the monitoring of alternative onsite wastewater treatment systems, the review of building permit applications and subdivision maps, the design, installation and use of sewage collection systems, the abandonment of sewage disposal systems and sewage collection systems, and septic tank-chemical toilet cleaners. These Regulations are intended to protect public health and safety and the environment by preventing the creation of health hazards, nuisance conditions and degradation of surface and groundwater quality.

102. Prior Regulations and Policies. As of the effective date, these Regulations supersede the Contra Costa County Individual System Regulations adopted by the health officer and filed with the Clerk of the Board of Supervisors on October 3, 2000. Any and all health officer regulations, policies, moratoriums, guidelines or other authorities that pertain to the subject matter of these Regulations, and were issued by or on behalf of the health officer prior to the effective date of these Regulations, are repealed and of no further force or effect.

103. Effective Date. These Regulations are effective as of the effective date of Contra Costa County Ordinance No. 2018-25.

104. Definitions. The definitions below and in Chapter 420-6 of the Contra Costa County Ordinance Code will be used to interpret these Regulations:

Anticipated highest seasonal level of groundwater: The highest elevation to which the groundwater may be expected to rise, as determined by soil mottling or other soil conditions or in accordance with Subsection 306.A. of these Regulations.

Authorized supplemental treatment unit: A supplemental treatment unit identified in Subsection 501.A. of these Regulations.

Bedroom: Any room in a dwelling that is at least 70 square feet in area, has an exterior window, is designed to furnish the minimum isolation necessary for use as a sleeping area, and is not a kitchen, living room, bathroom, hallway or closet.

Design daily sewage flow: The maximum volume of sewage that a sewage disposal system is designed to receive in a 24-hour period.

Effective depth: The depth below the invert of a distribution pipe or the height of the louvered sidewalls of chambers in a trench.

Expansive soil: Soil that has a clay content by weight of 15 percent or more that causes the soil to shrink or swell with changes in moisture content, and exhibits cracks when dry.

High-strength wastewater: Wastewater having a 30-day average concentration of biochemical oxygen demand greater than 300 milligrams per liter (mg/L) or of total suspended solids greater than 330 mg/L or a fat, oil and grease concentration greater than 100 mg/L prior to the septic tank or other onsite wastewater treatment system component.

Impermeable soil: Soil that is not permeable soil.

Imported fill: Non-native soil that is placed on top of the site of a disposal field for the purpose of raising the level of the ground.

Inspection well: A well installed in a disposal field that collects effluent for the purpose of observation and sampling.

Linear loading rate: The loading rate per linear foot of a distribution pipe or line, expressed as gallons per day per linear foot.

Loamy soil: Soil that has a clay content of more than 15 percent and less than or equal to 30 percent by weight and is not expansive soil.

Low shrink/swell soil: Soil that has a clay content of 15 percent or less by weight.

Monitoring well: An inspection well or performance well.

Native soil: Soil that is naturally occurring in an area.

Natural grade: The naturally occurring surface of the ground.

Ordinance: Chapter 420-6 of the Contra Costa County Ordinance Code, as amended by County Ordinance No. 2018-25, and as may be further amended from time to time.

Peak daily sewage flow: The maximum volume of sewage that a sewage disposal system is projected to receive in a 24-hour period.

Performance well: A well installed outside the perimeter of a disposal field that collects water or effluent for the purpose of observation and sampling.

Permeable soil: Soil with a percolation rate within the specified percolation rate range for the proposed disposal field.

Properly functioning: As applied to a sewage collection or disposal system, “properly functioning” means functioning as designed and not allowing sewage to escape to the surface of the ground.

Public water well: A groundwater well serving a public water system.

Public water system: A water system regulated by the California Department of Public Health or a local primacy agency pursuant to Section 116275, subdivision (h), of the California Health and Safety Code, as may be amended from time to time.

Qualified inspector: A California-licensed civil engineer, California-registered environmental health specialist, California-licensed plumbing contractor, or person who has been issued a certificate by the National Association of Wastewater Technicians upon completion of an onsite wastewater treatment system inspector course or an onsite wastewater treatment systems operations and maintenance course.

Qualified professional: A civil engineer, environmental health specialist, geologist, professional soil scientist, or engineering geologist, who is licensed, registered or certified by the State of California.

Replacement onsite wastewater treatment system: An onsite wastewater treatment system that has its treatment capacity expanded, or its disposal field replaced or added onto, after the effective date of these Regulations.

Soil: A natural material resulting from the weathering of rock that is one of the classes of soil identified in the U.S. Department of Agriculture soil texture classification triangle.

Seasonal normal precipitation: The average precipitation over a 30-year period for a geographic area as determined by available historical data.

Wastewater loading rate: A volume of wastewater per unit of area per unit of time, expressed as gallons per day per square foot; also known as the hydraulic loading rate.

Wet weather period: A period of time between January 1 and April 30 that follows either (1) 10 inches of rain in a 30-day period or (2) at least half of the area's seasonal normal precipitation.

SECTION 200: SITE CRITERIA

201. General. The disposal field of an onsite wastewater treatment system may be constructed only in native soil naturally deposited at the site where the disposal field will be constructed. Modifying, cutting, benching or altering a site in a manner that would change the slope of the site will render it unsuitable for construction of a disposal field.

202. Setbacks. Tanks, disposal fields and transport lines proposed for use in an onsite wastewater treatment system must be located no closer to specified features than the horizontal setback distances set forth in **Appendix 1**, attached hereto and incorporated herein, unless an applicable exception applies.

203. Depth to Groundwater. Except as otherwise provided in Subsection 405.B. of these Regulations, the minimum depth to the anticipated highest seasonal level of groundwater below the bottom of a disposal field trench is based on the percolation rate of the soil in which the trench is located, in accordance with Table 1 below.

Table 1	
Depth to Groundwater	
Percolation Rate (MPI)	Minimum Depth High Groundwater (Feet)
$1 < x \leq 5$	20
$5 < x \leq 30$	8
$30 < x \leq 120$	5

MPI = minutes per inch

x = percolation rate of the site of the proposed disposal field

204. Natural Ground Slope. The maximum natural slope of the site of a disposal field is 30 percent.

205. Soil Depth.

A. Except as otherwise provided in Subsection 405.B. of these Regulations, the minimum depth of permeable soil below the bottom of a disposal field trench is 3 feet.

B. Soil depth is measured vertically to the point where bedrock (fractured or solid), impermeable soil, saturated soil, excessive rock content (more than 50 percent) or other limiting condition is encountered.

206. Percolation Rate.

A. The percolation rate of soil in a disposal field or reserve area is no faster than 1 minute per inch (“MPI”) and no slower than 120 MPI.

B. Percolation rates are determined in accordance with testing procedures outlined in Section 305 of these Regulations.

SECTION 300: SITE EVALUATIONS

301. General. A site upon which construction of onsite wastewater treatment system is proposed must first be evaluated in accordance with this Section 300. Except as provided in Section 302 of these Regulations, site evaluations must be performed by or under the supervision of a qualified professional.

302. Soil Stability Evaluation. If the slope of a proposed disposal field site exceeds 20 percent, a registered civil engineer or certified engineering geologist must evaluate the soil stability at the site and prepare and submit a written geological report to the health officer prior to the commencement of any percolation testing to be observed by the health officer. The report must demonstrate that the discharge of effluent into the proposed disposal field will not, or is not likely to, affect soil stability or create a public nuisance.

303. Soil Profile Evaluation.

A. Soil Profile Hole Standards.

1. Number/location. At least one soil profile hole must be excavated in each proposed disposal field and reserve area.
2. Dimensions.
 - a. Depth. A soil profile hole must be excavated to a depth that is sufficient to demonstrate the presence of the minimum groundwater and soil depths required for the proposed disposal field, as set forth in Sections 203, 205 and Subsection 405.B. of these Regulations.
 - b. Width. A soil profile hole must be sufficiently wide to allow direct inspection of the entire soil profile.

B. Procedures.

1. Request for inspection. All soil profile holes must be inspected in the presence of the health officer. A written request for inspection of the soil profile must be submitted to the health officer at least 48 hours before the inspection.
2. Evaluation by qualified professional. The qualified professional must evaluate the soil by direct inspection of the soil in the soil profile hole and look for all of the following, or evidence thereof:
 - a. The thickness, depth and texture of soil layers encountered, and the classification of the soil under the U.S. Department of Agriculture soil texture classification system;
 - b. The depth to bedrock, impermeable soil layer, excessive rock content or other limiting layer;

- c. The depths to soil mottling and gleying;
- d. The anticipated highest seasonal level of groundwater; and
- e. Other conditions affecting the potential use of the soil on the site for sewage disposal, including, but not limited to, roots, fissures, dampness, consistence, texture, structure, pores and rock content.

C. Reports. A written report that sets forth the findings of the qualified professional regarding the conditions described in Subsection 303.B.2. of these Regulations must be submitted to the health officer prior to the commencement of any percolation testing to be observed by the health officer.

D. Disputes. If the health officer disputes a determination by a qualified professional as to the anticipated highest seasonal level of groundwater based on soil mottling or other soil conditions, the qualified professional must evaluate the groundwater level at a site in accordance with Subsection 306.A. of these Regulations.

304. Soil Morphology Testing.

A. Requirements. In the event that the health officer disputes the conclusion of a qualified professional as to the classification of soil evaluated, the soil must be evaluated based on all of the following: (1) Hydrometer analysis of soil texture; (2) plasticity index; and (3) bulk density.

B. Reports. Laboratory reports of soil morphology tests must be submitted to the health officer prior to the commencement of any percolation testing to be observed by the health officer.

305. Soil Percolation Testing.

A. Test Hole Standards.

1. Number. Three test holes are required around each soil profile hole.
2. Location. A test hole must be located in the area of the proposed disposal field or reserve area, within 25 feet of a soil profile hole and no more than 25 feet from each other test hole.
3. Dimensions.
 - a. General. A test hole must be 6 inches to 12 inches in diameter and, except as provided below in Subsections 305.3.b.-e. of these Regulations, have a depth equal to the depth of the proposed disposal field trench(es).

b. Mounds. If a mound is proposed, test holes must have a depth of 12 inches to 24 inches.

c. At-grade beds. If an at-grade bed is proposed, test holes must be at least 12 inches in depth, and the deepest hole must have a minimum 6-inch vertical separation from a limiting layer.

d. Dripfields. If a dripfield is proposed, test holes must have a depth of 12 inches to 24 inches.

e. Pressure-dosed shallow trenches. If a pressure-dosed shallow trench is proposed, test holes must be a minimum of:

(1) 24 inches deep on slopes less than 20 percent;

(2) 30 inches deep on slopes of 20 percent to 25 percent; and

(3) 36 inches deep on slopes greater than 25 percent.

B. Construction of Test Holes. Test holes must be constructed as follows:

1. Dig the test holes and scarify the bottoms and sidewalls of the test holes with a sharp pointed instrument to remove any smeared soil surfaces.

2. Remove loose material from the bottom of the hole and add two inches of clean pea gravel to protect the bottom infiltrative surface from scouring and sedimentation.

3. Place a perforated pipe in the center of the hole and pack gravel in the annular space located between the pipe and the test hole sidewalls from the bottom of the pipe to the natural grade.

4. Mound a portion of the soil excavated from the test hole around the test hole on the ground surface to prevent surface water runoff from entering the hole.

C. Presoaking. Presoaking is required before all percolation tests. Each hole must be filled with water to a point that is at least 12 inches over the top of the gravel at the bottom of the hole, below the perforated pipe. Except as otherwise provided in Subsection 306.B. of these Regulations, the water must be maintained at this level for at least four hours.

D. Testing Procedures.

1. Request for inspection. Percolation testing must be performed in the presence of the health officer. A written request for inspection of the testing must be submitted to the health officer at least 48 hours before commencement of presoaking activities.

2. Commencement of testing.

a. If the soil profile evaluation conducted under Section 303 of these Regulations or a soil morphology test conducted under Section 304 of these Regulations demonstrates the presence of low shrink/swell soil in the area of the proposed disposal field or reserve area, testing may commence immediately after the presoaking.

b. If the soil profile evaluation conducted under Section 303 of these Regulations or a soil morphology test conducted under Section 304 of these Regulations demonstrates the presence of loamy soil in the area of the proposed disposal field or reserve area, testing must commence the day after and within 24 hours of the presoaking.

c. All other testing must commence in accordance with Section 306.B. of these Regulations.

3. Protocol. Testing must be conducted in all test holes in accordance with the following protocol:

a. Determine a time interval and testing period. A time interval of 5 to 10 minutes for a minimum of two hours is acceptable for sandy soils. A time interval of 30 minutes for a minimum of four hours is required for other soils. The time interval for the test must remain constant throughout the test so that it can be determined when the water level drop rate has stabilized.

b. Fill each hole with clean water to a point that is 6 to 12 inches above the gravel below the bottom of the pipe.

c. With a float gauge or secure fixed reference, measure the initial water level in each hole and record the level on the start line for that hole on the test data sheet. Use a timepiece to determine when the designated time interval has elapsed and then measure the water level. Record the level and number of minutes that have elapsed since the last measurement on the test data sheet.

d. Immediately refill the hole and repeat the process described in Subsection 305.D.3.c. of these Regulations until the end of the testing period or until subsequent measurements indicate a stabilized rate has been obtained (i.e., two consecutive rates are within 10 percent of each other).

e. If the percolation rate for a test hole is different by more than 20 MPI from the percolation rate for any other test hole in the area being tested, the health officer may require an additional test hole to be dug and percolation testing to be conducted in that hole.

E. Calculations.

1. Test hole rate. A percolation rate must be calculated for each test hole. The percolation rate for each hole must be calculated by dividing the last time interval measurement

by the last water drop measurement. If the percolation rate for a hole is in the range of 1 MPI to 120 MPI, the percolation test in that hole is considered a passing test.

2. Disposal field percolation rate. A percolation rate must be calculated for the area of a proposed disposal field or reserve area as follows:

a. If the percolation rates resulting from each passing test in at least three holes of the same depth in the area are within 20 MPI of each other, the sum of those rates is divided by the number of passing tests in those holes. The resulting average percolation rate is the percolation rate of soil in the area tested.

b. If the percolation rate resulting from one of the passing tests is different by more than 20 MPI from any of the percolation rates resulting from the other passing tests, and an average percolation rate cannot be calculated in accordance with Subsection 305.E.2.a. of these Regulations, the slowest percolation rate resulting from the passing tests in the area is considered the percolation rate of soil in the area tested.

c. Except for percolation rates less than 1 MPI or greater than 120 MPI, percolation rates calculated under Subsection 305.E.2. of these Regulations must be rounded to the nearest whole number for the purpose of calculating wastewater loading rates.

F. Reports.

1. Format. Percolation test results must be reported on percolation test data sheets. Percolation rates are expressed in minutes per inch. Percolation test data sheets must be signed by the individual who conducted the test.

2. Submission. Reports of percolation test results must be submitted to the health officer in accordance with applicable requirements in Section 600 and Section 700 of these Regulations.

3. Expiration. Provided that the soil in the location of the percolation tests is not disturbed after the testing, percolation test results are valid for five years.

306. Wet Weather Period Evaluations.

A. Groundwater Level Evaluation.

1. Direct observation procedures.

a. Inspection by health officer; request for inspection. Except as provided in Subsection 306.A.2. of these Regulations, the anticipated highest seasonal level of groundwater at the site of a proposed disposal field must be evaluated by direct observation in a wet weather period in the presence of the health officer. A written request for inspection of groundwater level observations must be submitted to the health officer at least 48 hours before commencement of the testing.

b. Protocol. The groundwater level must be observed on three separate days. There must be an interval of at least seven days between observations. The highest of the three levels is considered the anticipated highest seasonal level of groundwater in the area.

2. Historical data. During the period commencing May 1 and ending December 31, the anticipated highest seasonal level of groundwater at the site of a proposed disposal field may be determined based on direct observations of groundwater levels by qualified professionals at other sites in the presence of the health officer in a wet weather period within the previous three calendar years. The highest of at least three groundwater level observations at other sites is deemed to be the anticipated highest seasonal level of groundwater at the site of the proposed disposal field if:

- a. There has been no wet weather period during the calendar year;
- b. The groundwater level direct observation locations on the other sites are within 1,000 feet of the site of the proposed disposal field;
- c. The applicant submits written documentation of the groundwater level direct observations at the other sites; and
- d. The health officer determines the written documentation to be reliable.

B. Percolation Testing.

1. General. Except as provided in Subsection 306.B.2. of these Regulations, if the soil profile evaluation conducted under Section 303 of these Regulations or a soil morphology test conducted under Section 304 of these Regulations demonstrates the presence of expansive soil, percolation testing must be conducted in a wet weather period.

2. Exception. If percolation testing cannot be conducted in a wet weather period due to weather conditions, percolation testing may be conducted on any date if the test holes have been presoaked for at least 24 hours, and the testing takes place between 24 hours and 48 hours after the presoaking.

SECTION 400: DESIGN OF ONSITE WASTEWATER TREATMENT SYSTEMS

401. Design Daily Sewage Flows.

A. Residential Dwellings. The design daily sewage flow of an onsite wastewater treatment system that will serve a residential dwelling is calculated by multiplying 150 gallons by the number of bedrooms in the dwelling.

B. Non-Residential Structures. The design daily sewage flow of an onsite wastewater treatment system that will serve a non-residential structure must be determined in accordance with **Appendix 2**, attached hereto and incorporated herein.

402. Septic Tanks.

A. Size. The minimum septic tank capacity below the invert of the outlet pipe is as follows:

1. Single family residential dwellings. If a single family residential dwelling has one or two bedrooms, the minimum capacity of a septic tank in an onsite wastewater treatment system that will serve the dwelling is 1,000 gallons. For single family residential dwellings with three or more bedrooms, the minimum septic tank capacity is 1,000 gallons for the first two bedrooms and 250 gallons for each additional bedroom.

2. Other structures. In an onsite wastewater treatment system that will serve a structure other than a single-family residential dwelling, the minimum septic tank capacity is calculated by multiplying the peak daily sewage flow of the structure by .75 and adding 1,125 gallons.

B. Compartments. Except as set forth below, the septic tank must have two compartments. The first compartment must have twice the capacity of the second compartment. The compartments must be separated from each other by a baffle.

C. Effluent Filter. The septic tank's outlet pipe must be fitted with a corrosion-resistant effluent filter. The filter must be removable for cleaning and be designed to remove solids greater than 3/16ths of an inch in diameter and conform to NSF International/American National Standards Institute (NSF/ANSI) Standard 46 to the extent applicable to effluent filters.

D. Material. The septic tank must be watertight and IAPMO (International Association of Plumbing and Mechanical Officials) certified. In areas to be surfaced by concrete, asphalt or similar paving, or subject to vehicular traffic, the tank must be traffic-rated.

E. Access Risers. A waterproof access riser with a gastight lid and seal must extend from the manhole of each tank compartment to the finished grade. Except as follows, the riser must be constructed of polyethylene, have a minimum diameter of 24 inches and be of a size sufficient for the tank manhole. In areas to be surfaced by concrete, asphalt or similar paving, or subject to vehicular traffic, access risers must be traffic rated.

F. Soil Cover. A minimum of 12 inches of soil cover must be placed on top of a septic tank. The top layer of the soil cover must be level with the natural grade.

403. Transport Lines. Transport lines utilized in an onsite wastewater treatment system, and the fittings connected thereto, must be Schedule 40 polyvinyl chloride (PVC) pipe and Schedule 40 PVC connection fittings, respectively. Transport lines must be sized to meet pumping and effluent flow requirements while minimizing friction losses. Friction loss is determined in accordance with the October 1980 U.S. Environmental Protection Agency Onsite Wastewater Treatment and Disposal Systems Design Manual, Table 7-14.

404. Standard Disposal Fields.

A. General. A standard disposal field is a disposal field with one or more standard trenches and a gravity distribution system. The design of a standard disposal field must conform to all applicable specifications in this Subsection 404. Design features of a standard trench are shown in Figure 1 below.

B. Wastewater Loading Rate. Disposal fields and reserve areas must be sized based on the applicable wastewater loading rate. Except as otherwise provided in these Regulations, the wastewater loading rate is determined based on the percolation rate calculated for the area of the disposal field or reserve area, in accordance with **Appendix 3**, attached hereto and incorporated herein.

C. Area. The minimum absorption area of a standard disposal field is determined by dividing the design daily sewage flow rate by the applicable wastewater loading rate set forth in Appendix 3.

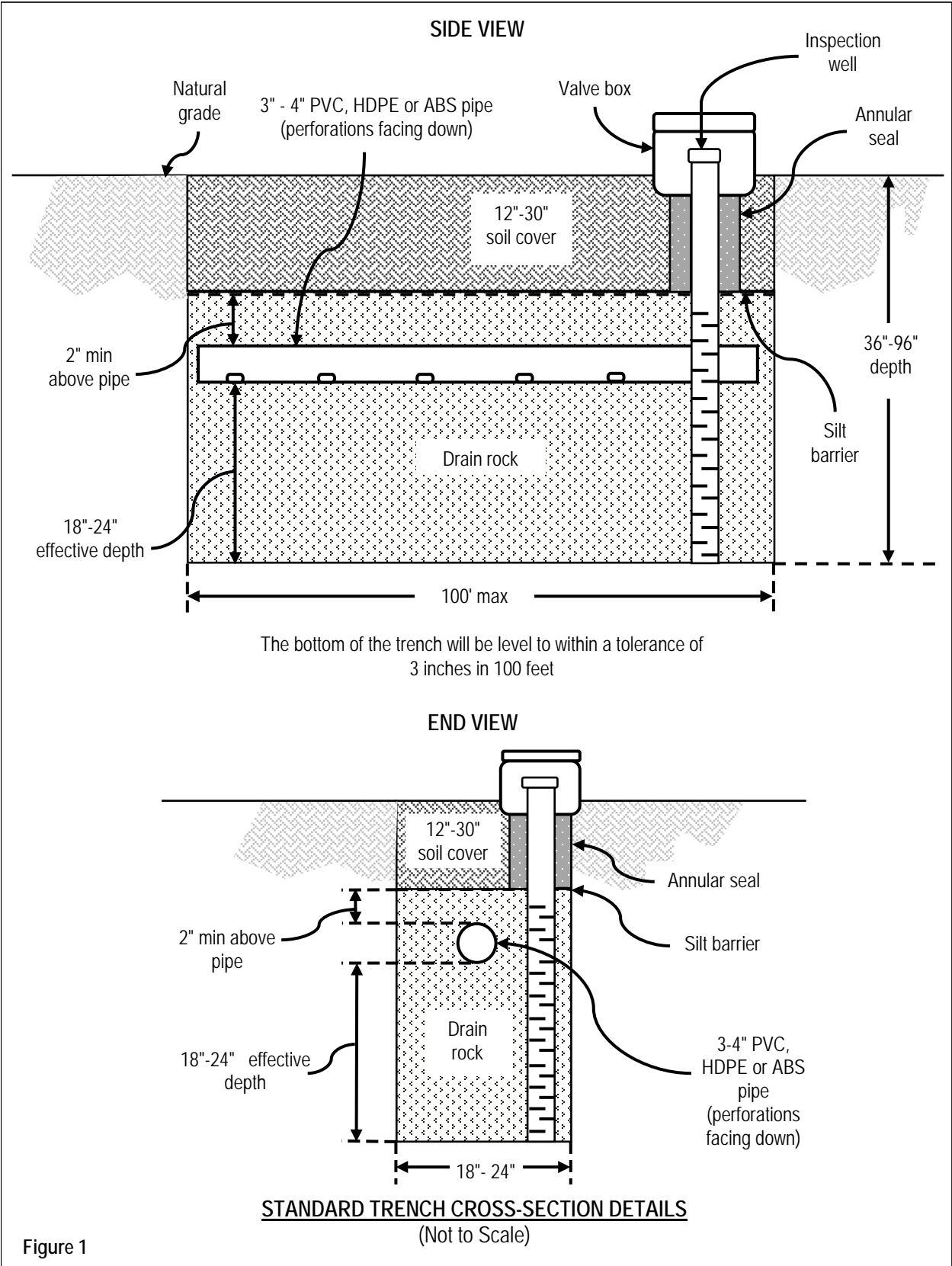


Figure 1

D. Standard Trench Dimensions.

1. Depth. The minimum and maximum depths of a standard trench are 36 inches and 96 inches, respectively. The minimum effective depth of a standard trench is 18 inches or, if chambers are used, the height of the louvered sidewalls of the chambers.
2. Width. The minimum and maximum widths of a standard trench are 18 inches and 24 inches, respectively. If chambers are used, the maximum width is 36 inches.
3. Length. The maximum length of a single standard trench is 100 feet. The required length of trench is determined by dividing the minimum absorption area of the disposal field by twice the effective depth of the trench.
4. Spacing. In standard disposal fields that have more than one trench, the minimum spacing between the centers of two trenches is twice the effective trench depth plus an additional 12 inches for each 5 percent of disposal field area slope that exceeds 20 percent. The minimum space between the centers of two trenches is 72 inches measured center to center or, if the trenches are wider than 24 inches, measured edge to edge.
5. Bottom. The trench bottom must be level to within a tolerance of 3 inches in 100 feet and installed on contour.

E. Drain Media.

1. General. Drain media must be installed in a standard trench in accordance with the following requirements. Drain media must be drain rock, bundled expanded polystyrene (“EPS”) or chambers. Drain rock may be installed in any standard trench. Bundled EPS and chambers may be installed only on sites that are level or have slopes of 20 percent or less.
2. Materials.
 - a. Drain rock. Drain rock must be 3/4-inch to 2-inch diameter stone aggregate, double-washed with less than one percent by volume of fines (materials passing through the number 100 mesh).
 - b. Bundled EPS. Bundled EPS must be IAPMO-certified.
 - c. Chambers. Chambers must be IAPMO-certified.
3. Depth.
 - a. Drain rock. Drain rock must extend from the bottom of a trench to at least 2 inches above the top of the distribution pipe. There must be a minimum of 18 inches and a maximum of 24 inches of drain rock below the invert of the distribution pipe.

b. **Bundled EPS.** The EPS must extend from the bottom of a trench to at least 2 inches above the top of the distribution pipe. There must be a minimum of 18 inches and a maximum of 24 inches of EPS below the invert of the distribution pipe.

c. **Chambers.** A single layer of chambers must be placed on the bottom of the trench.

F. Gravity Distribution System.

1. **Distribution box.** Except as otherwise provided in Section 502 if applicable, in standard disposal fields that have more than one trench, a concrete or high-density polyethylene (HDPE) distribution box must be installed between the septic tank and the disposal trenches for the receipt of effluent from the septic tank and discharge to the trenches. Distribution boxes must be separated from each disposal trench by a minimum of 5 feet.

2. **Distribution pipe.**

a. **Material.** Distribution pipe for drain rock and chambers must be 3-inch or 4-inch (inside diameter) rigid PVC, HDPE or acrylonitrile butadiene styrene (ABS) perforated pipe with a minimum crushing strength of 1,500 pounds per square inch. Corrugated pipe is not permitted except as installed by the manufacturer in bundled EPS.

b. **Length.** The maximum length of a single distribution pipe is 100 feet. A single distribution pipe must extend the full length of a trench.

c. **Placement.** Distribution pipe must be on contour and level to within a tolerance of 3 inches in 100 feet. Orifices must face the bottom of the trench. If chambers are used, distribution pipe must be suspended inside the top of the chambers.

G. Silt Barrier.

1. **General.** A silt barrier must be placed on top of drain rock and bundled EPS. A silt barrier must be placed on top of chambers if the health officer determines that soil would otherwise infiltrate into the chambers.

2. **Material.** The silt barrier must be filter fabric, made of polyester, nylon or polypropylene, or any combination thereof, suitable for underdrain applications. Filter fabric must be permeable and non-woven and not act as a wicking agent.

H. Soil Cover.

1. **General.** Cover material must be placed on top of the silt barrier or, if chambers are used, on top of the chambers. The top of the cover material must be level with the natural grade.

2. **Material.** Cover material must be native soil or any medium, loamy-textured soil.

3. Depth. Minimum cover depths are determined based on the slope of the disposal field, in accordance with Table 2 below.

Table 2	
Standard Disposal Field Cover Requirements	
Disposal Field Slope %	Minimum Cover Depth (Inches)
$0 \leq x \leq 10$	12
$10 < x \leq 15$	18
$15 < x \leq 20$	24
$20 < x \leq 30$	30

x=slope of disposal field

I. Monitoring Wells.

1. General. An inspection well must be installed inside each trench, at the end farthest from the distribution box that serves the trench, for the purpose of monitoring groundwater levels and water quality sampling within the disposal field.

2. Materials. Inspection wells must be constructed of 2-inch to 4-inch diameter perforated pipe, equipped with a top cap or pipe plug. Perforations consisting of hacksaw slots at nominal 1-inch spacing must begin at the top of the drain media and extend to the bottom of the pipe. The top of an inspection well must be covered with a minimum 8-inch valve box. An inspection well must be sealed where it contacts the soil cover material with a bentonite or concrete annular seal to prevent surface infiltration.

3. Depth. An inspection well must extend from the bottom of a trench up to or above the surface of the natural grade.

405. Non-Standard Disposal Fields.

A. General. An onsite wastewater treatment system may utilize an authorized non-standard disposal field. Non-standard disposal fields utilize imported fill or contain dispersal systems other than standard trenches. Authorized non-standard disposal fields include all of the following:

1. Disposal field with mound. A mound contains a body of sand, gravel distribution bed, distribution pipes, a silt barrier and cover and is constructed on top of the natural grade. A mound is typically used on sites characterized by limited site and soil conditions, such as high groundwater, slow percolation at standard disposal field depths, and shallow soil over fractured rock, coarse alluvium, impermeable soil or bedrock. See Figure 2 below for design features of a typical mound.

2. Disposal field with at-grade bed. An at-grade bed contains a gravel distribution bed, distribution pipes, a silt barrier and cover and is constructed on top of the natural grade. An at-grade system is typically used on sites characterized by limited site and soil conditions, such as high groundwater, slow percolation at standard disposal field depths, and shallow soil over fractured rock, coarse alluvium, impermeable soil or bedrock. See Figure 3 below for design features of a typical at-grade bed.

3. Dripfield. A dripfield contains a subsurface drip dispersal system, which includes flexible distribution tubing with emitters in shallow disposal trenches. A dripfield is typically used on sites with high groundwater, steep slopes, or shallow soil over fractured rock, coarse alluvium, impermeable soil or bedrock. A dripfield must be preceded by an authorized supplemental treatment unit.

4. Disposal field with pressure-dosed trench. A pressure-dosed trench is similar to a standard trench except that it is configured for pressure distribution, and has different cover requirements. Pressure-dosed disposal trenches are typically used on sloped areas. See Figure 4 below for design features of a typical pressure-dosed trench.

5. Disposal field with pressure-dosed sand trench. A pressure-dosed sand trench is configured for pressure-distribution, but unlike a pressure-dosed disposal trench, has a layer of sand at the base of the trench and other distinguishing design criteria. Pressure-dosed sand trenches are typically used in areas of rapid soil percolation, such as sandy or rocky soils. See Figure 5 below for design features of a typical pressure-dosed sand trench.

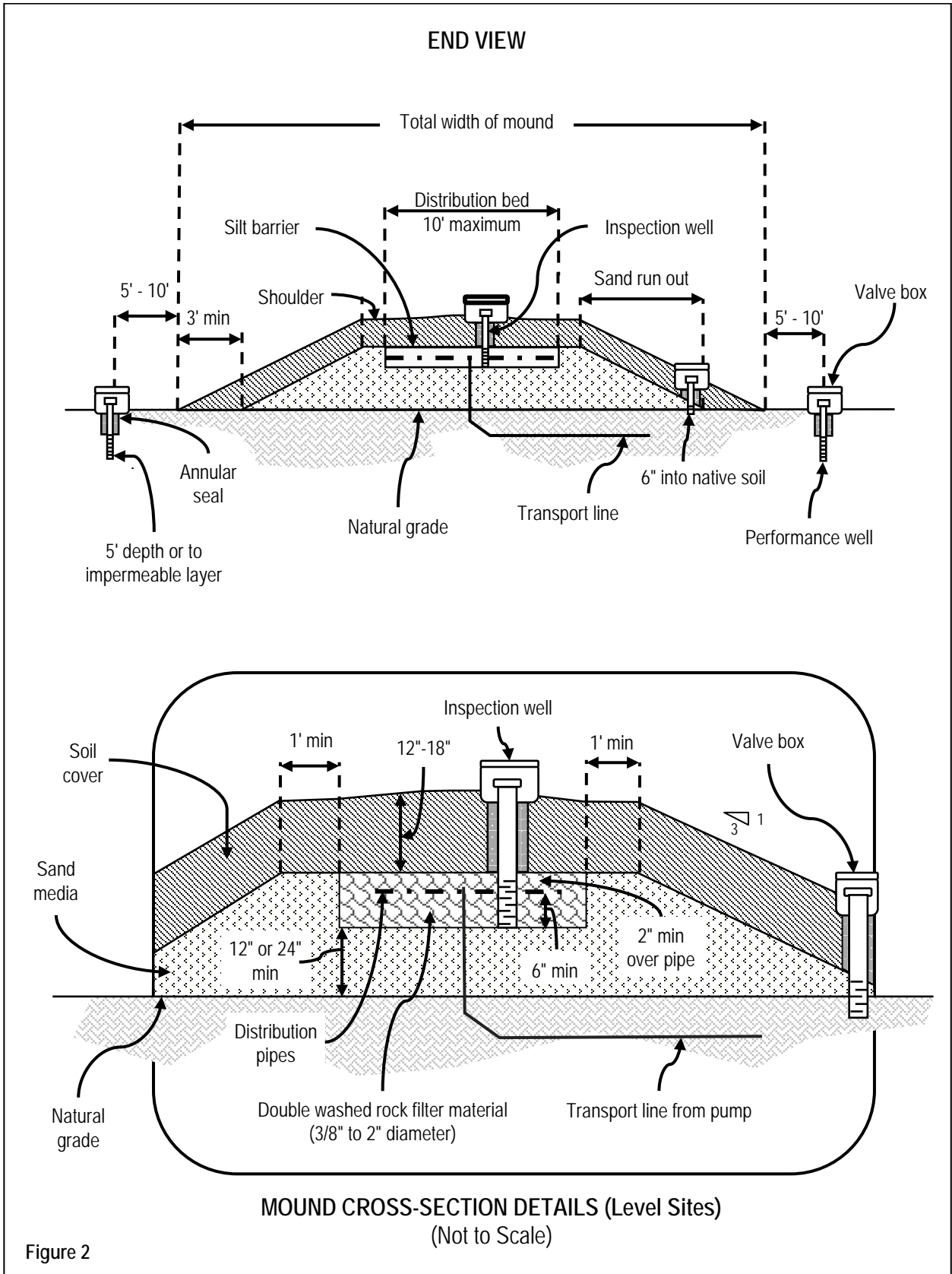
6. Disposal field with pressure-dosed shallow trench. A pressure-dosed shallow trench is similar to a standard trench except that the trench is shallower and configured for pressure distribution. Pressure-dosed shallow trenches are typically used in areas that have shallow topsoil over slowly permeable or fractured subsurface soils.

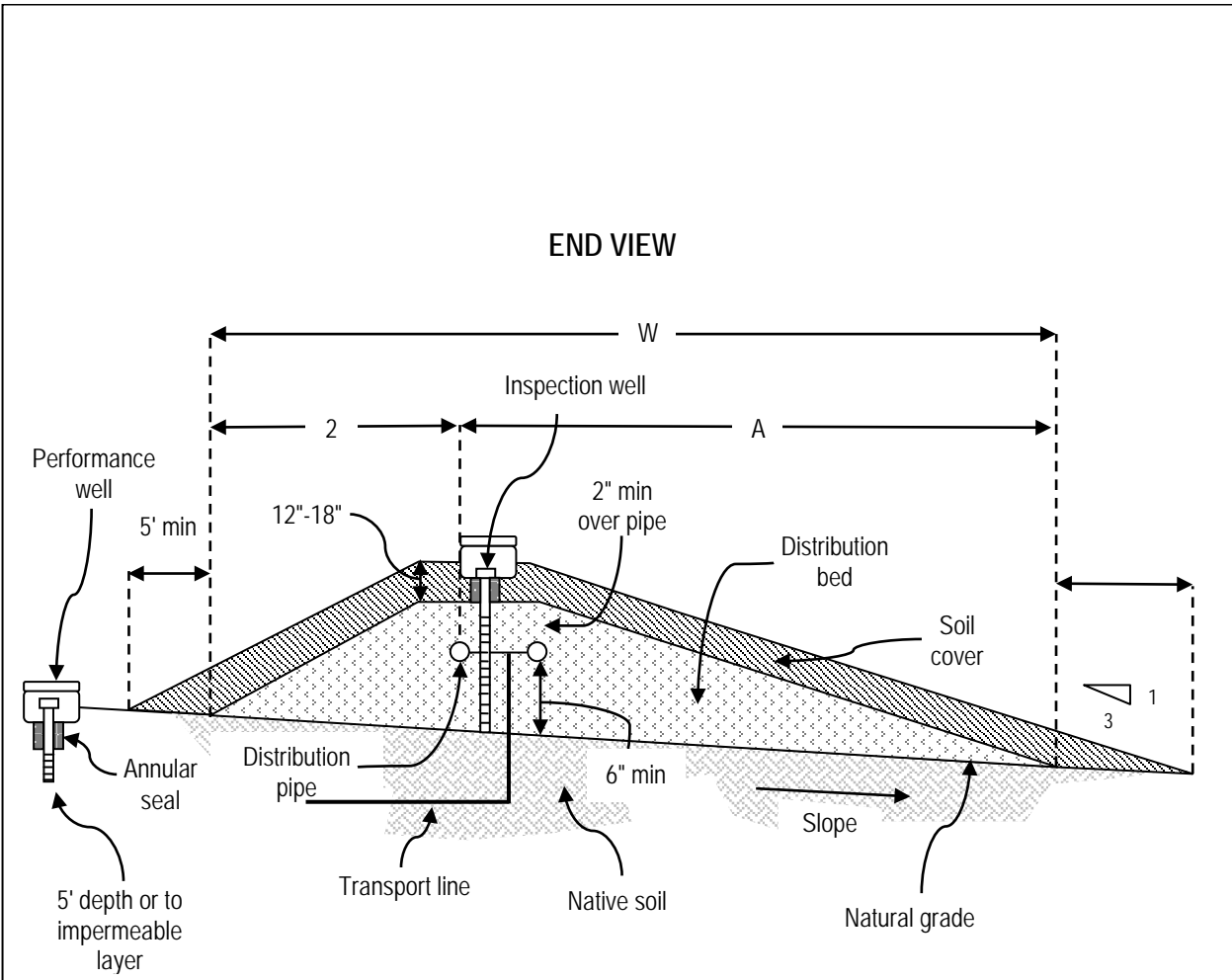
7. Disposal field with imported fill. A disposal field with imported fill is a disposal field that utilizes imported fill, which is placed on top of the natural grade prior to trench excavation in order to achieve a minimum required soil depth. Imported fill is typically used on sites with high groundwater. See Figure 6 below for design features of a standard trench constructed with imported fill.

B. Site Criteria.

1. Disposal field with mound.

a. General. A disposal field containing a mound may be constructed only in an area that conforms to the applicable site criteria in Section 200 of these Regulations and the site criteria in this Subsection 405.B.1., except that in the event specifications conflict, the specification this Subsection 405.B.1. will control.



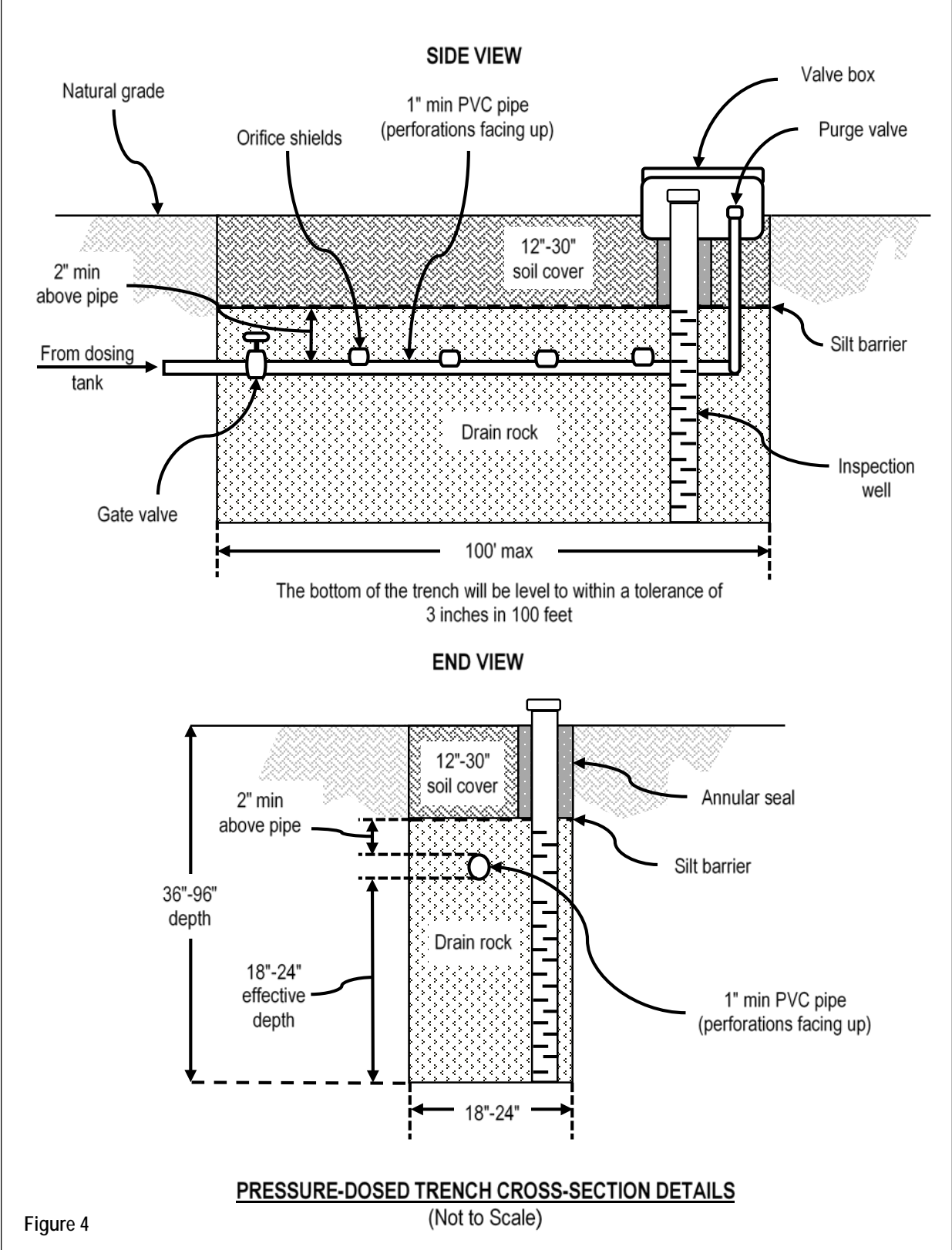


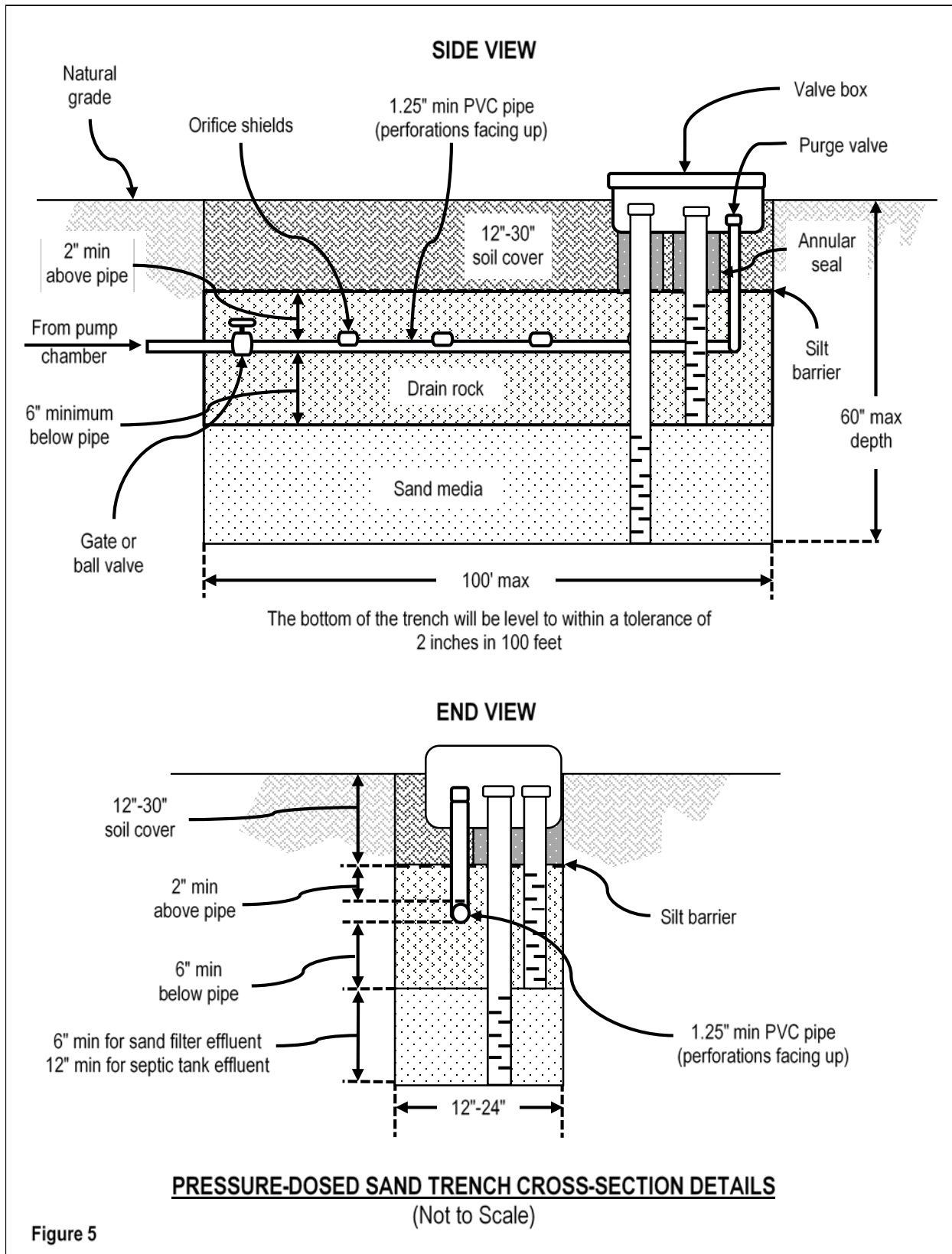
DIMENSIONS

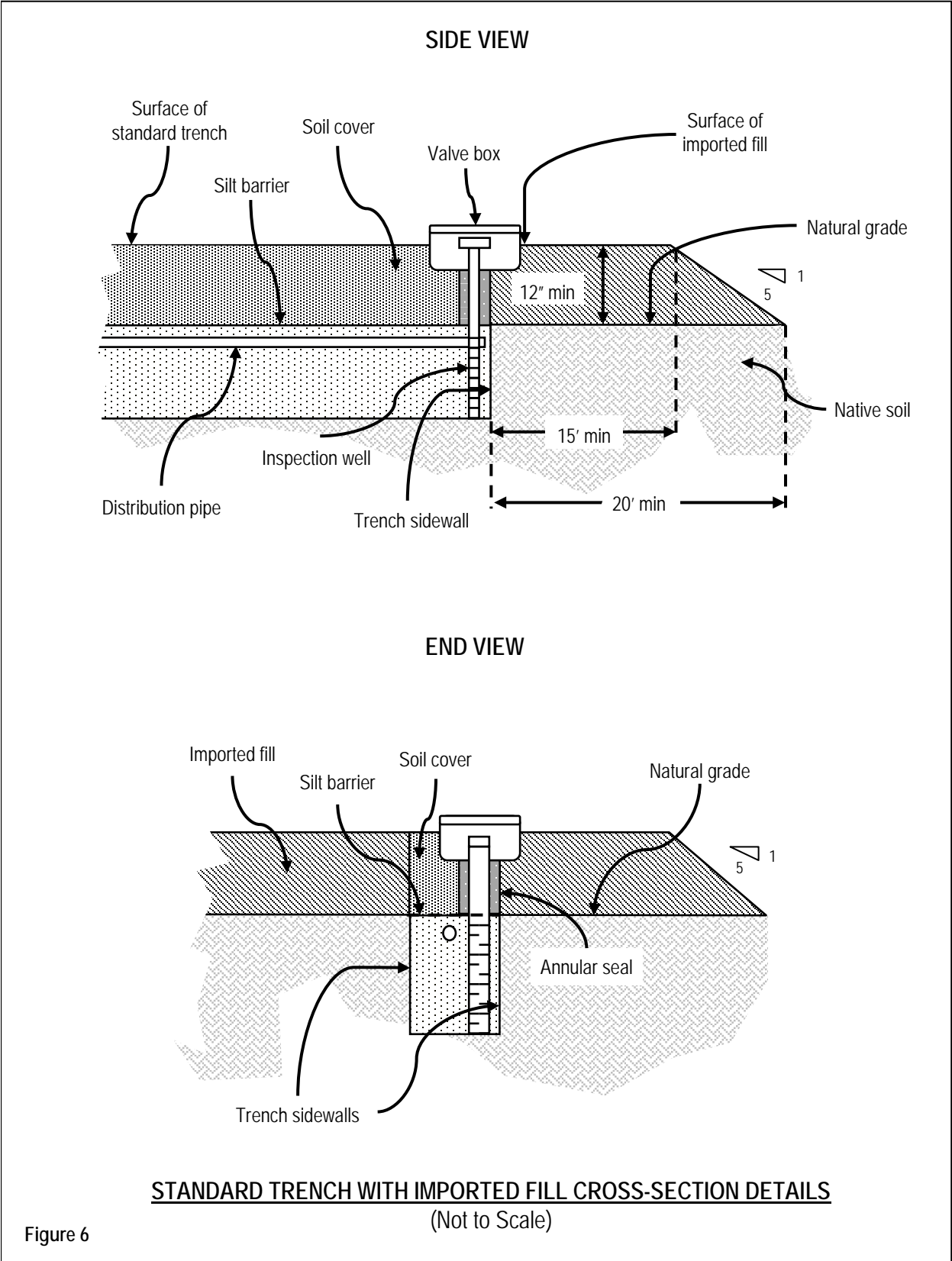
A = Effective width of distribution bed
 W = Total width of distribution bed

AT-GRADE BED CROSS-SECTION DETAILS
 (Not to Scale)

Figure 3







b. Depth to groundwater. The minimum depth from the natural grade to the anticipated highest seasonal level of groundwater is 3 feet unless the mound will be used in an alternative onsite wastewater treatment system, in which case the minimum depth to the anticipated highest seasonal level of groundwater is 2 feet.

c. Soil depth. The minimum depth of permeable soil over bedrock or an impermeable soil layer is 3 feet unless the mound will be used in an alternative onsite wastewater treatment system, in which case the minimum depth of permeable soil over bedrock or an impermeable soil layer is 2 feet. On sloping sites, permeable soil that is at least 2 feet in depth will extend a horizontal distance of no less than 25 feet down gradient from the edge of the perimeter of the distribution bed.

d. Natural ground slope. The maximum natural ground slope of the site of a disposal field containing a mound is 20 percent if the soil has a percolation rate of 1 to 60 MPI and 6 percent if the soil has a percolation rate slower than 60 MPI.

2. Disposal field with at-grade bed.

a. General. A disposal field containing an at-grade bed may be constructed only in an area that conforms to the applicable site criteria in Section 200 of these Regulations and the site criteria in this Subsection 405.B.2., except that in the event specifications conflict, the specification in this Subsection 405.B.2. will control.

b. Depth to groundwater. The minimum depth from the natural grade to the anticipated highest seasonal level of groundwater is 3 feet unless the at-grade bed will be used in an alternative onsite wastewater treatment system, in which case the minimum depth to the anticipated highest seasonal level of groundwater is 2 feet.

c. Soil depth. The minimum depth of permeable soil over bedrock or an impermeable soil layer is 3 feet unless the at-grade bed will be used in an alternative onsite wastewater treatment system, in which case the minimum depth of permeable soil over bedrock or an impermeable soil layer is 2 feet. On sloping sites, permeable soil that is at least 2 feet in depth must extend a horizontal distance of no less than 25 feet down gradient from the edge of the perimeter of the distribution bed.

d. Natural ground slope. The maximum natural ground slope of the site of a disposal field containing an at-grade bed is 20 percent.

3. Dripfield.

a. General. A dripfield may be constructed only in an area that conforms to the applicable site criteria in Section 200 of these Regulations and the site criteria in this Subsection 405.B.3., except that in the event specifications conflict, the specification in this Subsection 405.B.3. will control.

b. Depth to groundwater. The minimum depth from the natural grade to the anticipated highest seasonal level of groundwater is 2 feet.

c. Soil depth. The minimum depth of permeable soil over bedrock, an impermeable soil layer, or fractured, permeable bedrock is 2 feet.

4. Disposal field with pressure-dosed trench. A disposal field containing a pressure-dosed trench may be constructed only in an area that conforms to the applicable site criteria in Section 200 of these Regulations.

5. Disposal field with pressure-dosed sand trench.

a. General. A disposal field containing a pressure-dosed sand trench may be constructed only in an area that conforms to the applicable site criteria in Section 200 of these Regulations and the site criteria in this Subsection 405.B.5., except that in the event specifications conflict, the specification in this Subsection 405.B.5. will control.

b. Depth to groundwater. The minimum depth to the anticipated highest seasonal groundwater level below the bottom of a pressure-dosed sand trench used in an alternative onsite wastewater treatment system is 2 feet.

c. Soil depth. The minimum depth of permeable soil below the bottom of a pressure-dosed sand trench is 2 feet.

6. Disposal field with pressure-dosed shallow trench.

a. General. A disposal field containing a pressure-dosed shallow trench may be constructed only in an area that conforms to the applicable site criteria in Section 200 of these Regulations and the site criteria in this Subsection 405.B.6., except that in the event specifications conflict, the specification in this Subsection 405.B.6. will control.

b. Soil depth. The minimum depth of permeable soil under the bottom of a pressure-dosed shallow trench used in an alternative wastewater treatment system is 2 feet.

c. Percolation rate. The percolation rate of the soil below a pressure-dosed shallow trench, and of the soil within 25 feet down gradient from the edge of the last proposed trench in the disposal field, must be no slower than 120 MPI.

7. Disposal field with imported fill.

a. General. A disposal field containing imported fill may be constructed only in an area that is described in Subsections 405.A.3., 405.B.4, 405.B.5 or 405.B.6., whichever is applicable, and that conforms to the site criteria in this Subsection 405.B.7., except that in the event specifications conflict, the specification in this Subsection 405.B.7. will control.

b. Natural ground slope. In a disposal field containing a standard trench and imported fill, the maximum natural ground slope is 12.5 percent. In all other disposal fields containing imported fill, the maximum natural ground slope is 20 percent.

c. Percolation rate. In a disposal field with a standard trench and imported fill, the percolation rate must be no slower than 60 MPI. In all other disposal field containing imported fill, the percolation rate must be no slower than 120 MPI.

C. Design criteria.

1. Distribution system.

a. General. Except for a disposal field that contains a standard trench and imported fill, all non-standard disposal fields must have pressure distribution.

b. Operational standards. A pressure distribution system that serves a disposal field must be designed to achieve all of the following minimum operational standards:

(1) Uniform dosing of effluent per lineal foot of trench or, in a mound or at-grade bed, over the surface application area of the distribution bed;

(2) A flow rate that is adequate to maintain a 3-foot squirt height;

(3) Screening of effluent to preclude accumulation of solids in distribution pipes or tubing and clogging of discharge orifices;

(4) Dosing volume of a minimum of three doses per day at design flow conditions or, in drip dispersal systems, a volume that is adequate to fully pressurize the dripline or each zone thereof; and

(5) In drip dispersal systems, the automatic flushing of the pump tank filter and driplines at regular intervals. The pump tank filter must be flushed for at least 15 seconds at the end of every 10th pump cycle. Driplines must be flushed at least every 200th pump cycle.

c. Materials/components. A pressure distribution system must include the following components to create and utilize pressure to distribute effluent to the disposal field:

(1) Dosing device. Either a pump or dosing siphon that meets the following specifications may be used:

(a) Pump. The pump must be of the size and type to produce the required network discharge, achieve a 3-foot squirt height and achieve the minimum dose required by the network, designed to achieve the applicable total dynamic head and include all of the following:

i. A “hand-off-auto” (HOA) switch.

- ii. An attached float tree and floats to control the starting and stopping of pump operations.
- iii. A pump intake that is set a minimum of 4 inches above the dosing tank bottom.

(b) Dosing siphon. The dosing siphon must be of the size and type to produce the required network discharge, achieve a 3-foot squirt height and achieve the minimum dose required by the network. Battery-operated digital counters must be installed with all dosing siphons.

(2) Pump tank. Except for pump tanks contained in proprietary supplemental treatment units, a pump tank must be watertight, separate from the septic tank, and comply with the following specifications:

(a) Size. The minimum capacity of the tank must be 750 gallons and accommodate at least the design daily sewage flow.

(b) Certification. The tank must be IAPMO-certified.

(c) Access. The tank must have a minimum 24-inch diameter manhole.

(d) Sensor. The tank must be equipped with a high water sensing device.

(e) Pipes/conduits. All pipes and electrical conduits passing through the tank must be precast into the tank or sealed with gas-tight compression connectors.

(f) Filter. If the pressure distribution system serves a dripfield, the tank must contain a filtering device capable of filtering particles larger than 100 microns.

(g) Other. A union, swing check valve and double wedge gate valve must be mounted in this order (away from the pump) either inside the tank or adjacent to the tank in an access box.

(3) Pressure piping. Piping used in pressure distribution systems must be Schedule 40 PVC pipe with a minimum inside diameter of 1 inch.

(a) Force main. The force main from a pump tank must be equipped with an inspection port.

(b) Perforated pipe. A perforated pipe orifice must have a minimum diameter of 1/8th of an inch. Orifices must be clear of any burrs, drilling fines or other obstructions. In trenches utilizing drain rock, orifices may be placed pointing up or down, and individual orifice shields must be used if orifices point up. If bundled EPS or chambers are used, orifices must be placed pointing up, and no orifice shields are required.

(4) Electrical features. The following electrical features must be included in the design of a pressure distribution system that will serve a disposal field:

(a) An outdoor rated control box containing fused disconnect and motor protection switches, mounted on the structure served or mounted on a pipe stand or wooden post.

(b) PVC electrical conduit. Separate conduits must be provided for control wire and power supply. All conduits passing through a riser must be sealed with gas-tight compression connectors.

(c) Separate circuits with individual breakers at the main panel to serve the control panel alarm and pump.

(d) High water audible and visual alarms, mounted on the structure served or on a pipe stand or wooden post within five feet of the structure served.

(5) Other.

(a) A minimum 8-inch valve box, made of plastic or other durable material, must be installed to allow access for inspection, testing and adjustment of devices installed in the box.

(b) Gate valves must be installed within the access valve box to allow setting of orifice squirt heights.

(c) Purge valve assemblies must be installed at the end of each distribution pipe and placed within the access valve box.

2. Disposal field with mound.

a. General. The design of a disposal field containing a mound must conform to all applicable specifications set forth in this Subsection 405.C.2.

b. Distribution bed.

(1) Minimum area. The minimum distribution bed area is determined by dividing the design daily sewage flow rate of the structure(s) to be served by the onsite wastewater treatment system by 1.2 gallons per day per square foot (gpd/ft²) in a mound that will serve a residential dwelling and 1.0 gpd/ft² in a mound that will serve a non-residential structure.

(2) Dimensions.

(a) Length. The distribution bed must be designed to be long and narrow. The length of a distribution bed is determined based on the required distribution bed area, site conditions and width restrictions set forth in these Regulations.

(b) Width.

- i. Minimum. There must be a minimum of 36 inches of distribution bed width for every distribution pipe.
- ii. Maximum. The maximum width of the distribution bed is based on the slope of the site of the proposed disposal field and must conform to Table 3 below.

Table 3	
Maximum Width of Mound Distribution Bed	
Slope %	Bed Width (Feet)
$0 \leq x \leq 12$	10
$12 < x \leq 13$	9
$13 < x \leq 14$	8
$14 < x \leq 16$	7
$16 < x \leq 18$	6
$18 < x \leq 20$	5

x=slope of the site of the proposed disposal field

(c) Depth. The distribution bed material must extend from a minimum of 6 inches below the invert of the distribution pipe to a minimum of 2 inches above the top of the distribution pipe.

(3) Linear loading rate. The linear loading rate of the distribution bed is determined by dividing the design daily sewage flow by the length of the distribution bed. The linear loading rate of the distribution bed must not exceed the applicable maximum linear loading rate set forth in Table 4 below.

(4) Level. The bottom and toe of the distribution bed must be level (not drop below more than 0.25 feet per 100 feet). The downslope side of the distribution bed must be parallel to the slope contour.

(5) Material. Distribution bed material must be double-washed rock, 3/8-inch to 2 inches in diameter, with less than one percent by volume of fines (materials passing through the number 100 mesh).

(6) Number. A mound may contain more than one distribution bed under the following conditions:

- (a) The beds are separated by a minimum of 6 feet;
- (b) The beds are installed on a contour;

(c) The space between the distribution beds is filled with sand;

(d) The beds are designed to provide for automatic alternate dosing and resting of the beds.

c. Sand bed.

(1) General. A sand bed forms the base of a mound, and extends from the natural grade vertically to the bottom of the distribution bed(s) and laterally from the sides of the distribution bed(s).

(2) Effective application area.

(a) Defined. The effective application area of a mound is that portion of sand-native soil interface at the base of the mound that can accept and absorb effluent. In a disposal field located on a site that is level or has a slope equal to or less than 2 percent, the entire sand-native soil interface is the effective application area of a mound. On all other sites, the effective application area includes the portions of the sand-native soil interface that are immediately below and downslope of the distribution bed.

(b) Minimum effective application area. The effective application area of a mound is equal to or greater than the area determined by dividing the design daily sewage flow rate of the structure(s) to be served by the onsite wastewater treatment system by the applicable wastewater loading rate set forth in Table 5 below.

Table 4

Maximum Mound Linear Loading Rates (GPD/LF)

Soil Depth = < 2.5 ft									
Percolation Rate (MPI)	Ground Slope %								
	2<y≤5	5<y≤6	6<y≤8	8<y≤10	10<y≤12	12<y≤14	14<y≤16	16<y≤18	18<y≤20
1≤x≤5	9	9	11	12	12	12	12	12	12
5<x≤10	8	8	10	11	12	12	12	12	12
10<x≤20	7	7	9	10	11	12	12	12	12
20<x≤30	6	6	8	9	10	11	12	12	12
30<x≤40	5	5	7	8	9	10	11	12	12
40<x≤50	4	4	6	7	8	9	10	11	12
50<x≤60	3	3	5	6	7	8	9	10	11
60<x≤90	3	3	NP	NP	NP	NP	NP	NP	NP
90<x≤120	3	3	NP	NP	NP	NP	NP	NP	NP
Soil Depth = 2.5 ft to 3.0 ft									
Percolation Rate (MPI)	Ground Slope %								
	2<y≤5	5<y≤6	6<y≤8	8<y≤10	10<y≤12	12<y≤14	14<y≤16	16<y≤18	18<y≤20
1≤x≤5	10	11	12	12	12	12	12	12	12
5<x≤10	9	10	11	12	12	12	12	12	12
10<x≤20	8	9	10	11	12	12	12	12	12
20<x≤30	7	8	9	10	11	12	12	12	12
30<x≤40	6	7	8	9	10	11	12	12	12
40<x≤50	5	6	7	8	9	10	11	12	12
50<x≤60	4	5	6	7	8	9	10	11	12
Soil Depth = > 3.0 ft									
Percolation Rate (MPI)	Ground Slope %								
	2<y≤5	5<y≤6	6<y≤8	8<y≤10	10<y≤12	12<y≤14	14<y≤16	16<y≤18	18<y≤20
1≤x≤5	11	12	12	12	12	12	12	12	12
5<x≤10	10	11	12	12	12	12	12	12	12
10<x≤20	9	10	11	12	12	12	12	12	12
20<x≤30	8	9	10	11	12	12	12	12	12
30<x≤40	7	8	9	10	11	11	12	12	12
40<x≤50	6	7	8	9	10	10	11	12	12
50<x≤60	5	6	7	8	9	9	10	11	12

GPD/LF = gallons per day per linear foot

MPI = minutes per inch

NP = not permitted

x = percolation rate of the site of the proposed disposal field

y = slope of the site of the proposed disposal field

Table 5	
Wastewater Loading Rates for Mound Sand-Native Soil Interface	
Percolation Rate (MPI)	Wastewater Loading Rate (GPD/FT ²)
1 ≤ x ≤ 30	1.2
30 < x ≤ 90	1.5 x Appendix 2 WLR*
90 < x ≤ 120	0.2

MPI = minutes per inch

x = percolation rate of the site of the proposed disposal field

GPD/FT² = gallons per day per square foot

*Appendix 2 WLR = applicable wastewater loading rate from Appendix 2

(3) Dimensions.

(a) Depth. There must be a minimum of 12 inches of sand below the distribution bed unless the percolation rate of the site of the proposed disposal field is faster than 10 MPI, in which case the minimum depth of sand below the distribution bed must be 24 inches.

(b) Lateral dimensions.

- i. Level sites. On sites that are level or have slopes equal to or less than 2 percent, the sand bed must extend laterally as follows:
 - (i) Sand shoulder. The sand must extend horizontally from all sides of the distribution bed, level with the top of the distribution bed, by a minimum of 1 foot.
 - (ii) Sand run out. The sand must extend laterally from the sand shoulder at a maximum slope of 3 horizontal to 1 vertical in all directions.
- ii. Sloping sites. On sites with slopes greater than 2 percent, the sand bed must extend laterally as follows:
 - (i) Sand shoulder. The sand must extend horizontally from all sides of the distribution bed, level with the top of the distribution bed, by a minimum of 1 foot in the upslope direction, 2 feet in the downslope direction, and 2 feet in each longitudinal (side) direction.

(ii) Sand run out. The sand must extend laterally from the sand shoulder at a maximum slope of 3 horizontal to 1 vertical in all directions.

(4) Material. The sand used to construct the sand bed must meet all applicable sand specifications set forth in **Appendix 4**, attached hereto and incorporated herein.

(5) Separation. The effective application area of a mound may not overlap the effective application area of another mound.

d. Distribution system.

(1) Length. The length of distribution pipe to be installed in a distribution bed in a mound is determined in accordance with industry standards based on the design daily sewage flow of the structure(s) to be served and linear loading rate of the distribution bed.

(2) Separation. Distribution pipes must be equidistant from each other. There must be a minimum separation between an end of a distribution pipe and an end of the distribution bed of 1 foot or one-half the distance between two perforations in the distribution pipe, whichever is greater. On sites that are level or have slopes equal to or less than 2 percent, there must be a minimum 24-inch separation between a distribution pipe and the long sides of the distribution bed. On sites with slopes greater than 2 percent, there must be a minimum 12-inch separation between a distribution pipe and the upslope side of the distribution bed, and a minimum 24-inch separation between a distribution pipe and the downslope side of the distribution bed.

(3) Distribution pipe must be on contour and level to within a tolerance of 3 inches in 100 feet.

e. Silt barrier. The distribution bed must be covered in its entirety with a silt barrier that conforms to the specifications in Subsection 404.G.2. of these Regulations.

f. Soil cover.

(1) General. A continuous cover material must be placed over the entire distribution bed, sand shoulder and sand run out.

(2) Material. Cover material must conform to the specifications in Subsection 404.H.2. of these Regulations.

(3) Dimensions.

(a) Depth. A minimum of 12 inches and a maximum of 18 inches of cover material must be placed over the silt barrier and crowned to promote rainfall runoff. A minimum of 12 inches of cover material must be placed over the sand shoulder and sand run out.

The cover material must have a consistent depth over the sand shoulder and sand run out and the surface must be smooth with no depressions.

(b) Lateral extension. The cover material must extend a minimum of 3 feet beyond the perimeter edge of the sand fill in all directions.

g. Monitoring wells.

(1) Inspection wells. Two inspection wells must be installed within a mound, as follows:

(a) One well must be located near the center of the mound, extending from the mound surface to the bottom of the distribution bed. Perforations must begin at the top of the distribution bed and extend to the bottom of the well.

(b) One well must be located within the sand bed, extending from the mound surface to 6 inches into the native soil. Perforations must begin at the top of the sand bed and extend to the bottom of the well.

(2) Performance wells. Four performance wells must be installed outside the perimeter of the mound. One well must be located at the midpoint of each side of the mound, 5 to 10 feet from the toe, and extending from the natural grade to a depth of 5 feet or to an impermeable layer, whichever is less. Perforations must begin at a depth of 12 inches below the natural grade and extend to the bottom of the well.

(3) Materials. Monitoring wells must conform to the specifications in Subsection 404.I.2. of these Regulations, except that perforations must begin and end as specified above in Subsections 405.C.2.g.(1) and (2) of these Regulations.

3. Disposal field with at-grade bed.

a. General. The design of an at-grade bed must conform to all applicable specifications in this Subsection 405.C.3.

b. Distribution bed.

(1) Effective application area.

(a) Defined. The effective application area of an at-grade bed is that portion of the distribution bed-native soil interface at the base of the at-grade bed that can accept and absorb effluent. In a disposal field located on a site that is level, the effective application area is the entire distribution bed-native soil interface. On all other sites, the effective application area of an at-grade bed is that portion of the base of the distribution bed that interfaces with the native soil below and down-slope of the distribution pipe adjacent to the upslope edge of the bed.

(b) Minimum effective application area. The effective application area of an at-grade bed is equal to or greater than the area determined by dividing the design daily sewage flow rate of the structure(s) to be served by the onsite wastewater treatment system by the wastewater loading rate of the distribution bed.

(2) Wastewater loading rate. The wastewater loading rate of the distribution bed in an at-grade bed is determined in accordance with Appendix 3. The maximum wastewater loading rate of a distribution bed in an at-grade bed that will serve a residential dwelling will be 1.2 gpd/ft². In an onsite wastewater treatment system that will serve a non-residential structure, the maximum wastewater loading rate is 1.0 gpd/ft².

(3) Dimensions.

(a) Length. A distribution bed must be long and narrow. The length of the basal area of a distribution bed is determined based on the required distribution bed area, site conditions and width restrictions set forth in these Regulations.

(b) Width. Maximum. The maximum width of the distribution bed basal area is 10 feet.

(c) Depth. The distribution bed material must extend from a minimum of 6 inches below the invert of the distribution pipe to a minimum of 2 inches above the top of the distribution pipe.

(4) Linear loading rate. The linear loading rate of a distribution bed is determined by dividing the design daily sewage flow by the length of the distribution bed. The linear loading rate of the distribution bed in an at-grade bed on any site must not exceed 10 gpd/lf. The linear loading rate of the distribution bed in at-grade beds on sloping sites must not exceed the applicable linear loading rates in Table 6 below.

(5) Level. The distribution bed must follow the natural contour of the ground and must be level (not drop more than 0.25 feet per 100 feet).

(6) Material. Distribution bed material must be double-washed rock, 3/8-inch to 2 inches in diameter, with less than one percent by volume of fines (materials passing through the number 100 mesh).

(7) Number. An at-grade bed may contain multiple distribution beds if the basal areas of the beds are separated by a minimum of 5 feet.

Table 6		
Maximum At-Grade Bed Linear Loading Rates (GPD/LF)		
Soil Depth = < 3 ft		
Percolation Rate (MPI)	Ground Slope %	
	0<y≤10	10<y≤20
1≤x≤30	5	6
30<x≤60	4	5
60<x≤120	3	4
Soil Depth = 3.0 ft to 4.0 ft		
Percolation Rate (MPI)	Ground Slope %	
	0<y≤10	10<y≤20
1≤x≤30	7	8
30<x≤60	6	7
60<x≤120	5	9
Soil Depth = > 4.0 ft to 5.0 ft		
Percolation Rate (MPI)	Ground Slope %	
	0<y≤10	10<y≤20
1≤x≤30	9	10
30<x≤60	8	9
60<x≤120	7	8
Soil Depth = > 5.0 ft		
Percolation Rate (MPI)	Ground Slope %	
	0<y≤10	10<y≤20
1≤x≤30	10	10
30<x≤60	10	10
60<x≤120	9	10

GPD/LF = gallons per day per linear foot

MPI = minutes per inch

x = percolation rate of the site of the proposed disposal field

y = slope of the site of the proposed disposal field

c. Distribution system.

(1) Length. The length of distribution pipe to be installed in a distribution bed in an at-grade bed is determined in accordance with industry standards based on the design daily sewage flow of the structure(s) to be served and linear loading rate of the distribution bed.

(2) Separation. Distribution pipes must be equidistant from each other. There must be a minimum 24-inch separation between distribution pipes and all sides of the distribution bed.

(3) Distribution pipe must be on contour and level to within a tolerance of 3 inches in 100 feet.

d. Silt barrier. The distribution bed must be covered in its entirety with a silt barrier that conforms to the specifications in Subsection 404.G.2. of these Regulations.

e. Soil cover.

(1) Material. The cover material must conform to the specifications in Subsection 404.H.2. of these Regulations.

(2) Depth. A minimum of 12 inches and maximum of 18 inches of cover material must be placed on the top of the distribution bed. The soil cover over the distribution bed must be crowned to promote rainfall runoff.

(3) Lateral Extension. The cover material must extend a minimum of 5 feet beyond all perimeter edges of the distribution bed at a maximum slope of 3 horizontal to 1 vertical in all directions. On sites with slopes greater than 2 percent, the cover material must extend beyond the downslope edge of the distribution bed in accordance with Table 7 below.

Table 7	
At-Grade Bed Lateral Extension of Cover Material	
Disposal Field Slope %	Minimum Extension of Cover Material (Feet)
$2 < x \leq 4$	6
$4 < x \leq 6$	8
$6 < x \leq 8$	10
$8 < x \leq 10$	12
$10 < x \leq 12$	14
$12 < x \leq 16$	16
$16 < x \leq 20$	20

x = slope of the site of the proposed disposal field

f. Monitoring wells.

(1) Inspection wells. One inspection well must be installed within an at-grade bed near the center of the distribution bed, extending from the surface of the at-grade bed to the bottom of the distribution bed.

(2) Performance wells. Four performance wells must be installed outside the perimeter of the at-grade bed. One well must be located at the midpoint of each side of the at-grade bed, 5 to 10 feet from the toe, and extending from the natural grade to a depth of 5 feet or to an impermeable layer, whichever is less.

(3) Materials. Monitoring wells must conform to the specifications in Subsection 404.I.2. of these Regulations, except that perforations must begin at the top of the distribution bed and extend to the bottom of the pipe.

4. Dripfield.

a. General. The design of a dripfield must conform to all applicable specifications in this Subsection 405.C.4.

b. Area. The minimum absorption area of a dripfield is determined by dividing the design daily sewage flow rate of the structure(s) to be served by the onsite wastewater treatment system by the applicable wastewater loading rate set forth in Appendix 3.

c. Trench dimensions.

(1) Depth. A dripfield trench must be a minimum of 6 inches and a maximum of 12 inches in depth.

(2) Bottom. The bottom of a dripfield trench must be level to within a tolerance of 3 inches in 100 feet and installed on contour.”

d. Dripline.

(1) Material. Wastewater quality dripline must have a minimum 45 mil tubing wall thickness and bacterial growth inhibitors.

(2) Location. Dripline must be installed at the bottom of the dripfield trench and extend the entire length of the trench, from the supply manifold to the return manifold.

(3) Length. Dripline length is measured from the supply to return manifolds. The length of dripline to be installed must conform to specifications by the dripline manufacturer and be based on design daily sewage flow, design pressure, the number of emitters and emitter flow.

(4) Emitters. Emitters must be separated by a minimum of 12 inches and maximum of 24 inches. The application area per emitter, in square feet, is calculated by multiplying the number of feet between emitters by two. Example: If there are 2 feet between emitters, the application area is $2 \times 2 = 4$ square feet.

(5) Spacing. Dripline separation must be no less than the separation between emitters. The first and last emitters must be no closer than 12 inches from a manifold.

(6) Zones. Two or more dripline zones may be created by installing lengths of dripline separated by valves in lieu of one continuous dripline.

e. Soil cover.

(1) General. Cover material must be placed on top of the dripline. The top layer of the cover material must be level with the natural grade.

(2) Material. Cover material must conform to the specifications in Subsection 404.H.2. of these Regulations.

f. Monitoring wells.

(1) Inspection well. One inspection well must be installed near the middle of the dripfield, equidistant between two driplines. The well must extend from the natural grade to a minimum depth of 24 inches and maximum depth of 36 inches.

(2) Performance wells. Four performance wells must be installed around a dripfield. The wells must extend from the natural grade to a minimum depth of 24 inches and maximum depth of 36 inches. The wells must be located 5 to 10 feet from each side of the dripfield.

(3) Materials. Monitoring wells must conform to the specifications in Subsection 404.I.2. of these Regulations, except that perforations must begin at a depth of 12 inches below grade and extend to the bottom of the pipe.

g. Dual dripfields. If primary and secondary dripfields are installed, doses must be automatically distributed to each dripline in each dripfield, or to each zone within each dripfield.

5. Disposal field with pressure-dosed trench.

a. General. The design of a disposal field containing a pressure-dosed trench must conform to the specifications in this Subsection 405.C.5. and the specifications required under Subsections 404.B., 404.C., 404.D., 404.E., 404.G., 404.H. and 404.I., except that in the event specifications conflict, the specification in this Subsection 405.C.5. will control.

b. Distribution system. Distribution pipe must be on contour and level to within a tolerance of 3 inches in 100 feet. If chambers are used, distribution pipe must be suspended inside the top of the chambers.

c. Soil cover. Minimum cover depths are determined based on the slope of the disposal field and percolation rate, in accordance with Table 8 below.

Table 8		
Pressure-Dosed Trench Cover Requirements (Inches)		
Ground Slope %	Percolation Rate (MPI) $1 \leq y \leq 30$	Percolation Rate (MPI) $30 < y \leq 120$
$0 \leq x \leq 10$	12	12
$10 < x \leq 15$	12	12
$15 < x \leq 20$	12	12
$20 < x \leq 30$	15	18

x= slope of the site of the proposed disposal field
y- percolation rate of the site of the proposed disposal field
MPI – minutes per inch

6. Disposal field with pressure-dosed sand trench.

a. General. The design of a disposal field containing a pressure-dosed sand trench must conform to the specifications in this Subsection 405.C.6. and the specifications applicable to disposal fields containing pressure-dosed trenches under Subsection 405.C.5. of these Regulations, except that in the event specifications conflict, the specification in this Subsection 405.C.6. will control.

b. Area. The minimum absorption area of a disposal field containing a pressure-dosed sand trench is determined by dividing the design daily sewage flow rate of the structure(s) to be served by the onsite wastewater treatment system by the wastewater loading rate at the sand-soil interface.

c. Wastewater loading rate. The wastewater loading rate at the sand-native soil interface is determined in accordance with Appendix 3. The maximum wastewater loading rate at the sand-native soil interface in a pressure-dosed sand trench that will serve a residential dwelling is 1.2 gpd/ft². In an onsite wastewater treatment system that will serve a non-residential structure, the maximum wastewater loading rate at the sand-soil interface is 1.0 gpd/ft².

d. Trench dimensions.

(1) Depth. The maximum depth of a pressure-dosed sand trench is 60 inches.

(2) Width. The minimum width of a pressure-dosed sand trench is 12 inches.

(3) Bottom. The bottom of the trench must be level to within a tolerance of 2 inches in 100 feet.

e. Sand fill.

(1) Material. The sand media must have a medium to coarse texture and meet the gradation specifications set forth in Appendix 4.

(2) Depth. The minimum depth of sand below the drain media is 12 inches unless the pressure-dosed sand trench is used in an alternative onsite wastewater treatment system, in which case the minimum sand depth is 6 inches.

f. Drain media. In pressure-dosed sand trenches that utilize drain rock, the drain rock must extend from at least 6 inches below the invert of the distribution pipe to at least 2 inches above the top of the distribution pipe. If chambers are used, a single layer of chambers must be placed on top of the sand fill.

g. Silt barrier. Drain rock must be covered in its entirety with a silt barrier conforming to the specifications in Section 404.G.2. of these Regulations.

h. Soil cover. Minimum cover depths are determined based on the slope and percolation rate of the disposal field, in accordance with Table 9 below.

Table 9		
Pressure-Dosed Sand Trench Cover Requirements (Inches)		
Ground Slope %	Percolation Rate (MPI) $1 \leq y \leq 30$	Percolation Rate (MPI) $30 < y \leq 120$
$0 \leq x \leq 20$	12	12
$20 < x \leq 30$	15	18

x = slope of the site of the proposed disposal field
y = percolation rate of the site of the proposed disposal field
MPI = minutes per inch

i. Monitoring wells.

(1) Inspection wells. Two inspection wells must be installed in each trench, as follows:

(a) One well must extend from the natural grade to the drain media-sand interface. This well must be perforated only where it contacts drain media.

(b) One well must extend from the natural grade to the sand-native soil interface. This well must be perforated only where it contacts sand.

(2) Performance wells. A minimum of two performance wells must be installed, as follows:

(a) One well must be installed 5 feet upgradient of the edge of a disposal trench, 5 to 10 feet from the trench and extending to the depth of the trench. Perforations must begin at the top of the soil cover and end at the bottom of the well.

(b) One well must be installed 10 feet downgradient of the edge of a disposal trench, 5 to 10 feet from the trench and extending to the depth of the trench. Perforations must begin at the top of the soil cover and end at the bottom of the well.

7. Disposal fields with pressure-dosed shallow trenches.

a. General. The design of a disposal field containing a pressure-dosed shallow trench must conform to the specifications in this Subsection 405.C.7. and the specifications applicable to disposal fields containing pressure-dosed trenches under Subsection 405.C.5. of these Regulations, except that in the event specifications conflict, the specifications in this Subsection 405.C.7. will control.

b. Area. The minimum absorption area of a disposal field containing a pressure-dosed shallow trench is calculated by dividing the design daily sewage flow of the structure(s) to be served by the onsite wastewater treatment system by the applicable wastewater loading rate set forth in Appendix 3.

c. Trench dimensions.

(1) Depth. The maximum depth of a pressure-dosed shallow trench is 60 inches.

(2) Spacing. The minimum space between the centers of two pressure-dosed shallow trenches is as follows:

(a) 6 feet on slopes \leq 12.5 percent.

(b) 7 feet on slopes $>$ 12.5 percent and \leq 16 percent.

(c) 8 feet on slopes $>$ 16 percent and \leq 20 percent.

(d) 9 feet on slopes $>$ 20 percent and \leq 25 percent.

(e) 10 feet on slopes $>$ 25 percent.

d. Distribution system. The maximum dose to a pressure-dosed shallow trench is 125 gallons for onsite wastewater treatment systems that will serve a residential dwelling and 150 gallons for all other systems.

8. Disposal field with imported fill.

a. General.

(1) Imported fill may be used to raise the level of the surface of a proposed disposal field that will utilize one of the following types of disposal trenches and no other means of final distribution:

- (a) Standard trench.
- (b) Pressure-dosed trench.
- (c) Pressure-dosed sand trench.
- (d) Pressure-dosed shallow trench.

(2) The design of a disposal field that utilizes imported fill must conform to the design specifications in this Subsection 405.C.8. and the design specifications in either Subsection 404 of these Regulations (standard disposal fields), Subsection 405.C.5. of these Regulations (disposal fields with pressure-dosed trenches), Subsection 405.C.6. of these Regulations (disposal fields with pressure-dosed sand trenches), or Subsection 405.C.7. of these Regulations (disposal fields with pressure-dosed shallow trenches), whichever are applicable. In the event specifications conflict, the specifications in this Subsection 405.C.8. will control.

b. Material. Imported fill must be soil that is similar in texture to the native soil or any medium loamy textured soil.

c. Dimensions.

(1) Depth. A minimum of 12 inches of imported fill must be placed over the entire disposal field prior to trench excavation.

(2) Lateral extension. In disposal fields with pressurized trenches and imported fill, the fill must extend a minimum of 10 feet from each trench edge, and then taper to the natural grade at not less than a 5:1 ratio. In disposal fields with standard trenches and imported fill, the fill must extend a minimum of 15 feet from each trench edge and then taper to the natural grade at not less than a 5:1 ratio. In all disposal fields with imported fill on sites with slopes greater than 2 percent, the fill must extend an additional 5 feet downslope from the downslope edge of each trench.

d. Trenches. The section of trench extending from the top of the drain media to the bottom of the trench must be constructed entirely in native soil.

e. Soil cover. The top layer of the cover material must be level with the top of the imported fill.

406. Reserve Areas; Secondary Disposal Fields.

A. General.

1. Residential systems. A reserve area must be designated for future replacement of a disposal field in an onsite wastewater treatment system that will serve a residential dwelling if the system does not have dual disposal fields.

2. Non-residential systems. An onsite wastewater treatment system that will serve a non-residential structure must have dual disposal fields. A reserve area must be designated for future replacement of both disposal fields.

B. Reserve Area. A reserve area may be designated on a site if it conforms to the site criteria in Section 200 and Subsection 405.B. of these Regulations that are applicable to the proposed disposal field. A reserve area must be equivalent in size to that of the proposed disposal field in a residential system and large enough to allow construction of replacement dual disposal fields in a non-residential system.

C. Dual Disposal Fields. If a system has dual disposal fields, one disposal field must be the primary disposal field and the second must be the secondary disposal field. Primary and secondary disposal fields must each conform to all of the design requirements applicable to a single disposal field. Except for dual dripfields, dual disposal fields must have a ball-type Schedule 80 diversion valve to alternate use of the primary and secondary disposal fields on a rotational basis, and each of the disposal fields may be operated continuously for a period not less than six months and no more than one year.

D. Separation. A reserve area and a disposal field may not overlap. A primary disposal field and a secondary disposal field may not overlap.

SECTION 500. ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEMS

501. General.

A. Authorized Supplemental Treatment Units. An alternative onsite wastewater treatment system may include any authorized supplemental treatment unit. Authorized supplemental treatment units are intermittent sand filters, recirculating sand filters and proprietary units.

B. Site Criteria. An alternative onsite wastewater treatment system must conform to all applicable site criteria set forth in Section 200 or Subsection 405.B. of these Regulations.

C. Findings.

1. The health officer may make the finding set forth in Section 420-6.810, subsection (a)(4)(A), of the Ordinance based on a report from the owner of the water source that a sample taken from the public water source has:

- a. An absence of fecal coliform and *Escherichia coli*; and
- b. A nitrate concentration that does not exceed 10 milligrams per liter measured as nitrogen (mg/L).

2. The health officer may make the finding set forth in Section 420-6.810, subsection (a)(4)(B), of the Ordinance based on any of the following:

- a. Topographical features exist that would minimize migration of effluent to the public water source;
- b. The soil in the area of the proposed disposal field is deeper than the required minimum depth of soil;
- c. The percolation rate of the soil in the area of the proposed disposal field is greater than 5 MPI; or
- d. The depth to groundwater conforms to the requirements in Table 1.

502. Design Specifications.

A. Intermittent Sand Filters.

1. General.

a. An intermittent sand filter provides supplemental treatment of septic tank effluent by directing it through the sand filter once before delivery to a disposal field.

b. The design of an intermittent sand filter must conform to all applicable specifications in this Section 502.

2. Maximum wastewater strength. Wastewater applied to an intermittent sand filter must not exceed any of the following:

- a. Five-day biochemical oxygen demand of 300 parts per million (ppm).
- b. Total suspended solids of 150 ppm.
- c. Grease/oil level of 25 ppm.

3. Area. The minimum distribution area of an intermittent sand filter is calculated by dividing the design daily sewage flow of the structure(s) to be served by the onsite wastewater treatment system by a wastewater loading rate that does not exceed 1.2 gpd/ft² in a system that will serve a residential dwelling and 1.0 gpd/ft² in a system that will serve a non-residential structure.

4. Components and materials. An intermittent sand filter must include all of the following components and materials:

a. Sand fill. Two inches of sand fill must be installed at the bottom of the intermittent sand filter. The sand fill must conform to the applicable specifications in Appendix 4.

b. Filter bottom. In an intermittent sand filter without an internal pump, the slope of the bottom of the filter must be no greater than 1 percent. In an intermittent sand filter with an internal pump, there must be a minimum 8-inch deep depression in the middle of the bottom of the filter to accommodate a pump basin. The bottom of the intermittent sand filter must slope toward this depression at a minimum grade of 1 percent.

c. Containment liner. A containment liner must be installed adjacent to the interior of all sides of the intermittent sand filter and on top of the sand fill. The liner must be 30 mil PVC or reinforced, poured-in place concrete. Concrete liners must have a thickness of a minimum of 6 inches adjacent to the walls and a minimum of 3½ inches on the bottom.

d. Underdrain. An underdrain must be installed at the bottom of the intermittent sand filter to convey treated wastewater to an internal pump system, external dosing tank or disposal field. The underdrain must consist of the following components:

(1) Gravel bed. A minimum of 9 inches of double-washed pea gravel must be installed at the bottom of the intermittent sand filter, on top of the containment liner.

(2) Pipe. Perforated PVC pipe that is at least 4-inches in diameter and has a PVC cap on each end must be installed within the gravel bed at a minimum grade of 1 percent toward the outlet of the pipe. There must be a minimum of 2 inches of gravel below the pipe.

The pipe must have a minimum storage volume equal to 50 percent of the disposal field dose volume. Pipe perforations must be no larger than 1/8th of an inch in width or diameter.

(3) Riser. For cleanout and inspection purposes, a vertical riser constructed of non-perforated pipe of equal diameter to the underdrain pipe must extend from the upslope end of the underdrain pipe to the finished grade of the filter.

(4) Outlet boot. Except for filters with internal pump systems, a watertight outlet boot must be connected to the outlet of the underdrain.

e. Filter sand. A minimum of 24 inches of medium to coarse sand conforming to the applicable specifications in Appendix 4 must be installed on top of the underdrain.

f. Distribution bed. A distribution bed must be installed on top of the filter sand and extend to all sides of the intermittent sand filter. The distribution bed must consist of double-washed pea gravel, free of fines. The pea gravel must extend from a minimum of 6 inches below the invert of the distribution pipe to 2 inches above the top of the distribution pipe.

g. Distribution system.

(1) To intermittent sand filter. A pressure distribution system must dose septic tank effluent to the intermittent sand filter. The pressure distribution system must meet the operation standards and include the components set forth in Subsection 405.C.1. of these Regulations, except that the system will dose effluent to the distribution area of the intermittent sand filter instead of to a disposal field. There must be a minimum of one distribution pipe for every 24 inches of intermittent sand filter width.

(2) To disposal field. If the alternative onsite wastewater treatment system includes a standard disposal field with more than one trench, a distribution box must be installed between the intermittent sand filter and the disposal trenches. If the alternative onsite wastewater treatment system includes a non-standard disposal field, the intermittent sand filter may contain an internal pump system to dose treated effluent to the disposal field. An internal pump system must conform to the applicable specifications in Subsection 405.C.1.c. of these Regulations, and this Subsection 502.A.5.g.(2). In the event of a conflict, the latter will control.

(a) An internal pump chamber must be seated at or below the level of the bottom of the underdrain pipe.

(b) The operating depth of an internal pump must be no less than the depth of the underdrain.

h. Silt barrier. A silt barrier conforming to the specifications in Subsection 404.G.2. of these Regulations must be installed over the top of the distribution bed.

i. Soil cover.

(1) General. Cover material must be placed on top of the silt barrier. The cover material must be crowned or sloped to promote rainfall runoff. The edges of the top layer of the cover material must be level with the natural grade.

(2) Material. Cover material must conform to the specifications in Subsection 404.H.2. of these Regulations.

(3) Depth. A minimum of 12 inches and maximum of 18 inches of cover material must be installed on top of the silt barrier.

j. Monitoring wells.

(1) Number; depth. Two inspection wells must be installed in an intermittent sand filter, as follows:

(a) One well must extend from the finished grade of the intermittent sand filter to the bottom of the distribution bed. This well must be perforated only within the distribution bed.

(b) One well must extend from finished grade of the intermittent sand filter through the filter sand to the top of the underdrain. This well must be perforated only within the bottom half of the filter sand.

(2) Material. Inspection wells must conform to the specifications in Subsection 404.I.2. of these Regulations, except that perforations must begin and end as set forth above.

B. Recirculating Sand Filters.

1. General.

a. A recirculating sand filter provides supplemental treatment of septic tank effluent by directing it through a sand filter and then recycling it through a recirculating tank for further processing and delivery to a disposal field.

b. The design of a recirculating sand filter must conform to all specifications applicable to intermittent sand filters set forth in Subsection 502.A. of these Regulations except for the specifications in Subsection 502.A.5.g. and the specifications in this Subsection 502.B. In the event of conflicting specifications, the specification in this Subsection 502.B. will control.

2. Area. The minimum distribution area of a recirculating sand filter is calculated by dividing the design daily sewage flow of the structure(s) to be served by the onsite wastewater treatment system by a wastewater loading rate that must not exceed 1.2 gpd/ft² in a system that

will serve a residential dwelling and 1.0 gpd/ft² in a system that will serve a non-residential structure.

3. Components and materials.

a. Distribution system. A recirculating sand filter must contain a recirculation tank that doses septic tank effluent to the recirculating sand filter, recirculates treated effluent through the tank and then directs treated effluent back to the recirculating sand filter and to the disposal field. The recirculation tank must include a tank, pump and water flow splitter that meet the following specifications, except that in the event of a conflict, the specifications in this Subsection 502.B.3 will control.

(1) The recirculating tank must conform to the pump tank specifications in Subsection 405.C.1.c.(2) of these Regulations.

(2) The pump must conform to the specifications in Subsection 405.C.1.c.(1)(a) of these Regulations. The pump must dose effluent back to the sand filter and disposal field at a ratio of approximately 5:1 at design flow conditions.

(3) The water flow splitter must be a buoyant ball valve.

b. Underdrain. The underdrain pipe must extend from the sand filter to an inlet on the recirculation tank.

c. Silt barrier. No silt barrier is required in a recirculating sand filter.

d. Cover.

(1) General. Cover material must be placed on top of the distribution bed. The top layer must be level with the natural grade.

(2) Material. Cover material must range in size from pea gravel to 2½-inch rounded rock.

C. Proprietary supplemental treatment units.

1. General. An alternative wastewater treatment system may include any of the following proprietary supplemental treatment units:

a. Aerobic treatment unit.

b. Textile recirculating filter.

2. Effluent quality parameters. A proprietary supplemental treatment unit that is utilized in an alternative onsite wastewater treatment system must be certified by NSF

International as meeting all effluent quality parameters applicable to Class 1 systems under Standard NSF 40.

3. Sizing. An alternative onsite wastewater treatment system that includes a proprietary supplemental treatment unit must be sized to accommodate the design daily sewage flow and conform to the manufacturer's specifications.

4. Emergency storage. An alternative onsite wastewater treatment system that includes a proprietary supplemental treatment unit must have emergency storage capacity that is (a) no less than the design daily sewage flow for one day and (b) located either inside the supplemental treatment unit or in a separate pump tank that conforms to the specifications in Subsection 405.C.1.c.(2) of these Regulations.

503. Monitoring. The monitoring of alternative onsite wastewater treatment systems that is required by Section 420-6.810, subsection (b), of the Ordinance must include periodic inspections and submission of reports in accordance with all of the following:

A. Inspections. A qualified inspector must periodically inspect an alternative onsite wastewater treatment system on behalf of the owner of the system. At a minimum, the qualified inspector must do all of the following: (1) Inspect the disposal field, supplemental treatment unit, pump tank, septic tank and alarms and assess whether they are functioning as designed; (2) check the supplemental treatment unit for water tightness; (3) check the disposal field for any surfacing effluent; and (4) check all performance wells for the presence of water, and if present, collect samples and field-test them for the presence of any effluent. An inspection must be conducted within 60 days prior to the deadline for submission of a report on the inspection as set forth below.

B. Reports.

1. General. A written report on an inspection conducted under Subsection 503.A. of these Regulations must be prepared by the qualified inspector who conducted the inspection and submitted to the health officer. The report must, at a minimum, identify the date of the inspection and street address of the system inspected, describe all activities conducted and observations made by the qualified inspector during the inspection, set forth the qualified inspector's determination as to whether the supplemental treatment unit, disposal field, pump tank, septic tank and alarms are functioning as designed, and provide recommendations for returning a system component that is not functioning as designed to a properly functioning condition.

2. Submission requirements.

a. Initial report. An initial monitoring report must be submitted no later than one year after (a) issuance of a certificate of occupancy of the structure served by the system, (b) the health officer's final approval of construction or alteration of the system, or (c) the effective date of these Regulations, whichever occurs later.

b. Subsequent reports.

(1) If the alternative onsite wastewater treatment system was constructed on or after the effective date of these Regulations, a second monitoring report must be submitted to the health officer within one year after the deadline for submission of the initial report.

(2) A monitoring report must be submitted to the health officer within five years after the deadline for submission of the second monitoring report or, as to alternative onsite wastewater treatment systems constructed prior to the effective date of these Regulations, within five years after the deadline for submission of the initial report. Thereafter, as to all alternative wastewater treatment systems, a monitoring report must be submitted to the health officer within five years after the deadline for submission of the immediately preceding monitoring report.

504. Mitigation. The mitigation measures required by Section 420-6.810, subsection (c), of the Ordinance are:

A. Sampling. Except as provided below, effluent samples must be collected from the system's monitoring wells. At least one sample must be collected from an inspection well. If any performance well contains effluent, at least one effluent sample must be collected from a performance well. In the event all inspection wells are dry at the time of sampling, at least one sample must be collected from a point in the transport line that connects the supplemental treatment unit to the disposal field.

B. Laboratory Testing. Effluent samples must be submitted to a certified laboratory to evaluate conformance with all of the following parameters:

1. Biochemical oxygen demand: No greater than 30 mg/L
2. Total suspended solids: No greater than 30 mg/L
3. Fecal coliform: No greater than 200 colonies per 100 milliliters
4. Nitrate reduction: At least 50 percent

C. Reports.

1. General. A written report on the quality of the effluent discharged from the supplemental treatment unit, as determined by laboratory testing, must be prepared and submitted to the health officer no later than 60 days after collection of the most recent effluent sample(s) tested and referenced in the report, in accordance with the submission requirements below. The report must identify the date and location of collection of the sample(s) and include a copy of all laboratory test reports applicable to the sample(s).

2. Submission requirements. Reports required under this Subsection 504.C. are due and must be submitted by the applicable deadlines for reports set forth in Section 503 of these Regulations.

D. Corrective Action. If a laboratory test report submitted to the health officer under Subsection 504.C. of these Regulations shows that any effluent sample failed to meet any of the applicable effluent quality parameters set forth in Subsection 504.B. of these Regulations (a “Failing Report”), the owner of the system must take any and all corrective actions necessary to cause the effluent treated by the system to conform to those parameters. Corrective actions must be completed, and a report discussing those corrective actions and demonstrating that effluent conforms to the applicable effluent quality parameters must be submitted to the health officer, no later than 180 days after the date of the Failing Report.

SECTION 600: CONSTRUCTION PERMITS

601. General. Application for a permit to construct, alter, relocate or replace an onsite wastewater treatment system, or primary component thereof, must be made by using a form approved by the health officer.

602. Application Requirements. Applications will be accepted only if they are complete. A complete application must include an application form that has been completed in full and, except as set forth in Section 603 of these Regulations, all of the items described below:

A. Plot Plan. Four copies of a plot plan must be submitted with the application. The plot plan must be drawn to scale of not less than 1 inch equals 20 feet and be a minimum of 8½ inches x 11 inches in size. A plot plan must contain all of the following information regarding the lot where the onsite wastewater treatment system to be constructed or altered will be located:

1. A location map, indicating the location of the lot with respect to abutting lots and the nearest public road;
2. Lot boundaries and dimensions;
3. The name of the lot owner and address and Assessor's Parcel Number of the lot;
4. A north arrow and plan scale;
5. The location of all water and monitoring wells on the subject lot and all abutting lots, watercourses and water bodies (including, but not limited to, springs, marsh areas, drainage ditches, channels), cuts, embankments, natural bluffs or unstable land forms within 100 feet of any portion of the onsite wastewater treatment system to be constructed or altered, and any reserve area;
6. The location of any and all existing and proposed buildings, swimming pools, retaining walls, driveways, paved areas, water lines, underground utilities, storage tanks (underground and above ground), trees equal to or greater than 6 inches in diameter (measured at 4.5 feet from the ground surface) and easements located on the lot that are within 25 feet of the onsite wastewater treatment system to be constructed or altered;
7. Contour lines, if slopes are greater than 5 percent. If slopes are equal to or less than 5 percent, the direction and percentage of slopes must be shown;
8. The location of any existing onsite wastewater treatment systems and other sewage disposal systems on the lot;
9. The layout (including dimensions) of the onsite wastewater treatment system to be constructed or altered;
10. The location of each soil percolation test hole and soil profile hole; and

11. The name, signature, stamp or seal of the qualified professional who prepared the plan, and the date the plan was signed and stamped or sealed.

B. Floor Plan. Four copies of a floor plan of a structure to be served by the onsite wastewater treatment system to be constructed or altered must be submitted with the application. The floor plan must be drawn to scale of not less than 1 inch equals 20 feet and a minimum of 8½ inches x 11 inches in size. A floor plan must contain all of the following information:

1. The layout of all rooms on each floor of the structure;
2. The clear labeling of each room as to type; and
3. The name and signature of the person who prepared the plan.

C. Construction Plan. Four copies of a plan for construction of the onsite wastewater treatment system to be constructed or altered must be submitted with the application. The construction plan must be drawn to scale of not less than 1 inch equals 20 feet and a minimum of 8½ inches x 11 inches in size. A construction plan must be prepared by a California-licensed civil engineer or California-registered environmental health specialist, conform to all applicable design requirements set forth in these Regulations and contain all of the following information:

1. The layout of the system, including the location of all primary components;
2. The location of all transport lines;
3. Typical cross-sections of the proposed disposal field;
4. Construction details of all septic tanks, pumps, supplemental treatment units, distribution boxes, transport lines and distribution pipes; and
5. The name, signature, stamp or seal of the person responsible for the plan, and the date the plans were signed and stamped or sealed.

D. Soil Percolation Test Results. The results of soil percolation tests conducted on the lot in accordance with Section 305 of these Regulations must be submitted with the application in the form described in Subsection 305.F.1. of these Regulations.

E. Calculations; Specifications.

1. Calculations. Calculations that are used to determine the required size of the septic tank and absorption area of the disposal field and that conform to the requirements in Section 400 of these Regulations must be submitted with the application.

2. Specifications. A copy of the manufacturer's specifications of all septic tanks, pumps, supplemental treatment units, distribution boxes, transport lines and distribution pipes must be submitted with the application.

603. Permits for Tank Replacements. An application for a permit to replace a septic tank, pump tank or supplemental treatment unit must include a copy of the manufacturer's specifications for the replacement tank or supplemental treatment unit.

604. No Guarantees. Acceptance of a permit application does not guarantee that a permit will be issued. Issuance of a permit does not guarantee that a system will operate satisfactorily.

**SECTION 700: BUILDING PERMITS; CERTIFICATES OF OCCUPANCY;
SUBDIVISION MAPS**

701. Building Permits.

A. Review of Proposed Sewage Disposal Method. An application that is submitted to the health officer for review of a proposed method of sewage disposal under Section 420-6.604, subsection (a)(1) or (a)(2), of the Ordinance must be submitted with a plot plan that shows the locations of any and all existing and proposed buildings and other structures on the lot and contains all of the information described in Subsections 602.A.1.-4. of these Regulations, floor plans, the construction plan of the sewage disposal system and, if the sewage disposal system has not yet been constructed, the soil percolation test report described in Section 305 of these Regulations.

B. Review of Proposed Structure Location.

1. Application. An application that is submitted to the health officer for review of the location of a proposed structure under Section 420-6.604, subsection (a)(3), of the Ordinance must be submitted with a plot plan that shows the locations of any and all existing and proposed buildings and other structures, sewage disposal systems and reserve areas on the lot and contains all of the information described in Subsections 602.A.1.-4. of these Regulations.

2. Findings supporting approval of location. The health officer may determine under Section 420-6.604, subsection (d)(2), of the Ordinance that construction of a structure will not interfere with the use of a necessary approved sewage disposal system, reserve area or designated disposal field area if the health officer makes one of the following three findings:

a. That no part of the structure would be located:

(1) Within the footprint of, or any applicable setback from, an approved sewage disposal system; or

(2) Within a reserve area or setback therefrom equivalent to the setback from a disposal field; or

(3) Within a designated disposal field area or setback therefrom equivalent to the setback from a disposal field.

b. That part of the structure would be located within a reserve area or setback therefrom equivalent to the setback from a disposal field, but that:

(1) No part of the structure would be located within the footprint of, or any applicable setback from, an approved sewage disposal system, and

(2) If part of the structure would also be located within a designated disposal field area, or setback therefrom equivalent to the setback from a disposal field, the health officer makes one of the findings set forth in Subsection 701.B.2.c.(3)-(4) of these Regulations; and

(3) The health officer finds:

(a) That a sanitary sewer is available for connection to a structure that is connected to the onsite wastewater treatment system for which the reserve area was approved; or

(b) That the onsite wastewater treatment system for which the reserve area was approved has been abandoned; or

(c) That the onsite wastewater treatment system for which the reserve area was approved is not connected to any structure and a sanitary sewer is available for connection to at least one structure that could be constructed on the lot; or

(d) That a replacement reserve area has been approved by the health officer.

c. That part of the structure would be located within a designated disposal field area or setback therefrom equivalent to the setback from a disposal field, and that:

(1) No part of the structure would be located within the footprint of, or any applicable setback from, an approved sewage disposal system; and

(2) If part of the structure would also be located within a reserve area or setback therefrom equivalent to the setback from a disposal field, the health officer makes at least one of the findings set forth in Subsection 701.B.2.b.(3)(a)-(d) of these Regulations; and either

(3) The lot owners have executed and submitted to the health officer a notarized document stating that the designated disposal field area is not needed and acknowledging that construction in the proposed location could inhibit future development of a structure containing plumbing fixtures on the lot if an onsite wastewater treatment system cannot be constructed to serve that structure or connection to a sanitary sewer is not available to that structure, or

(4) The health officer finds:

(a) That a sanitary sewer is available for connection to at least one structure that could be constructed on the lot; or

(b) That a replacement designated disposal area has been approved by the health officer.

3. Findings requiring disapproval of location. The health officer may determine under Section 420-6.604, subsection (d)(2), of the Ordinance that construction of a structure will interfere with the use of a necessary approved sewage disposal system, reserve area or designated disposal field area if the health officer makes one of the following three findings:

a. That part of the structure would be located within the footprint of, or any applicable setback from, an approved sewage disposal system.

b. That part of the structure would be located within a reserve area or setback therefrom applicable to the setback from a disposal area, and that:

(1) A structure is connected to the onsite wastewater treatment system for which the reserve area was approved, and a sanitary sewer is not available for connection to that structure; and

(2) A replacement reserve area has not been approved by the health officer.

c. That part of the structure would be within a designated disposal field area or setback therefrom equivalent to the setback from a disposal field, and that:

(1) A sanitary sewer is not available for connection to any structure that could be constructed on the lot; and

(2) A replacement designated disposal field area has not been approved by the health officer; and

(3) The notarized statement described in Subsection 701.B.2.c.(3) of these Regulations has not been submitted.

702. Certificates of Occupancy. An application that is submitted to the health officer for review of a proposed method of sewage disposal under Section 420-6.604, subsection (b), of the Ordinance must be submitted with a plot plan, floor plans, the construction plan of the sewage disposal system and, if the sewage disposal system has not yet been constructed, the soil percolation test report described in Section 305 of these Regulations.

703. Subdivision Maps. A proposed tentative map that is submitted to the health officer for review of a proposed method of sewage disposal must be submitted with a plot plan and the soil percolation test report described in Section 305 of these Regulations.

SECTION 800: CONSTRUCTION, INSTALLATION AND INSPECTION

801. General. An onsite wastewater treatment system must be constructed in strict accordance with the Ordinance, these Regulations and construction plans approved by the health officer. A copy of the construction plans must be available at the job site until construction of the system is completed and approved by the health officer.

802. Commencement of Work. Work may commence upon issuance of a permit to construct, alter, relocate or replace an onsite wastewater treatment system, or primary component thereof, provided that the applicant has obtained any and all other permits and authorizations that might be required by the State, County or other public agency.

803. Tanks.

A. Installation. A tank utilized in an onsite wastewater treatment system must be installed level on a firm bedding of compacted soil, sand or gravel in accordance with the manufacturer's specifications. All pipes that pass through a tank must be sealed with a watertight sealant.

B. Testing. A tank utilized in an onsite wastewater treatment system must be demonstrated to be watertight by field testing conducted in the presence of the health officer as follows during the installation of the system: Fill tanks with water two inches into riser connections at least 24 hours prior to commencement of the test and mark water level. The test consists of a one-hour observation period. The absence of any water drop during this period is considered a passing test. If the water level drops, the tank must be resealed and retested.

C. Cover. A tank utilized in an onsite wastewater treatment system may not be covered until after the health officer has conducted an inspection of the tank and its connections.

804. Transport Lines. Transport lines must be buried a minimum of 12 inches below the natural grade.

805. Disposal Fields.

A. Trenches.

1. Trenches must be constructed when the soil is dry to minimize soil compaction and smearing of trench sidewalls.

2. Smearing of the bottom and sidewalls of a trench during construction must be corrected by scarifying those surfaces after trench excavation is complete.

3. Physical barriers must be used to minimize the entry of surface runoff into open trenches during construction.

4. Cover material must be placed so as to maximize protection from surface runoff and not crush piping or drain media. Cover material must be placed as soon as possible after the final construction inspection.

B. Drain Media.

1. Drain media must be protected from contamination with soil during installation.
2. Drain media in trenches must be installed entirely within native soil and below the existing grade.

C. Imported Fill.

1. Site preparation. Prior to placement of imported fill, all vegetation must be removed from the native soil in the area of the proposed disposal field and the ground surface disced or plowed to permit good mixing of native soil and fill material.
2. Compaction. Imported fill must be placed in layers of not more than 8 inches and compacted in a manner to minimize settlement and allow transmission of air.

D. Mounds. The construction of mounds must conform to the guidelines contained in the Wisconsin Mound Soil Absorption System: Siting, Design and Construction Manual by James C. Converse et al., January 2000 and as amended, except that in the event specifications conflict, the applicable specifications in these Regulations will control.

E. At Grade Beds. The construction of at-grade beds must conform to the guidelines contained in the Wisconsin At-Grade Soil Absorption System: Siting, Design and Construction Manual by James C. Converse et al., January 1990 (part of the Small Scale Waste Management Project, University of Wisconsin-Madison) and as amended, except that in the event specifications conflict, the applicable specifications in these Regulations will control.

F. Alternative Onsite Wastewater Treatment Systems. Proprietary supplemental treatment units must be assembled and installed in strict accordance with the manufacturer's instructions.

806. Inspections. All installations must be inspected and approved by the health officer before they are considered complete and may be used. Inspection requests must be submitted to the health officer a minimum of two business days prior to an inspection.

SECTION 900: ALTERATIONS AND CHANGES OF USE OF EXISTING STRUCTURES

901. Alterations.

A. General. Sewage disposal requirements for an addition to, or remodel of, an existing structure that is served by an onsite wastewater treatment system are determined based on the existence of plumbing fixtures, the type and capacity of any existing system and sewer availability, as set forth below.

B. Type of System. An onsite wastewater treatment system that serves a structure may be used as a method of sewage disposal to serve an addition to or remodeled portion of that structure if the owner of the system proves, through the submission of written evidence, all of the following: (1) The system is an approved sewage disposal system; (2) the system is properly functioning; and (3) the design daily sewage flow of the system is sufficient to accommodate the peak daily sewage flow to be generated by the existing structure and the addition or remodel. Evidence that will be considered by the health officer includes, but is not necessarily limited to, historical permit records and a written evaluation report by a qualified professional that identifies the components of the system and addresses the system's integrity, performance, design daily sewage flow, peak daily sewage flow and, with regard to non-residential structures, wastewater strength.

C. Sewer Availability. If an addition to or remodeled portion of a structure requires a method of sewage disposal, and an existing onsite wastewater treatment system that serves the structure does not meet all of the criteria set forth in Subsection 901.B. of these Regulations, the addition to or remodeled portion of the structure must be connected to either (1) a sanitary sewer, if available or (2) if a sanitary sewer is not available, an onsite wastewater treatment system that complies with all applicable requirements in the Ordinance and these Regulations.

902. Non-Residential Changes in Use.

A. If a proposed change in use of a non-residential structure that is served by an onsite wastewater treatment system is not projected to cause any increase in sewage flow or wastewater strength, the structure may continue to be served by that system if the health officer determines that it is an approved sewage disposal system.

B. If a proposed change in use of a non-residential structure that is served by an onsite wastewater treatment system is projected to cause an increase in sewage flow or wastewater strength, the structure must be connected to either (1) a sanitary sewer, if available or (2) an onsite wastewater treatment system that complies with all applicable requirements in the Ordinance and these Regulations.

SECTION 1000: SEWAGE HOLDING TANK SYSTEMS

1001. General. A sewage holding tank system is a sewage collection system that includes a watertight tank designed to collect and temporarily store wastewater that is periodically removed by a permitted septic tank-chemical toilet cleaner.

1002. Permits. An application for a permit to install a sewage holding tank system must conform to the requirements in Sections 601 and 603 and Subsections 602.A. and 602.B. of these Regulations.

1003. Design.

A. Tanks. The design of a sewage holding tank must conform to the requirements in Subsections 402.A., 402.D., 402.E. and 402.F. of these Regulations.

B. Alarms.

1. A sewage holding tank must be equipped with a high water sensing device and high water audible and visual alarms, mounted on the structure served or on a pipe stand or wooden post within 5 feet of the structure served.

2. The high water sensing device must be designed to activate the alarms when the remaining volume available in the holding tank to store sewage is no less than the design daily sewage flow of the structure being served.

1004. Installation; Inspections. A sewage holding tank system must be installed and inspected in accordance with the requirements in Section 803 of these Regulations.

SECTION 1100. ABANDONMENT

1101. Sewage Disposal Systems.

A. Onsite Wastewater Treatment Systems. The procedures for abandonment of an onsite wastewater treatment system are:

1. Convert the septic tank to a sewage holding tank; or
2. Complete all of the following tasks:
 - a. All contents must be removed from the septic tank and all other tanks utilized in the system and hauled away by a registered septic tank-chemical toilet cleaner;
 - b. All tank lids must be removed and either recycled or disposed of at a permitted solid waste facility;
 - c. All tanks must be excavated, removed and disposed of at a permitted solid waste facility or abandoned in place. If a tank will be abandoned in place, a sufficient number of holes must be made in the bottom of the tank to prevent accumulation of surface water in or above the tank; and
 - d. All tanks that are abandoned in place and excavations made in the course of an abandonment under this Subsection 1101.A. must be filled with pea gravel, drain rock or compacted native soil.

B. Cesspools; Pit Privies. The procedures for abandonment of a cesspool or pit privy are:

1. All contents must be removed from the cesspool or pit and hauled away by a registered septic tank-chemical toilet cleaner; and
2. The cesspool or pit must be filled with pea gravel, drain rock or compacted native soil.

1102. Sewage Collection Systems.

A. Sewage Holding Tank Systems. The procedures for abandonment of a sewage holding tank system are:

1. Convert the sewage holding tank to a septic tank; or
2. Complete all of the following tasks:
 - a. All contents must be removed from the holding tank and hauled away by a licensed septic tank chemical toilet cleaner;

b. The lid of the holding tank must be removed and either recycled or disposed of at a permitted solid waste facility;

c. The holding tank must be excavated, removed and disposed of at a permitted solid waste facility or abandoned in place. If the tank will be abandoned in place, a sufficient number of holes must be made in the bottom of the tank to prevent accumulation of surface water in or above the tank; and

d. A holding tank that is abandoned in place or excavation made in the course of an abandonment under this Subsection 1102.A. must be filled with pea gravel, drain rock or compacted native soil.

B. Vault Privies. The procedures for abandonment of a vault privy are:

1. All contents must be removed from the vault and hauled away by a registered septic tank chemical toilet cleaner;

2. The vault must be excavated, removed and disposed of at a permitted solid waste facility; or, if the vault will be abandoned in place, a sufficient number of holes must be made in the bottom of the vault to prevent accumulation of surface water in or above the vault; and

3. The vault or excavation must be filled with pea gravel, drain rock or compacted native soil.

SECTION 1200. SEPTIC TANK-CHEMICAL TOILET CLEANERS

1201. Registration. An applicant for septic tank-chemical toilet cleaner registration must earn a passing score of at least 70 percent on the examination administered by the health officer under Health and Safety Code section 117420 as a condition of issuance of registration.

1202. Equipment.

A. Vehicles.

1. Vehicle identification markings required under Section 420-6.1206 of the Ordinance must:

- a. Be applied to both sidewalls of the vehicle;
- b. Be in sharp contrast to the background;
- c. Be of such size as to be readily visible during daylight hours from a distance of 50 feet; and
- d. Include the following information:

(1) The name and address of the permitted septic tank-chemical toilet tank cleaner; and

(2) The capacity of the sewage collection tank, in gallons.

2. The permit decal required under Section 420-6.1206 of the Ordinance must be prominently displayed on the rear of the vehicle.

B. Tanks. Sewage collection tanks on vehicles used to collect or transport sewage must be constructed of metal, watertight, and designed to prevent spillage of the contents. A means to accurately measure the volume of the contents in the tank must be provided. A leak-proof gate valve must be provided on the tank for the collection or discharge of the tank contents. The gate valve must have a leak-proof screw plug or screw cap that must be installed when the valve is not being used.

C. Pumps. Pumps on vehicles used to collect or transport sewage must be designed to prevent leakage.

D. Pipes and hoses. Pipes and hoses on vehicles used to collect or transport sewage must be designed to prevent leakage and be of a sufficient length to extend fully into, and maximize the removal of the contents of, the septic tank, sewage holding tank, onsite wastewater treatment system, cesspool, privy pit or vault, seepage pit or chemical toilet being cleaned.

1203. Chemical Toilets.

A. Design; Construction.

1. Chemical toilets must be designed and constructed to keep out flies and vermin.
2. The interior surfaces of a chemical toilet must be durable, non-absorbent, smooth and easily cleanable.
3. A chemical toilet must be equipped with a tank upon which is mounted a toilet seat that is durable, non-absorbent, smooth and easily cleanable.
4. A chemical toilet tank must have a capacity of at least 40 gallons. The tank must be constructed of durable easily cleanable material, leak proof and designed to prevent spillage.
5. Chemical toilets must be ventilated and equipped with a self-closing door that is lockable from the inside.

B. Markings. The name of the permitted septic tank-chemical toilet cleaner and the unit number must be applied to each chemical toilet so that it is clearly visible and in lettering at least 3-inches in height.

C. Operation.

1. Chemical toilets must be kept clean and sanitary.
2. Effective odor control and solid-liquefying chemicals must be used in the chemical toilet holding tank at all times the chemical toilet is available for use.

H:\Ordinances\Septic Ordinance\HOSewageRegulations.8.14.18.docx

APPENDICES

Appendix 1

Minimum Horizontal Setback Requirements

Except as otherwise provided herein, the following minimum horizontal setbacks apply to the installation of sewage holding tanks and new or replacement onsite wastewater treatment systems, or the primary components thereof. If a minimum horizontal setback requirement cannot be met on a lot upon which an approved sewage disposal system was lawfully installed prior to the effective date of the Health Officer Regulations for Sewage Collection and Disposal incorporating this Appendix 1, the setback requirements must be met to the greatest extent practicable. Notwithstanding the foregoing, a replacement system or sewage holding tank setback must not be less than the corresponding setback requirement in effect at the time of installation of the system to be replaced or, in the absence of a corresponding historical setback requirements, the corresponding setback of the system to be replaced.

Site Feature	Setback to Tanks	Setback to Edge of Disposal Field	Setback to Transport Lines
High water marks of bays, streams, rivers, canals	100 feet	100 feet ^{1 2}	50 feet
High water marks of ditches, culverts, ephemeral streams	50 feet	50 feet	50 feet
High water marks of lakes, reservoirs	100 feet	200 feet ¹	50 feet
Depressions and low areas	5 feet	10 feet	5 feet
Downslope or adjacent cutbanks, fill banks, escarpments, embankments, natural bluffs	10 feet	25 feet or 4x height of feature, whichever is greater, but not more than 100 feet ³	10 feet
Fill areas, unstable soil, unstable landforms, drainage swales	10 feet	25 feet	10 feet
Trees	10 feet	10 feet	10 feet
Areas subject to vehicular traffic	N/A	5 feet	N/A
Structures, foundations	10 feet	10 feet	5 feet
Underground irrigation or drainage systems (watertight piping)	10 feet	10 feet	10 feet
Underground irrigation or drainage systems (non-watertight piping)	100 feet	100 feet	50 feet
Easements	5 feet	5 feet	5 feet

Site Feature	Setback to Tanks	Setback to Edge of Disposal Field	Setback to Transport Lines
Property lines of lots with public water supply and no on-site well	10 feet	10 feet	10 feet
Property lines of lots with on-site well or spring water supply	25 feet	50 feet	10 feet
Slopes (down gradient or level with disposal field) $0 \leq x < 25\%$ $25\% \leq x < 30\%$ $30\% \leq x < 35\%$ $x > 35\%$ x=slope	12 feet 25 feet 37 feet 50 feet	12 feet 25 feet 37 feet 50 feet	N/A N/A N/A N/A
Toe or cut of up gradient slope > 20%	5 feet	5 feet	N/A
Water mains	25 feet	25 feet	10 feet
Edges of disposal field	5 feet	N/A	N/A
Underground utilities	5 feet	5 feet	5 feet
Public water lines	10 feet	10 feet	10 feet
Private water lines	5 feet	5 feet	10 feet
Public water wells	150 feet	150 feet	50 feet
Private water wells, springs	100 feet	100 feet	50 feet
Domestic water supply reservoirs or tributary streams thereof	100 feet	1,000 feet	50 feet

¹ If the disposal field is within 1,200 feet from a public water system's surface water intake point, within the catchment of the drainage, and located such that effluent from the disposal field may impact water quality at the intake point, such as upstream of the intake point for flowing water bodies, the disposal field shall be no less than 400 feet from the high water mark of the reservoir, lake or flowing water body.

² If the disposal field is more than 1,200 feet but less than 2,500 feet from a public water system's surface water intake point, within the catchment of the drainage, and located such that effluent from the disposal field may impact water quality at the intake point, such as upstream of the intake point for flowing water bodies, the disposal field shall be no less than 200 feet from the high water mark of the reservoir, lake or flowing water body.

³ Setback will be measured from the top edge of the feature. Where an impermeable layer intersects a cut, and natural seepage is evident, the minimum setback must be 100 feet from the cut unless it is demonstrated to the satisfaction of the health officer that other site factors (e.g., soil depth) will prevent lateral seepage of effluent.

Appendix 2

Estimated Sewage Flows For Non-Residential Uses

Table 1

Type of Establishment ¹	Unit	Sewage Flow (gallons/unit/day)
Airports	Passenger	5
Assembly halls/churches without kitchens	Seat	5
Assembly halls/churches with kitchens	Seat	10
Boarding schools	Student	100
Country clubs	Resident member	100
Country clubs	Non-resident members and guests present	25
Day camps (no meals served)	Person	15
Offices	Employee	20
Drive-in theaters	Car space	5
Factories	Employee	35
Hospitals	Bed space	250
Hotels/motels/bed and breakfasts with private baths	Bed space	60
Hotels/motels/bed and breakfasts without private baths	Bed space	50
Hotels/motels with private baths and kitchens	Bed space	75
Institutions other than hospitals	Bed space	125
Movie theaters	Auditorium seat	5
Offices	Employee	20
Picnic parks with bathing facilities and flush toilets	Person	10
Picnic parks with flush toilets only	Person	5
Resort camps with plumbing fixtures	Person	50
Resort cottages/cabins	Person	50
Restaurants – Add the applicable flows per category:		
Multi-use utensils	Seat	35
Single-use utensils	Seat	25
Bar and cocktail lounge	Seat	20
Retail stores (excluding food facilities)	Employee	20

Type of Establishment ¹	Unit	Sewage Flow (gallons/unit/day)
Schools without cafeterias, gymnasiums or showers	Student	15
Schools with cafeterias, but no gymnasiums or showers	Student	20
Schools with cafeterias, gyms and showers	Student	25
Self-service laundries	Wash	50
Service stations	Vehicle served	10
Swimming pools/bathhouses	Person	10
Tourist camps/mobile home parks with individual bath units	Person	100
Tourist camps and trailer parks with central bathhouses	Person	75
Work or construction camps (temporary)	Person	50
Alcoholic beverage tasting facility (no meals served)	Person	2.5

¹ If an establishment is not listed in Table 1 above, sewage flow may be estimated based on the total fixture unit value for the establishment and Table 2 below. Fixture unit values for specified drainage fixtures are based on Table 702.1 of the 2013 California Plumbing Code, as may be amended from time to time

Table 2

Total Fixture Units	Sewage Flow (gallons/day)
1 to 15	375
16 to 20	500
21 to 25	600
26 to 35	750
36 to 45	1,000
46 to 55	1,112
56 to 60	1,250
61 to 70	1,375
71 to 80	1,500
81 to 90	1,625
91 to 100 ²	1,750

² For each additional fixture unit over 100, add 12.5 gallons per fixture unit.

Appendix 3

Wastewater Loading Rates

Percolation Rates (Minutes per inch) and
Associated Wastewater Loading Rates (Gallons per square foot per day)

1-3 MPI = 1.200 gal/sq ft/day	47 MPI = 0.437 gal/sq ft/day
4 MPI = 1.143 gal/sq ft/day	48 MPI = 0.430 gal/sq ft/day
5 MPI = 1.086 gal/sq ft/day	49 MPI = 0.423 gal/sq ft/day
6 MPI = 1.029 gal/sq ft/day	50 MPI = 0.417 gal/sq ft/day
7 MPI = 0.971 gal/sq ft/day	51 MPI = 0.410 gal/sq ft/day
8 MPI = 0.914 gal/sq ft/day	52 MPI = 0.403 gal/sq ft/day
9 MPI = 0.857 gal/sq ft/day	53 MPI = 0.397 gal/sq ft/day
10 MPI = 0.800 gal/sq ft/day	54 MPI = 0.390 gal/sq ft/day
11 MPI = 0.786 gal/sq ft/day	55 MPI = 0.383 gal/sq ft/day
12 MPI = 0.771 gal/sq ft/day	56 MPI = 0.377 gal/sq ft/day
13 MPI = 0.757 gal/sq ft/day	57 MPI = 0.370 gal/sq ft/day
14 MPI = 0.743 gal/sq ft/day	58 MPI = 0.363 gal/sq ft/day
15 MPI = 0.729 gal/sq ft/day	59 MPI = 0.357 gal/sq ft/day
16 MPI = 0.714 gal/sq ft/day	60 MPI = 0.350 gal/sq ft/day
17 MPI = 0.700 gal/sq ft/day	61 MPI = 0.345 gal/sq ft/day
18 MPI = 0.686 gal/sq ft/day	62 MPI = 0.340 gal/sq ft/day
19 MPI = 0.671 gal/sq ft/day	63 MPI = 0.335 gal/sq ft/day
20 MPI = 0.657 gal/sq ft/day	64 MPI = 0.330 gal/sq ft/day
21 MPI = 0.643 gal/sq ft/day	65 MPI = 0.325 gal/sq ft/day
22 MPI = 0.629 gal/sq ft/day	66 MPI = 0.320 gal/sq ft/day
23 MPI = 0.614 gal/sq ft/day	67 MPI = 0.315 gal/sq ft/day
24 MPI = 0.600 gal/sq ft/day	68 MPI = 0.310 gal/sq ft/day
25 MPI = 0.593 gal/sq ft/day	69 MPI = 0.305 gal/sq ft/day
26 MPI = 0.587 gal/sq ft/day	70 MPI = 0.300 gal/sq ft/day
27 MPI = 0.580 gal/sq ft/day	71 MPI = 0.295 gal/sq ft/day
28 MPI = 0.573 gal/sq ft/day	72 MPI = 0.290 gal/sq ft/day
29 MPI = 0.567 gal/sq ft/day	73 MPI = 0.285 gal/sq ft/day
30 MPI = 0.560 gal/sq ft/day	74 MPI = 0.280 gal/sq ft/day
31 MPI = 0.553 gal/sq ft/day	75 MPI = 0.275 gal/sq ft/day
32 MPI = 0.545 gal/sq ft/day	76 MPI = 0.270 gal/sq ft/day
33 MPI = 0.538 gal/sq ft/day	77 MPI = 0.265 gal/sq ft/day
34 MPI = 0.531 gal/sq ft/day	78 MPI = 0.260 gal/sq ft/day
35 MPI = 0.523 gal/sq ft/day	79 MPI = 0.255 gal/sq ft/day
36 MPI = 0.516 gal/sq ft/day	80 MPI = 0.250 gal/sq ft/day
37 MPI = 0.509 gal/sq ft/day	81 MPI = 0.245 gal/sq ft/day
38 MPI = 0.501 gal/sq ft/day	82 MPI = 0.240 gal/sq ft/day
39 MPI = 0.494 gal/sq ft/day	83 MPI = 0.235 gal/sq ft/day
40 MPI = 0.487 gal/sq ft/day	84 MPI = 0.230 gal/sq ft/day
41 MPI = 0.479 gal/sq ft/day	85 MPI = 0.225 gal/sq ft/day
42 MPI = 0.472 gal/sq ft/day	86 MPI = 0.220 gal/sq ft/day
43 MPI = 0.465 gal/sq ft/day	87 MPI = 0.215 gal/sq ft/day
44 MPI = 0.457 gal/sq ft/day	88 MPI = 0.210 gal/sq ft/day
45 MPI = 0.450 gal/sq ft/day	89 MPI = 0.205 gal/sq ft/day
46 MPI = 0.443 gal/sq ft/day	90-120 MPI = 0.200 gal/sq ft/day

Appendix 4 Sand Specifications

The following specifications apply to sand fill used in an intermittent sand filter, recirculating sand filter, pressure-dosed sand trench or mound. Sand fill may be used only after a sieve analysis report documenting the sand's conformance with applicable specifications has been submitted to and approved by the health officer.

Sieve Size	Sieve Diameter (mm)	Percent Passing	
		RSF ¹	Mounds, ISF ² , PDST ³
3/8 in	9.50	100	100
# 4	4.75	70-100	95-100
# 10	2.00	5-80	65-100
# 16	1.18	0-4	45-85
# 30	0.59	0-4	25-55
# 50	0.297	0-1	5-20
# 60	0.249	0-1	0-10
# 100	0.149	0-1	0-4
# 200	0.074	0-1	0-2

¹ Recirculating sand filter

² Intermittent sand filter

³ Pressure-dosed sand trench



Contra
Costa
County

To: Board of Supervisors
From: Karen Mitchoff, District IV Supervisor
Date: August 14, 2018

Subject: REAPPOINT Gareth Ashley and Matt Regan to the District IV seats on the First 5 Children and Families Commission

RECOMMENDATION(S):

REAPPOINT the following individuals to the District IV Seats on the First 5 Children and Families Commission:

District IV Seat:
Gareth Ashley
Concord, CA 94519

District IV Alternate Seat:
Matt Regan
Pleasant Hill, CA 94523

FISCAL IMPACT:

None.

BACKGROUND:

The Contra Costa County Board of Supervisors established the First 5 Contra Costa Children and Families Commission on June 15, 1999 (Ordinance 99-15). The Board appointed nine Commission members

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Lia Bristol (925)
521-7100

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

and nine Alternate members on September 1, 1999. Members include one Supervisor from the County Board of Supervisors, the directors of the County Departments of Health Services, Employment and Human Services, and a representative from the County Administrator's Office of Children's Services. The other five members of the Commission are appointed by the Board of Supervisors and represent each Supervisory District. Commissioners and Alternate Commission members represent various disciplines and backgrounds including pediatrics, early childhood education, child welfare, and schools. Alternate members, including second representatives from the Board of Supervisors, the county agencies mentioned above, and the five districts, hold all the powers of the appointed Commissioners except voting privileges.

CONSEQUENCE OF NEGATIVE ACTION:

The seats will become vacant.



Contra
Costa
County

To: Board of Supervisors
From: John Gioia, District I Supervisor
Date: August 14, 2018

Subject: Accept resignation of Julie McCarter from KMAC Seat 3 and declare seat open

RECOMMENDATION(S):

ACCEPT the resignation of Julie McCarter, DECLARE a vacancy in the Appointee 3 seat on the Kensington Municipal Advisory Council, and DIRECT the Clerk of the Board to post the vacancy.

FISCAL IMPACT:

None.

BACKGROUND:

The Kensington Municipal Advisory Council (KMAC) advises the Board of Supervisors, County Planning Commission, and the Zoning Administrator on land use issues and other concerns affecting the unincorporated community of Kensington. Julie McCarter is moving from Kensington.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Kate Rauch,
510-231-8691

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

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: Diane Burgis, District III Supervisor
Date: August 14, 2018

Subject: APPOINTMENT TO THE KNIGHTSEN COMMUNITY SERVICES DISTRICT

RECOMMENDATION(S):

APPOINT the following individual to the Knightsen Town Community Services District with a term to expire December 31, 2018, as recommended by Supervisor Diane Burgis.

Curtis Caldwell
Knightsen, CA 94548

FISCAL IMPACT:

None.

BACKGROUND:

Former Knightsen Community Services District (CSD) Board Member, Steve Ohmstede resigned from the Knightsen CSD effective April 24, 2018. The deadline for the Knightsen CSD to fill the vacancy was June 24, 2018 and was unable to do so.

In accordance with Government Code 1780, the Board of Supervisors may appoint an individual to fill the vacancy when the District is unable to do so within the legal timeframe.

The vacancy was posted by the Clerk of the Board on June 27, 2018 and the recommendation

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Lea Castleberry, (925)
252-4500

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

to appoint Curtis Caldwell was then determined.

CONSEQUENCE OF NEGATIVE ACTION:

No appointment could force the Knightsen CSD to hold a Special Election which would negatively impact their budget.



Contra
Costa
County

To: Board of Supervisors
From: Diane Burgis, District III Supervisor
Date: August 14, 2018

Subject: REAPPOINTMENT TO THE FISH AND WILDLIFE COMMITTEE

RECOMMENDATION(S):

REAPPOINT Clark Dawson to the District 3 seat on the Fish and Wildlife Committee to a term expiring February 28, 2022, as recommended by Supervisor Diane Burgis.

FISCAL IMPACT:

None.

BACKGROUND:

The Fish and Wildlife Committee advises the Board of Supervisors on fish and wildlife issues in Contra Costa County, including use of funds from the Fish and Wildlife Propagation Fund pursuant to Fish and Game Code Section 13103.

The term for this seat expired February 28, 2018. Applications were accepted and the recommendation to reappoint the above individual was then determined.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Lea Castleberry, (925)
252-4500

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

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: Diane Burgis, District III Supervisor
Date: August 14, 2018

Subject: APPOINTMENT TO THE BYRON MUNICIPAL ADVISORY COUNCIL

RECOMMENDATION(S):

APPOINT the following individual to the Appointee 3 seat on the Byron Municipal Advisory Council to a term expiring December 31, 2020, as recommended by Supervisor Diane Burgis.

Steve Larsen
Byron, CA 94514

FISCAL IMPACT:

None.

BACKGROUND:

The Appointee 3 seat was vacated by the Board of Supervisors on June 26, 2018. Applications were accepted and the recommendation to appoint the above individual was then determined.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Lea Castleberry, (925)
252-4500

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

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: Diane Burgis, District III Supervisor
Date: August 14, 2018

Subject: REAPPOINTMENT TO THE COUNTY LIBRARY COMMISSION

RECOMMENDATION(S):

REAPPOINT Don McCormick to the District 3 seat on the County Library Commission to a term expiring June 30, 2020, as recommended by Supervisor Diane Burgis.

FISCAL IMPACT:

None.

BACKGROUND:

The Commission serves in an advisory capacity to the Board of Supervisors and the County Librarian; provides a forum for the community to provide input concerning Library operations, and recommends proposals to the Board of Supervisors and the County Librarian which may improve the Library.

The term for the District 3 seat expired June 30, 2018. Applications were accepted and the recommendation to reappoint the above individual was then determined.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Lea Castleberry, (925)
252-4500

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

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: Diane Burgis, District III Supervisor
Date: August 14, 2018

Subject: REAPPOINTMENT TO THE CONTRA COSTA COUNTY MERIT BOARD

RECOMMENDATION(S):

REAPPOINT Charles Kreling to the District 3 seat on the Contra Costa County Merit Board to a term expiring June 30, 2022, as recommended by Supervisor Diane Burgis.

FISCAL IMPACT:

None.

BACKGROUND:

The Merit Board is authorized to carry out the duties of the Merit Board under the Merit System Ordinance (Ordinance No. 80-47), as required in State law. The Merit Board's jurisdiction shall be to oversee the merit system and to hear and decide the following matters: unlawful discrimination appeals or complaints, appeals from: orders and actions of dismissal, suspension, demotion or reduction of compensation; application of the layoff regulations; coerced resignation and appeals from denial of flexibly staffed promotions.

The term for the District 3 seat expired June 30, 2018. Applications were accepted and the recommendation to reappoint the above individual was then determined.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Lea Castleberry, (925)
252-4500

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

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: Diane Burgis, District III Supervisor
Date: August 14, 2018

Subject: VACANCY ON COUNTY SERVICE AREA, P-2A CITIZEN ADVISORY COMMITTEE

RECOMMENDATION(S):

ACCEPT the resignation of Scott Sweet, DECLARE a vacancy in the Appointee 6 seat on County Service Area, P-2A Citizen Advisory Committee, and DIRECT the Clerk of the Board to post the vacancy, as recommended by Supervisor Diane Burgis.

FISCAL IMPACT:

None.

BACKGROUND:

The County Services Area P2A Citizens Advisory Committee advises the Board of Supervisors on the needs of the Blackhawk community for extended police services which shall include, but not be limited to, enforcement of the State Vehicle Code, crime prevention, litter control, and other issues.

Mr. Sweet notified the District Office of his resignation to the board effective August 2, 2018.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Lea Castleberry, (925)
252-4500

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: August 14, 2018

Subject: Add and Cancel Permanent Positions in the Health Services Department

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 22270 to add three (3) permanent full-time Systems Software Analyst I (LWWA) (represented) positions at salary plan and grade ZB5 1787 (\$7,205 - \$9,655); and cancel one (1) vacant permanent full-time Information Systems Technician II (LTVB) (represented) position #9725 at salary plan and grade TB5 1496 (\$5,401 - \$6,565), one (1) Network Manager (LBHA) (represented) position #7052 at salary plan and grade ZA5 1884 (\$7,931 - \$10,629), and one (1) Secretary-Advanced Level (J3TG) (represented) position #14575 at salary plan and grade 3R2 1163 (\$4,001 - \$5,122) in the Health Services Department.

FISCAL IMPACT:

Upon approval, this action will have an annual cost of approximately \$117,304 which includes \$28,328 in pension costs. The cost is partially offset by the cancellation of the three vacant positions and the remaining expenses will be funded by Hospital Enterprise Fund I.

BACKGROUND:

The Contra Costa County Health Services Information Technology unit (IT) is requesting to add and cancel positions to support its increasing need to provide application support that requires a higher level of technical skill. By adding three (3) Systems Software Analyst I positions that require stronger technical competency

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Mary Dunn, (925)
957-5861

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

in the network and server realm, the unit will be able to provide timely service delivery to customer requests. Duties and responsibilities include: customizing, maintaining and updating specialized software; creating system accounts, assisting applications programmers in diagnosing complex program failures; and analyzing memory displays to detect, identify, and correct software deficiencies.

The unit has determined that the vacant Secretary-Advanced Level, Information Systems Technician I, and the Network Manager positions are no longer necessary to meet its operational needs. The cancellation of these vacancies will partially offset the cost of the three new positions that will provide essential service to the Health Services Department.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Health Services Information Technology unit will not have the adequate skill level to provide technical support for the Health Services IT network and server department accounts.

ATTACHMENTS

P300 22270_Add 3 System Software Analyst I positions and Cxl vacant positions in HSD

POSITION ADJUSTMENT REQUEST

NO. 22270
DATE 2/1/2018

Department HEALTH SERVICES Department No./
Budget Unit No. 0540 Org No. 6555 Agency No. A18

Action Requested: Add three permanent Systems Software Analyst I (LWWA) positions and cancel vacant permanent Information Systems Technician II (LTVB) position #9725; Network Manager (LBHA) position #7052; and Secretary-Advanced Level position #14575 in the Health Services Department. (Represented)

Proposed Effective Date: 02/01/18

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 \$113,887.81 Net County Cost \$0.00
Total this FY \$18,981.30 N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Hospital Enterprise Fund I

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Mary Dunn

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

/s/ Julie DiMaggio Enea

7/3/2018

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 7/27/2018

Add three Systems Software Analyst I (LWWA) (represented) positions at salary plan and grade ZB5 1787 (\$7,205 - \$9,655) and cancel one Information Systems Technician II (LTVB) (represented) position #9725, one Network Manager (represented) position #7052, and one Secretary-Advanced Level (represented) position #14575

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: Day following Board Action.
 _____(Date)

Gladys Scott Reid

7/27/2018

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE 8/7/2018

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 8/7/2018

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: Melinda Cervantes, County Librarian
Date: August 14, 2018

Subject: Increase hours of one part-time Librarian position and Add one part-time Clerk-Experienced Level position in the Library Department.

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 22328 to increase the hours of one (1) part-time (32/40) Librarian (3AWA) (represented) vacant position #17009 at salary plan and grade QXX 1341 (\$4,620-\$5,900) to full-time (40/40); and add one (1) part-time (20/40) Clerk-Experienced Level (JWXB) (represented) position at salary plan and grade 3RH 0750 (\$3,082-\$3,824) in the Library Department at the San Pablo Library.

FISCAL IMPACT:

Upon approval, this action will result in an annual cost to the Library Fund of approximately \$59,000. No fiscal impact to the County general fund. These positions are funded in the Library Budget and the increase in hours will be funded by the City of San Pablo.

BACKGROUND:

In August 2017, the San Pablo Library opened at a new and larger facility with an increase in open hours. The Library provides funding sufficient for community libraries to be open a minimum of thirty-five (35) hours a week. The City of San Pablo has agreed to provide additional funding to increase the hours the San Pablo Library is open from thirty-nine (39) hours and six (6) days a week to forty-seven (47) hours and seven (7) days a week. The new San Pablo Library requires increased staffing sufficient to ensure coverage each day.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Beth Kilian,
925-608-7700

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If these position changes are not implemented, the Library will have insufficient staffing levels to support the significant increase in Library open hours and will not be able to meet the needs of the communities it serves.

ATTACHMENTS

P300 22328 Inc Librarian Hrs and Add PT Clerk-Experienced Level in San Pablo Library

POSITION ADJUSTMENT REQUEST

NO. 22328
DATE 7/10/2018

Department County Library Department No./
Budget Unit No. 0621 Org No. 3798 Agency No. 85

Action Requested: Increase the hours of one (1) part-time (32/40) Librarian (3AWA) (represented) vacant position No. 17009 to full-time (40/40); and add one (1) part-time (20/40) Clerk – Experienced Level position (JWXB) (represented) position.

Proposed Effective Date: 7/1/2018

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 \$57,493.00 Net County Cost \$0.00
Total this FY \$5,74.93;(\$0.0 N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Library Fund

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Melinda S. Cervantes

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

BR for JE

7/13/2018

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 7/26/2018

Increase the hours of one (1) part-time (32/40) Librarian (3AWA, represented) vacant position #17009 to full-time (40/40) and add one part-time Clerk-Experienced Level (JWXB, represented)

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: Day following Board Action.
 ____ (Date)

HR Consultant, LaShonda Smith

7/26/2018

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

8/7/2018

- 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 8/7/2018

No. xxxxx

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: Melinda Cervantes, County Librarian
Date: August 14, 2018

Subject: Add two positions, increase the hours of two positions and cancel two positions in the Library Department

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 22319 to add one (1) full-time Librarian (3AWA) (represented) position at salary plan and grade QXX 1341 (\$4,620-\$5,900), and one (1) full-time Clerk – Senior Level (JWXC) (represented) position at salary plan and grade 3RX 1033 (\$3,406-\$4,350); increase the hours of one (1) part-time 20/40 Library Assistant – Journey Level (3KVB) (represented) vacant position No. 10234 at salary plan and grade QXX 1030 (\$3,395-\$4,336) to full-time 40/40, and one (1) part-time 20/40 Clerk – Experienced Level (JWXB) (represented) vacant position No. 11660 at salary plan and grade 3RH 0750 (\$3,082-\$3,824) to full-time 40/40; cancel one (1) part-time 20/40 Library Assistant – Journey Level (3KVB) (represented) vacant position No. 6078 at salary plan and grade QXX 1030 (\$3,395-\$4,336) and cancel one (1) part-time 20/40 Clerk – Experienced Level (JWXB) (represented) vacant position No. 11659 at salary plan and grade 3RH 0750 (\$3,082-\$3,824) in the Library Department.

FISCAL IMPACT:

Upon approval, this action will result in an annual cost to the Library Fund of approximately \$136,005. No fiscal impact to the County General Fund. These positions are funded in the Library budget and by the City of Brentwood.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Natalie Darone, (925)
608-7700

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

By: , Deputy

cc:

BACKGROUND:

The new Brentwood Library is due to open to the public in September 2018 and will be a vastly larger Library with multiple floors. The design of this Library will require additional staff to ensure the proper amount of service and safety for patrons and staff.

CONSEQUENCE OF NEGATIVE ACTION:

If these position changes are not implemented, the Library will be unable to provide staffing levels sufficient to meet the needs of the communities it serves.

ATTACHMENTS

P300 22319 HR Recommendations

P300 22319 Add and Cancel positions in the Brentwood Library

AIR 34192 P300 22319
Library Department

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS:

Add one full-time Librarian (3AWA) (represented) position at salary plan and grade QXX 1341 (\$4,620-\$5,900), add one full-time Clerk-Senior Level (JWXC) (represented) position at salary plan and grade 3RX 1033 (\$3,406-\$4,350); increase the hours of one part-time 20/40 Library Assistant – Journey Level (3KVB) (represented) vacant position No. 10234 at salary plan and grade QXX 1030 (\$3,395-\$4,336) to full-time 40/40, and one part-time 20/40 Clerk – Experienced Level (JWXB) (represented) vacant position No. 11660 at salary plan and grade 3RH 0750 (\$3,082-\$3,824) to full-time 40/40; and cancel one part-time Library Assistant – Journey Level (3KVB) (represented) vacant position No. 6078 at salary plan and grade QXX 1030 (\$3,395-\$4,336) and one part-time Clerk – Experienced Level (JWXB) (represented) vacant position No. 11659 at salary plan and grade 3RH 0750 (\$3,082-\$3,824).

POSITION ADJUSTMENT REQUEST

NO. 22319
DATE 6/15/2018

Department County Library Department No./
Budget Unit No. 0621 Org No. 3763 Agency No. 85

Action Requested: Add one 40/40 Librarian (3AWA) pos, and one 40/40 Clerk - Senior Level (JWXC), increase the hours of one Library Assistant – Journey Level (3KVB) vacant pos No. 10234 from 20/40 to 40/40, and one Clerk – Exp. Level (JWXB) vac pos No. 11660 from 20/40 to 40/40, and cancel one 20/40 Clerk - Exp. Level Pos. No. 11659 and one 20/40 Library Assisstant - Journey Level vacant pos No. 6078.

Proposed Effective Date: 7/1/2018

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 \$136,005.00 Net County Cost \$0.00
Total this FY (\$136,005.00) N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Library Fund

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Melinda S. Cervantes

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

BR for JE

7/2/2018

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 7/27/2018

See attached document

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: Day following Board Action.
 _____(Date)

LaShonda Smith, HR Consultant

7/27/2018

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

8/7/2018

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 8/7/2018

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: Dianne Dinsmore, Human Resources Director
Date: August 14, 2018

Subject: Establish Chief Information Technology Security Officer - Exempt

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 22333 to re-activate the Deputy Director Chief Information Security Officer-Exempt (LWS1) classification, retitle the class to Chief Information Technology Security Officer- Exempt; reallocate the class to salary plan and grade B85 2212 (\$10,979-\$13,345) and add one (1) position; and cancel one (1) vacant Information Systems Programmer Analyst IV (LPNB) position #4 (represented) at salary plan and grade ZA5 1787 (\$7,205-\$9,656) in the Department of Information Technology.

FISCAL IMPACT:

The maximum net annual impact is \$124,338. DoIT charges for all services and these charges include revenue generated from non-general fund departments and other public agencies. The increased cost will be 100% offset from charges to user departments.

BACKGROUND:

DOIT requested establishment of the Chief Information Technology Security Officer classification. The focus of the classification will be on design, development, implementation, operation and maintenance of Countywide information security programs that are designed to protect the confidentiality, integrity and availability of all information, voice, mobile, data network, application and computer infrastructure and their associated information assets. The Chief Information Technology Security Officer will create a

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Marc Shorr
925-608-4071

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

comprehensive security strategy and programs, formulate security policies and procedure to assure full compliance with applicable federal, state, and local laws, ordinances and guidelines. Creation of this classification will allow the County Department of Technology to standardize and centrally deliver IT Security and disaster recovery services.

CONSEQUENCE OF NEGATIVE ACTION:

If this request is not approved, the Security division of DoIT will not be able to properly support the critical County Security program and could lead to severe negative impacts to all County Departments.

ATTACHMENTS

P300 22333 DoIT Chief Security Position

POSITION ADJUSTMENT REQUEST

NO. 22333
DATE 8/2/2018

Department Department of Information Technology
Department No./ Budget Unit No. 0147 Org No. 1055 Agency No. 03

Action Requested: Establish classification of Chief Information Technology Security Officer- Exempt; allocate on salary plan and grade B85 2212 (\$10979-\$13345), add one (1) position, cancel one(1) vacant ISPA IV (LPNB) position in the County's IT department.

Proposed Effective Date: 9/1/2018

Classification Questionnaire attached: Yes [] No [x] / Cost is within Department's budget: Yes [x] No []

Total One-Time Costs (non-salary) associated with request: \$0.00

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost \$124,338.00 Net County Cost \$0.00
Total this FY \$103,615.00 N.C.C. this FY 0

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Security Budget; DoIT user fees

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Marc Shorr

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

/s/ Julie DiMaggio Enea

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 8/3/2018

Re-activate the Deputy Director Chief Information Security Officer-Exempt (LWS1) classification, retitle to the Chief Information Technology Security Officer- Exempt; reallocate on salary plan and grade B85 2212 (\$10979-\$13345) and add one (1) position in the County's IT department; cancel one (1) vacant Information Systems Programmer Analyst IV (LPNB) position #4 (represented) at salary plan and grade ZA5 1787 (\$7205.43-\$9655.97) in DOIT.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: [x] Day following Board Action.

[] (Date)

Marta Goc

8/3/2018

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

8/3/2018

[x] 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 8/7/2018

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: David Twa, County Administrator
Date: August 14, 2018

Subject: Add one permanent Electrician and one permanent Carpenter to the Public Works Department

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 22332 to add 1 permanent Electrician (GFWA) at salary plan and grade QE5-1597 (\$6,172 - \$6,804) and 1 permanent Carpenter (GFWB) at salary plan and grade QE5-1569 (\$5,805 - \$6,401) in the Public Works Department. (Represented)

FISCAL IMPACT:

This action results in a total annual salary and benefits cost of \$227,064, of which \$40,046 is attributable to pension. The cost for these positions were included in the FY 18-19 Recommended Budget and will be funded by projects charged to user departments.

BACKGROUND:

Pursuant to a settlement with Local 1 regarding the Buildings Trades Unit, this item specifically identifies the classification of the two "Facilities Services Worker" positions added on May 8, 2018 by Resolution No. 2018/152 Attachment K. Funding for the positions was included in the FY 2018/19 Recommended Budget. Because a final settlement was not reached by May 8, placeholders were included on the position

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Lisa Driscoll, (925)
335-1023

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

By: , Deputy

cc: Jeffrey Bailey, Labor Relations Manager

BACKGROUND: (CONT'D)

>

add resolution. The County and Local 1 have reached agreement and have agreed to add one carpenter and one electrician.

The settlement provides for an agreed upon procedure to be followed prior to contracting for emergency work at the Contra Costa Regional Medical Center, and includes lump sum payments of \$3,250 to thirteen carpenters, and \$2,000 to five steamfitters.

CONSEQUENCE OF NEGATIVE ACTION:

Difficulty in contracting out required maintenance work.

ATTACHMENTS

P300 No. 22332

POSITION ADJUSTMENT REQUEST

NO. 22332
DATE 8/3/18

Department Public Works Department No./
Budget Unit No. 0079 Org No. 4031 Agency No. 65

Action Requested: Add 1 permanent Electrician (GFWA) at salary plan and grade QE5-1597 (\$6,172 - \$6,804) and 1 permanent Carpenter (GFWB) at salary plan and grade QE5-1569 (\$5,805 - \$6,401) in the Public Works Department (Represented). This item specifically identifies the classification of the two "Facilities Services Worker" positions added on May 8, 2018 by Resolutin No. 2018/152 Attachment K.

Proposed Effective Date: 7/1/2018

Classification Questionnaire attached: Yes No / Cost is within Department's budget: Yes No

Total One-Time Costs (non-salary) associated with request: _____

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost \$227,064.00 Net County Cost \$0.00
Total this FY \$227,064.00 N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% Chargeouts to User Departments/Projects

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Lisa Driscoll, County Finance Director

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

L. Strobel

8/3/2018

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE _____

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: Day following Board Action.
 _____(Date)

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE _____

- Approve Recommendation of Director of Human Resources
- Disapprove Recommendation of Director of Human Resources
- Other: _____

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED DISAPPROVED

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

DATE _____

BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:

REQUEST FOR PROJECT POSITIONS

Department _____

Date 8/8/2018

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: Matt Slattengren

Date: August 14, 2018

Subject: 18-0168-000SA CA Organic Program

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute a contract with the California Department of Food and Agriculture (CDFA) in an amount not to exceed \$4,100 for reimbursement of regulatory inspections for the California Organic Program for the period July 1, 2018 through June 30, 2019.

FISCAL IMPACT:

Approval of this agreement will provide reimbursement to the County in an amount not to exceed \$4,100. There is no County match of funds nor does this involve grant money. This amount has been budgeted for FY18/19.

BACKGROUND:

The County's Department of Agriculture enforces a variety of laws and regulations regarding the production and sale of agriculturally grown products. Agreement 18-0168-0SA provides reimbursement of costs incurred in the enforcement of California Organic Foods Act (Chapter 10 of Division 17). Enforcement activities includes registrations and amendments, spot inspections, soil and tissue sampling and compliant investigations.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

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

Contact: 608-6600

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Lack of approval would result in a loss of revenue for the Department for mandated enforcement functions.



Contra
Costa
County

To: Board of Supervisors

From: Matt Slattengren

Date: August 14, 2018

Subject: 18-0235-000SA Nursery Inspection Program

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute Agreement #18-0235-000SA with the California Department of Food and Agriculture (CDFA) to reimburse the department in an amount not to exceed \$1,041 to provide labor and equipment necessary to perform nursery inspections and enforcement activities for the period July 1, 2018 through June 30, 2019.

FISCAL IMPACT:

Approval of this action will reimburse the Department in an amount not to exceed \$1,041. There is no County match of funds nor are grant monies involved. This revenue has been included in the FY18/19 budget.

BACKGROUND:

This agreement provides reimbursement in an amount not to exceed \$1,041 for departmental expenses incurred during the agreement period for visual surveys of nurseries and to enforce all laws and regulations pertaining to nursery stock, including licensing requirements in accordance with the Memorandum of Understanding between the California Department of Food and Agriculture and the California Agricultural

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

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

Contact: 608-6600

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Commissioner and Sealers Association (CACASA) entitled State-County Nursery Inspection Program. These visual inspections ensure that certain regulatory requirements of the plant nursery industry are met which protects consumers and stop and/or slow the spread of exotic invasive species that may be present on certain host material.

CONSEQUENCE OF NEGATIVE ACTION:

Lack of approval of this action would cause a loss in revenue for the department.



Contra
Costa
County

To: Board of Supervisors

From: Matt Slattengren

Date: August 14, 2018

Subject: 17-0453-038SF Pierce's Disease Control Program

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute Agreement #17-0453-038SF with the California Department of Food and Agriculture (CDFA) to reimburse the department in an amount not to exceed \$398,304 for the Pierce's Disease Control Program for the period July 1, 2018 through June 30, 2019.

FISCAL IMPACT:

This agreement reimburses the Department for all associated costs incurred for the implementation of the Pierce's Disease Control Program in an amount not to exceed \$398,304. There is no match of County funds nor grant monies involved. This revenue has been included in the FY18/19 budget.

BACKGROUND:

The County's Department of Agriculture deploys traps, inspects incoming nursery shipments, landscaping and host crops countywide to detect incipient infestations of Glassy-winged Sharpshooter (GWSS). Any population of GWSS detected is delimited and controlled or eradicated. The CDFA, reimburses the Department for all costs, not to exceed \$398,304 for this program. Pierce's Disease and its vectors are a clear and present danger to Contra Costa County's agricultural commodities. The Agricultural Commissioner can abate this nuisance pursuant to Contra Costa County Ordinance Code Section 14-6.406 and Government Code Section 8558.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

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

Contact: 608-6600

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Failure to approve this agreement will result in loss of anticipated revenue for the Department and a possible threat to local agriculture.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Amendment #29-805-2 with the City of Antioch

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Amendment Agreement #29-805-2 with the City of Antioch, to increase the amount payable to the County by \$30,000 to a new payment limit of \$60,000 and extend the term end date to June 30, 2019, to provide additional homeless outreach services for the County's Coordinated Outreach, Referral and Engagement (CORE) Program.

FISCAL IMPACT:

Approval of this agreement will allow the County to receive an amount not to exceed \$30,000 from the City of Antioch to provide homeless outreach services for the period July 1, 2018 through June 30, 2019. No additional County funds are required.

BACKGROUND:

The CORE Program locates and engages homeless residents throughout Contra Costa County. CORE teams serve as an entry point into the County's coordinated entry system for unsheltered persons and work to locate, engage, stabilize and house chronically homeless individuals and families.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Lavonna Martin,
925-608-6701

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

By: , Deputy

cc: L Walker , M Wilhelm

BACKGROUND: (CONT'D)

On February 6, 2018, the Board of Supervisors approved Contract #29-805-1 with the City of Antioch for the provision of homeless outreach services for the CORE program from July 1, 2017 through June 30, 2018.

Approval of Amendment Agreement #29-805-2 will allow the County to receive funds from the City of Antioch through June 30, 2019. This agreement includes agreeing to indemnify and hold harmless the contractor for claims arising out of County's performance under this contract.

CONSEQUENCE OF NEGATIVE ACTION:

If this agreement is not approved, County will not receive funding and without such funding, the CORE program may have to operate at a reduced capacity.



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Amendment #28-660-17 with the City of Antioch for Community Development Department, Block Grant (CDBG) funding

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Amendment Agreement #28-660-17 with the City of Antioch for Community Development Block Grant (CDBG) funding, to amend Contract #28-660-16 to increase the amount payable to the County by \$10,000 to a new payment limit of \$25,212 and extend the term end date through June 30, 2019 to provide additional Adult Interim Housing Program services.

FISCAL IMPACT:

Approval of this amendment agreement will result in an amount not to exceed \$10,000 paid to the County for the period July 1, 2018 through June 30, 2019. No County match is required.

BACKGROUND:

The Health Services Department applied for funding from the City of Antioch to operate the emergency shelter program at full capacity on a year-round basis. Each year, the shelters provide interim housing and support services to over 80 individuals. The CDBG program, funded by the U.S. Department of Housing and Urban Development, is a source of public funding providing valuable housing and service benefits to homeless persons of Contra Costa County. Without such funding, the emergency shelter program may have to operate at a reduced capacity.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Lavonna Martin,
925-608-6701

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

By: , Deputy

cc: L Walker , M Wilhelm

BACKGROUND: (CONT'D)

On January 16, 2018, the Board of Supervisors approved Agreement #28-660-16 with the City of Antioch to receive CDBG funding to be used for the operation of the County's Adult Interim Housing Program for the period from July 1, 2017 through June 30, 2018.

Approval of Amendment Agreement #28-660-17 will allow the County to continue to receive CDBG funding from the City of Antioch, for service and operation of the County's Adult Interim Housing Program through June 30, 2019. This Agreement requires the County to indemnify the State for 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 and without such funding, the emergency shelter program may have to operate at a reduced capacity.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Interagency Agreement #28-337-2 with Pittsburg Unified School District

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Interagency Agreement #28-337-2 with Pittsburg Unified School District, a government agency, to pay the County an amount not to exceed \$150,000, to provide school-based mental health intervention services for Seriously Emotionally Disturbed (SED) children and youth for the period July 1, 2018 through June 30, 2019.

FISCAL IMPACT:

Approval of this agreement will result in a total payment to the County in an amount not to exceed \$150,000. County match of funds is not required.

BACKGROUND:

This agreement will allow Pittsburg Unified School District to provide funding for the County to provide professional school-based mental health intervention services to County-designated severely emotionally disturbed special education students who are participants in the Pittsburg Unified School District's elementary, middle and high school Counseling Enriched Classrooms (CEC).

Approval of Interagency Agreement #28-337-2, will allow the school district to pay the County for the provision of outpatient day treatment and mental health services, through June 30, 2019.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Matthew White, M.D.
925-957-5201

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

By: , Deputy

cc: D Morgan, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

The County is required to provide certain mental health services to special education students under the Federal Individuals with Disabilities Education Act (IDEA). If this agreement is not approved, the school district will not pay the County for providing services to students within the school district.

CHILDREN'S IMPACT STATEMENT:

This program supports the following Board of Supervisors' community outcomes: "Children Ready For and Succeeding in School"; "Families that are Safe, Stable, and Nurturing"; and "Communities that are Safe and Provide a High Quality of Life for Children and Families". Expected program outcomes include an increase in positive social and emotional development as measured by the Child and Adolescent Functional Assessment Scale (CAFAS).



Contra
Costa
County

To: Board of Supervisors
From: David O. Livingston, Sheriff-Coroner
Date: August 14, 2018

Subject: POST Driving Simulator and Force Option Contract

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a contract with the California Commission on Peace Officer Standards and Training, including full indemnification of the State of California, to pay the County an initial allocation of \$44,000 for the instruction of accredited Driving Simulator and Force Option Simulator courses for the period July 1, 2018 through June 30, 2019.

FISCAL IMPACT:

No County Costs. \$44,000; 100% Revenue, State of California. Budgeted in fiscal year 2018/19.

BACKGROUND:

The Office of the Sheriff - Law Enforcement Training Center provides the California Commission on Peace Officer Standards and Training (POST), approved driving simulator and force option simulator instruction to law enforcement personnel in order to ensure up-to-date training. This contract will enable the Sheriff's Office to recover the costs of this instruction for an initial count of up to 400 students.

CONSEQUENCE OF NEGATIVE ACTION:

The contract with the State of California will not be approved. The Sheriff's Office will not be able to provide or be reimbursed for the services outlined in this contract.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Sandra Brown,
925-335-1553

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: August 14, 2018

Subject: Interagency Agreement #29-816-1 with Martinez Unified School District

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Interagency Agreement #29-816-1 with Martinez Unified School District, a government agency, to pay the County an amount not to exceed \$178,960, to provide mental health intervention services for seriously emotionally disturbed (SED) special education students, for the period from July 1, 2018 through June 30, 2019.

FISCAL IMPACT:

Approval of this agreement will result in a total payment to the County in an amount not to exceed \$178,960. County match of funds is not required.

BACKGROUND:

Contra Costa Behavioral Health Services Division/Mental Health in collaboration with Seneca Family of Agencies is implementing the Martinez Unified School District Counseling Enriched Classrooms to provide mental health services for SED youth and families who live in Martinez.

On October 17, 2017, the Board of Supervisors approved Interagency Agreement #29-816 with Martinez Unified School District for mental health intervention services for SED special education students for the period from January 1, 2018 through June 30, 2018.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Matthew White M.D.
925-957-5201

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

By: , Deputy

cc: D Morgan, M Wilhelm

BACKGROUND: (CONT'D)

Approval of Interagency Agreement #29-816-1 will allow the school district to continue to pay the County to provide mental health intervention services for SED special education students through June 30, 2019.

CONSEQUENCE OF NEGATIVE ACTION:

If this agreement is not approved, the County will not receive funding to support mental health intervention services for SED special education students.

CHILDREN'S IMPACT STATEMENT:

This program supports the following Board of Supervisors' community outcomes: "Children Ready For and Succeeding in School"; "Families that are Safe, Stable, and Nurturing"; and "Communities that are Safe and Provide a High Quality of Life for Children and Families". Expected program outcomes include an increase in positive social and emotional development as measured by the Child and Adolescent Functional Assessment Scale (CAFAS).



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Application #28-376 with the California Department of Health Care Services

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to submit funding application #28-376 to the California Department of Health Care Services, in an amount not to exceed \$25,000, for expansion of medication assisted treatment (MAT) services in the Detention Facilities, for the period from August 1, 2018 through March 31, 2019.

FISCAL IMPACT:

Approval of this application could result in an amount not to exceed \$25,000 of funding from the California Department of Health Care Services for expansion of MAT services through March 31, 2019. No County match is required.

BACKGROUND:

Contra Costa has made significant progress in addressing the opioid epidemic including supporting safer prescribing practices, reducing the prevalence of opioids in the community, and reducing overdose rates. Since 2016, the Health Services Department has increased buprenorphine prescriptions in ambulatory care through the Choosing Change Program that is available only outside the jails. When individuals are incarcerated they are forced to withdraw from opioids. Research has demonstrated that this leads to decreased tolerance for opiates and increased cravings, resulting in a 12 fold increase in mortality upon release. Studies indicate that the risk of death due to overdose among released inmates was 129 times

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Fatima Matal Sol,
925-335-3307

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

By: , Deputy

cc: Tasha Scott, Marcy Wilhelm

BACKGROUND: (CONT'D)

higher than compared to the general population. Starting MAT services in jails and providing linkages to patients to community prescribers increases the likelihood that patients will stay in treatment and decreases death by overdose and drug use. Most recently in 2017, Contra Costa became the fifth county that opted into the Drug Medi-Cal Organized Delivery System (DMC-ODS) Waiver, and expanding MAT access to the three county jail system will help us ensure continuity of care as we link inmates with an Opioid Use Disorder (OUD) to the Choosing Change Program upon release and the rest of the DMC-ODS plan network should they need higher levels of care.

The following outcomes are expected from the expansion of MAT services: 1) Expansion of screening and detection of individuals with OUD; 2) Increase of availability of MAT through Buprenorphine and Methadone for individuals with OUD; 3) Increase of Behavioral Health support to MAT patients; and 4) Increase of MAT education and awareness among criminal justice partners and inside jail.

Approval of this Application #28-376 will allow the County to apply for funding for MAT services, through March 31, 2019.

CONSEQUENCE OF NEGATIVE ACTION:

If this agreement is not approved, County will not be able to provide MAT services in the detention facilities which could lead to an increase in mortality upon release.



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: August 14, 2018

Subject: California Governor's Office of Emergency Services, Elder Abuse Program Grant Funding

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with the California Governor's Office of Emergency Services to increase the payment limit to County by \$300,000 to a new payment limit of \$700,000 for multidisciplinary community response to elder and dependent adult abuse and extend the contract period from July 1, 2016 through June 30, 2018 to July 1, 2016 through December 31, 2019.

FISCAL IMPACT:

County to receive a total grant amount of \$700,000 (including contract amendment amount of \$300,000) from the California Governor's Office of Emergency Services grant. This contract is wholly funded by the State with a County in-kind match of 20%.

BACKGROUND:

Funding from the California Governor's Office of Emergency Services provides support to communities to improve the ability to identify the needs of victims of elder and dependent adult abuse and to improve the delivery of preventative services by: funding an Elder Abuse Victims specialist dedicated to services for elder and dependent adult victims; providing and coordinating direct services for elder and dependent

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Elaine Burres,
608-4960

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

adult victims; expending the capacity of communities to serve elder and dependent adult victims; ensuring the elder and dependent adult victims have access to the criminal justice system; and, implementing an outreach awareness program for victims and mandated reporters of elder and dependent adult abuse and others who may have come into contact with these victims.

Due to administrative oversight, funds were accepted without the benefit of a timely contract amendment board order to increase grant funding and extend the grant period. The increased funds were distributed to the County by the California Governor's Office of Emergency Services, however, without Board approval, County will remain out of process compliance.

CONSEQUENCE OF NEGATIVE ACTION:

Without a board order to approve and authorize the additional accepted funding, the County is out of compliance with the California Governor's Office of Emergency Services process. Without funding, expansion of multidisciplinary elder abuse services would be significantly curtailed.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Novation Contract #28-541-25 with the City of Richmond for its Community Services Department

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Novation Contract #28-541-25 with the City of Richmond, for its Community Services Department, a political subdivision of the State of California, to provide congregate meal services for County's Senior Nutrition Program, for the period from July 1, 2018 through June 30, 2019, which includes a three-month automatic extension through September 30, 2019.

FISCAL IMPACT:

The contractor will pay the County the voluntary contributions it receives from participating seniors, after it has paid its authorized expenses. No County funds are required.

BACKGROUND:

This contract meets the social needs of County's population by providing an average of thirty (30) congregate meals per day, five days per week for senior citizens at its Congregate Senior Nutrition site in Richmond.

On October 17, 2017, the Board of Supervisors approved Novation Contract #28-541-24

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Dan Peddycord, (925)
313-6712

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

By: , Deputy

cc: E SUISALA , M WILHELM

BACKGROUND: (CONT'D)

with the City of Richmond, for its Community Services Department, to provide congregate meal services for County's Senior Nutrition Program for the period from July 1, 2017 through June 30, 2018, which included a three-month automatic extension through September 30, 2018.

Approval of Novation Contract #28-541-25 replaces the automatic extension under the prior contract and allows the contractor to continue providing services through June 30, 2019. This contract includes mutual indemnification.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, senior citizens who depend on County's Senior Nutrition Program will not receive meals at the contractor's facility.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Interagency Agreement #29-513-21 with Mt. Diablo Unified School District

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Interagency Agreement #29-513-21 with Mt. Diablo Unified School District, a government agency, to pay the County an amount not to exceed \$533,891, to provide professional school-based mental health services, and crisis intervention, and day treatment for seriously emotionally disturbed students, for the period July 1, 2018 through June 30, 2019.

FISCAL IMPACT:

Approval of this interagency agreement will result in a total payment to the County in an amount not to exceed \$533,891. County match of funds is not required.

BACKGROUND:

Fred Finch Youth Center, Families First, and Seneca Residential & Day Treatment Center for Children work collaboratively with the County and school district personnel in developing program services and policies. The primary goal of the Early and Periodic Screening, Diagnosis and Treatment (EPSDT) Program and non-Medi-Cal mental health programs are to continue to provide seriously emotionally disturbed children with the services and the support they need to function effectively in school, at home, and in the community.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Matthew White, M.D.
925-957-5201

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

By: , Deputy

cc: D Morgan, M Wilhelm

BACKGROUND: (CONT'D)

Approval of Interagency Agreement #29-513-21 will allow the Mt. Diablo Unified School District to continue to pay the County for the provision of professional mental health services through June 30, 2019.

CONSEQUENCE OF NEGATIVE ACTION:

If this agreement is not approved, seriously emotionally disturbed students will not receive school-based mental health services and crisis intervention services.

CHILDREN'S IMPACT STATEMENT:

This program supports the following Board of Supervisors' community outcomes: "Children Ready For and Succeeding in School"; "Families that are Safe, Stable, and Nurturing"; and "Communities that are Safe and Provide a High Quality of Life for Children and Families". Expected program outcomes include an increase in positive social and emotional development as measured by the Child and Adolescent Functional Assessment Scale (CAFAS).



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: August 14, 2018

Subject: Contact Services with IEDA for IHSS Negotiations and Support Services

RECOMMENDATION(S):

APPROVE and AUTHORIZE the County Administrator, or designee, to execute a contract with Industrial Employers and Distributors Association (IEDA), including modified indemnification language, in an amount not to exceed \$22,588 to provide In-Home Supportive Services Authority (IHSS) negotiations and support services, for the period September 1, 2018 through August 31, 2019.

FISCAL IMPACT:

Services provided by IEDA will be billed quarterly, up to a maximum payment limit of \$22,588 for the requested contract term, and will be funded by Federal, State and County.

BACKGROUND:

Due to a long-standing contract with IEDA, the County Administrator's Office is requesting to continue contracting with IEDA for negotiation and support services for the IHSS Public Authority. IEDA has represented Contra Costa County in labor relations matters for about 40 years and augments the County's Labor Relations staff. IEDA has long-term, historical knowledge of the policies, practices and intricacies of the County and IHSS, and is instrumental in negotiations.

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **08/14/2018** 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: August 14, 2018

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

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

By: , Deputy

cc: Robert Campbell, County Auditor-Controller, Kathy Gallagher, EHSD Director, Keith Fleming, IEDA, Jeffrey Bailey, Labor Relations Manager

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, IHSS and the County will lack the necessary negotiations and support services needed to negotiate with recognized employee organizations.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Purchase Order with Medical Information Technology, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a software agreement with Medical Information Technology, Inc., in an amount not to exceed \$121,667 for the license and annual maintenance of software modules for the period April 1, 2018 through March 31, 2019.

FISCAL IMPACT:

100% funding is included in the Hospital Enterprise Fund I budget.

BACKGROUND:

Pursuant to a Program License Agreement date July 16, 1992, and a Health Care Information System Software Agreement dated April 28, 2003, the County purchased the software modules from Medical Information Technology. Modules presently in use include Laboratory Module, Microbiology Module, Anatomical Pathology Module, Blood Bank Module, Materials Management Module, Data Repository and MAGIC Operating Systems (Disaster Recovery). Health Services' clinical laboratory uses these modules, which allow an exchange of and immediate access to real-time patient medical information among the clinical labs. The County pays Medical Information Technology, Inc., annually for the continued use of the software modules. Due to the age of the prior agreements, the Health Services Department is seeking

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Patrick Wilson,
925-335-8700

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

By: , Deputy

cc: Tasha Scott, Marcy Wilhelm, Renee Nunez

BACKGROUND: (CONT'D)

to enter into an updated and current software license and support agreement with Medical Information Technology, Inc. The agreement obligates the County to indemnify the contractor from any liability arising from improper or flawed operation or use of the licensed software.

CONSEQUENCE OF NEGATIVE ACTION:

If this purchase order is not approved, the lack of these software applications could disrupt real-time patient data exchange between clinical laboratories which would result in data loss.



Contra
Costa
County

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: August 14, 2018

Subject: Contract with PlaceWorks, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute a contract, subject to approval by the County Administrator and approval as to form by County Counsel, with PlaceWorks, a corporation, in an amount not to exceed \$3,190,376 for consulting services related to updating the Contra Costa County General Plan, Contra Costa County Zoning Code, and Contra Costa County Climate Action Plan, and preparation of an environmental impact report for said updates, for the period August 15, 2018, through December 31, 2021.

FISCAL IMPACT:

In December 2017, DCD staff estimated the cost to update the County General Plan, including preparation of the associated environmental impact report (EIR), at up to \$7 million depending on which of three options the Board of Supervisors chose to pursue (see Attachment A for more discussion of these options). The cost associated with a simultaneous update to the County Zoning Code, to be carried out primarily by DCD staff, was estimated at an additional \$1.5 million. The Board selected Option 2 for updating the General Plan, which staff estimated at \$2 - 4 million. Combined with the Zoning Code update, the total project cost was estimated at \$3.5 - 5.5 million.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Will Nelson, (925)
674-7791

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

By: , Deputy

cc:

FISCAL IMPACT: (CONT'D)

The proposed contract with PlaceWorks, which includes updating the General Plan and Climate Action Plan, preparing the EIR, and providing technical support to County staff for the Zoning Code update, is \$3,190,376 (\$2,900,342 base cost plus \$290,034 [10%] contingency). Adding \$1.351 million for County staff time to prepare the Zoning Code update (the original \$1.5 million estimate minus approximately \$149,000 for PlaceWorks' technical support) brings the total estimated project cost to \$4,541,376. This project will be financed by DCD's Land Development Fund and up to \$2,250,000 from the County General Fund. Throughout the process, staff will pursue grant funding to defer costs where possible.

BACKGROUND:

State law requires each city and county in California to prepare and maintain a general plan, which serves as a jurisdiction's "constitution" for decisions concerning land use planning and expresses a community's long-term vision for its future development. All decisions on planning matters (rezonings, subdivisions, use permits, etc.) must be consistent with the jurisdiction's adopted general plan. The Board of Supervisors adopted the first iteration of the County General Plan in January 1991. Limited General Plan updates, or "reconsolidations," were adopted in 1996 and 2005, but a comprehensive update has never occurred. The 2005 reconsolidation extended the life of the document through 2020.

On December 19, 2017, DCD staff presented a report to the Board explaining the necessity of a General Plan update. As indicated above, three options were outlined and the Board authorized DCD to proceed with Option 2 along with a parallel update of the County Zoning Code.

DCD released a request for proposals (RFP) for the General Plan update in April 2018. Four environmental consulting firms responded, and interviews with all four were conducted in June. The interview panel selected PlaceWorks, a full-service consulting firm that has worked on over 75 general plans across the state. PlaceWorks will be primarily responsible for preparing the General Plan update and its accompanying EIR, and will provide technical support to DCD staff for the Zoning Code update. While not requested in the RFP, PlaceWorks has included a Climate Action Plan update in the proposed scope of work.

CONSEQUENCE OF NEGATIVE ACTION:

If the contract with PlaceWorks is not executed, then work on the General Plan update cannot begin.

ATTACHMENTS

Attachment A - December 19, 2017, Board Order

ARCHIVE DOCUMENT



Contra
Costa
County

To: Board of Supervisors

From: John Kopchik, Director, Conservation and Development Department

Date: December 19, 2017

Subject: Proposed Options for County General Plan Update

RECOMMENDATION(S)

1. ACCEPT the report from Department of Conservation and Development (DCD) staff on the proposed approach for updating the Contra Costa County General Plan 2005-2020.
2. ACCEPT public comments.
3. PROVIDE comments and direction on the proposed approach to DCD staff.

FISCAL IMPACT

The fiscal impact depends on the scope of the General Plan update. In each case, the cost would be spread over a three-year period. Option 1 is estimated to be in the \$1.5 to \$2 million range. The cost of Option 1 may be covered within the DCD operating budget over the next three years. The Land Development Fund could cover a significant portion of the cost, though the more expensive options would require move funding from other sources. Staff would seek grant funding to help fund a portion of the work for, particularly for Options 2 or 3, and the department would also work with the County Administrator to request an allocation of general funds as part of upcoming Budget deliberations, to pay a portion of the costs. An update of the Zoning Ordinance is estimated to cost up to \$1.5 million. No funding source has been identified for this work, but doing it concurrently with the General Plan update would result in savings related to environmental review. These cost estimates are the result of preliminary conversations DCD staff has had with two different general plan/environmental consultants.

- | | |
|--|--|
| <input checked="" type="checkbox"/> APPROVE | <input type="checkbox"/> OTHER |
| <input checked="" type="checkbox"/> RECOMMENDATION OF COUNTY ADMINISTRATOR | <input type="checkbox"/> RECOMMENDATION OF BOARD COMMITTEE |

Action of Board On: **12/19/2017**
Clerks Notes:

- | | |
|--|---|
| <input type="checkbox"/> APPROVED AS RECOMMENDED | <input checked="" type="checkbox"/> OTHER |
|--|---|

VOTE OF SUPERVISORS

AYE: John Gioia,
District I Supervisor
Candace Andersen,
District II Supervisor
Diane Burgis,
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: December 19, 2017

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

By: June McHuen, Deputy

Contact: (925) 674-7791

ARCHIVE DOCUMENT

BACKGROUND

Input Requested from Board of Supervisors

The following report provides the Board of Supervisors with information on the process for updating the County General Plan, which is set to expire in December 2020. The scope of work for this project includes numerous variables, described in more detail below, that will significantly affect the cost and timeline for completion. As such, staff hopes to receive the following from this initial report to the Board:

- Guidance to inform recruitment of a consultant. This project will require the services of a consultant who specializes in writing and updating general plans, managing the public outreach and participation aspect of the process, and completing the required environmental analysis pursuant to the California Environmental Quality Act (CEQA). Retaining a consultant will be the first major step in the process. To recruit a qualified consultant, it is necessary for staff to understand the Board's wishes related to the project's scope of work. Staff notes that the consultants' proposals themselves will inform the scope of work.
- Guidance to assist DCD in budget planning for FY 2018/2019 and beyond. As explained herein, staff anticipates the cost for updating the General Plan will range from approximately \$1.5 million to \$7 million depending on the scope of work chosen by the Board.

DCD envisions the General Plan update as a three-year process during which staff will frequently return to the Board to provide progress reports and seek additional direction. DCD anticipates the first progress report will occur in early 2018 to further discuss project cost, timeline, options for public participation, and consultant selection.

Brief History of the County General Plan

State law requires each city and county in California to prepare and maintain a general plan. A jurisdiction's general plan serves as its "constitution" for decisions concerning land use planning and expresses a community's long-term vision for its future development. All decisions on planning matters (rezonings, subdivisions, use permits, etc.) must be consistent with the adopted general plan.

Preparation of the County General Plan involved an extensive process of public participation and outreach. In early 1986, the County Board of Supervisors established a "General Plan Congress" to advise County staff on revising the County General Plan.¹ The 67-member General Plan Congress represented a broad range of interests in the County, including the City Councils from each of the (then) 18 cities in the County, County service districts, environmental groups, landowners, developers, and public interest groups including the League of Women Voters, and Citizens for a Better Contra Costa. With assistance from the General Plan Congress, County staff prepared a draft General Plan in November 1988. After recommending additional changes to that draft, the Congress voted to pass the draft General Plan on to the County Planning Commission and disband.

In March 1989, the County made a draft of the General Plan available for public review. Between March 1989 and August 1990, the County Board of Supervisors held numerous public hearings and received extensive written comments on the March 1989 draft. In response to public comments received, the County then prepared a revised and updated draft of the General Plan, which was made available for additional public comment and review in October 1990. Between October and December 1990, the County Planning Commission and Board of Supervisors held additional public hearings on the October 1990 draft. As a

¹ At the time the General Plan Congress was convened, the General Plan was not a single document. Instead it consisted of a number of separately bound plans for various areas and communities throughout the county.

ARCHIVE DOCUMENT

result of those comments and passage in November 1990 of Measure C, the 65/35 Contra Costa County Land Preservation Plan, the County again revised the document. The Board of Supervisors adopted the final document, *Contra Costa County General Plan 1990-2005*, in January 1991.

In 1996 and again in 2005 the Board of Supervisors adopted a “reconsolidated” General Plan (the 2005 reconsolidation also extended the term of the General Plan from 2010 through 2020). Reconsolidating the General Plan included the following:

1. Fully incorporating all previously adopted General Plan Amendments.
2. Updating demographic data and statistics.
3. Deleting descriptive or explanatory text that had become obsolete or outdated.
4. Deleting policies and implementation measures applicable to lands incorporated through 2004.
5. Deleting outdated references to completed projects.
6. Updating the Land Use Element to reflect lands use plans and planning decisions made by the cities.
7. Updating the Land Use Element Map to reflect land acquisitions by public agencies (e.g., regional parklands) and significant land areas that had been deed restricted for open space purposes.
8. Replacing original maps with higher-quality maps prepared using the County's Geographic Information System (GIS) mapping capabilities.
9. Correcting errors and omissions in the document's text.

The 2005 reconsolidation occurred at what will ultimately be the midpoint of the General Plan's 30-year term. Since the reconsolidation, the General Plan has been revised through individual amendments affecting relatively small portions of the document. The only exception to this has been State-mandated updates to the Housing Element, which most recently occurred in 2014.

State of California General Plan Guidelines

To assist local governments in preparing general plans and facilitate public participation in that process, the Governor’s Office of Planning and Research (OPR) publishes the *General Plan Guidelines* (GPG). While the GPG document is advisory, it closely adheres to statute and case law. From time to time OPR updates the GPG, with the most recent update released in August 2017. Any substantial update of the General Plan should be generally consistent with the current version of the GPG.

Transportation and Circulation Element Update

The approach to transportation planning has fundamentally shifted over the past 15+/- years and is likely to continue shifting, thus necessitating a substantial effort to revise the General Plan Transportation and Circulation Element (TCE). These fundamental shifts include:

- Context Sensitive Planning (2000): An approach to transportation decision-making that takes the surrounding land uses into consideration.
- Complete Streets (2005/2008): Something of a refinement of Context Sensitive Planning, “complete streets” is an approach to transportation decision-making that requires streets to be planned, designed, constructed, and operated to accommodate all users (pedestrians, drivers, cyclists, public

ARCHIVE DOCUMENT

transportation users, wheelchair users, etc.). Passage of the 2008 California Complete Streets Act established complete streets practices in statute.

- Greenhouse Gas-Related Initiatives (2006): The Global Warming Solutions Act (Assembly Bill [AB] 32) and subsequent Sustainable Communities Act of 2008 (Senate Bill [SB] 375) resulted in the further emphasis of, among many other things, the importance of active transportation modes.
- SB 743 (2013): This bill has a number of significant impacts, three of which are relevant to the General Plan update and discussed below (final guidance from the State is substantially delayed and has not yet been adopted):
 1. Removal of “level of service” (LOS) metrics from CEQA analysis. This change has created a substantial amount of dialog and controversy. LOS is a congestion-based approach to managing traffic that has been in use for decades. In summary, the approach is to prioritize transportation investments that mitigate congestion by expanding roadway capacity. This approach has many flaws that are widely acknowledged. The replacement metric was administratively determined to be Vehicle Miles Traveled (VMT). The impact of this particular change on transportation decision-making cannot be overstated.

Local jurisdictions are free to continue using LOS in their own local policies. If and how the County chooses to continue using LOS will be considered in this general plan update.

2. Removal of parking impacts in certain settings, as a significant impact in CEQA review: The legislation included the following language, “...*parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.*”
3. Traffic safety: The substantial attention given to the LOS and parking changes listed above may have resulted in the safety language in SB 743 not receiving much attention. Despite this lack of attention, this change could have a significant impact on project review. Historically, traffic safety has not been a part of CEQA review, SB 743 is likely to change that. The preliminary (again, finalization has been delayed) SB 743 guidance includes the following:

“(3) Local Safety. In addition to a project’s effect on vehicle miles traveled, a lead agency may also consider localized effects of project-related transportation on safety. Examples of objective factors that may be relevant may include: (A) Increase exposure of bicyclists and pedestrians in vehicle conflict areas (i.e., remove pedestrian and bicycle facilities, increase roadway crossing times or distances, etc.). (B) Contribute to queuing on freeway off-ramps where queues extend onto the mainline. (C) Contribute to speed differentials of greater than 15 miles per hour between adjacent travel lanes. (D) Increase motor vehicle speeds. (E) Increase distance between pedestrian or bicycle crossings.”

Subsequent to the passage of SB 743, OPR released the 2017 General Plan Guidelines. The Guidelines added an entirely new section (*Appendix B: SB 743 Safety Technical Advisory: Analyzing Safety Impacts Related to Transportation*) which reflects the safety language in SB 743 and the draft SB 743 guidance:

In the past, transportation safety has focused on streamlining automobile flow and accommodating driver error, sometimes confounding motor vehicle mobility and speed with transportation system safety. An updated and more holistic approach

ARCHIVE DOCUMENT

has developed over the past decade, however. This updated approach focuses on three overlapping strategies:

- *Reduce speed and increase driver attention Protect Vulnerable road users*
- *Reduce overall VMT and sprawl*

Other Changes

In addition to the issues discussed above, the following will be addressed in the Transportation and Circulation Element update:

- Impacts of sea level rise on transportation investments and existing infrastructure. Accommodation of Connected Vehicles & Automated Vehicles (CV/AV): This rapidly evolving field may require specific policy accommodation.
- Transportation Network Companies (TNCs [Lyft, Uber, etc.]): The impacts of these rapidly evolving services are starting to emerge including unintended consequences (increased congestion in some areas) and heightened interest in curb management policies due to inexperienced commercial drivers not adhering to traffic laws when picking up or dropping off passengers.
- Unsafe speeds: The evolution of transportation planning described above is likely to continue. The next phase of this evolution may be to address unsafe speeds. The National Transportation Safety Board (NTSB) recently released a study, “Reducing Speeding-Related Crashes” which has received a substantial amount of attention. This study, combined with **1)** the new safety elements in the updated OPR General Plan Guidelines, **2)** safety elements of SB 743, and **3)** ongoing interest in the public health field, may foreshadow the next phase in transportation planning.

The Caltrans California Traffic Control Device Committee received a proposal at their November 2, 2017, meeting to review the Manual of Uniform Traffic Control Devices relative to the Engineering and Traffic Study procedures. This proposal was brought forward, in part, due to the NTSB report, which includes the recommendation to “remove the guidance that speed limits in speed zones should be within 5 mph of the 85th percentile speed”. Similar to the LOS discussion above, it is likely that the County will have to consider how to respond to this change in longstanding policy in the near future.

- Evolution of public transit: The pressure from TNCs (and eventually CV/AV technology) is likely to result substantial changes in how public transit is administered and operated. While the County has no direct role in the provision of public transit, the service is addressed in the General Plan.
- SB 1000 (2016): Land use: general plans: safety and environmental justice: This legislation further expands on the complete streets concept:

(2) (A) Commencing January 1, 2011, upon any substantive revision of the circulation element, the legislative body shall modify the circulation element to plan for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways for safe and convenient travel in a manner that is suitable to the rural, suburban, or urban context of the general plan.

Growth Management Element Update

Passage of the Measure J transportation sales tax in 2004 extended and revised policies originally established by passage of Measure C-1988. In response, the Contra Costa Transportation Authority

ARCHIVE DOCUMENT

(CCTA) revised the *Growth Management Program Implementation Guide* to incorporate the Measure J changes. CCTA member jurisdictions were then requested to update their growth management elements (GMEs) to reflect the new policies in Measure J.

In consultation with CCTA, the County chose not to update its GME in favor of a more efficient approach of using a Measure C-to-Measure J “*correspondence table*” that illustrates how the existing GME is consistent with the requirements of Measure J. This decision was made citing: 1) the existing Measure C-compliant GME was consistent with the new Measure J policies, and 2) considering that existing policies were sufficient, the simpler approach would be a more efficient use of the County’s limited resources. The correspondence table was added to the General Plan in 2016.

However, as the County is undertaking a more comprehensive update to the General Plan that will likely require substantial revisions to the GME, it would now be appropriate to more precisely reflect CCTA's preferred GME language. Furthermore, and possibly most significantly, the GME contains LOS policies and standards no longer required under Measure J or CEQA. As discussed earlier, with this General Plan update, the County will be considering if and how to continue using LOS.

Proposed Options for Updating the County General Plan

By the time the General Plan is set to expire in December 2020, 30 years will have elapsed since its original adoption. For the most part the document's goals and policies reflect the planning philosophy of the late 1980s and early 1990s, which encouraged low-density, sprawl-type development. However, as explained above, the approach to land use and transportation planning in California is changing rapidly, primarily because of the State's focus on reducing greenhouse gas emissions. The emphasis now is on infill, densification (especially in proximity to transit stops), mixed uses, greater reliance on public transportation, and alternatives to single-occupancy vehicles. The objective of this General Plan update should be to produce a document that is accurate and philosophically current. DCD staff proposes following three basic options for updating the General Plan.

Option 1: Comprehensive Clean-up

Option 1 involves a basic work program similar to the 1996 and 2005 consolidations described above. This option focuses on bringing the General Plan up to date. Option 1 would include the nine items described in the consolidation discussion above, for the period from 2005-2020, along with the following additional suggested tasks:

1. Revising the document as necessary to achieve consistency with the recently updated *General Plan Guidelines*.
2. Rewriting the Transportation and Circulation Element as discussed above.
3. Rewriting the Growth Management Element as discussed above.
4. Addressing environmental justice as required by SB 1000.
5. Incorporating relevant information related to *Plan Bay Area* and other regional initiatives, such as the Bay Conservation and Development Commission's *Adapting to Rising Tides Program*.
6. Incorporating the Delta Protection Commission's updated *Land Use and Resource Management Plan for the Primary Zone of the Delta*.
7. Incorporating the County's *Community Climate Action Plan* adopted in December 2015.
8. Incorporating the County's updated *Local Hazard Mitigation Plan*, on track for adoption in 2018.

ARCHIVE DOCUMENT

Option 1 is best characterized as a comprehensive General Plan clean-up. This option includes items that are either required by statute or local initiative, or simply necessary to bring the document up to date. The narrative text, data, statistics, and maps would be revised and made current. Policy changes would generally be limited to those necessary for the General Plan to be consistent with adopted statutes, the updated GPG, and updated regional plans. The General Plan's format, appearance, and organization would essentially remain unchanged. Under this option the General Plan would be factually current, but still somewhat stale philosophically. Staff estimates the cost associated with Option 1, including environmental review, to be approximately in the \$1.5 million to \$2 million range.

Option 2: Major Overhaul and Incorporating Additional Topics

Option 2, the staff recommended option, builds on the work program described for Option 1. This option includes all items described under Option 1 plus the following suggested tasks:

1. Addressing additional topic areas such as economic development, community health, sustainability, or other topics as the Board sees fit. These topics could either be addressed in new General Plan elements or integrated into the existing elements. Certain topics may lend themselves to one approach over the other.
2. Adjusting the Urban Limit Line (ULL) to exclude properties acquired by certain public agencies or where development restrictions limit the land to open space or conservation uses. Examples include lands purchased by East Bay Regional Park District and Contra Costa Water District, and private lands under agricultural conservation easements. Such contractions of the ULL are allowed pursuant to Measure L-2006.
3. Updating the Land Use Element to facilitate development of denser, mixed-use neighborhoods and communities where appropriate, and address a number of deficiencies that unnecessarily complicate the development process.
4. In cooperation with Municipal Advisory Councils (MACs) and local community organizations, creating community profiles and vision statements for various unincorporated communities and planning areas. These statements would succinctly describe the character and long-term vision for these areas, providing guidance for project applicants and decision-makers.
5. Revising the document's organization and numbering convention to simplify integration of future amendments and improve overall usability.

The five items listed under Option 2 are staff suggestions and "voluntary" in that they are not statutorily required. This list may be augmented as the Board desires. However, including these items in the final work program would be good planning practice and yield an up-to-date General Plan addressing a broader range of contemporary planning issues. The document would also have a more modern appearance and be more user-friendly. Staff estimates the cost associated with Option 2, including environmental review, to be approximately in the \$2 million to \$4 million range. The main cost variable is which, and how many, additional topic areas would be addressed under this option.

Option 3: New County General Plan

Option 3 entails preparation of an entirely new General Plan; however, staff views this option as potentially unnecessary. Independent of the legislation discussed above, county residents have approved four local initiatives (Measure C-1988, Measure C-1990, Measure J-2004, and Measure L-2006) that form the foundation of land use and transportation planning policy in Contra Costa County. Measure C-1988 established a one-half cent sales tax to fund transportation projects and programs, and instituted the Growth Management Program (GMP), which links planning for growth and development to transportation.

ARCHIVE DOCUMENT

Measure C-1990 created the original County ULL and the 65/35 Land Preservation Standard, which limits urban development to no more than 65 percent of the land in the county. Measure J-2004 extended the half-cent transportation sales tax through 2034 and amended the GMP to, among other things, require all 19 cities and towns to adopt either the County's ULL or their own. Measure L-2006 extended the term of the County ULL through 2026. Together these initiatives created a strong countywide planning framework that focuses development pressure toward existing communities, coordinates land use and transportation policy, and preserves almost two-thirds of the land in the county for non-urban uses. The General Plan, despite being outdated in many respects, remains consistent with these voter-approved initiatives. Furthermore, the General Plan cannot deviate from the requirements of these initiatives, meaning a new document would necessarily be similar to the existing document in terms of its foundational principles and policies.

Staff estimates the cost associated with Option 3, including environmental review, to be up to \$7,000,000. In staff's opinion, updating the County Zoning Code would be a more effective use of the County's limited resources.

Updating the County Zoning Code

The County Zoning Code (County Ordinance Code Title 8) is the primary tool for implementing the General Plan, and by law, must be consistent with the General Plan.

The County Zoning Code was originally adopted in 1947, when the county population was slightly under 300,000, heavy industry was still prevalent in West County and along the waterfront, the suburbs of Central County were just beginning to develop, and agriculture was by far the dominant land use in East County. The original version of the Zoning Code reflected these conditions, particularly in its permissiveness of certain heavy industrial and agricultural uses, such as refineries, explosives plants, and stockyards. However, while Contra Costa subsequently transformed into a largely suburban county with over 1,100,000 residents, the Zoning Code never underwent a comprehensive review and update to address this reality. Instead it has been updated piecemeal to comply with State legislation and address local issues as they've arisen. This approach has resulted in a compendium of somewhat outdated regulations that are complicated and difficult to administer, and fail to adequately address many contemporary planning issues. The Zoning Code's cumbersome processes are also a potential hindrance to economic development. In staff's opinion, addressing the Zoning Code's deficiencies would be an effective complement to the effort to update the General Plan.

DCD staff estimates that an adequate update of the Zoning Code would cost up to \$1.5 million. Staff anticipates completing most of the work in-house, though a consultant's assistance may be necessary for certain technical aspects and completion of the CEQA review.

Environmental Review

The General Plan update will be subject to review under CEQA. DCD staff has determined that an environmental impact report (EIR) will be the appropriate level of review, regardless of which option the Board chooses. EIRs are comprehensive documents addressing a broad range of environmental subject areas. Preparation of a complete and legally-adequate EIR requires numerous technical studies assessing potential environmental impacts related to air quality, biology, greenhouse gas emissions, noise, traffic, utilities, and a host of other topics. The EIR process also includes significant opportunity for public involvement, particularly in the form of submitting comments on the adequacy of the draft EIR document. Substantial cost will be incurred responding to these comments, which is a requirement of CEQA. Staff anticipates that completing the CEQA process will account for approximately 50 percent or more of the total cost for updating the General Plan.

ARCHIVE DOCUMENT

Public Outreach and Participation

Updating the General Plan necessarily involves significant public outreach and participation in addition to the public agency consultation that is required by statute. The nature and extent of this public outreach will depend greatly on the work program ultimately chosen by the Board. Public outreach will involve community meetings and workshops, public hearings, utilization of social media, and any other methods as directed by the Board. Staff notes that this work significantly impacts the budget (the cost estimates above assume an ambitious public outreach effort proportional to each proposed option).

Timeline

As noted above, the General Plan is set to expire in December 2020, leaving three years to complete the update. Staff will be able to provide a project timeline once the Board decides on the details of the work program. However, the first step in the process, which DCD hopes to complete by the end of April 2018, will be to select a consultant to assist with updating the General Plan and preparing the EIR.

Conclusion

Staff is requesting direction from the Board on the approach for updating the County General Plan. Given the time constraint, estimated cost, and necessity of also updating the County Zoning Code, it is staff's opinion that the work program described for Option 2 represents the most efficient use of County resources.

CONSEQUENCE OF NEGATIVE ACTION

There is no immediate consequence. The purpose of this report is to provide an update to the Board of Supervisors and seek direction.

CLERK'S ADDENDUM

ACCEPTED the report from Department of Conservation and Development (DCD) staff on the proposed approach for updating the Contra Costa County General Plan 2005-2020; CHOSE Option 2 as the approach to update the General Plan; and DIRECTED staff to proceed with a Request for Proposals to select a consultant to assist with updating the General Plan and preparing the Environmental Impact Report.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Contract #76-621 with Gayatri Mahajan, M.D.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Contract #76-621 with Gayatri Mahajan, M.D., an individual, in an amount not to exceed \$130,000 for the provision of pediatric developmental behavioral services for patients of Contra Costa Regional Medical Center (CCRMC) and Health Centers for the period August 1, 2018 through July 31, 2019.

FISCAL IMPACT:

This contract is funded 100% by Hospital Enterprise Fund I.

BACKGROUND:

Under Contract #76-621, the contractor will provide pediatric developmental behavioral services at CCRMC and Health Centers, including clinical case conferences, report writing, administration and tele-case conferences, for the period from September 1, 2018 through August 31, 2020.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring pediatric developmental behavioral services at CCRMC and Health Centers will not have access to the contractor's services.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Samir Shah, M.D. (925)
370-5525

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

By: , Deputy

cc: A Floyd, M Wilhelm



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: August 14, 2018

Subject: Contract Amendment with All City Management Services, Inc., Bay Point area.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute Contract Amendment #2 with All City Management Services, Inc., to increase the payment limit by \$90,000 to a new payment limit of \$234,500 and extend the term from August 15, 2018 through August 15, 2019, to provide crossing guard services at various schools, Bay Point area. (District V)

FISCAL IMPACT:

Costs associated with this contract will be funded 100% by the Keller Canyon Mitigation Funds.

BACKGROUND:

The Public Works Director, or designee, executed a contract, dated August 15, 2016, with All City Management Services, Inc., in the amount of \$70,000 and for a one year term, to provide crossing guard services for the Bay Point area for the 2016-2017 school year.

On August 15, 2017, the Board of Supervisors approved Amendment #1, increasing the payment limit by \$74,500 and extending the termination date to provide services for the 2017-2018 school

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Mark De La O, (925)
313-2234

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

year.

This proposed Amendment #2 will increase the payment limit and extend the termination date to provide services for the 2018-2019 school year.

CONSEQUENCE OF NEGATIVE ACTION:

Without approval, crossing guard services will not be provided for students in the Bay Point area.



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: August 14, 2018

Subject: Smart Reentry Transitional Age Youth services contract

RECOMMENDATION(S):

APPROVE and AUTHORIZE the the County Administrator, or designee, to execute a contract with Bay Area Community Resources in an amount not to exceed \$305,000 to provide Smart Reentry Transitional Age Youth Services for the period January 1, 2018 through September 30, 2019.

FISCAL IMPACT:

100% Federal : "Smart Reentry: Focus on Evidence-Based Strategies for Successful Reentry from Incarceration to Community" grant

BACKGROUND:

On October 24, 2017, the Board of Supervisors authorized new revenue in the amount of \$1,000,000 from the U.S. Department of Justice "Smart Reentry: Focus on Evidence-Based Strategies for Successful Reentry from Incarceration to Community" grant and appropriating it to implement responsive services for transitional aged youth (TAY) offenders (18-25 years old). The grant provided funding from October 1, 2016 through September 30, 2019.

The goal of the Smart Reentry Program is to support jurisdictions to develop and implement comprehensive and collaborative strategies that address the challenges posed by reentry to increase public safety and reduce recidivism for individuals reentering communities from incarceration who are at medium to high risk for recidivating. Within the context of this initiative, "reentry" is not envisioned to be a specific

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Donte' Blue (925)
335-1977

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

By: , Deputy

cc:

program, but rather a process that begins when the individual is first incarcerated (pre-release) and ends with his or her successful community reintegration and reduction in risk of recidivism (post-release).

In Contra Costa County, the TAY population constitutes the largest age cohort within the jail and experiences the highest rates of homelessness outside of jail. There is a growing state and national awareness of the inadequacy of existing practices in serving the needs of young adults aged 18 to 25 in the justice system. This funding will allow the County to better serve the needs of the TAY population.

Bay Area Community Resources (BACR) partnered with the Contra Costa County Probation Department to prepare and submit this application. BACR will work closely with the County and Community agencies to:

-

BACKGROUND: (CONT'D)

Provide pre-release services to incarcerated TAY;

- Participate on the Reentry Success Team;
- Provide case-management and wrap-around post release support services;
- Provide career coaching and planning services; and ,
- Provide job and life skills training.

CONSEQUENCE OF NEGATIVE ACTION:

Smart Reentry Transitional Age Youth services will not be performed and the "Smart Reentry: Focus on Evidence-Based Strategies for Successful Reentry from Incarceration to Community" grant deliverables will not be completed.



Contra
Costa
County

To: Board of Supervisors
From: Melinda Cervantes, County Librarian
Date: August 14, 2018

Subject: Software and Services Agreement Amendment with OrangeBoy, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the County Librarian, or designee, to execute a software and services agreement amendment with OrangeBoy, Inc., effective August 1, 2018, to extend the term from October 31, 2018 to October 31, 2019 and increase the payment limit by \$7,200 from the prior payment limit of \$76,275, to a new payment limit of \$83,475, to provide additional on-site training services.

FISCAL IMPACT:

100% Library Fund.

BACKGROUND:

On November 7, 2017, the Board of Supervisors approved a software and services agreement with OrangeBoy, Inc., including mutual indemnification, for metrics analysis software, for the period of November 1, 2017 through October 31, 2018.

The Contra Costa County's Software and Services Agreement with OrangeBoy, Inc., provides the Library the ability to compile many data sources that capture customer use or organizational performance. The data is analyzed to understand usage trends, measure performance, evaluate market reach, and compare Contra Costa County Library results with more than 45 peer libraries. OrangeBoy, Inc., tools provide the Library the ability to target customer communications through e-mail messaging, to gather customer feedback to

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Walt Beveridge
925-608-7730

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

understand customer satisfaction and loyalty, and to create custom surveys and reports to measure and manage strategic planning outcomes.

Approval of this software and services agreement amendment will allow the contractor to provide additional on-site training.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, the Library will not receive the additional training to further analyze the Library's Strategic Plan performance measures.



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: August 14, 2018

Subject: Contract with Contra Costa Family Justice Alliance for Elder Abuse Prevention Project Services

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Contra Costa Family Justice Alliance, a non-profit corporation, in an amount not to exceed \$123,912 to provide project, service, and training coordination, and integrated data system services as part of the Contra Costa County Elder Abuse Prevention Project for victims of financial elder abuse for the period September 1, 2018 through December 31, 2019.

FISCAL IMPACT:

This contract will increase budgeted expenditures by \$123,912, which is funded 100% by Federal revenues through the California Office of Emergency Services County Victim Services (XC) Grant.

BACKGROUND:

The California Governor's Office of Emergency Services (Cal OES) awarded an extension to a previous two -year County Victim Services (XC) Grant to fill victim services gaps and needs. The XC Grant extension was awarded to successful respondents from California counties and the City of Los Angeles, including Contra Costa County. Cal OES approved the XC Grant extension on June 21, 2018.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Gina Chenoweth
8-4961

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

This contract is for the provision of project, service, and training coordination and integrated data system services as part of the Contra Costa County (County) Elder Abuse Prevention Program (EAPP). In partnership with the County's Adult Protective Service (APS), this contractor will participate in a multi-disciplinary team to increase communication with all partners of EAPP.

CONSEQUENCE OF NEGATIVE ACTION:

Without this contract, increased training on elder abuse prevention and care management will be significantly hampered, delaying services and assistance to victims of financial elder abuse.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Contract #27-979-3 with Enlight Consulting Co.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Contract #27-979-3 with Enlight Consulting Co., a corporation, in the amount of \$750,000 to provide primary care physician services for Contra Costa Health Plan (CCHP) members for the period August 1, 2018 through July 31, 2020.

FISCAL IMPACT:

This contract is funded 100% by CCHP Enterprise Fund II. (No rate increase)

BACKGROUND:

In August 2016, the County Administrator approved and the Purchasing Services Manager executed Contract #27-979-1 (as amended by Amendment Agreement #27-979-2) with Enlight Consulting Co, to provide primary care physician services for CCHP members, for the period from August 1, 2016 through July 31, 2018.

Approval of Contract #27-979-3 will allow the contractor to continue to provide primary care physician services through July 31, 2020.

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Patricia Tanquary,
925-313-6004

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

By: , Deputy

cc: K Cyr, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialized 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: August 14, 2018

Subject: Amendment/Extension #76-580-4 with James Pak, M.D. Corporation

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Contract Amendment/Extension Agreement #76-580-4 with James Pak, M.D. Incorporated, effective August 1, 2018, to amend Contract #76-580-2 (as amended by Amendment Agreement #76-580-3) to increase the payment limit by \$53,000, from \$169,000, to a new payment limit of \$222,000, and extend the termination date from August 31, 2018 to February 28, 2019, for additional hours of anesthesiology services at Contra Costa Regional Medical Center (CCRMC) and Health Centers.

FISCAL IMPACT:

This contract is funded 100% by Hospital Enterprise Fund I. (No rate increase)

BACKGROUND:

In August 2017, the County Administrator approved and the Purchasing Services Manager executed Contract #76-580-2 (as amended by Amendment Agreement #76-580-3) with to provide anesthesiology services including consultation and medical procedures at CCRMC and Health Centers for the period September 1, 2015 through August 31, 2018.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Samir Shah, M.D.,
925-370-5525

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

By: , Deputy

cc: K Cyr, M Wilhelm

BACKGROUND: (CONT'D)

Approval of Contract Amendment/Extension Agreement #76-580-4 will allow the contractor to continue providing anesthesiology services at CCRMC and Health Centers through February 28, 2019.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, patients requiring anesthesiology services will not have access to the contractor's services.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Contract #27-883-4 with Mount Diablo Solano Oncology Group Medical Associates

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Contract #27-883-4 with Mount Diablo Solano Oncology Group Medical Associates, a corporation, in an amount not to exceed \$3,000,000 to provide hematology/oncology services to Contra Costa Health Plan (CCHP) members for the period August 1, 2018 through July 31, 2020.

FISCAL IMPACT:

This contract is funded 100% by Contra Costa Health Enterprise Fund II. (No rate increase)

BACKGROUND:

On August 9, 2016, the Board of Supervisors approved Contract #27-883-3 with Mount Diablo Solano Oncology Group Medical Associates to provide hematology/oncology services to CCHP members, for the period from July 1, 2016 through July 31, 2018.

Approval of Contract #27-883-4 will allow the contractor to continue providing hematology/oncology services through July 31, 2020.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Patricia Tanquary,
925-313-6004

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

By: , Deputy

cc: K Cyr, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialized 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: August 14, 2018

Subject: Contract #27-808-4 with Amarjit Dosanjh, M.D., A Medical Corporation

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Contract #27-808-4 with Amarjit Dosanjh, M.D., A Medical Corporation, in an amount not to exceed \$425,000 to provide plastic and reconstructive surgery services to Contra Costa Health Plan (CCHP) members for the period August 1, 2018 through July 31, 2020.

FISCAL IMPACT:

This contract is funded 100% by CCHP Enterprise Fund II. (No rate increase)

BACKGROUND:

The Health Plan has an obligation to provide certain specialized professional health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County.

On September 20, 2016, the Board of Supervisors approved Contract #27-808-3 with Amarjit Dosanjh, M.D., A Medical Corporation, to provide plastic and reconstructive surgery services to CCHP members for the period from August 1, 2016 through July 31, 2018.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Patricia Tanquary,
925-313-6004

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

By: , Deputy

cc: K Cyr, M Wilhelm

BACKGROUND: (CONT'D)

Approval of Contract #27-808-4 will allow the contractor to continue to provide plastic and reconstructive surgery services through July 31, 2020.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialized professional health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided.



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Novation Contract #74-405-8 with Lao Family Community Development, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Novation Contract #74-405-8 with Lao Family Community Development, Inc., a non-profit corporation, in an amount not to exceed \$190,416, to provide Mental Health Services Act (MHSA) Prevention and Early Intervention services (PEI) for the period July 1, 2018 through June 30, 2019, which includes a six-month automatic extension through December 31, 2019, in an amount not to exceed \$95,208.

FISCAL IMPACT:

This contract is funded 100% by Mental Health Services Act. (3% Cost of Living Adjustment)

BACKGROUND:

This contract meets the social needs of County’s population by providing comprehensive case management, educational workshops and support groups to Asian and South East Asian adults in order to provide outreach, education, and support to develop problem solving skills, and increase families emotional well-being and stability.

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Matthew White, M.D.,
925-957-5201

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

By: , Deputy

BACKGROUND: (CONT'D)

On July 18, 2017, the Board of Supervisors approved Novation Contract #74-405-7 with Lao Family Community Development, Inc., to provide MHSA and PEI services for the period from July 1, 2017 through June 30, 2018, which included a six-month automatic extension through December 31, 2018.

Approval of Novation Contract #74-405-8 replaces the automatic extension under the prior contract and allows the contractor to continue providing services through June 30, 2019.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, County residents will have reduced access to PEI services provided under MHSA including outreach, education and support programs designed to increase family emotional well-being and stability.



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Contract #27-944-2 with Teodoro P. Nissen, M.D., Inc. (dba Bay Area Orthopedic Surgery and Sports Medicine)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Contract #27-944-2 with Teodoro P. Nissen, M.D., Inc., dba Bay Area Orthopedic Surgery and Sports Medicine, a corporation, in an amount not to exceed \$200,000 to provide orthopedic surgery services for Contra Costa Health Plan (CCHP) members, for the period August 1, 2018 through July 31, 2020.

FISCAL IMPACT:

This contract is funded 100% by CCHP Enterprise Fund II. (No rate increase)

BACKGROUND:

In August 2016, the County Administrator approved and the Purchasing Services Manager executed Contract #27-944-1 with Teodoro P. Nissen, M.D., Inc., dba Bay Area Orthopedic Surgery and Sports Medicine, to provide orthopedic surgery services to CCHP members, for the period August 1, 2016 through July 31, 2018.

Approval of Contract #27-944-2 will allow the contractor to continue to provide orthopedic surgery services through July 31, 2020.

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Patricia Tanquary,
925-313-6004

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

By: , Deputy

cc: K Cyr, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialized 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: Kathy Gallagher, Employment & Human Services Director
Date: August 14, 2018

Subject: Contract with Meals on Wheels Diablo Region for Elder Abuse Prevention Project Services

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Meals on Wheels Diablo Region in an amount not to exceed \$138,137 to provide direct service provider training and care manager services to victims of financial elder abuse as part of the Contra Costa County Elder Abuse Prevention Project for the period July 1, 2018 through June 30, 2019.

FISCAL IMPACT:

This contract will increase budgeted expenditures by \$138,137, which is funded 100% by Federal revenues through the California Office of Emergency Services County Victim Services (XC) Grant.

BACKGROUND:

The California Governor's Office of Emergency Services (Cal OES) awarded an extension to the previous two year County Victim Services (XC) Grant to fill victim services gaps and needs. The XC Grant extension was awarded to successful respondents from California counties and the City of Los Angeles, including Contra Costa County. Cal OES approved the XC Grant extension on June 21, 2018.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Gina Chenoweth
8-4961

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

This contract is for provision of care manager outreach services as well as elder abuse prevention training as part of the Contra Costa County (County) Elder Abuse Prevention Program (EAPP). In partnership with County's Adult Protective Service (APS), this contractor will participate in a multi-disciplinary team to increase communication with all partners of EAPP.

CONSEQUENCE OF NEGATIVE ACTION:

Without this contract, increased training on elder abuse prevention and care management will be significantly hampered, delaying services and assistance to victims of financial elder abuse.



Contra
Costa
County

To: Board of Supervisors
From: David O. Livingston, Sheriff-Coroner
Date: August 14, 2018

Subject: Purchase Order for Computer Equipment R-Computer

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Sheriff-Coroner, a purchase order with R-Computer in an amount not to exceed \$450,000 to provide computer hardware, peripherals, cameras, GPS (global positioning system) units and other computer-related equipment and supplies, as needed, for the period July 1, 2018 through June 30, 2020.

FISCAL IMPACT:

\$450,000. 100% County General Fund; Budgeted.

BACKGROUND:

With years of experience with our unique, public safety-related information technology (IT), network and mobile data needs, R-Computer consistently supplies our department with the needed computers, electronic equipment and peripherals in a timely manner. R-Computer works with our IT Division to ensure that we get the best product for the best price to match our needs. They provide advice and guidance about products and know our network structure and the IT needs of the Sheriff's Office. R-Computer is reliable, dependable, and competitively priced.

The Sheriff's IT unit supports 58 servers, 587 desktop computers, 90 laptop computers, as well as printers, copiers and fax machines. In order to respond to our user's needs, we need to have a reliable vendor who

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Liz Arbuckle, (925)
335-1529

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

By: , Deputy

cc: Liz Arbuckle, Heike Anderson, Paul Reyes

BACKGROUND: (CONT'D)

can process our orders quickly and efficiently. Locally owned, small business R-Computer is able to do this, and understands the unique needs of the Sheriff's Office and the need to keep critical processes functioning for public safety.

CONSEQUENCE OF NEGATIVE ACTION:

The Sheriff-Coroner will be unable to acquire various computer hardware and equipment as needed.



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Novation Contract #74-379-9 with People Who Care Children Association

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Novation Contract #74-379-9 with People Who Care Children Association, a non-profit corporation, in an amount not to exceed \$223,102, to provide Mental Health Services Act (MHSA) Prevention and Early Intervention (PEI) services for the period from July 1, 2018 through June 30, 2019, which includes a six-month automatic extension through December 31, 2019 in an amount not to exceed \$111,551.

FISCAL IMPACT:

This contract is funded 100% by Mental Health Services Act. (3% Cost of Living Adjustment)

BACKGROUND:

This contract meets the social needs of County’s population by providing work experience for 200 multicultural youth residing in the Pittsburg/Bay Point communities, as well as programs aimed at increasing educational success among youth who are either at-risk or high-risk of dropping out of school, or committing a repeat offense.

On July 11, 2017, the Board of Supervisors approved Novation Contract #74-379-8 with People

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Matthew White, M.D.,
925-957-5201

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

By: , Deputy

BACKGROUND: (CONT'D)

Who Care Children Association, to provide MHSA PEI services for the period from July 1, 2017 through June 30, 2018, which included a six-month automatic extension through December 31, 2018.

Approval of Novation Contract #74-379-9 replaces the automatic extension under the prior contract and allows the contractor to continue providing services through June 30, 2019.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, at-risk youth from East Contra Costa County will have reduced access to job training and other programs which are aimed at increasing educational success, due to delayed implementation of the Youth Development Program as defined in the Mental Health Services Act.

CHILDREN'S IMPACT STATEMENT:

This MHSA-PEI program supports the following Board of Supervisors' community outcomes: "Families that are Safe, Stable, and Nurturing"; and "Communities that are Safe and Provide a High Quality of Life for Children and Families". Expected program outcomes include increases in social connectedness, communication skills, parenting skills, and knowledge of the human service system in Contra Costa County



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Amendment Agreement #24-933-38 with Crestwood Behavioral Health, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Contract Amendment Agreement #24-933-38 with Crestwood Behavioral Health, Inc., a corporation, effective August 1, 2018, to amend Contract #24-933-37 to add a rate for unoccupied bed holds for subacute skilled nursing services with no change in the total payment limit of \$8,389,976 and no change in the term of July 1, 2018 through June 30, 2019.

FISCAL IMPACT:

This contract is funded by 92% Mental Health Realignment and 8% Mental Health Services Act funds.

BACKGROUND:

This contract meets the social needs of County's population in that it provides subacute skilled nursing care services for County's Severe and Persistent Mental Illness (SPMI) and neurobehavioral clients.

On May 22, 2018, the Board of Supervisors approved Contract #24-933-37 with Crestwood Behavioral Health, Inc., for the period from July 1, 2018 through June 30, 2019 for the provision of subacute skilled nursing care for SPMI and neurobehavioral clients.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Matthew White M.D.,
925-957-5201

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

By: , Deputy

cc: D Morgan, M Wilhelm

BACKGROUND: (CONT'D)

Approval of Contract #24-933-38 will allow bed holds for subacute skilled nursing services through June 30, 2019.

CONSEQUENCE OF NEGATIVE ACTION:

If the amendment is not approved, the County would not be able to hold beds which are unoccupied as a result of approved temporary client absences.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Novation Contract #24-960-28 with Touchstone Counseling Services, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Novation Contract #24-960-28 with Touchstone Counseling Services, Inc., a non-profit corporation, in an amount not to exceed \$169,950, to provide mental health services to recipients of the CalWORKS Program for the period from July 1, 2018 through June 30, 2019, which includes a six-month automatic extension through December 31, 2019, in an amount not to exceed \$84,975.

FISCAL IMPACT:

This contract is funded 100% by State Cal-WORKS Program funds. (Rate increase)

BACKGROUND:

On July 18, 2017, the Board of Supervisors approved Novation Contract #24-960-26 (as amended by Amendment Agreement #24-960-27) with Touchstone Counseling Services, Inc. to provide mental health services to recipients of the CalWORKS Program, for the period of July 1, 2017 through June 30, 2018, which included a six-month automatic extension through December 31, 2018.

Approval of Novation Contract #24-960-28 replaces the automatic extension under the prior contract and allows the contractor to continue providing mental health services through June 30, 2019.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Matthew White, M.D.,
925-957-5201

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

By: , Deputy

cc: E Suisala , M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, CalWORKS recipients will not have access to the contractor's services.



**Contra
Costa
County**

To: Board of Supervisors
From: Dianne Dinsmore, Human Resources Director
Date: August 14, 2018

Subject: Contract with GovernmentJobs.Com, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of Human Resources, or designee, to execute an Online Services Agreement with GovernmentJobs.com, Inc. doing business as NeoGov, in an amount not to exceed \$370,000, including modified indemnification language, to provide a vendor-hosted internet-based applicant tracking system and onboarding software system, for the period of July 1, 2018 through June 30, 2021.

FISCAL IMPACT:

The cost for the first year of the contract is within the Human Resources Department FY 18-19 budget and will be budgeted in subsequent years. (100% General Fund)

BACKGROUND:

The County has been using GovernmentJobs.com, Inc. for a number of years to provide our applicant tracking system. The addition of the Onboarding module is a significant step toward modernizing the County's recruitment and hiring activities. It will provide a contemporary experience for new hires, streamline the hiring process, and enable new hires to complete their onboarding documents before their first day of work. In addition, the Onboarding module is used

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Dianne Dinsmore, (925)
335-1766

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

By: , Deputy

cc: Nancy Zandonella

BACKGROUND: (CONT'D)

during the first year of employment to support the employee's integration into the workplace. The availability of status reports, automatic reminders, and overdue notices will help ensure hiring documents and steps are completed and processed in a timely fashion. Automation will support exporting records and storing them digitally in the employee's electronic personnel file. In addition, the integration feature will move new hire data from NeoGov directly into PeopleSoft, reducing work and eliminating inconsistencies resulting from duplicate data entry errors and virtually eliminate paper.

The applicant tracking and onboarding system will be hosted on the internet by the vendor. The agreement obligates the vendor to indemnify the County for third party losses arising out of the vendor's negligence or willful misconduct in performing the agreement, provided that the vendor's indemnity obligation is capped at their insurance limits under the agreement - \$1,000,000 for general liability and \$4,000,000 for cyberinsurance.

CONSEQUENCE OF NEGATIVE ACTION:

If the contract is not approved, we will not be able to add the Onboarding module which would significantly hinder our ability to modernize our processes and move toward a paperless system.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Contract #74-570 with John E. Hawkins, M.D.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Contract #74-570 with John E. Hawkins, M.D., a self-employed individual, in an amount not to exceed \$209,664 to provide professional outpatient psychiatric services to adults in East County for the period September 1, 2018 through August 31, 2019.

FISCAL IMPACT:

This contract is funded 100% by Mental Health Realignment.

BACKGROUND:

For a number of years the County has contracted with medical, dental and mental health specialists to provide specialized professional services, which are not otherwise available. Under Contract #74-570, the contractor will provide outpatient psychiatric services for mentally ill adults in East Contra Costa County through August 31, 2019.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, County's clients will not have access to the contractor's professional outpatient psychiatric services.

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Matthew White, M.D.
925-957-5201

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

By: , Deputy

cc: D Morgan, M Wilhelm



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Contract #23-643 with 03, Inc. (dba 03 Apps, Inc.)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Contract #23-643 with 03, Inc., dba 03 Apps Inc., in an amount not to exceed \$185,000 to provide consultation and technical assistance to improve workflows and develop web applications of the Emergency Medical Services (EMS) Division’s software system for the period from July 1, 2018 through March 30, 2020.

FISCAL IMPACT:

This contract is funded 100% by State Homeland Security Project funds.

BACKGROUND:

Under Contract #23-643, the contractor will provide consultation, training and technical support to improve the usability of the Emergency Medical Services Division’s emergency management software system and to develop web applications to improve workflows including providing software customizations and enhancements, developing a training program for End-Users, and developing and executing test plans, for the period July 1, 2018 through March 30, 2020.

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Patrick Godley,
925-957-5405

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

By: , Deputy

cc: K Cyr, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the County will not have consultation, training and technical assistance for the EMS Unit.



Contra
Costa
County

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: August 14, 2018

Subject: Amend Agreement with Cityspan Technologies, Inc. to Develop, Implement, Maintain, and Host a Web-based Contract Management System

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute an amendment to the Software and Services Agreement with Cityspan Technologies, Inc. to extend the termination date from June 30, 2018 to September 30, 2018, with no change in the payment limit.

FISCAL IMPACT:

There is no change to currently budgeted funding of \$212,500, which is funded as Administrative Overhead as 10% County, 48% State, and 42% Federal Employment and Human Services Department revenues.

BACKGROUND:

Contra Costa County Employment and Human Services Department (EHSD) is responsible for administering over 300 contracts annually with a value exceeding \$30 million. The administration of these contracts, through all phases of the contracting process, including the initiation, renewal, and ongoing monitoring, is transitioning from a primarily a manual process with contracts stored in paper form to a new web-based system. The new web-based EHSD system of Contract Oversight, Monitoring, Payment Analysis, and Cost Tracking (COMPACT) will become the easily searchable central

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Gina Chenoweth
8-4961

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

repository for EHSD contracts.

The fully functional COMPACT system is scheduled to be in place to track the 2018/2019 Fiscal Year contract processing, including 1) a system with an integrated workflow engine that allows for, a) different parties to the process to review, view, and/or approve contract generation and subsequent invoicing, and b) management of the procurement lifecycle; 2) a separate web portal for contractors to submit invoices and supporting documentation; 3) functionally separate areas for processing invoices for program staff as well as fiscal staff; and 4) a central repository of customer information including contracts, invoices and supporting documentation.

This amendment is needed for Cityspan to ensure complete implementation of COMPACT, the custom contract management system for EHSD.

CONSEQUENCE OF NEGATIVE ACTION:

Without this amendment, EHSD will not have the required support necessary for implementation and operation of COMPACT, the custom contract management system.



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: August 14, 2018

Subject: Contract with Rubicon Programs Incorporated for WIOA America's Job Center of California Operations & Adult and Dislocated Worker Career Services

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Rubicon Programs Incorporated, a non-profit corporation of California, in an amount not to exceed \$1,050,000, to operate and manage America's Job Center of California (AJCC), and deliver Adult and Dislocated Worker (A/DW) Career Services to County residents under the Workforce Innovation and Opportunity Act (WIOA), for the period of August 1, 2018 through June 30, 2019.

FISCAL IMPACT:

This will increase department expenditures by \$1,050,000.00 to be funded 100% Federal funds from WIOA revenues.

BACKGROUND:

On September 13, 2017, the Workforce Development Board (WDB) Executive Committee approved the development and release of a Request for Proposal (RFP) to procure AJCC operations and management, and delivery of A/DW Career Services under the WIOA. Since 2000, the WDB has provided these services under the administrative entity of Contra Costa County Employment and Human Services Department (EHSD). The County Board of Supervisors approved the release of RFP 1158 for these services on October 24, 2017 for a maximum amount of \$1,500,000.

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Gina Chenoweth
8-4961

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

This Contract will meet the intent of WIOA legislation to equip workers with the skills necessary to meet business needs and to provide businesses with access to the talent pool needed to compete in their local, regional, and global economies. Contractor will be operating the AJCC locations throughout the County, providing A/DW career services, and coordinating communications and services of 12 community-based organizations and education entities in the County.

Contractor will be providing job seekers with education, job-driven training, and support services, improving services to business, enhancing program coordination, streamlining service delivery, utilizing new technology, and increasing the flexibility of governance, by aligning programs and services with common goals.

CONSEQUENCE OF NEGATIVE ACTION:

The EHSD will be unable to provide adequate career services to adult and dislocated workers.

CHILDREN'S IMPACT STATEMENT:

The services provided under this contract support three of the five of Contra Costa County's community outcomes: (3) "Families that are Economically Self-Sufficient"; (4) "Families that are Safe, Stable and Nurturing"; and (5) "Communities that are Safe and Provide a High Quality of Life for Children and Families" by providing career support services for families of adult and dislocated worker.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Contract #26-391-28 with Maxim Healthcare Services, Inc.

RECOMMENDATION(S):

Approve and authorize the Health Service Director, or designee, to execute on behalf of the County, Contract #26-391-28 with Maxim Health Care Services, Inc., a corporation, in an amount not to exceed \$500,000 to provide temporary medical staff services at Contra Costa Regional Medical Center (CCRMC) and Health Centers for the period July 1, 2018 through June 30, 2019.

FISCAL IMPACT:

This contract is funded 100% by Hospital Enterprise Fund I. (No rate increase)

BACKGROUND:

On July 18, 2017, the Board of Supervisors approved Contract #26-391-27 with Maxim Healthcare Services, Inc., to provide temporary medical staff to provide patient care at CCRMC and Health Centers during peak loads, temporary absences, vacations or emergency situations for the period July 1, 2017 through June 30, 2018.

Approval of Contract #26-391-28 will allow the contractor to provide temporary medical staff to provide patient care services at CCRMC and Health Centers through June 30, 2019.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Jaspreet Benepal,
925-370-5100

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

By: , Deputy

cc: K Cyr, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring services during peak loads, temporary absences, vacations or emergency situations will not have access to the contractor's services.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Contract #26-458-24 with AYA Healthcare, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Contract #26-458-24 with AYA Healthcare, Inc., a corporation, in an amount not to exceed \$1,000,000 to provide temporary nursing services for the Contra Costa Regional Medical Center (CCRMC) and Health Centers for the period July 1, 2018 through June 30, 2019.

FISCAL IMPACT:

This contract is funded 100% by Hospital Enterprise Fund I. (No rate increase)

BACKGROUND:

On June 20, 2017, the Board of Supervisors approved Contract #26-458-23 with AYA Healthcare, Inc., to provide temporary nursing services at CCRMC and Health Centers, for the period July 1, 2017, through June 30, 2018.

Approval of Contract #26-458-24 will allow the contractor to continue providing temporary nursing services, to cover during temporary absences and a shortage of nurses in critical areas at CCRMC and Health Centers through June 30, 2019.

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Jaspreet Benepal,
925-370-5100

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

By: , Deputy

cc: K Cyr, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring nursing 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: August 14, 2018

Subject: Contract #26-306-29 with Per Diem Staffing Systems, Inc.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or designee, to execute on behalf of the County, Contract #26-306-27 with Per Diem Staffing Systems, Inc., a corporation, in an amount not to exceed \$800,000 to provide temporary respiratory therapists, nursing, and other medical classifications at Contra Costa Regional Medical Center (CCRMC) and Health Centers for the period July 1, 2018 through June 30, 2019.

FISCAL IMPACT:

This contract is funded 100% by Hospital Enterprise Fund I. (Rate increase)

BACKGROUND:

On July 18, 2017 the Board of Supervisors approved Contract #26-306-27 with Per Diem Staffing Systems, Inc., to provide temporary respiratory therapists, nursing and other categories of medical services to cover employee sick leaves, vacations and workers compensation leaves, at CCRMC and Contra Costa Health Centers for the period July 1, 2017 through June 30, 2018.

Approval of Contract #26-306-29 will allow the contractor to continue providing temporary respiratory, nursing, and other categories of medical services through June 30, 2019.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Jaspreet Benepal,
925-370-5100

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

By: , Deputy

cc: K Cyr, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring respiratory therapists, nursing and additional medical personnel 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: August 14, 2018

Subject: Contract #26-745-9 with Medical Solutions, LLC (dba Nebraska Medical Solutions, LLC)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Contract #26-745-9 with Medical Solutions, LLC, dba Nebraska Medical Solutions, LLC, a limited liability company, in an amount not to exceed \$3,300,000 to provide temporary nursing and medical staff for Contra Costa Regional Medical Center (CCRMC) and Health Centers and the County’s Detention Facilities for the period July 1, 2018 through June 30, 2019.

FISCAL IMPACT:

This contract is funded 100% by Hospital Enterprise Fund I. (No rate increase)

BACKGROUND:

On July 11, 2017 the Board of Supervisors approved Contract #26-745-8 with Medical Solutions, LLC, dba Nebraska Medical Solutions Staffing, LLC, to provide temporary registered nurses, nurse practitioners, and physician assistants to provide coverage during peak workloads, temporary absences and emergency situations at CCRMC and Health Centers, and the County’s Detention Facilities, for the period July 1, 2017 through June 30, 2018.

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Jaspreet Benepal,
925-370-5100

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

By: , Deputy

cc: K Cyr, M Wilhelm

BACKGROUND: (CONT'D)

Approval of Contract #26-745-9, will allow Medical Solutions, LLC, dba Nebraska Medical Solutions, LLC, to continue to provide temporary registered nurses, and medical staff at CCRMC and Health Centers and the County's Detention Facilities, through June 30, 2019.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients at CCRMC and Health Centers and the County's Detention Facilities would not have access to the contractor's services.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Contract #26-473-25 with SHC Services, Inc. (dba Supplemental Health Care)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director or designee, to execute on behalf of the County, Contract #26-473-25 with SHC Services, Inc., dba Supplemental Health Care, a corporation, in an amount not to exceed \$1,500,000 to provide temporary medical staff for Contra Costa Regional Medical Center (CCRMC) and Health Centers and the County's Detention Facilities 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 April 25, 2017, the Board of Supervisors approved Contract #26-473-24 with SHC Services, Inc., dba Supplemental Health Care, to provide temporary nurses, medical assistants and other ancillary staff services for CCRMC and Health Centers and the County's Detention Facilities, for the period from April 1, 2017, through March 31, 2018.

Approval of Contract #26-473-25 will allow the contractor to continue to provide temporary medical staff to assist the divisions during peak workloads, temporary absences and emergency situations, through March 31, 2019.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Jaspreet Benepal,
925-370-5100

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

By: , Deputy

cc: K Cyr, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients at CCRMC and Health Centers and the County's Detention Centers will not have access to the contractor's services.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Contract #26-347-32 with Cross Country Staffing, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Contract #26-347-32 with Cross Country Staffing, Inc., a corporation, in an amount not to exceed \$5,000,000 to provide temporary medical and specialty staffing services at Contra Costa Regional Medical Center (CCRMC) and Health Centers, for the period from July 1, 2018 through June 30, 2019.

FISCAL IMPACT:

This contract is funded 100% by Hospital Enterprise Fund I. (Rate increase)

BACKGROUND:

On July 11, 2017, the Board of Supervisors approved Contract #26-347-31, with Cross Country Staffing, Inc., to provide temporary medical staffing services, including registered nursing, and Sexual Assault Nurse Examiner (SANE) nursing services at CCRMC and Health Centers for the period from July 1, 2017 through June 30, 2018.

Approval of Contract #26-347-32 will allow the contractor to continue providing temporary medical and specialty staffing services through June 30, 2019. This contract includes modifications to the General Conditions, Paragraph 18. (Indemnification).

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Jaspreet Benepal,
925-370-5100

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

By: , Deputy

cc: K Cyr, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients will not have access to the contractor's services.



Contra
Costa
County

To: Board of Supervisors
From: Diana Becton, District Attorney
Date: August 14, 2018

Subject: District Attorney's Annual Real Estate Fraud Prosecution Report for FY 2017/18

RECOMMENDATION(S):

ACCEPT the fiscal year 2017/18 Real Estate Fraud Prosecution Trust Fund Annual Report and APPROVE the continued expenditure of funds from the County's Real Estate Fraud Prosecution Trust Fund for the fiscal year 2018/19.

FISCAL IMPACT:

None. The District Attorney's office will continue to receive the money in the Real Estate Fraud Prosecution Trust Fund for the fiscal year 2018/19, in which revenue for fiscal year 2017/18 totaled \$ 430,628.40.

BACKGROUND:

The State Legislature has determined that there is a need to enhance the capacity of local police and prosecutors to deter, investigate and prosecute real estate fraud crimes. The District Attorney's Office Real Estate Fraud Unit investigates and prosecutes serious and significant cases involving fraudulent transactions that can cause unsuspecting victims to lose their life savings and homes. These crimes are traditionally not investigated by local police agencies that do not have the expertise to identify when fraud has occurred in legally complex real estate transactions. The District Attorney's Office has worked diligently to collaborate

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Elizabeth Molera, (925) 957-2205

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

with the Contra Costa County Recorder's Office to put in place a Fraud Notification program and a Mortgage and Foreclosure Advisory Program, thus the continued funding of the Real Estate Fraud Unit is essential to continue these programs.

CONSEQUENCE OF NEGATIVE ACTION:

The District Attorney's Office will not be in compliance with statute.

ATTACHMENTS

FY 2017-18 Annual Real Estate Fraud Report



OFFICE OF THE DISTRICT ATTORNEY
CONTRA COSTA COUNTY

Diana Becton
DISTRICT ATTORNEY

July 6, 2018

Board of Supervisors
Contra Costa County
651 Pine Street
Martinez, CA 94553

RE: Real Estate Fraud Prosecution Trust Fund
District Attorney's Annual Report for 2017/2018

Dear Board Members:

Pursuant to California Government Code § 27388 (d), I would like to report to the Board the progress this office has continued to make in deterring, investigating, and prosecuting real estate fraud within Contra Costa County within the last year.

In July of 1996, the Board authorized one Deputy District Attorney and one District Attorney Senior Inspector to investigate and prosecute real estate fraud crimes. The cost of such prosecution has been and remains offset by revenue generated by recording fees on real estate instruments, specifically authorized per California Govt. Code §27388. In 2011, the Board authorized the addition of a legal assistant position. Current staffing levels for the Unit are one Deputy District Attorney, one Senior Inspector, and one Legal Assistant.

The undersigned is the Deputy District Attorney assigned to the Real Estate Fraud Unit as of August of 2017. This Unit continues the serious work of ethically and aggressively prosecuting criminal cases with a focus on the swift investigation and resolution of those cases in an effort to limit the financial impact of fraud. This Unit targets offenders who try to con the elderly out of their homes; who promise mortgage relief to victims and collect thousands of dollars for empty promises; who traffic in falsified records to elude prosecution for months or years before their crimes are discovered.

From available data for the financial year 2017/2018¹, the Real Estate Fraud Unit has expended \$399,705 from the Real Estate Fraud Prosecution Trust Fund. These expenditures account for salaries and benefits as well as all expenditures for travel and necessary services.

In 2017/2018, the Real Estate Fraud Unit investigated and prosecuted cases involving millions of dollars in fraud. The Unit investigated cases with victims around the country and internationally, tracking suspects operating as far away as Nigeria. These investigations involve rental fraud, forgery, embezzlement, foreclosure consultancy fraud, short sale fraud, and elder abuse.

¹ Available expenditure information from July 2017 to March 2018.

From July 1 of 2017 to present, the Real Estate Fraud Unit reviewed 71 real estate fraud cases, opening further investigation into a total of 20 new cases. Within the last year, our office has secured felony convictions in three different cases, and has conducted preliminary hearings against another seven defendants in complex white-collar fraud cases involving over two million dollars in stolen assets. Apart from conducting preliminary hearings, the Real Estate Fraud Unit presented a case before the Grand Jury of Contra Costa County in June of this year. The Grand Jury returned an indictment on charges of Grand Theft in excess of \$500,000. In March of 2018, the Real Estate Fraud Unit conducted a jury trial with charges of financial elder abuse, and currently has another three cases slated for jury trial before the end of the calendar year of 2018.

The Real Estate Fraud Unit takes special effort to target those offenders who target the elderly, and whose crimes could cause elders to lose their homes to fraud. For many elders in Contra Costa County, home ownership forms a major financial asset and source of financial security. As a result, the financial devastation caused by real estate fraud can have lasting consequences for the elderly—even after a prosecution and successful conviction. Within the last year, the Real Estate Fraud Unit restored title to the home of an elderly woman after the home was fraudulently slated for foreclosure auction. This Unit is currently working with federal prosecutors to help elderly victims of a foreclosure scam in operating around the Bay Area.

The Real Estate Fraud Unit collaborates with the Contra Costa County Recorder's Office, the Contra Costa County Assessor's Office, and the Contra Costa News Register to effectuate the Fraud Notification and the Mortgage and Foreclosure Advisory Programs. With the cooperation of our Office's Public Information Officer, the Unit has streamlined the Unit website, making it easier for those victims who suspect crime to make a report to the Real Estate Fraud Unit. This Unit continues outreach to local realtors, law enforcement agencies, and members of the public to educate our citizens about how real estate fraud is committed in Contra Costa County.

Real estate fraud is a sophisticated kind of crime that takes significant resources to investigate and deter. Those who commit this crime are often preying upon vulnerable members of our community, stealing financial assets that are among the most treasured. The Real Estate Fraud Unit continues to aggressively investigate and prosecute real estate fraud in Contra Costa County. The undersigned is proud to continue this work for the next year and beyond.

Very Truly Yours,



Adam N. Wilks
Deputy District Attorney
Special Operations – Real Estate Fraud
Contra Costa County Office of the District Attorney



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: August 14, 2018

Subject: REFERRAL TO FINANCE COMMITTEE - CENTRAL REPORTING OF GRANTS

RECOMMENDATION(S):

REFER to the Finance Committee a proposal to create a central reporting process for County grants.

FISCAL IMPACT:

No immediate fiscal impact.

BACKGROUND:

Contra Costa County receives hundreds of grants each year, yet there is no central grant policy regarding application, tracking, and review for service sustainability. Minimally a tracking system is recommended to include who the grant is from, the amount awarded, the term, match (if any), services required, and a plan regarding sustainability.

This action refers to the Finance Committee the development of a central grant reporting policy for all departments

CONSEQUENCE OF NEGATIVE ACTION:

The issue would not be reviewed by a standing committee of the Board of Supervisors.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

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

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

By: , Deputy

cc: Robert Campbell, County Auditor-Controller, All County Departments (via County Administration)



Contra
Costa
County

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: August 14, 2018

Subject: Consider Filing an Administrative Appeal with the Delta Stewardship Council

RECOMMENDATION(S):

1) APPROVE and AUTHORIZE the Director of Conservation and Development, or designee, to file, on behalf of the County and the Contra Costa County Water Agency, an administrative appeal with the Delta Stewardship Council to challenge a determination by the California Department of Water Resources that the California WaterFix Project is consistent with the Delta Plan, and authorize the execution of related legal services contracts and a joint appeal agreement.

2) APPROVE and AUTHORIZE the County Counsel, or designee, to execute, on behalf of the County and the Contra Costa County Water Agency, a joint appeal agreement, a contract for legal services with The Freeman Firm, and a contract for legal services with the Soluri Meserve law firm, all effective July 1, 2018, in connection with the administrative appeal.

FISCAL IMPACT:

The County and Water Agency will be jointly responsible for a proportional share of fees and costs charged by The Freeman Firm and the Soluri Meserve law firm to represent the co-appellants in this administrative appeal. It is estimated that bringing the appeal will cost the County and Water Agency approximately \$15,000, which includes outside counsel and County Counsel costs, staff costs, and consultant costs. These estimated costs may be covered within the current Water Agency budget.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Ryan Hernandez,
925-674-7824

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

By: , Deputy

cc:

BACKGROUND:

On July 27, 2018, the California Department of Water Resources (“DWR”) submitted a written certification of consistency for the California WaterFix Project, determining that the project is consistent with the Delta Stewardship Council’s (“Council”) Delta Plan. The filing of the certification of consistency began a 30-day period within which the County (or any person or entity) may file an administrative appeal with the Council to challenge DWR’s certification of consistency.

Under state law, a state agency’s action in the Delta must be consistent with the Delta Plan if the action is a “covered action” that, among other things, will have a significant impact on restoring the Delta ecosystem or ensuring a reliable water supply. (Wat. Code, § 85857.5, subd. (a)(4).) A “covered action” includes exporting or diverting water from the Delta. If a state agency will undertake a covered action, it must certify that its action is consistent with the Delta Plan. (Wat. Code, § 85225.)

County and Water Agency staff and consultants believe the California WaterFix Project is inconsistent with the Delta Plan, and, as a result of that inconsistency, the project will have a significant adverse impact on restoring the Delta ecosystem and ensuring a reliable water supply for California. (Wat. Code, § 85225.10, subd. (a).) County and Water Agency staff and consultants have determined that the California WaterFix Project is inconsistent with the Delta Plan in the following ways:

- The California WaterFix fails to reduce reliance on the Delta through improved regional water self-reliance;
- The WaterFix fails to consistently capture more water during wet periods (“Big Gulp”) and relies on increasing exports well above existing levels during dry periods when the Delta ecosystem is most vulnerable; and
- The California WaterFix fails to provide adequate mitigation measures to eliminate the project's significant adverse impacts to water quality in the Delta and the ecosystem.

The County and Water Agency will join San Joaquin County, and possibly other Delta counties, to file the appeal. The counties will be represented by The Freeman Firm and the Soluri Meserve law firm. A joint appeal agreement will authorize the counties to share privileged appeal-related communications and documents. The legal services contracts will require the law firms to divide their fees and costs proportionally among the parties joining in the appeal.

CONSEQUENCE OF NEGATIVE ACTION:

If the Department is unable to file an appeal, then the County and Water Agency will not be able to participate in the Delta Stewardship Council's proceedings, and will not be able to challenge any final decision of the Council.



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: August 14, 2018

Subject: RESPONSE TO CIVIL GRAND JURY REPORT NO. 1806, ENTITLED "THE OPIOID CRISIS"

RECOMMENDATION(S):

ADOPT report as the Board of Supervisors' response to Civil Grand Jury Report No. 1806, entitled "The Opioid Crisis", and DIRECT the Clerk of the Board to transmit the Board's response to the Superior Court no later than August 28, 2018.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The 2017/18 Civil Grand Jury filed the above-referenced report, attached, on May 25, 2018, which was reviewed by the Board of Supervisors and subsequently referred to the Health Services Director and County Administrator, who prepared the attached response that clearly specifies:

- A. Whether the finding or recommendation is accepted or will be implemented;
- B. If a recommendation is accepted, a statement as to who will be responsible for implementation and a definite target date;
- C. A delineation of the constraints if a recommendation is accepted but cannot be implemented within a six-month period; and
- D. The reason for not accepting or adopting a finding or recommendation.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Julie DiMaggio Enea
(925) 335-1077

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

By: , Deputy

cc: Health Services Director, Behavioral Health Director, CAO-H&HS Deputy, CAO Admin

BACKGROUND: (CONT'D)

The California Penal Code specifies that the Board of Supervisors must forward its response to the Superior Court no later than August 28, 2018 (90 days from receipt).

FINDINGS

F1. The availability of MAT (Medication-Assisted Treatment) in the County's emergency rooms, medical offices, County health clinics, and the County's detoxification sites does not meet the needs of people with OUD (Opioid Use Disorder).

F1 Response. The respondent agrees with the finding. The need for additional capacity is a countywide issue facing all health systems. Contra Costa Health Services (CCHS) is in the process of adding capacity to its Choosing Change Clinic, which offers MAT, as well increasing induction of MAT in the Emergency Room setting for patients in appropriate situations. Additionally, CCHS is planning on opening a sobering/respite center as a component of the Whole Person Care initiative. The Richmond Planning Commission also recently CCHS's application to restore detoxification, residential and recovery services.

F2. Only 3.2% of the nearly 5,600 private and public medical providers in the County have acquired the Drug Enforcement Agency waiver to prescribe buprenorphine, creating a MAT gap for people seeking treatment.

F2 Response. The respondent agrees with the finding. CCHS has greatly increased the number of clinical providers who are waived to prescribe buprenorphine over the past two years, with nearly 90 providers currently waived. A complimentary strategy is to encourage clinicians already waived to increase the use of their waived status.

F3. The limited open hours at the County-operated Choosing Change Clinics are a barrier to treatment for OUD users.

F3 Response. The respondent partially disagrees with the finding. The Choosing Change Clinic is designed to serve individuals insured through the Contra Costa Health Plan and other Medi-Cal eligible clients/patients served by CCHS. Since the issuance of the Grand Jury report, CCHS has expanded its capacity and now offers 13 weekly groups serving over 500 individuals, and is working towards offering evening services.

The Choosing Change Clinic should not be the only route of access to MAT. CCHS is working to leverage the capacity of both the Emergency Department and ambulatory care providers, utilizing the Hub-and-Spoke model, where stabilized patients in a Hub can be referred to a medical provider for maintenance to continue

treatment. Additionally, effective July 1, 2018, patients now have access to the services provided by BAART- Behavioral Health Services that specializes in MAT as part of the Drug Medi-Cal Organized Delivery System in two different locations.

F4. The 2016 California Marijuana Tax Fund (AB 1748) requires that a portion of taxes paid be used for youth drug abuse treatment programs.

F4 Response. The respondent agrees with the finding.

F5. The demands for programs addressing high-school drug abuse throughout the County exceed the resources available.

F5 Response. The respondent agrees with the finding.

F6. The demand for programs throughout the county to educate high school students and their parents on overdose prevention, the dangers of opioid use, and responses to overdoses exceed the available supply.

F6 Response. The respondent agrees with the finding.

F7. There are no in-County adolescent residential treatment facilities. Youth requiring residential treatment are directed to seek care outside the County.

F7 Response. The respondent agrees with the finding.

F8. Stigma of drug addiction is a barrier to treatment, and presents barriers to providing more in-County recovery facilities.

F8 Response. The respondent agrees with the finding. Historic stigma has created barriers to treatment and resources. Fortunately, newer Substance Use Disorders (SUD) parity laws require health insurance providers to offer a comparable level of benefits for SUD conditions as they do for traditional physical health conditions. This will stimulate an increase in capacity for SUD services, as they are now a covered benefit for most insured individuals.

F9. For incarcerated opioid addicts, there are staffing gaps in the detention facilities during the week for intake screening, withdrawal management, and clinical treatment.

F9 Response. The respondent agrees with the finding. To address opioid use disorder in detention facilities will require programming, process redesign and potentially increased staffing.

CCHS has recently applied for a Learning Collaborative Grant for the expansion of MAT in jail and continuity of treatment after release. If awarded, Contra Costa County will collaborate with 19 other counties to explore strategies and best

practices that can be implemented to better address the need for treatment of SUD for persons who are incarcerated and also for those persons transitioning out of incarceration.

F10. The majority of those who abuse opioid prescription medications do not get them from the street. Instead, they obtain these from the homes of family and friends. The danger is exacerbated by the lack of sufficient public awareness.

F10 Response. The respondent partially disagrees with the finding. The misuse of prescription opioids is a complex clinical and social issue. While some individuals seek prescription opioids in the medicine cabinets of family and friends, many who misuse do so by over-medicating beyond the prescribed limits of their treatment plan, subsequently seeking increased frequency and dosage of medicating. This is often done by doctor shopping and/or by repeatedly seeking treatment with opioids, a warning sign for addiction. We agree with the finding regarding the lack of sufficient public awareness due to limited resources.

F11. In a 2018 Substance Abuse and Mental Health Services Administration (SAMHSA) study of patients seeking medical care and entering a rehabilitation intake center, the average wait time to enter a treatment program after initial contact with a provider was 42 days. Only about a third received an appointment within 24 hours.

F11 Response. The respondent agrees with the finding. The 2018 SAMHSA Study is commenting on national statistics and illustrates the need for increased capacity to address SUDs.

F12. Among the County's estimated 54,000 persons with opioid use disorder, fewer than 10% can be treated long-term, given current care capacity.

F12 Response. The respondent agrees with the finding. This is a countywide estimate, illustrating the size and scope of the challenged faced by all health systems across the county. As noted in Finding #3 above, CCHS has expanded and is continuing to expand its capacity to serve individuals with opioid use disorder, through its Choosing Change (MAT) Clinic, as well as its network of ambulatory care providers and the Emergency Department. Additionally, an agreement with BAART (private opioid addiction treatment program) for the provision of MAT to include: Methadone, Buprenorphine, Naloxone and Disulfuram, will contribute to increased treatment availability.

RECOMMENDATIONS

R1. The BOS should consider requesting Behavioral Health Services to develop a plan by December 2018 to motivate more physicians to complete their qualifications for a waiver to prescribe and dispense buprenorphine starting in 2019.

R1 Response. The recommendation has not yet been implemented but will be implemented within six months. It should be noted that the need for communication, education, and MAT spans the entire Contra Costa health system. As an integrated health system, CCHS is leveraging efforts across all its Divisions, including the Contra Costa Regional Medical Center and Clinics, Contra Costa Health Plan, Behavioral Health and Public Health, to increase the number of clinicians who are waived and actively using their waiver to prescribe buprenorphine. As noted in the County's response Finding #2, CCHS has some 90 clinicians who are currently waived.

R2. The BOS should consider seeking funds, in the FY2019-2020 budget, for Behavioral Health Services to offer the course “Buprenorphine Treatment: Training for Multidisciplinary Addiction Professions” or equivalent to all of the County’s public medical care providers starting July 1, 2019.

R2 Response. The recommendation has not yet been implemented. Additional training is necessary across the entire Health Department. There are multiple trainings currently available, many through SAMHSA and the Department of Health Care Services. Clinical leadership in the Contra Costa Regional Medical Center, Behavioral Health and Public Health are working together to emphasize the importance of training and increasing the number of clinicians who are actively utilizing their waiver status to initiate MAT for opioid dependency. The need for additional funds will be considered on a timeline consistent with the FY 2019/20 County budget process.

R3. The BOS should consider seeking funds, in the FY2019-2020 budget, for Behavioral Health Services to hire more buprenorphine clinicians beginning July 1, 2019.

R3 Response. The recommendation requires further analysis. CCHS is evaluating the need to expand upon the Choosing Change Clinic by offering similar services at additional locations and within other Divisions of the Health Services Department, inclusive of the Behavioral Health Division. This includes consideration of offering a focused set of MAT services to patients who are both opioid dependent and still experience significant pain. Likewise, it is important to note that Divisions (Contra Costa Health Plan and Behavioral Health) are currently implementing various clinical improvement projects aimed at curbing the number of opioid based prescriptions, and offering alternatives to manage pain. The need for additional funds will be considered on a timeline consistent with the FY 2019/20 County budget process.

R4. The BOS should consider requesting the Alcohol and Other Drugs Services (AODS) division of Behavioral Health Services to use funds available under the California Marijuana Tax Fund legislation (AB 1748) for in-county adolescent outpatient and residential inpatient treatment.

R4 Response. The recommendation has not yet been implemented. It is as yet unknown as to the amount and distribution of State funds that might become available to Contra Costa County.

R5. The Contra Costa County Office of Education should consider seeking funds, in the FY2019-2020 budget, to provide free NARCAN kits in all County school districts.

R5 Response. The County defers formal response to the County Office of Education.

R6. The BOS should consider seeking funds, in the FY2019-2020 budget, for Behavioral Health Services to develop a plan to increase clinical treatment of substance use disorders in the three detention facilities.

R6 Response. The recommendation has not yet been implemented. Contra Costa Behavioral Health Services is actively working with Contra Costa Regional Medical Center's Detention Health Services to increase screening and treatment for SUDs. The need for additional resources to develop a plan will be considered on a timeline consistent with the FY 2019/20 County budget process.

R7. The BOS should consider seeking funds, in the FY2019-2020 budget, for Behavioral Health Services to develop and deliver educational campaigns to improve public awareness of the County's opioid addiction crisis and available treatment options, starting July 1, 2019.

R7 Response. The recommendation has not yet been implemented. Additional funding is necessary to provide a robust and unified local public education and awareness campaign. As noted in the County's response to Recommendation #1, a public awareness and education is a system wide issue that will involve a unified effort across all Divisions of CCHS, including Hospital and Clinics, Behavioral Health, Public Health, Environmental Health, Emergency Medical Services, and H3 (Health, Housing and Homeless). The State Department of Public Health has developed some public educational materials and the Division of Alcohol and Other Drugs in Behavioral Health is reviewing materials to determine those which help deliver appropriate messages to targeted audiences. The need for additional resources to develop a plan will be considered on a timeline consistent with the FY 2019/20 County budget process.

R8. The BOS should consider seeking funds, in the FY2019-2020 budget, for Behavioral Health Services to use multiple modes of communication such as news media, social media, community TV/Radio, and billboards, with a positive message to help alleviate the stigma of OUD, starting July 1, 2019.

R8 Response. The recommendation has not yet been implemented. Consistent with Recommendation #7 above, CCHS is in the process of determining how to tailor a

unified local messaging campaign that addresses both public awareness and the stigma associated with opioid use disorder. The need for additional resources to develop a messaging campaign will be considered on a timeline consistent with the FY 2019/20 County budget process.

ATTACHMENTS

2017/18 Grand Jury Report No. 1806: "The Opioid Crisis"

A REPORT BY
THE 2017-2018 CONTRA COSTA COUNTY GRAND JURY
725 Court Street
Martinez, California 94553

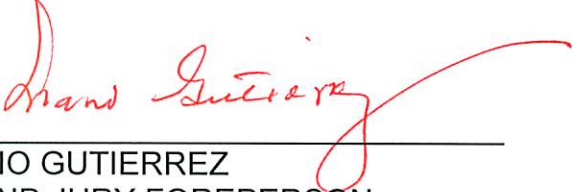
Report 1806

The Opioid Crisis

Dying for Treatment

APPROVED BY THE GRAND JURY

Date MAY 25, 2018



MARIO GUTIERREZ
GRAND JURY FOREPERSON

ACCEPTED FOR FILING

Date May 25, 2018



ANITA SANTOS
JUDGE OF THE SUPERIOR COURT

Contra Costa County Grand Jury Report 1806

The Opioid Crisis

Dying for Treatment

**TO: Contra Costa County Board of Supervisors,
Contra Costa County Office of Education**

SUMMARY

According to news reports and numerous studies, approximately eighty percent of the global opioid supply is consumed in the United States. More than two million Americans suffered from opioid addiction in 2016, and more than 600,000 have died from overdoses since 2000. In 2016 alone, more than 64,000 Americans died from this epidemic, up 22% from 2015.

The Contra Costa County Civil Grand Jury (Grand Jury) investigated the effect the opioid crisis is having in Contra Costa County (County) and the programs currently available to address the crisis. The Grand Jury found that whether directly through the loss of a loved one or indirectly through adverse consequences to the community, County residents are suffering from the effect of this crisis.

The Urban Institute and County senior healthcare officials reported that in 2015-2016 over 100 Contra Costa residents died from opioid overdoses and an estimated 54,000 county residents currently suffer from Opioid Use Disorder (OUD). County deaths mirror the alarming trend and the national epidemic of misuse and abuse of opioids, particularly prescription painkillers. (www.urban.org/sites/default/files/contra_costa.pdf)

The Grand Jury found that a common response for combating the opioid epidemic is an approach designated as the Four Pillars Strategy: Prevention, Harm Reduction, Enforcement, and Treatment adopted by municipalities and agencies nationwide. The County has devoted significant resources to Enforcement and has supported efforts in Prevention and Harm Reduction. This investigation focused specifically on Treatment.

The Grand Jury also found that limited implementation, lack of funding, inadequate availability, and insufficient accessibility have resulted in treatment being the least

supported of the strategies. There are not enough programs in place to enable first responders to provide treatment immediately when sought. There is a need for on-demand treatment, but delays in access to medical care result in missed opportunities to reduce harm, aid recovery, and prevent overdose deaths.

Based on its findings, the Grand Jury recommends that the County Board of Supervisors (BOS) consider seeking funds for expansion of addiction treatment programs. The BOS may also consider encouraging more medical care providers to become Medication-Assisted Treatment (MAT) certified, hire more MAT clinicians, provide in-county residential treatment facilities for adolescents, and place more certified professional addiction clinicians within the County's three detention facilities. The Grand Jury also recommends that the Contra Costa County Office of Education consider making overdose antidotes available in public high schools.

METHODOLOGY

In the course of its investigation, the Grand Jury:

- Interviewed recovering opioid addicts
- Conducted internet and document research
- Interviewed staff from County Health Services and County Office of Education
- Interviewed the Medical Director of a private opioid treatment center in the county
- Interviewed members of the National Coalition Against Prescription Drug Abuse
- Attended Nar-Anon and Narcotics Anonymous 12-Step recovery meetings related to opioid addiction

BACKGROUND

According to news media, more than two million Americans suffered from an opioid addiction in 2016, and over 600,000 have died from overdoses since 2000. There were more than 64,000 drug deaths in 2016, up 22% from the previous year. Opioids killed more Americans in 2016 than HIV/AIDS at its 1995 peak. Media reports estimate that over 70,000 deaths occurred in 2017. Approximately 80% of the global opioid supply produced worldwide is consumed in the United States.

The 2017 Contra Costa Health Services Health Advisory publication reported that over 100 Contra Costa residents died from opioid overdoses in 2015-2016. County deaths mirror the alarming trend and national epidemic of misuse and abuse of prescription opioids and illegal opioids. In 2016, over 760,000 opioid prescriptions were issued for the county's population of 1.1 million. There were over 100 opioid overdose emergency department visits in the county in 2015. Opioid overdose has now replaced automobile accidents as the leading cause of accidental death among individuals ages 25 to 64.

The Urban Institute and County senior healthcare officials reported that an estimated 54,000 county residents currently suffer from Opioid Use Disorder (OUD).

More individuals use controlled prescription opioids than heroin, cocaine, methamphetamine, MDMA (ecstasy) and PCP combined.

According to County healthcare officials, the current opioid epidemic will persist for the next decade or longer. These officials say there will be increasingly greater treatment needs and a growing death rate.

Opioids

Opioids are drugs naturally found in the opium poppy plant. Some prescription opioids are made directly from the plant, while others are produced by scientists in laboratories using the same chemical structure. Heroin, one of the world's most dangerous opioids, is illegal to possess in the United States without a license from the Drug Enforcement Administration. The following pain-relieving opioids are legal and available by prescription:

- Hydrocodone (Vicodin)
- Oxycodone (OxyContin and Percocet)
- Oxymorphone (Opana)
- Morphine (Kadian and Avinza)
- Codeine
- Fentanyl

Treatment

Opioid addiction is a chronic, lifelong medical condition. It cannot be cured, but it can be arrested, managed, and treated. Taking medication for opioid addiction compares to taking medication to control heart disease or diabetes. It helps the person manage their addiction so the benefits of recovery can be maintained.

The following are commonly used treatments for reversing opioid overdoses and as part of long-term recovery maintenance programs:

Naloxone: sold under the brand name NARCAN and is used by hospitals and emergency medical technicians. There is now a movement to expand access and get it into the hands of first responders, drug users, and their family members. Approximately 130 members of the Contra Costa County Sheriff's office have access to kits and have been trained to use naloxone on an opioid overdose emergency.

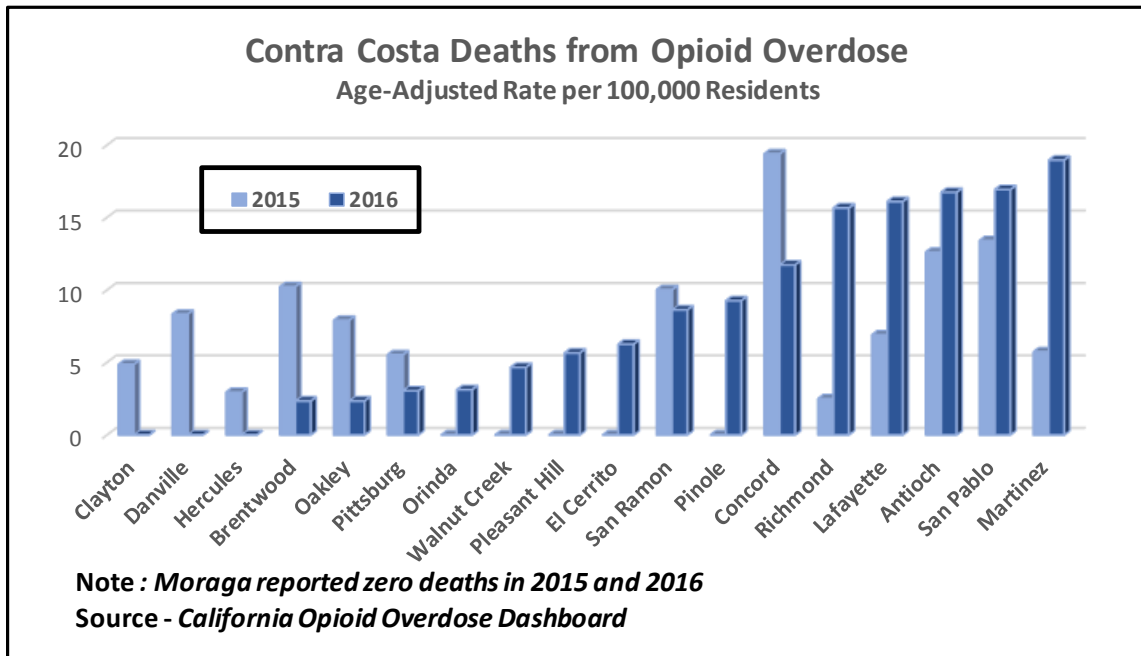
Naltrexone: sold as ReVia and Vivitrol and used to manage opioid and alcohol dependence. Beneficial effects to counter cravings start within 30 minutes after taking it.

Methadone: an opioid prescribed under controlled circumstances to treat the symptoms of heroin withdrawal without causing the “high” associated with drug addiction. It is part of addiction detoxification and recovery maintenance programs.

Buprenorphine: a medication used to treat opioid dependence and relieve drug cravings.

DISCUSSION

Communities and families in the County are facing the losses associated with opioid addiction (jobs, health, family, premature death, and other). The following chart presents the 2015 and 2016 reported deaths from opioid overdose in cities within the County. The data do not show any correlation between the reported deaths and geographic location or economic status. Furthermore, about half of the cities experienced a decrease in deaths from 2015 to 2016, while the other half showed an increase in deaths over the same period highlighting the complexity of the opioid epidemic



No community is immune to this epidemic, according to the County’s Medication Education and Disposal Safety (MEDS) Coalition. The MEDS Coalition is an organization formed by a diverse group of public and private County stakeholders.

Individuals with OUD tend to be white males, between the ages of 18-49 with access to medical care and to doctors who prescribe opioids.

There is a misperception that opioid deaths affect only individuals with substance dependency issues. The National Institute of Drug Addiction reports that combining fentanyl with other illicit drugs, such as cocaine or ecstasy, is exposing recreational users and young people experimenting with party drugs to the same risk of death as habitual addicts.

Altered Opioids

A mounting number of opioid addicts are encountering a more lethal supply of drugs. The new and deadlier drugs are altered opioids that bind in more powerful ways to the brain's receptors and act more quickly. The combination of factors makes these drugs hundreds of times deadlier.

All opioids connect to particular brain and nervous system receptors that upon activation release the body's natural pain killer, endorphins. In medicine and law enforcement, the relative strength of various opioids is measured in comparison to morphine. Oxycodone, the opioid in Oxycontin and Percocet, is about 50% stronger than morphine. Marketed in the 1800s as a solution to morphine addiction, heroin ranges from twice as strong to five times as strong as morphine. Fentanyl is over 50 times stronger than morphine or heroin. Unlike many medically prescribed opioids, the street supply of fentanyl comes primarily from illegal production.

Heroin users often do not know what has been mixed with the powder. This unknown mixture increases the risk of unknowingly receiving more powerful opioids or other toxic chemicals. Because fentanyl is so cheap and readily available, it is often mixed with heroin, creating a deadlier dosage.



Lethal doses of heroin and fentanyl

Rehabilitation

No single form of care is effective for all individuals with opioid dependence. Diverse treatment options are needed.

Detoxification

Drug detoxification is the intervention in a case of physical dependence to a drug. A detoxification by itself does not address the elements of addiction, social factors, psychological addiction, or the complex behavioral issues that intermingle with addiction.

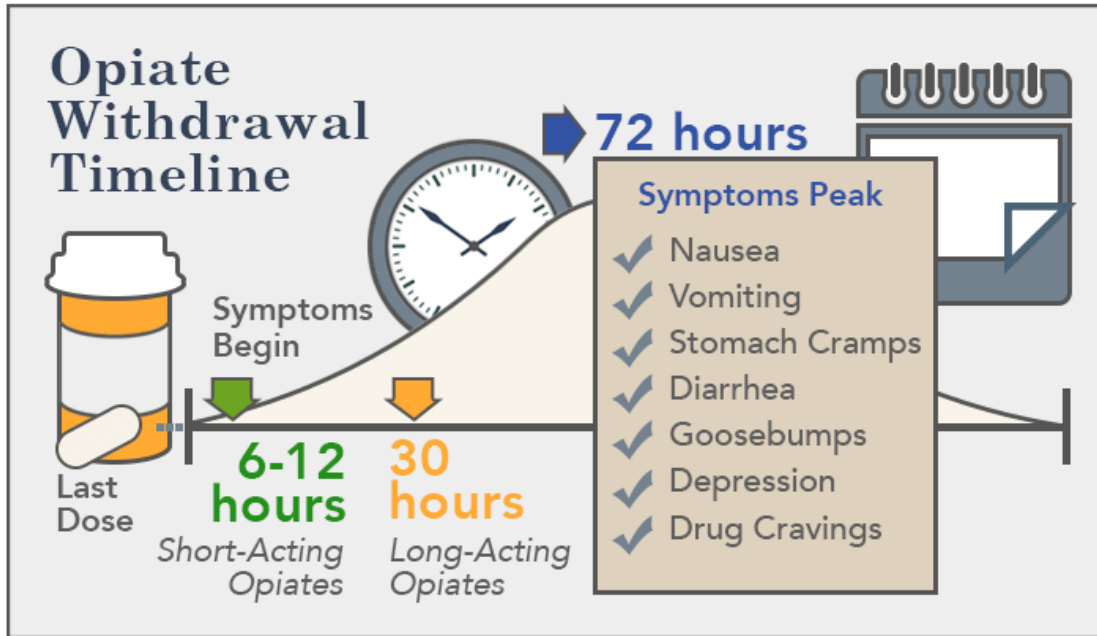
Drug detoxification is the first step for many forms of longer-term abstinence-based treatment. Detoxification includes a way for addicted persons or first responders to gain immediate access to treatment. This treatment includes withdrawal management and access to acute addiction treatment. (World Health Organization, www.who.int)

Detoxification is known to prevent fatal consequences resulting from sudden cessation of use and can aid the patient in becoming abstinent from drugs.

Relapse following detoxification is common. Detox alone does not typically induce lasting behavioral changes. According to County senior health care officials, among opioid addicts limited to a 28-day in-patient detoxification program, 80-90 percent are likely to relapse in a matter of weeks or days.

Withdrawal Management

Opioid withdrawal includes a wide range of symptoms that occur after stopping or dramatically reducing the dose of opioid drugs following heavy and prolonged use. For short-acting opioids such as oxycodone and heroin, withdrawal symptoms usually emerge within 12 hours of the last opioid use. Withdrawal will peak within 24-48 hours and diminish over 3-5 days.



For long-acting opioids such as fentanyl and morphine, withdrawal symptoms may last up to 10 days. Opioid withdrawal syndrome is rarely life-threatening. Abrupt discontinuation of opioids may precipitate withdrawal symptoms, leading to continued cravings and resulting in relapse.

Medication-Assisted Treatment

Most afflicted individuals cannot escape on their own from the misery and risks of drug addiction. One important component used for rehabilitation is called Medication-Assisted Treatment (MAT), the goal of which is to save lives and foster recovery.

In May 2017, the BOS approved Resolution 2017/87 recognizing that access to MAT should be expanded to assist people recovering from their Substance Use Disorder (SUD).

Treatment for Adolescents

According to the 2017 California Student Survey conducted by WestEd, use of drugs increases in the middle and high school years. The survey further shows that high-school staff see drug use as a moderate to severe problem among 64% of students. (www.kidsdata.org)

Opioid drug use often begins with teens taking medications prescribed for a family member or friend. When that supply is exhausted, teens seek outside drug sources. Senior officials indicated when addicts cannot afford prescription opioids, they often turn to more affordable heroin.

In the County, demand for treatment of addicted adolescents overwhelms the limited resources, with no residential in-patient options available. Residential opioid addiction treatment centers are useful for teens who need to be separated from their drug source environment and focus solely on recovery. They require that the teen live at the facility for the duration of the recovery program. Programs typically last between 30 and 90 days, but they can be extended to accommodate needs. They often provide dual diagnoses to see if the teen suffers from a co-occurring mental or behavioral health disorder.

Naloxone can reverse an opioid overdose. Treatment professionals recommend making naloxone available to public schools. Health care professionals use the analogy of naloxone as the EpiPen of opioid overdoses.

Known as the California Marijuana Tax Fund, Assembly Bill 1748 requires that a portion of the taxes from legal marijuana sales be used for youth drug abuse treatment programs. These funds could be an option for the creation of in-county residential in-patient treatment. Additionally, the Bill authorizes school districts to make naloxone available to school nurses and trained personnel to provide emergency medical aid to persons suffering from an opioid overdose.

Treatment in Adult Detention Facilities

The criminality associated with addiction follows directly from the need to purchase drugs. Addicts are known to shoplift, steal, and rob as ways to obtain funds to pay the drug supplier.

Contra Costa County Alcohol & Other Drug Services (AODS), a division of Behavioral Health Services, informed the Grand Jury that it is difficult to motivate incarcerated individuals to enter treatment. Assembly Bill 109 and Proposition 47 transferred responsibility for supervising certain kinds of felony offenders from state prisons to county jails, which strained the County's SUD treatment resources. According to the 2015 "Jail Needs Assessment" report conducted for the County Office of the Sheriff, County's jails offer limited support to address SUD because they do not have the number of clinicians needed to meet the treatment demand.

The American Association for the Treatment of Opioid Dependence stresses the importance of keeping clinical decision-making about medications in the hands of SUD clinicians. Deciding on the appropriate medication is a matter of clinical discretion.

Treatment Long-Term

The scientific and medical communities acknowledge that OUD is a chronic, recurrent disorder with patterns of adherence to treatment and relapse. This disorder is similar to other chronic disorders such as hypertension, diabetes, and asthma. Limiting the time needed for treatment is inconsistent with the course of OUD. Treatment interruption can increase the risk of death and underlies serious effects associated with OUD.

Addiction sufferers often need specific treatment programs addressing the addiction itself and withdrawal symptoms. Associated disorders of anxiety and depression can accompany withdrawal. In the nation, an estimated eight million adults suffer both SUD and mental illness simultaneously. Less than 9% receive both mental health care and substance use treatment. Over half receive no treatment. (Substance Abuse and Mental Health Services Administration 2017)

The Contra Costa County Behavioral Health Services Division (CCBHS), oversees the AODS system of care. Treatment for SUD is delivered through contracts with community-based and County-operated SUD treatment programs. In the current system, addicts can either get direct access or a referral to treatment providers who complete an initial assessment and conduct the intake screening process. (Contra Costa County Drug Medi-Cal Organized Delivery System Implementation Plan, 2016)

The County's Choosing Change Clinics provide out-patient opioid treatment services. Persons who are doctor-approved to receive buprenorphine can be helped with detoxification and maintenance therapy. Choosing Change groups meet weekly and are led by an addiction medicine specialist. Currently, there are Choosing Change Clinics located at the County health centers in Concord, West County, Pittsburg, and Antioch, and the Wellness Center in Martinez.

The Choosing Change Clinics in Antioch, San Pablo, and Pittsburg are open one day each week for four hours. The Concord clinic is open two days each week for four hours, and the Martinez clinic is open three days each week for four hours.

Healthcare professionals, County staff, and recovering addicts interviewed by the Grand Jury all emphasized that treatment models that support acute addiction care through to long-term recovery warrant expansion. More sobering centers, detoxification beds, and sober living environments are needed.

Senior health care officials indicated that in the County's detention facilities more mental health positions are needed to be able to cover the facilities 24/7. Some positions are staffed weekdays only and none on Saturday or Sunday, when the need is greatest.

Barriers to Treatment

OUD sufferers who do not get access to required treatment when they need it most end up having poor outcomes. They are more likely to die prematurely as a result of lack of access and care coordination. In a 2018 Substance Abuse and Mental Health Services Administration federal study of patients seeking medical care and entering a rehabilitation in-take center, the average wait time to enter a treatment program after initial contact with a provider was 42 days. Approximately one third received an appointment within 24 hours. (Substance Abuse and Mental Health Services Administration survey 2018)

There is a gap between the number of people who need SUD treatment and the number of people who receive any type of treatment. In a recent year, only 18% of opioid addiction sufferers received treatment from self-help groups or emergency care.

Among Contra Costa's estimated 54,000 individuals with opioid use disorder, fewer than 10% can be treated long-term given current care capacity. (www.urban.org/sites/default/files/contra_costa.pdf)

This rate of treatment is lower compared to other common health conditions such as hypertension (77%), diabetes (73%), and major depression (71%).

A federal Substance Abuse and Mental Health Services Administration survey in 2017 identified obstacles individuals face when seeking OUD treatment:

- 40% say they are not ready to stop using
- 37% have no health coverage and cannot afford the cost of treatment
- 9% do not know where to go for treatment
- 7% have health coverage that does not cover treatment or costs
- 7% say treatment is inconvenient or they lack transportation

Other challenges complicate the efforts to offer same-day services that include: application obstacles, long waiting periods, too much paperwork, lack of referrals, loss of child custody, fear, community resistance, and privacy concerns. For homeless addicts, one major barrier can be having no place to stay while beginning treatment.

Federal regulations require that clinicians seeking to prescribe buprenorphine must undergo specialized training. The County does not have enough healthcare professionals who have been legally authorized to prescribe buprenorphine for opioid addiction patients. Providers eligible for specialized training include doctors of general and osteopathic medicine, nurse practitioners, and physician assistants. Of the 5,585 public and private potential prescribers practicing throughout the County, only 3.2% have a buprenorphine waiver. (County-Level Estimates of Opioid Use Disorder and Treatment Needs in California, The Urban Institute, 2016)

Stigmatization of Opioid Dependence

What is often keeping the patient from agreement to treatment is embarrassment. It is generally recognized that just as there is a social stigma around mental illness, so there is shame being identified as a drug addict or drug-dependent. Treatment professionals point out that people addicted to substances exist in every walk of life regardless of gender, sexual orientation, race, ethnicity, employment, or economic status. Opioid addiction is a condition that can affect anyone.

The stigma of opioid dependence is a major hurdle to getting addicts into treatment. Health professionals emphasize to patients and their families that long-term opiate habits change the brain, it becomes a biomedical problem, and it's not about being a weak person or some other issue.

FINDINGS

- F1. The availability of MAT in the County's emergency rooms, medical offices, County health clinics, and the County's detoxification sites does not meet the needs of people with OUD.
- F2. Only 3.2% of the nearly 5,600 private and public medical providers in the County have acquired the Drug Enforcement Agency waiver to prescribe buprenorphine, creating a MAT gap for people seeking treatment.
- F3. The limited open hours at the County-operated Choosing Change Clinics are a barrier to treatment for OUD users.
- F4. The 2016 California Marijuana Tax Fund (AB 1748) requires that a portion of taxes paid be used for youth drug abuse treatment programs.
- F5. The demands for programs addressing high-school drug abuse throughout the County exceed the resources available.
- F6. The demand for programs throughout the county to educate high school students and their parents on overdose prevention, the dangers of opioid use, and responses to overdoses exceed the available supply.
- F7. There are no in-County adolescent residential treatment facilities. Youth requiring residential treatment are directed to seek care outside the County.
- F8. Stigma of drug addiction is a barrier to treatment, and presents barriers to providing more in-County recovery facilities.
- F9. For incarcerated opioid addicts, there are staffing gaps in the detention facilities during the week for intake screening, withdrawal management, and clinical treatment.
- F10. The majority of those who abuse opioid prescription medications do not get them from the street. Instead, they obtain these from the homes of family and friends. The danger is exacerbated by the lack of sufficient public awareness.
- F11. In a 2018 Substance Abuse and Mental Health Services Administration study of patients seeking medical care and entering a rehabilitation intake center, the average wait time to enter a treatment program after initial contact with a provider was 42 days. Only about a third received an appointment within 24 hours.

F12. Among the County's estimated 54,000 persons with opioid use disorder, fewer than 10% can be treated long-term, given current care capacity.

RECOMMENDATIONS

- R1. The BOS should consider requesting Behavioral Health Services to develop a plan by December 2018 to motivate more physicians to complete their qualifications for a waiver to prescribe and dispense buprenorphine starting in 2019.
- R2. The BOS should consider seeking funds, in the FY2019-2020 budget, for Behavioral Health Services to offer the course "Buprenorphine Treatment: Training for Multidisciplinary Addiction Professions" or equivalent to all of the County's public medical care providers starting July 1, 2019.
- R3. The BOS should consider seeking funds, in the FY2019-2020 budget, for Behavioral Health Services to hire more buprenorphine clinicians beginning July 1, 2019.
- R4. The BOS should consider requesting the Alcohol and Other Drugs Services (AODS) division of Behavioral Health Services to use funds available under the California Marijuana Tax Fund legislation (AB 1748) for in-county adolescent outpatient and residential inpatient treatment.
- R5. The Contra Costa County Office of Education should consider seeking funds, in the FY2019-2020 budget, to provide free NARCAN kits in all County school districts.
- R6. The BOS should consider seeking funds, in the FY2019-2020 budget, for Behavioral Health Services to develop a plan to increase clinical treatment of substance use disorders in the three detention facilities.
- R7. The BOS should consider seeking funds, in the FY2019-2020 budget, for Behavioral Health Services to develop and deliver educational campaigns to improve public awareness of the County's opioid addiction crisis and available treatment options, starting July 1, 2019.
- R8. The BOS should consider seeking funds, in the FY2019-2020 budget, for Behavioral Health Services to use multiple modes of communication such as news media, social media, community TV/Radio, and billboards, with a positive message to help alleviate the stigma of OUD, starting July 1, 2019.

REQUIRED RESPONSES

	Findings	Recommendations
Contra Costa County Board of Supervisors	F1, F2, F3, F4, F5, F7, F8, F9, F10, F11, and F12	R1, R2, R3, R4, R6, R7, and R8
Contra Costa County Office of Education	F6	R5

These responses must be provided in the format and by the date set forth in the cover letter that accompanies this report. An electronic copy of these responses in the form of a Word document should be sent by email to ctadmin@contracosta.courts.ca.gov and a hard (paper) copy should be sent to:

Civil Grand Jury – Foreperson
725 Court Street
P.O. Box 431
Martinez, CA 94553-0091

ACRONYMS

AODS – Alcohol and Other Drugs Services

BHS – Behavioral Health Services

BOS – Board of Supervisors

MAT – Medication-Assisted Treatment

MEDS – Medication Education and Disposal Safety

ODU – Opioid Use Disorder

SUD – Substance Use Disorder



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Unpaid Student Training Agreement #22-983-4 with Mt. Diablo Unified School District, Adult Education

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Contract #22-983-4, the Unpaid Student Training Agreement with Mt. Diablo Unified School District, Adult Education, an educational institution, to provide supervised field instruction in the County's Public Health Division to dental assistant students for the period July 1, 2018 through June 30, 2020.

FISCAL IMPACT:

This is a non-financial agreement.

BACKGROUND:

The purpose of this agreement is to provide Mt. Diablo Unified School District, Adult Education dental assistant students with the opportunity to integrate academic knowledge with applied skills at progressively higher levels of performance and responsibility. Supervised fieldwork experience for students is considered to be an integral part of both educational and professional preparation. The Health Services Department can provide the requisite field education, while at the same time, benefiting from the students' services to patients.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Dan Peddycord,
925-313-6712

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

By: , Deputy

cc: D Morgan, M WILHELM

BACKGROUND: (CONT'D)

On May 10, 2016, the Board of Supervisors approved Contract #22-983-3 with Mt. Diablo Unified School District, Adult Education for the period from July 1, 2016 through June 30, 2018 for the provision of supervised fieldwork instruction experience with Health Services.

Approval of Unpaid Student Training Agreement #22-983-4 will allow Mt. Diablo Unified School District, Adult Education's dental assistant students to receive supervised fieldwork instruction experience in the County's Public Health Division, through June 30, 2020.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the students will not receive supervised fieldwork instruction experience in the County's Public Health Division.



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Memorandum of Understanding #74-566 with the City of Walnut Creek for its Police Department

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Memorandum of Understanding (MOU) #74-566 with the City of Walnut Creek for its Police Department, a government agency, to develop and implement an outreach program designed for a specific population of adult Contra Costa County residents who have serious and persistent mental illness, for the period June 1, 2018 through May 31, 2019.

FISCAL IMPACT:

This is a non-financial agreement.

BACKGROUND:

The County's Behavior Health Services Division (BHSD) recommends partnering with law enforcement in East, Central, and West Contra Costa County to develop the Mental Health Evaluation Team (MHET) Program. The MHET Program will provide welfare checks, case management, and link available mental health services for its target population. MHET's target population is the adult Contra Costa County resident who has been identified as having a serious and persistent mental illness and is described by at least one of the following: having experienced a recent psychiatric crisis; having been placed on one or more Welfare & Institutions Code section 5150 holds; having a history of violence; having access to firearms; or having been the subject of multiple calls for service with local law enforcement.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Matthew White, M.D.
95-957-5201

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

By: , Deputy

cc: D Morgan, M Wilhelm

BACKGROUND: (CONT'D)

The MHET Program's objectives include reducing the number of preventable visits to Psychiatric Emergency Services, facilitating access to BHSD's system of care, increasing effective use of available outpatient mental health services, reducing the number of violent encounters between police officers and the mentally ill, providing support, referrals and safety planning to family members, and providing a safer, better quality of life for the community.

The Memorandum of Understanding #74-566 includes mutual indemnification.

CONSEQUENCE OF NEGATIVE ACTION:

If this agreement is not approved, the County's BHSD will be unable to participate on the MHET and therefore unable to provide the level of targeted assistance contemplated for the specific population described above.



Contra
Costa
County

To: Board of Supervisors
From: Joseph E. Canciamilla, Clerk-Recorder
Date: August 14, 2018

Subject: Approve Permit for Use of Lucretia Edwards Shoreline Park for Civil Wedding Ceremonies

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Clerk-Recorder or designee to execute a one-day use permit with the City of Richmond Community Services Department for the use of the Lucretia Edwards Shoreline Park on September 7, 2018. Use of the park requires a permit in which the County agrees to indemnify and hold harmless the City of Richmond for any claims arising out of the County's use of the park during the permitted date and time.

FISCAL IMPACT:

None.

BACKGROUND:

The County Clerk-Recorder will conduct civil wedding ceremonies at the Lucretia Edwards Shoreline Park on September 7, 2018. Use of the park requires a permit in which the County agrees to indemnify and hold the City of Richmond harmless for any claims arising out of the County's use of the park during the permitted date and time.

CONSEQUENCE OF NEGATIVE ACTION:

The Clerk-Recorder Division will be unable to conduct ceremonies at the Lucretia Edwards Shoreline Park.

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Barbara Dunmore
925-335-7919

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: August 14, 2018

Subject: Agreement #72-114 with AAA Northern California, Nevada & Utah

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Agreement #72-114 with AAA Northern California, Nevada & Utah, a non-financial agreement, for the AAA Child Passenger Safety (CPS) Donation Program, for the period from August 7, 2018 through December 14, 2018.

FISCAL IMPACT:

This is a non-financial agreement.

BACKGROUND:

The purpose of the collaboration is to facilitate distribution of car seats and booster seats to the Public Health Division’s Clinic Services program and partnering agencies including First 5, family resource centers, hospitals, Head Start, community and outreach programs. The recipients of the car seats and car seat boosters will receive education on how to properly use them from a certified Public Health Division employee.

Under Contract #72-114, the County will distribute 40 child car seats and 20 car seat boosters to

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Dan Peddycord,
925-313-6712

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

By: , Deputy

cc: D Morgan, M Wilhelm

BACKGROUND: (CONT'D)

low-income families in Contra Costa County through December 14, 2018. This agreement includes agreeing to mutually indemnify and hold the other party harmless from any claims arising out of the performance of this contract.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, Health Services Department will not receive child passenger safety seats from AAA's Child Passenger Safety Seat Donation Program.

CHILDREN'S IMPACT STATEMENT:

This program supports the following Board of Supervisors' community outcomes: "Children Ready For and Succeeding in School"; "Families that are Safe, Stable, and Nurturing"; and "Communities that are Safe and Provide a High Quality of Life for Children and Families". Expected program outcomes include fewer injuries in car accidents.



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Contractor Name Change for Contract with Compass Group USA, Inc. (dba Bateman Community Living)

RECOMMENDATION(S):

APPROVE and ACKNOWLEDGE that the contractor, in the contract between the County and Compass Group USA, Inc., dba Bateman Community Living, pertaining to the provision of home delivered meals to the County's Senior Nutrition Program and initially approved by the Board on May 22, 2018 (Item C.69), has changed its name to Elior, Inc., dba Bateman Community Living, LLC with no change in the payment limit of \$2,868,382 or in the term of July 1, 2018 through June 30, 2019, with a three-month automatic extension through September 30, 2019.

FISCAL IMPACT:

There is no fiscal impact with this acknowledgement action.

BACKGROUND:

On May 22, 2018, the Board of Supervisors approved Contract #22-219-61 with Compass Group USA, Inc. (dba Bateman Community Living) for the provision of home delivered meals to the Contra Costa County Senior Nutrition Program for the period from July 1, 2018 through June 30, 2019. The contract was in the process of being executed and on July 1, 2018, the department was notified that the contractor changed its name to Elior, Inc. (dba Bateman Community Living, LLC). The purpose of this board order is to acknowledge the current legal name of the contractor as Elior, Inc., dba Bateman Community Living, LLC, instead of Compass Group, USA, Inc.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Dan Peddycord,
925-313-6712

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

By: , Deputy

cc: D Morgan, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this correction is not approved, the Board authorization will not match the Contractor's legal name.



Contra
Costa
County

To: Board of Supervisors
From: FAMILY & HUMAN SERVICES COMMITTEE
Date: August 14, 2018

Subject: Local Child Care & Development Planning Council Activities Update

RECOMMENDATION(S):

ACCEPT report on the FY 2017/18 activities and key accomplishments and proposed 2018/19 work plan of the Local Planning Council as they relate to membership and funding of local child care and development planning in Contra Costa County.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The Board of Supervisors referred updates on the activities of the Local Planning and Advisory Council for Early Care and Education (formerly known as the Local Planning Council for Child Care and Development) to the Family and Human Services Committee on January 17, 2006.

The last report was provided to the Family and Human Services Committee on June 13, 2016. Please see the attached report for an update on the FY 2017/18 activities and key accomplishments and proposed new year work plan of the Local Planning Council as they relate to membership and funding of local child care and development planning in Contra Costa County. This attached report was reviewed and accepted by the Family and Human Services Committee at its regular meeting on July 23, 2018. Susan Jeong presented the report, noting

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Susan Jeong (925)
942-3413

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

that a needs assessment is completed every five years and that the current needs assessment is not quite complete. She highlighted that the current needs assessment will include a facilities survey to help demonstrate in State grant applications the unmet facilities needs in Contra Costa County. She estimated that there is a need for 10,000 more infant/toddler slots and 2,700 more preschool slots.

She also highlighted the upcoming annual forum and the struggle to expend \$134,000 in preschool teacher tuition funding, which can be used to reimburse tuition only after it has been paid upfront by a preschool teacher, which can be a financial hardship for some teachers.

ATTACHMENTS

FY 2017/18 Local Planning Council for Early Child Care and Education Report

MEMORANDUM

DATE: July 23, 2018

TO: Supervisor Candace Andersen, District II, Vice Chair Supervisor
John Gioia, District I, Chair

FROM: Susan K. Jeong, LPC Coordinator/Manager, Educational Services

SUBJECT: Local Planning and Advisory Council for Early Care and Education (LPC) **Council Activities-Referral #81**

CC: Karen Sakata, Contra Costa County Superintendent of Schools
Lynn Mackey, Deputy Superintendent of Schools
LPC Chair and Vice Chairs

RECOMMENDATION(S):

1) **ACCEPT** the activities report and key accomplishments during fiscal year 2016-2017 for the LPC as they relate to Education Code - *Section 8499.3 – 8499.7*.

REASON/S FOR RECOMMENDATION:

Projects and activities of the Contra Costa LPC align with legislative intent for Local Planning Councils to *serve as a forum to address the child care needs of all families and all child care programs, both subsidized and non-subsidized in Contra Costa County* (Ed code Sections 8499.3 and 8499.5).

BACKGROUND:

The Contra Costa County Local Planning and Advisory Council for Early Care and Education (LPC) was established in April 1998. Required by AB 1542, which was passed in 1993, thirty members of the LPC were appointed by the County Board of Supervisors and the County Superintendent of Schools. Childcare consumers and providers, public agency representatives, and community representatives each comprise 20% of the LPC. The remaining 20% are discretionary appointees. Membership is for a three year term.

On January 7, 2003, membership was decreased from 30 to 25 members, due to the difficulty being experienced in filling all of the seats. On September 19, 2012 membership was decreased from 25 to 20, due to continued difficulty to fill vacant seats. Official reduction of appointed seats provides flexibility to ensure quorum is met in order to conduct Council business.

I. SUMMARY OF ACTIVITIES

- a. **New LPC Coordinator.** A new LPC Coordinator was hired in January 2018.
- b. **Hosted the 14th Annual Young Children's Issues Forum – *Speak Out for Children: Educate and Advocate on Saturday, March 17, 2018.*** Over 150 teachers, school administrators, college faculty, community advocates, local government officials, parents, business leaders, and state legislators attended the Forum held at the Pleasant Hill Community Center, in Pleasant Hill, CA. This event continues to be a catalyst to ongoing and active community engagement and advocacy in the early care and education community.
- c. **Initiated the 2017 - 2020 Countywide Child Care Needs Assessment and Child Care Facility Development Study for Contra Costa County.**

The LPC is currently coordinating their 2017 Needs Assessment and Child Care Facility Study. The child care needs assessment is conducted every five years and aims to determine the child care needs as mandated by California Education Code for all LPCs across the State. Based on recommendations made by the LPC's Ad Hoc Child Care Facilities Committee the LPC commissioned a comprehensive countywide needs assessment study for child care for children ages 0 to 12 that includes current conditions of existing facilities, interest in expansion from current providers, potential financing models, and roles for various stakeholders.

The Study is expected for public release in September/October 2018. Early data shared at the First 5 Contra Costa Coffee & Kids event held in May 2018 indicated a shortage of child care for children in Contra Costa. There is a shortage of nearly 10,000 infant/toddler spaces and 2,700 spaces for preschool-aged children.
- d. **Coordinated and Facilitated Quarterly State Funded Program Administrators Network (SFPAN) meetings held at the CCCOE and facilitated by the LPC Coordinator.** The State Funded Administrators Network (SFPAN) convenes 14 agencies that contract with the California Department of Education to provide General Child Care Services for children ages 0-12 years and State Preschool services for high need families and children throughout Contra Costa. The SFPAN includes the county's Head Start and Early Head Start providers and the CalWORKs child care voucher program known as the Alternative Payment Program which includes stage 1, stage 2 and stage 3 families.
- e. **Coordinated planning for the Contra Costa County Child Care Subsidy Pilot Plan.** In October 2017, Governor Brown approved AB 435, authorizing an individualized child care subsidy plan for the County of Contra Costa. Authored by Assemblymember Tony Thurmond, the legislation allows Contra Costa County to develop and implement a plan through January 1, 2023. Upon approval of the Contra Costa County Plan (to be sent to the California State Department of Education in July 2018) by the state, the planning for implementation will begin. To date nine state-funded contractors have signed on to participate in the Pilot.
- f. **Support and Fiscal Consultation/Coaching Services for Administrators of State Funded Programs** - Title 5 contractors with the California Department of Education, Early Education and Support Division (CDE-EESD) continue to struggle to fully earn their contract allocation due to low state reimbursement rates, unrealistic family income eligibility guidelines and staff turn-over. Providers cannot cover their operational costs, and therefore, are unable to utilize their full allocation of state

and federal child care and child development funds. Over the past four years, the amount of unearned state child care and development funds in Contra Costa County has steadily increased. The LPC also gathered local data from state-funded program administrators that indicated a need for additional training, coaching and technical assistance (TA) for Program Administrators and Directors.

During 2016 – 2017, the LPC decided to allocate AB 212 funds to “pilot” consultations services to administrators with the goal of improving efficient contract management for full earning of allocation. Over the past two years, three Title 5 programs experienced changes in administration and leadership which impacted the stability of the programs greatly. Other local challenges among Title 5 contractors include: lack of available child care facilities and low enrollment.

g. **LPC Coordinator is CCCOE’s administrator for the California State Preschool Program QRIS Block Grant and Infant and Toddler QRIS Block Grant contracts for Contra Costa County.**

The LPC is actively involved in the local planning, coordination and implementation of quality improvement services, professional development and growth activities and incentives, and countywide efforts to increase public awareness of “quality indicators” through the *Contra Costa Quality Matters* program.

II. ACCOMPLISHMENTS

Nurture and Retain a Qualified Early Care and Education Workforce

As in previous years, the LPC has offered multiple professional growth and development services and incentives in Contra Costa County. The LPC was approved by the California Department of Education (CDE) in 2017 -2018 to support teaching staff by providing stipends for participation at various levels and through multiple commitments to participation paid with AB 212 funds. Total stipends issued from AB 212 of \$91,200.00 were paid to 84 AB 212 eligible staff. The LPC chose to implement the following activities under the sponsorship of AB 212 funding:

- **Professional Development Program (PDP) Services and Incentives:** During fiscal year (FY) 2017-2018, the Contra Costa LPC continued the partnership with First 5 Contra Costa for Professional Development Program funding. During the application period, 123 applications were received from AB 212 educators. After completing approved PDP activities, a total of 84 AB 212 staff received incentives in one or more components or incentive categories, including 12 participants who exceeded the maximum number of college units approved in PDP, but were able to be awarded additionally through remaining AB 212 funds.
- **Foreign Transcript Evaluation Services continued to be funded and provided through AB 212 allocations and were offered in PDP –** Assistance was provided by AB 212 staff to one (1) PDP participant who was not funded for a stipend through AB 212 but who required the staff assistance to meet PDP program requirements and to meet agreements in the MOU with partners in the 2017-2018. Education completed from higher education institutions from outside the United States supports PDP participants with applying for or advancing on the Child Development Permit or degree completion. Contracted services with Educational Records and Evaluation Services has been provided by the LPC for over ten years.
- **Additional AB 212 Support Services:** 112 applications were received from AB 212 educators for participation in the Professional Development Program by advisors at each of the three colleges in

the Contra Costa Community College District or by AB 212 Staff. The college advisors provided Information Sessions, education advising towards degrees, regular individual advising sessions, and documentation acceptance from July 2016 through January 2017. AB 212 staff continued to provide the same services at state-funded employment sites, through advising appointments, Child Development Permit application processing and related professional growth advising sessions, and training, as needed, for understanding of renewal requirements for the Child Development Permit and for successful participation in PDP. PDP stipend details follow in Table 1 - the number of participants completing each type of professional development and the stipend amounts by category is represented in the next page.

- Permit Applications:** AB 212 staff continued to assist early childhood educators to apply for new, renewal and upgrade Child Development Permit applications. A total of 101 permit applications were processed to date with 19 from AB 212 Professional Development Program (PDP) participants who submitted Permit applications. In the past several years, AB 212 staff have seen an increase in online renewals by Contra Costa County early childhood professionals. There seems to be a better understanding of the process for online renewals and many have become more aware of the services which can be provided online. Recent history has shown that fewer individuals are needing assistance with accessing their Permit information online and may contact AB 212 staff for guidance in making payment, submitting the application for renewal, or editing personal information due to marital status, address changes, or incorrect information. Professional Growth Advising and the development of awareness of that may have also increased this online engagement with the Commission on Teacher Credentialing (CTC).

2017-2018 Professional Development Program (PDP) Incentive Summary - Table 1

Stipend Type and amount	Number per Stipend Type	Total per Stipend Type
Course Completion Stipend = \$600 for 6 units completed	80	\$48,000
Professional Training Hours = \$150 (for completion of 12 or more hours	2	\$ 300
Coursework Bonus for completing additional units after first 6 units. \$100 per unit with MAX \$1200	56	\$23,900
Reflective Practice Seminar = \$300 required concurrent enrollment in one three-unit course.	28	\$8,400
Education Milestone M1 - completion of 24 ECE/CD and 16 GE for Teacher Permit = \$300, M2 - completion of AA/AS degree = \$300 M3 -completion of BA/BS = \$300	10 M1 = 7 M2 = 3 M3 = 0	M1 = \$2,100 M2 = \$ 900 M3 = \$0
Lost Wages - Completion of lab or community-based supervised field experience which required absence from employment, based on hours completed MAXIMUM \$1250	2	\$2,500
Additional Course Completion Stipend for exceeding the 12 units max in PDP	10	\$5,100.00
Total stipend types paid to 79 approved and eligible participants	188	\$91,200

Permit Applications Processed During 2016 - 2017 for State-Funded Programs

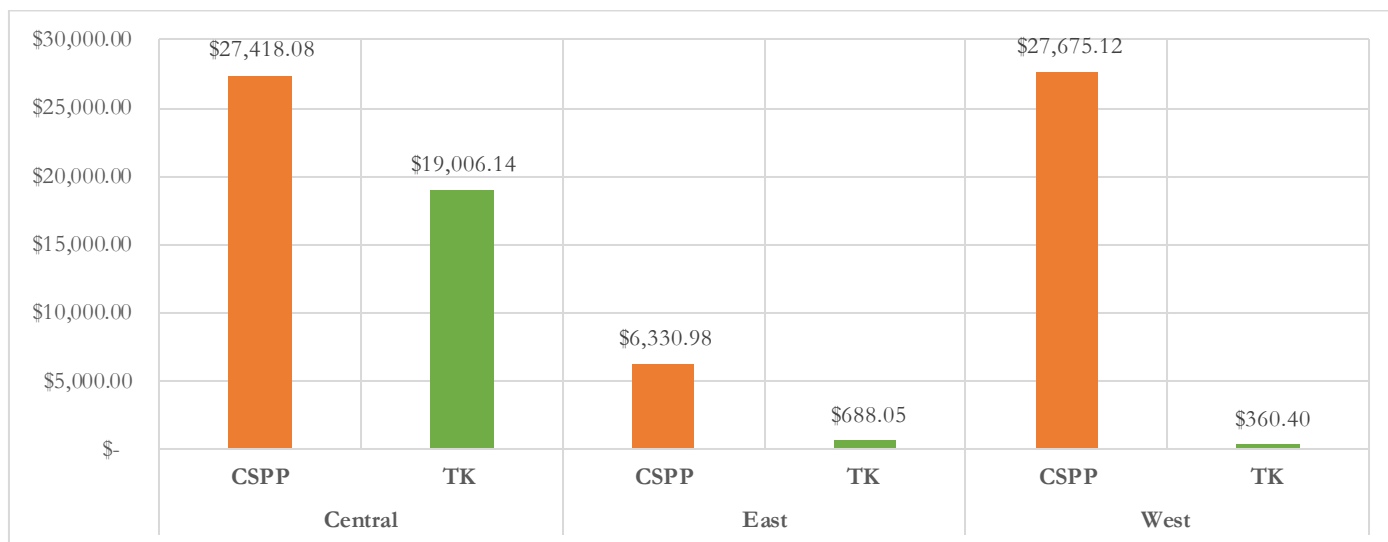
Permit Level by Job Title								
Job Title	No Permit Yet	Assistant	Associate Teacher	Teacher	Master Teacher	Site Supervisor	Program Director	Total
TAT or Assistant	31	1	3	-	-	-	-	35
Associate Teacher	10	-	16	2			-	28
Teacher	2	-	2	5	1	1	-	11
Master/Lead Teacher	1	-	1	1	1	2	1	7
Site Supervisor	-1	-	-	-	-			1
Program Director	-1	-	-	-	-	-	1	2
Total	46	1	22	8	2	3	2	84

Retention by Job Title

Job Title and Years of Employment						
Job Titles	Years of Employment					Totals
	Not provided	< 3 years	3-5 years	5-10 years	More than 10 years	
Assistant	4	23	4	2	2	35
Associate Teacher	2	13	6	3	4	28
Teacher	2	2	3	1	3	11
Master Teacher	-	2	1		5	8
Site Supervisor	-	-			1	1
Program Director		-	-	-	1	1
Total - Central	8	40	14	6	16	84

In addition to the AB 212 funds, the LPC’s oversight and implementation of the state funded California Transitional Kindergarten Stipend (CTKS) program continues to support the professional development of transitional kindergarten and California State Preschool Program (CSPP) teachers. The program functions as a reimbursement program – reimbursing teachers for the cost of tuition and other education-related expenses, for higher education and training in early care and education/child development coursework and training. Below is a chart that shows the total amounts reimbursed by site type and county regions.

2017-2018 CTKS Reimbursements Amount Summary by County and Program Type



III. PROPOSED WORK PLAN/OBJECTIVES FOR 2018 - 2019

The LPC will continue to oversee the design and implementation of the following projects and priority activities:

- **Plan, Coordinate and Host the 15th Annual Young Children’s Issues Forum – Speak Out for Children: Educate and Advocate** scheduled for Saturday, March 16th, 2019.
- **Complete the new Countywide Child Care Needs Assessment and Facility Development Study 2017-2020**

The Early Learning Facilities Needs Assessment would update the prior Child Care Needs Assessment for 2017 (a statutory mandate for the LPC) and would provide key analysis and data on an implementation effort to increase the supply of child care facilities in the County. The study is expected to be completed by September/October 2018.

- **Convene Annual LPC Member Retreat** in October/November 2018 to begin strategic planning process for Contra Costa County Comprehensive Countywide Early Care and Education Plan 2017-2020.
- **Participate, support and align funding** goals to support countywide efforts to improve the quality of all Early Care and Education programs through the *Quality Matters (QRIS) Project*.
- **Co-sponsor teacher incentives and professional development services** offered through Contra Costa County PDP utilizing AB 212 funding and in partnership with First 5 Contra Costa.

- **Continue implementation** of the California Transitional Kindergarten Stipend Project (CTKS) by continuing to build and maintain relationships with TK Coordinators, State Preschool (CSPP) Administrators and TK/CSPP teachers in Contra Costa County.
- **Quality Matters Site Supervisor and Director Professional Learning Communities (PLC) /Community of Practice (COP)** – The LPC in partnership with Quality Matters will pilot a leadership cohort of state-funded Quality Matters participating site program directors and/or site supervisors for one program year beginning August 2018. The goals of the pilot are to build leadership and coaching capacity of state-funded sites that have reached top Tier ratings.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: August 14, 2018

Subject: Correct Board Order Item #C.85 with Groupware Technology, Inc.

RECOMMENDATION(S):

APPROVE clarification of Board action of June 5, 2018 (C.85) which authorized the Health Services Director to execute Contract #23-628 with Groupware Technology, Inc., a corporation, to reflect the correct contract term of June 5, 2018 through December 31, 2018, rather than May 8, 2018 through December 31, 2018 with no change in the payment limit.

FISCAL IMPACT:

This contract is funded 100% by Hospital Enterprise Fund I. (No rate increase)

BACKGROUND:

On June 5, 2018, the Board of Supervisors approved Contract #23-628 with Groupware Technology, Inc. to provide consulting and technical assistance for data migration to the Health Service Department's Information Technology Unit Data Center for the period May 8, 2018 through December 31, 2018.

The effective date of May 8, 2018 was incorrectly entered and the purpose of this Board Order is to correct the effective date on the Board Order Item (Item C.85) to reflect the intent of the parties.

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Patrick Wilson,
925-335-8700

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

By: , Deputy

cc: K Cyr, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this correction is not approved, the Board Order will not reflect the corrected effective date of June 5, 2018.



Contra
Costa
County

To: Board of Supervisors
From: FAMILY & HUMAN SERVICES COMMITTEE
Date: August 14, 2018

Subject: Youth Services - Independent Living Skills Program Update

RECOMMENDATION(S):

ACCEPT this report from the Employment and Human Services Department on youth services and the Independent Living Skills Program (ILSP); and continue to support the Children and Family Services Bureau and its efforts to serve foster youth in the ILSP program.

FISCAL IMPACT:

None. This is an informational report.

BACKGROUND:

An annual update of the Independent Living Schools Program administered by the Employment and Human Services Department (EHSD) was first referred to the Family and Human Services Committee by the Board of Supervisors on October 17, 2006. On June 7, 2016, EHSD requested, and the Board approved, expanding the referral to include additional youth services updates and retitling the referral to “Youth Services Report”, so that the department can include reports on all youth services offered in the community through EHSD, including Workforce Investment and Opportunity Act (WIOA) and CalWorks youth services. The last annual report on this referral was received by the Committee on July 31, 2017.

The Omnibus Budget Reconciliation Act of 1993 permanently authorized the Independent Living Program (ILP) which offers training, services and programs to assist current and former foster youth achieve

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Kathy Marsh (925)
608-4815

, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

BACKGROUND: (CONT'D)

self-sufficiency prior to and after leaving the foster care system. The Chafee Foster Care Independence Program (CFCIP) Act of 1999 (Public Law 106-169), amended Section 477 of the Social Security Act providing more flexibility in the use of ILP funding (see 42 USC 677).

In California, County Welfare Departments have the flexibility to design services to meet a wide range of individual needs and circumstances for current and former foster youth. Every California County operates an ILP. Youth participation is voluntary. Overwhelming evidence supports the fact that youth leaving foster care are in need of greater support as they transition into adulthood. Foster youth nationwide are found to have an increased likelihood of early parenting, instability in relationships, not graduating from high school, lower school performance, increased health and mental health concerns, homelessness, incarceration, substance abuse, and a higher rate of unemployment.

In September 2010, Governor Schwarzenegger signed into law Assembly Bill 12, the California Fostering Connections to Success Act. AB12 took effect on January 1, 2012 and allows young adults to be provided transitional support to age 21 and ensure that they are given the necessary skills to survive on their own. A young adult must be in a high school or a GED program, enrolled in a college or vocational program, employed at least 80 hours per month, participating in a program designed to remove barriers to employment, or unable to work/attend school because of a medical condition. The young adult must also live in an approved placement and sign a mutual agreement with their case worker, Supervised Independent Living Placement (SILP). With this legislation, young adults will receive the support of the foster care system to age 21, extending the time to work with young adults in foster care with more parity in assistance provided to children from intact families.

For the past 29 years, the Children and Family Services Bureau of the Employment and Human Services Department has provided services through the Independent Living Skills Program (ILSP). This program educates and supports youth in a wide variety of areas designed to inspire a successful transition to adulthood, and empowers foster youth to become responsible adults. Staff working in the program are Contra Costa County employees. Under the direction of a Program Coordinator and an Assistant Coordinator, the five program specialists continue to provide services to Contra Costa County foster youth, out of county youth and probation youth, while embracing the CCC CFS ILSP Vision statement:

“Our vision is to move every youth from stagnation to motivation, from limitations to possibilities; from dependency to self-sufficiency; from the past to the future.”

As a result of their successful approach and accomplishments, Contra Costa County CFS Independent Living Skills Program has received recognition throughout the State of California and nation for its performance and youth services. The program continues to emphasize and promote positive youth development to support young people in developing a sense of competence, usefulness, belonging and empowerment. ILSP is funded by the federal Title IV-E and state dollars.

ILSP offers a variety of skill building trainings and youth engagement activities to promote self-sufficiency in foster youth. Development activities and programs include, but are not limited to, employment preparation, vocational training support, education resources, financial literacy and housing assistance. ILSP spotlights four core areas called the Four Pillars when providing hands-on, experiential learning experiences. The Four Pillars consist of Education, Employment, Housing and Well Being. Workshops and events are provided in the East, West, and Central parts of the county to attract more youth participation and to provide a shorter travel distance for care providers and youth attending weekly workshops and events.

This past fiscal year, six hundred and forty (640) current and former foster youth were served both individually and in group settings (i.e. workshops, classes, etc.), one hundred and fifty nine (159) of these youth are deemed “Non-Minor Dependents,” and have chosen to remain in foster care under Assembly Bill 12.

ILSP Pillar - Housing

ILSP provide workshops to youth in all areas of housing. The workshops cover topics such as:

- How to look for affordable safe housing
- Options for housing, including transitional housing programs
- Tenant rights and responsibilities
- How to get along with roommates
- Completing rental applications and securing deposits
- Differences between renting, leasing and owning
- Transitional Housing Programs and options
- Avoiding scams, starting up utilities

Housing continues to be a significant challenge for young adults as they emancipate. There is an increase in need for housing to serve those young adults opting out of extended foster care and for those youth who have their AB12 services terminated due to non-compliance prior to age 21.

ILSP maintains its efforts to develop alternative to THP housing options in the community through collaborations with community based organizations, faith based organizations and individual citizens whom are willing to offer support (i.e. room for rent). The constant goal in this area is to develop more permanent housing options for foster youth. ILSP has established connections with the Housing Authority and receives Section 8 lists when they become available so that ILSP participants can apply. ILSP staff assists youth in applying for these opportunities. Housing opportunities and Section 8 Openings are posted on the ILSP website and Facebook pages and sent to youth and social workers via email.

Contra Costa County continues to coordinate services from multiple transitional housing programs and resources. ILSP has established specialized relationships and collaborations with the following agencies to provide a seamless transition upon emancipation from foster care:

- **East County Faith-Based Resources.** ECFBR offers full kitchen kits to youth moving into their own apartments. Each youth receives a pot and pan set, kitchen utensils, kitchen towels, pot holders, knife block, silverware, 20 piece dish set.
- **Interfaith Coalition.** This program provides gently used furniture to young adults within ILSP who are moving into their own house or apartment. Youth apply through ILSP and ILSP helps deliver the furniture to the youth.
- **Safe Time (Host Home NMDs).** This program has host homes that have provided temporary housing to ILSPs non-minor dependents (NMD) and emancipated youth who are at risk of homelessness or are experiencing homelessness. NMDs/emancipated youth must be sober and able to pass a background check. They guest with a family at no cost for a small number of months until a more permanent housing solution is established.
- **Uplift Family Services (THPP, THP+FC).** Uplift is a scattered-site housing program with over 50 furnished apartments that house THPP program (16-17.9 yrs.) and THP+FC (18-21) participants. They have 5 on-site monitors who meet with youth weekly (THPP, THP+FC, THP Plus) and check in on them daily (only THPP). Youth are assisted in learning life skills necessary to live independently in an apartment setting. They learn money management, cooking, shopping smart and bill paying techniques. They also

assist youth in learning how to resolve roommate problems. They are unique in that they have a Tier 2 in their THP+FC program with a flexible roommate option and one bedroom unit option.

- **First Place for Youth (THP+FC, THP Plus).** PPFY is a scattered-site housing program that has a THPP program as well as a THP+FC and a limited THP Plus program (24 month program for emancipated youth over 18). They employ youth advocates who work with youth weekly in the areas of employment, education, housing and healthy living while they are residing within their program. They conduct roommate meetings to discuss any issues between participants.
- **Lutheran Social Services (THP+FC, THP Plus).** LSS has a single-site housing program located in Concord, CA. They have a single-site THP Plus home that houses 6 emancipated foster youth (18-24 yrs.) They have an on-site monitor at the home who meets with youth regularly. They assist youth in meeting their goals in employment, education, and housing.
- **EA Family Services (formerly Environmental Alternatives) (THP+FC).** For youth to be referred to this program they must have the highest level of independence. Youth find their own apartments with assistance from EA that meet with the EA standards. The youth's name is on the lease so that they can take over the apartment fully upon attaining the age of 21 if they so desire. The youth has a social worker who meets with them weekly or bi-weekly depending on the youth's schedule and need. Youth are responsible to pay their own rent and utilities with the stipend provided by the program. Youth learn to budget and save money, how to handle landlord/tenant issues, how to apply for apartments, how to search for resources. Youth can live with another eligible youth or with a roommate of their choosing providing they can pass the mandatory background check and provide verification of their ability to share equally in maintenance of the rent, utilities, etc.
- **Pomona Apartments (THP Plus Program).** Pomona Apartments in Crockett is a 24 month transitional living program for homeless youth ages 18-24, including those exiting foster care, who need mental health services and support as they transition into adulthood. Pomona Apartments is on a large property with small bungalows. Up to 8 residents receive guidance and support from a personal service coordination team that prepares each youth in their movement towards wellness and greater self-sufficiency.
- **Appian House (THP Plus Program).** Appian House is a 6 bed transitional living program for foster youth who have emancipated from the foster care system. Youth ages 18 through 21 are eligible for entry into the program and may stay 18 to 24 months. Staffed 24 hours a day, residents are provided guidance and support to develop life skills, to address their health needs, and sustain long-term housing. They team with BH Mental Health, Eastbay Works, and Richmond Works.

ILSP Pillar- Employment

ILSP has provided support and training to all eligible foster youth in the following areas: Where and how to find employment, on-line application processes, resume and cover letter writing, soft skill mastery, understanding employment terms and laws, how to ace the interview, dress for success, how to leave your job on a positive note. We assist youth one on one in creating resumes and cover letters or updating current resumes. ILSP has been partnering with the Workforce Development Board of Contra Costa County to deliver employment services to eligible foster youth through the Workforce Innovation and Opportunity Act. ILSP refers youth to participate in the Earn and Learn Summer Employment Program.

ILSP has established specialized relationships and collaborations with the following agencies to provide a seamless transition upon emancipation from foster care:

- **Community Health Care District.** The East County Youth in Transition Committee comprised of Uplift Family Services, The Contra Costa County Office of Education Foster Youth Services and The Contra Costa County Children and Family Services' Independent Living Skills Program has been partnering with the Los Medanos Community Healthcare District since 2011 to provide summer internships for youth

transitioning out of the foster care system. The Internship is designed to provide valuable employment skills to the youth participants. Youth work in groups and learn public speaking skills and they conduct research on health care issues identified by the Los Medanos Community Healthcare District. This summer will be the seventh year of this award winning internship.

- **WIOA (Workforce Innovation and Opportunity Act).** WIOA operates 2 programs designed to provide employment support to youth. One is the In-School program for youth who are currently enrolled in school and their Out-of-School program for those who are not. Twenty percent of the caseloads of the WIOA programs are slated for foster youth. ILSP makes direct referrals and WIOA case managers attend ILSP workshops to recruit eligible youth.
- **Opportunity Junction.** This program provides computer skills training, employability skills, case management, employment placement assistance and paid work experience. ILSP directly refers youth to this program that provides 12 weeks of full-time training and job placement assistance.

ILSP Pillar- Education

It is well documented that foster youth are under-educated, lack basic educational skills and often drop out of high school. ILSP supports and encourages foster youth to stay in school through curriculum that motivates youth to strive towards graduation, pursue a higher education and embrace learning as a lifelong process. ILSP maintains collaboration with the County Office of Education and Mt. Diablo Foster Youth Services to create resources and support to youth in need. In addition, we are embarking on a partnership with FosterEd, West Contra Costa Unified School District and the Contra Costa County Office of Education to create a demonstration site that serves youth in the foster care system. FosterEd is a National Center for Youth Law initiative aimed at improving the educational outcomes of system-involved youth. This past year, one hundred and twelve participants graduated from high school and eleven graduated from college. All of the graduates were honored at the 30th Annual ILSP Recognition Event where fifty-three scholarships totaling over seventy thousand dollars, were awarded.

ILSP provides the following trainings and events to foster youth with a concentration on Senior Youth, to better prepare them for post-secondary education:

- Scholarship Workshop
- Financial Aid Workshop
- Preparing Personal Statements
- Navigating the Community College System
- College Campus Tours
- Understanding the FAFSA, Chafee Grant and Board of Governor's Fee Waiver
- Senior Night Workshop
- College Luncheon
- Understanding the UC and the CSU system

ILSP has established specialized relationships and collaborations with the following agencies and colleges to provide a seamless transition upon emancipation from foster care:

- **Discovery ChalleNGe Academy.** This program is run by the National Guard. They provide residential educational credit recovery. Youth live on site at their facility in Lathrop, CA. It is a highly structured program for youth between the ages of 16-18. Youth cannot turn 19 before the start of the program). They serve youth that are at risk of dropping out and are credit deficient. They enhance life skills, education levels and employment potential. They are a 5 month program that assists youth in attaining their HS Diploma or GED or assist in returning to high school to complete with their graduating class. Youth must want to attend.

- **Youth Development Services.** YDS collaborates with ILSP to provide services to ILSP youth who are experiencing barriers and need support to finish high school or pursue employment. They are grant funded by the Contra Costa County Office of Education.
- **Los Medanos Community College.** A “Student Connection Team” was developed to provide youth with a direct contact person within each department on campus, giving them a person to connect with while navigating the community college system. ILSP East County Life Skills trainings are held on campus once per week, exposing youth to the college environment. Tours and information about the various programs and areas of study at Los Medanos Community College are included as a part of the Life Skills Curriculum. Presentations from departments are held as often as possible.
- **Job Corps – Treasure Island.** ILSP continues to maintain a relationship with Job Corps, one of the largest career technical training and education programs in the nation for students ages 16 through 24. Job Corps provides hands on training in careers such as the Culinary Arts, Construction, Healthcare, Security and Protective Services. Housing, meals and basic medical care are afforded to our youth through the course of the program. ILSP is offered site visits for youth who are interested in enrolling at Job Corps and priority opportunities have also been made available to ILSP youth. Under AB12, this is an approved Supervised Independent Living Placement (SILP) for our young adults.
- **Sierra College.** The Sierra College provides foster youth various programs, inclusive of an on-campus housing option. Programs such as the TRiO program, Umoja, Puente, First Year Experience, EOPS and CARE have proven to benefit ILSP youth. Our continued relationship has nurtured a priority enrollment and registration into these programs. Several times per year, ILSP takes appropriate youth to the campus for tours, assessments and introductions of the services available to them. College Counselors are on site during these presentations and financial relationships are in place to assist our youth with securing housing/dorm deposits should they choose to attend Sierra College. Under AB12, this is also an approved Supervised Independent Living Placement (SILP) for our youth.

ILSP has developed relationships with the following agencies and organizations to better serve our foster youth and to support programs and events:

- **The Assistance League of Diablo Valley.** ILSP has collaborated with the Assistance League of Diablo Valley to develop a Senior Sponsorship Program as well as various scholarships for our youth. The Senior Sponsorship Program is designed to financially assist graduating seniors with the expenses for typical events during their Senior Year in High School. The program funds such things as senior pictures, yearbooks, prom tickets, cap/gown expenses, graduation announcements, as well as laptop/tablet purchases. This past year, 25 ILSP participants were sponsored \$400.00 each totaling \$10,000.00. In addition, the Assistance League provides each emancipating youth with an “On Your Way” Duffle bag filled with various household products and basic necessities to assist them as they progress into adulthood.
- **Volunteer Emergency Services Team In Action, Inc. (VESTIA).** VESTIA has served as a fiduciary agent for ILSP donations. In addition, this past year, the VESTIA Board sponsored a part of the expenses for the 30th Annual Recognition Event held to honor graduating seniors. The VESTIA scholarship committee awarded eleven (11) scholarships totaling \$11,000.00 that evening. We receive items for our onsite Food Pantry, donated clothing for our onsite clothes closet and school supplies for our youth as often as needed.
- **The Orinda Woman’s Club.** The Orinda Woman’s Club has provided scholarships annually to our graduating seniors. This past year, 8 youth benefited from a total of \$8,000.00 in scholarships towards their college education.
- **Honorable Judge Lois Haight Foster Youth Foundation.** In 2001, Honorable Judge Lois Haight established a foundation specifically to serve our population of youth and has since provided hundreds of scholarships to our youth in excess of \$440,000.00. This past June, she presented twenty (25) scholarships totaling \$25,000.00 to seniors of the class of 2018.

- **The Wilhelmina Johnson ILSP Youth Award.** Wilhelmina Johnson was an avid youth advocate, social worker and program analyst who dedicated 24 years to Contra Costa County youth and was instrumental in the establishment of Contra Costa County's Independent Living Skills Program. She believed that every youth deserved a chance regardless of their background. ILSP honors youth who have demonstrated the ability to overcome significant barriers and achieved personal growth with this scholarship each year.
- **Foster A Dream.** ILSP collaborates with Foster A Dream to host the annual Holiday Network Event as part of the Well-Being Pillar. In addition, Foster a Dream has provided our youth with backpacks containing school supplies during our Fall Retreat Kick-off Event. Foster A Dream also provides scholarships to graduating seniors each year.
- **Free Senior Portraits by Suzy Todd Photography.** Suzy Todd approached ILSP several years ago and offered her professional services to ILSP seniors. She wanted to give back and does so by providing seniors with free senior portrait packages valued at \$300 each.
- **The Secret Elves.** During the Holiday season, ILSP hosts a Holiday Social event for our youth to provide them with donated gifts from the Secret Elves. The Secret Elves have provided gifts that teens are able to enjoy during the holiday season. This past year, The Secret Elves provided each youth a ukulele and lessons on how to play one. In addition, youth were given gift cards to purchase a personal item of their choice.
- **Friends of ILSP.** "Friends of ILSP" is an informal group of ten members of the Philanthropic and Educational Organization that provides scholarships and financial assistance to ILSP graduates. This organization is providing scholarship monies to upcoming or former graduates of the Independent Living Skills Program that wish to or are pursuing higher education or certification from a trade school. Applications are accepted throughout the school year and contact by this organization is ongoing. They provide birthday and holiday cards and frequent contact throughout the year to let our young adults know that they are cared for.

ILSP Well-Being

Youth in foster care often do not experience childhood in the way most children who live with their families of origin do. They have suffered child abuse and neglect, been removed from their families and many older youth spend the remainder of their childhood moving from home to home. The foster care system is designed to fund board and care and basic needs, but not necessarily extra-curricular activities such as participating in sports, arts, birthday parties, spending the night at friend's homes, etc. They are in turn exposed to the sub-culture of foster care. They learn the survival skills needed to cope with placement changes, rejection from resource parents, and the grief of not being with their families. Instead of developing positive social skills, for instance, some are learning to cope with living in a group setting with other foster youth who are struggling with their own issues. ILSP provides activities and supportive services to help encourage positive social development and exposure to typical childhood activities. Through a variety of excursions such as outings to baseball and football games, field trips to beaches, bike riding, ski trips and water rafting, foster youth are able to experience fun activities that a typical teenager might, but are also mentored in developing positive social skills and are further engaged in the ILS program. The State of California Department of Social Services has emphasized the importance of supporting the well-being of foster youth and ILSP is the perfect mechanism to provide this intervention. The ILSP staff is trained in an approach called Positive Youth Development. This approach enables them to engage youth and motivate them to strive to improve their lives and grow into happy and healthy adults.

Some of the events and excursions provided to youth:

- Yosemite Exploration Excursion - Youth learn conservation and appreciation of nature and its resources. Youth go on hikes, swimming and park ranger led tours. The youth learn to cook, clean and plan for daily trips. They make snacks, take pictures and create memories.

- Sea Kayaking - Youth go to Tomales Bay and kayak in pairs with staff. They prepare snacks and learn water safety and conservation. They learn teamwork and problem solving.
- Local sporting events - Youth attend local sports team events as a group when ILSP receives donated tickets. They learn to take public transportation out of their area and how to plan to arrive and depart on time.
- Monterey Bay Aquarium - Youth learned about conservation of the earth's resources. They learn about local wildlife and fauna.

ILSP has established specialized relationships and collaborations with the following agencies to provide a seamless transition upon emancipation from foster care:

- **First Hope Early Identification and Intervention to Prevent Psychosis Program.** This is a Mental Health Services Act Prevention and Early Intervention Program of Contra Costa County Behavioral Health Services. The mission of the First Hope program is to reduce the incidence and disability of psychotic illnesses through early identification of young people between ages 12 and 25 living in Contra Costa County, who are at risk for or showing early signs of psychosis. They engage and rapidly treat youth identified as "at-risk," while maintaining progress in school, work and in social relationships.
- **ARM of Care.** Arm of Care uses the Creative Arts to restore and empower individuals who have been exploited through human trafficking. Arm of Care has been providing creativity workshops and events to ILSP youth to help them express themselves and promote healing.
- **Contra Costa County CASA Organization Sexual Reproductive Health Care Initiative.** The goal of this collaboration is to provide education to both our foster youth as well as the many adults who play a key supporting role in their lives on topics related to sexual and reproductive health care in order to prevent unintended pregnancies among foster youth (separate trainings will be provided for adults and foster youth). Adults will learn how to communicate with youth about these topics. After completing the trainings youth are invited to schedule an appointment at a Planned Parenthood center in Contra Costa County and receive individual private counseling. At the completion of their visit, they will each receive a \$50 gift certificate just for attending the appointment.
- **VESTIA Clothing Closet.** Volunteers Emergency Services Team in Action provides on-going donations of hygiene kits and age appropriate donated clothing, accessories and shoes for the ILSP Clothing Closet.
- **One Closet.** This youth run organization collects and donates clothes from teens, for teens. ILSP puts in requests for types of clothing needed and One Closet delivers boxes of clothing meeting those requests.
- **Project Linus.** This program provides blankets to foster youth within our program. They have customized their donations in regards to the size of the blankets. Blankets for our program are more appropriate in size and design for teen and young adult youth.
- **Community Violence Solutions.** CVS provides support and services to youth who have experienced abuse or assault. They have been providing support to foster youth who have experienced Commercial Sexual Exploitation or abuse at the hands of a significant other.

ILSP - Aftercare

Each year, 100-150 foster youth are eligible to age out of foster care at age 18 or 19 years old. If they choose to emancipate out of foster care, then at that point, they are on their own to support themselves. Some foster youth are fortunate to remain with their resource parents or relatives; other youth are able to participate in a Transitional Housing Program, but most of them will struggle once they leave the system. The funds provide supportive services to emancipated foster youth up to age 21 years old. The

needs of emancipated youth are severe. They often call in crisis, homeless and in need of basic necessities such as transportation, food and shelter. The Aftercare program provides emancipated foster youth as well as Non Minor Dependent young adults living under AB12 regulations supportive housing, employment, educational, and crisis services.

ILSP has established specialized relationships and collaborations with the following agencies to provide a seamless transition upon emancipation from foster care:

- **Calli House.** A shelter/program that is available 24 hours/day and the program is a safe haven off the streets. During the day, food, clothing, showers, crisis intervention, counseling, life skills education, peer-led support groups, and case management is provided. In the evening, there are currently 15 beds for youth ages 18-21. Calli House also partners with: Mental Health, HCH, WCCUSD, and Community Violence Solutions. Emancipated youth who are eligible for re-entry into extended foster care will automatically be referred to an attorney that can assist with Re-Entry. AB12 eligible youth will also be paired with a case manager who will assist with identifying possible future housing options.

Some of the ILSP resources for after care include:

- **ILSP Pantry.** The ILSP office provides a food pantry for youth who are homeless or struggling financially by providing non-perishable food as well as listings for local food pantries. Staff meets with youth to discuss strategies for managing finances to budget for food.
- **ILSP Shower.** The ILSP office has a shower installed to assist those youth who have chosen not to participate in extended foster care or have had their cases closed due to non-compliance with AB12 requirements. They are able to shower in the ILSP facility and choose clothing from the ILSP Clothing Closet.
- **ILSP Clothing Closet.** ILSP provides a clothes closet for in-care and emancipated foster youth. All items are donated by other organizations and are free to youth. The closet has both casual and business attire and accessories.

Leadership Development

ILSP promotes the development of leadership in foster youth. Whenever possible, emancipated foster youth are invited to share their experiences with ILSP youth and to facilitate workshops or trainings. In addition, ILSP promotes participation and support of the Contra Costa County California Youth Connection (CYC) chapter. CYC is a statewide advocacy organization specifically geared towards developing leadership in and advocacy skills to engage foster youth with policy makers to improve the foster care system. CYC is mainly responsible for all of the positive legislative changes impacting the child welfare system. Additionally, each year ILSP prepares foster youth to participate in a leadership group called the Speaker's Bureau. These youth are trained in public speaking and work with ILSP to speak to community groups, advocate for legislation at the State Capitol and be the Youth voice in the child welfare system. This past year, our local chapter of CYC received the Local Issue Award for bringing healthy eating awareness to our local group homes and for hosting the Iron Chef Challenge, which paired our participants with care providers who prepared a nutritious meal under the training and supervision provided by Chef Cindy Gershen's team at Mt. Diablo High School's Sustainable Hospitality Program.

Summary/Conclusion

Youth who emancipate from foster care are expected to become self-sufficient by age of twenty-one. This entails the ability to maintain stable housing, maintain employment, and maintain one's physical

and mental health. Research on the outcomes of emancipated foster youth indicates that this task is difficult for this population. Rates of homelessness for emancipated foster youth have been found to be as high as 42% and housing moves are generally related to poverty and lack of stable family relationships. Foster youth also have high rates of incarceration, especially when they have experienced multiple placements and time in the foster care system.

ILS programs have been implemented by Child Welfare programs in order to help prevent these negative outcomes. The Contra Costa County CFS ILSP has upwards of 800 eligible youth each year and endeavors to provide resources in collaboration with the foster care system. Much of the work of the ILSP Coordinators and staff is spent cultivating collaborative partnerships with community based organizations and other foster youth serving groups. Their expertise in engaging youth and motivating them to stay in school, graduate, and obtain life sustaining employment is critical.

ATTACHMENTS

ILSP Powerpoint 7-23-18

Children & Family Services

Moving the agency in a positive direction with regards to helping families become stronger so they can care for their children, helping family be able to care for children when their parents cannot, and to create and maintain a workforce committed to excellence.

**2017/2018
PROGRAM REPORT
FAMILY AND HUMAN SERVICES' COMMITTEE**



July 23, 2018

The Forward Movement of Children & Family Services

Service Delivery to strengthen families in the community

- Prioritizing Staffing
- Ombudsman specific for CFS
- Caregiver Liaison
- Mental Health Navigator
- Safety Organized Practice (SOP)
- Children's Leadership Team (CLT)
- The County Culture Workgroup
- Intensive Family Services (IFS)
- Structured Decision Making (SDM)
- Resource Family Approval (RFA)
- Continuum of Care Reform (CCR)
- Continuous Quality Improvement (CQI)



What is ILSP?

- Programming to support foster youth age 16 to 21 years old to become self-sufficient through skill building, supportive services and positive youth development.
- Funding and services expanded to State and Federal government via the John H. Chafee Foster Care Independence Act in 1999.
- Assembly Bill 12, the California Fostering Connections to Success Act allows young adults to be provided transitional support to age 21 to ensure the necessary skills to survive on their own.



The Independent Living Skills Program

“Our vision is to move every youth from stagnation to motivation, from limitations to possibilities; from dependency to self-sufficiency; from the past to the FUTURE.”

Who are the Foster Youth Served by ILSP?

- Children who have been removed from their family's custody due to neglect and abuse.
- Children who have not reunified with their family nor have they found a permanent home (i.e. adoption)
- Children who may have grown up in foster care or just entered as adolescents.
- Youth who have a Placement Order through the Juvenile Probation Department at the age of 16.



What is the Need?

Children who emancipate from the foster care system face higher rates of:



- Unemployment
- Lower Educational Attainment
- Incarceration
- Dependence on public assistance
- Substance abuse
- Early parenting
- Homelessness
- Increased Health and Mental Health problems
- Other high-risk behaviors



About The Program

- **Staff consists of an ILSP Coordinator, Assistant Coordinator and 5 Program Specialists**
- **Serves all foster youth from Contra Costa County, including youth from other counties placed in Contra Costa County**
- **ILSP Youth Center opened in 2001**
- **Collaborative Partners include:**
 - CCC Office of Education**
 - The Assistance League of Diablo Valley**
 - CCC Community College District**
 - The Orinda Woman's Club**
 - Wellness City Challenge**
 - Bay Area Community Resources**
 - Job Corps – Treasure Island**
 - The Secret Elves**
 - Suzy Todd Photography**
 - Arm of Care, Inc.**
 - Friends of ILSP Organization**
 - Foster A Dream**
 - The Los Medanos Community Healthcare District**
 - Honorable Judge Lois Haight Foster Youth Foundation**
 - CCC Workforce Development Board Youth Council – WIOA**
 - Volunteer Emergency Services Team In Action (VESTIA)**
 - iFoster Jobs Program**
 - Discovery ChalleNGe Academy**
 - Sierra Community College**



Programming and Services

- ILSP spotlights four core areas called “The Four Pillars” when providing hands-on, experiential learning experiences for participants. The Four Pillars consist of Education, Employment, Housing and Well-Being. Workshops are offered in all three regions of the county (East, Central & West) to increase participation.
- Aftercare program for emancipated youth/AB12 youth
- Leadership Development through California Youth Connection (CYC)



2017/2018 Summary

- This past fiscal year, 640 current and former foster youth were served both individually and in group settings (i.e. workshops, classes, etc.)
- 159 of these youth were Non-Minor Dependents
- THP+ has the capacity for 44 emancipated youth and THPP has the capacity for 24 in care youth
- THP+FC is expanding as new providers are becoming certified to offer housing services to our Non Minor Dependent Population. We currently work with six licensed agencies.
- 112 ILSP youth graduated High School in 2018
- 10 graduated college

A Glimpse of ILSP Life Skills Workshops & Events ...



ARM of Care – CSEC



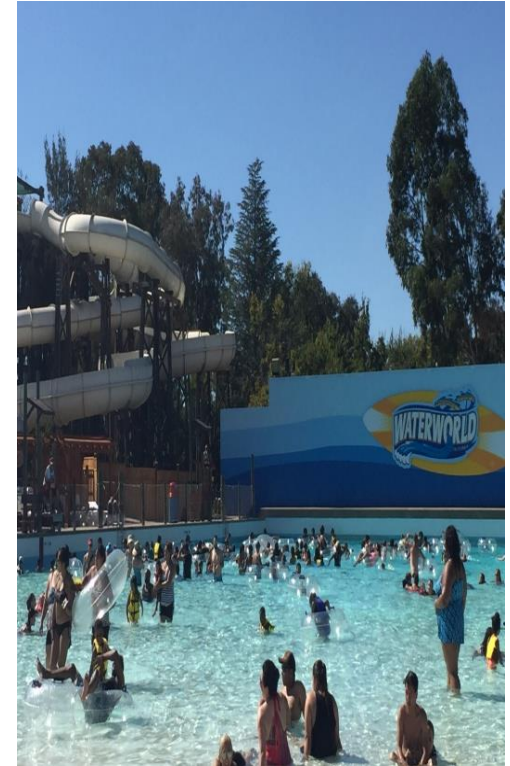
Annual Fall Retreat Event



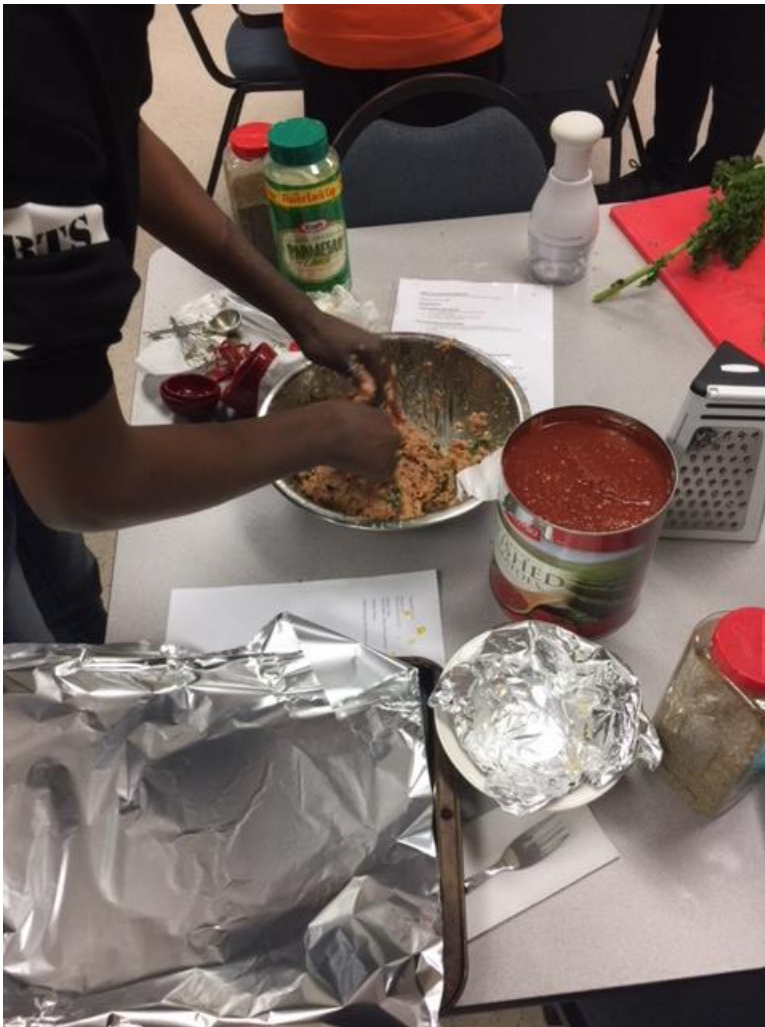
California Youth Connection Day at the Capitol Conference



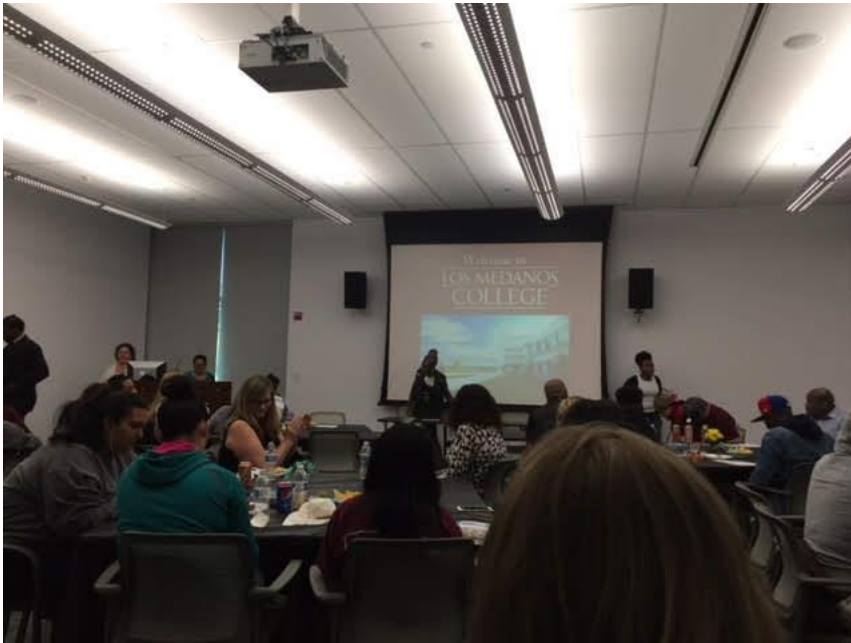
Summer Network Event – WaterWorld



Cooking and Nutrition Workshops



Los Medanos Community College - Foster Youth Education Summit



Transitional Housing Workshop



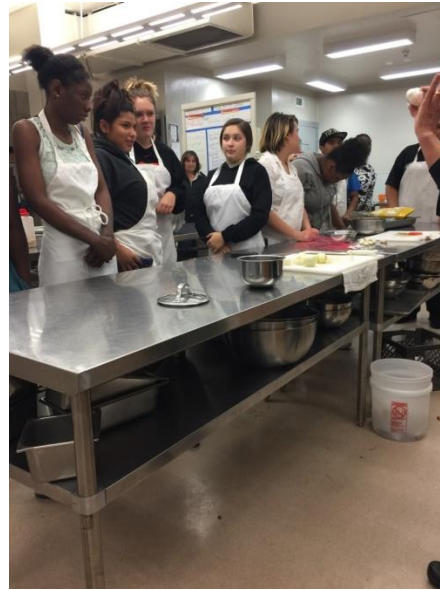
Banking & Credit Repair



2018 Road to the Future: Foster Care Youth Conference



Iron Chef Youth Challenge Event



White Water Rafting South Fork American River



Money Management Workshop

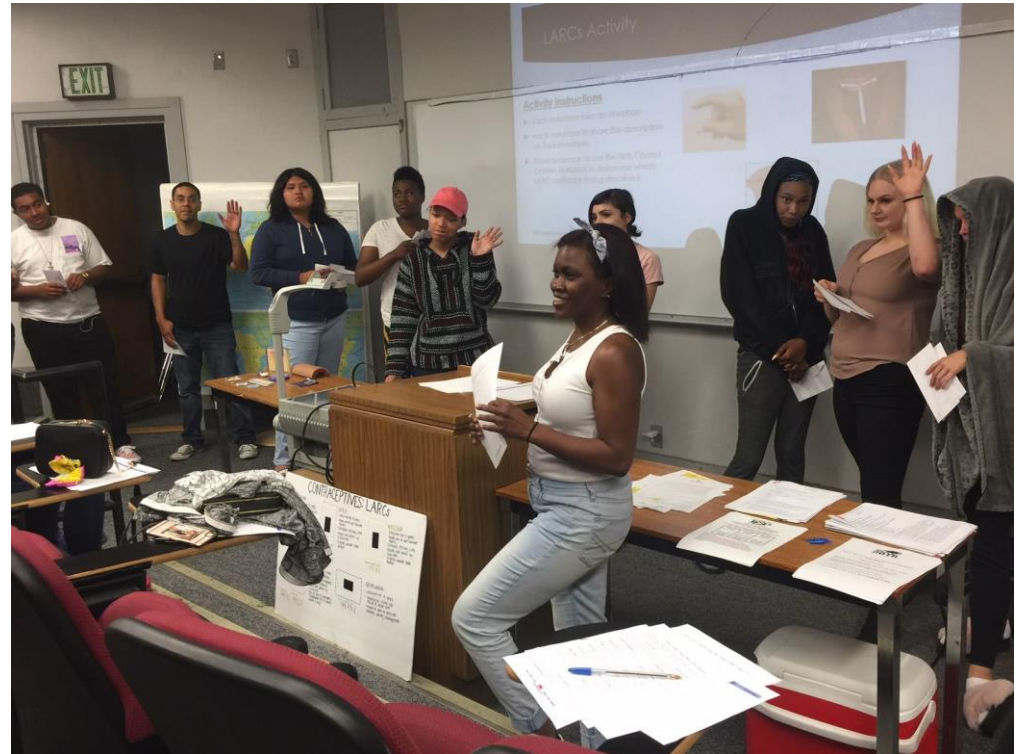


College Luncheon Event & Writing a Personal Statement Workshop





Healthy Relationships, Sexual & Reproductive Health Workshops



Annual Holiday Network Event



© Jezreal Media Graphics

Bear Valley Overnight Ski Trip



ILSP Senior Kick Off Event





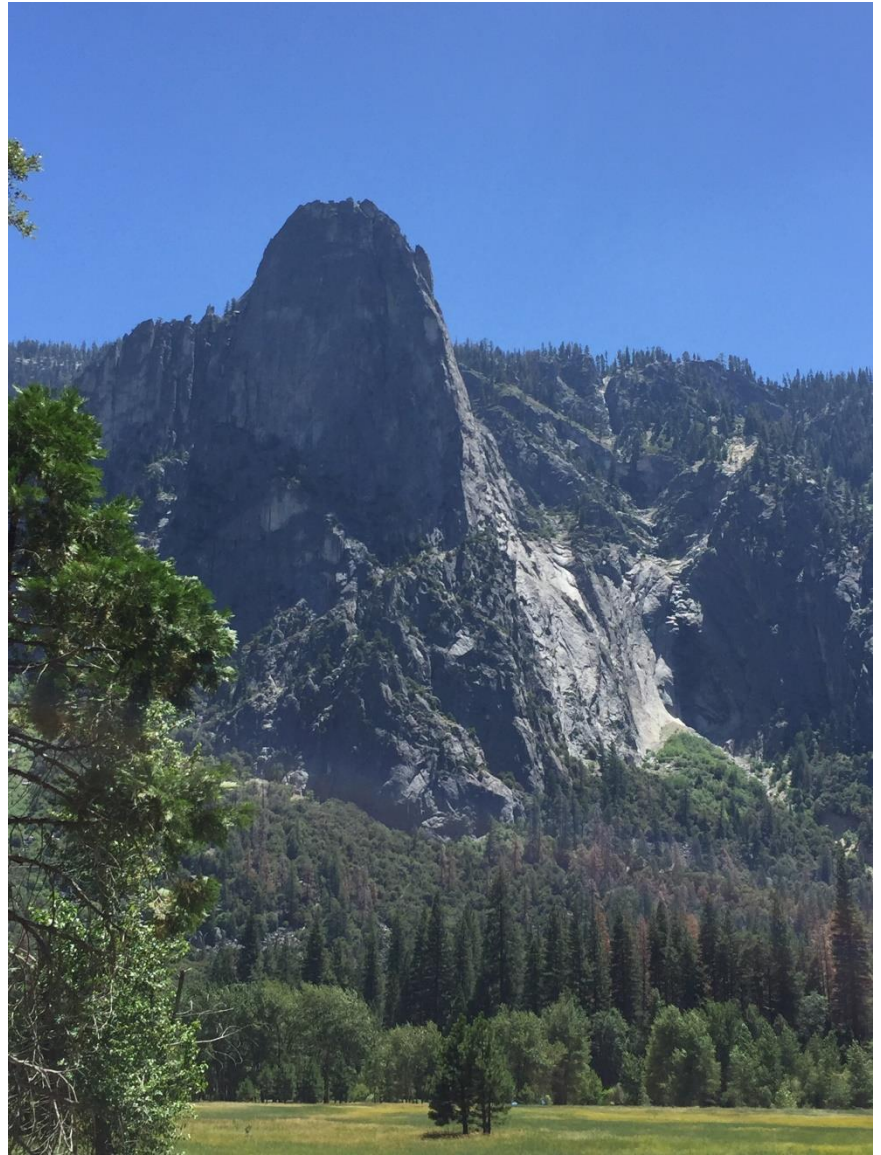
Sea Kayak Trip Sausalito to Angel Island



Yosemite Lakes Camping Trip







30th Annual ILSP Recognition Event



Summary



- **In the current economic climate, ILSP plays an even greater role in the lives of foster youth.**
- **For some emancipated youth, ILSP is the only support they have in times of crisis.**
- **For youth opting to remain in foster care under AB12, ILSP will continue to provide support, direct services and resources.**
- **ILSP addresses the social and well-being aspects of foster youth.**



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: August 14, 2018

Subject: RESPONSE TO CIVIL GRAND JURY REPORT NO. 1809, "Community Reentry from Jail"

RECOMMENDATION(S):

1. APPROVE response to Civil Grand Jury Report No. 1809, "Community Reentry from Jail", and
2. DIRECT the Clerk of the Board to forward the response to the Superior Court immediately following Board action.

FISCAL IMPACT:

No fiscal impact. This is an informational report.

BACKGROUND:

On June 8, 2018 the 2017/18 Civil Grand Jury filed the above-referenced report regarding Community Reentry from Jail.

The Report was referred to the County Administrator by the Board of Supervisors on June 26, 2018 for response. The County Administrator has prepared a response for consideration by the Board of Supervisors, which clearly specifies:

- Whether a finding or recommendation is accepted or will be implemented;
-

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/14/2018** 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: August 14, 2018

Contact: Timothy Ewell, (925)
335-1036

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

If a recommendation is accepted, a statement as to who will be responsible for implementation and by what definite target date;

- A delineation of the constraints if a recommendation is accepted but cannot be implemented within a six-month period; and
- The reason for not accepting or adopting a finding or recommendation.

CONSEQUENCE OF NEGATIVE ACTION:

In order to comply with statutory requirements, the Board of Supervisors must provide a response to the Superior Court within ninety days of submission of the report.

CHILDREN'S IMPACT STATEMENT:

No impact.

ATTACHMENTS

Grand Jury Report No. 1809, "Community Reentry from Jail"

Response to Grand Jury Report No. 1809, "Community Reentry from Jail"


A REPORT BY
THE 2017-2018 CONTRA COSTA COUNTY GRAND JURY
725 Court Street
Martinez, California 94553

Report 1809

Community Reentry from Jail


APPROVED BY THE GRAND JURY

Date June 8, 2018


MARIO GUTIERREZ
GRAND JURY FOREPERSON

ACCEPTED FOR FILING

Date June 7, 2018


ANITA SANTOS
JUDGE OF THE SUPERIOR COURT

Contra Costa County Grand Jury Report 1809

Community Reentry from Jail

**TO: Contra Costa County Board of Supervisors,
Contra Costa County Office of the Sheriff**

SUMMARY

Every year thousands of incarcerated individuals are released from Contra Costa County jails and face the challenges of reentry to their communities and families. These challenges include: increased risk of homelessness, unemployment, drug and alcohol addiction, trauma, and discrimination. According to the National Institute of Justice, more than three-quarters of the released inmates nationwide are re-arrested within five years.

Having a safe place to live and stable employment is critical to the reduction of recidivism and homelessness of former inmates. This has made the reentry process a priority for local-government policymakers and criminal justice professionals.

Contra Costa County (County) has instituted a variety of programs in support of reentry and jail-population reduction. According to the 2011 Contra Costa County Strategic Reentry Plan, reentry services are part of a continuum that begins when an individual is incarcerated and continues through a successful reintegration into their community. A measure of success for these programs is the number of former inmates that end up not being re-incarcerated.

The Contra Costa Civil Grand Jury (Grand Jury) investigated these programs and their effectiveness. It reviewed programs and services that provide access to employment, housing, education and vocational training, and connection to other resources.

The Grand Jury found a number of reentry programs that work, but also found some gaps in these programs that, once addressed, may provide positive results. The Grand Jury recommends that the Board of Supervisors (BOS) consider identifying funds to improve reentry programs for housing and employment, and for a data system that provides integrated linkage of services and programs.

METHODOLOGY

In the course of its investigation, the Grand Jury:

- Interviewed staff of the Offices of Sheriff, Public Defender, Education, and Health Services
- Observed operations at the Reentry Success Center in Richmond
- Observed operations at the County's three detention facilities
- Conducted internet and document research
- Interviewed one formerly incarcerated person

BACKGROUND

The Grand Jury investigated the County's process for reintegrating formerly incarcerated individuals from jail into their local community.

The County's reentry process is comprised of services that form a continuum of care that begins at the point an individual is incarcerated and continues through reintegration into the community. These services are provided by County agencies and by County-contracted community-based organizations.

The passage in 2011 of California's Public Safety Realignment Act (AB109) increased the need for County reentry program services. AB109 dealt with overcrowding in the State prison system by mandating that individuals sentenced to non-serious, non-violent or non-sex offender crimes serve their sentences in County jail. AB109 also signaled a policy shift statewide by providing offenders with various services that support reentry and successful reintegration, along with in-custody treatment and rehabilitation.

Inmates sentenced to prison under AB109 are generally incarcerated for longer periods than the average County jail inmate. Compared to offenders in prison, people incarcerated in local jails are generally much closer geographically to their families and the social service organizations in their communities.

County Departments Involved in Reentry

Numerous County departments are involved in the reentry process, these include:

- Community Corrections Partnership (CCP): the state-mandated body in each county responsible for implementing and monitoring AB109. It brings together representatives from the Offices of the Public Defender, Probation, District Attorney, Sheriff, County Administrator, Education, and Reentry and Justice.

- Office of Adult Correctional Education: offers education to incarcerated adults in collaboration with the Sheriff's Office. Adult Correctional Education is overseen by the Contra Costa County Office of Education (CCCOE).
- Office of Reentry and Justice (ORJ): launched in January 2017 as a 2.5-year pilot project of the County Administrator's Office. The goal of ORJ is to coordinate the County's public safety realignment, reentry, and justice programs and initiatives. It is primarily funded by AB109 revenues from the State.
- Office of the Public Defender (OPD): has the mandated responsibility of defending any individual accused of crimes in the County and unable to afford counsel.
- Probation Department (PD): provides rehabilitative services to ex-offenders and enforces court orders for those under community supervision.
- Office of the Sheriff: responsibilities include operating the County's three detention facilities.
- Contra Costa Council on Homelessness: appointed by the BOS, the Council provides advice and input on the operations of homeless services, program operations, and program development efforts in the County.

County-Contracted Community-Based Organizations

County-contracted community-based organizations provide a range of services to the reentry population, from housing assistance and employment services to mentorship and family reunification.

The following are community-based organizations receiving funding for FY2018-2019 under AB109 through the Office of Reentry and Justice:

- Reentry Success Center: operations and management, connections to resources
- Rubicon Programs: employment
- Bay Area Legal Aid: legal services
- Goodwill Industries: employment
- Shelter Inc.: housing
- Reach Fellowship International: employment and education liaison for women
- Men and Women of Purpose: peer mentoring
- Center for Human Development: family reunification
- HealthRIGHT360: healthcare network management
- Fast Eddie's Auto Services: auto repair training

- Centerforce: transition planning services for women
- Ms. Shirliz: sober living homes
- Contra Costa County Adult Education: transition services

County Detention Facilities

The three County detention facilities (jails) house an average daily population of 1,500 inmates:

- The Martinez Detention Facility (MDF) is a maximum-security facility and the point of entry for all arrestees in Contra Costa County. The facility has a rated capacity of 695 inmates, housing both sentenced and pre-sentenced individuals.
- The West County Detention Facility (WCDF) in Richmond has a rated capacity of 1,096 inmates. WCDF operates as a co-educational, program-oriented, medium-security facility. Education and vocational programs are provided through a contract between the Office of the Sheriff and the Contra Costa County Office of Education.
- Marsh Creek Detention Facility (MCDF) in Clayton has a rated capacity of 188 inmates. It is the County's minimum-security facility for men.

DISCUSSION

According to the County's 2011 Reentry Strategic Plan, the full reentry process begins when a person is incarcerated and ends when they are released from jail and reintegrated back into their community. Reentry program services are delivered in both pre-release and post-release settings. This process typically includes education courses and job training while incarcerated, as well as programs that help the inmate address any substance abuse and behavioral issues. The process is designed to help ensure that the transition from jail to the community is safe and successful both for the former inmate and the community.

This recent emphasis on reentry and reintegration is different from the traditional focus on the purely operational role of sustaining incarceration while providing in-jail security for both inmates and facility staff. Reentry seeks to identify and meet the needs of the individual at each point of the process in a way that supports ultimate success upon reentry into the community.

The Grand Jury investigated various County programs that support reentry and jail-population reduction. This investigation focused on the phase of reentry when individuals are released from jail and are returning to their community. The majority of

released inmates face the challenge of meeting the basic needs of housing and employment, as well as obtaining treatment for addiction and behavioral health issues.

According to the 2011 Reentry Strategic Plan, 74% of parolees and probationers have a history of substance abuse. Only 10% receive treatment while incarcerated. Over 3,000 treatment spaces are needed. Sixty percent of parolees and probationers are unemployed one year after release, and nearly 2,500 job placements are needed.

Between 30-50% of parolees are homeless, and between 1,000 to 2,000 housing placements are needed annually for released inmates. Among parolees, 40% lack a high school diploma or GED, and 1,700 adult education spaces are needed. Among soon-to-be-released inmates, 55% have children under the age of 18. Roughly 2,300 parolees and probationers may need family counseling, support, or reunification assistance.

Reentry Transition

The preparation of a discharge plan at the time an individual enters the correctional facility is important for reentry. As described in AB720's 2017 amendment to the California State Penal Code §2603, "...jails should also provide discharged inmates with adequate discharge plans ... in order to obtain community-based support and services while maintaining needed therapeutic treatment"

In 2016, the County's Community Corrections Partnership (CCP) issued its Pre-Release Planning Pilot proposal. This resulted in the creation of the Reentry Transition Specialist position to work with incarcerated individuals at WCDF. The Reentry Transition Specialist position is under the CCCOE. The Specialist connects adult inmates to employment services, vocational training, educational opportunities, social services, rehabilitation programs, and counseling. Since the implementation of the position in 2017, the demand from inmates for these services has grown from an initial 36 enrollees to over 100 in early 2018. The current demand exceeds the staffing level.

Social Service Workers in the Office of the Public Defender

Social service workers in the Public Defender's office link indigent adult clients to services throughout their criminal case. Social service workers facilitate their clients' transition from incarceration to finding housing, employment, and educational programs.

Over 19,000 cases were assigned to the OPD in 2016 for the criminal defense of indigents. Currently, the OPD has one social services worker.

Educational and Vocational Training

According to a RAND Corporation national study, "Inmates who receive general education and vocational training are significantly less likely to return to jail, and are

more likely to find employment.” Other studies have found that a 10% percent increase in high school graduation rates results in a 9% percent decline in the criminal arrest rate. Employment after release is 13% higher among inmates who participate in either academic or vocational education programs than those who do not.

According to County senior officials, each year more than 4,000 inmates receive educational and/or vocational training at one of the County’s three jail facilities. Classes are provided through a contract with the CCCOE. Inmate participation is voluntary. Training is offered in skilled trades. WCDF offers Sign/Engraving Shop and Frame Shop training programs for women. MCDF offers a Carpentry Shop training program for men. None of the classes provide the inmates a certificate of completion.

The County’s 2011 Reentry Strategic Plan was developed through the Contra Costa Reentry Planning Initiative. The plan was the result of a collaborative effort between the Richmond Office of Neighborhood Safety and the BOS Public Protection Committee. This Plan recommended increasing educational services for both formerly and currently incarcerated individuals. The 2017 Strategic Plan recommended various educational programs. One educational program was designed to provide and expand training in computer skills. Another program was designed to provide access to college-level courses during and after incarceration. Another program was designed to offer remedial and supportive educational skills to boost basic proficiency levels.

Inmate Resource and Job Fairs

In the Fall of 2017, WCDF held a Resource Fair for soon-to-be-released inmates. The fair was designed as an informational service to interested inmates looking for work and resources to help improve their lives. The fair hosted representatives of various social services, employment, housing, behavioral health, and community organizations. Over 300 inmates and nearly 20 vendors took part. The vendors included Project Second Chance, Fast Eddie’s Auto Services, Bay Area Legal Aid, County Adult Education, Local Shelters, Custody Mental Health, and the Reentry Success Center.

The Spring 2018 Job Fair consisted of eleven trade unions, apprenticeship schools, and prospective employers that pay prevailing wages and provide benefits such as health insurance.

The Spring and Fall Fairs, to be held annually, are conducted as a joint effort between the Office of Adult Correctional Education, Reentry and Justice, and the Office of the Sheriff. These fairs provide an opportunity for WCDF inmates to connect with private and public organizations and agencies. They also provide other services such as Driver License reinstatement assistance. According to the County’s Workforce Development Board, over 200 companies in the county are committed to providing employment opportunities to formerly incarcerated residents returning to their community.

Tracking and Assessing Reentry Programs

Public and community agency service providers have used various data systems that do not provide linkage for coordinated tracking of services provided to inmates. Without integration into a consolidated data system, agencies face challenges both in providing continuity of care services and in measuring the effectiveness of services provided. It is important that community-based organizations and support networks provide continuity of care through individualized case management across organizations when an inmate is released.

A 2015 Jail Needs Assessment report published by the Office of the Sheriff concluded the County's current jail management system lacks several key features. Those features include the support of real-time, accurate, and comprehensive data analysis for the tracking of service delivery, program participation, and participant progress. The Jail Needs Assessment recommended the establishment of a program for comprehensive data collection services, and more coordinated pre-release planning processes. The report was developed in support of the County's proposal to construct a new adult detention facility to open in 2021 at the West County Detention Facility site.

The need for continuity between in-custody and post-release supervision and services was further highlighted in the County's 2015 AB109 Performance Review prepared by Resource Development Associates. The Performance Review noted that several partner departments lack the capacity to collect and report important data on AB109 individuals. The Performance Review also stated that individuals are not assessed upon entry into custody for problems, traits, or issues that directly relate to the individual's likelihood and risks of a return to crime. As a result, there is no process to ensure that their risks and needs are aligned with the programs and services they may receive upon release.

The Reentry Network for released inmates in East and Central Contra Costa County is a linked system of County-contracted services to help these individuals succeed in reintegrating into their communities. The Network functions as a broad-based collaborative system working in partnership with local law enforcement, Probation, other County agencies, and community-based and faith-based organizations. The goal is to provide integrated reentry service. The Reentry Network currently utilizes the SAFE database system to track a released client's continuity-of-service across several community-based service providers.

In 2017 staff of the ORJ and other County entities determined that moving contracted reentry providers to a single database system would be best accomplished through the utilization of the SAFE database system. Such a system may facilitate the County's ability to implement, track, and evaluate reentry efforts countywide.

Barriers to Employment and Community Participation

Two programs that contribute to a successful community reintegration in Contra Costa County are the Clean Slate program in the Office of the Public Defender, and the Reentry Success Center (RSC) in Richmond. These programs assist formerly incarcerated individuals by minimizing the barriers to employment and reintegration back into their communities.

Clean Slate

Clean Slate is a national cooperative project between federal, state and community legal services to improve employment outcomes for people with criminal records and to meet employers' need for qualified workers. Clean Slate services also assist clients to gain housing as well as further their education. Clean Slate has been adopted by many governmental organizations, including Contra Costa County.

In Contra Costa County, the OPD is charged with providing the Clean Slate service for people with criminal records. Clean Slate attorneys and advocates assist clients in such areas as:

- Post-conviction remedies, including early termination of probation
- Reduction of felony convictions to misdemeanors and dismissed charges
- Sealing of arrest records
- Employment denials related to criminal background
- Driver License suspensions
- Reduction and discharge of court fines and fees
- Reduction and discharge of municipal debt (parking tickets, towing fees)

Criminal record clearance efforts by Clean Slate are useful for successful reentry and reducing recidivism. According to the County's 2015 AB109 Performance Review, the OPD does not have sufficient resources to address all the Clean Slate cases. The OPD has a current backlog of roughly 10,000 reclassification cases.

Under Clean Slate, the OPD is also required by Proposition 64, the California Marijuana Legislation Initiative, to petition the court for relief of the estimated 3,000 marijuana cases in the County that are eligible for reduction, dismissal, or sealing of prior convictions. Since early 2017, the OPD has submitted petitions to the court for approximately 200 (or 7%) of those 3,000 cases.

Reentry Success Center

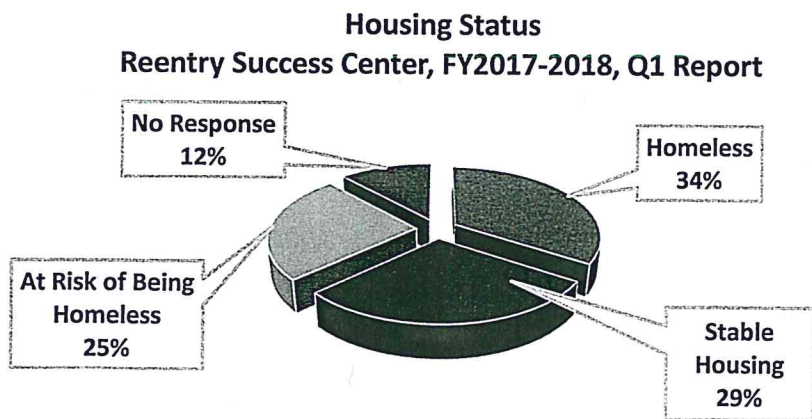
RSC in Richmond helps former inmates reintegrate with society after incarceration. The Center opened in 2015 and is primarily funded through AB109 realignment funds. RSC facilitates access to the services of many organizations together in one location for former inmates and their families. These organizations include the Contra Costa County Human Employment and Services Division, the Office of the Public Defender, Bay Area Legal Aid, and Reach Fellowship International.

The County's thousands of men and women on parole can use RSC to help find jobs and housing. RSC provides access to computers and to classes on resume writing, interviewing skills, smoking cessation, and household budgeting. Former inmates can learn about eligibility for general assistance and medical services.

Transitional Reentry Housing

According to the Justice Center of the Council of State Governments, providing access to safe and secure housing for those released from jail reduces recidivism and homelessness, as well as ensures stable living situations for children, families, and communities. Former inmates without stable housing in the community are more likely to return to criminal activity. Homelessness among the formerly incarcerated is seven to eleven times higher than among the general public, due to their limited access to education and employment. Homelessness contributes to heavy usage of emergency medical and detoxification services, at a high personal cost to the individual and a high financial cost to taxpayers.

Stable housing is widely recognized as critical to enabling probationers to adhere to the terms of their post-release supervision and to avoid re-incarceration. According to the Reentry Success Center, nearly 60% of former inmates seeking reentry services are either homeless or at risk of homelessness, as shown below.



Housing Status Among 414 Persons seeking County Reentry Services for the first time

According to the County's Reentry Strategic Plan, the County lacks comprehensive data detailing use of existing County housing services, as well as the types and volume of housing options needed for this population. The Plan projects that the County requires an estimated 1,000 to 2,000 housing placements annually to meet the needs of the reentry population.

Limited housing options in the County hinder reentry clients' ability to fully participate in other reentry-related programs. Barriers to housing include lack of client income and landlord resistance to renting to people with a criminal record. Some types of public housing disallow renting to persons with certain kinds of convictions. Affordability, accessibility, and availability are obstacles for former inmates to secure shelter beds, halfway houses, transitional housing, and sober living environments.

The County's Reentry Strategic Plan concluded that "Consequently, the County must provide the necessary resources to make sure that all those reentering will not become homeless." For FY2018-2019, \$1.03 million out of the County's total \$28.56 million AB109 budget request is allocated for short-term and long-term housing access. This allocation addresses only a small fraction of the approximate 1,000 to 2,000 housing placements needed annually. In contrast, \$18.13 million of the budget is allocated for the Offices of Probation, District Attorney, Sheriff and other law enforcement, according to the County's Community Corrections Partnership.

FINDINGS

- F1. Currently, the County has no single data system that collects and reports on services and outcomes for both county and community agencies. A data system such as SAFE could support integrated provision of a continuum of service from intake to reentry.
- F2. Resource and Job Fairs are held at WCDF only and not at the other detention facilities, providing an opportunity for more outreach to current and former inmates.
- F3. Since the creation of the Reentry Transition Specialist position in 2017, demand has grown from 36 enrollees to over 100. Demand for reentry services exceeds available resources.
- F4. Recent surveys indicate that nearly 60% of inmates upon release are either homeless or at risk of homelessness, leaving them vulnerable to reoffend. The County currently has neither a plan in place nor funds allocated to address the projected 1,000 to 2,000 housing placements needed annually.
- F5. Clean Slate is also tasked with petitioning the court for relief on the estimated 3,000 marijuana cases eligible for reduction, dismissal, or sealing of prior convictions, under Proposition 64 (the California Marijuana Legislation Initiative)

enacted in late 2016. With current County staffing, Clean Slate has been able to submit only 200 petitions to the court to resolve these cases. The demand for services exceeds the currently available staffing.

- F6. There is one social service worker in the Office of the Public Defender to serve all indigent defense cases. The demand for services exceeds the currently available staffing to address the backlog of Clean Slate reclassification cases
- F7. WCDF has Sign/Engraving Shop and Frame Shop training programs for women. MCDF has a Carpentry Shop training program for men. No certificate of completion, which would provide documentation to prospective employers, is currently provided for these programs.

RECOMMENDATIONS

- R1. The BOS should consider seeking funds, in time for the FY2019-2020 budget cycle, for adoption of the SAFE database system (or equivalent) countywide, for implementing, tracking, and evaluating reentry services.
- R2. The BOS should consider seeking funds, in time for the FY2019-2020 budget cycle, to sponsor annual or semiannual Job and Resource Fairs, modeled after the current WCDF Job and Resource Fairs, to serve those who have been released from incarceration.
- R3. The BOS should consider seeking funds, in time for the FY2019-2020 budget cycle, for additional Reentry Transition Specialists, in support of reentry programs.
- R4. The BOS should consider requesting the Community Corrections Partnership, in consultation with the County's Council on Homelessness, to provide a report to the BOS prior to June 30, 2019, on the housing needs of AB109 offenders and the current availability and utilization rates of AB109-related housing programs, including any relevant recommendations.
- R5. The BOS should consider requesting the Community Corrections Partnership to develop a five-year plan, in time for the FY2019-2020 budget cycle, to provide funding for transitional housing resources to ensure that inmates released from jail do not become homeless.
- R6. The BOS should consider seeking funds, in time for the FY2019-2020 budget cycle, for the Office of the Public Defender to address the backlog of Proposition 64 marijuana cases eligible for reduction, dismissal, or sealing.

- R7. The BOS should consider seeking funds, in time for the FY2019-2020 budget cycle, for additional social service workers in the Office of the Public Defender in support of reentry planning and implementation.
- R8. The BOS should consider seeking funds, in time for the FY 2019-2020 budget cycle, for resources in the Office of the Public Defender to address the backlog of roughly 10,000 reclassification cases seeking to petition the court to clear their criminal record.
- R9. The Office of the Sheriff in coordination with the CCCOE should consider providing a "Certificate of Completion" to inmates in the vocational programs at WCDF and MCDF, as documentation to assist prospective employers in their skills evaluation of former inmates.

REQUIRED RESPONSES

	Findings	Recommendations
Contra Costa County Board of Supervisors	F1, F2, F3, F4, F5, and F6	R1, R2, R3, R4, R5, R6, R7, and R8
Contra Costa County Office of the Sheriff	F2 and F7	R9

These responses must be provided in the format and by the date set forth in the cover letter that accompanies this report. An electronic copy of these responses in the form of a Word document should be sent by e-mail to ctadmin@contracosta.courts.ca.gov and a hard (paper) copy should be sent to:

Civil Grand Jury – Foreperson
 725 Court Street
 P.O. Box 431
 Martinez, CA 94553-0091

ACRONYMS

BOS: Board of Supervisors

CCP: Community Corrections Partnership

CCCOE: Contra Costa County Office of Education

MCDF: Marsh Creek Detention Facility

MDF: Martinez Detention Facility

OPD: Office of Public Defender

ORJ: Office of Reentry and Justice

PD: Probation Department

RSC: Reentry Success Center

WCDF: West County Detention Facility



CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT NO. 1809

"Community Reentry from Jail"

BOARD OF SUPERVISORS' RESPONSE

FINDINGS – *California Penal Code Section 933.5(a) requires a response to the designated findings of the Grand Jury.*

- F1. Currently, the County has no single data system that collects and reports on services and outcomes for both county and community agencies. A data system such as SAFE could support integrated provision of a continuum of service from intake to reentry.**

Response: **Partially Disagree.** It is true that the County does not have a single data system that collects and reports on services and outcomes for individuals from intake to reentry AND is accessible by both County and community agencies. It is difficult for one such system to be successfully deployed to meet the unique needs and missions of public and private agencies charged with varying responsibilities throughout the justice system. For example, the Jail Management System (JMS) used by the Sheriff's Office during the intake process at booking could not be simply replaced by a module of a software system such as SAFE. Similarly, the recently deployed case management systems in the District Attorney's Office and Probation Department could not simply be replaced by a module of a software system such as SAFE. The County is working on ways that each unique data system can share information to assist with the mission of each public and community agency where appropriate.

- F2. Resources and Job Fairs are held at WCDF only and not at the other detention facilities, providing an opportunity for more outreach current and former inmates.**

Response: **Agree.** It is important to note that the Sheriff's Office plans to hold a Resource Fair at the Marsh Creek Detention Facility in August 2018. The Martinez Detention Facility does not have appropriate programming space to accommodate such resource fairs.

- F3. Since the creation of the Reentry Transition Specialist position in 2017, demand has grown from 36 enrollees to over 100. Demand for reentry services exceeds available resources.**

Response: Agree. It is important to note that the Reentry Transition Specialist is an employee of the Contra Costa County Office of Education and not Contra Costa County. The County has no control over the employment or activities of the Reentry Transition Specialist.

- F4. Recent surveys indicate that nearly 60% of inmates upon release are either homeless or at risk of homelessness, leaving them vulnerable to reoffend. The County currently has neither a plan in place nor funds allocated to address the projected 1,000 to 2,000 housing placement needed annually.**

Response: Disagree. The County provides a significant amount of resources for residents confronted with homelessness regardless of criminal history. For example, in fiscal year 2018/19 the County has budgeted \$73.1 million in the Health Services and Employment & Human Services departments related to homelessness & housing issues, including short and long-term housing access and supportive housing programs.

- F5. Clean Slate is also tasked with petitioning the court for relief on the estimated 3,000 marijuana cases eligible for reduction, dismissal, or sealing of prior convictions, under Proposition 64 (the California Marijuana Legislation Initiative) enacted in late 2016. With current County staffing, Clean Slate has been able to submit only 200 petitions to the court to resolve these cases. The demand for services exceeds the currently available staffing.**

Response: Agree.

- F6. There is one social service worker in the Office of the Public Defender to serve all indigent defense cases. The demand for services exceeds the currently available staffing to address the backlog of Clean Slate reclassification cases.**

Response: Agree. It is important to note that Social Workers in the Public Defender's Office do not work on Clean Slate reclassification cases. Clean Slate reclassification work is completed by attorney staff within that department. Also, the County Employment and Human Services department is the primary service provider for social services in the County. Indigent clients receiving defense counsel from the Public Defender's Office may also seek social services from the Employment and Human Services department.

RECOMMENDATIONS - *California Penal Code Section 933.05(b) requires a response to the designated recommendations of the Grand Jury.*

- R1. The BOS should consider seeking funds, in time for the FY2019-2020 budget cycle, for adoption of the SAFE database system (or equivalent) countywide, for implementing, tracking, and evaluating reentry services.**

Response: **The recommendation will not be implemented because it is not warranted or is not reasonable.** As stated in our response to Finding No. 1, consolidating several unique information systems across several departments into one system to prioritize tracking of reentry programs is not feasible. The County will continue its efforts ensure that various data systems interface with one-another as needed to allow for necessary tracking and evaluation of reentry services.

- R2. The BOS should consider seeking funds, in time for the FY2019-2020 budget cycle, to sponsor annual or semiannual Job and Resource Fairs, modeled after the current WCDF Job and Resources Fairs, to serve those who have been released from incarceration.**

Response: **This recommendation requires further analysis.** The County budget process begins in January and concludes in May of each year. Although the Board is supportive Job and Resource Fairs, like the ones carried out at the WCDF, we must consider funding needs from across the County during the budget process. For this reason, we cannot formally commit to funding expenditure appropriations until a vote is taken on the entire budget each year.

- R3. The BOS should consider seeking funds, in time for the FY2019-2020 budget cycle, for additional Reentry Transition Specialists, in support of reentry programs.**

Response: **The recommendation will not be implemented because it is not warranted or is not reasonable.** As stated in Finding No. 3, the services provided by the Reentry Transition Specialist are a function of the Contra Costa County Office of Education. Although the Board is supportive the work of Reentry Transition Specialists supporting reentry programs, the County must prioritize the use of available County financial resources to first fund its own mandated functions and activities.

- R4. The BOS should consider requesting the Community Corrections Partnership, in consultation with the County's Council on Homelessness, to provide a report to the BOS prior to June 30, 2019, on the housing needs of AB109 offenders and the current availability and utilization rates of AB109-related housing programs, including any relevant recommendations.**

Response: The recommendation will not be implemented because it is not warranted or is not reasonable. The Community Corrections Partnership produces an Annual Report each year that discusses outcomes, in part, of funding initiatives to assist returning citizens with short and long-term housing. This includes AB109-related housing programs funded by the County through the Community Corrections Partnership budget. In practice, the Grand Jury's request has essentially been implemented for the last several years and is integrated into the Community Corrections Partnership annual budget process.

- R5. The BOS should consider requesting the Community Corrections Partnership to develop a five-year plan, in time for the FY2019-2020 budget cycle, to provide funding for transitional housing resources to ensure that inmates released from jail do not become homeless.**

Response: The recommendation will not be implemented because it is not warranted or is not reasonable. The County's fiscal year 2018/19 Adopted Budget fully allocates AB109 Community Corrections Partnership revenue remitted to the County by the State and relies on an additional \$1.7 million from one-time resources to balance. It would not be appropriate to fund additional ongoing housing resources with an increased allocation of one-time funding.

- R6. The BOS should consider seeking funds, in time for the FY2019-2020 budget cycle, for the Office of the Public Defender to address the backlog of Proposition 64 marijuana cases eligible for reduction, dismissal, or sealing.**

Response: This recommendation requires further analysis. The County budget process begins in January and concludes in May of each year. Although the Board is supportive the Public Defender addressing the backlog of Proposition 64 marijuana cases eligible for reduction, dismissal or sealing, we must consider funding needs from across the County during the budget process. For this reason, we cannot formally commit to funding expenditure appropriations until a vote is taken on the entire budget each year.