

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

JOHN GIOIA, CHAIR, 1ST DISTRICT
CANDACE ANDERSEN, VICE CHAIR, 2ND DISTRICT
DIANE BURGIS, 3RD DISTRICT
KAREN MICHTOFF, 4TH 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
February 12, 2019

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

Closed Session

A. CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code § 54957.6)

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))

1. *Contra Costa County Flood Control and Water Conservation District v. Gary A. Eames, et al.*, Contra Costa County Superior Court Case No. C15-02052
2. *Paul Cruciani and Peter Billeci v. County of Contra Costa, et al.*, Contra Costa County Superior Court Case No. MSN17-2091

C. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

Initiation of litigation pursuant to Gov. Code, § 54956.9(d)(4): one potential case.

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

Inspirational Thought- *"Nearly all men can stand adversity, but if you want to test a man's character, give him power."* ~ Abraham Lincoln, 16th President of the United States

CONSIDER CONSENT ITEMS (Items listed as C.1 through C.130 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 to recognize Choice in Aging on the occasion of their 70th anniversary. (Supervisor Mitchoff)
- PR.2** PRESENTATION to recognize the participation and generosity of Contra Costa County employees in the 2018 Counties Care Holiday Food Fight. (Larry Sly, Executive Director, Food Bank and Stacey Durocher, Executive Secretary, Human Resources Department)

DISCUSSION ITEMS

D. 1 CONSIDER Consent Items previously removed.

D. 2 PUBLIC COMMENT (2 Minutes/Speaker)

- D. 3** HEARING to consider an appeal of the Conservation and Development Director's determination on a reasonable accommodation request for relief from conditions of approval and zoning restrictions for a 2-lot subdivision at 78 Grandview Place, unincorporated Walnut Creek area (County File #MS06-0037). (Sean Tully, Department of Conservation and Development)
- D. 4** CONSIDER accepting report on the twentieth anniversary of the Industrial Safety Ordinance. (Randy Sawyer, Chief Environmental Health and Hazardous Materials Officer)
- D. 5** CONSIDER accepting a report from the Department of Conservation and Development on "Envision Contra Costa 2040," the effort to update to the Contra Costa County General Plan, Zoning Code, and Climate Action Plan. (John Kopchik, Maureen Toms, and Will Nelson, Department of Conservation and Development)
- D. 6** REVIEW and APPROVE the Request for Proposal and Selection Process for Limited Commercial Cannabis Permits. (John Kopchik and Ruben Hernandez, Conservation and Development Department)
- D. 7** HEARING to consider an appeal of the County Planning Commission's decision to deny an appeal and uphold the decision of the County Zoning Administrator to approve a Wireless Facility Access Permit to establish a new Verizon Wireless cell site attached to an existing utility pole in the Danville Boulevard public right-of-way adjacent to 20 Francesca Way in the Alamo area of unincorporated Contra Costa County. (Aruna Bhat, Department of Conservation and Development) **(Continued to February 26, 2019)**
- D. 8** HEARING to consider an appeal of the County Planning Commission's decision to deny an appeal and uphold the decision of the County Zoning Administrator to approve a Wireless Facilities Access Permit to establish a new Verizon Wireless cell site attached to an existing utility pole (to be replaced) in the public right-of-way near 1524 Alamo Way in the Alamo area of unincorporated Contra Costa County. (Aruna Bhat, Conservation and Development Department) **(Continued to February 26, 2019)**

- D. 9** HEARING to consider an appeal of the County Planning Commission's (CPC) decision to approve a Wireless Access Permit (County File #WA17-0013) for the establishment of a Verizon Wireless telecommunications facility within a County right-of-way. The project involves installing a two-foot canister antenna and wooden pole extension atop an existing utility pole as well as the installation of ancillary equipment within an enclosure located at ground level. All project elements would be located within the Creekdale Road right-of-way. (Aruna Bhat, Conservation and Development Department) **(Continued to February 26, 2019)**
- D.10** HEARING to consider an appeal of the County Planning Commission's decision to deny an appeal and uphold the decision of the County Zoning Administrator to approve a Wireless Facilities Access Permit to establish a new Verizon Wireless cell site attached to an existing utility pole in the public right-of-way near 401 Horsetrail Court in the Alamo area of unincorporated Contra Costa County. (Aruna Bhat, Conservation and Development Department) **(Continued to February 26, 2019)**
- D.11** HEARING to consider an appeal of the County Planning Commission's decision to deny an appeal and uphold the decision of the County Zoning Administrator to approve a Wireless Facilities Access Permit to establish a new Verizon Wireless cell site attached to an existing utility pole in the public right-of-way near 1955 Meadow Road in the Walnut Creek area of unincorporated Contra Costa County. (Aruna Bhat, Conservation and Development Department) **(Continued to February 26, 2019)**

D. 12 CONSIDER reports of Board members.

Closed Session

ADJOURN in memory of
Linda Locke
retired Contra Costa County employee and Food Bank representative

CONSENT ITEMS

Road and Transportation

- C. 1** ADOPT Traffic Resolution No. 2019/4482 to prohibit stopping, standing, or parking at all times on both sides of San Pablo Dam Road (Road No. 0961D), beginning at the eastern curblin of Castro Ranch Road (Road No. 1461) and extending southerly a distance of 2,400 feet, as recommended by the Public Works Director, El Sobrante area. (No fiscal impact)
- C. 2** ACCEPT the 2018 Semi-Annual Report of Real Estate Acquisition Acceptances dated July 1, 2018 through December 31, 2018, approved by the Public Works Director, as submitted, Brentwood, Byron, Clayton, Concord, Martinez and Pinole areas. (No fiscal impact)
- C. 3** ADOPT Resolution. No. 2019/33 approving and authorizing the Public Works Director, or designee, to submit a 2019/2020 Transportation Development Act grant application to the Metropolitan Transportation Commission in the total amount of \$94,500 for fiscal year 2019/2020 for the Contra Costa County Active Transportation Plan, Countywide. (78% State Grant Funds, 20% Transportation Development Act Grant Funds and 2% Local Road Funds)

- C. 4** APPROVE the Notice of Intention to Sell Real Property at Public Auction, identified as Assessor's Parcel Number 068-151-016, located at 2710 East Tregallas Road and collectively Assessor's Parcel Numbers 067-283-010, 011, 012, and 013 located at 28, 30, and 34 Drake Street, and 2515 Lindberg Street, as recommended by the Public Works Director, Antioch area. (100% Contra Costa Transportation Authority)
- C. 5** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment with Dynamic Dzyne Associates, Inc. d/b/a Substrate, Inc., effective February 12, 2019, to increase the payment limit by \$55,000 to a new payment limit of \$655,000, with no change to the original term May 1, 2018 to June 30, 2019, for construction management services for the Marsh Creek Road Bridge Replacement Project, Clayton area. (89% Federal Highway Bridge Program Funds and 11% Local Road Funds)
- C. 6** ADOPT Resolution No. 2019/43 approving and authorizing the Public Works Director, or designee, to submit a 2019/2020 Transportation Development Act grant application to the Metropolitan Transportation Commission in the amount of \$100,000 for fiscal year 2019/2020 for the Oak Road Bikeway Project and take related actions under the California Environmental Quality Act, and AUTHORIZE the Public Works Director, or designee, to advertise the Project, Walnut Creek area. (60% Transportation Development Act Funds, 40% Local Road Funds)
- C. 7** ADOPT Resolution No. 2019/44 approving and authorizing the Public Works Director, or designee, to submit a 2019/2020 Transportation Development Act grant application to the Metropolitan Transportation Commission in the amount of \$100,000 for fiscal year 2019/2020 for the 7th Street Crosswalk Improvements 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. (67% Local Road Funds and 33% Transportation Development Act Funds)

Engineering Services

- C. 8** ADOPT Resolution No. 2019/41 to correct the bond number on Resolution No. 2019/16 for development permit DP07-03029, for a project being developed by 44 Mountain View Management, LLC, as recommended by the Public Works Director, Martinez area. (100% Developer Fees)

Special Districts & County Airports

- C. 9** As the governing body of the Contra Costa County Flood Control and Water Conservation District, APPROVE and AUTHORIZE the Chief Engineer, or designee, to execute on behalf of the County, a License Agreement with Saint Mary's College of California for rain gauge monitoring, Moraga area. (No fiscal impact)
- C. 10** APPROVE and AUTHORIZE the Director of Airports, or designee to write off the uncollectable outstanding balance of former hangar and tie-down tenant, Walter Lyall, in the amount of \$1,054. (100% Airport Enterprise Fund)

Claims, Collections & Litigation

- C. 11 DENY claims filed by JoAnne Angelo, Unborn Doe, through guardian Marisol Solis, Lindy Thelxi Hernandez, through Hazel Ortiz Dubon, Hannah Royal, by Guardian ad Litem, Melody Royal, and Marisol Solis.

Honors & Proclamations

- C. 12 ADOPT Resolution No. 2019/40 recognizing The Olsen Team as the Moraga 2018 Business of the Year, as recommended by Supervisor Andersen.
- C. 13 ADOPT Resolution 2019/42 recognizing the Moraga Citizen's Network as the 2018 Non-Profit Organization, as recommended by Supervisor Andersen.
- C. 14 ADOPT Resolution No. 2019/48 to recognize the participation and generosity of County employees in the 2018 Counties Care Holiday Food Fight, as recommended by the County Administrator.
- C. 15 ADOPT Resolution No. 2019/50 recognizing Choice in Aging's 70th Anniversary, as recommended by Supervisor Mitchoff.

Ordinances

- C. 16 INTRODUCE Ordinance No. 2019-03 to authorize the appointment of up to five alternate members to the Contra Costa County Assessment Appeals Board, WAIVE reading, and FIX February 26, 2019 for adoption, as recommended by the County Administrator.
- C. 17 INTRODUCE Ordinance No. 2019-04 designating 2004 Freightliner FL60, 1996 Freightliner FL60, 1992 Ford F-E350 Flatbed Truck, 2006 Ford F650, three 2018 Ford Interceptor utility vehicles and two 2018 Ford Edges as Hazardous Materials Emergency Response Team Vehicles; WAIVE reading; and FIX February 26, 2019 for adoption, as recommended by the Health Services Director.

Appointments & Resignations

- C. 18 REAPPOINT Joey Smith to the District 1 seat of the Commission for Women, as recommended by Supervisor Gioia.
- C. 19 APPOINT Monisha Merchant to the Private/Non-profit Sector 4 seat on the Economic Opportunity Council, as recommended by the Employment and Human Services Director.
- C. 20 APPOINT William Nelson to the Appointee 4 Seat on the Alamo Police Services Advisory Committee for a two-year term with an expiration date of December 31, 2020, as recommended by Supervisor Andersen.
- C. 21 ACCEPT the resignation of Jessica Thomas, DECLARE a vacancy in Local Committee Walnut Creek seat, DIRECT the Clerk of the Board to post the vacancy, as recommended by the Employment and Human Services Department Director.

- C. 22** ACCEPT the resignation of Barbara Pendergrass, DECLARE a vacancy in El Sobrante Municipal Advisory Council, DIRECT the Clerk of the Board to post the vacancy as recommended by Supervisor Gioia.
- C. 23** APPOINT Fran Biderman, Alvaro Fuentes, Samuel Houston, Melody Howe Weintraub, Terry Koehne, Mariana Moore, Mark Orcutt, Andres Orozco, and Ali Saidi to At Large seats on the 2020 Census Complete Count Steering Committee, as recommended by the Internal Operations Committee.
- C. 24** APPOINT Branin Cook as the Oakley Local Committee Seat on the Advisory Council on Aging, for a term ending September 30, 2019, as recommended by the Employment and Human Services Director. (No Fiscal Impact)
- C. 25** APPROVE the medical staff appointments and reappointments, additional privileges, advancements, and voluntary resignations as recommend by the Medical Staff Executive Committee and by the Health Services Director. (No fiscal impact)
- C. 26** APPOINT Gabriel Quinto, El Cerrito Council Member, and David Hudson, San Ramon Council Member, to City Seat #1 and City Seat #1 Alternate, respectively, on the Hazardous Materials Commission for terms ending on December 31, 2022.
- C. 27** APPOINT the following individuals to Supervisorial District seats on the 2020 Census Complete Count Steering Committee, as recommended by Supervisor Burgis: District I: Lina Velasco; District II: Aparna Madireddi; District III: Linda Soliven; District IV: Lauren Babb; and District V: Lynn Reichard-Enea.
- C. 28** APPOINT the individuals to the El Sobrante, Kensington and North Richmond Municipal Advisory Councils, as recommended by Supervisor Gioia.
- C. 29** APPOINT Dayanna Macias-Carlos, Hannah Brown, Juliana King Hynes, and Deborah Cowans to At Large seats on the Commission for Women, as recommended by the County Administrator.

Appropriation Adjustments

- C. 30** APPROVE Appropriation Adjustment No. 5040 authorizing the transfer of salary and benefit appropriations between the Aging and Adult Services Bureau and the Administrative Services Bureau to reflect the transfer of four full-time positions engaged in Volunteer & Emergency activities, in the Employment and Human Services Department.
- C. 31** County Administrator's Office of Reentry & Justice (1217): APPROVE Appropriation and Revenue Adjustment No.5052 increasing fiscal year 2018/19 revenue and appropriations in the Office of Reentry & Justice (1217) in the amount of \$53,626 to reflect anticipated revenue and expenditures associated with the Youth Justice Initiative project. (100% Federal)
- C. 32** APPROVE Appropriation and Revenue Adjustment No. 5041 increasing appropriations for capital projects, capital equipment, and reallocating budget revenues and expenditures to reflect appropriate categories in fiscal year 2018/2019 in the Health Services Department. (100% Hospital Enterprise Fund I)

Intergovernmental Relations

- C. 33** APPROVE and AUTHORIZE MCE, a clean energy provider, to identify the County as a partner in its Low-Income Electric Vehicle Rebate Program, as recommended by the Conservation and Development Director. (No fiscal impact)

Personnel Actions

- C. 34** ADOPT Position Adjustment Resolution No. 22419 to add two Social Worker (represented) positions and cancel two vacant Social Service Employment Placement Counselor (represented) positions in the Employment and Human Services Department, Adult and Aging Services, Whole Person Care Program. (100% State revenue)
- C. 35** ADOPT Position Adjustment Resolution No. 22405 to add one Victim/Witness Assistance Program Specialist (represented) in the District Attorney's Office. (100% State, Cal OES Human Trafficking Program)
- C. 36** ADOPT Position Adjustment Resolution No. 22399 to cancel one Administrative Services Assistant III (represented) position in the Employment and Human Services Department, Administrative Services Bureau. (Cost Neutral)
- C. 37** ADOPT Position Adjustment Resolution No. 22415 to add one Child Support Supervisor (represented) position and cancel one vacant Child Support Assistant Supervisor (represented) position in the Department of Child Support Services. (34% State, 66% Federal)
- C. 38** ADOPT Position Adjustment Resolution No. 22425 to decrease the hours of one vacant Clerk - Senior Level (represented) from part-time 32/40 to part-time 24/40 and increase the position hours of another vacant Clerk - Senior Level position from part-time 32/40 to full-time in the Health Services Department. (Cost neutral)
- C. 39** ADOPT Position Adjustment Resolution No. 22403 to retitle the classification of Veterans Service Branch Office Manager (represented) to Veterans Service Manager (represented); reallocate on the salary schedule; establish the classification of Veterans Service Representative II (represented); and retitle Veterans Service Representative (represented) to Veterans Service Representative I in the Veterans Service Department. (100% County General Fund)
- C. 40** ADOPT Position Adjustment Resolution No. 22408 to add one Administrative Services Assistant II (represented) position in the Probation Department. (Cost Savings)
- C. 41** ADOPT Position Adjustment Resolution No. 22418 to reassign four positions and incumbents (represented) from Department 0503 (Aging and Adult Services Bureau) to Department 0501 (Administrative Services Bureau) in the Employment and Human Services Department, effective March 1, 2019. (No fiscal impact)
- C. 42** ADOPT Position Adjustment Resolution No. 22426 to add eight full-time positions (represented) and cancel five vacant full-time positions (represented) in the Whole Person Care / Community Connect program of the Health Services Department. (Cost savings)

- C. 43** ADOPT Position Adjustment Resolution No. 22414 to increase the hours of one Board of Supervisors Assistant-Specialist (unrepresented) position from part-time (16/40) to part time (20/40) and decrease the hours of one Board of Supervisors Assistant-General Secretary (unrepresented) from part-time (24/40) to part-time (20/40) in the District II Supervisor's Office. (Cost neutral)
- C. 44** ADOPT Position Adjustment Resolution No. 22427 to add one Nutrition Assistant position (represented) and cancel one vacant part-time (30/40) Public Health Nutritionist position (represented) in the Health Services Department. (100% State WIC funds)
- C. 45** ADOPT Position Adjustment Resolution No. 22422 to add one part-time (32/40) Secretary-Journey Level (represented) position and cancel one part-time Administrative Analyst (represented) position in the County Administrator's Office, Contra Costa Television Division. (Cost Savings)
- C. 46** ADOPT Resolution No. 2019/51 to grant an exemption to Contra Costa County Salary Regulations Section 4.1, and adjust the salary step of the incumbent in the classification of Senior Deputy District Attorney - Exempt, position number 3524, from step four to step five of salary range (\$13,615.54 - \$16,549.78) effective at date of promotion, January 1, 2019, as requested by the District Attorney. (100% General Fund)

Leases

- C. 47** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a lease amendment with Autumn Wood 1, LP, Pinewood Condominiums, LP, and Vaca Villa Apartments, LP, to extend for four years the lease of approximately 1,925 square feet of office space located at 2151 Salvio Street, Concord, at the initial annual rate of \$55,200 for the first year with annual increases thereafter. (100% General Fund)

Grants & Contracts

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

- C. 48** APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute a Memorandum of Understanding, Seed Subvention FY 18/19, with the California Department of Food and Agriculture to pay County an amount not to exceed \$100 to enforce California seed marketing and labeling law requirements for the period July 1, 2018 through June 30, 2019. (No County match)
- C. 49** APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute an agreement containing modified indemnification language with East Bay Regional Park District for the County to be reimbursed for Noxious Weed Services in an amount not to exceed \$40,000, for the period January 1, 2019 through December 31, 2020. (No County match)
- C. 50** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with the City of Concord, to increase the amount payable to the County by \$67,284 to a new amount not to exceed \$128,514 and to extend the termination date from June 30, 2018 to June 30, 2019, for the Coordinated Outreach, Referral and Engagement Program, which provides homeless outreach services to Concord and Walnut Creek. (No County match)

- C. 51** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to apply for and accept grant funding in an amount not to exceed \$463,800 from the California Workforce Development Board and Employment Development Department, to support and participate in the Regional Workforce Innovation and Opportunity Act Plan implementation, for the period April 1, 2019 through September 30, 2020. (100% Federal, No County match)
- C. 52** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with California Business, Consumer Services and Housing Agency to pay the County an amount not to exceed \$7,196,771 for the Contra Costa County Continuum of Care Program to expand and improve the homeless crisis response system for unsheltered individuals and families for the period January 9, 2019 through October 31, 2021. (No County match)
- C. 53** APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute an agreement with the California Department of Food and Agriculture (CDFA) in an amount not to exceed \$9,431 for reimbursement of services for the Bee Safe Program, for the period November 15, 2018 through June 30, 2019. (100% State, No County Match)
- C. 54** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to apply for and accept funding from the U.S. Department of Health and Human Services, Administration for Children and Families, in an amount not to exceed \$62,754 for Early Head Start supplemental funding for the period January 1, 2019 through December 31, 2019. (20% County in-kind match)
- C. 55** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to apply for and accept funding from the U.S. Department of Health and Human Services, Administration for Children and Families, in an amount not to exceed \$290,745 for Head Start supplemental funding for the period January 1, 2019 through December 31, 2019. (20% County in-kind match)
- C. 56** ADOPT Resolution No. 2019/29 authorizing the Conservation and Development Director, or designee, to apply for and accept loan funds from the State of California's No Place Like Home Program /Noncompetitive Allocation in an amount not to exceed \$2,231,574 to fund a portion of affordable permanent supportive housing projects for persons with a serious mental illness who are homeless, chronically homeless or at-risk of chronic homelessness, as recommended by the Conservation and Development Director. (100% State funds)

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

- C. 57** APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a Software and Services Agreement Amendment with Granicus, Inc., to increase the payment limit by \$75,000 to a new payment limit of \$150,000, and extend the expiration date of the contract from July 31, 2019 to December 31, 2023, for the implementation of updated software and additional years of hosting and licensing. (100% General Fund)
- C. 58** APPROVE and AUTHORIZE the Chief Information Officer, or designee, to execute a contract amendment with CSI Telecommunications, Inc., effective January 22, 2019, to extend the term from January 31, 2019 through January 31, 2021 and increase the payment limit by \$220,000 to a new payment limit of \$1,080,000 for continued Federal Communications Commission radio licensing and microwave frequency coordination, as needed by the Department of Information Technology. (100% User fees)

- C. 59** APPROVE and AUTHORIZE the County Counsel, or designee, to execute a contract with Baker & O'Brien, Inc., in an amount not to exceed \$700,000 to provide refining industry analyses in connection with refinery property tax appeals, for the period January 1 through December 31, 2019. (100% General Fund)
- C. 60** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute an Interagency Agreement with the City of Richmond Workforce Development Board, in an amount not to exceed \$50,000 to provide workforce development staff training and professional development for the period February 1, 2019 through January 31, 2020. (100% Federal)
- C. 61** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Accurate Poly Coatings in an amount not to exceed \$2,000,000 for on-call polyurea coating installation and maintenance for the period February 1, 2019 through January 31, 2022, Countywide. (100% County General Fund)
- C. 62** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Charles Kopp Inc. d/b/a Continental Electric, in an amount not to exceed \$1,300,000 for traffic signal, street lighting and general electrical maintenance for the period February 1, 2019 through January 31, 2022, Countywide. (100% County General Fund)
- C. 63** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with DC Electrical Group, Inc., in an amount not to exceed \$400,000 for general electrical, airport electrical and lighting maintenance, for the period April 1, 2019 through January 31, 2022, Countywide. (100% General Fund)
- C. 64** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Diablo Boiler & Steam Inc., in an amount not to exceed \$1,500,000 to provide boiler service maintenance for the period February 1, 2019 through January 31 2022, Countywide. (100% General Fund)
- C. 65** APPROVE and AUTHORIZE the Conservation and Development Director or designee to execute, on behalf of the County, a tolling agreement with GTE MobilNet of California Limited Partnership (dba Verizon Wireless) to extend the time to act on wireless access permit application for a facility to be within the County right-of-way near 279 Smith Road in the Alamo area. (100% Applicant fees)
- C. 66** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a purchase order amendment with Dugmore & Duncan of California, Inc., to increase the payment limit by \$253,000 to a new payment limit of \$350,000 and extend the term from July 31, 2019 to June 30, 2020 for Sargent lock equipment and hardware, Countywide. (100% County General Fund)
- C. 67** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with St Francis Electric, LLC in an amount not to exceed \$500,000 to provide airport electrical, traffic signal, and inductive loop maintenance service, for the period June 1, 2019 through May 31, 2022, Countywide. (100% General Fund)
- C. 68** APPROVE and AUTHORIZE the Clerk-Recorder, or designee, to execute a contract amendment with SOE Software Corporation (dba ScytI), to extend the term from December 31, 2018 through December 31, 2020 and increase the payment limit by \$150,000 to a new payment limit of \$390,000, for continued web hosting and Election Night reporting. (100% General Fund)

- C. 69** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Language Line Services, Inc., effective September 1, 2018, to increase the payment limit by \$1,500,000 to a new payment limit of \$5,400,000 to provide additional over the phone interpreting and translation services with no change in the term of May 1, 2015 through April 30, 2020. (100% Hospital Enterprise Fund I)
- C. 70** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Pleasanton Physical Therapy Services Inc. (dba Back on Track Physical Therapy), in an amount not to exceed \$750,000 to provide physical therapy services for Contra Costa Health Plan members for the period February 1, 2019 through January 31, 2021. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 71** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Michael P. Sherman, M.D., Ph.D., A Medical Corporation (dba Contra Costa Oncology), in an amount not to exceed \$2,000,000 to provide oncology services to Contra Costa Health Plan members for the period February 1, 2019 through January 31, 2021. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 72** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Noel T.D. Chiu, M.D., A Medical Corporation (dba Diablo Dermatology), in an amount not to exceed \$900,000 to provide dermatology services for Contra Costa Health Plan members for the period February 1, 2019 through January 31, 2021. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 73** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Leena Ray, M.D., in an amount not to exceed \$150,000 to provide nephrology services at Contra Costa Regional Medical Center and Health Centers for the period February 1, 2019 through January 31, 2020. (100% Hospital Enterprise Fund I)
- C. 74** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Jaison James, M.D., in an amount not to exceed \$880,000 to provide orthopedic services at Contra Costa Regional Medical Center and Health Centers for the period February 1, 2019 through January 31, 2020. (100% Hospital Enterprise Fund I)
- C. 75** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Peyman Keyashian, M.D., in an amount not to exceed \$565,000 to provide anesthesia services at Contra Costa Regional Medical Center and Health Centers for the period February 1, 2019 through January 31, 2020. (100% Hospital Enterprise Fund I)
- C. 76** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Edward Y. Tang, M.D., Inc., in an amount not to exceed \$440,000 to provide orthopedic services for Contra Costa Regional Medical Center and Health Centers, for the period March 1, 2019 through February 29, 2020. (100% Hospital Enterprise Fund I)
- C. 77** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Rawel Randhawa, M.D., in an amount not to exceed \$136,000 to provide gastroenterology services for Contra Costa Regional Medical Center and Health Centers for the period March 1, 2019 through February 28, 2021. (100% Hospital Enterprise Fund I)
- C. 78** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with James Pak, M.D., Inc., in an amount not to exceed \$155,000 to provide anesthesiology services to Contra Costa Regional Medical Center and Health Center patients for the period March 1, 2019 through February 29, 2020. (100% Hospital Enterprise Fund I)

- C. 79** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Eisen Environmental and Construction Services in an amount not to exceed \$1,000,000 to provide abatement and restoration services, for the period February 1, 2019 through January 31, 2022, Countywide. (100% General Fund)
- C. 80** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Thor Doors and Construction Inc. in an amount not to exceed \$800,000 to provide commercial door and power gate service and maintenance, for the period March 1, 2019 through February 29, 2022, Countywide. (100% General Fund)
- C. 81** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment with Waterproofing Associates, Inc. to increase the payment limit by \$2,500,000 to a new payment limit of \$3,500,000 with no change to the original term February 1, 2018 through January 31, 2021, to provide building waterproofing services, Countywide. (100% General Fund)
- C. 82** APPROVE and AUTHORIZE an increase in the payment limit for the contract between the Probation Department and Behavioral Interventions (B.I.), Incorporated, dated February 1, 2018 in the amount of \$40,000 from \$175,000 to a new contract payment limit of \$215,000 to provide electronic monitoring services and equipment, with no extension in the term of the agreement. (100% County General Fund)
- C. 83** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Liam Keating, M.D., in an amount not to exceed \$404,000 to provide otolaryngology services at Contra Costa Regional Medical Center and Health Centers for the period March 1, 2019 through February 29, 2020. (100% Hospital Enterprise Fund I)
- C. 84** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract containing mutual indemnification with St. Helena Hospital in an amount not to exceed \$75,000 to provide inpatient psychiatric hospital services for the period October 1, 2018 through June 30, 2019. (100% Mental Health Realignment)
- C. 85** APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute a contract amendment with McHale's Environmental Insulations, Inc., to increase the payment limit by \$205,000 to a new payment limit of \$300,000 to provide additional home weatherization services to low income County residents through the Department's Weatherization Program, with no change to the original term of July 1, 2018 through December 31, 2020. (100% State and federal funds)
- C. 86** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Social Service Staffing & Recruiting, Inc. effective February 1, 2019 to increase the payment limit by \$710,000 for a new payment limit of \$1,350,000 for additional and increased services by qualified temporary social workers for clients of Children and Family Services Program and Aging and Adult Services, with no change to the original term ending June 30, 2019. (10% County; 45% State; 45% Federal)
- C. 87** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with RG Hernandez, LLC in an amount not to exceed \$115,880 to provide consultation and technical assistance for third party revenues, costs and claims, for the period February 1, 2019 through January 31, 2020. (100% Third Party Reimbursement)

- C. 88** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Community Violence Solutions, a non-profit corporation, to increase the payment limit by \$20,289 to a new payment limit of \$194,598, for the provision of services to victims of human trafficking in Contra Costa County, with no change to the term ending March 31, 2019. (100% Federal)
- C. 89** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Suraj M. Cherry, M.D., in an amount not to exceed \$500,000 to provide ophthalmology service to Contra Costa Health Plan members for the period March 1, 2019 through February 28, 2021. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 90** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with 1125 Sir Francis Drake Boulevard Operating Company, LLC (DBA Kentfield Hospital), in an amount not to exceed \$4,000,000 to provide long term acute care hospital services for Contra Costa Health Plan members for the period February 1, 2019 through January 31, 2020. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 91** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Steven Cloutier (dba Alhambra Valley Counseling Associates), in an amount not to exceed \$350,000 to provide outpatient psychotherapy services to Contra Costa Health Plan members for the period March 1, 2019 through February 28, 2021. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 92** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with John Patrick Leonard Kirby (dba River Counseling Center), in an amount not to exceed \$200,000 to provide outpatient psychotherapy services for Contra Costa Health Plan members for the period March 1, 2019 through February 28, 2021. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 93** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute an inter-agency agreement amendment with Mount Diablo Unified School District to change the term from October 1, 2018 through September 30, 2019 to a new term of July 1, 2018 through June 30, 2019. (100% Federal)
- C. 94** APPROVE and AUTHORIZE the Auditor-Controller, or designee, to pay the amount of \$149,869 to the Bay Area Stormwater Management Agencies Association for services provided to the Contra Costa Clean Water Program, during the period July 1, 2017 to June 30, 2018. (100% Contra Costa Clean Water Program Funds)
- C. 95** APPROVE and AUTHORIZE the Purchasing Agent, to execute, on behalf of the Health Services Director, a purchase order amendment with Grainger International, Inc., to increase the payment limit by \$60,000 to a new payment limit of \$159,000 for the purchase of miscellaneous hardware as required by the Contra Costa Regional Medical Center and Health Centers with no change in the original term of July 1, 2017 through June 30, 2019. (100% Hospital Enterprise Fund I)
- C. 96** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order amendment with Performance Health Supply, Inc., to increase the payment limit by \$100,000 to a new payment limit of \$400,000 for the purchase of specialized rehabilitation equipment and supplies for Contra Costa Regional Medical Center and Health Centers, with no change in the original term of December 1, 2016 through November 30, 2019. (100% Hospital Enterprise Fund I)

- C. 97** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract containing modified indemnification language with Garda CL West, Inc., in an amount not to exceed \$26,000 to provide armored transport services to the Contra Costa Health Services Department for the period from February 1, 2019 through January 31, 2020. (100% Hospital Enterprise Fund I)
- C. 98** APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Health Services Department, to purchase transportation vouchers in an amount not to exceed \$33,433 to be used to provide transportation to appointments for homeless patients served by the Health Care for the Homeless Program for the period February 1, 2019 through January 31, 2020. (100% Federal funds)
- C. 99** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Firm Revenue Cycle Management Services, Inc. in an amount not to exceed \$150,000 for billing services to process out-of-state Medicaid Claims for the period February 1, 2019 through January 31, 2020. (100% Hospital Enterprise Fund I)
- C.100** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order amendment with Medline Industries, Inc., to increase the payment limit by \$6,000,000 to a new total payment limit of \$33,000,000 for medical and non-medical supplies at Contra Costa Regional Medical Center and Health Centers with no change in the original term of June 27, 2016 through June 26, 2019. (100% Hospital Enterprise Fund I)
- C.101** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order with Sanofi Pasteur, Inc., in an amount not to exceed \$375,000 for the purchase of vaccines and injectable medications at the Contra Costa Regional Medical Center and Health Centers for the period January 1, 2019 through December 31, 2019. (100% Hospital Enterprise Fund I)
- C.102** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract containing modified indemnification language with John Muir Health, in an amount not to exceed \$50,000 to provide laboratory testing services for Contra Costa Regional Medical Center and Contra Costa Health Centers for the period January 1, 2019 through December 31, 2021. (100% Hospital Enterprise Fund I)
- C.103** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order with Reliance Whole Sale, Inc., in the amount of \$425,000 for intravenous and pharmaceutical drugs and supplies to be used at the Contra Costa Regional Medical Center and Health Centers for the period January 1, 2019 through December 31, 2019. (100% Hospital Enterprise Fund I)
- C.104** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order with Biomerieux Inc., in an amount not to exceed \$198,000 for the purchase of reagents and supplies needed for the Vitek II for the Contra Costa Regional Medical Center and Health Centers Clinical Laboratory for the period January 1, 2019 through December 31, 2019. (100% Hospital Enterprise Fund I)
- C.105** APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Health Services Director, to execute a purchase order with Stryker Corporation, in an amount not to exceed \$2,900,000 for the purchase of orthopedic products and other medical supplies for the Operating Room at the Contra Costa Regional Medical Center for the period January 1, 2019 through December 31, 2020. (100% Hospital Enterprise Fund I)

- C.106** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Care Review Resources, Inc. in an amount not to exceed \$300,000 to provide health care consulting, technical assistance and chart review services for Contra Costa Regional Medical Center and Health Centers for the period March 1, 2019 through February 29, 2020. (100% Hospital Enterprise Fund I)
- C.107** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order amendment with Bio-Rad Laboratories, Inc., to increase the payment limit by \$100,000 for a new payment limit of \$470,000 for the purchase of reagents and supplies for the D-100 Hemoglobin Testing System at Contra Costa Regional Medical Center with no change in the term of July 1, 2017 through June 30, 2022. (100% Hospital Enterprise Fund I)
- C.108** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order with Lifenet Health, in an amount not to exceed \$160,000 for the purchase of medical supplies, instruments, and allografts for the Contra Costa Regional Medical Center for the period January 1, 2019 through December 31, 2020. (100% Hospital Enterprise Fund I)
- C.109** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order with GCX Corporation, in an amount not to exceed \$189,000 for the purchase of Health Care Interpreter Network computers, monitors, and wall mounting supplies at the Contra Costa Regional Medical Center for the period January 1, 2019 through December 31, 2021. (100% Hospital Enterprise Fund I)
- C.110** APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Health Services Director, to execute a purchase order with Groupware Technology, Inc., in an amount not to exceed \$149,665 for the purchase of Cisco hardware, software, and support services for the period February 15, 2019 through February 14, 2022. (100% Hospital Enterprise Fund I)
- C.111** APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to enter into a contract with Admin, Inc., in an amount not to exceed \$197,094 for management support services for the period March 1, 2019 to February 28, 2021. (100% General Fund)

Other Actions

- C.112** ADOPT Resolution No. 2019/7 authorizing the issuance and sale of "Martinez Unified School District General Obligation Bonds, Election of 2016, Series 2019" in an amount not to exceed \$30,000,000 by the Martinez Unified School District on its own behalf pursuant to Sections 15140 and 15146 of the Education Code, as permitted by Section 53508.7(c) of the Government Code, as recommended by the County Administrator. (No County fiscal impact)
- C.113** ACCEPT the Contra Costa County Fish and Wildlife Committee 2018 Annual Report, as recommended by the Fish and Wildlife Committee.
- C.114** ADOPT Resolution No. 2019/34 in support of establishing a statewide commission on recycling markets, as recommended by the Conservation and Development Director. (No fiscal impact)
- C.115** APPROVE clarification of Board action of January 15, 2019, (C.80) which authorized the Health Services Director to execute an amendment with the Regents of the University of California, on behalf of the University of California San Francisco, for additional physicians to provide to provide remote neurology and consultation services, to reflect an amendment effective date of December 1, 2018 instead of December 31, 2018.

- C.116** APPROVE amended Conflict of Interest Code for the Public Works Department, including the list of designated positions as recommended by the County Counsel.
- C.117** ACCEPT the 2018 In-Home Supportive Services Public Authority Advisory Committee Report, as recommended by the Employment and Human Services Department Director.
- C.118** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to submit the Contra Costa County Area Agency on Aging 2018-2019 Area Plan Update to the California Department on Aging and AUTHORIZE the Chair, Board of Supervisors to sign the Transmittal Letter. (No fiscal impact)
- C.119** ACCEPT the 2018 Contra Costa County Sustainability Commission Annual Report and 2019 Work Plan, as recommended by the Sustainability Commission.
- C.120** APPROVE amended Conflict of Interest Code for the West County Wastewater District, including the list of designated positions as recommended by County Counsel.
- C.121** APPROVE the Remodeling for the Defender Juvenile Unit, 2020 North Broadway Project with an estimated cost of \$1,091,000 and take related actions under the California Environmental Quality Act. Walnut Creek area. (100% General Fund)
- C.122** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to seek reimbursement from the California Department of Education in an amount not to exceed \$68,353 to maintain Child Days of Enrollment during emergency closures at 22 childcare centers during July 1, 2018 through June 30, 2019. (No County match)
- C.123** ACKNOWLEDGE termination from Mark N. Isaacs, M.D., Inc. (dba Vein Specialists of Northern California), terminating his contract for provision of phlebology services for Contra Costa Health Plan members effective end of business on February 8, 2019. (100% Contra Costa Enterprise Fund II)
- C.124** APPROVE the list of providers recommended by Contra Costa Health Plan's Peer Review and Credentialing Committee and by the Health Services Director, as required by the State Departments of Health Care Services and Managed Health Care, and the Centers for Medicare and Medicaid Services. (No fiscal impact)
- C.125** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract cancellation with S/T Health Group Consulting, Inc., for the provision of Price Verification Recovery Audit - 340 B Compliance Audit effective close of business on February 1, 2019. (100% Hospital Enterprise Fund I)
- C.126** APPROVE and AUTHORIZE the Auditor-Controller, or designee, to pay the San Ramon Valley Fire Protection District \$33,000 for EMS Fire First Responder medical equipment, medical supplies and EMS training to the San Ramon Valley Fire Protection District. (100% Measure H Funds, CSA EM-1, Zone A)
- C.127** APPROVE clarification of Board action of December 4, 2018 (Item C.89), which authorized the Purchasing Agent to execute a purchase order with Sam Clar Office Furniture, Inc., in the amount of \$161,598 for the purchase of new ergonomic furniture for the Pharmacy at Contra Costa Regional Medical Center, to reflect the correct payment limit of \$161,735. (100% Hospital Enterprise Fund I)

- C.128** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with San Francisco State University, to provide supervised field instruction to nursing students at Contra Costa Regional Medical Center and Health Centers for the period April 1, 2019 through March 31, 2023. (Nonfinancial agreement)
- C.129** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Samuel Merritt University to provide supervised field instruction in the County's Public Health Division to nursing, occupational or physical therapy students for the period April 1, 2019 through March 31, 2022. (Nonfinancial agreement)
- C.130** APPROVE clarification of Board action of October 23, 2018 (Item C.71), which authorized the Purchasing Agent to execute a purchase order with Sysco San Francisco, Inc., in the amount of \$950,000 for the purchase of food and paper supplies for the period November 1, 2018 through October 31, 2019, to reflect other purchasable items such as unclassified kitchen supplies and hardware for Contra Costa Regional Medical Center. (100% Hospital Enterprise Fund I)

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

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

The **Public Protection Committee** (Supervisors 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 **Sustainability Committee** (Supervisors John Gioia and Federal D. Glover) meets on the fourth Monday of every other month at 1:00 p.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	February 13, 2019	11:00 a.m.	See above
Family & Human Services Committee	February 25, 2019	10:30 a.m.	625 Court St. TTC Conf. Room B001
Finance Committee	February 25, 2019	9:00 a.m.	Room 108
Hiring Outreach Oversight Committee	April 1, 2019	1:00 p.m.	See above
Internal Operations Committee	March 11, 2019	1:00 p.m.	See above
Legislation Committee	March 11, 2019	10:30 a.m.	See above
Public Protection Committee	March 4, 2019 Canceled Special Meeting March 11, 2019	10:00 a.m.	TBD
Sustainability Committee	March 25, 2019	12:30 p.m.	See above
Transportation, Water & Infrastructure Committee	March 11, 2019	9:00 a.m.	See above

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

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

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

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

Date: February 12, 2019

Subject: Hearing to Consider Appeal of Denied Reasonable Accommodations Request Related to the Conditions of Approval for County File #MS06-0037

RECOMMENDATION(S):

1. OPEN the hearing on the appeal of the Conservation and Development Director's determination on a reasonable accommodation request for relief from conditions of approval and zoning restrictions for a 2-lot subdivision at 78 Grandview Place in unincorporated Walnut Creek.
2. RECEIVE testimony.
3. CLOSE the hearing.
4. DENY the appeal by Mary Dunne Rose and UPHOLD the Department of Conservation and Development (DCD) Director's November 2, 2018 determination on the reasonable accommodation request.
5. GRANT Ms. Rose's reasonable accommodation request to allow a 10-foot front setback (southern boundary), a 5-foot side yard (western boundary), and a covered front porch within the 10-foot front setback, and to allow the import and export of fill material to and from the project site sufficient to construct a wheelchair ramp not to exceed 6 inches in height at the entrance of the residence, consistent with the DCD Director's November 2, 2018 determination.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Sean Tully/(925)
674-7800

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

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

6. DENY Ms. Rose's reasonable accommodation request for relief from Condition of Approval No. 12 (arborist monitoring during grading activities), No. 17 (opportunity for neighbors to review landscaping plans), No. 18 (restitution trees to be planted prior to issuance of building permit), No. 29 (limit on construction-related vehicles access to site), Nos. 42, 43, and 44 (widening of Panoramic Way/deferred improvement agreement), No. 45 (proof of access to conduct off-site improvements), No. 49 (dedication of right-of-way along Grandview Place), No. 50 (dedication of right-of-way along Panoramic Way), and Nos. 53 and 54 (collect and convey requirements).

FISCAL IMPACT:

The DCD has waived all fees for review of Ms. Rose's reasonable accommodation request. Staff costs are covered by DCD's Land Development Fund.

BACKGROUND:

This hearing is to consider the appeal filed by Mary Dunne Rose ("Appellant") of the Department of Conservation and Development ("DCD") Director's determination on a reasonable accommodation request for relief from conditions of approval and zoning restrictions for a 2-lot subdivision at 78 Grandview Place in unincorporated Walnut Creek (County File #MS06-0037).

DCD REASONABLE ACCOMMODATION POLICY

The Federal Fair Housing Act, the California Fair Employment and Housing Act, and the California Disabled Persons Act (collectively, the "Fair Housing Acts") prohibit discriminatory land use and zoning regulations that deny housing opportunities to people with disabilities. The Fair Housing Acts require counties to provide reasonable accommodation in land use and zoning rules, policies, practices, and procedures where it may be necessary to provide individuals with disabilities equal opportunity in housing.

DCD has implemented a policy to address reasonable accommodation requests in compliance with the Fair Housing Acts. See Attachment A. Upon receipt of a reasonable accommodation request, the Deputy Director reviews and either approves or denies the request according to the policy. The Deputy Director's determination is appealable to the Director. The Director's determination is appealable to the Board of Supervisors.

GENERAL INFORMATION

Site Description: The subject property is a 0.48-acre property identified as 78 Grandview Place (APN 184-462-008), in the unincorporated area of Walnut Creek. The property is relatively flat along its southern boundary with Grandview Place, but becomes very steep and slopes downward in the northern portion of the property adjacent to Panoramic Way. There are large mature trees located in the steep northern portion of the property, and along the eastern property line. The southwestern corner of the property has been developed with a single-family residence and associated improvements. There are no curb and gutter improvements along the Grandview Place or Panoramic Way frontages.

General Plan:

Land Use Designation: The subject property is located within a Single-Family Residential, Medium Density (SM) General Plan Land Use Designation.

Zoning:

Zoning District: The subject property is located within a Single-Family Residential (R-10) zoning district.

COUNTY FILE #MS06-0037

On December 14, 2006, the Zoning Administrator conditionally approved County File #MS06-0037 to allow the subdivision of the subject property into two parcels. The subdivision was approved with various conditions of approval that would need to be satisfied by the property owner prior to recordation of the Parcel Map or development of the resultant parcels. The conditions of approval include, but are not limited to, securing public water and sewer facilities, payment of planning review fees, and the construction of drainage improvements. In addition, the conditions of approval also include design guidelines and construction phase restrictions for the future development of the vacant resultant parcel (Parcel-B). In 2006, Ms. Rose agreed to the approved conditions of approval, and at no time alleged a disability or requested reasonable accommodation. The approved conditions of approval and tentative map for County File #MS06-0037 are attached as Attachment B.

On May 5, 2014, Ms. Rose submitted a Compliance Review Application (County File #CV14-0042) to DCD to initiate the process for compliance with the conditions of approval that would allow recordation of the Parcel map and the construction of a new single- family residence on Parcel-B. Over the next three years Ms. Rose submitted multiple versions of revised plans and other draft documents to both DCD and the Public Works Department for review, but to date Ms. Rose has not complied with the conditions of approval necessary to record the Parcel Map.

APPELLANT’S REASONABLE ACCOMMODATION REQUEST

On October 2, 2017, Ms. Rose submitted written correspondence to the DCD and the Public Works Department requesting reasonable accommodations. The document did not specify the nature or scope of the accommodations being requested, but did include a summary of Ms. Rose’s disability, a preliminary site plan for the future residence on Parcel-B, and a statement indicating that extra space is necessary to accommodate a 5-foot wheelchair turning radius. On October 20, 2017, Ms. Rose submitted a revised reasonable accommodations request that included details of the specific accommodations that were being requested. See Attachment C.

Ms. Rose’s October 20, 2017 reasonable accommodation request sought relief from certain conditions of approval for County File #MS06-0037 and zoning standards that would control development of Parcel-B. Ms. Rose’s requests are summarized as follows.

1. **Reduced Structure Setbacks/Yards:** Ms. Rose requests approval of a 10-foot front setback (minimum of 20 feet required), a 5-foot side yard (minimum of 10 feet required) along the western boundary, and to allow a covered front porch to be closer than 10 feet to the front property line (minimum of 10 feet required). Ms. Rose asserts that the requested relief is necessary to accommodate her desire to construct the proposed house further south on the property within the “flat” area of the lot, which would reduce the need for interior stairs and provide more space for wheelchair turning.
2. **Grading (Condition No. 11):** Ms. Rose requests to be allowed to import or export fill

from the site. Condition No. 11 requires that cut and fill on the site must be balanced. Ms. Rose asserts that the requested relief is necessary to allow for the construction of a wheelchair ramp at the entry of the residence.

3. Arborist Monitoring (Condition No. 12): Ms. Rose requests that an arborist not be required to be on-site during grading activities.
4. Review of Landscaping by Others (Condition No. 17): Ms. Rose requests that only three neighbors be given the opportunity to review and comment on the landscaping. Condition No. 17 requires Ms. Rose to submit a landscape plan to the three contiguous neighbors for review and comment. Ms. Rose interpreted the condition to require that nine total neighbors be allowed to review and comment on the landscaping. DCD staff has clarified to Ms. Rose that the condition refers only to neighbors from the three adjacent properties.
5. Timing of Tree Planting (Condition No. 18): Ms. Rose requests that she not be required to plant trees prior to the construction of the residence. Condition No. 18 requires that 12 trees be planted prior to issuance of building permits.
6. Construction-Related Vehicle Limit (Condition No. 29): Ms. Rose requests that the limit on construction-related vehicle access to the site be eliminated. Condition No. 29 limits construction-related vehicle access to the site to not more than two vehicles at a time.
7. Drainage Requirements (Condition No. 54): Ms. Rose requests that she not be required to perform on-site and off-site drainage facility upgrades to meet collect and convey requirements. Condition No. 54 requires Ms. Rose to construct improvements to existing downstream drainage facilities that receive storm water runoff from the project site.

APPELLANT'S DISABILITY

Ms. Rose has alleged that both she and her spouse each suffer from a disability, as defined by the Fair Housing Acts. DCD staff has confirmed that Ms. Rose's disability limits her mobility.

DCD DEPUTY DIRECTOR DETERMINATION

On December 5, 2017, the DCD Deputy Director denied each of Ms. Rose's reasonable accommodation requests. See Attachment D. The Deputy Director determined that the requests for relief related to Condition Nos. 12, 17, 18, 29, and 54 were unrelated to Ms. Rose's disability. Regarding Ms. Rose's requests related to relief from setback requirements and the grading limitations in Condition No. 11, the Deputy Director determined that Ms. Rose had not provided sufficient information for the Deputy Director to determine that relief was necessary to make housing available to Ms. Rose on Parcel-B. The Deputy Director determined that DCD staff had requested additional information from Ms. Rose, but that Ms. Rose had refused to provide the requested information. On December 12, 2017, Ms. Rose appealed the Deputy Director's determination.

Pursuant to the DCD's Reasonable Accommodation Policy, the appeal was forwarded to the DCD Director for review and decision.

DCD DIRECTOR DETERMINATION

On May 9, 2018, the DCD Director denied Ms. Rose's appeal and upheld the Deputy Director's determination to deny Ms. Rose's reasonable accommodation request. See Attachment E. The Director determined that Ms. Rose's compliance with Condition Nos. 12, 17, 18, 29, and 54 was unrelated to Ms. Rose's disability and denied Ms. Rose's request for relief from those conditions. The Director also denied Ms. Rose's request for relief from setback requirements and the grading restrictions in Condition No. 11, and determined that Ms. Rose had declined to provide requested additional information with respect to those requests. The Director's determination invited Ms. Rose, again, to provide additional information regarding Ms. Rose's request for relief from setback requirements and the grading restrictions in Condition No. 11.

APPEAL OF THE DIRECTOR'S DETERMINATION

On May 21, 2018, Ms. Rose submitted a 234-page appeal of the Director's determination to DCD. On June 5, 2018, Ms. Rose submitted a revised 17-page appeal to the Office of the Clerk of the Board. See Attachment F. The primary points of the appeal and DCD staff responses are summarized in Attachment G.

DCD DIRECTOR REVISED DETERMINATION

On November 2, 2018, the DCD Director issued a revised determination. See Attachment I. The Director issued the revised determination based on additional information and documents submitted by Ms. Rose on September 11, 2018, as requested by DCD staff and the previous determination letters. See Attachment H. The new documentation included site plans, residence plans, drawings, and additional information detailing the basis for several of Ms. Rose's requests. The DCD Director's November 2, 2018 determination granted Ms. Rose's request for reasonable accommodation in part. Specifically, the following accommodations related to setback and yard requirements and the grading restrictions in Condition No. 11 were granted:

1. Ms. Rose may construct the proposed residence with a 10-foot front setback (southern boundary), a 5-foot side yard (western boundary), and a covered front porch within the 10-foot front setback. The DCD Director determined that the requested accommodation requirements is necessary to make housing on Parcel-B available to Ms. Rose based on Ms. Rose's desired configuration for specific elements (e.g., wheelchair accessible hallways, limited amount of stairs, ADA-compliant rooms) and need to reduce the distance from the residence to the street to facilitate access to the street and around the perimeter of the residence.
2. Ms. Rose may import and export fill material to and from the site sufficient to construct a wheelchair ramp not to exceed 6 inches in height at the entrance of the residence. The DCD Director determined that the requested accommodation is necessary to make housing on Parcel-B available to Ms. Rose based on Ms. Rose's need for safe access to the residence and Ms. Rose's plans for construction of the proposed wheelchair ramp.

The revised determination stated that the granted accommodations are subject to all other required conditions and approvals, and that the accommodations would be implemented during a future development plan and grading plan approval process. The revised determination stated that the granted accommodations are specific to Ms. Rose's project and expire if the need for which the accommodation was granted no longer exists.

The revised determination denied Ms. Rose's other requests. The DCD Director determined that Ms. Rose's compliance with Condition No. 12 (arborist monitoring during grading activities), No. 17 (opportunity for neighbors to review landscaping plans), No. 18 (restitution trees to be planted prior to

issuance of building permit), No. 29 (limit on construction-related vehicles access to site), and No. 54 (drainage requirements) is unrelated to Ms. Rose's disability, and that relief from the conditions was not necessary to make housing on Parcel-B available to Ms. Rose.

ADDITIONAL REASONABLE ACCOMMODATION REQUESTS

On October 26, 2018, Ms. Rose requested additional reasonable accommodation from different requirements and conditions of approval. These requests pertain to conditions of approval administered by the Public Works Department. See Attachment J. Ms. Rose's additional requests are summarized as follows.

- 1) Widening of Panoramic Way/Deferred Improvement Agreement (Condition Nos. 42, 43, and 44): Ms. Rose requests that the conditions be rescinded. Condition Nos. 42, 43, and 44 require Ms. Rose to construct eight feet of pavement widening and transitions, necessary retaining walls, and necessary longitudinal and transverse drainage along the project frontage of Panoramic Way, or to enter into a deferred improvement agreement. If called upon by the County, under the deferred improvement agreement, Ms. Rose must submit improvement plans prepared by a registered civil engineer to the Public Works Department and pay the applicable fees, and upon approval by Public Works, construct the improvements.
- 2) Proof of Access (Condition No. 45): Ms. Rose requests that the condition be rescinded. Condition No. 45 is a standard condition that requires Ms. Rose to obtain all necessary entitlements and/or permission to construct any off-site improvements.
- 3) Dedication of Right-of-Way along Grandview Place (Condition No. 49): Ms. Rose requests that the condition be rescinded. Condition No. 49 requires Ms. Rose to dedicate to the County a right-of-way along the project frontage of Grandview Place to allow for future widening of Grandview Place, except the condition states that an exception was granted and no dedication along the project frontage of Grandview Place is required.
- 4) Dedication of Right-of-Way along Panoramic Way (Condition No. 50): Ms. Rose has not made a request with respect to Condition No. 50, however DCD staff believes Ms. Rose intended to request that Condition No. 50 be rescinded rather the Condition No. 49. Condition No. 50 requires Ms. Rose to dedicate to the County 5 feet of right-of-way along the project frontage of Panoramic Way to allow for future widening of Panoramic Way.
- 5) Collect and Convey (Condition Nos. 53 and 54): Ms. Rose requests that the conditions be rescinded, or in the alternative that Ms. Rose only be required to pay the Drainage Area 15A Drainage Fee. Condition Nos. 53 and 54 require Ms. Rose to safely collect and convey all storm water from the property and to ensure that downstream properties and facilities are not adversely impacted. These conditions are imposed on all subdivisions pursuant to Division 914 of the County Ordinance Code for the purpose of protecting the subject property and downstream properties. The Drainage Area 15A Drainage Fee is a separate fee requirement imposed by the Contra Costa County Flood Control and Water Conservation District to pay for regional drainage facilities within the Drainage Area 15A boundary. The fee is in addition to the collect and convey requirements of Division 914 referenced in Condition Nos. 53 and 54, which address local drainage.

COUNTY RESPONSE TO ADDITIONAL REQUESTS

Ms. Rose sent the October 26, 2018 letter requesting additional reasonable accommodations to the Public Works Department. Public Works staff communicated and met with Ms. Rose on several occasions to assist Ms. Rose in understanding and satisfying the conditions. Based on those communications and review of the requests, the Public Works Department recommends that the requests be denied because Ms. Rose's ability to comply with Condition Nos. 42, 43, 44, 45, 46, 50, 53, and 54 is unrelated to Ms. Rose's disability.

The DCD Deputy Director and Director have reviewed the Public Works Department's recommendation and recommend that the Board deny Ms. Rose's additional reasonable accommodation request because Ms. Rose's ability to comply with Condition Nos. 42, 43, 44, 45, 46, 50, 53, and 54 is unrelated to Ms. Rose's disability. Relief from these conditions is not necessary to make housing on Parcel-B available to Ms. Rose.

CONSEQUENCE OF NEGATIVE ACTION:

The requested accommodations would not be granted.

ATTACHMENTS

Attachment A- Reasonable Accommodation Policy

Attachment B - Approved Conditions of Approval and Tentative Map for County File #MS06-0037

Attachment C - Appellant Request for Reasonable Accommodation (10-20-2017)

Attachment D - DCD Deputy Director's Determination (12-5-2017)

Attachment E - DCD Director's Determination (5-9-2018)

Attachment F - Appellant Appeal Letter (6-5-2018)

Attachment G - Appeal Points and DCD Staff Responses

Attachment H - Appellant Letter Responding to Request for Additional Information (9-11-2018)

Attachment I - DCD Director's Revised Determination (11-2-2018)

Attachment J - Appellant Request for Additional Reasonable Accommodation (10-26-2018)

Attachment K - Appellant Supplemental Appeal Letter (12-3-2018)

Attachment L - Index of Correspondence and Meetings

Reasonable Accommodation Policy

County of Contra Costa

This policy statement provides a procedure to request reasonable accommodation for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act (the Acts) in the application of zoning laws and other land use regulations, policies and procedures.

Applicability.

A request for reasonable accommodation may be made by any person with a disability, or their representative, when the application of a zoning law or other land use regulation, policy or practice acts as a barrier to fair housing opportunities. A person with a disability is a person who has a physical or mental impairment that limits or substantially limits one or more major life activities, anyone who is regarded as having such impairment or anyone who has a record of such impairment. This policy is intended to apply to those persons who are defined as disabled under the Acts.

A request for reasonable accommodation may include a modification or exception to the rules, standards and practices for the siting, development and use of housing or housing- related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice. Requests for reasonable accommodation shall be made in the manner below in Application Requirements.

Application Requirements.

(A) Application. Requests for reasonable accommodation shall be submitted with a land use application (if applicable) or in the form of a letter to the Department of Conservation and Development Deputy Director (Deputy Director) and shall contain the following information:

- (1) The applicant's, or applicant's representative's name, mail and email addresses and telephone number.
- (2) Address of the property for which the request is being made.
- (3) The current actual use of the property.
- (4) The basis for the claim that the individual is considered disabled under the Acts.
- (5) The zoning code provision, regulation or policy from which reasonable accommodation is being requested.
- (6) Why the reasonable accommodation is necessary to make the specific property accessible to the individual.

(B) Review with other land use applications. If the project for which the request for reasonable accommodation is being made also requires some other discretionary approval (including but not limited to; conditional use permit, design review, etc.), then the applicant shall file the information required by Subsection A together for concurrent review with the application for discretionary approval.

Review Authority.

(A) Deputy Director. Requests for reasonable accommodation shall be reviewed by the Deputy Director, or her designee if no approval is sought other than the request for reasonable accommodation.

(B) Other Review Authority. Requests for reasonable accommodation submitted for concurrent review with another discretionary land use application shall be reviewed by the authority reviewing for the discretionary land use application.

Review Procedure.

(A) Deputy Director Review.

The Deputy Director, or her designee, shall make a written determination within 45 days and either grant, grant with modifications, or deny a request for reasonable accommodation in accordance with Findings and Decision below.

(B) Other Reviewing Authority.

The written determination on whether to grant or deny the request for reasonable accommodation shall be made by the authority responsible for reviewing the discretionary land use application in compliance with the applicable review procedure for the discretionary review. The written determination to grant or deny the request for reasonable accommodation shall be made in accordance with Findings and Decision below.

Findings and Decision.

(A) Findings. The written decision to grant or deny a request for reasonable accommodation will be consistent with the Acts and shall be based on consideration of the following factors:

- (1) Whether the housing, which is the subject of the request, will be used by an individual disabled under the Acts.
- (2) Whether the request for reasonable accommodation is necessary to make specific housing available to an individual with a disability under the Acts.
- (3) Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the County.
- (4) Whether the requested reasonable accommodation would require a fundamental alteration in the nature of a County program or law, including but not limited to land use and zoning.
- (5) Potential impact on surrounding uses.
- (6) Physical attributes of the property and structures.
- (7) Alternative reasonable accommodations which may provide an equivalent level of benefit.

(B) Conditions of Approval. In granting a request for reasonable accommodation, the reviewing authority may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation would comply with the findings required by Subsection A above.

Appeal of Determination.

A determination by the reviewing authority to grant or deny a request for reasonable accommodation may be appealed to Director of the Department of Conservation and Development, or designee. Upon review of the case a final decision will be rendered by the Director, subject to appeal to the Board of Supervisors, under the appeal procedures in Title 1, Chapter 14-4 in the County Ordinance Code.

PERMIT BINDER

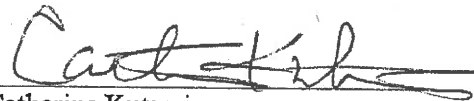
CONTRA COSTA COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT
APPROVED PERMIT

APPLICANT:	Mary Dunne 78 Grandview Place Walnut Creek, CA 94595	APPLICATION NO.	MS060037
		ASSESSOR'S PARCEL NO.	184-462-008
		ZONING DISTRICT:	R-10
OWNER:	Same as above	APPROVED DATE:	December 14, 2006
		EFFECTIVE DATE:	December 25, 2006

This matter not having been appealed within the time prescribed by law, A PERMIT TO SUBDIVIDE .48 ACRES INTO TWO LOTS in the WALNUT CREEK area is hereby GRANTED, subject to the attached conditions.

DENNIS M. BARRY, AICP
Community Development Director

By:


Catherine Kutsuris
Deputy Zoning Administrator

Unless otherwise provided, THIS PERMIT WILL EXPIRE THREE (3) YEARS from the effective date if the use allowed by this permit is not established within that time.

PLEASE NOTE THE EFFECTIVE DATE, as no further notification will be sent by this office.

**FINDINGS AND CONDITIONS OF APPROVAL FOR TENTATIVE MAP
COUNTY FILE #MS060037 IN THE SARANAP AREA OF WALNUT CREEK AS
APPROVED BY THE ZONING ADMINISTRATOR ON DECEMBER 14, 2006**

A. Growth Management Performance Standards

1. **Traffic:** The project will generate an estimated one additional AM and one PM peak hour trips. Therefore, the applicant is not required to prepare a traffic report pursuant to the 1988 Measure C requirements.
2. **Drainage and Flood Control:** Condition #53 requires that the applicant collect and convey all storm waters entering or originating within the project to an adequate natural water course having definable bed and banks, or to an existing adequate public storm drainage facility which conveys to storm waters to an adequate natural watercourse, in accordance with Division 914 of the Ordinance. The parcel map may not be filed until the collect and convey requirements and improvements have been met.
3. **Water and Waste Disposal:** According to Russell Leavitt, Engineering Assistant III, of Contra Costa County Central Sanitary, per phone conversation on October 31, 2006, the project site is within service area and will serve the new parcel. The property is in the EBMUD service area and will serve the new parcel.
4. **Fire Protection:** Prior to the approval of a Parcel Map, the applicant is required to demonstrate that all of the proposed development is located within one and one-half miles of a fire station, or that development within the project that is more than one and one-half miles from a fire station shall be required to provide automatic fire sprinkler systems. The nearest station is Station 3 located at 1520 Rossmore Parkway, Walnut Creek.
5. **Public Protection:** The Growth Management Element Standard is 155 square feet of Sheriff facility station per 1,000 population. The small population increase associated with this project is not significant. Prior to approval of the Parcel Map, the applicant is required to establish a police service tax district to mitigate the impacts of the development on police services.
6. **Parks and Recreation:** The proposed project will have a minor cumulative effect on demand for park and recreation facilities, and is subject to payment of park dedication fees in the amount of \$2,000.00 per residential parcel to mitigate impacts.

B. Variance Findings

1. That any variance authorized shall not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and the respective land use district in which the subject property is located.

Project Finding: The shape of the parcel is almost triangle, narrow at the east end and wide at the west end. The location of the residence is towards the middle of the property. Therefore, in order for the applicant to create a 10,000 square foot lot, the configuration of proposed Parcel B is in the shape of an L causing a 74 foot average width variance (80 feet required) on proposed Parcel A.

2. That because of special circumstances applicable to the subject property because of its size, shape, topography, location or surroundings, the strict application of the respective zoning regulations is found to deprive the subject property of rights enjoyed by other properties in the vicinity and within the identical land use district.

Project Finding: As stated above, the shape of the original parcel is almost triangle. The extreme steepness of the lot and location of the existing house dictates the location of a second homesite.

3. That any variance authorized shall substantially meet the intent and purpose of the respective land use district in which the subject property is located.

Project Finding: The approval of this variance of an average width for Lot A of 74 feet (80 feet required) shall substantially meet the intent and purpose of the respective land use district by providing one additional residence compatible and consistent with the surrounding neighborhood..

C. Finding for Approval of a Tentative Map

1. Required Finding: The County Planning Agency shall not approve a tentative map unless it shall find that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the applicable general and specific plans required by law.

Project Finding: The project is consistent with the various elements of the General Plan. The land use designation is SFR-SM, which allows for single- family medium density development for one lot with a remainder

based on net area minus roadway (3.0-4.9 units per net acre) on a .48 acre parcel, which complies with the density requirement.

2. Required Finding: The County Planning Agency shall not approve a tentative map unless it shall find that the proposed subdivision fulfills construction requirements.

Project Finding: *In lieu of constructing on-site drainage facilities to meet collect and convey requirement, the County will require that development.*

CONDITIONS OF APPROVAL

General:

1. _____ This approval is based upon the exhibits received by the Community Development Department listed as follows:
 - A. Approved per plans as generally shown on the Vesting Tentative Map:

Indemnification:

2. _____ Pursuant to Government Code Section 66474.9, the applicant (including the subdivider or any agent thereof) shall defend, indemnify, and hold harmless the County its agents, officers, and employees any claim, action, or proceeding against the Agency (the County) or its agents, officers, or employees to attack, set aside, void, or annul, the Agency's approval concerning this subdivision map application, which action is brought within the time period provided for in Section 66499.37. The County will promptly notify the subdivider of any claim, action, or proceeding and cooperate fully in the defense.

Variance:

3. _____ Approval is granted to allow for an average lot variance for Parcel A of 74 feet (80 feet required)

Compliance Report:

4. _____ At least 45 days prior to filing a final map or issuance of grading permit, which ever occurs first, the applicant shall submit a report on compliance with the conditions of approval with this permit for the review and approval of the Zoning Administrator. The fee for this application is a deposit of \$500.00 that is subject to time and materials

costs. Should staff costs exceed the deposit, additional fees will be required.

- A. Except for those conditions administered by the Public Works Department, the report shall list each condition followed by a description of what the applicant has provided as evidence of compliance with that condition. The report shall also indicate whether the applicant believes that he has done all the applicant is in a position to do to comply with the applicable condition. (A copy of the computer file containing the conditions of approval may be available; to try to obtain a copy, contact the project planner at 335-1216.)

Design and Size Restriction on Parcel B:

5. _____ At least 30 days prior to the issuance of the building permit for Parcel B, the applicant shall submit building elevations with colors and material samples for the review and approval of the Zoning Administrator. The materials shall be compatible with the surrounding area and with general wooded environment. The residence shall be limited to 2500 square feet and 28 feet high. In addition, the applicant shall provide fencing or other appropriate screening plan for the eastern lot boundary, excluding the portion outside the scenic easement area. The purpose of the fence is to provide privacy to the surrounding neighbors as agreed upon by the applicant.
6. _____ The applicant shall record a statement to run with the deeds to the property that ensures that the future property owners of proposed parcel "B" are aware of all the conditions that may apply for the life of the project, including design, size of the residence, fencing, tree protection, and landscaping.

Archaeology:

7. _____ Should archaeological materials be uncovered during grading, trenching or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society of Professional Archaeology (SOPA) has had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s), if deemed necessary.
8. _____ If any significant cultural materials such as artifacts, human burials, or the like are encountered during construction operations, such operations shall cease within 10 feet of the find, the Community Development Department shall be notified within 24-hours and a qualified archaeologist contacted and retained for further recommendations.

Significant cultural materials include, but are not limited to, aboriginal human remains, chipped stone, groundstone, shell and bone artifacts, concentrations of fire cracked rock, ash, charcoal, shell, bone, and historic features such as privies or building foundations.

9. _____ In the event of discovery or recognition of any human remains on the site, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of Contra Costa County has been contacted, per Section 7050.5 of the California Health and Safety Code.

Child Care Conditions:

10. _____ The developer shall pay a fee of \$400.00 per lot/unit toward child care facility needs in the area as established by the Board of Supervisors.

Grading:

11. _____ The grading plan shall provide for balanced cut and fill on-site (i.e., no import or export of fill material).

Trees and Tree Preservation:

12. _____ The applicant is limited to the removal of four (4) trees on proposed parcel "B" as identified on the vesting tentative map. If grading is proposed to be in close proximity to the protected trees on the site the applicant shall submit at least 30 days prior to issuance of a grading permit, a grading/tree preservation plan for the review and approval of the Zoning Administrator. The plan shall identify all trees with a trunk circumference of 10 inches or more, 4 ½ feet above the ground. The trunk size, species and approximate drip line of each qualifying tree shall be identified on the plan, and whether the tree is proposed to be removed or preserved. The plan shall be accompanied by a report from a qualified arborist on the proposed development recommending measures to protect trees as appropriate during the construction and post-construction stages. The recommended measures from the arborist shall be integrated into or otherwise attached to the proposed grading plan.

- A. Prior to grading applicant shall provide fencing or other appropriate barriers at least five (5) feet outside of the drip line of all trees to be retained on the site in order to give grading contractors proper visual notification to keep equipment out of the area surrounding these trees. (During grading operations a qualified arborist shall be on site to approve any needed exceptions to these requirements).

13. _____ To assure protection and/or reasonable replacement of existing trees to be preserved which are in proximity to project improvements, the applicant shall post a bond (or cash deposit or other surety) for the required work with the Community Development Department. The term of the bond shall extend at least 24 months beyond the completion of construction. Prior to posting the bond or deposit, a licensed arborist shall assess the value of the trees and reasonable compensatory terms in the event that a tree to be preserved is destroyed or otherwise damaged by construction-related activity. The tree-bonding program shall be subject to the review and approval of the Zoning Administrator.
14. _____ This permit authorizes the removal of the four (4) trees as identified on the vesting tentative map. No additional trees shall be removed prior to approval of the grading/tree preservation plan without the prior approval of the Zoning Administrator.
15. _____ The developer and applicant shall adhere to the following tree preservation standards required by Section 816-6.1202 of the County Code:
- A. Prior to the start of any clearing, stockpiling, trenching, grading, compaction, paving or change in ground elevation on a site with trees to be preserved, the applicant shall install fencing at the dripline or other area as determined by an arborist report of all trees adjacent to or in the area to be altered. Prior to grading or issuance of any permits, the fences may be inspected and the location thereof approved by appropriate County staff.
 - B. No grading, compaction, stockpiling, trenching, paving or change in ground elevation shall be permitted within the dripline unless indicated on the grading plans approved by the County and addressed in any required report prepared by an arborist. If grading or construction is approved within the dripline, an arborist may be required to be present during grading operations. The arborist shall have the authority to require protective measures to protect the roots. Upon completion of grading and construction, an involved arborist shall prepare a report outlining further methods for tree protection if any are required. All arborist expense shall be borne by the developer and applicant.
 - C. No parking or storing vehicles, equipment, machinery or construction materials, construction trailers and no dumping of oils or chemicals shall be permitted within the dripline of any tree to be saved.

16. _____ If no trees are located within 40 feet of the proposed development, the construction plans shall be noted.

Landscaping:

17. _____ Prior to the submittal of the landscape plan to the Zoning Administrator, the applicant shall submit to those contiguous neighbors, the three (3) directly to the east, to the south and to the southwest. The landscape plans shall be submitted to the neighbors at least ten (10) days prior to the review and approval of the Zoning Administrator. All comments received from the contiguous neighbors shall be submitted to the Zoning Administrator with the landscape plans. A landscaping plan and irrigation plan for Parcel B shall be submitted for review and approval of the Zoning Administrator at least 30 days prior to issuance of building permits. A cost estimate shall be submitted with the landscaping program plan. Landscaping shall conform to the County Water Conservation Landscape Ordinance 82-26 and shall be installed prior to approval of final building permit. The plan shall be prepared by a licensed landscape architect and shall be certified to be in compliance with County Water Conservation Ordinance.
18. _____ California native drought tolerant plants or trees shall be used as much as possible. All trees shall be a minimum five-gallon size planted throughout the project site.
- A. Extent of Possible Restitution Improvements- At least 30 days prior to the issuance of a building permit, the applicant shall provide evidence that the planting of up to 12 trees, minimum 5-gallons in size outside the building envelope on both parcels has been completed, or equivalent planting contribution, subject to the review and approval of the Zoning Administrator.

Lighting:

19. _____ Exterior lights shall be deflected so that lights shine onto applicant's property and not toward adjacent properties.

Construction Conditions:

20. _____ Contractor and/or developer shall comply with the following construction, noise, dust and litter control requirements.
21. _____ All construction activities shall be limited to the hours of 7:30 A.M. to 5:00 P.M., Monday through Friday, and shall be prohibited on state and federal holidays on the calendar dates that these holidays are observed by the state or federal government as listed below:

New Year's Day (State and Federal)
 Birthday of Martin Luther King, Jr. (State and Federal)
 Washington's Birthday (Federal)
 Lincoln's Birthday (State)
 President's Day (State)
 Cesar Chavez Day (State)
 Memorial Day (State and Federal)
 Independence Day (State and Federal)
 Labor Day (State and Federal)
 Columbus Day (State and Federal)
 Veterans Day (State and Federal)
 Thanksgiving Day (State and Federal)
 Day after Thanksgiving (State)
 Christmas Day (State and Federal)

For specific details on the actual day the state and federal holidays occur, please visit the following websites:

Federal Holidays <http://www.opm.gov/fedhol/2006.asp>

California Holidays <http://www.edd.ca.gov/eddsthoh.htm>

22. _____ The project sponsor shall require their contractor and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors and concrete pumpers as far away from existing residences as possible.

23. _____ At least one week prior to commencement of grading, the applicant shall post the site and mail to the owners of property within 300 feet of the exterior boundary of the project site notice that construction work will commence. The notice shall include a list of contact persons with name, title, phone number and areas of responsibility. The person responsible for maintaining the list shall be included. The list shall be kept current at all times and shall consist of persons with authority to indicate and implement corrective action in their area of responsibility. The names of individuals responsible for noise and litter control, tree protection, construction traffic and vehicles, erosion control, and the 24-hour emergency number, shall be expressly identified in the notice. The notice shall be re-issued with each phase of major grading and construction activity.
 - A. A copy of the notice shall be concurrently transmitted to the Community Development Department. The notice shall be accompanied by a list of the names and addresses of the property owners noticed, and a map identifying the area noticed.

24. _____ A dust and litter control program shall be submitted for the review and approval of the Zoning Administrator. Any violation of the approved program or applicable ordinances shall require an immediate work stoppage. Construction work shall not be allowed to resume until, if necessary, an appropriate construction bond has been posted.
25. _____ The applicant shall make a good-faith effort to avoid interference with existing neighborhood traffic flows. Prior to issuance of building permits, the proposed roads serving this development shall be constructed to provide access to each lot. This shall include provision for an on-site area in which to park earth moving equipment.
26. _____ Transporting of heavy equipment and trucks shall be limited to weekdays between the hours of 9:00 A.M. and 4:00 P.M. and prohibited on Federal and State holidays.
27. _____ The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.
28. _____ The project shall comply with the dust control requirements of the Grading Ordinance including provisions pertaining to water conservation.
29. _____ Construction-related vehicle access to the site shall be limited to two vehicles.
30. _____ Haul routes shall be generally limited to those areas of the site which are proposed to be graded to avoid unnecessary scarring of the hillside. Hauling of material through an approved scenic easement shall be precluded.

Sanitary Sewer:

31. _____ At least 30 days prior to recording the parcel map, the applicant shall provide proof that adequate sanitary sewer quantity and quality can be provided.

Water:

32. _____ At least 30 days prior to recording the Parcel Map, the applicant shall provide proof that adequate water facilities can be provided.
33. _____ The applicant shall comply with the Contra Costa County Ordinance pertaining to water conservation. Compliance with the Water

Conservation Ordinance shall be designed to encourage low-flow water devices and other interior and exterior water conservation techniques.

34. _____ All toilets shall be low-flow units in accordance with Section 17921.3 of the Health and Safety Code; sinks and showers shall be water conserving units, in accordance with the California Energy Commission Standards for new residential buildings.

Police Service / Crime Prevention:

35. _____ Police Service District to Augment Police Services – The following requirements shall be met prior to filing a Parcel Map or issuance of a building permit as specified below:

- A. Prior to filing a Parcel Map, the applicant shall submit two copies of a proposed disclosure statement for the review and approval of the Zoning Administrator. The approved statement shall be used to notify prospective buyers of parcels which are not occupied by existing legally-established residences at time of filing the tentative map application. The disclosure statement shall advise prospective buyers of affected parcels that prior to issuance of a building permit, they will be required to contribute to the County \$1,000.00 for police services mitigation. The fee may be paid to the Contra Costa County Application & Permit Center.
- B. Prior to issuance of a building permit on any parcel that is not occupied by a legal residence, the applicant shall contribute \$1,000.00 to the County for police services mitigation. The fee shall be paid to the Contra Costa County Application & Permit Center.

Fire Protection District:

36. _____ Prior to the approval of a parcel map, the applicant is required to demonstrate that all of the proposed development is located within one and one-half miles of a fire station, or that development within the project that is more than one and one-half miles from a fire station shall be required to provide automatic fire sprinkler systems.
- A. IF the project requires fire sprinkler systems then a deed disclosure for each new residential lot shall be recorded with the Final Map. This disclosure shall indicate that the proposed structure has been designed with automatic interior fire-suppression sprinkler system that meets the design standards of the Consolidated Fire Protection District. This provision is required at least in part so as to allow a plan consistency determination associated with the approval of County File # MS060037.

Scenic Easement:

37. _____ A recorded scenic easement shall be granted to the County from the 92 contour line as shown on the tentative map titled Staff Study dated November 21, 2006 . The erection of structures, including but not limited to buildings, obscure fences, swimming pools, tennis courts, and sports courts, is prohibited in sports courts, is prohibited in scenic easement areas. Scenic easements shall be dedicated to the County using the scenic easement instrument approved by the Zoning Administrator. The easement instrument shall provide that no grading, other development activity or removal of trees may occur in that area without the prior approval of the Zoning Administrator.

Payment of Any Supplemental Application Fees that are Due:

38. _____ This application is subject to an initial application fee of \$5,513.00 which was paid with the application submittal, plus time and material costs if the application review expenses exceed 100% of the initial fee. Any additional fee due must be paid within 60 days of the permit effective date or prior to use of the permit whichever occurs first. The fees include costs through permit issuance plus five working days for file preparation. The applicant may obtain current costs by contacting the project planner. If additional fees are owed, a bill will be sent to the applicant shortly after permit issuance.

CONDITIONS OF APPROVAL ADMINISTERED BY THE PUBLIC WORKS DEPARTMENT FOR SUBDIVISION MS 06-0037

Applicant shall comply with the requirements of Title 8, Title 9, and Title 10 of the County Ordinance Code. Any exceptions must be stipulated in these conditions of approval. Conditions of Approval are based on the Vesting Tentative Map received by the Community Development Department on August 23, 2006.

COMPLY WITH THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO RECORDATION OF THE PARCEL MAP:

In accordance with Section 92-2.006 of the Ordinance Code, this subdivision shall conform to all applicable provisions of the Subdivision Ordinance (Title 9). Any exceptions therefrom must be specifically listed in this conditional approval statement. The drainage, road and utility improvements outlined below shall require the review and approval of the Public Works Department and are based on the Revised Vesting Tentative Map received by the Community Development Department on August 23, 2006.

39. Improvement plans prepared by a registered civil engineer shall be submitted, if necessary, to the Public Works Department, Engineering Services Division, along with review and inspection fees, and security for all improvements required by the County Ordinance Code for the conditions of approval of this Subdivision. These plans shall include any necessary traffic signage and striping plans for review by the Transportation Engineering Division.

Frontage Improvements (Grandview Place & Panoramic Way):

40. Applicant shall construct curb, sidewalk, necessary longitudinal and transverse drainage, street lighting, and pavement widening and transitions along the frontage of Grandview Place.

Exception:

Applicant is permitted an exception from installation of frontage improvements and road widening along the project frontage of Grandview Place considering that these features are not characteristic of the area and existing right of way constraints, respectively.

41. Applicant shall construct curb, sidewalk, necessary longitudinal and transverse drainage, and street lighting along the frontage of Panoramic Way.

Exception:

Applicant is permitted an exception from installation of curb, sidewalk, necessary longitudinal and transverse drainage, and street lighting along the project frontage of Panoramic Way considering that these improvements are not characteristic of the area.

42. Applicant shall construct eight feet of pavement widening and transitions, necessary retaining walls, and necessary longitudinal and transverse drainage along the project frontage of Panoramic Way.

Exception:

Applicant is permitted an exception from constructing eight feet of pavement widening and transitions, necessary retaining walls, and longitudinal and transverse drainage along the project frontage of Panoramic Way at this time, provided that a deferred improvement agreement is executed for the following improvements:

43. Construction of eight feet of pavement widening and transitions, necessary retaining walls, and necessary longitudinal and transverse drainage along the frontage of Panoramic Way; and

44. At the time the deferred improvement agreement is called up, submit improvement plans, prepared by a registered civil engineer, to Public Works and pay appropriate fees in accordance with the County Ordinance Code and this deferred improvement agreement.

Access to Adjoining Property:

Proof of Access

45. Applicant shall furnish proof to the Public Works Department of the acquisition of all necessary rights of way, rights of entry, permits and/or easements for the construction of off-site, temporary or permanent, public and private road and drainage improvements.

Encroachment Permit

46. Applicant shall obtain an encroachment permit, if necessary, from the Application and Permit Center for any work done within the right of way of Grandview Place and Panoramic Way.

Abutter's Rights:

47. Applicant shall relinquish abutter's rights of access along the project frontage of Panoramic Way.

Sight Distance:

48. Applicant shall provide adequate sight distance at all driveway intersections with Grandview Place for a through traffic design speed of 35 miles per hour. Landscaping, walls, fences, signs, or any other obstructions shall be placed to maintain adequate sight distance.

Road Dedications:

49. Applicant shall convey to the County, by Offer of Dedication, the right of way necessary for the planned future width of 52 feet along the project frontage of Grandview Place.

Exception

The applicant shall be permitted an exception from the County Ordinance Code requirement to dedicate additional right of way along the project frontage of

Grandview Place due to right of way constraints and considering that other minor streets in the vicinity of the project feature 40-foot right of way corridors.

50. Applicant shall convey to the County, by Offer of Dedication, five feet of right of way necessary for the planned future width of 50 feet along the project frontage of Panoramic Way.

Street Lights:

51. Property owner shall apply for annexation to County Service Area L-100 Lighting District by submitting: a letter of request; a metes and bounds description; and, pay the current LAFCO fees, or apply for annexation to another street light financing mechanism approved by the Public Works Department. Annexation shall occur prior to filing of the Parcel Map. The applicant shall be aware that the annexation process to CSA L-100 must comply with State Proposition 218 requirements, which state that the property owner must hold a special election to approve the annexation. This process may take approximately 4-6 months to complete. Annexation into a street light service area does not include the transfer of ownership and maintenance of street lighting on private roads.

Utilities/Undergrounding:

52. All new utility distribution facilities shall be installed underground.

Drainage Improvements:

Collect and Convey

53. Applicant shall collect and convey all storm water entering and/or originating on this property, without diversion and within an adequate storm drainage facility, to an adequate natural watercourse having a definable bed and banks, or to an existing adequate public storm drainage facility which conveys the storm waters to an adequate natural watercourse, in accordance with Division 914 of the Ordinance Code.
54. Applicant shall verify that the existing downstream drainage facilities that receive storm water runoff from this project are adequate to convey the required design storm (based on the size and ultimate development within the contributing watershed). If the applicant intends to direct project runoff to the existing roadside ditch along Panoramic Way and it is found to be inadequate, the applicant shall construct improvements to guarantee adequacy. No concentrated flow of storm waters shall be discharged into this roadside ditch. The applicant shall obtain access rights to make any necessary improvements to off-site drainage facilities, including an encroachment permit to do any work within public road right of way.

Provision "C.3" of the NPDES Permit

55. In compliance with the County's Stormwater Management and Discharge Control Ordinance, it has been determined that this project does not require submittal of a Stormwater Control Plan (SWCP). The application proposes less than 10,000 square feet of impervious surface area, which is the threshold for submittal of a SWCP. However, the applicant shall incorporate storm water quality elements to the Maximum Extent Practicable (MEP). This must include efforts to limit new impervious surface area, limit directly connected impervious areas, provide for self retaining areas and include other Best Management Practices to the MEP.

National Pollutant Discharge Elimination System (NPDES):

56. The applicant shall be required to comply with all rules, regulations, and procedures of the National Pollutant Discharge Elimination Systems (NPDES) for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, or any of its Regional Water Quality Control Boards (San Francisco Bay Region or Central Valley Region).
57. Compliance will include developing long-term best management practices (BMP's) for the reduction or elimination of storm water pollutants. The project design shall incorporate, where feasible, some or all of the following long term BMP's in accordance with the Contra Costa County Clean Water Program for the site's storm water drainage:
- A. Minimize the amount of directly connected impervious surface area.
 - B. Stencil advisory warnings on all catch basins.
 - C. Slope pavements to direct runoff to landscaped/pervious areas, where feasible.
 - D. Shallow roadside and on-site swales
 - E. Distribute public information items regarding the Clean Water Program to buyers.
58. Other alternatives as approved by the Public Works Department.

ADVISORY NOTES

THE FOLLOWING INFORMATION DOES NOT CONSTITUTE CONDITIONS OF APPROVAL IT IS PROVIDED TO ALERT THE APPLICANT TO LEGAL REQUIREMENTS OF THE COUNTY AND OTHER PUBLIC AGENCIES TO WHICH THIS PROJECT MAY BE SUBJECT.

A. NOTIFY OF 90-DAY OPPORTUNITY TO PROTEST FEES, DEDICATIONS, RESERVATIONS, OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.

This notice is intended to advise the applicant that pursuant to Government Code Section 66000, et seq., the applicant has the opportunity to protest fees, dedications, reservations, and/or exactions required as part of this part of this project approval. The opportunity to protest is limited to ad 90-day period after the project is approved.

The ninety (90) day period in which you may protest the amount of any fee or imposition of any dedication, reservation, or other exaction required by this approved permit, begins on the date this permit was approved. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and delivered to the Community Development Department within 90 days of the approval date of this permit.

- B. Comply with the requirements of the County Building Inspection Department
- C. Comply with the requirements of the Health Services Department – Environmental health .
- D. Comply with the requirements of the EBMUD.
- E. Comply with the requirements of the Contra Costa County Fire Protection District.
- F. Comply with the requirements of the Sheriff's Department.
- G. The applicant shall be required to comply with all rules, regulations and procedures of the National Pollutant Discharge Elimination System (NPDES) permit for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board or any of its Regional Water Quality Control Boards (San Francisco Bay – Regional II or Central Valley – Region V).
- H. The project is subject to the development fees in effect under County Ordinance as of May 31, 2006, the date the tentative map application was accepted as complete by the Community Development Department. These fees are in

addition to any other development fees which may be specified in the conditions of approval.

The fees include but are not limited to the following:

Park Dedication \$2,000.00 per residence

Child Care \$ 400.00 per residence

An estimate of the fee charges for each approved lot may be contacting the Building Inspection Department at 335-1196.

- I. Comply with the Bridge/Thoroughfare Fee Ordinance requirements for the South Walnut Creek Area of Benefit as adopted by the Board of Supervisors. This fee must be paid prior to issuance of a building permit.
- J. Applicant shall comply with the drainage fee requirements for Drainage Area 15A as adopted by the Board of Supervisors. This fee must be paid prior to filing the Parcel Map.

G:\Current Planning\curr-plan\Staff Reports\ms060037 coa.doc Approved 12/14/06/hl

mp - 2/21/07

To: Sean Tully, CCC Department of Conservation and Development 10/20/2017

From: Mary Dunne Rose, Owner of property; # MS060037 or CV14-0042; phone 925-286-8796

Re: Letter – Specific Requests: removal of governmental constraints, reasonable accommodations for seniors, disabled special needs family to build and reside in home built of our choice

Property: 78 Grandview Place, Walnut Creek, CA approved permit - lot split, new lot B
APN: 184-462-008, County File #MS 060037

Applicant: Property owner Mary Dunne (Rose) current residence 1020 Glasgow Pl. Danville Ca, 94526.

Introduction:

Applicant requests confidentiality laws be observed with regard to medical issues disclosed in all correspondence. See prior letter to CCC discussing disability and request for reasonable accommodation. Applicant is building a small, infill house near BART, bus lines, 2 major freeways, Kaiser hospital and downtown Walnut Creek so my husband and I can “age in place”. It is my understanding “the county will work with housing builders that provide housing for seniors, special needs and physically disabled persons” to help the project to completion and try to keep it affordable.

Also, “Governmental Constraints” are local policies and regulations can impact the price and availability of housing ... Land use controls, site improvement requirements, fees and exceptions, permit processing procedures, and other factors may constrain the development of housing. The applicant notes there are at least 58 Conditions of Approval (COA) plus many more Requirements under “Advisory Notes” at end of document, for ONE modest, 2001 sq. ft. home (one of the smallest building pads/ footprint at 1201 sq. ft. in the entire neighborhood) for a disabled person. Applicant requests relief from governmental constraints.

1. The CCC General Plan states... “ACCESSIBLE HOUSING Persons with disabilities represent a major special needs group in Contra Costa County. To maintain independent living, disabled persons are likely to require assistance, which may include special housing design features... for persons with mobility limitations. To facilitate the development of appropriate housing for persons with special needs, Contra Costa County works to remove development constraints and provide reasonable accommodations in the development of such housing as requests are made. General Plan, Housing programs (HP) (GP6-93). Granting the request will benefit the County by demonstrating compliance with the General Plan and CCC commitment to assessible housing to seniors.
2. Government Code Section 65583(c)(3) requires the housing element provide a program to “address and where appropriate and legally possible, remove governmental constraints to the...and development of housing for persons with disabilities. The program shall remove constraints to and provide reasonable accommodations for housing designed for, intended for occupancy...for, persons with disabilities.” Granting this request will document Contra Costa County is following the law, complying with their own General Plan requirements and adding to much needed housing stock near transportation and City of Walnut Creek downtown area. Hopefully help with ABAG regional needs.
3. Granting of the request for reasonable accommodations will not impose an undue financial or administrative burden on the County, would not require a fundamental alteration a County program or law, including but not limited to land use and zoning. Instead, it will demonstrate CCC local efforts and commitments to remove governmental constraints that hinder the locality from meeting housing needs for seniors with disability needs.

4. Applicant requests financial and regulatory incentives to offset or reduce costs of the building of this home as noted in CCC General Plan. Pleads for removal of governmental constraints that result in the very costly, burdensome, land use COA governmental constraints to prevent affordable special needs housing development

REQUESTS FOR REASONABLE ACCOMMODATION AND REQUEST FOR REMOVE GOVERNMENTAL CONSTRAINTS

Setback Rules: Request relief from the strict terms of the CCC zoning ordinances and other setback rules:

Front setback (south of lot) request a 10 feet setback from property line to new house (South side of lot) and...

Side yard setback of 5 feet setback from property line (West side of lot) and...

Allow Front Door Entry Porch & Portico with Brackets, Porch Area Front setback (south of lot) Porch Covering within the 10-foot setback; request a 2 to 4 feet deep and 5 to 6 feet wide porch and portico over hang with brackets above the front door to keep people dry, safe access to home.

- The housing, subject to requested accommodation to setback rules request, is intended for occupancy by an individual with a disability and the granting of the setback requests will enhance accessibility for special needs persons. The home footprint was moved south, on the majority of the “flat” area of the lot, decreasing the building footprint, decreased the living space to 2001 sq. ft. (20% reduction, allowed 2500sq. ft.), allowing the building on the “flat” area so no stairs will be needed on the ground floor and allowing the Universal Design features and safe access to the home on the first floor, which requires extra space (benefit to senior, special needs, disabled persons) to accommodate 5 feet wheelchair turning requirement and reducing fall risk for seniors with ambulation problems in kitchen, downstairs bathroom, Flex room, wider halls and doorways.
- The front door entry porch and portico will keep the senior dry, sheltered and allow safe entry/access to home. The physical attributes of the property were considered for this request. These requests are necessary to make safe housing available to an individual protected under the disability acts.
- The CCC General Plan states... “ACCESSIBLE HOUSING Persons with disabilities represent a major special needs group in Contra Costa County. To maintain independent living, disabled persons are likely to require assistance, which may include special housing design features... for persons with mobility limitations. In order to facilitate the development of appropriate housing for persons with special needs, Contra Costa County works to remove development constraints and provide reasonable accommodations in the development of such housing as requests are made. General Plan, Housing programs (HP) (GP6-93). Granting the request will benefit the County by demonstrating compliance with the General Plan and commitment to assessible housing.

Applicant respectfully requests CCC allow a front yard setback, south side of lot, of 10 feet instead of 20 feet required and respectfully requests a side yard (west side of lot) setback of 5 feet, instead of 10 feet required (will be cumulative over 15 feet side yard setbacks) and respectfully requests allowance of a porch area and roof portico in front yard setback area.

Grading, cars, gardening issues: Relief requested and reasonable accommodations requested from the Conditions of Approval rules, policies, constraints to building:

Grading, no import or export of fill material allowed COA11:

Construction-related vehicle access to the site shall be limited to two vehicles COA 29:

Grading; during grading full time arborist on site COA 12:

Plant trees prior to building permit issued and construction starts COA 18:

Submit landscape plans to 9 neighbors COA 17

Construction Grading, Autos and Landscaping COA Change Request: Relief and flexibility in site development standard Conditions of Approval (COA) is requested. Applicant requests financial and regulatory incentives, along with reasonable accommodations, to offset or reduce costs of the building of this home as noted in CCC General Plan. Pleads for removal of governmental constraints that result in the very costly, burdensome, land use COA governmental constraints to prevent affordable special needs housing development; instead the oppressive COA's will block affordable housing building, driving up unnecessary costs, delay the timely completion and move in date of the project for housing for seniors with special needs and not allowing compliance with certain CCC General Plan goals. Also, important, indirectly there is nexus to overly burdensome, costly and material impediments to building and completing the project in an affordable, cost effective and timely manner. These requests are necessary to make housing available to an individual protect under the disability acts and allow quicker move in date so they can use their special home and be safer sooner than later. This home building project is intended for occupancy by an individual with a disability. See detail requests below.

COA11: The construction grading COA11 is requested to be modified and an exception allowed.

- A modification is requested as the disabled assessable home is to have no stairs at the front of home entry. A ramp type walkway, no stairs, from the driveway to the front door will be constructed to allow seniors safe access with wheelchair, walker and ambulation problems to front door and the foundation and related crawl space need to be created (dug out) to accommodate the needed lower level house for appropriate special needs access and to comply with the Universal Design concepts.
- Housing Element Policy 4.1 Expand affordable housing opportunities for households with special needs, including seniors, disabled persons... (GP HE pg.6-90)

Applicant respectfully request CCC modify COA11 to allow import or export of fill material and grading to allow the home to be lower for safer special needs access at front door and lower the walkway to front door for safe entry.

COA29: The construction car limit to two cars, COA 29 is requested to be modified or an exception allowed.

- Request remove entirely the limits on vehicles parking at job site or limit to 5 vehicles. COA 29 limits of two vehicles at a time during building to the property; this COA procrastinates, slows

and lengthens the building process, adding unnecessary delays and costs to hinder applicant's (discourages and delays) building, increase costs, is unreasonable and defers use of the home.

- This COA29 is overly punitive; indirectly provides nexus to the impediment and overly burdensome governmental constraints to prevent the affordable building and timely completion of the project.
- Housing Element GOAL 7 states, "Mitigate potential governmental constraints to housing development and affordability."

Applicant respectfully requests CCC modify or better, remove, COA29 constraints of this barrier to affordable housing and instead, encourage, enhance the timely housing production of special needs housing. The results will benefit the future use and enjoyment of our home, allowing us to move in ASAP and enjoy a safer home much sooner so we can live a safer life. The applicants home will be built quicker, allowing (instead of preventing and delaying) timely occupancy of special needs person to a home with disability modifications of their choice if this governmental constraint is removed.

COA 12: Full time arborist on site during grading is requested to be modified or an exception allowed.

- Applicant requests the removal of the COA 12... "during all grading operations a qualified arborist shall be on site..." as documented in the COA12.
- This COA12 is overly punitive; indirectly provides nexus to the impediment and overly burdensome governmental constraints to prevent the affordable building and timely completion of the project.
- An arborist on site all the time during grading is an unnecessary restriction to slow down the process of building affordable special needs housing, it will drive up the housing costs and delay **the project** (arborist has a car too), preventing the special needs family from timely move in to a home with disability modifications of their choice. Four trees were approved for removal, the trees not approved for removal are far from the building pad, at least 20 feet. The topo map attached shows the steep grade change, no builders, their equipment will be allowed by applicant in that unsafe, steep area as they could roll down the hill and be crushed dead. It will be fenced totally for safety first concept and to protect the trees. Applicant is willing to be the assigned person to sit all day, every day to guard the trees during all grading, if the County insists.
- Applicant requests CCC consider affordability, minimizing project holding costs as stated in the General Plan, and flexibility in site development standards to offset or reduce costs and speed up building process as outlined in the CCC General Plan.
- CCC General Plan does commit to...Policy 7.2 Provide financial and/or regulatory incentives where feasible and appropriate to offset or reduce the costs.... of housing development, including ... flexibility in site development standards. (GP6-91).

Applicant respectfully requests CCC modify COA12 to not require an arborist full time on site during all grading nor require a substitute expensive, unreasonable COA, please.

COA 18: Applicant requests adjustment to COA18 that requires the planting of trees before building of home, before obtaining building permit.

- Applicant requests revise COA18 to say at least 60 days after the completion and acceptance of the building of the house, the applicant shall provide evidence that the planting of trees has occurred.
- The current COA18 is overly punitive, unreasonable, unsafe; indirectly provides nexus to the impediment and overly burdensome governmental constraints to prevent the affordable and safe building along with timely completion of the project.
- Difficulties with mobility is a well know issue with some senior persons. Requiring them to drive up to the job site, walk around, oversee plant selection, stand at the site to observe digging, planting, installation of drip system. Then, if the plants are required to be planted before water is on site (before issuance of a building permit) or the drip lines are damaged by construction process (and drip system is in place) the plants die, forcing applicant to again visit site and repeat mobility problems, increasing fall risks required to walk the site again outside the building envelope, near the steep part of the slope- to hire gardener again, oversee removal of dead plants, applicant going out shopping again with mobility issues to buy new plants, pay labor to install new plants, have County bill applicant (or other person) to come out, and verify plants replaced and confirm they are living; in short this would subject the applicant to unreasonable and unnecessary walking and fall risks over and over again at the job site.
- Also, this could increase the costs of infill and special needs housing development due to unnecessary governmental constraints, reducing affordability, and could be construed as wasteful, expensive and a very punitive government constraint to building an affordable disabled family home, showing indirect nexus to the building project completion. The number of times the county will require the senior to travel, walking, risking a fall and redoing everything again is not promoting safe, affordable, equal opportunity housing.
- The General Plan states...GOAL 4 Increase the supply of appropriate and supportive housing for special needs populations. Policy 4.1 Expand affordable housing opportunities for households with special needs, including seniors, disabled persons... (GP6-90). Promotion of Equal Housing Opportunity GOAL 8 Promote equal opportunity for all residents to reside in the housing of their choice. Policy 8.3 Enhance the opportunity for seniors, persons with disabilities...(GP6-92). These goals are to be commended and put in place for all special needs folks to help them build a great home that fits their needs.

Applicant respectfully requests CCC modify COA18 to require all the planting after the house is built for a more reasonable, General Plan compliant COA, please.

COA 17 Applicant requests revision to COA 17 that requires submission of landscape plans for review to the neighbors three (3) directly to the east, to the south and to the southwest (nine 9 neighbors).

- It is common understanding (NIMBY) that neighbors will slow down, prevent, stop, add to costs of building and protest allowing new housing in their neighborhood. They will stall, disagree, fight to stop any building and delay the processing and approval of the landscape plan, final permit, building permits, etc. and create barriers, adding another layer of processing constraints to timely building of senior and disabled friendly housing.
- As the landscape plan will be very, very minimal planting except for the 12 replacement trees required by CCC, the applicant request modification of submission COA17 to change to notice is to be given only to 1 neighbor house (certified mail) to east of proposed building, 1 to the west (78 Grandview owners) and the neighbor directly across the street from the empty lot to be built on, for a total of 3 homes. Applicant will post a picture of the landscape plan on the lot, within 3

feet of the pavement, 10 days prior to review and approval by Zoning Administer with notice of upcoming hearing for ALL neighbors to see.

- This COA17 is punitive; indirectly provides nexus to the impediment and overly burdensome governmental constraints to prevent the affordable building and timely completion of the project (applicant already agreed to donate material, huge portion of land to open space which can be considered a governmental constraint to building). Nine is too many, three neighbors directly affected is more reasonable as the minimal landscaping will encourage preserving the natural characteristics of the lot.
- Please see attachment of draft design of landscaping and footprint of home on topo map; shows most of the building will be South, on the majority of the “flat” area of the lot, decreasing the building footprint, decreased the living space to 2001 sq. ft. (20% reduction, allowed 2500sq. ft.), trying to keep the steeper, material portion of the lot of the hillside natural. Landscaping will only be in the front of the house. The 5-foot setback side (west) will be the dog run, using only mulch to allow natural drainage. The back yard (north) will be all natural except for a small deck. The side yard to the east will be mulch as the across neighbor has request applicant build an extra parking area so a guest will have parking off the street. This extra parting area is needed as wheelchair access might take up a good part of the garage. Also outside the building envelope applicant only plans to plant the 12 trees and leave everything else natural.
- The general plan, housing element Policy 7.4 says, “Expand efforts to provide for timely and coordinated processing of residential development projects in order to minimize project holding costs and encourage housing production. (GP, HE pg.6-92)”
- The applicant has already agreed to donate a material portion of her land, both lots, as “Open Space” using a “Scenic Easement” as required by the County to obtain the final map.

Applicant respectfully requests CCC modify COA17 change to notice is to be given only to 1 neighbor house (certified mail as the current tenants are renters and applicant has tried twice to get landlord address, tenant refuses to give) to east of proposed building, 1 notice to neighbor to the west (78 Grandview owners) and the neighbor directly across the street from the empty lot to be built on, for a total of 3 homes.

Drainage Improvements: Relief requested and reasonable accommodations requested from the Conditions of Approval rules, policies, constraints to building:

Current COA 54 states Applicant shall verify that the existing downstream drainage facilities that receive storm water runoff from this project are adequate to convey the required design storm (based on the size and ultimate development within the contributing watershed). If the applicant intends to direct project runoff to the existing roadside ditch along Panoramic Way and it is found to be inadequate, the applicant shall construct improvements to guarantee adequacy. No concentrated flow of storm waters shall be discharged into this roadside ditch. The applicant shall obtain access rights to make any necessary improvements to off-site drainage facilities, including an encroachment permit to do any work within public road right of way.

Request revised COA 54. Modify the requirement (please note Flood Control Policies) and other related requirements in COA, by removing government constraints that require applicant construct on site -site

drainage facilities to meet collect and convey requirements and guarantee adequacy and obtain access rights for all off-site drainage facilities with encroachment permits for work on public road right of way. Insert applicant shall pay the 2017 Flood Control Drainage Fee 35 cents per square foot for drainage area 15A instead.

Applicant is in an Establish Drainage Area 15A, requests to be treated as other applicants in the same drainage area with very small building footprint and wants to follow the rules in General Plan that allows charging a fee of .35 cents a sq. ft. of impervious surface instead of the areas not yet established as adopted drainage areas that do not pay standardized drainage fees but must meet the collect and convey requirements of the subdivision ordinance.

- Public Facilities/Services Element of the General Plan on page 7 states, “flood control drainage areas with established fees...Approved development projects in these drainage areas are assessed a fee based upon the impervious surface.”
- This is a costly, overly burdensome requirement and governmental constraint that impedes the overall building of the project. The costs of...“proving downstream drainage is adequate, guarantying adequacy for drainage, paying for designing plans of the improvements, having CCC review and approve, then having the applicant obtaining access rights to make any necessary improvements to off-site drainage facilities, getting encroachment permits to do any work within public road right of way, building the complex drainage facilities, obtaining approval as building progresses” are just overly burdensome governmental constraints and will indirectly slow down or even halt the project due to excessive requirements and extreme mandates for a very small project. Instead, a reasonable proportion of costs, the fair allocation of impacts generated by the small project’s users should be considered in relation to requiring costly, extensive drainage improvements. In summary, indirectly there is nexus to overly burdensome, costly and material impediments to building and completing the project in an affordable, cost effective and timely manner.
- The Drainage Area Plan and Fees documents states, “Following the adoption of a *drainage plan*, drainage fees can be assessed against new development within the *drainage area*. Because drainage fees can only be assessed on new developments occurring within *adopted drainage areas*, *developments built within areas not yet established as adopted drainage areas* **do not pay standardized drainage fees but must meet the collect and convey requirements of the subdivision ordinance.** In most cases, larger development projects are required to make ... mitigation payments, **although the requirement may not be consistently applied to smaller projects.** (GP pg. 7-18) Applicant requests the favorable treatment above, as a smaller project, to ensure no discrimination and removal of expensive, burdensome barriers to building the small project.
- Not requiring collect and convey improvements will not significantly imperil the drainage of downstream.
- Applicant requests CCC consider reasonable accommodations, affordability, minimizing project holding costs as stated in the General Plan, and flexibility in site development standards to offset or reduce costs and speed up building process as outlined in the CCC General Plan as a reasonable accommodation request.
- The Housing Element states (pg.6-90)” *GOAL 7 Mitigate potential governmental constraints to housing development and affordability.*

- General Plan provision 4-O says, "All new development shall contribute to, or participate in, the improvement of the ...and flood control systems in **reasonable proportion to the demand impacts and burdens generated by project occupants and users**. (GP4-11)
- **Housing Production** NEW CONSTRUCTION OF AFFORDABLE HOUSING Non-profit and for-profit housing developers play an important role in providing affordable housing in Contra Costa County. Over the years, the County has provided direct financial assistance, regulatory incentives, to...and special needs households. (GP HE pg. 6-96) AND **SPECIAL NEEDS HOUSING** In addition to the development of affordable housing in general, the County will work with housing developers to provide housing appropriate to the County's special needs populations, including ... physically disabled persons, seniors. Provide financial incentives for the development of housing targeted to special needs populations. (GP HE pg. 6-99) AND 2009 GP goal, and policy **7.3 "Continue to provide planning and development fee reductions, deferral and/or waivers for developments that meet the affordable and special housing needs of the community."**

Applicant respectfully requests CCC modify COA54, understanding this is a small project and changes the COA to say Applicant is in Establish Drainage Area15A, requests to be treated as other applicants in the same drainage area with very small building footprints and will follow the rules in General Plan that allows charging a fee of .35 cents a sq. ft. of impervious surface instead of the areas with not yet established as adopted drainage areas that do not pay standardized drainage fees but must instead meet the collect and convey requirements of the subdivision ordinance. This change recognizes flood control systems costs can be fairly allocated to the applicant in a *reasonable proportion* to the demand impacts and burdens generated by project occupants, while removing costly, overly burdensome governmental impediments to a small building project.

Thank You,

Mary Dunne Rose

**Department of
Conservation and
Development**

30 Muir Road
Martinez, CA 94553

Phone: 1-855-323-2626

**Contra
Costa
County**



John Kopchik
Director

Aruna Bhat
Deputy Director

Jason Crapo
Deputy Director

Maureen Toms
Deputy Director

Kara Douglas
Assistant Deputy Director

Kelli Zenn
Business Operations Manager

December 5, 2017

Mary Dunne Rose
735 Winterside Circle
San Ramon, CA 94583

Re: County Determination Regarding Reasonable Accommodations Request
County File: #MS06-0037, #CV14-0042
APN: 184-462-008
Address: 78 Grandview Place, Walnut Creek

The Department of Conservation and Development, Community Development Division (CDD) is in receipt of your October 20, 2017, correspondence wherein you request reasonable accommodations in relation to conditions of approval and other standards applicable to the tentative map approved under County File #MS06-0037. The CDD has reviewed your request, and is providing the following determination.

Background

Proposed Project: County File #MS06-0037 was approved on December 14, 2006, to allow for the subdivision of the subject property into two parcels. On May 5, 2014, a representative for you filed a compliance review application (County File #CV14-0042) to allow recordation of the Parcel Map and the construction of a residence on Parcel-B. To date you have complied with various conditions of the approved subdivision, but have not yet filed the Parcel Map, as there are remaining conditions that must be satisfied prior to the recordation.

Request for Additional Documentation: In correspondence dated November 17, 2017, County staff advised that a preliminary review of your request had been done and that additional information is needed before a final determination can be made. In response to that communication, you contacted me and we spoke via telephone on November 21, 2017 and November 22, 2017. I confirmed that a formal determination regarding your request had not yet been made, and agreed to meet with you and Public Works Department staff to see if a solution could be reached. Due to conflicting schedules amongst the participants of the meeting, we subsequently offered to meet on December 12, 2017, as that was the earliest date available for all County staff. However, on November 30, 2017, you advised Sean Tully, Senior Planner, that the available meeting date is too far out. Furthermore, you advised that you were no longer agreeable to a meeting and that a County determination should be made based on the documentation that had been provided to date.

Reasonable Accommodation Request

In correspondence dated October 20, 2017, you provided staff with a detailed list of reasonable accommodations for consideration. The County has reviewed and considered each request, and would like to provide the following determinations:

1. *Reduced Structure Setbacks/Yards: You request approval of a 10-foot front setback (20 feet required), 5-foot side yard (10-feet required) along western boundary, and to allow a covered front porch to be closer than 10-feet to the front property line. You indicate a desire to construct the proposed house further south on the property within the "flat" area of the lot, which reduces the need for interior stairs and provide more space for wheelchair turning requirement.*

Determination: This request may be related, in part, to your disability and accessibility to the proposed residence. However, upon review of the approved tentative map and dimensions of the proposed building envelope as shown in the applicant's correspondence dated October 20, 2017, it appears that the residence can be constructed in the area of Parcel-B without the need for setback and yard variances. The County has requested detailed plans or other documentation that clearly identify elements of the proposed residence design or siting, that are related to your disability and cannot be accommodated when applicable yard and setback requirements are applied. However, you have advised that you believe you have provided the necessary materials, and that no additional information will be submitted. Therefore, based on the information provided to date, the necessary findings do not exist to grant the requested reasonable accommodations.

2. *Grading (COA #11): You request approval to be allowed to import or export fill from the site, whereas COA #11 states that cut and fill on the site needs to be balanced. This will allow for the construction of a wheelchair ramp at the entry of the residence.*

Determination: This request may be related, in part, to the applicant's disability and accessibility to the proposed residence. However, additional information supporting the request is required. The County has requested detailed plans or other documentation that clearly identify elements of the proposed residence design or siting, that are related to your disability and cannot be accommodated without balanced grading activities. However, you have advised that you believe you have provided the necessary materials, and that no additional information will be submitted. Therefore, based on the information provided to date, necessary findings do not exist to grant the requested reasonable accommodations.

3. *Construction Car limit (COA #29): You request authorization to remove the limit on constructed-related vehicle access to the site (currently limited to two vehicles).*

Determination: There is no nexus between this request and your disability. Therefore, the necessary findings do not exist to grant a reasonable accommodation under the Fair Housing Act.

4. *Arborist Monitoring (COA #12): You request that an arborist not be required to be on-site during grading activities.*

Determination: There is no nexus between this request and your disability. Therefore, the necessary findings do not exist to grant a reasonable accommodation under the Fair Housing Act.

5. *Timing of Tree Planting (COA #18): You request that the COA be modified to require that the trees be planted after the house is built. COA #18 states that 12 trees shall be planted prior to issuance of building permits.*

Determination: There is no nexus between this request and the applicant's medical disability. Therefore, the necessary findings do not exist to grant a reasonable accommodation under the Fair Housing Act. However, the replacement trees would be more susceptible to damage if planted prior to the initiation of construction activities. **Therefore, the County would support a request for modification of the condition to allow that the replacement trees be planted after the initiation of construction activities, but prior to final inspection of the proposed residence.**

6. *Review of Landscaping by Others (COA #17): You request that the COA be modified to require that only one neighbor be given the opportunity to comment on the landscaping, and not three neighbors as required.*

Determination: There is no nexus between this request and your disability. Therefore, the necessary findings do not exist to grant a reasonable accommodation under the Fair Housing Act.

7. *Drainage Requirements (COA #54): You request that COA #54 be modified to not require that they be responsible for on-site and off-site drainage facility upgrades to meet collect and convey requirements.*

Determination: There is no nexus between this request and your disability. Therefore, the necessary findings do not exist to grant a reasonable accommodation under the Fair Housing Act.

Requests Not Covered Under Fair Housing Act

Some of the accommodations you have requested (i.e., construction car limit, arborist, tree planting, landscaping review, and drainage) are not related to your or your spouse's disabilities, and thus cannot be granted under the Fair Housing Act. However, you still have the option to seek relief from those requirements, as well as those requested that could be related but have been denied, by requesting modifications to the approved conditions of approval for the subdivision. A

proposed modification of COA #18 (Timing of Tree Planting) of the subdivision permit can be supported by County staff. If you wish to proceed with requesting this condition modification, please be sure to incorporate it as part of your application for the condition modification process discussed above.

Right to Appeal:

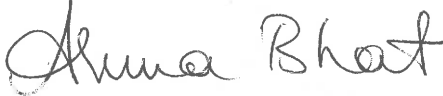
Please be advised that the Deputy Director's determination is subject to appeal to the Director of the Department of Conservation and Development. Any person may appeal the determination by filing a letter of appeal with the Community Development Division. To be valid, an appeal letter must:

1. Identify the County File Number stated above and state reasons why the requested reasonable accommodations should be granted, or why the decision does not meet the criteria and factors for granting a reasonable accommodation as stated in the Federal Fair Housing Act and California Employment and Housing Act (the Acts). A copy of the Acts may be reviewed on the U.S. Department of Housing and Urban Development's website at <https://www.hud.gov>.
2. Be accompanied by an appeal fee of \$125. Checks should be made payable to Contra Costa County.
3. Be received at the following address **no later than 4:00 P.M. on Friday, December 15, 2017.**

Department of Conservation and Development
Community Development Division
30 Muir Road
Martinez, CA 94553
Attn: Sean Tully

Please feel free to contact Sean Tully at (925) 674-7800 with any questions you may have regarding the procedures or fees for the applications and appeal process discussed in this letter.

Sincerely,



Aruna Bhat
Deputy Director

cc: Warren Lai (Public Works)
Jocelyn LaRocque (Public Works)
County File #CV14-0042

**Department of
Conservation and
Development**

30 Muir Road
Martinez, CA 94553

Phone: 1-855-323-2626

**Contra
Costa
County**



FILE COPY

John Kopchik
Director

Aruna Bhat
Deputy Director

Jason Crapo
Deputy Director

Maureen Toms
Deputy Director

Kara Douglas
Assistant Deputy Director

Kelli Zenn
Business Operations Manager

May 9, 2018

Mary Dunne Rose
1020 Glasgow Place
Danville, CA 94526

Re: Appeal of Reasonable Accommodations Request Denial
County File: #MS06-0037, #CV14-0042
APN: 184-462-008
Address: 78 Grandview Place, Walnut Creek

The Department of Conservation and Development, Community Development Division (CDD) has received your December 12, 2017 appeal of the Deputy Director's denial of your reasonable accommodations request. Pursuant to the Federal Fair Housing Act, the California Fair Employment and Housing Act, the California Disabled Persons Act (collectively, the "Fair Housing Acts"), and the CDD's Reasonable Accommodation Policy, I have reviewed your request and appeal. Based on the information provided to County staff, I have determined that the requested accommodation is not necessary to make housing on the subject parcel available to you. Therefore, your appeal of the prior determination is denied, and the Deputy Director's December 5, 2017 decision is upheld.

Background

Proposed Project: County File #MS06-0037 was approved on December 14, 2006, to allow for the subdivision of the subject property into two parcels. On May 5, 2014, your representative filed a compliance review application (County File #CV14-0042) to allow recordation of the Parcel Map and the construction of a residence on Parcel-B. To date, you have complied with various conditions of the approved subdivision, but have not yet recorded the Parcel Map, as there are remaining conditions that must be satisfied prior to the recordation.

Request for Reasonable Accommodation: On October 20, 2017 you requested reasonable accommodations in relation to the conditions of approval and other standards applicable to #MS06-0037. In correspondence dated November 17, 2017, County staff advised that a preliminary review of your request had been done and that additional information was needed before a final determination could be made. In response to that communication, you contacted Aruna Bhat, Deputy Director, by telephone on November 21, 2017, and on November 22, 2017. Ms. Bhat confirmed that a formal determination regarding your request had not yet been made, and agreed

to meet with you and Public Works Department staff. However, on November 30, 2017, you advised Sean Tully, Senior Planner, that the available meeting date was too far out. You further advised that you no longer wished to meet and that the County should make a determination based on the documentation that had been provided to date.

On December 5, 2017, the Deputy Director denied your request for reasonable accommodation. You appealed that determination on December 12, 2017.

On May 30, 2017, I met with you briefly, per your request, to verify your medical condition. No discussion regarding this response to your appeal took place at that time.

Initial Requests: Below are summarized versions of your initial reasonable accommodation requests along with my determination on each.

1. *Reduced Structure Setbacks/Yards:* You request approval of a 10-foot front setback (20 feet is required), a 5-foot side yard (10 feet is required) along the western boundary, and to allow a covered front porch to be closer than 10 feet to the front property line. You indicate a desire to construct the proposed house further south on the property within the "flat" area of the lot, which would reduce the need for interior stairs and provide more space for wheelchair turning.

Determination: Based on the information you provided and my review of the subject parcel, the proposed residence, with little or no modifications, could be sited and constructed on Parcel-B without the need for setback or yard variances. Minor design modifications or expanding the "flat" area of the lot through the use of retention walls (similar to those already depicted on your site plan) would enable the proposed residence to be constructed without interior stairs and with adequate space for wheelchair turning, and to comply with the structure setback and yard requirements. Additional information regarding the proposed residence, possible design modifications, and alternative construction locations would enable staff to verify the feasibility of alternatives that would meet your needs and not necessitate a waiver of structure setback and yard requirements. When County staff requested additional information and to meet with you to discuss the matter, you declined to provide the requested information and chose not to meet with County staff. Accordingly, I find that the requested accommodation is not necessary to make housing on Parcel-B available to you, and your request is denied.

2. *Grading (COA #11):* You request to be allowed to import or export fill from the site, whereas COA #11 states that cut and fill on the site needs to be balanced. This will allow for the construction of a wheelchair ramp at the entry of the residence.

Determination: Based on the information you provided, relief from Condition of Approval #11 is not necessary to allow for the construction of a wheelchair ramp at the entry of the proposed residence. The site plan and floor plan you provided did not include a wheelchair ramp, and staff requested additional information to clarify its intended location and manner of construction. You declined to provide the requested information. However, based on the information provided, a wheelchair ramp could be constructed at the entry of the

proposed residence without the import or export of fill material on Parcel-B. Accordingly, I find that the requested accommodation is not necessary to make housing on Parcel-B available to you, and your request is denied.

3. Construction-Related Vehicle Limit (COA #29): *You request authorization to remove the limit on constructed-related vehicle access to the site, whereas COA #29 limits construction-related vehicle access to the site to two vehicles.*

Determination: Compliance with this condition is unrelated to your disability. Accordingly, I find that the requested accommodation is not necessary to make housing on Parcel-B available to you, and your request is denied.

4. Arborist Monitoring (COA #12): *You request that an arborist not be required to be on-site during grading activities.*

Determination: Compliance with this condition is unrelated to your disability. Accordingly, I find that the requested accommodation is not necessary to make housing on Parcel-B available to you, and your request is denied.

5. Timing of Tree Planting (COA #18): *You request to be allowed to plant trees after the house is built, whereas COA #18 states that 12 trees shall be planted prior to issuance of building permits.*

Determination: Compliance with this condition is unrelated to your disability. Accordingly, I find that the requested accommodation is not necessary to make housing on Parcel-B available to you, and your request is denied.

6. Review of Landscaping by Others (COA #17): *You request that only three neighbors be given the opportunity to review and comment on the landscaping, whereas COA #17 provides that nine neighbors will be given the opportunity to review and comment on the landscaping.*

Determination: Compliance with this condition is unrelated to your disability. Accordingly, I find that the requested accommodation is not necessary to make housing on Parcel-B available to you, and your request is denied.

7. Drainage Requirements (COA #54): *You request that you not be responsible for on-site and off-site drainage facility upgrades to meet collect and convey requirements.*

Determination: Condition of Approval #54 of the approved subdivision requires that drainage improvements be made to ensure that downstream drainage facilities are adequate to convey storm water runoff created by the proposed residence. If the request were granted, the County would suffer an undue financial and administrative burden because the County would be responsible for procuring a construction contractor (administrative burden) and paying the costs of the required drainage improvements (financial burden). Moreover, compliance with this condition is unrelated to your disability. Accordingly, I

find that the requested accommodation is not necessary to make housing on Parcel-B available to you, and your request is denied.

Appeal Points: Below are summarized versions of your appeal points, along with the County's responses.

1. *Appeal Point: The CDD has not attempted to comply with the spirit of the Federal, State, and local (General Plan) laws, programs, and policies for helping a senior or disabled family.*

County Response: The Reasonable Accommodation Policy and the CDD's implementation of the policy comply with the Fair Housing Acts. The Reasonable Accommodation Policy also complies with the Housing Element of the County General Plan, which identifies goals and objectives pertaining to reasonable accommodations and accessible housing for persons with disabilities.

2. *Appeal Point: Were good faith efforts to comply with reasonable accommodations laws made by the CDD?*

County Response: The County accepted a formal reasonable accommodation request from you on October 20, 2017. Staff reviewed the submitted request, requested additional documentation from you to facilitate the review, and attempted to meet with you to discuss the matter prior to making a final determination. Based on these actions by County staff and the limited information provided to staff, a good faith effort was made to comply with the Reasonable Accommodation Policy and the Fair Housing Acts.

3. *Appeal Point: The CDD did not provide prompt reasonable accommodation processing by proposing to meet with the applicant 21 days after a meeting was requested.*

County Response: Your request for reasonable accommodations included relief from zoning standards and other policies enforced by both the CDD and the County Public Works Department. The County sought to have representatives of both the CDD and the Public Works Department attend the meeting to ensure that the County could address each requested accommodation. To do so, the proposed meeting would need to occur when decision-makers from both departments were available. On November 21, 2017, you and staff corresponded to schedule a meeting. Staff was unable to accommodate the meeting dates initially suggested by you for late November due to limited availability around the holiday. County staff offered to meet on the next earliest date where all required staff would be available, December 12, 2017.

4. *Appeal Point: Does the County have a reasonable accommodations policy that has been approved by the Board of Supervisors and codified?*

County Response: The CDD Reasonable Accommodation Policy is a department policy that guides staff in accepting, processing, and resolving reasonable accommodation requests. The Reasonable Accommodation Policy has been developed and implemented

consistent with the County General Plan. The Reasonable Accommodation Policy has not been adopted by the County Board of Supervisors, but adoption by the County Board of Supervisors is not required.

5. Appeal Point: *The CDD took over 60 days to process the reasonable accommodations request.*

County Response: Your formal request for reasonable accommodations was received by the CDD on October 20, 2017. The Deputy Director issued a formal determination on December 5, 2017; 46 days after your formal request. Within that period, CDD communicated the request to the Public Works Department and both departments evaluated the request and available information. On November 17, 2017, the CDD submitted a written request to you for additional information. Subsequent to the request for additional information, you communicated with CDD staff on multiple occasions regarding the requested items and a potential meeting to discuss possible options. County staff offered to meet with you. You then advised the County on November 30, 2017, that you no longer wished to meet regarding the matter. Five days later, the Deputy Director issued a formal determination.

Director Determination

The CDD has accepted, reviewed, and provided a determination for your reasonable accommodation request consistent with the Fair Housing Acts and County policy. The CDD acknowledges the fact that you and your family member have disabilities that may create challenges with respect to the design and construction of your proposed residence. However, based on the information that you have provided to date, I find that the requested accommodation is not necessary to make housing on Parcel-B available to you. **Therefore, your appeal of the prior determination is denied, and the Deputy Director's December 5, 2017, decision is upheld.**

Alternative Relief from Requirements

Despite this determination denying your request for accommodation, you may still seek relief from the conditions by requesting modifications to the conditions of approval for the subdivision, or from the setback requirements by requesting a variance. If you are interested in pursuing either a modification of the conditions or a variance and have questions regarding the process, please contact Sean Tully.

Right to Appeal

Please be advised that under the County's Reasonable Accommodation Policy the Director's Determination may be appealed to the County Board of Supervisors. Any person may appeal the determination by filing a valid letter of appeal with the CDD. To be valid, an appeal letter must:

1. Identify the County File Number referenced above and state the reasons for the appeal.
2. Be accompanied by an appeal fee of \$125. Checks should be made payable to Contra Costa County.

3. Be received at the following address **no later than 5:00 P.M. on Monday, May 21, 2018.**

Department of Conservation and Development
Community Development Division
30 Muir Road
Martinez, CA 94553
Attn: Sean Tully

Please contact Sean Tully at (925) 674-7800 with any questions regarding the procedures or fees for the applications or appeal process discussed in this letter.

Sincerely,



John Kopchik
Director

cc: Warren Lai (Public Works)
Jocelyn LaRocque (Public Works)
County File #CV14-0042

6/5/2018

Notice of Appeal to Board of Supervisors

See Detail Backup Documentation (filed with Department of Conservation and Development (DCD) on 5-21-2018-many detailed pages) Confidentiality Requested

Mary Dunne Rose, # MS060037 or CV14-0042; 78 Grandview Place, Walnut Creek, Ca

RE: Appeal and Declaration of Civil Rights Violations by CCC Against Applicant



Dear Board of Supervisors,

Applicant respectfully presents this appeal regarding the DCD Response Denial Letter dated 5/9/2018 to applicant's original RA request filed on 9/29/2017 and the entire processing of her permit. In addition, applicant has provided this Summary of Appeal (filed with Clerk of Board) and the Detail Backup Documentation (filed with DCD 5-21-2018) appeal packet for your consideration and review.

PARTIES: Applicant Mary Dunne Rose. Also, Contra Costa County is a municipal entity, including its respective departments, agencies, and other instrumentalities, is a "public entity" within the meaning of 42 U.S.C. § 12131(1) and 28 C.F.R. § 35.104, and is therefore subject to Title II of the ADA, 42 U.S.C. §§ 12131-12134.

REQUEST FOR PROMPT MEETING WITH DIRECTOR OF DCD AND one BOFS Applicant respectfully requests a meeting with a Walnut Creek BofS and with the Director of DCD to discuss this appeal and possible solutions. Requests the appointment to occur promptly, in the next 3 to 4 weeks.

BACKGROUND: Applicant filed on **9/29/2017 her original, first reasonable accommodation request** with CCC, that would benefit her family (senior with disabilities protected under various fair housing laws, CCC General Plan and other laws). Applicant's written RA request included building a home using Universal Wheelchair Friendly Design on the first floor, which requires extra space to accommodate 5 feet wheelchair turning requirement in entryway, kitchen, downstairs bathroom, wider halls and doorways. Further, there are to be NO STAIRS at the front door, instead applicant will build a ramp for safe ambulation and entry to the home. All these changes increased the size of the home and will require requested variances in setback limits to allow the Universal Design building requirements for disabled persons, seniors with special needs. Other requested items are to allow applicant and her family to build the home of their choice to age in place safely. Applicant respectfully requested RA processing and CCC compliance with their current General Plan policies, procedures and other state and federal laws so she can build her special home of her choice.

Applicant has tried unsuccessfully for years (spent over \$50,000 to date) to work with CCC and satisfy all CCC imposed CofA and obtain the approved final map to build a home. She has just very recently realized that certain of her project's CofA are near impossible conditions to satisfy, certain of her CofA have excessive and costly restrictions, including "takings without just compensation" and that her original processing of her application was unfair, violating her free speech, equal protections and due process which resulted in creation of discriminatory CofA. It is applicants understanding, CCC may impose conditions on development so long as the conditions are reasonable, other similarly situated persons are treated in the same manner and there exists a sufficient nexus between the conditions imposed and the projected burden of the proposed development. Certain of applicant's CofA do not meet these requirements. Applicant requested the RA process, understanding CCC granting the CofA modifications (it is just not feasible to build applicant's home without modification of certain CofA) would be the only way (nexus) the disabled friendly home would ever be built. The requested accommodations are necessary to afford people with a disability an equal opportunity to use and enjoy a handicap assessable dwelling of their choice. There is a very clear relationship (nexus) between the requested accommodations and the disability. The Universal Wheelchair Friendly Designed home appears to need modified conditions of approval, so it can be approved and built. It has taken applicant years to understand how staff Ms. Rose Marie Pietras intentionally, recklessly discriminated, improperly handled my application: CCC allowed creation of certain unfair CofA resulting in applicant's embarrassment, humiliation and shame from the special "different treatment" applicant and her CofA received during this long, very unpleasant process.

LAW: The Federal Fair Housing Act ("FHA") and the California Fair Employment and Housing Act ("FEHA") impose an affirmative duty on CCC to make reasonable accommodations (modifications or exceptions) in their zoning laws, other land use regulations and practices when such accommodations "may be necessary to afford" disabled persons "an equal opportunity to use and enjoy a dwelling of their choice" to prevent discrimination. Please read attached 5-15-2001 letter office of Ca Attorney General and letter dated 6-17-2002 of Department of Housing and Community Development. Section 504, Rehabilitation Act of 1973, is US law that guarantees certain rights to people with disabilities, federal civil rights laws offering protection for people with disabilities. Title II of the Americans With Disabilities Act (ADA) requires that state and local governments provide program access for individuals with disabilities to the whole range of services and programs. 42 U.S.C. § 12131; 28 C.F.R. § 35.150(a)(3). Also, Unruh Civil Rights Act, AB 1600, the Mitigation Fee Act, all the United States Constitutional rights including all amendments, Bill of Rights, case law that are other critical rights prohibiting discrimination. See applicant Detail Backup Documentation (filed with DCD on 5-21-2018) for information on other laws such as ones relating to General Plan and CCC policy, goals and other practices.

GROUND FOR APPEAL: CCC could improve upon its deliberately indifferent past actions to properly exercise its police powers to adopt policies, official positions, ordinances, regulations, decisions, including the critical need to properly **train staff**, necessary to prevent fundamental constitutional violations and ensure a fair planning and land use process, including the reasonable accommodation (RA) due process, free of discrimination and errors. CCC BofS needs to establish a written policy and **fund DCD's budget for training** (not staffs' fault errors are made-they need training) the DCD staff and their supervisors to ensure compliance and enforce certain applicant rights allowed by law. This will allow CCC staff to respect constitutional rights, more important, prevent errors in land use permitting processing from continuing, including not following their own General Plan, State and Federal laws and fundamentally unfair procedures. CCC could benefit from establishing a pattern of facts and actions documenting their commitment to a discrimination free, constitutional rights compliant land use application and processing practices **for all persons**, including disabled, senior, special needs folks using a proper exercise of police powers to prevent future staff errors. Applicants constitutional rights need to be respected. For example, denial of free speech; equal protection and due process; right to a prompt, good faith interactive communication process; takings without just compensation, discrimination and error predisposed RA processing due to lack of training, result in depriving applicant of protected constitutional rights. These sort of actions, such as **issuing discriminatory CofA** cause emotional distress, physical pain and mental anguish to applicant. Applicant has suffered during this lengthy period (years) by trying to resolve CofA issues with the county with no positive solution. CCC needs to enhance communicative processes, engage in a prompt fair due process and equal protection, interactive communication process, prevent discriminatory processing due to inadequate training which has caused applicant's suffering, emotional and mental distress, shame, embarrassment, sadness, anxiety, many sleep disturbed nights, physical pain while needed surgery is delayed, excessive monetary costs, incorrect takings of land rights, loss of use of Universal Handicap Friendly Designed home of our choice and in fact, over many years, never issuing a final approved permit and map, and finally hopelessness.

CCC BofS has an affirmative duty to establish a "blueprint" for a discrimination free and error free procedural due process, documenting their commitment to a **constitutional rights** compliant land use application and processing practices **for all persons**, including disabled, senior, special needs, distributing this "blueprint" to the public and making it available to everyone, including proper training of CCC personnel to carry out these duties, to prevent future staff errors. **For example, applicant requested a lot split and permit to subdivide her property in year 2006, years ago, filing an application with CCC. September 2006 applicant met with CCC DCD staff Ms. Rose Marie Pietras to discuss the application. Applicant informed Ms. Pietras of my foot deformity, showed her the foot and told her that applicant needed to plan for her old age as the foot also had increasing rheumatoid arthritis. CCC staff Ms. Pietras was callously indifferent to my protected rights, she malicious created certain conditions of approval for my project that are discriminatory, inappropriate and punitive. CCC staff Ms. Pietras did not inform applicant of the Reasonable Accommodation (RA) laws at any point in the**

process. Nor did staff provide a CCC written RA policy to applicant. Nor did any other CCC staff or personal (supervisors) inform applicant of the RA laws. Nor were there any posters in the DCD office, flyers or any information on the internet relating to applicant's rights to RA process at CCC. This "no written policy for years" caused applicant to be denied her 1st Amendment right to Exercise Free Speech to request RA rights and equal protection and due processes rights and be free of discrimination. If proper RA processing had occurred in 2006, applicant never would have been given the certain "special different treatment" CofA that are near impossible conditions to satisfy, discriminatory and her home could have been built by now.

See below for other issues:

- No written RA policies leads to failure to ensure law compliant, non-discriminatory CofA creation and later, prompt processing and results in cumulating processing errors. No "written RA policies" caused, in applicant's case, denying equal services, programs, and activities to individuals with disabilities, allows providing different benefits or services and treating differently individuals with disabilities, limiting individuals with disabilities in enjoyment of any right, privilege, advantage, or opportunity enjoyed by others, utilizing methods of administering its programs and services that have the effect of subjecting individuals with disabilities discrimination on the basis of their disability. No written policy creates a failure to engage in a prompt interactive communication process. No written policy made available to the public set customs and precedence with staff and supervisors to believe that no "RA/ fair and nondiscriminatory, prompt, due process" processing is required for a disabled person.

See below for other issues:

- Please see attached 6/17/2002 letter from State of Ca, Department of Housing and Community Development stating General Plan housing element law requirements, effective 1/1/2002, inclusion in CCC "2002 housing element...provide reasonable accommodations for housing designed for persons with disabilities.
- In fact, the CCC General Plan Housing Element for 2009 to 2014, Assessible Housing section, states the "5-year objective" was to "document the RA procedures", showing a past refusal to make reasonable accommodations in rules, policies, practices and services (and make these available to the public) when such accommodations may be necessary to afford a person with a disability the equal opportunity to use and enjoy a dwelling of their choice in 2006.
- CCC lack of any Reasonable Accommodation written policies and procedures (...2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013 and part of 2014) shows CCC failed to take required positive actions designed to stop the discrimination and maintained non-RA compliant policies that effectively served to punish the victim (applicant). Further, applicant understands this was the CCC "represented official policy-a so widespread practice, given the long-standing decision **not to** promptly execute a written policy and ordinance, regulation, and critical training" pertaining to CCC land use RA processes for seniors and the disabled.
- Also, no prompt interactive communication process, denied rights to trigger RA non-discrimination laws to be respected and used, the 14th amendment rights, equal protection and due process (including proper communication) along with the 5th amendment, depriving a person of their property, along with other key rights.

After the Great Recession, in January 2014 applicant hired consultants to complete the open items of the project to get the final map, still acting in good faith and not understanding the discriminating effects of certain impossible, erroneous CofA on her project. The continued, excessive delays of applicant's project are not reasonable.

- For example, Spring 2014 CCC staff S. Gong submitted documents to CCC County Counsel for review and approval. Applicant finally received the response from CCC County Counsel, ONE YEAR LATER, ASKING FOR MORE INFORMATION, frustrating, causing anxiety and forcing applicant take a break until 2017 to preserve her emotional and physical wellbeing.
- For example, both CCC RA denial response letters (which were not prompt and both violated the 45-day policy) didn't even followed CCC own RA policy/laws of necessary findings required by statute or policy:

“...shall make a written determination within 45 days...”

Further, “The RA written determination to grant or deny the request for reasonable accommodation shall be made in accordance with Findings and Decision” Applicant never received from CCC the written determination documenting the Findings and Decisions in the required lawful format.

- For example, applicant **waited over 7 months from initial application filing date of 9/29/2017** to receive the denial letter from the Director of CCC DCD which is as a violation the prompt RA processing laws and CCC own General Plan.
- When applicant went to CCC office in person to file her first appeal to the Deputy Director she was required to pay the \$125.00 fee per CCC unofficial RA policy. Applicant received an invoice in the mail the last week of May 2018 for \$3,497.94, described as “Account Past Due.” Applicant sent an email to CCC staff and over one week later, 4 phone calls (none returned) still does not have an answer to the question, “what is the CCC written RA policy on charging various processing fees for a RA request, during the entire processing period of the RA request?” Further, CCC billed applicant an additional \$10,000.00, then in February 2018 CCC reversed the charges. This back and forth is stressing and confusing and causing applicant great anxiety.
- For example, applicant filed her first RA request 9/29/2017 to start the RA process and had already received the first “CCC RA formal response denial response letter” dated 11/17/2017 (exceeding and violating the CCC 45-day internal written RA policy) when CCC DCD Deputy Director A. Bhat tried too late to organize a meeting with applicant (initiated on 11/21/2017) and then failed to keep her verbal agreement with promised timely scheduling of meeting dates. To compound the errors, the Directors 5/9/2018 denial response letter refers to this example and misconstrues the facts, dates and truth. The facts are as follows:

On 11/21/2017 applicant received a phone call from CCC supervisor A Bhat, she offered to “meet next week or week after” with applicant. Applicant accepted offer, agreed only if next week or week after. Applicant sent email to Supervisor A. Bhat with 5 proposed dates for meeting with CCC as discussed earlier in the day. Applicant provided dates as per verbal phone contract agreement that day, proposed anytime Wednesday Nov 29th 215pm or later, Thursday the 30th, Nov, 215pm or later, Friday December 1 at 915am to 1015am, Saturday, December 2 all day or perhaps Monday, December 4 at 1:45.

Then on 11/30/2017 (9 days later) CCC S Tully sends email to applicant, saying CCC staff D Kelly is just now trying to set up the meeting and wants to meet many days in future. Applicant declined to meet over 3 weeks late as meeting date on 12/12/2017 is not prompt RA processing, its appears to be more discriminatory stalling.

Nowhere in the CCC RA internal policy is there any mention of steps to engage in an interactive process of communications relating, after a request for RA, to ensure prompt processing of RA request and avoid discrimination. The obligation to initiate the timely, well planned, good faith communication processes before the 45-day deadline is past, is CCC’s duty and in this case, errors in the process can result in and is tantamount to disability discrimination.

- The facts are the 11/17/2017 denial response letter was held out to applicant as the denial letter, not a “preliminary
- On 4/30/2018 CCC Director and Deputy Director met with applicant to discuss her deformed foot, showed CCC the medical X-rays, and other medical issues (see attached “Timeline” documentation) and the agenda did list “other” for opening communication. Applicant initiated the meeting. CCC personal did not communicate much at the meeting. Better communication processes need to be established by CCC, it should not rest with the applicant to initiate communications!
- When applicant went to CCC office in person to file her first appeal to the Deputy Director she was forced to wait over 35 minutes to hand in her appeal packet and pay the required \$125.00 fee. Applicant was

discriminated against, forced to wait, forced to watch others being served promptly while CCC was indifferent to wasting my time and my humiliation.

- For example, CCC, over the entire project processing period, keeps “losing” critical documents given to staff and then requests them again or states they “need additional information.” CCC might want to promptly set up advanced meetings to engage in an interactive communication process, during the 45-day RA processing period, **not after the 45 days deadline occurs**, so these kinds of “miscommunications” are substantially reduced and information exchanged and requested is provided and received in a respectful, non-discriminatory process.

Applicant will refrain from listing each of CCC General Plan policies, goals etc. that were not complied with regarding applicant’s RA processing for brevity, while still reserving the right to bring up in the future.

CCC did not have, and still does not have, a BofS approved, codified, written RA ordinance that are available to the public, nor are there any posters in the DCD office, or processing application forms or any detailed RA policy information on the internet. This lack of good faith effort to notify the public in general, and senior, disabled and special needs folks specifically, of their rights to a fair RA process and prompt, good faith efforts interactive RA communication process leads to further discrimination.

- For example, city and county officials received the May 15, 2001 letter from **State of Ca Office of the Attorney General, B Lockyer, dated May 15, 2001** informing CCC of the wisdom of adoption of a RA procedure and training to prevent “implementation issues” of RA laws to handle the requests from disabled people, along with other issues (see attached letter).
- For example, in August 2017, applicant calls CCC Martinez Department Conservation and Development DCD, requests written procedures on CCC Reasonable Accommodation policy and was informed by staff no written Reasonable Accommodation (RA) policy exists, in fact, staff did not know what a RA policy was, so applicant explained it to her.
- Applicant also asked for the written RA policy from DCD staff S. Tully, 10/2017 and he told applicant, “there was not a written CCC RA policy.”
- The applicant prepares her detailed RA request without the benefit of any CCC RA rules; applicant files her RA request on 9/29/2017.
- On 10/5/2017 applicant still has no response from CCC acknowledging receipt of 9/29/2017 RA request, so applicant phones A. Bhat twice, and sends another email 10/5/2017 (includes PDF of 9/29/2017 RA again) initiating communications and requesting a response (6 days passed with no response, applicant feels ignored) from CCC.
- In addition, on November 2, 2017 staff S. Tully emails the applicant a RA written policy, dated 6/16/2014. Then DCD staff S Tully stated the RA was approved by the BofS and codified.
- On 11/20/2017 applicant calls Aliquot Assoc. firm, her consultant, asking how M Summer's new baby just born is doing. Applicant finds out the Aliquot firm received an email from CCC S Tully with attached **“CCC RA formal response denial response letter dated 11/17/2017”**, but applicant did not receive anything. **Applicant lost 3 days of the 10-day appeal period, and with Thanksgiving holiday approaching, could have missed entire appeal period!** This stressed out applicant over the Thanksgiving holidays and took time away from enjoying my family.
- On 11/20/2017 email from applicant to A Bhat, Deputy Director DCD, noticing her the “CCC RA formal response denial response letter” was 3 days late, violated CCC RA 45-day time process limit, policy. Further, notified her CCC sent to wrong address and applicant would never receive the mailed hard copy, preventing her from making the 10-day appeal period with Thanksgiving holidays approaching.
- 11/21/2017 Phone call CCC supervisor A Bhat, supervisor, Deputy Director said, “county NOT DENIED reasonable accommodation request, not yet subject to appeal”. Said the “CCC RA formal response denial response letter” is to be ignored. She said they will issue another 2nd letter. Applicant confused, feeling humiliated and anxiety filled, wondering why I am treated so poorly?
- Later 11/21/2017 DCD supervisor A. Bhat phoned and stated the RA policy emailed to applicant was an “internal policy” not a BofS codified policy.

- On **12/5/2017** Applicant receive (2nd final) CCC RA formal response denial response letter, it is almost the same as the 1st letter dated **11/17/2017**. Applicant very stressed out, not sleeping thru nights, emotionally hurt.
- On 12/6/2017 applicant requests assistance, disability, from CCC with preparing my appeal response letter to the 11/17/2017 CCC denial letter. CCC staff S. Tully denies.
- On 12/12/2017 called my BofS office to request a meeting with BofS to ask help with preparation of my appeal. Next day Chief of Staff emails, "Our office cannot, unfortunately, assist you outside of required application processes." Applicant feels distressed.
- This deliberate indifference to RA laws over the years by CCC has resulted in unconstitutional conduct so pervasive as to constitute "a custom and policy of inadequate training of personnel and inadequate supervision relating to RA processing" and that this policy caused the violation of applicant's constitutional rights resulting in discrimination and failure of fair due process.
- CCC actions restrict supply and building of housing for disabled and seniors people wanting to use Universal Handicap Friendly Designs in time of a "prolonged and systemic housing crisis of staggering proportion in California."

In addition, applicant has a right to a prompt, good faith interactive communication process, including discrimination free and error free processing of her application. CCC deprived applicant of protected constitutional rights; including issuing punitive CofA to applicant that were discriminatory and resulted in denying applicant due process, equal services, programs, and activities to an individual, allowed CCC to provide different benefits or services and be treating differently than other people similarly situated, limiting applicant the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others, utilizing methods of administering its programs and services that have the effect of subjecting individuals to discrimination. CCC must show CofA conditions have a "rough proportionality" to the development's impact and that CCC used a fair and impartial process, not discriminating, when creating CofA for a project. **DCD staff Ms. Pietras intentionally disregarded applicant's civil rights and discriminated against applicant (reckless, malicious errors) when she created the Conditions of Approval (CofA) for applicant's project, by imposing certain CofA that had excessive restrictions, illegal takings without just compensation and certain unreasonable, near impossible conditions to satisfy. The staff's supervisor also did not correct these errors. The unequitable CofA are a result of discrimination, inadequate training and supervision leading to applicant being denied fundamentally fair due process rights and instead, set her up for a "long term expensive, discriminatory planning department process" as applicant attempted again and again to obtain her approved final map and CofA and failed.** For example, see all the drainage requirement CofA's, taken and viewed together, are discriminatory. The findings and COAs, **A 2.** Drainage and Flood Control requires a parcel map not to be filed until **all the collect and convey requirements and improvements have been met**. However, **COA 53 and 54** require on my small project "applicant construct improvements to guarantee adequacy," when other CCC projects can just pay the drainage fee. To guarantee adequacy would require applicant to spend hundreds of thousands of dollars. How can the home be built if it is impossible to "guarantee adequacy" (nexus for approval of modified CofA)? Another example, applicant's COA11 does not allow import or export of any fill material, yet many other projects approved in CCC do not have this costly, difficult to implement, discriminatory CofA. How can applicant build her wheelchair ramp from the driveway to the house for safe home access if no import or export of fill (nexus for approval of modified CofA)? To summarize, **CCC staff Ms. Pietras demonstrated her lack of training by creating certain CofAs were not normally imposed on other similarly situated persons and projects; violated applicants right to a fair and equal due process, leading to the arbitrary and longtime resulting humiliating discriminatory treatment of applicant over this entire project, from 2006 to current.**

- For example, CCC over the entire project processing period (2006 to current), continually "requests additional information" over and over by email and phone calls and when applicant gives them the information they wait, and wait, then come back later and request a slightly different kind of information. This causes lengthy delays, forces applicant to hire more consultants and causes other issues such as applicant emotional distress. CCC could benefit by establishing a fair, nondiscriminatory policy and

practices, such as engaging in an interactive communication process, that limits this type of discriminatory delays and unnecessary requests for more information.

Instead, CCC might want to promptly set up advanced scheduled meetings, during the 45-day RA processing period, so this kind of “miscommunications” are substantially reduced and information exchanged and requested are provided and received in a respectful, non-discriminatory process.

TAKINGS: In April 2014 CCC staff also had applicant complete, “Consent and Ballot form” to be filled out, signed by owner, notarized and returned to PW staff to satisfy CofA #51 for future lighting district taxes, so applicant continues to pay taxes even though the house final map and permits are not issued, due to continued denials of RA requests and the discriminatory CofA’s discussed above. During September 2014, applicant received written instructions and attachments from CCC Public Works K Dahl, Senior Engineering Technician, asking applicant to sign and notarize the “Deferred Improvement Agreement” written and prepared by K Dahl and return to him. Applicant signed and returned in good faith so that her project would be approved. The project has not been approved and applicant believes the entire “drainage CofAs” have resulted in a taking, while not knowing what staff K Dahl did with the “Deferred Improvement Agreement.” Has it been recorded, further subjecting applicant’s land to additional burdens/takings? In addition, CCC included a “Scenic Easement” CofA that appears to be illegal, taking 40% of her land without just compensation, U.S. Const. 5th Amend. See Nollan, 483 U.S. at 834-835. Most important, cities must prove that such CofA have a “rough proportionality” to the development’s impact and that they use a fair and impartial process. See Dollan, 512 U.S. at 391.

In closing, applicant respectfully requests the Board of Supervisors grant the RA CofA modifications, so that applicant can have non-discriminatory CofA like other similarly situated people. Applicant also requests removal of the 40% Scenic Easement that is an illegal taking. Allowing these modifications of certain CofA would be the only way (nexus) the disabled friendly home would ever be built. The requested accommodations are necessary to afford people with a disability an equal opportunity to use and enjoy a handicap assessable dwelling of their choice. There is a very clear relationship (nexus) between the requested accommodations and the disability. Applicants special interests including “righting the past injustices and wrongs” for a disabled, senior family so we can build our wheel chair friendly home.

INJURY: Applicant claims the following items of injuries:

- Physical harm to applicant during and after the events at issue, including, suffering physical pain in feet as her surgery is delayed due to CCC delays in the RA process, headaches, continuing discomfort, and any physical pain that applicant is reasonably certain to experience in the future.
- Emotional and mental distress and harm to applicant during and after the events at issue, including suffering, shame and humiliation, and mental anguish, many sleep disturbed nights, and any such emotional and mental harm that applicant is reasonably certain to experience in the future such as hopelessness.
- Possible cost of reasonable legal services that applicant could reasonably need in the future.
- Medical costs of therapy started when started RA process.
- Future lighting district taxes, in perpetuity, must be paid even though the home is not built.
- Loss of use of Universal Handicap Friendly Design Home now and in the future.
- FMV Impairment of lot A and B with the recording of the error in the “Deferred Improvement Agreement”
- Monetary losses of over \$50,000 to date.
- Very substantial emotional distress, such as embarrassment, sadness, anxiety, suffering - due to constitutional rights violations and long-standing age and disability discrimination, degrading comment by staff, denial of basic human right to live in housing of our choice to help us age in place.
- Lost earnings while applicant worked on this project.
- Takings by Scenic Easement Requirement.
- Suffering by discriminatory CofA.

- Deprivation of the right to respectful interactive communicative process.
- Frustrations with Reasonable Accommodation process and the many errors.
- Inconvenience and loss of enjoyment of life.
- Reasonable value of each day applicant is not in her disabled friendly home and must delay her surgery.

Applicant is unable to set a value on the injuries at this time. The range could be \$350,000 to \$3,000,000 depending upon future negotiations with CCC.

I, Mary Dunne Rose, applicant and appellant, have read the forgoing document and understand its contents. With the contents that I have personal knowledge, I know and believe them to be true of my knowledge. I verify my belief that the above statements are true. Regarding the contents that I do not have personal knowledge of, I believe them to be true based on specified information, documents or both. I assert the truth and my belief in the truth of those matters under penalty of perjury.

Please process this RA appeal to the BofS ASAP!

Date 6/5/2018

Name Mary Dunne Rose, applicant
Mary Dunne Rose
Calaveras County

From CCC RA internal policy:

Appeal of Determination.

A determination by the reviewing authority to grant or deny a request for reasonable accommodation may be appealed to Director of the Department of Conservation and Development, or designee. Upon review of the case a final decision will be rendered by the Director, **subject to appeal to the Board of Supervisors, under the appeal procedures in Title 1, Chapter 14-4 in the County Ordinance Code.** (see below)

Chapter 14-4 in the County Ordinance Code. 14-4.004 - Notice filed by appellant.

The appellant shall, within **thirty days** of the action appealed from, file with the **Clerk of the Board** a verified written notice of appeal concisely stating the facts of the case and the grounds for his appeal including his special interest and injury.
(Ord. 70-36 § 1, 1970: prior code § 1207).

Attachments:

Page 6-103 from the CCC December 8, 2009 General Plan, Housing Element "Document RA Procedures; 1 page.
Letter from State of Ca Office of the Attorney General, B Lockyer, dated May 15, 2001 (need RA policy) 4 pages.
Letter dated June 17, 2002 from State of Ca, Department of Housing and Community Development stating General Plan housing element law requirements (RA requirements in housing element); 4 pages.

From CCC General Plan

2009 to 2014

Program	Five-Year Program Objectives
Special Needs Housing	<ul style="list-style-type: none"> Revise the zoning code with the following changes: <ul style="list-style-type: none"> Identify zone where emergency shelters are allowed by right pursuant to Chapter 633, Statutes of 2007 (SB2) Permit transitional and supportive housing as a residential use subject to only those restrictions that apply to other residential use of the same type in the same zone. Allow agriculture employee housing to be permitted by-right (without a conditional use permit) in single family zones for less than six person and in agricultural zones with no more than 12 units or 36 beds consistent with Health and Safety Code 17021.5 and 17021.6 Provide financial incentives for the development of housing targeted to special needs populations (HOME, CDBG, HOPWA, MHSA, RDA set-aside funds). Work with developers to obtain additional required financing. Allow techniques such as smaller unit sizes, parking reduction, common dining facilities and fewer required amenities for senior projects.

ACCESSIBLE HOUSING

Persons with disabilities represent a major special needs group in Contra Costa County. To maintain independent living, disabled persons are likely to require assistance, which may include special housing design features, income support for those who are unable to work, and in-home supportive services for persons with mobility limitations. To provide additional housing opportunities for the disabled, the County will continue to require inclusion of accessible units in all new construction projects receiving County financing (e.g. CDBG, HOME, redevelopment set-aside). Current regulations require that five percent of the units must be accessible to the physically impaired and an additional two percent of the units must be accessible to the hearing/vision impaired.

In order to facilitate the development of appropriate housing for persons with special needs, the County works to remove development constraints and provide reasonable accommodations in the development of such housing as requests are made. The County will formalize this practice as written reasonable accommodation procedures.

Program	Five-Year Program Objectives
Accessible Housing	<ul style="list-style-type: none"> Continue to require inclusion of accessible units in all new construction projects receiving County financing. Loan funds are available through the Neighborhood Preservation Program and the Housing Authority Rental Rehabilitation Program for accessibility improvements in existing affordable housing. Document reasonable accommodation procedures.

CONTRA COSTA INTERAGENCY COUNCIL ON HOMELESSNESS

The Contra Costa County Continuum of Care and the Homeless Inter-agency Inter-departmental Working Group joined to form the CCICH, which implements programs and strategies contained in the Continuum of Care Plan and Ten-Year



STATE OF CALIFORNIA

OFFICE OF THE ATTORNEY GENERAL

BILL LOCKYER
ATTORNEY GENERAL

May 15, 2001

To: All California Mayors:

Re: Adoption of A Reasonable Accommodation Procedure

Both the federal Fair Housing Act ("FHA") and the California Fair Employment and Housing Act ("FEHA") impose an affirmative duty on local governments to make reasonable accommodations (*i.e.*, modifications or exceptions) in their zoning laws and other land use regulations and practices when such accommodations "may be necessary to afford" disabled persons "an equal opportunity to use and enjoy a dwelling." (42 U.S.C. § 3604(f)(3)(B); see also Gov. Code, §§ 12927(c)(1), 12955(l).)¹ Although this mandate has been in existence for some years now, it is our understanding that only two or three local jurisdictions in California provide a process specifically designed for people with disabilities and other eligible persons to utilize in making such requests. In my capacity as Attorney General of the State of California, I share responsibility for the enforcement of the FEHA's reasonable accommodations requirement with the Department of Fair Employment and Housing. Accordingly, I am writing to encourage your jurisdiction to adopt a procedure for handling such requests and to make its availability known within your community.²

¹ Title II of the Americans with Disabilities Act (42 U.S.C. §§ 12131-65) and section 504 of the Rehabilitation Act (29 U.S.C. § 794) have also been found to apply to zoning ordinances and to require local jurisdictions to make reasonable accommodations in their requirements in certain circumstances. (See *Bay Area Addiction Research v. City of Antioch* (9th Cir. 1999) 179 F.3d 725; see also 28 C.F.R. § 35.130(b)(7) (1997).)

² A similar appeal has been issued by the agencies responsible for enforcement of the FHA. (See Joint Statement of the Department of Justice and the Department of Housing and Urban Development, *Group Homes, Local Land Use and the Fair Housing Act* (Aug. 18, 1999), p. 4, at < <http://www.bazon.org/cpfha/cpfha.html> > [as of February 27, 2001].)

It is becoming increasingly important that a process be made available for handling such requests that operates promptly and efficiently. A report issued in 1999 by the California Independent Living Council makes it abundantly clear that the need for accessible and affordable housing for Californians with disabilities will increase significantly over the course of the present decade.³ The report's major findings include the following:

- Between 1999 and 2010, the number of Californians with some form of physical or psychological disability is expected to increase by at least 19 percent, from approximately 6.6 million to 7.8 million, and may rise as high as 11.2 million. The number with severe disabilities is expected to increase at approximately the same rate, from 3.1 million to 3.7 million, and may reach 6.3 million.⁴ Further, most of this increase will likely be concentrated in California's nine largest counties.⁵
- If the percentages of this population who live in community settings—that is, in private homes or apartments (roughly 66.4 percent) and group homes (approximately 10.8 percent)—is to be maintained, there will have to be a substantial expansion in the stock of suitable housing in the next decade. The projected growth of this population translates into a need to accommodate an additional 800,000 to 3.1 million people with disabilities in affordable and accessible private residences or apartments and an additional 100,000 to 500,000 in group homes.

I recognize that many jurisdictions currently handle requests by people with disabilities for relief from the strict terms of their zoning ordinances pursuant to existing variance or conditional use permit procedures. I also recognize that several courts called upon to address the matter have concluded that requiring people with disabilities to utilize existing, non-

³See Tootelian & Gaedeke, *The Impact of Housing Availability, Accessibility, and Affordability On People With Disabilities* (April 1999) at <<http://www.calsilc.org/housing.html>> [as of February 27, 2001].

⁴The lower projections are based on the assumption that the percentage of California residents with disabilities will remain constant over time, at approximately 19 percent (*i.e.*, one in every five) overall, with about 9.2 percent having severe disabilities. The higher figures, reflecting adjustments for the aging of the state's population and the higher proportion of the elderly who are disabled, assume that these percentages will increase to around 28 percent (*i.e.*, one in every four) overall, with 16 percent having severe disabilities. (*Ibid.*)

⁵These are: Alameda, Contra Costa, Los Angeles, Orange, Riverside, Sacramento, San Bernardino, San Diego, and Santa Clara. (*Ibid.*)

discriminatory procedures such as these is not of itself a violation of the FHA.⁶ Several considerations counsel against exclusive reliance on these alternative procedures, however.

Chief among these is the increased risk of wrongfully denying a disabled applicant's request for relief and incurring the consequent liability for monetary damages, penalties, attorneys' fees, and costs which violations of the state and federal fair housing laws often entail.⁷ This risk exists because the criteria for determining whether to grant a variance or conditional use permit typically differ from those which govern the determination whether a requested accommodation is reasonable within the meaning of the fair housing laws.⁸

Thus, municipalities relying upon these alternative procedures have found themselves in the position of having refused to approve a project as a result of considerations which, while sufficient to justify the refusal under the criteria applicable to grant of a variance or conditional use permit, were insufficient to justify the denial when judged in light of the fair housing laws' reasonable accommodations mandate. (See, e.g., *Hovson's Inc. v. Township of Brick* (3rd Cir. 1996) 89 F.3d 1096 (township found to have violated the FHA's reasonable accommodation mandate in refusing to grant a conditional use permit to allow construction of a nursing home in a "Rural Residential—Adult Community Zone" despite the fact that the denial was sustained by the state courts under applicable zoning criteria); *Trovato v. City of Manchester, N.H.* (D.N.H. 1997) 992 F.Supp. 493 (city which denied disabled applicants permission to build a paved parking space in front of their home because of their failure to meet state law requirements for a variance found to have violated the FHA's reasonable accommodation mandate).

⁶See, *U.S. v. Village of Palatine, Ill.* (7th Cir. 1994) 37 F.3d 1230, 1234; *Oxford House, Inc. v. City of Virginia Beach* (E.D.Va. 1993) 825 F.Supp. 1251, 1262; see generally Annot. (1998) 148 A.L.R. Fed. 1, 115-121, and later cases (2000 pocket supp.) p. 4.)

⁷ See 42 U.S.C. § 3604(f)(3)(B); Gov. Code, §§ 12987(a), 12989.3(f).

⁸ Under the FHA, an accommodation is deemed "reasonable" so long as it does not impose "undue financial and administrative burdens" on the municipality or require a "fundamental alteration in the nature" of its zoning scheme. (See, e.g., *City of Edmonds v. Washington State Bldg. Code Council* (9th Cir. 1994) 18 F.3d 802, 806; *Turning Point, Inc. v. City of Caldwell* (9th Cir. 1996) 74 F.3d 941; *Hovsons, Inc. v. Township of Brick* (3rd Cir. 1996) 89 F.3d 1096, 1104; *Smith & Lee Associates, Inc. v. City of Taylor, Michigan* (6th Cir. 1996) 102 F.3d 781, 795; *Erdman v. City of Fort Atkinson* (7th Cir. 1996) 84 F.3d 960; *Shapiro v. Cadman Towers, Inc.* (2d Cir. 1995) 51 F.3d 328, 334; see also Gov. Code, § 12955.6 [explicitly declaring that the FEHA's housing discrimination provisions shall be construed to afford people with disabilities, among others, no lesser rights or remedies than the FHA].)

May 15, 2001

Page 4

Further, and perhaps even more importantly, it may well be that reliance on these alternative procedures, with their different governing criteria, serves at least in some circumstances to encourage community opposition to projects involving desperately needed housing for the disabled. As you are well aware, opposition to such housing is often grounded on stereotypical assumptions about people with disabilities and apparently equally unfounded concerns about the impact of such homes on surrounding property values.⁹ Moreover, once triggered, it is difficult to quell. Yet this is the very type of opposition that, for example, the typical conditional use permit procedure, with its general health, safety, and welfare standard, would seem rather predictably to invite, whereas a procedure conducted pursuant to the more focused criteria applicable to the reasonable accommodation determination would not.

For these reasons, I urge your jurisdiction to amend your zoning ordinances to include a procedure for handling requests for reasonable accommodation made pursuant to the fair housing laws. This task is not a burdensome one. Examples of reasonable accommodation ordinances are easily attainable from jurisdictions which have already taken this step¹⁰ and from various nonprofit groups which provide services to people with disabilities, among others.¹¹ It is, however, an important one. By taking this one, relatively simple step, you can help to ensure the inclusion in our communities of those among us who are disabled.

Sincerely,

BILL LOCKYER
Attorney General

⁹Numerous studies support the conclusion that such concerns about property values are misplaced. (See Lauber, *A Real LULU: Zoning for Group Homes and Halfway Houses Under The Fair Housing Amendments Act of 1988* (Winter 1996) 29 J. Marshall L. Rev. 369, 384-385 & fn. 50 (reporting that there are more than fifty such studies, all of which found no effect on property values, even for the homes immediately adjacent).) A compendium of these studies, many of which also document the lack of any foundation for other commonly expressed fears about housing for people with disabilities, is available. (See Council of Planning Librarians, *There Goes the Neighborhood . . . A Summary of Studies Addressing the Most Often Expressed Fears about the Effects Of Group Homes on Neighborhoods in which They Are Placed* (Bibliography No. 259) (Apr. 1990).)

¹⁰ Within California, these include the cities of Long Beach and San Jose.

¹¹ Mental Health Advocacy Services, Inc., of Los Angeles for example, maintains a collection of reasonable accommodations ordinances, copies of which are available upon request.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Division of Housing Policy Development

1800 Third Street, Suite 430

P. O. Box 952053

Sacramento, CA 94252-2053

www.hcd.ca.gov

(916) 323-3176 FAX: (916) 327-2643



June 17, 2002

MEMORANDUM TO:

Planning Directors and Interested Parties

FROM:

Cathy E. Creswell
Cathy E. Creswell, Deputy Director
Division of Housing Policy Development

SUBJECT:

Housing Element Legislation Effective January 1, 2002

As you know, all localities are required to prepare and adopt a housing element as a part of their general plan. The housing element must include, among other things, identification and analysis of existing and projected housing needs, an identification of resources and constraints to address these needs and, goals, policies and scheduled programs for the maintenance improvement and development of housing for all economic segments of the community. For your information, Chapter 671, Statutes of 2001 (Senate Bill 520-Chesbro) effective on January 1, 2002, amended housing element law and Government Code Section 65008. As a result, State housing element law now requires localities to include the following in the preparation and adoption of a housing element:

1. As part of a governmental constraints analysis, an element must analyze potential and actual constraints upon the development, maintenance and improvement of housing for *persons with disabilities and demonstrate local efforts to remove governmental constraints that hinder the locality from meeting the need for housing for persons with disabilities* (Section 65583(a)(4)).
2. As part of the required constraints program, the element must include programs that *remove constraints or provide reasonable accommodations for housing designed for persons with disabilities* (Section 65583(c)(3)). ✓

All elements adopted after January 1, 2002 should comply with the requirements of Chapter 671. The Department is developing technical assistance materials to assist localities in the implementation of these new provisions.

The attached information is provided to inform localities and to assist in evaluating how these new provisions of law effect your communities. A copy of the legislation can be found on the Department's website at http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos/docs/sb520_hpd.pdf. You may obtain copies of published bills from the 2001 session from the Legislative Bill Room at (916) 445-2323 or from the Senate's website at: www.senate.ca.gov. If you have any questions or would like additional information on housing element requirements, please contact Paul McDougall, of our staff, at (916) 322-7995.

Attachments

Chapter 671, Statutes of 2001

(Senate Bill 520)

Section 1 of Chapter 671 of 2001 statutes (SB 520) imparts the following:

It is the intent of the legislature in enacting this act only to clarify existing state requirements and not to establish any new reimbursable state mandate.

In addition, Chapter 671 amends two areas of planning and land use law within the Government Code: Chapter 1 - General Provisions (Section 65008) and Chapter 3 – Local Planning (Article 10.6, starting with Section 65580), specifically, as follows, excluding minor clean-up amendments.

Government Code Section 65008 Excerpts (additions or changes in italics/underlined and deletions indicated by asterisks)

65008. (a) Any action pursuant to this title by any city, county, city and county, or other local governmental agency in this state is null and void if it denies to any individual or group of individuals the enjoyment of residence, landownership, tenancy, or any other land use in this state because of any of the following reasons:

(1) The race, sex, color, religion, ethnicity, national origin, ancestry, lawful occupation, *familial status, disability*, or age of the *individual* or group of individuals. *For purposes of this section, both of the following definitions apply:*

(A) "Familial status" as defined in Section 12955.2.

(B) "Disability" as defined in Section 12955.3.

(2) The method of financing of any residential development of the individual or group of individuals.

(3) The intended occupancy of any residential development by persons or families of low, moderate, or middle income.

(b) No city, county, city and county, or other local governmental agency shall, in the enactment or administration of ordinances pursuant to this title, prohibit or discriminate against any residential development or emergency shelter because of the method of financing or the race, sex, color, religion, ethnicity, national origin, ancestry, lawful occupation, *familial status, disability*, or age of the owners or intended occupants of the residential development or emergency shelter.

(c) Omitted – Chapter 671 did not have major changes to this subsection

(d) (1) No city, county, city and county, or other local governmental agency may impose different requirements on a residential development or emergency shelter that is subsidized, financed, insured, or otherwise assisted by the federal or state government or by a local public entity, as defined in Section 50079 of the Health and Safety Code, than those imposed on nonassisted developments, except as provided in subdivision (e).

Chapter 671, Statutes of 2001

(Senate Bill 520)

(2) No city, county, city and county, or other local governmental agency may, because of the race, sex, color, religion, ethnicity, national origin, ancestry, lawful occupation, familial status, disability, or age of the intended occupants, or because the development is intended for occupancy by persons and families of low, moderate, or middle income, impose different requirements on these residential developments than those imposed on developments generally, except as provided in subdivision (e).

(e-g) – Omitted - Chapter 671 did not have major changes to these subsections

(h) The Legislature finds and declares that discriminatory practices that inhibit the development of housing for persons and families of low, moderate, and middle income, or emergency shelters for the homeless, are a matter of statewide concern.

Government Code Section 65583, Excerpts from Housing Element Law (additions or changes in italics/underlined and deletions indicated by asterisks)

65583. The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, and mobilehomes, and shall make adequate provision for the existing and projected needs of all economic segments of the community. The element shall contain all of the following:

(a) An assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs. The assessment and inventory shall include the following:

(1 - 3) Omitted – Chapter 671 did not have major changes to these subsections.

(4) An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels and for persons with disabilities as identified in the analysis pursuant to paragraph (4) of subdivision (a), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584 and from meeting the need for housing for persons with disabilities identified pursuant to paragraph (6).

(5) Omitted – Chapter 671 did not have major changes to this subsection.

(6) An analysis of any special housing needs, such as those of the *** “handicapped” omitted*** elderly, persons with disabilities, large families, farmworkers, families with female heads of households, and families and persons in need of emergency shelter.

Chapter 671, Statutes of 2001

(Senate Bill 520)

(7 - 8) Omitted – Chapter 671 did not have major changes to these subsections.

(b) Omitted – Chapter 671 did not have major changes to this subsection.

(c) Omitted – Chapter 671 did not have major changes to this subsection.

(1-2) Omitted – Chapter 671 did not have major changes to this subsection.

(3) Address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, or provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities.

(4) Omitted – Chapter 671 did not have major changes to this subsection.

*(5) Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, *** “or” omitted*** color, familial status, or disability.*

(6) Omitted – Chapter 671 did not have major changes to this subsection.

(d-e) Omitted – Chapter 671 did not have major changes to these subsections.

Attachment G

Appeal Points and DCD Staff Responses

On May 21, 2018, the Appellant submitted a 234-page appeal of the Director's determination to the DCD. On June 5, 2018, the Appellant submitted a revised 17-page appeal to the Office of the Clerk of the Board. The primary points of the appeal and DCD staff responses are summarized below.

- 1) *Appeal Point: In 2006 DCD staff did not inform the appellant of Reasonable Accommodation laws, nor were there any informational posters or flyers displayed in the office. Not being informed of the option to request reasonable accommodations caused the appellant to be denied certain rights and resulted in the incorporation of conditions that are impossible to satisfy.*

County Response: The Reasonable Accommodations Policy was implemented in 2014. Under this policy, the Appellant has the opportunity to request accommodations to conditions of approval and zoning restrictions.

- 2) *Appeal Point: The DCD determinations denying the Appellant's reasonable accommodation requests were not promptly provided and violated the County's 45-day policy for a response.*

County Response: Correspondence submitted to the DCD on September 27, 2017 and October 2, 2017 requested reasonable accommodations to make housing available to an individual with a disability. However, those requests did not state what accommodations were being requested. To help identify the accommodations being requested, County staff communicated with the Appellant and her consulting engineer to explain that additional information was required. The Appellant's third submittal, received on October 20, 2017, provided additional information and detailed the specific zoning standards and conditions of approval from which relief was sought. The County's first formal response was issued on November 17, 2017, which advised that additional information was still required. Since then, DCD staff (and Public Works staff) have communicated with the Appellant by phone, email, letter, and in person on numerous occasions to obtain necessary information and assist the Appellant in understanding and satisfying the applicable requirements and conditions of approval.

- 3) *Appeal Point: Contra Costa County did not, and still does not have, a Board-approved and codified Reasonable Accommodations ordinance that is available to the public.*

County Response: The existing Reasonable Accommodations Policy complies with the Fair Housing Acts.

- 4) *Appeal Point: DCD staff applied conditions of approval that are not normally imposed on similar projects.*

County Response: The conditions of approval applied to the Appellant's project are typical of conditions applied to similar projects. The Appellant did not object to these requirements at the time this project was approved.

- 5) *Appeal Point: The Appellant believes that the applied drainage conditions of approval, required deferred improvement agreement, and required scenic easement have resulted in a taking of or burden on the Appellant's land without just compensation.*

County Response: The drainage conditions of approval, deferred improvement agreement, and scenic easement are standard requirements authorized by law. The Appellant did not object to these requirements at the time this project was approved.

DRAFT

"CCC Requested Additional Information" for Appeal to Board of Supervisors

Building floor plans, Additional Option #2 floor plan, building elevations, Wheelchair ramp

Applicant Replies to CCC Department of Community Development (DCD) Request more Information letter 7/3/2018

To: CCC Board of Supervisor Appeal Hearing Packet of Information
From: Mary Dunne Rose, Owner of property; # MS060037 or CV14-0042; 87
Re: Building floor plans, Additional Option #2 floor plan, building elevations, Wheelchair ramp
Property: 78 Grandview Place, Walnut Creek, CA approved permit - lot split, new lot B to have UD home
APN: 184-462-008, County File #MS 060037, confidentially requested
Applicant: Property owner Mary Dunne (Rose), marydRose1@gmail.com; 1966 Tice Valley Blvd. #190 WC, CA

This document addresses CCC's verbal request and 7/3/2018 letter request for more information such as site plans (S Tully confirmed in 9/4/2018 email CCC already received sufficient site plans); building elevations and building floor plans for upcoming Board of Supervisor Appeal hearing from applicant as to how her Reasonable Accommodation (RA) requests are related to applicant's disability and related to 1.) requested structure setbacks and yard requirements 2.) draft plans showing location and type of construction materials of wheelchair ramp 3.) Written statement describing why the County wants to require applicant to use retaining walls, so they can deny the RA requested set backs from front of street.

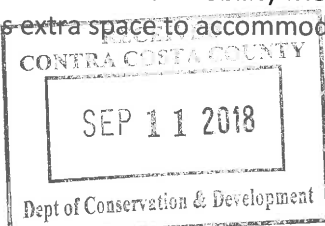
- 1.) CCC writes "Provide additional information ...such as a site plan, building floor plan or building elevation that illustrates" why CCC should not deny Reasonable Accommodation request saying "desired design elements cannot be accommodated without waiving the applicable structure setbacks..."

Applicant Response: SEE NEXUS ANALYSIS SUBMITTED TO CCC 7-9-2018 FOR ADDITIONAL INFORMATION:

Applicant provided an option #2 site plan, building floor plan (2,304 sq. ft.), related elevation plan with less square footage than approved by CCC at 2,500 sq. ft. See option # 2 attached. Also attached is Original design with site plan, building floor plan (submitted already to CCC many times) and elevation plan.

Requested needed reduction in **front of home setback rules** that is needed will then allow the home to be built **closer to the neighborhood street** and applicant's mailbox to reduce barriers of walking created by my impaired mobility disability. Applicant needs the home closer to the street (reduced walking distance from home) to lessen the distance and difficulties in performing manual tasks such as walking, increasing safe, easier mobility to the mailbox and back each day to collect mail and put in outgoing mail. The same nexus connection "reduced walking distance" relationship applies to weekly taking out the garbage cans to the edge of street for pickup and proper sanitation disposal and putting these 3 separate empty cans away. Finally, applicant receives 2 newspapers daily, and needs to pick these up also. Also, important, the home built closer to the street with reduced setbacks due to RA granted reduction in governmental setback constraints, comply with RA laws and eliminating regulatory barriers, is needed to lessen the mobility difficulties caused by my particular handicap and reduce the distance from the home to walking to the street, increasing safe, easier mobility to get to the street to talk with, communicate, connect and interact with neighbors, (reducing disability caused issues such as; isolation, living like a house bound prisoner, inaccessibility and segregation of neighbors to disabled applicant), affirmatively enhancing the use of my home so as to positively impact my quality of life. This is a unique need based on mobility issues and the need to reduce isolation as applicant ages. My family will then have an equal opportunity to use and enjoy our dwelling like other similarly situated non-disabled people. See attached **site plans**, building floor plans and site plans, and building elevations plans. They show the home nearer to the Grandview Place street to allow applicant easier access to the street for above discussed reasons. See the attached site plan (both original option and option #2 with less sq. ft.) demonstrating how the home is closer to the street for easier walking to the street.

Further, requested needed RA accommodation is a reduction in **one side yard setback** rules that will allow the home to be built with mobility friendly, disabled, "Universal Design" (UD) on the first-floor ground level, which requires extra space to accommodate disabled folks with wheelchairs, canes, walkers safe access, movement and



walking in the home, such as extra space in the entryway and hallway, large kitchen area with at least 5 foot wheelchair turnaround (safer to prevent falls and burns due to mobility issues), much larger downstairs handicap assessable bathroom with 5 feet turnaround for proper hygiene of disabled person who need more space to prevent falls due to balance and mobility problems, wider halls and doorways for safe passage, also a "flex" room to allow future sleeping area when stairs are no longer viable. All these handicap assessable changes increase the size of the footprint on the ground floor (larger footprint) and will require necessary variance in setback limits to allow the Universal Design building requirements (design takes extra square footage space compared to standard non-disabled home) for disabled persons, seniors with special needs. The allowance of a larger ground floor area, by reduced west side yard setbacks and gaining extra 180 sq. feet, due to RA granted reduction in governmental setback constraints, is necessary to build a "Universal Design handicap friendly home." This special home will increase mobility safety for applicant with a feet disability, allowing protected and disabled individual secure current and future aging in place in home of our choice, hereby increasing use and enjoyment of our home, establishing equal opportunity to housing of our choice, while lessening mobility problems created by applicant's handicap difficulties in getting around a standard home and will help put applicant in the same position as someone without this disability. In addition, the nexus of applicants home of her choice includes choice to keep the steeper area (unique physical attributes of the property) of the hillside natural and place the home on the flat area, nearer to the Grandview Place street of the lot as this will allow safer mobility by applicant to access to outside of home, including being able to perform standard year round homeowner upkeep & maintenance tasks: such as visual checking of outside of home, the paint and window status, roof, foundation, drainage, gutters and safely physically directing hired help where and how to perform maintenance and upkeep of the home on an ongoing basis, without applicant falling or walking on steep area which is hazardous with applicant's mobility, disability issues. This demonstrating nexus, the identifiable relationship of the disability to request for RA set back reduction, allowing for the increase in sq. footage to build UD, disabled accessible home of our choice for our safety. My family will then have an equal opportunity to use and enjoy our dwelling. See the attached site plan, building plan (both original option and option #2 with less sq. ft.) demonstrating how the home is more disabled friendly closer to the street, with large bathroom downstairs, wider halls, disable friendly kitchen etc.

- 2.) Submit "...plans indication the location and manner of construction of a wheelchair ramp at the entry of the residence and a written statement describing why the importing or exporting of fill from the site is necessary for construction of the ..." ramp.

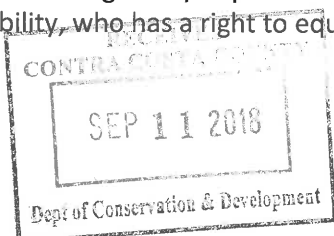
Applicant Response: SEE NEXUS ANALYSIS SUBMITTED TO CCC 7-9-2018 FOR ADDITIONAL INFORMATION:

See attached Wheelchair Ramp Plans (now 6-inch-high total and 6-inch-high home foundation) and "revised" plans previously submitted. Height of porch-6 inch-high porch. 6 to 7 feet in line, straight ramp up to porch. Porch size will be approximately 6 feet by 8 feet. The ramp will be 4 feet wide. The ramp will rise 1 inch for every foot of ramp. No handrails are proposed at this time as not required by law if porch height 6 inches or less. The surface of ramps shall be roughened or shall be of nonslip materials such as stamped concrete or pavers.

Need to import and export fill. See Nexus analysis submitted 7-9-2018 to CCC. Similarly, situated non-disabled people do not usually have this CofA that doesn't allow for sufficient import and export fill material on-site necessary to correctly grade and build a home of this small project size.

For example, see Westborough 14-unit Condo project, see Arfa two lot subdivision MS16-0015, project Edward Bottorff MS 10-0001 where these applicants did not have government constraint CofA that requires no import export of fill.

Applicant needs her home lot graded properly. Proper and correct grading will lessen the mobility walking difficulties caused by applicants walking (caused by her feet disability/handicap) by reducing the hazards of improperly graded terrain, reducing the possibility of improperly built entry ramp to front door, crookedly built home and not level foundation and improper drainage grading. Improper grading due to insufficient fill and or excess fill negatively impacts safe, easier mobility afforded a handicap person with walking problems, due to feet disability, who has a right to equal opportunity and equal treatment to use and enjoy a safe, code compliant,



properly built home. CofA#11 per [redacted] es, burdens, does not afford applicant ec [redacted] opportunity and creates unsafe building conditions for a mobility impaired applicant.

3.) CCC requested..."Written statement describing why structures such as retaining walls cannot be used..."

Applicant Response: SEE NEXUS ANALYSIS SUBMITTED TO CCC 7-9-2018 FOR ADDITIONAL INFORMATION:

Applicant requests RA to be closer to street for her walking disability. See applicant statement to #1 and #2 above.

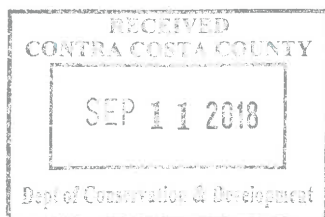
Please extend my project another year (to 12/31/2019) given CCC continued delays in processing.

I, Mary Dunne Rose, applicant and appellant, have read the forgoing document and understand its contents. With the contents that I have personal knowledge, I know and believe them to be true of my knowledge. I verify my belief that the above statements are true. Regarding the contents that I do not have personal knowledge of, I believe them to be true based on specified information, documents or both. I assert the truth and my belief in the truth of those matters under penalty of perjury.

Date 9/10/2018

Name Mary Dee Rose
Mary Dunne Rose

Attachments:



Design Option # 2 (9-6-2016)

78 Grandview Place Walnut Creek

CONTRA COSTA

Play

NEW 40' R/W 1981 (2563 OR 175)

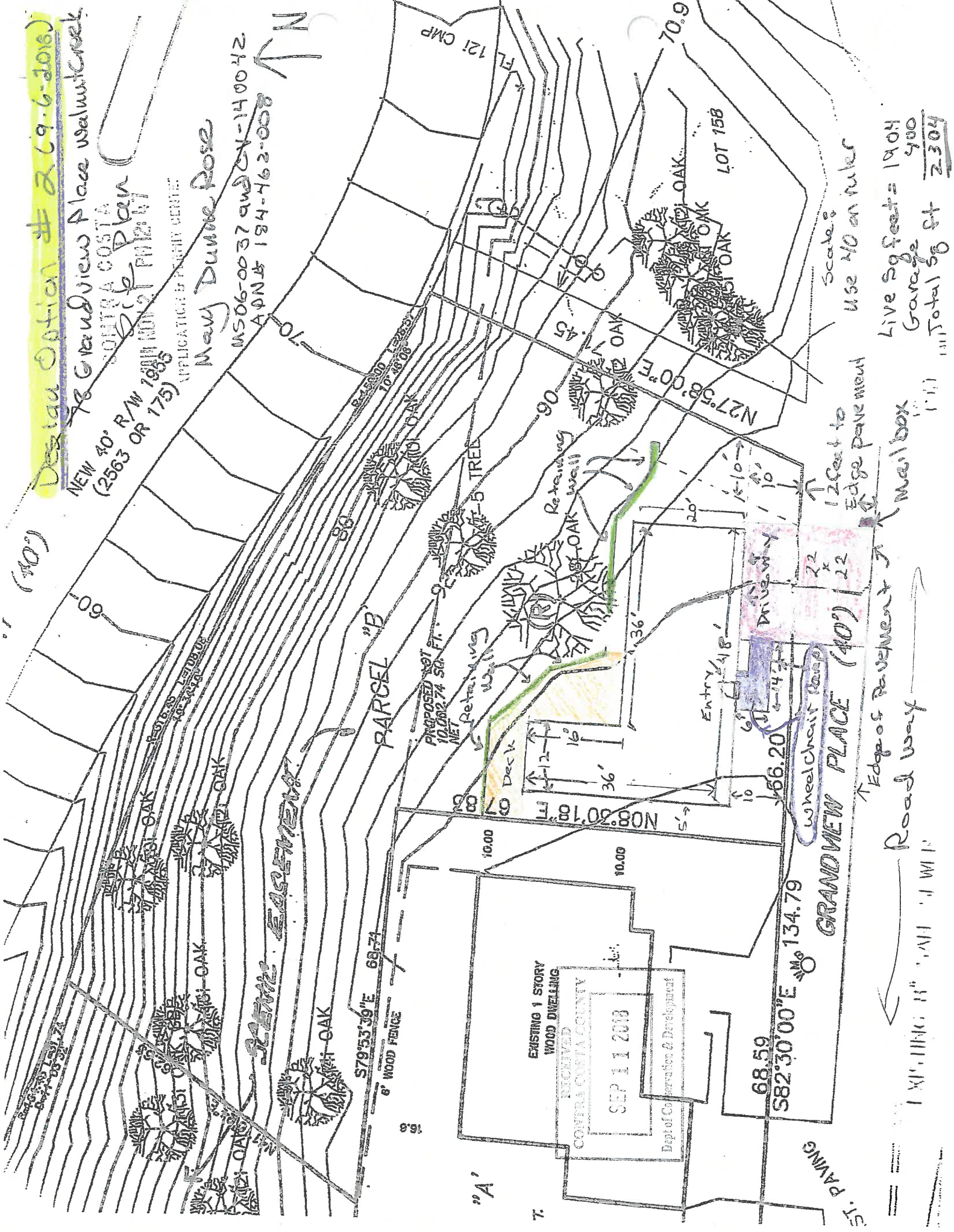
APPLICATION & PERMIT CENTER

Mary Dunne Rose

MS06-0037 and 24-140042

APN# 184-162-008

↑ N



Scale: 1" = 10'

Use 40' on ruler

Live 59 feet = 1904

Garage 400

Total 59 ft 2304

12 feet to Edge pavement

Mailbox

Edge of Pavement

Road way

1' x 11'10" 11' x 11'10"

GRANDVIEW PLACE (40')

ST. PAVING

EXISTING 1 STORY WOOD DWELLING

RICHMOND CONTRA COSTA COUNTY

SEP 11 2013

Dept of Conservation & Development

68.59

S82°30'00"E 134.79'

Entry 4'18"

Driveway

Wheelchair Ramp

22' x 22'

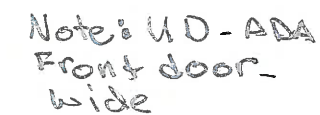
15' x 10'

10' x 10'

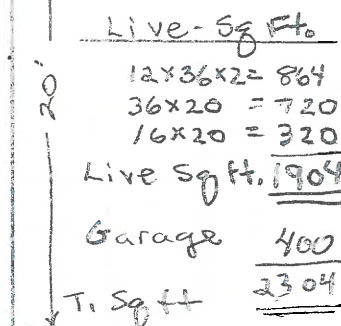
10' x 10'

10' x 10'

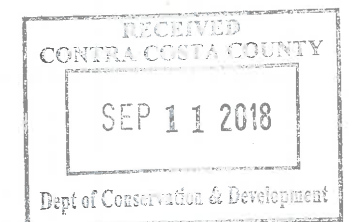
78 Grandview Place Walnut Creek
MS060037 and CV14-0042
#2 Building Floor Plan APN# 84-462-008
Mary Deanne Rose



base 5' wheel chair
circle in bath-
room (1st floor) +
kitchen shows
need more space.
Also halls +
door ways wider
for wheel chair

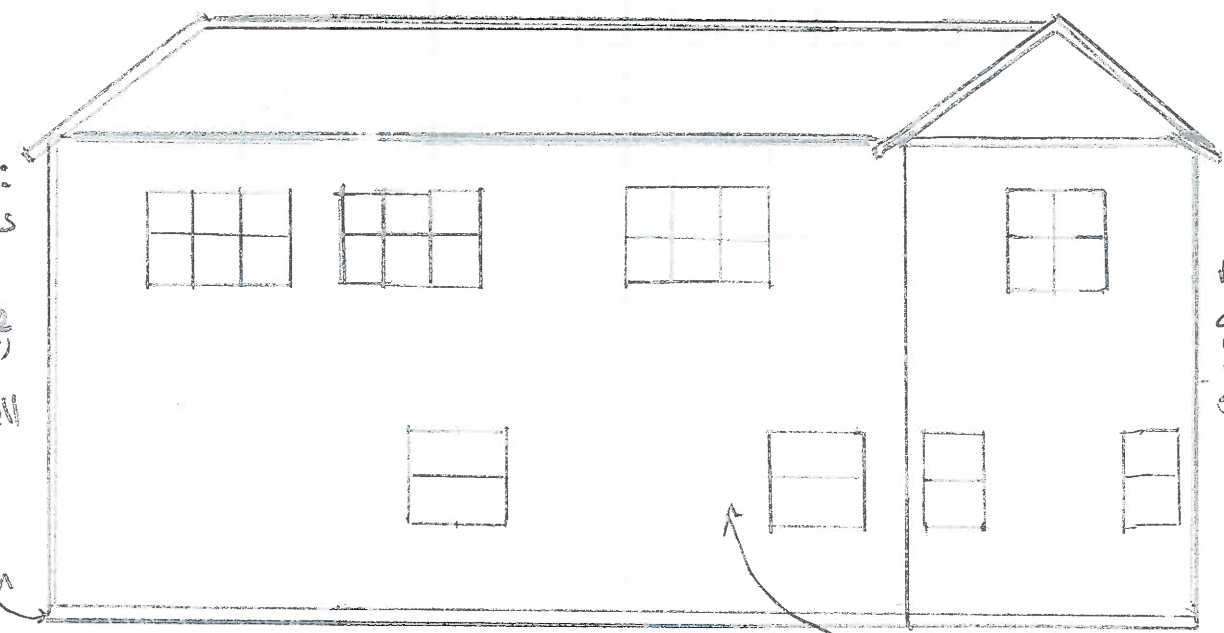


- 6" Foundation
- ruler = $\frac{1}{8}$
- Wheel chair ramp
1' rise every foot



Design Option #2 (9-6-2018)
 APN# 184-462-008 Mary Dunne Rose
 78 Grandview Place Walnut Creek, CA
 MS060037 and CV14-0042
 "#2 Option Elevations"

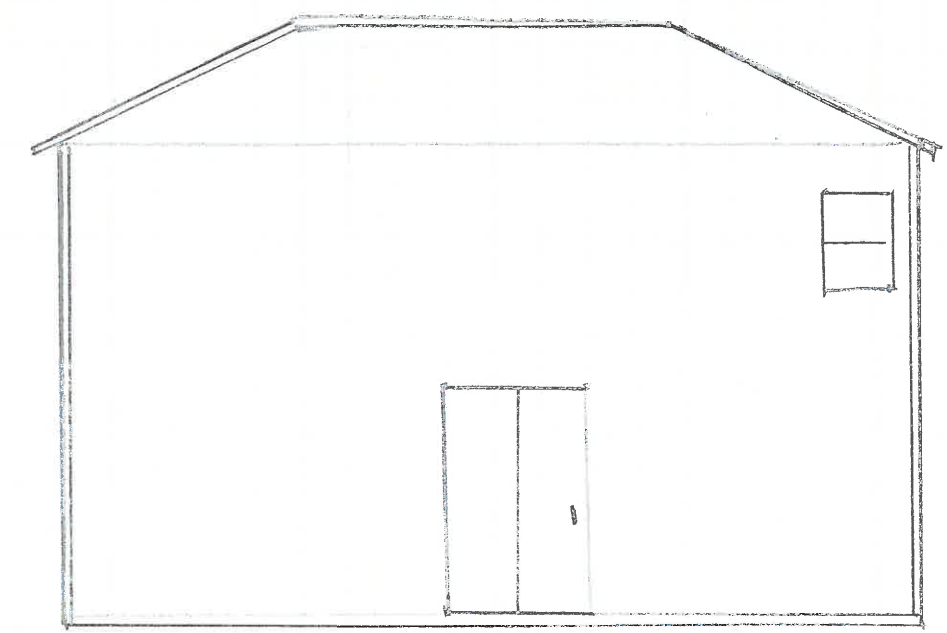
Note CCC ordinance:
 • "Building Height" means vertical distance measured from grade to top of structure.
 • Height of structure shall be measured from natural grade when finished grade is higher than natural grade!



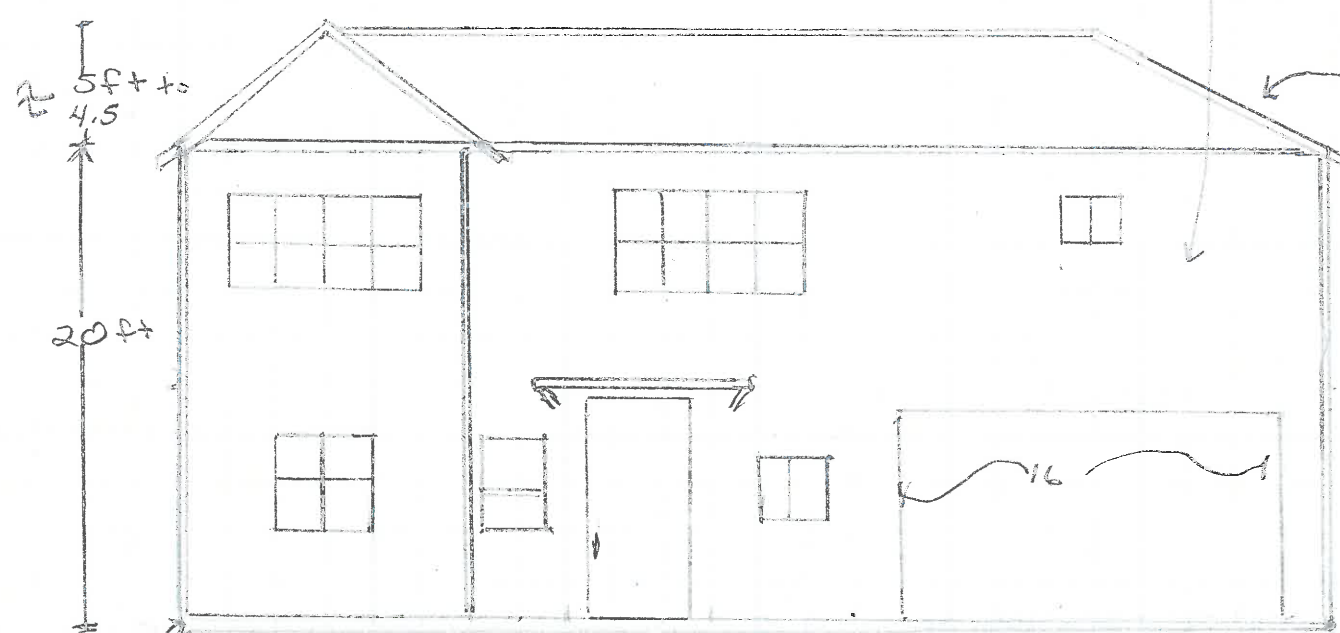
Back Elevation

Roof - good fire rated shingles

Wood or Fiber cement siding



Left Elevation (Privacy for Neighbors)



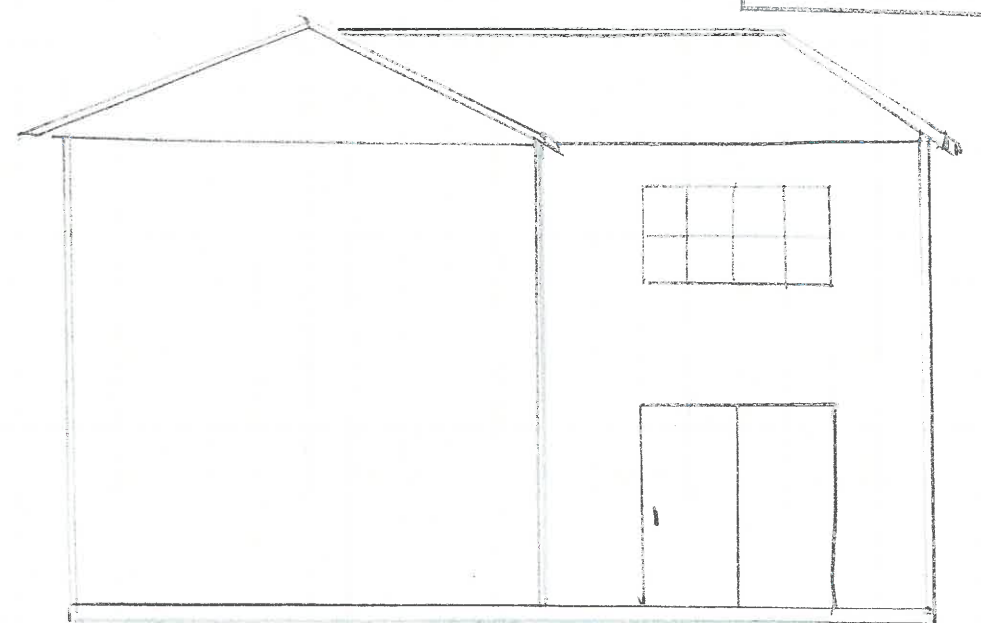
6 inch Foundation

Front Elevation

Hip Roof 2 story

Scale 1" = 8 feet

RECEIVED
 CONTRA COSTA COUNTY
 SEP 11 2018
 Dept of Conservation & Development



Right Elevation (Privacy for Neighbor)



Q Best outside paving materials patio for handi



ag. Building



Pinterest

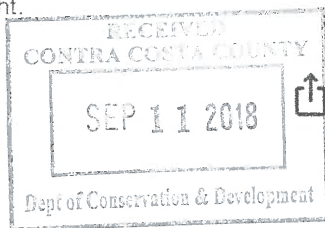
stained cement porch | Concrete Walkway Ideas - Cement Walkways ...

Landscaping

Images may be subject to copyright.



Visit



Share



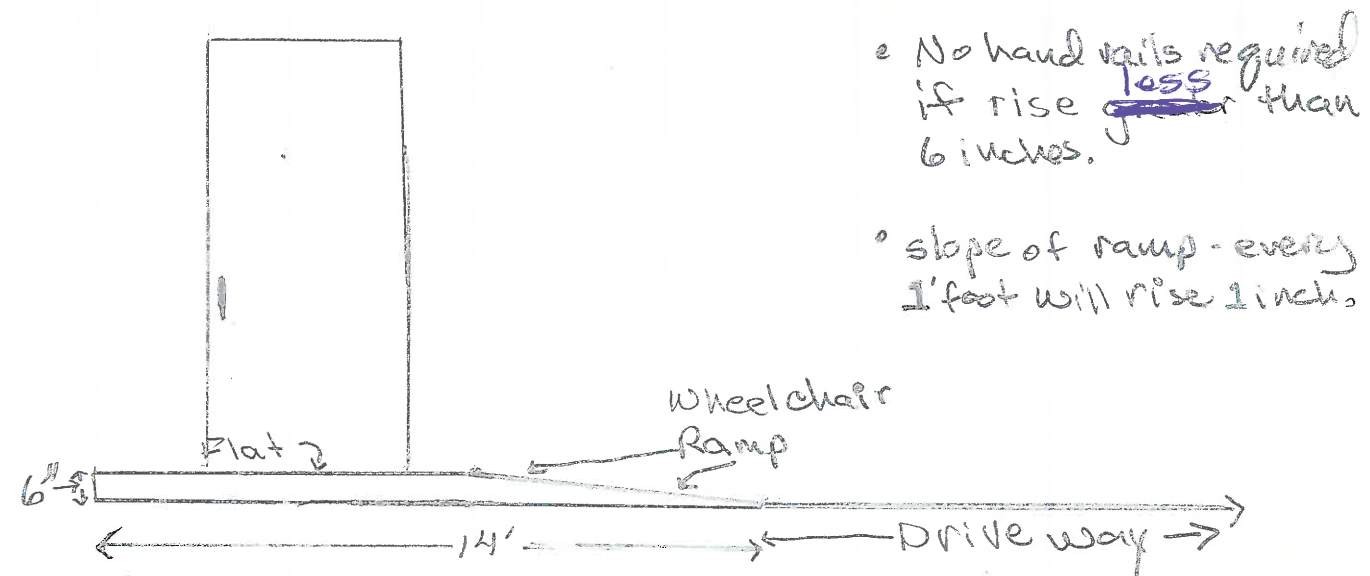
Save

RELATED IMAGES

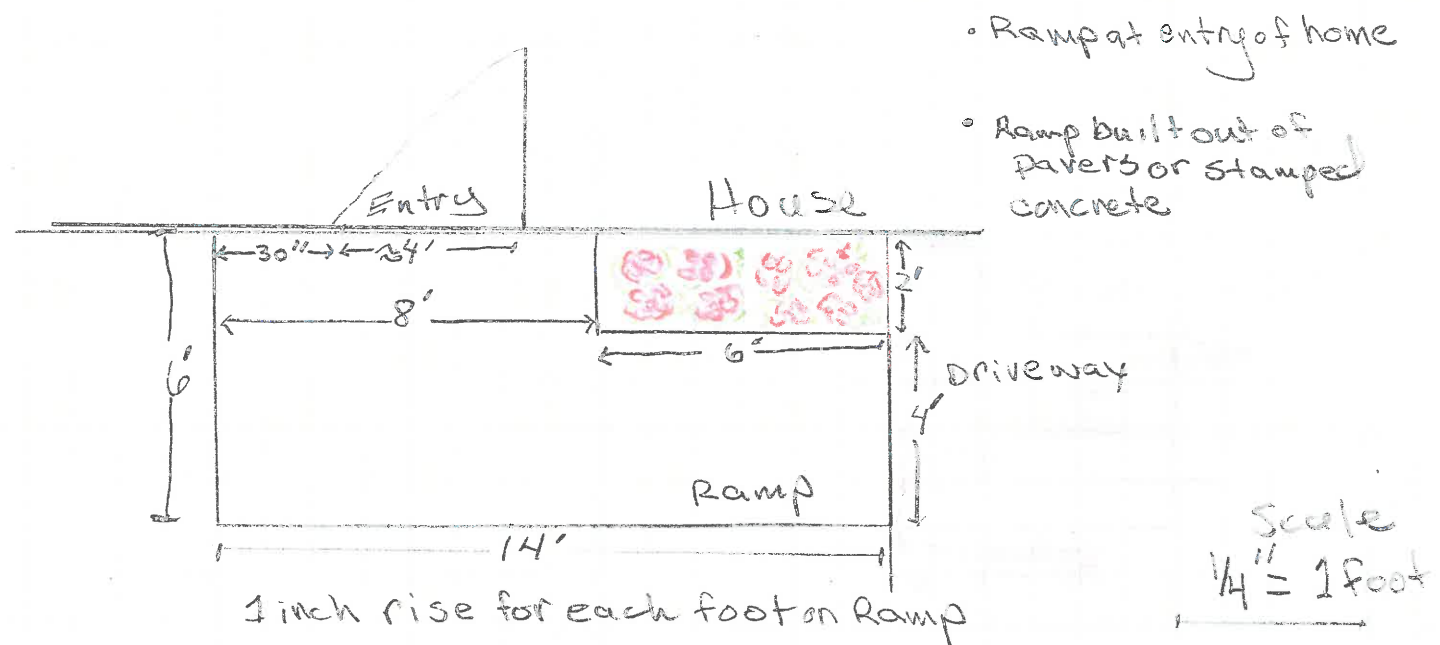
SEE MORE



Wheelchair Ramp Plans
 78 Grandview Place
 MS060037 and CV14-0042
 Mary Dunne Rose
 APN# 184-462-008



Wheelchair Ramp - Building Floor Plan - location

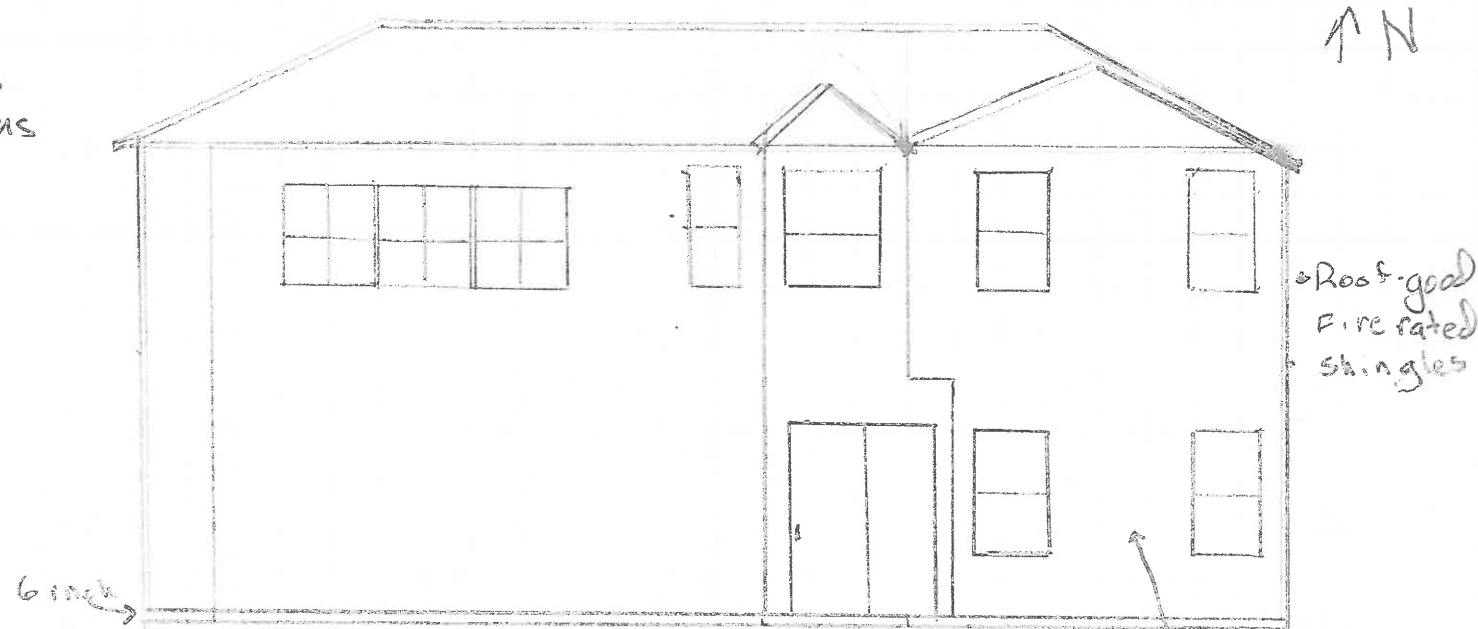


Original Design #1
 78 Grandview Place Walnut Creek, CA
 MS060037 and CV14-0042
 Elevations - Mary Dunne Rose
 CCC Requested "Elevations" - height, # stories

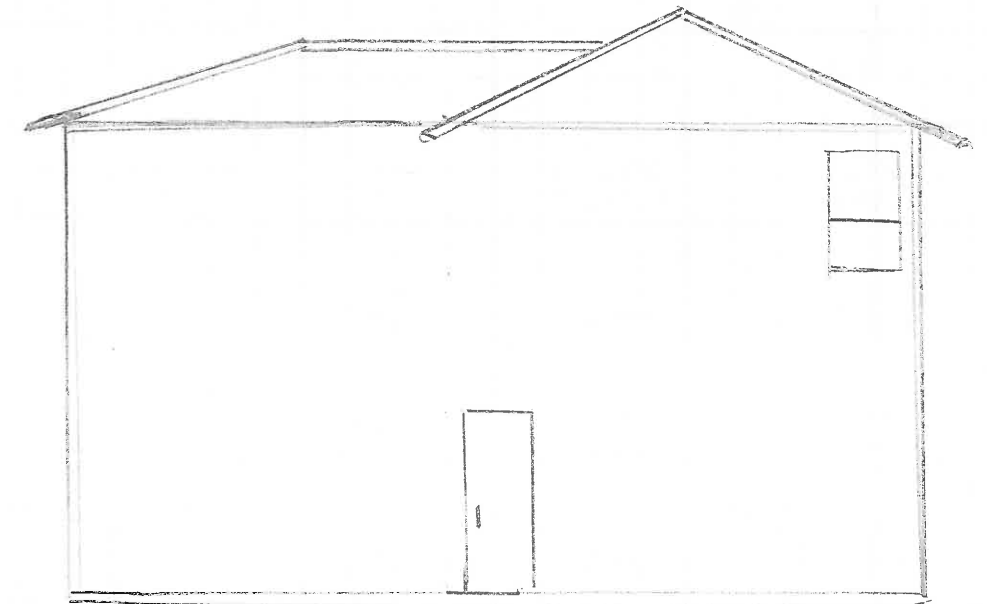
Live Space Square feet = 2001
 Garage Square feet = 380
 Grand Total Square feet = 2381

Foot print = 1201

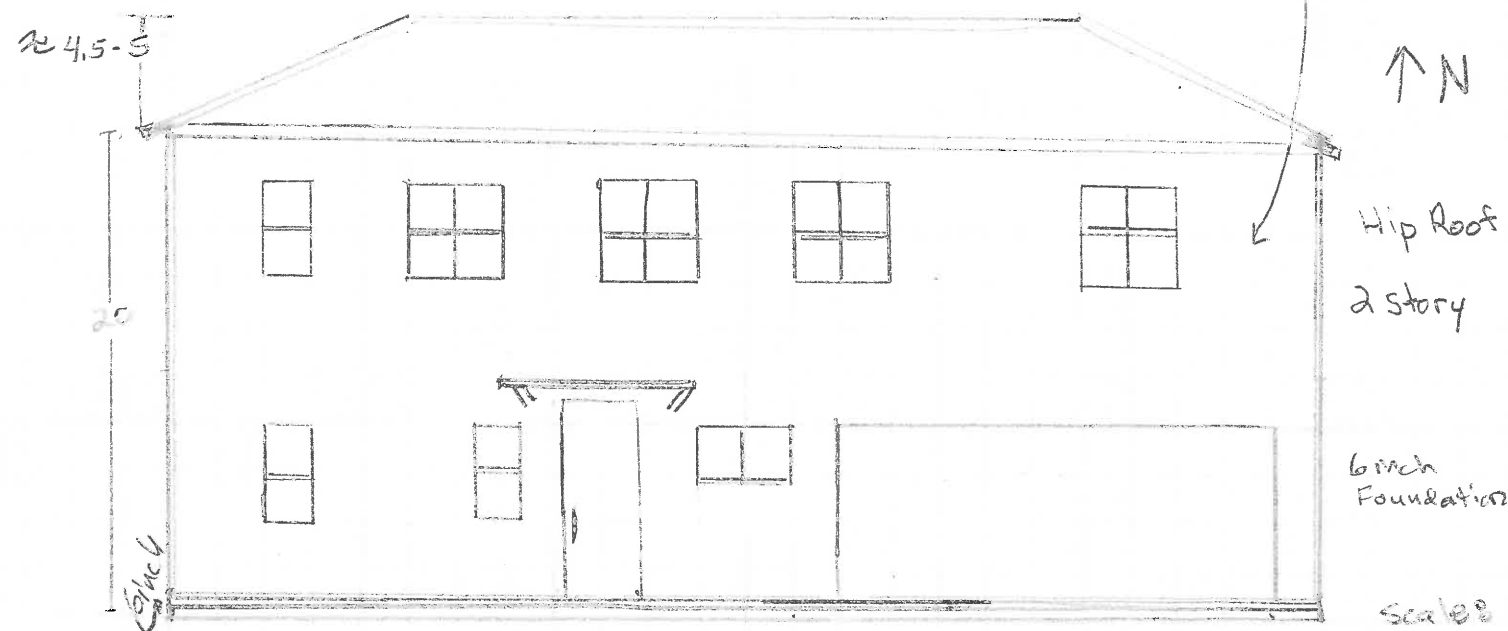
- Note CCC Ordinance:
- Building Height means vertical distance measured from grade to top of structure.
- Height shall be measured from natural grade when finished grade is higher than natural grade.



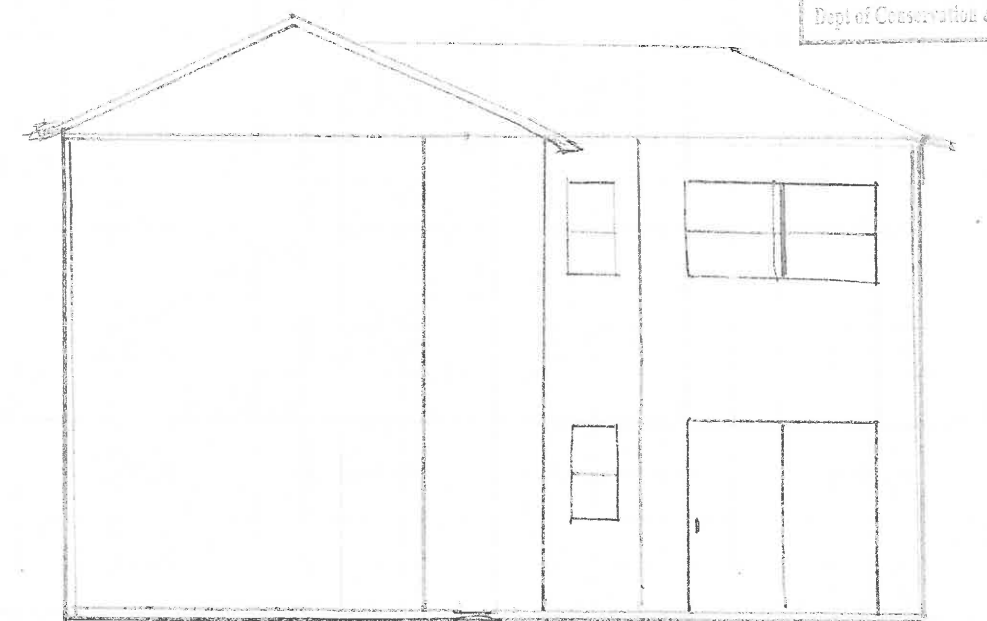
Back Elevation



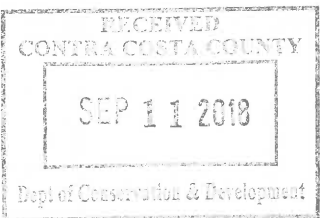
Left Side Elevation
 (Privacy for Neighbor)



Front Elevation



Right Elevation
 (Privacy for Neighbor)



**Department of
Conservation and
Development**

30 Muir Road
Martinez, CA 94553

Phone: 1-855-323-2626

**Contra
Costa
County**



John Kopchik
Director

Aruna Bhat
Deputy Director

Jason Crapo
Deputy Director

Maureen Toms
Deputy Director

Kara Douglas
Assistant Deputy Director

Kelli Zenn
Business Operations Manager

November 2, 2018

Mary Dunne Rose
1020 Glasgow Place
Danville, CA 94526

**Re: Appeal of Reasonable Accommodation Denial – Revised Determination Based on
New Documentation
County Files: #MS06-0037, #CV14-0042
APN: 184-462-008
Address: 78 Grandview Place, Walnut Creek**

Dear Ms. Rose:

The purpose of this letter is to inform you that I have decided to grant, in part, your reasonable accommodation request for your proposed project at the above address. As described below, your request for reasonable accommodation from setback and yard requirements and certain conditions of approval is granted in part. This decision is based on additional information you recently submitted. This letter also describes how the granted reasonable accommodations will be implemented in the future development of your project. Finally, I am writing to inform you that your approved tentative map expires on December 26, 2020, rather than at the end of this year.

Proposed Project: County File #MS06-0037 was approved by the County Zoning Administrator on December 14, 2006, to allow for the subdivision of the subject property into two parcels. On May 5, 2014, your representative filed a compliance review application (County File #CV14-0042) to allow recordation of the parcel map and the construction of a residence on Parcel-B. To date, you have not yet recorded the parcel map, as there are remaining conditions that must be completed prior to the recordation.

Status of Approved Tentative Map: You asked DCD staff to clarify the status of your approved tentative map (County File #MS06-0037) and the map's expiration date. We have reviewed your previously granted extensions and applicable law, and have determined that your map's expiration date is December 26, 2020.

Your approved tentative map was originally set to expire on December 26, 2009. You were previously granted automatic extensions through December 25, 2012, under Government Code Sections 66452.21 and 66452.22. At your request, the County also previously granted you the

maximum six-year discretionary extension through December 25, 2018, under Government Code Section 66452.6(e). Under Government Code Section 66452.24, your map is also automatically extended an additional 24 months. Accordingly, your map will expire on December 26, 2020.

To record your parcel map, all conditions of approval must be completed and the required documentation must be submitted and accepted as complete by both DCD and Public Works on or before December 26, 2020. The filing period for the parcel map will expire if you do not meet this deadline.

Request for Reasonable Accommodation: On October 20, 2017, you requested reasonable accommodations to the conditions of approval and other standards applicable to #MS06-0037. In correspondence dated November 17, 2017, County staff advised you that a preliminary review of your request had been done and that additional information was needed before a final determination could be made. Despite attempts by DCD staff to meet with you, you declined to meet or provide additional information to staff.

On December 5, 2017, the Deputy Director denied your reasonable accommodation request. The Deputy Director determined that several of your requests for relief (those related to Condition Nos. 12, 17, 18, 29, and 54) were unrelated to your disability and denied your request for relief from those conditions. The Deputy Director also determined that your requests for relief from setback and yard requirements and the grading restrictions in Condition No. 11 were related to your disability, but that you had not provided sufficient information for the Deputy Director to determine that the requested relief was necessary to make housing available to you on Parcel-B. The Deputy Director determined that DCD staff had requested additional information from you, but that you had refused to provide the requested information. On December 12, 2017, you appealed the Deputy Director's determination.

On May 9, 2018, I denied your appeal and upheld the Deputy Director's determination to deny your reasonable accommodation request. I determined that your compliance with Condition Nos. 12, 17, 18, 29, and 54 was unrelated to your disability and denied your request for relief from those conditions. I also determined that your requests for relief from setback and yard requirements and the grading restrictions in Condition No. 11 were related to your disability, but that you had not provided sufficient information for me to determine that the requested relief was necessary to make housing available to you on Parcel-B. In my May 9, 2018 letter, I asked you, again, to provide additional information regarding your request for relief from setback and yard requirements and the grading restrictions in Condition No. 11.

On May 21, 2018, you appealed my determination. On June 5, 2018, you submitted an amended appeal. Your appeal of my determination was scheduled for hearing before the County Board of Supervisors on October 9, 2018. Due to your submittal of additional information and this resulting revised determination, and the extended expiration date of your approved tentative map, your appeal hearing has been postponed to provide you with this new information.

Additional Information Submitted: On September 11, 2018, you submitted additional information regarding your reasonable accommodation request, as requested by DCD staff and the

previous determination letters. The submitted documentation included site plans, residence plans, drawings, and additional information detailing the basis for several of your requests.

Revised Determination: Below summarizes your reasonable accommodation requests along with my revised determinations based on the additional information you submitted on September 11, 2018.

1. *Reduced Structure Setbacks/Yards:* You request approval of a 10-foot front setback (20 feet is required), a 5-foot side yard (10 feet is required) along the western boundary, and to allow a covered front porch to be closer than 10 feet to the front property line. You assert that constructing the proposed residence further south on the property within the “flat” area of the lot would reduce the need for interior stairs and provide more space for wheelchair turning.

Revised Determination: DCD staff and the previous determination letters requested that you provide additional information related to this request including plans such as a site plan, building floor plan, or building elevations that illustrate why your desired design elements (e.g., wheelchair accessible hallways, limited amounts of stairs, ADA-compliant rooms) could not be accommodated without waiving the applicable structure setback and yard requirements of the zoning code, and a statement describing why retaining walls or other means could not be utilized to create additional “flat” developable area.

Your September 11, 2018 submittal included a site plan and floor plan with to-scale dimensions supporting the proposed residence size and configuration, and information regarding the necessity of the design elements. Your submittal also stated that the reduced setback and side yard will reduce the distance from the residence to the street, making access to the residence and street easier, and facilitate access around the perimeter of the residence.

Based on the information you provided, I find that the requested accommodation from applicable setback and yard requirements is necessary to make housing on Parcel-B available to you. Accordingly, your request is granted. Subject to all other required conditions and approvals, you may construct the proposed residence with a 10-foot front setback (southern boundary), a 5-foot side yard (western boundary), and a covered front porch within the 10-foot front setback.

2. *Grading (Condition No. 11):* You request to be allowed to import and export fill material on-site. Condition No. 11 states that cut and fill on the site needs to be balanced (i.e., no import or export of fill material). You assert that the use of fill material is necessary for the construction of a wheelchair ramp at the entry of the residence.

Revised Determination: DCD staff and the previous determination letters requested that you provide additional information related to this request including plans indicating the location and manner of construction of the proposed wheelchair ramp, and a statement describing why the importing or exporting of fill material from the site is necessary for the construction of the proposed wheelchair ramp.

Your September 11, 2018 submittal included detailed drawings and plans for construction of the proposed wheelchair ramp. You also provided information related to the need to limit the height of the ramp to six inches or less.

Based on the information you provided, I find that the requested accommodation from the grading restrictions in Condition No. 11, to the extent necessary to construct a wheelchair ramp not to exceed 6 inches in height at the entrance of the residence, is necessary to make housing on Parcel-B available to you. Accordingly, your request is granted. Subject to all other required conditions and approvals, you may import and export enough fill material to and from the site to construct a wheelchair ramp not to exceed 6 inches in height at the entrance of the residence.

Your remaining requests seek relief from certain conditions of approval related to your subdivision. Compliance with Condition Nos. 12 (arborist monitoring during grading activities), 17 (opportunity for neighbors to review landscaping plans), 18 (restitution trees to be planted prior to issuance of building permit), 29 (limit on construction-related vehicles access to site) and 54 (drainage requirements) is unrelated to your disability. Reasonable accommodation from these conditions is not necessary to make housing available to you on Parcel-B. Accordingly, my previous determinations are unchanged and each of your remaining requests are denied.

The reasonable accommodations granted above relate to the construction of a residence on the subject property and will be implemented during a future development plan and grading plan approval process. A parcel map must be recorded prior to or concurrent with DCD's review of a development plan. The reasonable accommodations granted above are specific to your project and expire if the need for which the accommodation was granted no longer exists.

Pending Appeal: Your appeal of my original determination was scheduled for hearing before the County Board of Supervisors on October 9, 2018. Due to your submittal of additional information and this resulting revised determination, and the extended expiration date of your approved tentative map, your appeal hearing has been postponed to provide you with this new information. You have the following options with respect to the pending appeal.

1. **Withdrawal of Appeal:** You may withdraw your appeal, and this revised determination will be the final decision on the matter and no hearing before the Board of Supervisors will be scheduled. Upon completion of the applicable conditions of approval and recording of the parcel map, and filing of a development plan and grading plan, DCD will implement the reasonable accommodations granted above.
2. **Schedule Pending Appeal for Hearing:** You may maintain your current appeal and request that DCD staff schedule an appeal hearing before the Board of Supervisors. DCD staff will coordinate with you to schedule the appeal hearing to suit your availability. DCD staff plans to recommend that the County Board of Supervisors grant the reasonable accommodations granted above and deny each of your remaining requests, consistent with this revised determination.

Please provide a written response (email or letter) indicating how you would like to proceed in this matter. County staff is available to meet with you to discuss the information contained in this letter, your project, and the outstanding conditions of approval. Please contact Sean Tully, Senior Planner, at (925) 674-7800 or via email at sean.tully@dcd.cccounty.us with any questions.

Sincerely,



John Kopchik
Director

cc: Slava Gospodchikov (Public Works)
County Files #MS06-0037 and #CV14-0042

10/26/2018 **Appeal to Board of Supervisor C. Andersen**

To: PW Director Brian Balbas, PW Deputy Director Mike Carlson, Board of Supervisor C. Andersen
From: Mary Dunne Rose, Owner of property; # MS060037 or CV14-0042; 87
Re: Additional **Attachment to Board of Supervisor Appeal filed on June 5, 2018**
Property: 78 Grandview Place, Walnut Creek, CA approved permit - lot split, new lot B to have UD home
APN: 184-462-008, County File #MS 060037, confidentially requested
Applicant: Property owner Mary Dunne (Rose), marydrose1@gmail.com; 1966 Tice Valley Blvd. #190 WC, CA

Applicant requests reasonable accommodation to allow her to pay the drainage fee only; and that CCC, follow CCC RA "internal policy" process of an exception, or adjustment to a rule, policy, practice; rescind CofA **42, 43, 44, 45, 49, 53 and 54** so applicant is not required to comply with these excess CofA as their removal is necessary and critical for a person with a disability to have an equal opportunity to use and enjoy a dwelling and to prevent discriminatory treatment against disabled people as other non-disabled projects have been granted special privileges and not required to comply with these type CofA. This will help put applicant in the same position as someone without a disability and therefor provide equal opportunity to housing of our choice.

Police Power, General Plans, The 1987 Mitigation Fee Act ("AB 1600")

CCC police power is the inherent authority of governments to regulate private behavior in the public interest, subject to constitutional limits. When CCC makes land use and environmental decisions, they wield this police power. Local zoning is the form of the police power that's most familiar in land use settings. The power of CCC Board of Supervisors to approve private development projects also implies the power to attach Conditions of Approvals to those project approvals. Counties have multiple legal authorities to impose conditions such as: The inherent police power; General plans and specific plans that create standards for conditions; The Subdivision Map Act and local subdivision ordinances and standards and others not mentioned here.

Land use planners and their legal advisors recommend that local officials use their General Plans to spell out the Board of Supervisors and community's goals and standards. The courts uphold implementation measures that flow from well-articulated policy statements in General Plans as expressions of the public interest. These adopted goals and policies then become the legal basis for County Ordinances regulating parcel sizes, setting public works standards such as drainage and flood control.

Less Discriminatory Alternative

Title VI Housing Act requires CCC (Federal Funds recipients) to implement a "less discriminatory alternative" if it is feasible and meets their legitimate objectives. Elston, 997 F.2d at 1407, 1413; Georgia State Conf., 775 F.2d at 1417. Even if the recipient of Federal funds CCC, demonstrates a substantial legitimate justification per their policy and actions, the challenged policy will nevertheless violate Title VI if the evidence establishes an alternative that meets this test exists and was not offered to applicant.

A "reasonable accommodation (RA)" is a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling.

The RA laws are of a higher Federal and State jurisdiction and my appeal should be handled as such under CCC administrative and police powers.

Disability Physical Impairment

1. Applicant's Husband - Cancer Survivor, Childhood and Adult Type One Diabetes, Hip Problems, Age over 62 years. This impairment substantially limits major life activity to keep blood sugar "at safe levels" – eating; along with walking with hip problems. 2. Applicant's Disability - X-Rays show Deformed Right Foot, (2 surgeries already), ongoing physical pain. This impairment substantially limits major life activity of walking; including difficulty walking, mobility issues, balance issues. 3. Applicant's Disability - X-Rays showing of Bone on Bone Big Toe Joint Left Foot; Bones on Bottom foot bones not healed, ongoing physical pain. These impairments substantially limit major life activity of walking: including difficulty walking, mobility issues, balance issues. The feet problems create barriers safe walking. Also, difficult to socialize as had done in past, difficulty in walking.

CCC Acknowledgement that Applicant is Qualified Person with Disability

CCC has acknowledged they verified applicant suffers from a qualifying RA feet disability as defined by the Acts (qualified person) and "...basis of our review, we have already determined and accepted that you do have a disability," per email from Deputy Director A. Bhat dated 4/25/2018. Further verification, at subsequent at 6/13/2018 meeting, with applicant visually revealing and displaying both feet X-Rays and actual bare feet's, to DCD Director and DCD Deputy Director for visual confirmation; verbal acknowledgement again. Email and agenda provided upon request.

Use of Housing by Applicant & her Family

Applicant intends to live and use the UD disabled friendly home to age in place safely with UD ground floor modifications.

RA is necessary to make specific housing of their choice available to disabled applicant

Very important is the medical based accommodation requested: the propose UD home is only about 6 to 8 minutes to Kaiser hospital, applicant's family medical offices, which is necessary for easy access given applicants mobility impairments which substantially limit major life activity of walking. Also, necessary quick access to the hospital given her partner's diabetic issues along with his ongoing cancer testing and hip issues. Moreover, applicant chooses to age in place. Chooses not to live in "assisted living, skilled nursing or board and care" (warehoused). Instead, we choose to age safely in place in our ground floor disability friendly home.

Discrimination is defined by various laws that includes "a refusal to make reasonable accommodations in rules, policies, practices, or services, when **such accommodations may be necessary to afford [handicapped] person[s] equal opportunity to use and enjoy a dwelling of their choice,**" §3604(f)(1)(A) and (f)(3)(B) or otherwise deny or make unavailable. Building our UD, mobility friendly home will eliminate barriers to walking, entering our home safely, showering, cooking, walking to the street for socializing, performing daily activities that other non-disabled folks enjoy on a daily basis such as getting the newspaper and mail, taking out the garbage, walking her land to performing maintenance checks on our home.

No Undue Financial or administrative burden to CCC

Every requested RA below and attached information are just changes to 2006 erroneous and unfair conditions of approval imposed upon disabled applicant in a discriminatory manner. Applicants proposed changes below are necessary to remove inequitable CofA that are prejudiced against disabled person and these type of CofA are not always imposed on other similarly situated, non-disabled builders. CCC in 2018 fiscal year has a huge budget of approximately \$3.4 billion, including general fund and other special funds. The requested changes below will not cause undue financial or administrative burden.

No fundamental alteration in the nature of CCC programs or laws, including land use and zoning

None of these changes will fundamentally alter the nature of CCC programs or laws, including land use and zoning. In fact, they will uphold many of CCC General (GP) Plan Housing Element policies and state and federal laws surrounding RA processing and disabilities and civil rights. CCC General Plan include many references to RA and committing to building for disabled, special needs persons. These RA requests below will allow CCC to comply with their own GP! Also, important, Cal code 65583 (c)(3) states, "Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities." There are many more laws applicant will refrain from listing.

Building Site of UD disability friendly home Near Downtown, Transit, Medical Offices, Hospital

Very important, is the medical RA accommodation requested: the lot is only about 6 to 8 minutes to Kaiser hospital, applicant's medical offices which is necessary for easy access given applicants mobility impairments which substantially limit major life activity of walking. If CCC doesn't rescind CofA **42, 43, 44, 45, 49, 53 and 54**, applicant will not be able to build her families home of our choice which is essential to provide equal opportunity to housing to disabled folks. Finally, this project represents infill development and its very near to the bus stop, downtown Walnut Creek, 680 and 24 freeways, along with BART, near downtown and transit. The construction of the road, etc. will block emergency vehicles from servicing my homes above the targeted DIA construction improvements.

RA is being requested for various Conditions of Approval (CofA) imposed by CCC

September 2006 applicant met with CCC DCD staff Ms. Rose Marie Pietras to discuss the application. Applicant informed Ms. Pietras of my foot deformity, showed her the foot and told her that applicant needed to plan for her old age as the foot also had increasing rheumatoid arthritis. CCC staff Ms. Pietras was callously indifferent to my protected Civil Rights, disability status. Staff Ms. Pietras proceeded to intentionally create unequitable, discriminatory CofA. Some examples of the following RA requested changes to CofA were created by staff intentionally discriminating against applicant by imposing certain CofA that have excessive restrictions and certain unfair, unequitable and unjust, mistake conditions to satisfy to build the dwelling of our choice. It is discriminatory (see the Acts) and illegal to create unreasonable conditions approval in a manner that renders a project infeasible for development and penalizes disabled applicant when other non-disabled similarly situated people are not burdened with these excessive, disparate CofA, for very small project such as applicants. These following examples of CoA show inequitable costs, adverse impacts and barriers imposed on the applicant by CCC's CofA that has not been required of other developers of like projects in the past.

CCC BofS has an affirmative duty to establish a "blueprint" for a discrimination free and error free procedural due process, documenting their commitment to a constitutional rights compliant land use application and processing practices **for all persons**, including disabled, senior, special needs, distributing this "blueprint" to the public and making it available to everyone, including proper training of CCC personnel to carry out these duties, to prevent future staff errors. **For example, applicant requested a lot split and permit to subdivide her property in year 2006, years ago, filing an application with CCC. September 2006 applicant met with CCC DCD staff Ms. Rose Marie Pietras to discuss the application. Applicant informed Ms. Pietras of my foot deformity, showed her the foot and told her that applicant needed to plan for her old age as the foot also had increasing rheumatoid arthritis. CCC staff Ms. Pietras was callously indifferent to my protected rights, she malicious created certain conditions of approval for my project that are discriminatory, inappropriate and punitive. CCC staff Ms. Pietras did not inform applicant of the Reasonable Accommodation (RA) laws at any point in the process. Nor did staff provide a CCC written RA**

policy to applicant. Nor did any other CCC staff or personal (supervisors) inform applicant of the RA laws. Nor were there any posters in the DCD office, flyers or any information on the internet relating to applicant's rights to RA process at CCC. This "no written policy for years" caused applicant to be denied her 1st Amendment right to Exercise Free Speech to request RA rights and equal protection and due processes rights and be free of discrimination. If proper RA processing had occurred in 2006, applicant never would have been given the certain "special different treatment" CofA that are near impossible conditions to satisfy, discriminatory and her home could have been built by now.

Background No adequate downstream drainage system

Applicant emailed on 10/1/2018 to Board of Supervisor Andersen's office (and DCD, PW department heads) per BofS Andersen request, information regarding drainage and letters from Public Works and DK Engineering Drainage Consultants confirming the drainage for Westborough 14-unit Condo (my neighborhood) was draining to "...inadequate storm drain system." See attached drainage 7/27/2015 letter from PW to Condo Engineer AND see letter received by PW on 8/12/2015 from DK Engineering Consultants for Condo project, page 3 #16, stating "...neglecting the capacity of the inadequate storm drain system." This is the same storm drain system, same area and vicinity that applicant's storm water drains into. See Westborough CCC file and Drainage and Hydrologic Hydraulic study by DK Engineering Consultants for statement that the "... bioretention basins are designed .low flows. "Higher flows will enter the storm drain system and bypass the bioretention basins all together."

Westborough was granted special privileges inconsistent with the limitation on other properties in the vicinity. Westborough, a non-disabled applicant, was allowed to pay the drainage fee and not make drainage improvements in proportion to their project impact. Further, Westborough (not a disabled applicant) did not have to fully comply with same CCC CofA "Collect and Convey" that CCC is burdening, imposing barriers on applicant's right to build housing of disabled persons choice. Applicant also created a "list of CofA" and is working with CCC to review and correct certain ones that make building housing of our choice impracticable.

Preservation and Enjoyment of Substantial Property Rights

This RA exception is necessary for the preservation and enjoyment of a substantial property rights of applicant to put disabled applicant in the same position as someone without a disability and therefore afford equal opportunity under Federal and State RA various laws to obtain a final map to build our Universal Design first floor housing of our choice and to accommodate my families handicap needs. CCC has applied the zoning ordinance unequally to similarly situated applicants compared to applicant's project.

Health Safety and Welfare-Collect and Convey

Information source; see attached source document for verification of facts below. (Note: Applicant used FEMA website to print out flood maps for her project area; googled "CCC FLOODPLAIN MANAGEMENT PROGRAM Answers to Commonly Asked Questions and A Guide for Residential Construction Within Special Flood Hazard Areas Revised February 2015"; and printed out parts of Chapter 82-28 Floodplain Management Ordinance and "PW Conditions of Approval What Do They Mean?" pamphlet. See attached documents.

Very important, the granting of the RA requested rescinding CofA 42, 43, 44, 45, 49, 53 and 54 exception will not be materially detrimental to the public welfare or injurious to other property in the territory in which the property is situated. CCC Floodplain Control Ordinance, attached, FEMA flood zone maps (see attached maps printed from FEMA website and related docs) only applies to "all the lands in a... "special flood hazard areas (SFHA)". The flood zone at the bottom of Panoramic Way is in a 500-year flood "shaded" zone X, showing no immediate threat to health, safety and welfare. Repeat, the storm waters from my little project will not foster downstream property damage or adverse flooding impacts in the 500-year "shaded" zone X as it is not in designated "special flood hazard areas (SFHA)".

Moreover, applicants project is NOT in the designated special flood hazard areas (SFHA). Applicants home is in "not shaded" over 500-year zone X designated on the map as "Area of Minimal Flood Hazard". The bottom of hill of Panoramic Way 500-year flood zone (500-year flood "shaded" zone X) does not materially, significantly, poses any immediate threat to health, safety and welfare to the public welfare or injurious to other property in this 500-year FEMA flood zone.

CCC 82-28.602 states, "this flood ordinance shall apply to...areas of "special flood hazards"...

CCC 82-28-504 defines "special flood hazard area (SFHA)" has many zones but not the zones in my project area of Grandview Place and Panoramic Way.

Most important, CCC Ordinance Floodplain Management states at 82-28.204 - Findings of fact. CCC participates in the insurance program, National Flood Insurance Program (NFIP) administered by the Federal Emergency Management Agency (FEMA) which promotes the public health, safety and welfare in that it provides insurance and federal assistance in the event of flood(s) within the county's jurisdiction. In the absence of such insurance, the county's vulnerability to damage and loss resulting from flood events may be substantial and potential flood damage represents an immediate threat to the public health, safety and welfare. However, CCC own documents state they have insurance (no absence of insurance) and are not vulnerable to costly damages and there is no immediate threat to public health, safety and welfare. CCC Ord. Article 82-28.14. - Flood Hazard Zones 82-28.1402 - Lands to which this article applies. This article applies to all land in a flood hazard zone located in that portion of the Sacramento-San Joaquin Valley that is within the jurisdiction of Contra Costa County. (Ord. No. 2016-16, § II, 6-21-16). Applicant lands are not in any flood zone and of Panoramic Way road is not in any flood zone area SFHA. CCC is requiring applicant to make flood zone improvements to areas not in the required 100-year flood zones?

Further, CCC Ord. 82-28.468 – Hardship states... aesthetic considerations, physical handicaps... personal preferences or ...cannot...qualify as an exceptional hardship. So CCC Ordinance refuses to allow physically handicap folks to request an exception under the Federal and State Reasonable Accommodation laws? No wonder all my RA official drainage requests are always denied! This refusal shows CCC unreasonable, discriminatory governmental interests being advanced that is purely arbitrary, capricious, and unfounded. CCC insists applicant fix all the drainage problems for the entire neighborhood, outside of FEMA "special flood hazard areas (SFHA)" map flooding area, even though CCC has FEMA flood insurance, significantly delaying and stopping her home building process when there is no immediate threat to public health, safety and welfare in the non SFHA (upper non-Flood designated area and the lower Panoramic road) area of the designated 500-year flood zone.

It is CCC's duty to maintain and upgrade the storm drain systems in CCC and in my neighborhood's "500 year flood rated drainage area"; not to force, require using CCC police powers to stop my development by requiring millions of dollars of major construction improvements such as road widening, retaining walls, rebuild all drainage systems and other related improvement for one disabled person building one home less than 2500 sq. Please see CCC Flood Control & Water Conservation Draft Flood Control Capital Improvement Plan 2018 update (7-year plan). CCC has no plans and does not show any project needed in my drainage area.

Need and Applicant Requests CCC Nexus for Drainage CofA 42, 43, 44, 45, 49, 53, 54

There should be a reasonable relationship to the impact of the proposed one small, 2 story 2500 sq. foot home to my projects requirement for construction of millions of dollars of public facilities; this CCC imposed penalty against a disabled person should really prove a proper nexus between the impacts caused by the development and the condition which advances the governmental interest; CCC needs to demonstrate, document the required COA are reasonable and roughly proportional to the impacts of the on 2500 sq. foot home.

Applicant RA requests this documentation, in writing from CCC, so she can understand the nexus and logic of CofA 42, 43, 44, 45, 49, 53, 54 and CCC continued application to her disabled

friendly home and the reasons for preventing her from living in the UD housing of her family's choice.

CCC Refusal to Comply with CCC own General Plan

Applicant is in an Established Drainage Area 15A, requests to be treated as other applicants in the same drainage area with very small building footprint and wants to follow the rules in General Plan that allows charging a fee of .35 cents a sq. ft. of impervious surface instead of the areas not yet established as adopted drainage areas that do not pay standardized drainage fees but must meet the collect and convey requirements of the subdivision ordinance. CCC General Plan states: section Public Facilities/Services Element of the General Plan on page 7 states, "flood control drainage areas with established fees...Approved development projects in these drainage areas are assessed a fee based upon the impervious surface."

PUBLIC FACILITIES/SERVICES ELEMENT of CCC General Plan states... "present procedures for requiring all new development to **pay its fair share** of needed drainage infrastructure are **cumbersome and inconsistently applied**". "An additional problem is **the inconsistencies in the amounts** of drainage improvement fees **required** by the...County." The Drainage Area Plan and Fees documents states, "Following the adoption of a *drainage plan*, drainage fees can be assessed against new development within the *drainage area*. Because drainage fees can only be assessed on new developments occurring within *adopted drainage areas*, **developments built within areas not yet established as adopted drainage areas do not pay standardized drainage fees but must meet the collect and convey requirements of the subdivision ordinance**. In most cases, larger development projects are required to make ... mitigation payments, **although the requirement may not be consistently applied to smaller projects** (Translated - General Plan documents, written by CCC, proves and acknowledges CCC drainage requirements are applied in an arbitrary, discriminatory, error prone manner against disabled people need County help, impacting the decision-making processes, customs and procedures such as using the "Collect and Convey" inadequate policy and inadequate training of employees and supervisors to discriminate). (GP pg. 7-18).

Applicant respectfully requests the favorable treatment above, as a smaller project, to ensure no discrimination and removal of expensive, burdensome barriers to building the small project. Also, important, General Plan provision 4-O says, "All new development shall contribute to, or participate in, the improvement of the ...and flood control systems in **reasonable proportion to the demand impacts and burdens generated by project occupants and users**. (GP4-11)

Applicant Can Never Comply with "Verify Adequate" Drainage #53 #54 CCC Requirements

Applicant will never be able to comply with CofA 53 or 54 Division 914 as it is known to CCC and Applicant that the drainage in my projects area, vicinity is "inadequate".

Collect and Convey # 53 and #54 CCC Division 914 ordinance says:

CofA 53 requires... "water from applicants' property shall be collected and conveyed without diversion or damage to any improvement, building or dwelling to a natural watercourse having a definable bed and banks, or to an **existing public storm drainage facility having adequate capacity** to its point of discharge into a natural watercourse."

CofA 54 requires... "Applicant shall verify that the existing downstream drainage facilities that receive storm water runoff from this project are adequate to convey...if the applicant intends to direct project runoff to the existing roadside ditch along Panoramic Way and it is found to be inadequate, applicant shall constrict improvements to guarantee adequacy."

Applicant will never be able to comply with this condition nor CCC drainage ordinances as it is known by applicant and CCC that the drainage in my projects area is “inadequate” (even if CCC removes the word “guarantee”).

If CCC insists applicant appeals to the BofS for the drainage issues, the RA request is clearly futile and foredoomed as the drainage is inadequate, applicant can never comply with CofA 53 or 54 due to inadequate drainage and given statement on 10/11/2018 by CCC Slava Gospodchikov (PW) informing applicant, “...**reasonable accommodation will NEVER be (used to waiver) waived by Public Works for drainage (issues) that effects public safety.**” If CCC insists that the only reasonable accommodation action possible is to resort to the standard variance procedures this process is not reasonable either as it is futile and foredoomed as the drainage is inadequate and applicant will be again denied RA request by CCC. The opportunity and CCC process to “reasonably accommodate” will be a false, useless process resulting in additional process delays, discrimination and cost CCC more staff time. This “appeal” practice, given we all know the downstream drainage, is inadequate, will predictably cause a “adverse” effect. Applicant has a constitution right to fair due process, enjoyment of her property rights, to have CCC provide services without discrimination and all other important rights and laws for disabled individuals to have an equal opportunity to use and enjoy a dwelling and their life in America.

Drainage CofA are all related:

- **Applicant can't comply with and satisfy CofA 42, 43, 44, 49 until she satisfies CofA 45 obtaining proof of access.**
- **Applicant can't comply with CofA 53 and/or 54 as the drainage is inadequate. Period.**
- **Most important, CofA 41 exempts and provides an exception to CofA 42, 43, 44, 45, 49 by not requiring those improvements on Panoramic Way as “these improvements are not characteristic of the area.” CCC has intentionally and erroneously ignored this CofA and parts of the General Plan (apply drainage fee to small developments) as CCC continue to discriminate and violate my RA requests, stall my project, waste my time and not allow my project to move forward. CofA #42, 43 and 44, 45 are invalid as they all are superseded by CofA 41. All CCC has to do is declare CofA41 exceptions is of a high legal tier (due to my RA requested use of RA Federal and State laws), over CofA 42, 43, 44, 45, 49, 53 and 54.**

Applicant requests under the RA request laws to preserve her privacy of her disabled condition (no public hearings).

CCC Deferred Improvement Agreements is a Discriminatory tool to stop Disabled Development

CCC Forcing applicant to sign a Deferred Improvement Agreement (DIA) that requires **ALL Neighbors** offering to dedicate to the county or other public agency sufficient land rights for construction, is useless and discriminatory as **all** neighbors will not sign the proof of access, stalling, stopping applicant from getting a workable final map and permit.

Applicant can only believe the DIA (see DIA CCC already had applicant sign) is a tool CCC uses to stop development of those disabled persons CCC decides (discriminates against disabled) don't “belong” in a hill top neighborhood? Long term, consistently applying these punitive COA regarding forcing

applicant to sign DIA and rebuilding all downstream storm drains is intentional discrimination. Enforcing otherwise neutral laws or policies differently because of the residents' protected characteristics constitutes intentional discrimination in violation of the Housing Act. RA is an exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling.

Deferred Improvement Agreement Construction Requires Proof of Access CofA #45 CofA requires "applicant to furnish proof to PW "...of neighbors "rights of ways and rights of entry and permits and easements obtained for" applicant to build CCC DIA required "roads and drainage improvements."

If CCC insists applicant obtain a copy of a duly recorded offer of dedication and rights of ways and rights of entry and permits and easements from the adjacent property owners, in a form and content acceptable to the public works director, offering to dedicate to the county or other public agency sufficient land rights for the construction, maintenance and operation of all necessary storm drainage systems and access facilities, this action will be intentionally discriminatory. Such documents shall be obtained (from all, many, many property owners and require many, many visits) between the boundaries of the subdivision and the point at which the surface waters will be discharged into a natural watercourse having definable bed and banks or an existing "**adequate" public storm drainage facility**". Since the storm drains at Panoramic Way and Olympic and Tice Valley Blvd **are known to be inadequate**, CCC will force applicant to fix all drainage on these streets per the CofAs, this will cost millions, delay, stop her project through "CCC's application and interpretation of their hidden discriminatory policies" it takes to build new drainage, roads, retaining walls, move utilities, cut down and dig up all the way down Panoramic, down Olympic Blvd to the flood drainage channel. Other non-disabled persons building a disabled friendly home are not subject to this kind of PW "police powers usage abuse".

NEXUS ANALYSIS Panoramic Way Frontage Improvements-Deferred Improvement Agreement (CofA 41 exception applies & overrules CofA 42, 43, 44, 45, 49, 53 and 54)

Applicant is currently her own Owner Builder.
Applicant requests reasonable accommodation to **allow her to pay the drainage fee only**; and that CCC, follow CCC RA "internal policy" process of an exception, or adjustment to a rule, policy, practice; **rescind CofA 42, 43, 44, 45, 49, 53 and 54** so applicant is not required to comply with these CofA as their removal is necessary and critical for a person with a disability to have an equal opportunity to use and enjoy a dwelling and to prevent discriminatory treatment against disabled people as other non-disabled projects have been granted special privileges and not required to comply with these type CofA. This will help put applicant in the same position as someone without a disability and therefor provide equal opportunity to housing of our choice.

This Nexus Analysis that applicant is requesting a RA exception to the Conditions of Approval for her small 2500 sq. foot project. The exception of policies and practices to the rules, standards and customs for the siting, development of CCC required CofA construction of significant and material changes in our neighborhood, the drainage improvements requiring roads, pavement additions, retaining walls, drainage, etc. Rescinding the RA requested CofA would eliminate regulatory barriers and allow persons with disability equal opportunity to build specific housing of their choice under the Federal Fair Housing Act and the California Fair Employment and Housing Act (the Acts) and other applicable laws. The effects of the nexus identifiable relationship analysis will demonstrate the necessary of lessening or eliminating "living disabled life difficulties" relating to CCC requiring applicant conform with **(42, 43, 44, 45, 49, 53 and 54)**.

This includes obtaining proof of access that require walking, walking high fall risks and danger to applicants body, obtain encroachments permits, destroying of old trees, ruining the scenic easement beauty of the hill along Panoramic, pay for design and supervise and physically oversee the construct of 1600sq feet pavement for road project frontage, retaining walls, longitudinal and transverse drainage and conforms for drainage for entire neighborhood and vicinity, hire consultants to create plans to submit to PW, pay for PW inspections and PW plan review fees and applicant of course will be on site to oversee that the work is done properly for the entire neighborhood.

Applicant has feet physical impairments disability, that results in significant mobility, stumbling, fall risks, balance, walking issues. This disability creates the need for the RA request allowing payment of the drainage fee instead of CCC requiring compliance with **CofA 42, 43, 44, 45, 49, 53 and 54**. Rescinding the requested CofAs and allowing applicant to pay the drainage fee instead, as other non-disabled persons are allowed, will ensure applicant safe ambulation in her neighborhood when complying with CCC conditions of approval in building her “required drainage.” This requested RA accommodation is necessary and directly linked to the applicant’s disability and the direct amelioration of a disability effect to provide equal opportunity to applicant to build and enjoy her home under safe ambulation complying with CCC drainage conditions. Further, this document and all attachments will show the request is reasonable, given the dangerous, near impossible, discriminatory results to disabled applicant when she tries to comply with conditions of approval CofA **42, 43, 44, 45, 49, 53 and 54**. Applicant will fall, damage her body if she is required walk to each neighbor home over and over again to get approval from each neighbor as required by the DIA and CofA 45 in order to comply with CofA **42, 43, 44, 45, 49, 53 and 54** also, when applicant is performing everyday normal supervision manual tasks such as overseeing and observing the construction, walking up and down the long hill to communicate and discuss the process with the contractors building the road and PW inspection of the progress, these CofA compliance will increase the walking hazards to applicant and result in difficulties preventing falls.

*Forcing applicant (with mobility issues) to walk to each neighbor’s house for procuring the voluminous “proof of access” approvals necessary per CofA45 so I can comply with CofA **42, 43, 44, 45, 49, 53 and 54** requires so much, too much walking. Those CofA violate the RA concept of “necessary of lessening or eliminating “living disabled life difficulties” Instead CCC is “increasing living disabled life difficulties”. Countless walking visits on Panoramic hill by applicant, to over 20 neighbors, some with over 60 yr. old, uneven hazardous driveways and walkways. In addition, more negotiations walking visits, more visits to offer money, extra visits for creating legal agreements, further walking visits to have them signed, then, up and down the hill with no sidewalks, blind curves, walking, slippery rain (higher risk for falling) conditions or 101-degree temperature (high risk for heat stroke, dizziness, falling) which is very injurious to disabled persons health. Next, CCC reviews proof of access docs and decrees acceptance by CCC, then more walking for disabled person after recording, back to neighbors to give them their final document. More opportunities to fall, stumble, lose balance and end up in the hospital. All due to CCC punitive requirements to have applicant increase her limit on walking distances significantly and materially more than her daily, normal disabled routine. CCC knows applicant has mobility, stability problems with her feet, applicant will fall and break a hip (go to hospital, lawsuit) or other bone while trying to obtain the documents from neighbors due to CCC refusing to grant RA request and refusal to eliminate regulatory barriers for safe building of my UD housing. Further, not all neighbors will agree, hereby stopping the project and these CCC required actions will be considered punitive, discriminatory and applicant will not be treated like non-disabled folks.*

If CCC insists applicant obtain a copy of a duly recorded offer of dedication from the adjacent property owners, in a form and content acceptable to the public works director, offering to dedicate to the county or other public agency sufficient land rights for construction, maintenance and operation of all necessary storm drainage and access facilities, this action will be intentionally discriminatory. Such documents shall be obtained (from **all, many, many** property owners and require many, many visits) between the boundaries of the subdivision and the point at which the surface waters will be discharged into a natural watercourse having definable bed and banks or an existing adequate public storm drainage facility. Since the storm drains at Panoramic Way and Olympic and Tice Valley Blvd are known to be inadequate, CCC will force applicant to fix all drainage on these streets per the CofAs, this will cost millions, slow down and delay and/or stop her project through "CCC application and interpretation of hidden discriminatory drainage and DIA policies" to build new drainage down Panoramic, down Olympic Blvd to the flood drainage channel.

In addition, understand even if every home owner along Panoramic Way hill grants proof of access and dedication and signs the form giving away their land rights (not likely), and applicant is currently her own Owner Builder, applicant intends and will indeed observe and oversee the millions-dollar improvements at the site just as is the rights of a non-disabled person, normal everyday task when someone pays for construction services. If a disabled person is forced to fund millions of downstream PW facilities and PW construction projects, that disabled has a right to oversee, be on site and be involved with the work; with PW and the construction company on site.

Rescinding the requested CofA is necessary to reduce the... *increased walking, falling, tripping hazards and difficulties in performing manual tasks by applicant such as being on site of constructing road, observing, oversee the construction (just like a non-disabled person) of the retaining walls and road building, trying to walk safely up and down the long Panoramic hill to communicate and discuss the construction process with the contractors building the road, walking to deal with calls of complaints that will require applicant to drive to the site, park, walk on uneven construction surface, increasing the likelihood of falls, stumbling and balance problems, decreasing safe, easier mobility on hill incline of Panoramic Way daily to make sure contractors are following the construction plans as required by CCC.* The same nexus connection "hazardous walking distance and conditions" relationship results in an "unequal" opportunity to be provided to a handicapped person, hence the RA request to create a "level playing field" in housing. I will not be able to take advantage of my projects housing opportunities because of the conditions created by my disability. Treating applicant, the same as non-disabled folks, may not ensure that the disabled have an equal opportunity to use and enjoy a dwelling of their choice per the Acts.

Equally important applicant will exercise her constitutional right to be on site, observe, communicate and oversee the millions-dollar improvements progression if CCC compels her to build retaining walls, drainage installation, widening roads, etc. at Panoramic Way road, just like any other non-disabled owner builder person buying construction services. Requiring applicant to sign DIA and of course, then implement drainage construction on Panoramic *will increase the walking hazards to applicant and difficulties in performing everyday supervision of construction activities, normal manual tasks of persons purchasing expensive services such as site supervision, overseeing, observing the construction, checking progress of work, walking up and down the long hill to communicate and discuss the process and status (CCC has time limit requirements) with the contractors building the road, walls, drainage, along with handling the calls of complaints by neighbors that will require applicant to drive to the site, park, walk on uneven construction surface, increasing the likelihood of falls, stumbling and balance problems and subsequent hospitalization.* These are barriers that are imposed by my disability, that prevent me from obtaining a housing opportunity others can and have accessed.

Westbrough 14 condos applicant (same drainage area and vicinity as my project, 14 times larger project, non-disabled housing, also granted zoning change), was granted special privileges, by CCC being allowed to pay the drainage fee and not construct storm drain improvements that were roughly proportional to the impacts of the project. In addition, Ms16-0015, Arfa, was allowed to choose the drainage fee or make drainage improvements. These non-disabled people were granted preferential treatment whereas applicant is forced to deal with disability punishing mobility problems, near impossible mobility difficulties of CofA **42, 43, 44, 45, 49, 53, 54**. The RA granting of the request is necessary bring the applicant to parity with other property owners in the same county.

If CCC intends to **not grant RA exceptions** and not rescind CofA **42, 43, 44, 45, 49, 53 and 54**, instead refusing to apply the drainage fee only and insisting on requiring applicant to sign DIA (applicant comprehends, given past treatment of this disabled person by CCC, the DIA agreement will be called up as CCC has established it discriminates against disabled persons), applicant fully expects CCC to force action of the DIA agreement. A CCC DIA agreement is a valid contract, to hold out as otherwise is fraudulent. CCC should not legally be telling applicant, "CCC doesn't always call up and force the agreement"; applicant believes this practice of telling any applicant that the valid Ca DIA contract is "not always enforced" is deceptive, if not leading to outright elder financial abuse, CA contact law violations and unethical. This is a deceptive policy to stop certain people from exercising their right to afford handicapped persons equal opportunity to use and enjoy disabled housing.

The requested accommodation is reasonable, would not impose an undue financial or administrative burden on the County, just delete the CofAs, is not a costly action. Deleting CofA **42, 43, 44, 45, 49, 53 and 54** (which are interrelated) is not costly and will stop CCC using its police powers in an discriminatory, unlawful manner and then CCC could not force disabled people obtain a copy of a duly recorded offer of dedication and rights of ways and rights of entry and permits and easements from the adjacent property owners with her feet impairment that substantially limits major life activity of walking (stumbling, falling, tripping, balance issues); applicant will fall and end up in the hospital if is forced to get proof of access, etc. Removal of CofA#**42, 43, 44, 45, 49, 53 and 54** is necessary to ensure CCC applicant stays healthy so the property will continue to be used and accessible to applicant; if I am in the hospital, I cannot use and enjoy housing of our choice.

The change to the "CofA #**42, 43, 44, 45, 49, 53 and 54** will help put applicant in the same position as someone without a disability, building a safe and cost-effective home, not being forced by CCC to walk over and over, up and down the hill, trying to acquire over 20 "proof of access documents" from neighbors (CofA 45), many neighbors with uneven, cracked pavements, driveways and walkways, which will result in me tripping and falling, putting myself in danger due to mobility disability and therefore this CofA results in not providing equal opportunity to housing of disabled persons choice. **Applicant cannot comply with the other 42, 43, 44, 45, 49, 53 and 54 until this CofA (CofA 45) is completed by applicant.** CCC housing element goal, in General Plan, # 7 says, "Mitigate potential governmental constraints to housing development and affordability."

The requested accommodation would not require a fundamental alteration the County's land use and zoning program, just delete the CofA, only then can applicant be treated as other similarly situated non-disabled builders. In fact, the accommodation will uphold and promote the CCC Housing Element Goals and other General Plan Goals.

The RA exception is necessary for the preservation and enjoyment of a substantial property rights of the applicant. There are special circumstances applicable to the subject property because of its size, shape, topography, location, historical drainage patterns, large, old shade trees along Panoramic Way street edge of pavement and semi-rural surroundings. Also, there are unusual circumstances or conditions affecting the property; the strict application of the respective zoning regulations deprives the subject property of rights enjoyed by other properties in the vicinity and within the identical land use district.

Paving widening is not characteristic, nor it is even necessary or needed given the existing right of way constraints, the features the hillside, topography, built out nature of the very old neighborhood. The neighborhood is built out, why expand the road? Very important, Panoramic does not have much traffic at all; no significant amounts of traffic, why widen the road? See next paragraph. The DIA proposes a storm drain system that is not following historical drainage patterns. The DIA proposes a storm drainage system that is not characteristic of the facilities in our neighborhood.

The DIA construction requiring additional paving space will need to cut into my hillside (look at topo map, location of my property). **CCC will cause a landslide of applicant's property by undermining and compromising the stability of my hill at its foot base and along the side. When the landslide occurs, applicant will be unable to escape in time given her feet mobility disability.** How can applicant enjoy her housing if she dies in a landslide? This cutting into the hill side will violate the CofA regarding the scenic easement. Applicant understands widening the road will lead to spoiling and not preserving the character of the hillside and neighborhood, destroying and razing old established beautiful Oaks and other large shading trees all along Panoramic Way edge of payment to install roads and longitudinal and transverse drainage and digging of above ground ditch drainage, changing historical drainage patterns of the entire neighborhood all to install unneeded and unnecessary road way expansion for one little house (home footprint less than 1300 sq. ft.) It would be a great benefit to all of the neighborhood if: the trees were not destroyed to put in the drainage and widen the road, if the character of the neighborhood was not changed; if the hillside was not carved and dug into, and huge ugly retaining wall put in, just leave the scenic entry and drive to Grandview Place in its beautiful, natural state.

The DIA building of the roadway will take an exceedingly long time, blocking traffic including firetrucks, ambulances (causing safety problems) and sanitation removal trucks (causing health problems). If my spouse has another diabetic emergency (had one this summer, called 911 to get his blood sugar back up 32) and the road is block to emergency vehicles he could die. Also, neighbors will be delayed going to necessary doctor appointments, moms won't be able to pick up their children from school on time (causing welfare problems) as the road is not wide enough to have pull out area to go around. The DIA and related construction will cause many health and safety problems in the neighborhood over a long period of time .

Additional side note, applicants lot exhibits unique physical characteristics that exist to justify relief from zoning, DIA regulations and further, other non-disabled persons, similarly situated, have been granted this relief. The requested accommodation is reasonable and necessary, the cost of rescinding CofA#**42, 43, 44, 45, 49, 53 and 54** is materially null. Equal treat is just requiring a standard drainage fee and not requiring millions of dollars of improvement, forcing applicant to walk on uneven surfaces to try to get proof of access and applicant overseeing, supervising the work and walking on dangerous surfaces, falling...so she can complete all linked and connected water drainage CofA#**42, 43, 44, 45, 49, 53 and 54**. Again, CCC in the past has allowed no DIA requiring drainage construction to other non disabled builders,, instead allowing just the drainage fee and this use of police powers would not be an undue hardship or substantial burden to CCC. Whereas, the benefits to applicant who faces daily mobility barriers are huge and life changing, instrumental to living as close to a normal life as possible when building her home of her choice.

Applicants lot exhibits unique physical characteristics that exist to justify RA exception relief from the road pavement widening and DIA RA exception and further, other non-disabled persons, similarly situated, have been granted non-RA relief in the past or even have properly, non-discriminatory written CofA at the beginning of the process. Also see Nexus Analysis dated 7/18/2018 given by applicant to CCC for BofS appeal hearing.

Applicant respectfully requests CCC rescind **42, 43, 44, 45, 49, 53 and 54**, understanding this is a small project and CCC changes the **COA to say Applicant is in Establish Drainage Area15A, requests to be treated as other applicants in the same drainage area with very small building footprints and will follow the rules in General Plan that allows charging a fee of .35 cents a sq. ft. of impervious surface** instead of the areas with not yet established as adopted drainage areas that do not pay standardized drainage fees but

must instead meet the collect and convey requirements of the subdivision ordinance. This change recognizes flood control systems costs can be fairly allocated to the applicant in a reasonable proportion to the demand impacts and burdens generated by project occupants, while removing costly, overly burdensome governmental impediments to a small building project. **Also, given the exception examples documented above for the Collect and Convey exception, please grant relief from those CofA also.** Thank you.

I, Mary Dunne Rose, applicant and appellant, have read the forgoing document and understand its contents. With the contents that I have personal knowledge, I know and believe them to be true of my knowledge. I verify my belief that the above statements are true. Regarding the contents that I do not have personal knowledge of, I believe them to be true based on specified information, documents or both. I assert the truth and my belief in the truth of those matters under penalty of perjury.

Please process this RA appeal to the BofS ASAP!

Date 10/26/2018

Name Mary Dunne Rose

Mary Dunne Rose

Many Attachments

12/3/2018

Notice of Appeal to Board of Supervisors

See Detail Backup Documentation Confidentiality Requested

Mary Dunne Rose, # MS060037 or CV14-0042; 78 Grandview Place, Walnut Creek, Ca

RE: Appeal and Additional Declaration of Civil Rights Violations by CCC Against Applicant



Dear Board of Supervisors,

Applicant respectfully presents this appeal regarding the DCD Response Denial Letter dated 5/9/2018 and then revised denial letter by DCD 11/2/2018 to applicant's original RA request filed on 9/29/2017 and the entire processing of her permit and RA requests. The "revision of the DCD Determination letter is not part of "CCC Reasonable Accommodations (RA) Internal Policy", and in fact, is in violation of that policy. CCC has not complied with the "prompt process" laws relating to RA. Please see additional information attached and prior applicant filings to the Board of Supervisors.

In addition, applicant has provided this 12/3/2018 addition to Summary of Appeal (filed with Clerk of Board) and the Detail Backup Documentation appeal packet for your consideration and review.

PARTIES: Applicant Mary Dunne Rose. Also, Contra Costa County is a municipal entity, including its respective departments, agencies, and other instrumentalities, is a "public entity" within the meaning of 42 U.S.C. § 12131(1) and 28 C.F.R. § 35.104, and is therefore subject to Title II of the ADA, 42 U.S.C. §§ 12131-12134.

BACKGROUND: See attached timeline and other additional information filed by applicant with CCC

LAW: The Federal Fair Housing Act ("FHA") and the California Fair Employment and Housing Act ("FEHA") impose an affirmative duty on CCC to make reasonable accommodations (modifications or exceptions) in their zoning laws, other land use regulations and practices when such accommodations "may be necessary to afford" disabled persons "an equal opportunity to use and enjoy a dwelling of their choice" to prevent discrimination. Please read attached 5-15-2001 letter office of Ca Attorney General and letter dated 6-17-2002 of Department of Housing and Community Development. Section 504, Rehabilitation Act of 1973, is US law that guarantees certain rights to people with disabilities, federal civil rights laws offering protection for people with disabilities. Title II of the Americans With Disabilities Act (ADA) requires that state and local governments provide program access for individuals with disabilities to the whole range of services and programs. 42 U.S.C. § 12131; 28 C.F.R. § 35.150(a)(3). Also, Unruh Civil Rights Act, AB 1600, the Mitigation Fee Act, all the United States Constitutional rights including all amendments, Bill of Rights, case law that are other critical rights prohibiting discrimination. See applicant Detail Backup Documentation (filed with DCD on 5-21-2018) for information on other laws such as ones relating to General Plan and CCC policy, goals and other practices.

GROUND FOR APPEAL: CCC could improve upon its deliberately indifferent past actions to properly exercise its police powers to adopt policies, official positions, ordinances, regulations, decisions, including the critical need to properly **train staff**, necessary to prevent fundamental constitutional violations and ensure a fair planning and land use process, including the reasonable accommodation (RA) due process, free of discrimination and errors. CCC BofS needs to establish a written policy and **fund DCD's budget for training** (not staffs' fault errors are made-they need training) the DCD staff and their supervisors to ensure compliance and enforce certain applicant rights allowed by law. This will allow CCC staff to respect constitutional rights, more important, prevent errors in land use permitting processing from continuing, including not following their own General Plan, State and Federal laws and fundamentally unfair procedures. CCC could benefit from establishing a pattern of facts and actions documenting their commitment to a discrimination free, constitutional rights compliant land use application and processing practices **for all persons**, including disabled, senior, special needs folks using a proper exercise of police powers to prevent future staff errors. Applicants constitutional rights need to be respected. For example, denial of free speech; equal protection and due process; right to a prompt, good faith interactive communication

process; takings without just compensation, discrimination and error predisposed RA processing due to lack of training, result in depriving applicant of protected constitutional rights. These sort of actions, such as **issuing discriminatory CofA** cause emotional distress, physical pain and mental anguish to applicant. Applicant has suffered during this lengthy period (years) by trying to resolve CofA issues with the county with no positive solution. CCC needs to enhance communicative processes, engage in a prompt fair due process and equal protection, interactive communication process, prevent discriminatory processing due to inadequate training which has caused applicant's suffering, emotional and mental distress, shame, embarrassment, sadness, anxiety, many sleep disturbed nights, physical pain while needed surgery is delayed, excessive monetary costs, incorrect takings of land rights, loss of use of Universal Handicap Friendly Designed home of our choice and in fact, over many years, never issuing a final approved permit and map, and finally hopelessness.

Attached:

- Timeline and backup detail to certain numbered items on timeline
- Board of Supervisor Requested List of Discriminating Conditions of Approval with comparison to other projects (applicant has a list of more similar projects and will provide upon request)
- Applicant Notes Regarding CCC Fair Housing, Discrimination and Use of HUD Funds and CCC Reporting Issues

INJURY: Applicant claims the following items of injuries:

- Physical harm to applicant during and after the events at issue, including, suffering physical pain in feet as her surgery is delayed due to CCC delays in the RA process, headaches, continuing discomfort, and any physical pain that applicant is reasonably certain to experience in the future.
- Emotional and mental distress and harm to applicant during and after the events at issue, including suffering, shame and humiliation, and mental anguish, many sleep disturbed nights, and any such emotional and mental harm that applicant is reasonably certain to experience in the future such as hopelessness.
- Possible cost of reasonable legal services that applicant could reasonably need in the future.
- Medical costs of therapy started when started RA process.
- Dental costs over \$3000. For stress related teeth grinding and subsequent teeth repair.
- Future lighting district taxes, in perpetuity, must be paid even though the home is not built.
- Loss of use of Universal Handicap Friendly Design Home now and in the future. Loss of appreciation of house from 2014 forward
- FMV Impairment of lot A and B with the recording of the error in the "Deferred Improvement Agreement" and scenic easement
- Monetary losses of over \$50,000 to date.
- Very substantial emotional distress, such as embarrassment, sadness, anxiety, suffering - due to constitutional rights violations and long-standing age and disability discrimination, degrading comment by staff, denial of basic human right to live in housing of our choice to help us age in place.
- Lost earnings while applicant worked on this project.
- Takings by Scenic Easement Requirement.
- Suffering by discriminatory CofA.
- Deprivation of the right to respectful interactive communicative process.
- Frustrations with Reasonable Accommodation process and the many errors.
- Inconvenience and loss of enjoyment of life.
- Reasonable value of each day applicant is not in her disabled friendly home and must delay her surgery.

Applicant is unable to set a value on the injuries at this time. The range could be \$650,000 to \$12,000,000 depending upon future negotiations and lawsuits with CCC.

I, Mary Dunne Rose, applicant and appellant, have read the forgoing document and understand its contents. With the contents that I have personal knowledge, I know and believe them to be true of my knowledge. I verify my belief that the above statements are true. Regarding the contents that I do not have personal knowledge of, I believe them to be true based on specified information, documents or both. I assert the truth and my belief in the truth of those matters under penalty of perjury.

Please process this RA appeal to the BofS ASAP!

Date 12/3/2017

Name Mary Dunne Rose
Mary Dunne Rose

From CCC RA internal policy:

Appeal of Determination.

A determination by the reviewing authority to grant or deny a request for reasonable accommodation may be appealed to Director of the Department of Conservation and Development, or designee. Upon review of the case a final decision will be rendered by the Director, **subject to appeal to the Board of Supervisors, under the appeal procedures in Title 1, Chapter 14-4 in the County Ordinance Code.** (see below)

Chapter 14-4 in the County Ordinance Code. 14-4.004 - Notice filed by appellant.

The appellant shall, within **thirty days** of the action appealed from, file with the **Clerk of the Board** a verified written notice of appeal concisely stating the facts of the case and the grounds for his appeal including his special interest and injury.
(Ord. 70-36 § 1, 1970: prior code § 1207).

Attachments:

Various attachments

TIMELINE

Updated 12/2/2018

From: Mary Dunne Rose, Owner of property; # MS060037 or CV14-0042 78 Grandview Place Walnut Creek ca

Applicant has attempted to obtain approval for many years from Contra Costa County, CCC and applicant has spent over \$60,000.00 to date.

#	Date	Description
		<p>Effects of CCC Reasonable Accommodation (RA) "Failure to Adopt a Needed, Lawful RA Policy" Lead to Discrimination in Land Use Practices Against Disabled Individuals</p> <p>A "reasonable accommodation" is a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling. Since rules, policies, practices, and services may have a different effect on persons with disabilities than on other persons, treating persons with disabilities exactly the same as others will sometimes deny them an equal opportunity to use and enjoy a dwelling. The Act makes it unlawful to refuse to make reasonable accommodations to rules, policies, practices, or services when such accommodations may be necessary to afford persons with disabilities an equal opportunity to use and enjoy a dwelling. A failure to reach an agreement on an accommodation request is in effect a decision by the provider not to grant the requested accommodation. A provider has an obligation to provide prompt responses to reasonable accommodation requests. An undue delay in responding to a reasonable accommodation request may be deemed to be a failure to provide a reasonable accommodation. When a person with a disability believes that she has been subjected to a discriminatory housing practice, including a provider's wrongful denial of a request for reasonable accommodation, she may file a complaint with HUD within one year after the alleged denial or may file a lawsuit in federal district court within two years of the alleged denial. Charging a fee for a reasonable-accommodation request is unlawful under Title II of the ADA and Section 504 of the Rehabilitation Act of 1973 as well as the California Unruh Civil Rights Act. Further, usual land-use and zoning procedures, they are on public disclosure and input. However, applicant repeatedly stated how even revealing that someone has a disability could subject one to further discrimination and stigma. As a result, the internal ordinance needs to be substantially modified to (1) keep submitted information confidential, (2) remove public disclosure requirements, and (3) handle the requests in a confidential manner on a separate, but coordinated, track with other related land-use approvals. The DCD planning department also needs to alter the appeals process for the denial of an applicant's reasonable-accommodation request. Instead of the appeal going before a public body, the appeal of the denial could be decided by the CCC administrator, further ensuring that the information on the applicant's disability is kept confidential.</p>

add general plan housing element here

Add Impediment analysis here

No RA Policy
Years 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013 and part of 2014

CCC did NOT HAVE ANY Reasonable Accommodation written policies and procedures (for public and for municipal staff, management) for the years of 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013 and part of 2014.

No written RA policy is the CCC "represented official policy-a so widespread practice, given the long-standing decision not to promptly execute a legal, law compliant, Board of Supervisor, codified, approved by management, RA written policy and ordinance, regulation, and ensure critical RA staff, supervisor training" pertaining to CCC land use RA processes for the disabled. CCC has refused for years and continues to refuse to make available a lawful land use RA policy.

CCC has refused for years and continues to refuse to have lawful written procedures (created a precedent for singling out disabled persons and applying heightened requirements) for an annual training program for staff and management regarding RA laws, refuses to create lawful RA process. CCC refuses to budget extra funding for RA processing, training and education to prevent discrimination against disabled persons. CCC actions perpetuate the stigma surrounding disabled people.

If proper, lawful RA processing (and if CCC had a codified, lawful RA policy) had occurred in 2006, applicant would not have been given the CCC certain special discriminatory treatment used by staff for disabled people; by creation of certain CoFA that restricts, denies and renders infeasible housing opportunities and imposes different requirements than generally imposed on non-disabled similarly situated persons by CCC staff.

CCC's long standing custom & policy of engaging in unlawful practices of ignoring RA and discrimination laws demonstrated by past refusal to make reasonable accommodations in rules, policies, practices and services (and make these available to the public) when such accommodations may be necessary to afford a person with a disability the equal opportunity to use and enjoy a dwelling of their choice in 2006.

See General Plan documentation (2009 to 2014 GP, page 6-103) which states, "...5 Year Objective, Document Reasonable Accommodation procedures" CCC did not even create any RA until 2014!!!

Backup Docs: See attached CCC General Plan Documentation, see CCC 6/2014 "internal RA Policy", see US and CA Constitution, bill of rights and all other laws, regulations, court case etc. for RA, privacy laws, discrimination, etc.. See attached letter from State of Ca Office of the Attorney General, B Lockyer, dated May 15, 2001 (AG noticed CCC need RA policy) 4 pages.

Currently (2018) CCC still does not make available to the public a lawful RA policy. CCC is misusing its authority and police powers granted by the state (statute, ordinance, regulation, custom or usage of laws). CCC waits until a disabled person files their RA official request then "makes available" CCC "internal" RA policy thereby denying, restricting, adversely impacting the RA process in CCC favor.

Next CCC stalls, asks for more information (expensive-hire consultant to create) and basically "wants more information" over and over.

Critical point: If CCC had a valid, lawful RA policy in 2006 and given it to disabled person, the applicant could have headed off many of CCC objections and denials in the first place, along with stress, costly hire consultant fees and wasted time. In 2006, disabled person could have invoked RA laws thru free speech rights and not have been given discriminatory CoFA. Her home would be build, appreciating and she would not have had to experience the ongoing CCC discrimination.

The County repeatedly acted inconsistently with its RA and land use policies and practices: intentional, consistent lack of ANY RA practices and actions results in denying, restricting and preventing construction of disabled housing.

CCC uses the unethical tactic of asking for more information during applicants project numerous times with the goal to stall the application and project, costing applicant more money (find and hire consultants) and most importantly, harass the disabled person.

This tactic is frustrating, discriminatory and causes. Applicant has hired a total of four different consultants, at CCC request for "more information", spent over \$50,000.00 to date and still doesn't have reasonable, non discriminatory Conditions of Approval and a final map to start building.

Congress found that "discrimination against individuals with disabilities persists in such critical areas as . . . access to public services," 42 U.S.C. § 12101, and thus passed the ADA to provide "a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities."

3 9/8/2006

Applicant had meeting with CCC Community Dev. Planner, at the Community Development Dept with Rose Marie Pietras, staff at DCD and applicant's planner to discuss lot split at the start of her lot split process in unincorporated CCC of Walnut Creek. Applicant informed R. Pietras of foot deformity, showed her the deformed foot and informed her of plans for aging with a disability. Staff Pietras did not inform or discuss that she intended to create Conditions of Approval that would render my project impossible to build and complete without going back through CCC expensive variance process. The neighbors' (NIMBY) were very against, very rude and extremely vocal against new housing. Staff Pietras did not show good faith during the process.

NO one at CCC DCD informed applicant about her rights to use the RA process, violate free speech rights of applicant.

Staff Rose Marie Pietras should have known her actions lead to a discriminatory housing practice that is unlawful for any person to refuse (by silence and inactions) to make reasonable accommodations in rules, policies, practices or providing services. She treats disabled persons differently, applied harsher CoFAs.

CCC is indifferent to RA laws and in some cases, such as applicant's, intentionally discriminates by creating and conditioning disabled persons project with much more expensive and impossible requirements (CoFA) so disabled

CCC staff Ms. Pietras was callously indifferent to my protected rights, she malicious created certain conditions of approval for my project that are discriminatory, inappropriate, deny my opportunity to build, so expensive to render infeasible the construction of residence by applicant.

Documentation: See Applicants Conditions of Approval (CoFA) #25: Roads Building Requirement: Applicant must build 2 roads before allowed to obtain a building permit. These roads are unsafe. CoFA #17 and CoFA #18, Landscaping: forcing disabled person to plant project b-4 to get building permit granted. All landscaping will be destroyed during building project and applicant will have to redo. Additional CoFA created to render disabled persons project infeasible, such as impossible drainage requirements and site distance clearing for the Having no written policy for years caused applicant to be denied her 1's Amendment right to Exercise Free Speech to request RA rights and equal protection and due processes rights and be free of discrimination.

CCC staff Ms. Pietras did not inform applicant of the Reasonable Accommodation (RA) laws at any point in the process. Staff did not provide a CCC written RA policy to applicant. No other CCC staff or personal (supervisors) inform applicant of the RA laws. Nor were there any posters in the DCD office, flyers or any information on the internet relating to applicant's rights to RA process at CCC.

Documentation: See applicants (and her many consultants): 7-2018 "nexus" letter to CCC, see all letters and emails and maps and other information applicant sent CCC.

5	12/4/2006	Packet to approve lot split to CCC Zoning Admin. Then went to BofS for their approval, effective 12/25/2016.	Zoning Administrator never caught or corrected the discriminatory, erroneous certain Conditions of Approval. For example, Zoning Administrator allowed discriminatory land use CoFA #25 Roads Building Requirement. Applicant must build 2 roads before allowed to obtain a building permit. These roads are dangerous.
		DCCD staff Ms. Pietras intentionally disregarded applicant's civil rights and discriminated against applicant (reckless, malicious errors) when she created the Conditions of Approval (CoFA) for applicant's project, by imposing certain CoFA that had excessive restrictions, illegal takings without just compensation and certain unreasonable, near impossible conditions to satisfy. The staff's supervisor also did not correct these errors. No CCC staff or management caught or corrected any of these errors.	Not one of the CCC Board of Supervisors caught the discriminatory CoFA, nor the heads of Public Works and Community Development or their staff.
5			The unequitable CoFA are a result of discrimination, inadequate training and supervision leading to applicant being denied fundamentally fair due process rights and instead, set her up for a long term expensive, discriminatory planning department process as applicant attempted again and again to obtain her approved final map and CoFA and failed.
6	3/2/2007	Applicant questions re compliance and map recordation next steps, status.	Contact CCC.
7	11/2007 and 11/27/2007	Applicant questions re compliance and map recordation next steps, status.	Contact CCC.
8	2009	Great Recession - State made law for automatic extensions of permit process	Extensions to permit required by new state laws due to deep recession.
9	12/9/2009	Applicant questions re compliance and map recordation next steps	Contact CCC.
	2013	Great Recession coming to end	
	2014		
10	1/14/2014	Email from Kelley Timbrell PW staff will release copies of applicant plan checked Parcel Map and calcs for MS 06-0037 for the lot split. Applicant hires consultant C Gregory to help with project.	Staff and Applicant start working on project.

11	1/29/2014	Email from Christine Parks, outside consultant, discussing Issue with COA 53 & 54. Item A2 of the findings state that "The parcel map may not be filed until the collect and convey requirements and improvements have been met." "It sounds like they (CCCCPW) expect your owner (applicant) to install a drainage pipe all the way down Panoramic Way almost to Olympic Blvd...the design and construction costs could be significant."	Questioning if CCC wrote CoFA #53 and # 54 as infeasible, excessively costly conditions to satisfy. Evidence of CoFA #53 and 54 are conditions that adversely impact and renders infeasible the opportunity to obtain a final map, build housing of our choice and make unavailable housing opportunities. Documentation: See 1/29/2014 email from Christine Parks
12	1/9/2014	Letter from Jessi Duffy CCC PW staff to applicant, applicant needs to : 2 - "Tax Zone 2 Letter" specifying the Tax Zone your parcel belongs to and assessment fee, and 3 - "Consent and Ballot form" to be filled out, signed by owner, notarized and returned back to me. Also, PW staff tells applicants consultant C Gregory CCC <u>"needs for information and must do 2nd survey"</u> to move the project forward.	<u>CCC requiring "more information" and requiring applicant to redo all the maps filed with CCC, they redlined and again pay for and take time to have a second 2nd survey done.</u> Applicant start process of interviewing and hiring someone to survey again. Time and money spent.
13	3/24/2014	Hire APEX Engineering Consultants for drainage issue resolution and, again, map preparation	Documentation: see valid signed contract for services MS06-0037 Drainage memo to address CoFA #53-55 and 2nd survey RFP required by CCC.

14 3/26/2014

Email and "Drainage Memo" from APEX civil engineering firm applicant hired, see attached letter regarding CoFA #53 - #55 drainage. Not economically feasible of applicant to obtain lot split with CoFA #53 to #55. CCC staff J. LaRocque spoke with J. Vizcay APEX planner on 3/26/2014. Recommending one method to satisfy CoFA #55 was by having applicant "granting deeding development rights for the storm drainage over this minor subdivision so the condition would be satisfied when building would take place."

CCC states in CoFA #40 and 41 applicant is exempt from installing frontage improvements and road widening that are not characteristic of the area and existing right of way constraints. AND exempt from "No...necessary longitudinal and transverse drainage along project frontage of Panoramic Way or Grandview Place."

CCC staff J. LaRocque method to satisfy drainage CoFA #55 was by having applicant "granting deeding development rights for the storm drainage over this minor subdivision so the condition would be satisfied when building would take place."

Why didn't CCC staff apply CoFA #40 and 41, that totally exempts any drainage improvements? CCC made CoFA errors by writing too many conflicting drainage CoFA and then used police powers to apply the most stringent, expensive, restrictive difficult ones to stall and continue their "need more information" harassment custom, while ignoring CoFA #40-41 that grants exception to the costly drainage improvement restriction. Similar projects of non-disabled not treated this way.

APEX consultant "Drainage Memo dated 3/26/2014 from consulting firm hired by applicant to solve drainage barriers, APEX Engineering Jon Vizcay, stating he spoke with CCC staff Jocelyn LaRocque in March 2014 and he reported Ms. LaRocque said, "even if applicant proved that the runoff from the site was reduced to be equal or below the existing condition by constructing an onsite detention facility that this condition would still not be met because applicant still has to prove that ANY RUNOFF (guarantee) is conveyed to an adequate storm drain facility." CoFA #54 effectively shuts down the project.

15 4/10/2014

C Gregory, consultant applicant hired, emailed S Gong at DCD COA compliance review.

1st time emailed to CCC DCD Gong staff

16 4/14/2014

APEX email Parcel Map Sheet to Robert Lezcano CCC PW as requested. Applicant write checks for \$1,550 to PW and check for \$1,550 to CD and over \$5,000 to APEX consultants. Applicant signed and return CCC requested "compliance Application.

CCC PW gets the information, surveyed map requested.

17	4/29/2014	Email from Jessi Duffy PW CCC staff, Attached, please find: 1 - "Outreach Letter" that explains the annexation process and street lighting condition of approval for the permit. 2 - "Tax Zone 2 Letter" specifying the Tax Zone your parcel belongs to and assessment fee, and 3 - "Consent and Ballot form" to be filled out, signed by owner, notarized and returned back to PW staff to satisfy CoFA #51.	Increase yearly future taxes forever for lighting district. Documentation: See email, see completed letter, signed consent and ballot form and tax zone 2 letter. See 4/29/2014 confirmed received email from CCC J Duffy as received.
18	6/11/2014	C Gregory, consultant applicant hired, emailed AGAIN S Gong at DCD conditions of Approval, <u>compliance checklist</u> showing most conditions of approval completed with many attachments for DCD. Also sent Grant Deed, Staff Study scenic Easement.	Delay, mistakes: 2nd time emailed to CCC DCD Gong staff, staff lost and caused delay. Project almost complete. DCD staff received all docs requested. Staff needs to organize and preserve all documents submitted to CCC for application.
19	6/11/2014	C Gregory, consultant applicant hired, emailed AGAIN Sharon Gong at DCD Prepared <u>Grant Deed</u> for DCD review and then DCD to forward to <u>County Council, legal dept.</u> , for review, with many attachments for DCD and legal.	Delay process. Submitted in May 2014, DCD staff still not processed. Staff needs to organize and preserve all documents submitted to CCC. CCC DCD staff to send to County legal dept. for final review. Documentation: 6/11/2014 email from C Gregory to CCC staff S Gong with attachments Scenic Easement Recording Doc, Staff Study Scenic Esmt, Prepared Grant Deed for Restricting Development -Scenic Easement prepared by C Gregory at CCC request. Legal CCC must review and approve.
20	7/21/2014	C Gregory, consultant, email CCC S Gong DCD and J Laro PW asking if MS06-0037 map ready to record?	NO Answer from CCC, stalling, ineffective communication process.
21	7/22/2014	Map approved by Public Works, still pending with DCD.	Still waiting for DCD approval of map.

22	7/24/2014	C Gregory, consultant, email CCC S Gong DCD asking why CCC did not forward grant deed submitted early May to Legal County Council, then resubmitted June for County Council Legal department to review. Also DCD S Gong sent requested changes for DCD and Gregory made changes and email back same day.	Staff S Gong never submitted the grant deed for review. Request staff copy applicant when she finally submits. Indifference, stalling in timely processing of applicants deed for Legal Department review. Documentation: 7/24/014 email from C Gregory to S Gong with attachment Disclose of Development Conditions coa
23	8/19/2014	C Gregory, consultant, email CCC S Gong DCD staff and PW staff revised Grant Deed of Development rights for their review and approval. Discuss plats and legals.	CCC requested information.
24	8/11/2014	Email from CCC S Gong DCD, has some MORE questions about Scenic Easement Grant Deed submitted in June 11, 2014 and still has not given to County Council.	Questions and delays, no reply from County Council until 4/14/ <u>2015</u> . <u>And legal dept. "has questions". CCC wants more information.</u>
25	9/2/2014	Email from R Lezcano APEX set final corners for lot survey.	Compiling with CCC for more information and do 2nd survey.
26	9/9/2014	Letter from CCC Public Works K Dahl, Senior Engineering Technician, stating applicant must pay Drainage Area 15A fee of \$3,900.00. Applicant pays.	Applicant pays CCC PW drainage fee of \$3,900. Documentation: receipt and shows on CCC billing invoice.

27 9/9/2014 Letter from CCC Public Works K Dahl, Senior Engineering Technician, asking applicant to sign and notarize the attached Deferred Improvement Agreement written and prepared by K Dahl and return to him. Applicant signed and returned.

Why would this be recommended by CCC? Applicant thought she was exempt from expensive drainage requirement per CoFA exemptions. CCC staff should apply CoFA #40 and 41, that totally exempts any drainage improvements? CCC made CoFA errors by writing too many conflicting drainage CoFA and then used police powers to apply the most stringent, expensive, restrictive difficult ones to stall and continue their "need more information" harassment custom, while ignoring CoFA #40-41 that grants exception to the costly, makes housing unavailable drainage improvement restriction. Similar projects of non-disabled not treated this way.

APEX consultant "Drainage Memo dated 3/26/2014 from consulting firm hired by applicant to solve drainage barriers, APEX Engineering. Jon Vizcay, stating he spoke with CCC staff Jocelyn LaRocque in March 2014 and he reported Ms. LaRocque said, "even if applicant proved that the runoff from the site was reduced to be equal or below the existing condition by constructing an onsite detention facility that this condition would still not be met because applicant still has to prove that ANY RUNOFF (guarantee) is conveyed to an adequate storm drain facility. CoFA #54 effectively shuts down my project.

See project Westbrook 14 unit condo project (same neighborhood as my project) that CCC admitted did not have sufficient drainage, but approved the 14 unit condo project, showing special preference. Disabled folks don't get special preference.

More drainage information requested study requested by CCC. Applicant has consultant prepare study and costs increase. Documentation: Study for Drainage

28 9/17/2014 C Gregory, consultant, email CCC Ken Dahl PW staff the Drainage study he requested in the 9/9/2014 letter.

29 10/6/2014 C Gregory, consultant, email to applicant regarding open items. **Drainage - Hydrology issues, setback and Grant Deed Scenic Easement.**

30 10/8/2014 Email from PW Ken Dahl, attached the ordinance for Drainage Area 15A.

Said, "Sorry for the delay, need more information from you once staff figures out what they want."

31 11/12/2014 CCC PW staff Ken Dahl sent email, "Here is the Deferred Improvement Agreement that must be signed and notarized. Feel free to call me with any questions."

Applicant signed and notarized and returned to CCC staff Dahl, see below.

32 11/21/2014 Applicant sent CCC staff Ken Dahl PW signed, notarized Deferred Improvement Agreement.

CCC PW staff told applicant it must be signed for both lot A and B. If it was recorded, CCC could have called it up anytime to require applicant, to force her to build all the downstream improvements, (estimated cost enormous as Panoramic is a very long street), even though she would never be granted a building permit due to CCC creation and PW interpretation of CoA#54 that states applicant MUST- construct improvements to guarantee adequacy.

Applicant just wants to get this over and get her final permit and map.

APEX consultant "Drainage Memo dated 3/26/2014 from consulting firm hired by applicant to solve drainage barriers. APEX Engineering Jon Vizcay, stating he spoke with CCC staff Jocelyn LaRocque in March 2014 and he reported Ms. LaRocque said, "even if applicant proved that the runoff from the site was reduced to be equal or below the existing condition by constructing an onsite detention facility that this condition would still not be met because applicant still has to prove that ANY RUNOFF (guarantee) is conveyed to an adequate storm drain facility. CoFA #54 & CCC staff interpretations effectively renders infeasible, shuts down the project.

Documentation: See excel point #14 above on 3/26/2014 Memo from APEX

33 11/20/2014 Applicant phoned Shane Tolosko PW to find outflow pipe, sent photos of pipe on lot next door to K Dahl PW for his review.

34 12/30/2014 Email C Leung re landscape plans preparation.

Start process of hiring landscape architect to create landscape plans for CCC review.

35	4/14/2015	Finally get comments back from County Counsel, per email from S Gong, staff DCD. Submitted to CCC for review Spring 2014.	<u>One year turn around from CCC is unacceptable. Stalling. Also CCC wants more changes, consultants for applicant no longer work on contract. Want another land survey, "requesting more information" to verify the scenic easement 92 contour line.</u>
2017			
36	6/12/2017	Applicant spoke with CCC DCD staff Adrian Veliz, phone call, he told applicant, <u>"This project never should have been approved". Applicant requested different planner as this staff is already discriminating.</u>	Unwarranted comment, discriminatory, applicant is sick of heart with this uncalled for hateful comment. Disabled people are good people who have right to live in a nice home just like other people!!!
37	6/12/2017	Applicant feels demoralized, believes CCC will never approve, has tried to work with the County over a lengthy period. Applicant will try again and starts process by hiring Aliquot Associates to work with CCC. Spends more money.	Staff needs proper training regarding discriminating type comments. Staff need a valid, lawful, codified RA policy in place.
37.1	8/6/2018	DCD Deputy Director admits in email applicants original RA request was received by her on 9-29-2018	CCC violated their own internal RA policy of 45 days deadline. Applicant submitted original RA on 9-29-2018 and CCC did not give final denial letter until 12/5/2018.
38	8/8/2017	Applicant calls CCC Martinez Department Conservation and Development DCD, requests written procedures on Reasonable Accommodation-informed by staff that no written Reasonable Accommodation (RA) policy exists. In fact, staff did not know what a RA policy was, applicant explained it to her.	Applicant informed by DCD staff no written RA policy exists for CCC. Staff manning the phone did not know what RA was.
39	8/9/2017 and 8/10/2017	Applicant searches many hours on internet and County website, looking for CCC written Reasonable Accommodation policies for future proper filing process.	No written CCC RA policy on internet or CCC website for land use practices found by applicant.

40 8/2017 Applicant calls Aliquot Associates and requests a copy of CCC Reasonable Accommodation (RA) policy. M Summer, PE convey they cannot locate any CCC written Reasonable Accommodation policies for CCC. CCC RA policy unknown to the CCC community, not on CCC website, no postings at DCD office, staff doesn't even know what it is.

41 9/29/2017 Applicant filed request for reasonable accommodation (RA) with CCC (certified mail), in person and email to A Bhat, Deputy Director on 9/29/2017. The reasonable accommodation process begins as soon as the request for accommodation is made (clock starts ticking) on 9/29/2017.

See attachments, include house plans, site plans, building floor plans to show applicant's downstairs Universal Design elements such as wheelchair accessible hallways, ADA wheelchair friendly kitchen and full downstairs bathroom, written description of need for wheelchair ramp to access home so applicant can be near Grandview Pl street for easy access to mail box, take out garbage, get paper and socialize with neighbors.

See attachments, include (house plans, site plans, building floor plans to show applicant's downstairs Universal Design elements such as wheelchair accessible hallways, ADA wheelchair friendly kitchen and full downstairs bathroom, written description of need for wheelchair ramp to access home so applicant can be near Grandview Pl street for easy access to mail box, take out garbage, get paper and socialize with neighbors.

A Bhat ignored RA request and site plans, building floor plans etc. Not sure she even forwarded to staff! CCC wrongly insists applicant did not give plans to CCC.

42 10/5/2017 No response from CCC, applicant phones A. Bhat and applicant again sends another email 10/5/2017 (9/29/2017 RA included) requesting response (6 days passed with no response) with plans and site plans, building floor plans etc. as attachments. Applicant RA request ignored, no response so applicant again reaches out to CCC. Stalling? Lost one week of processing time. CCC is not responding to disabled person's RA request and ignores house plans, site plans, building plans.

43 10/5/17 Phone call from Sean Tully, CCC DCDE staff, states he is assigned to project. S Tully states he needs time to read file and understand the project, see 10/5/2017 email from him. CCC staff does not know what RA is. Applicant explains RA law to Discussed no CCC reasonable accommodation policy and believe there is a written RA process. applicant explains RA law to CCC staff.

44 10/5/2017 CCC staff S. Tully, states he is now on job, asked what is RA, requests applicant send "background information" including many laws and the applicable CCC General Plan sections that apply to reasonable accommodation. We discuss

Applicant email doc with many laws, many that related to RA process and the General Plan.

Documentation: See 10/5/2017 email to staff with many pages of laws.

45 10/12/2017 10/12/2017 S. Tully called applicant. CCC requests & needs more information, detailed information about each request of RA from applicant and wants in writing: applicant tries to prepare detail with no Reasonable Accommodations rules, not sure how to prepare with no policy or guidelines to follow.

Emails very detailed letter to CCC S Tully outlining each RA request, applicant still not sure letter is correct form as there no RA policy. CCC again refuses to give disabled applicant their RA internal policy. See 5-9-2018 Director's Denial Letter, J Kopnick, states page 4 "... CCC...RA policy is a department policy that guides staff...the RA policy has not been adopted by Board of Supervisor, not required..."

46 10/20/2017 10/20/2017 Applicant emails S. Tully a detailed letter RA request, as DCD staff requested on 10/12/2017. 8 pages, with attachments of site plan, building plans, 1st floor wheelchair accessible halls, kitchen, bath; no policy to guide applicant as to correct content or form.

Emails very detailed letter to CCC S Tully outlining each RA request, applicant still not sure letter is correct form as no RA policy has been provided applicant even though she and her consultant have requested many times.

Documentation: See all emails with house building site plans again attached. The house building, site, floor plans were also provided to CCC in 9/29/2017 original RA request with the attachments.

48 11/2/2017 11/2017 Applicant very upset, asked CCC for RA policy and they did not provide. M Summers, Aliquot consultants writes email to S Tully CCC staff, stating now S Tully says there is a RA policy. Concern they do not provide the RA policy prior to applicant detailed letter submitted: possible RA letters wrong, damage standing, approval? Asks CCC to provide the written RA policy.

After 9/29/2017 RA letter and subsequent detailed RA letter submitted to CCC on 10/20/2017, CCC staff now states there is a RA written policy.

Documentation: Mark Summer, applicants consultant 11/2/2017 email CCC staff Sean Tully and Sean Tully email with "internal" RA policy attached.

49 11/2/2017 Applicant drives to Lafayette CCC permit center office, requests reasonable accommodation policy. CCC staff does not know what RA policy is, applicant explains. Applicant look on walls for noticing of RA policy, none on wall. Applicant looks for pamphlets, no pamphlets at CCC DCD office.

50 11/2/2017 CCC staff, S Tully emails the written CCC RA policy. Applicant reviews and questions if this is an "official policy" as no Board of Sup marks, no Director initials, not on CCC letter head, indicated anyone official has reviewed. Looks like a first draft something staff had in their file.

CCC "internal policy" is not made available to the public (that's why its called internal). Time frame in CCC policy is 45 days limit for prompt processing, should be 30 days.

It appears no supervisor has reviewed (no initials), not on CCC letterhead, no name and approving signature of person responsible for approving. Policy has errors such as requirements to appeal to BofS which violates right of privacy and confidentiality laws.

51 11/2/2017 Applicant phones CCC staff S Tully DCD, request if the CCC RA policy is approved by Board of Sups and codified. He said yes approved by BofS and codified.

CCC staff says yes codified policy to applicant.

52 11/2/2017 Applicant calls CCC Clerk of the Board and request copy of "codified RA Policy". CofB does not know what RA policy is, applicant explains. CofB Board phones back following week and states NO codified RA policy exists.

CCC staff does not know what is a RA policy. CCC Clerk of Board states no codified policy exists.

53.1 11/2/2017 CCC staff, S Tully emails applicant. Based on the fact that Ms. Rose has complied with many of the project conditions of approval and has filed a map with our offices, Ms. Rose will not have to worry about the Subdivision Permit expiring. Although she has not yet recorded the Parcel Map, her permit is viewed as being "exercised."

No expiration of applicant's permit will occur, per staff Sean Tully.

Based on the fact that Ms. Rose has complied with many of the project conditions of approval and has filed a map with our offices, Ms. Rose will not have to worry about the Subdivision Permit expiring. Although she has not yet recorded the Parcel Map, her permit is viewed as being "exercised."

53.2 11/8/2017 Email from S. Tully stating CCC has all the information requested by the County.

Applicant and consultant don't need to provide any more information.

Applicant receives letter from S. Tully attempting to document the results of the 6/13/2018 meeting with Director Kopchick and A Bhat to confirm feet disability.

Number #6 of the letter received implies CCC will not allow applicant to continue process of her tentative map, saying it will expire at 12/31/2018. Staff S Tully assured me in writing (see 11/2/2017 email) that "...Ms. Rose has complied with many of the projects conditions of approval and has filed a map with our offices, Ms. Rose will not have to worry about the Subdivision Map expiring. Although she has not yet recorded the Parcel Map, her permit is viewed as exercised".

Applicant is relying on CCC staff written rules to continue with her process of her permit.

54 11/6/2017 Email from S Tully, DCD staff, asking if "Once the new parcel is created and the proposed residence is built, does Ms. Rose intend on maintaining ownership of both properties; or is there an intent to sell one of the lots?"

Federal law states, "ARTICLE 2. Housing Discrimination [12955 - 12957] Article 2 added by Stats. 1980, Ch. 992, **12955**. It shall be unlawful: (a) For the owner of any housing accommodation to discriminate against or harass any person because of the race,...source of income.

55 11/8/2017 S Tully emails and confirms he has all the information he needs and a final determination letter from CCC will be coming shortly.

No more information required from applicant for RA requests.

56 11/17/2017 11/17/2017 CCC S Tully issues a CCC RA formal response denial response letter 49 days after 9/29/2017 first RA request (internal policy says due 45 days).

Applicant not properly noticed of the formal response letter, nor will ever be delivered to her. **Letter in violation of RA codified policy, more than allowed days pass when RA policy states 45 days is required.** CCC in violation of own policy.

CCC Mails letter to applicant's old address where no mail is forwarded any more. Applicant provided correct address on 9/29/2017 with original application. CCC DCD doesn't email a copy to applicant even though that is the typical mode of communication in the past two months.

CCC is confusing applicant, S Tully email states in email with attached denial letter, "...a Formal Response" to applicants RA request. CCC letter states CCC..."County Board of Supervisors adopted a RA Policy..." which was a large misrepresentation of the truth.

Documentation, see staff Sean Tully email, denial letter dated 11/17/2017 Formal Response. Later, Assistant Deputy Director, A Bhat, email 11/21/2017 states "...County has NOT DENIED your RA request. Applicant stressed, this is not the RA process outlined in CCC "internal RA policy"!!! Inconsistence actions by government and failure to implement the housing element and other parts of the CCC General Plan. Why doesn't staff communicate with each other? Applicant suffers financially and mentally.

11/20/2017

Applicant calls Aliquot Assoc. firm, asking how M Summer's new baby just born is doing. Applicant finds out the Aliquot firm received an email from CCC S Tully with attached a CCC **RA formal denial response letter, but applicant did not receive anything.** Applicant lost 3 days of the 10 day appeal period, questions CCC intent towards disabled seniors, applicant negotiated in good faith whereas, it is questionable as to the County's good faith intent of their actions in the last 30 days.

Applicant would not have received letter and could of missed deadline for filing appeal due to CCC staff lack of understanding of need to mail the applicant with important documents with sensitive deadlines. **Supervisor A Bhat later verified there is no CCC codified RA policy.**

Letter falsely states, "CCC adopted a RA policy". CCC has no codified BofS approved RA policy; they have an "internal", not on letterhead, not signed or approved by anyone. It is internal, and not shared with the public.

57

11/20/2017

Applicant is given letter 3 days later via email. CCC is confusing applicant, S Tully email with attached denial letter, ...a Formal Response to applicants RA request. CCC letter states "County Board of Supervisors adopted a RA Policy..." which was a large misrepresentation of the truth. page 3, I need to use the variance process to modify my certain CoA.

CCC tells RA applicant to use the variance process, that's not valid RA process. It is illegal to tell RA applicant to use the standard variance process to modify conditions of approval.

58

11/20/2017

Email from applicant to A Bhat, Deputy Director DCD, noticing her the CCC RA formal response denial letter was 3 days late, violate CCC RA policy also, CCC sent to wrong address and applicant never received. **Applicant requests disability assistance from CCC with preparing an appeal to the** 11/17/2017 CCC denial response letter.

Applicant requests RA CCC DCD disability assistance from CCC with preparing my reasonable cause appeal ASAP. The "internal RA policy" is not detailed, handicapped user friendly, does not list RA person rights, applicant needs help!

11/21/2017 email from A Bhat to applicant states, "happy to meet with you to go over your proposal" wants staff from DCD and PWD. CCC does not communicate effectively that they will help me with my RA 11/20/2017 request for assisting "...applicant requests disability assistance from CCC with preparing my reasonable cause appeal ASAP.... See 12/6/2017 email S Tully, stating they will not comply with RA request for providing assistance to applicant.

59

11/17/2107

CCC 11/17/2017 Denial Letter misstates facts, misleads.

CCC 11/17/2017 letter states Applicant filed 1stn, initial RA request on 10/5/2017 which is in error. Correct date applicant filed the initial RA request was 9/29/2017. Written email confirmation from A Bhat, deputy director, received.

60

11/21/2017 Phone call 11/21/2017 from A. Bhat, supervisor CCC Deputy Director DCD tells applicant the RA policy is an "internal policy" not a policy that has been reviewed by the CCC BofS and codified.

This is in conflict with S Tully, staff statements to applicant on 11/2/2017, Tully said it was "codified".

Staff and supervisors don't communicate and understand the type of RA policy that exists at CCC. First, applicant and her consultant, Mark Summers, told no CCC RA policy. Then after applicant files her 9/29/2017 RA request, S Tully says it is a "codified by CCC Board of Supervisors approved" policy, then supervisor A Bhat states 12/21/2017 it is only an "internal policy".

Applicant more confused, no formal procedure the may aid applicant in making requests for RA, and may make it easier to assess those requests and keep records of the considerations given the request.

61
11/21/2017 11/21/2017 Phone call CCC supervisor A Bhat, supervisor, Deputy Director said "county NOT DENIED reasonable accommodation request, not yet subject to appeal". Said the "CCC RA formal response denial response letter" is to be ignored.

Applicant very confused. Received CCC RA formal response denial response letter prepared by CCC staff but CCC Supervisor says it is not a denial letter. What is the correct process? Who is informing applicant correctly of status of RA process?

62
11/21/2017 Applicant informed A Bhat, Deputy Director DCD on phone no new information or materials to provide to CCC.

Applicant tells CCC she has no new information. Applicant understands this is more of the CCC stalling process and "asking for more information" when other similarly projects are treated differently.

11/21/2017 11/21/2017 phone call with CCC supervisor A Bhat, she offered to meet next week or week after with applicant. Applicant accepted offer, agreed only if next week or week after. Applicant sent email to Supervisor A Bhat with 5 proposed dates for meeting with CCC as discussed earlier in the day.

CCC ignored applicant RA request for prompt meeting date for 7 days, then set date another 12 days in future. Stalling and delaying for 3 three weeks!!!

NOT PROMPT RA PROCESSING.

11/21/2017 applicant RA request ASAP meeting with CCC and applicant & discussed on same on phone, **confirming meeting only if can RA timing with applicant, in next 2 two weeks, with CCC A Bhat, Deputy Director and applicant. Both verbally agreed to week of 11/21/2017 or following week. Applicant refused to agree to longer, stalling period.** Applicant sent email documenting meeting dates agreed upon, then CCC A Bhat ignored for

Applicant sent email to Supervisor A Bhat with 5 proposed dates for meeting with CCC as discussed earlier in the day. requested the following dates for the meeting on Tuesday 11/21/2017 by sending an email to Aruna Bhat: Applicant (see email sent to 3 diff. CCC staff) said, "Might we meet anytime Wednesday the 29th 2:15 or later, Thursday the 30th 2:15 or later, Friday December 1 at 9:15 to 10:15, Saturday, December 2 all day or perhaps Monday, December 4 at 1:45 or later?"

64

11/21/2017 Email from A Bhat, Deputy Director DCD, explains again CCC not denied applicants RA request. CCC doesn't see a NEXUS and can't grant reasonable exception. **Said CCC staff would be Ok with meeting with applicant.**

CCC staff state "unable to find any nexus".

CCC "internal RA Policy" never states it is applicants duty to write out the complex "nexus analysis." CCC has "internal RA policy" that is vague, incomplete, in error in some places (violates confidentiality RA requirements see Fair Employment & Housing Council Regulations Article 18 section 12176 Reasonable Accommodations(b)

Confidentiality also other Federal and State privacy protection laws.

65

11/21/2017 Applicant sent email to Supervisor A Bhat with 5 proposed dates for meeting with CCC as discussed earlier in the day. Applicant provided dates as per verbal contract agreement, proposed anytime **Wednesday Nov 29th 2:15 or later, Thursday the 30th, Nov, 215 or later, Friday December 1 at 9:15 to 10:15, Saturday, December 2 all day or perhaps Monday, December 4 at 1:45 ?**

CCC should have requested, initiated communication process much earlier in the RA process to request meeting. Not after they sent, and represented, this was THE DENIAL letter to applicants RA request on 9/29/2017.

66

11/30/2017 Email from D Kelly, staff CCC DCD suggesting ONE meeting date, December 12th, more than 3 weeks later. CCC ignored applicant email of 5 suggested dates proposed on 11/21/2017.

Stalling, not prompt RA processing, shows CCC indifference to applicant and indifference to 11/21/2017 agreement with A Bhat that meeting would be within 2 weeks of 11/21/2017.

67

11/30/2017 Email from applicant to A Bhat, Deputy Director DCD, and D Kelly, staff "suggesting we try to move my project along quickly... applicant asked again, can CCC meet on Friday December 1 at 9:15 to 10:15, Saturday, December 2 all day or perhaps Monday, December 4 at 1:45 or later? Stated time is of the essence, 3 week delay is unacceptable.

Stalling. RA applications should be processed promptly to show respect and non-discrimination to applicant

68

11/30/2017 Another email from applicant, proposed 21 day delay is **unacceptable**. It is **unacceptable for Supervisor agreeing to "this week or next on 11/21/2017 then change terms of agreement to delay again**. Answered the request for additional information in the letter received from the county, dated November 17, 2017 that is not considered a denial letter, Item number one, CCC requested submittal of additional documentation with a dimensional floor plan and a site plan drawn to scale with contour data detailing the location of the proposed residence on parcel B. **Applicant informed CCC the information was already provided in the email that I sent CCC (Aruna Bhat) on September 29, 2017 with the attachments of the dimensional floor plans and a site plan drawn on a topo map to scale!!!** Please refer to that correspondence for the information requested in the 11/17/2017 CCC letter to applicant AND information in 10/5/2017 detailed RA request packet.

Additional delay proposed by CCC, proposed another 3 week delay unacceptable and unwarranted.

Also answered CCC "request for additional information" that they already have this information. CCC consistently, over last 4 years of this project, asks for "additional information to stall the project".

CCC is indifferent to foot pain applicant suffering, discriminating against disabled senior. Staff needs to organize and preserve all documents submitted to CCC and follow proper laws.

69

11/30/2017 11/30/2017 CCC S Tully sends email to applicant, CCC staff D Kelly, per S Tully, "kindly ask for your patience with D Kelly as she has not been briefed on the specifics of your request, and is only assisting with the scheduling of this meeting as requested by Aruna and myself." Supervisor A Bhat should have given staff D Kelly the assignment of scheduling promptly. Meeting on 12/12/2017 is **NOT PROMT RA processing**.

Staff in charge of scheduling meeting not given the assignment promptly, causing more delays in RA request.

11/30/2017 Applicant sends email to Tully, Bhat, Kelly stating 12/12/2017 meeting three weeks (21 days) out from Aruna's original date of request of meeting, which occurred after the November 17, 2017 letter applicant received from the county, is too far out for prompt reasonable accommodation request processing.

CCC did not adhere to agreement to have prompt meeting scheduled. Again, request speed up processing of RA request for disabled person.

12/4/2017 Email regarding conversation between CCC PW K Dahl and Collect and Convey requirement. M Summers, consultant said, Collect and Convey could be "deal Killer".

Documentation of email with notes of conversation. Applicant also has copies of CCC PW documents where CCC writes their is

CCC continues to deny, renders infeasible entire project, process, application and rights to build, due to staff interpretation of Collect and Convey when applicant is treated differently than other lot splits that get special advantageous treatment. **Other non-disabled folks, similarly situated are treated differently. See applicants Nexus letter for detail and CCC project Amhdi Arfa MS16-0015, Edward Bottorff and Laurie Dunne and Linda Sanders MS10-0001.**

See project **Westbrough 14 unit condo project** (same neighborhood as my project) that CCC admitted did not have sufficient drainage, but approved the 14 unit condo project, showing special preference. Disabled folks don't get special preference from CCC.

73 12/5/2017

Applicant receives CCC RA formal response denial response letter, no good faith efforts. Applicant very stressed out, not sleeping thru nights, emotionally hurt, can't understand why CCC ignores laws, singled senior disabled person to discriminate.

CCC only allows 10 day appeal period, right before Christmas.

The law states if not prompt processing by government, then all requests are granted.

CCC denied every RA request by applicant. CCC did not use required by law analysis of RA by showing findings and decisions.

Ignored own CCC RA policy to base on various factors. Ignored General Plan policies, indifferent to applicants disability. That's over 50% exceeding CCC own policy! Material delay, stalling in process.

CCC just DENIED ALL APPLICANTS RA REQUESTS, no RA consideration.

CCC "internal" RA policy and current and past General Plans and related elements all laws regarding RA.

CCC "10 day" Applicant appeal process is unfair: as CCC, in violation of their own "internal" RA policy (45 days rule allowed for CCC to process) took over 68 days, over 2 months! This is excess stalling.

12/5/2017 12/5/2017 Applicant receives Denial Letter, Final

Determination letter from CCC; 68 days after RA request of 9/29/2017

CCC did not follow its own RA policy by not complying with its own internal policy deadline. 68 days to process.

74

12/6/2017

12/6/2017 Applicant requests verbal and by email RA assistance be provided by CCC with preparing her appeal - procedures, any forms, the necessary type content needed to win appeal as "CCC "internal RA Policy" lacking many details, not user-friendly . CCC only allowed 10 days to appeal, so again time is of the essence.

Staff Sean Tully emails on 12/7/2017 "...that you are seeking assistance in preparing that appeal. However, Conservation and Development Department staff will not be able to directly assist you in preparing that appeal as that would be a conflict of interest. I am available to provide you with additional information regarding the process, timing, and other matters to ensure that your appeal is received in a timely matter."

Request for staff assistance by disabled applicant denied by CCC S Tully by email. The law states a person responsible for responding to accommodation requests must treat a request by an individual with a disability for assistance in completing forms or in following procedures, during the accommodation process, as a request for reasonable accommodations that must be responded to in the same manner as any other RA request. The duty to provide RA is an ongoing duty.

Documentation: Email reply, 12/7/2017 from S Tully refusing to assist preparing applicants appeal due to "conflict of interest". CCC refuses to provide effective interactive communication process,

75

12/7/2017 CCC charging \$125.00 for appeal fee for RA denial; will not provide requested assistance for RA preparation of appeal. Permit is extended as timely filing made.

Request for staff assistance for appeal preparation to help disabled applicant denied by CCC.

12/12/2017 Applicant files appeal to Director of DCD addressing CCC 12/5/2017 RA formal response denial response letter.

Appeal filed, date stamped with CCC on 12/12/2017.

Applicant almost fell as CCC 2nd inner door to DCD offices too heavy for a disabled person to enter while carrying a purse and files. Dangerous and not ADA compliant. Not assessable to hand in applicant's appeal.

DCD director does not bother, indifferent to RA LAW requiring "PROMPT" processing. Director does not respond until May 9, 2018. ****Five months delay- 5 long anxiety filled months. ****(Stalling, indifferent, unreasonable delay). CCC just DENIED ALL APPLICANTS RA REQUESTS.

CCC should have responded in 45 days, a reasonable time, prompt and processing period time limit as outlined in CCC RA "internal" written policy. CCC needs to follow their own rules and 45 day limit as per their "internal RA policy"!

12/20/2017 Applicant emails S Tully, A Bhat, requesting CCC move the project along. Time is of the essence!

Applicants additional RA request for prompt processing ignored. CCC internal RA policy does not mention the interactive communication process for RA required by law. CCC has an ineffective

Applicant informed CCC she "needs surgery on my foot, constant high level of pain when trying to walk is persistent and affecting my physical and emotional daily life in a very negative, harmful manner."

communication process that leads to discrimination of disabled people.

12/20/2017 Email from S Tully, confirming the RA policy is only an internal policy, not adopted by BoTS.

S Tully stated in email, "RA policy is only an internal policy, not adopted by BoTS as CCC..." staff had mislead applicant in past. Not a Codified Board of Supervisor approved, not department approved, not on any letterhead, no approval signature anywhere on the document.

4/17/2018 Applicant sent CCC S Tully, A Bhat and Director of DCD email requesting update, 5 MONTHS WAITING for decision, excess time discriminatory. Appeal filed 12/12/2017 now its 4/17/2018. These are actions inconsistency with the general plan, the housing element and the internet Reasonable Accommodation Policy.

DCD follows CCC "internal RA Policy" of ignoring RA requests, refusing to engage in PROMPT effective interactive communication process with disabled persons.

4/25/2018 Applicant request meeting with CCC Director and Deputy Director. Deputy Director states "For the basis of our review, we have already determined and accepted that you do have a disability."

4/30/2018 Meet with CCC Director and Deputy Director regard medical issues. Items on Agenda. Director over half an hour late. Last agenda item was Other, yet neither CCC management asked any questions or offered any comments. Applicant does ask A Bhat if she understands "takings" and the scenic easement of over 40% of my property. A Bhat does not appear to want to discuss.

5/9/2018 Applicant sent CCC S Tully, A Bhat and Director of DCD email requesting update and requesting prompt processing of RA appeal filed on 12/12/2017. Asked CCC to please follow the prompt processing laws as the Director DCD of Contra Costa County has great administrative decision making powers and has the powers to fast track this appeal that has been languishing and ignored?

CCC ignores their own General Plan laws, goal etc.

CCC has not, in good faith, applied the laws of RA to applicants process. 5 months and still waiting.

DCD follows CCC "internal RA Policy" of ignoring RA requests, refusing to engage in PROMPT effective interactive communication process with disabled persons.

CCC verified they confirmed and accepted applicant has qualified RA feet disability.

CCC Director and Deputy Director met with applicant and did not ask any questions or communicate much even though there was time to communicate.

Better, interactive, communication processes need to be established by CCC, it should not rest with the applicant to initiate communications. Positive, prompt, interactive communication process needed.

It appears, CCC has not, in good faith, applied the laws of RA to applicants process. **Almost 5 months and still waiting for a response from Director of DCD for 12/12/2017 appeal request filed.** NO CCC TIMELY AND CORRINATED PROCESSING.

Director of DCD ignored RA Prompt process laws and CCC own General Plan (see applicant 10/5/2017 email to CCC S Tully informing him of RA, Discrimination, Prompt Processing, etc. many laws). For example, CCC General Plan states "... GOAL 7 Mitigate potential governmental constraints to housing development and affordability. Policy 7.2 (GP6-91) Policy 7.4 Expand efforts to provide for timely and coordinated processing of residential development projects in order to minimize project holding costs and encourage housing production. (GP HE pg.6-92)."

5/9/2018

Receive denial letter from Director of CCC DCD. CCC Director made many errors with incorrect information and misrepresented facts.

For example, on the top of page 2, incorrect detail are written regarding setting up a meeting and phone calls with A Bhat on 11/21/2017 - see above #64 timeline for correct facts and emails to document correct fact.

Correct applicant submittal date S/B 9/29/2017, not incorrect date of 10/20/2017 pg1 last paragraph.

CCC request for additional information WAS GIVEN TWICE TO CCC by applicant (applicant complied with request), yet the Director again states they have not received the information. There are too numerous errors by Director to document here. There are many misconstrued and mistakenly represented "facts" in the denial letter. These are serious errors as the letter could mislead a reader and they would come to the wrong conclusions.

CCC needs an effective information process, proper recordkeeping and system to log the RA process so dates are correctly documented, documents are not lost, reply's to appeals are written correctly, information is not materially misrepresented and facts are reported truthfully. CCC does not promptly process. This project should be "Deemed Approved" per the Permit Streamline Act.

Director stated CCC did not receive info requested however applicant sent TWICE to staff. RA process unfair, 9/29/2017 filed RA request, now over 8 month later, finally get full denial of RA appeal request. More stalling. CCC did not use required by law analysis of RA by showing findings and decisions. Ignored own CCC RA policy to base on various factors. Ignored General Plan policies, indifferent to applicants disability.

Deputy Director A Bhat 11/21/2017 material misrepresented CCC intent to engage in RA effective interactive communication process by proposed to meet in next 10 days then allowing CCC to set meeting date 3 weeks later, again stalling process, see below and comment #64 dated 11/21/2017.

Director J Kopchik then incorrectly communicated the facts, misrepresenting the truth.

11/21/2017 Similarly, on 11/21/2017 phone call with CCC supervisor A Bhat, she offered to meet next week or week after with applicant. Applicant accepted offer, agreed only if next week or week after. Applicant sent email to Supervisor A Bhat with 5 proposed dates for meeting with CCC as discussed earlier in the day.

CCC ignored applicant RA request for prompt meeting date for 7 days; then set date another 12 days in future. Stalling and delaying for 3 three weeks!!!

NOT PROMPT RA PROCESSING.

11/21/2017 applicant RA request ASAP meeting with CCC and applicant & discussed on same on phone, confirming meeting only if can RA timing with applicant, in next 2 two weeks, with CCC A Bhat, Deputy Director and applicant. Both verbally agreed to week of 11/21/2017 or following week. Applicant refused to agree to longer, stalling period. Applicant sent email documenting meeting dates agreed upon, then CCC A Bhat ignored for

Applicant sent email to Supervisor A Bhat with 5 proposed dates for meeting with CCC as discussed earlier in the day. requested the following dates for the meeting on Tuesday 11/21/2017 by sending an email to Aruna Bhat: Applicant (see email sent to 3 diff. CCC staff) said, "Might we meet anytime Wednesday the 29th 215 or later, Thursday the 30th 215 or later, Friday December 1 at 915 to 1015, Saturday, December 2 all day or perhaps Monday, December 4 at 1:45 or later?"

5/9/2017

CCC Denial Letter, signed by DCD Director, tells applicant page 5 and 6 of 5/9/2017 letter that, "...County's RA Policy is...she can appeal no later than 5:00pm on Monday, May 21, 2018 by filing with Department of Conservation and Development at 30 Muir Rd., Martinez." Charging \$125.00 fee.

This statement was a material misrepresentation of the CCC "internal RA Policy" and mislead, used error filled interactive process of communication and caused anxiety in applicant greatly.

Director of CCC DCD informed applicant of incorrect procedures.

The actual facts are CCC "internal RA Policy" states, on bottom of page 2, "...Upon review of the case a final decision will be rendered by the Director, subject to appeal to the Board of Supervisors, under the appeal procedures in Title 1, Chapter 14-4 in the County Ordinance Code. County ordinance code says applicant has 30 days not 10 days. County ordinance code says to file with Clerk of the Board, NOT Community Development Department.

Point 5 for the 5/9/2018 Denial letter states applicant "declined to provide requested additional information" "... WHICH IS IN ERROR! APPLICANT SUPPLIED THIS INFORMATION TWICE, CCC LOST AND IGNORED.

Applicant believes CCC Director purposely misdirected applicant's appeal to BofS to invalidate her appeal and have it rejected on a technicality.

5/15/2018

Sent email request to CCC S Tully requesting and extension to the Right to Appeal time period that CCC Director said in letter to applicant is only 10 days as directed and written in DCD Directors Denial letter of 5/9/2018. Might CCC extend the appeal period for 4 more days to 5/25/2018 instead of the required 10 day period in your letter of 5:00pm due on Monday May 21, 2018 as applicant pulled muscle in back?

Response 5/16/2018 Email from Sean Tully denying applicant request for 4 more day extension as she hurt her back, pulled muscle.

Sean said, "Unfortunately, the Department of Conservation and Development will not be able to grant an extension for the appeal period as you have requested. This decision is based on our protocol of complying with the appeal period time limits that are provided in the County ordinance."

86

5/16/2018

Denial for RA applicant request for 4 additional days to prepare appeal to Directors denial of RA request, applicant hurt back.

CCC gets over 5 months being indifferent to applicants request for prompt processing, but CCC refuses, denies 4 day extension when applicant pulls muscle in back due to walking incorrectly due to disability.

87

5/21/2018

Applicant drives to CCC DCD office, files appeal. Almost fell on face as 2nd door not handicap assessable, very heavy, must push open.

CCC DCD office is not assessable to disabled folks. Includes picture of wheelchair ramp, same pic I gave CCC with 10/5/2017 detail accommodation.

88

week of
5/21/2017

Applicant phones Clerk of the Board office and requests assistance with required CCC "internal" RA policy about appeals, last line "...appeal to the Board of Supervisors, under the appeal procedures in Title 1, Chapter 14-4 in the County Ordinance Code."

Applicant does not understand, nor is the "Internal" RA policy clear, nor is easily readable and understandable. Questions also about "...verified written notice of appeal..." Clerk of Board doesn't know what the verbiage is to properly sign the appeal so it won't be thrown out on a technicality. They tried to help, but were unable to provide correct information. More training needed to help with RA information requests and the "internal" RA policy needs to be better written.

89

5/28/2018

Applicant sends email to S Tully regarding fees charged by CCC. Applicant has paid all fees and had a credit when RA process started. CCC "transferred" many charges but not the revenue so they could "bill applicant".

CCC "internal RA Policy" is too vague, does not clarify how to calculate RA fees due. S Tully ignores applicants written request for details. It is against the law to charge again and again for RA requests.

RA does not instruct staff how to bill properly. CCC "transferred staff fee charges" but did not transfer any of the payments made by applicant so it would look like applicant owes money. This constitutes erroneous billing RA policy procedures and false billings. Where did applicant's payments made go? Did someone take my money paid CCC? What are the record keeping procedures?

6/5/2018 Applicant files 2nd appeal with CCC Clerk of the Board.

Discussed CCC staff R. Pietra's intentionally created discriminatory CoFA, did not inform applicant of RA rules and laws. Also discussed not prompt process, not effective interactive communication process by CCC, attached documents showing CCC never had a written RA policy until 2016 and letter for State of CA office of the Attorney General 5/15/2001 telling municipal entities to: Title of letter: Adopt A Reasonable Accommodation Procedure.

6/6/2018 Applicant emails Director Kopchik regarding his errors in written instructions in his 5-9-2018 Denial Letter responding to, Applicant's 12/12/2017 Appeal filed, item #3 states as follows:
"Right to Appeal. Please be advised that under the County's Reasonable Accommodation Policy the Director's Determination may be appealed to the County Board of Supervisors. Any person may appeal the determination by filing a valid letter of appeal with the CDD. To be valid, an appeal letter must:

These incorrect directions in CCC Directors letter were materially misleading. The directions the Director gave applicant violated the RA policy and were not in compliance with the actual CCC Ordinance Code required in the RA policy.

1. Identify the County File Number referenced above and state the reasons for the appeal.
2. Be accompanied by an appeal fee of \$ 125. Checks should be made payable to Contra Costa County.
3. Be received at the following address no later than 5:00 P.M. on Monday, May 21, 2018 (only ten, 10 days allowed) Department of Conservation and Development Community Development Division 30 Muir Road Martinez, CA 94553 Attn: Sean Tully"

The correct instructions were " ... Ordinance Code says, " 14-4.004 - Notice filed by appellant... The appellant shall, within thirty days of the action appealed from, file with the clerk of the board a verified written notice of appeal concisely stating the facts of the case and the grounds for his appeal.

Why would the Director of the entire DCD of CCC materially mislead a disabled applicant? Appears this is the custom and policy of CCC in treatment of disabled persons requesting RA process.

6/6/2018 CCC Clerk of the Board of Supervisor sends letter dated 6-6-2018 stating in writing 90 review and processing of appeal to set Board of Sup. Hearing date

Board of Supervisor hearing not held in 2018. Applicant filed RA request 9/29/2018 still no hearing in 2018. Not prompt process.

6/13/2018 Applicant requests meeting with Director Kopchick and A Bhat to confirm feet disability.

CCC observes applicants feet and x-rays. Confirm disability. Applicant requests a meeting with Public Works.

Why is CCC Charging fees these last 8 months? Applicant told CCC many times it is against the RA laws to charge fees.

Applicant can not get in door, almost fell on face, stranger helped me from falling. Door too heavy. Applicant called CCC and requested they fixed.

93.1

7/3/2018 Letter of meeting notes from DCD S. Tully regarding 6/13/2018 meeting.

CCC documents they are charging fee to applicant for RA. Never addressed many letters regarding double billed fees CCC keeps sending applicant to intimidate her.

CCC states in letter, pg. 2 #6 last sentence, my permit will expire on 12/24/2018 and applicant must satisfy all CoFA by that date or the filing period of the map will expire. CCC has stalled for years and now the map and CoFA will expire? What kind of RA "prompt processing" is this? CCC is stalling and in the letter asking for more information, more submittals of applicant information to stall more so her permit will expire.

93.2

7/16/2018 Email from S Tully, applicant has feet disability. CCC agrees, in writing, that applicant has requested, a number of times, that details of my disability be kept private.

Email CCC agrees feet disability. CCC agrees applicant requested confidentiality, privacy number of times. CCC S Tully says denial due to failure of CCC to find RA request was necessary for access to residence.

94

6/27/2018 Applicants request for PW meeting is attended.

Sean Tully requests verbally in meeting applicant prepares a complex Nexus Analysis as BofS will need it for their appeal review.

Access to PW building requires stairs. No other access.
Applicant almost fell trying to get into the building. No sign,
no ramp to access the building. CCC does not welcome and
make accessible disabled persons.

CCC "internal RA policy" does not state requirement complex Nexus Analysis is required of disabled applicants.

Applicant believes CCC is adding barriers to the RA process so CCC can state disabled applicants "did not comply with the details of the requirement properly and therefore CCC denies the appeal RA request".

95

6/29/2018 Applicant calls and sends email to Sean Tully requesting RA help in preparing complex nexus analysis.

CCC staff S Tully denies applicants RA request for help and assistance in preparing complex RA analysis. Tully said in email, "...Good afternoon. As mentioned during our conversation, staff is unable to help you with preparing documentation for your appeal. "

96

7/3/2018 Letter from S Tully "memorialize" applicant meeting with DCD CCC will deny all RA requests. CCC will require open public hearing for S Tully. See 7/9/2018 date comments below.

Applicant prepared and handed out Agenda at meeting.

BoFS appeal hearing in violation of privacy rights. CCC said they would not extend my permit and it would expire at end of 2018, causing great distress and anxiety of applicant. CCC said they would waive all charges for RA review but will go back and rebill (even though applicant paid in full with overpaid balance as of 6/2017. See billing 8/30/2018 CCC \$3,750.00 that includes 2014 charges and RA 12/2017 charges. This is an intimidation tactic that is causing applicant great anxiety!!!

97

7/9/2018 Applicant files CCC requested "Nexus" Analysis at BoFS Clerk of the Board.

Applicant provides in detail "Nexus" analysis and the connection to each request for Reasonable Accommodation and Removal of Governmental Constraints as CCC continually insists applicant prepare.

98

7/9/2018 Applicant receives letter from S. Tully attempting to document the results of the 6/13/2018 meeting with Director Kopchick and A Bhat to confirm feet disability.

Number #6 of the letter received implies CCC will not allow applicant to continue process her tentative map, saying it will expire at 12/31/2018. Staff S Tully assured me in writing (see 11/2/2017 email) that "...Ms. Rose has complied with many of the projects conditions of approval and has filed a map with our offices, Ms. Rose will not have to worry about the Subdivision Map expiring. Although she has not yet recorded the Parcel Map, her permit is viewed as "exercised".

Answer and response to letter, see next excel cells dated 7/9/2018..

Applicant is relying on CCC staff written rules to continue with her process of her permit.

99

7/9/2018 Applicant receives letter from S. Tully attempting to document the results of the 6/13/2018 meeting with Director Kopchick and A Bhat to confirm feet disability.

Page 2 of letter dated 7-3-2018 from S Tully states, "DCD staff reaffirmed the County does not Question the existence of your or your spouse's disability.

100

7/9/2018

Applicant receives letter from S. Tully attempting to document the results of the 6/13/2018 meeting with Director Kopchick and A Bhat to confirm feet disability.

Answer and response to letter, see next below.

Number 7 and 8 of the 7/3/2018 letter from CCC states CCC policy of appeal fees and CCC Charging for Reasonable Accommodations under federal and state laws. CCC "internal RA policy" is silent on RA process billing, so Director makes up his own rules for each disabled applicant. It is against the law to bill for RA services. CCC "internal RA Policy" and customs lead to ignoring 7 requests for information by disabled person. The incorrect invoice is continually received by applicant for many months.

More importantly, it is a dishonest RA procedure to take old billings and charges already paid in full by applicant and "transfer" to a different account and not transfer the related payments. Then CCC continues to present as a outstanding bill due and payable to applicant.

Finally, CCC RA procedures and processes staff uses by referring to the CCC "internal RA Policy" allows discriminatory "double billing" for charges applicant already paid for, "double, rebilling" of fully paid for services is causing anxiety to applicant.

CCC states in the letter additional "...charges detailing the waiver of the RA review charges will be sent to you separately once completed."

CCC should not bill for RA processing, that is illegal.

CCC should not go back and "rebill", billing should be done on a monthly basis.

101 7/9/2018 Applicant googles CCC Affirmative Action Plan. The plan is dated January 2007.

102 7/9/2018 Applicant googles CCC Health Plan.

CCC sponsors a group health plan to employees. CCC seeks Medicare reimbursement for services and is a "covered entity" under HIPAA. Local government qualify as HIPAA have extensive list of duties under the privacy rules.

103

7/16/2018 Email from S Tully confirming and explaining various questions from applicant.

1. The County's understanding throughout this process has been that your disability is in relation to your feet. We have, and will continue, to review your RA request in relation to that disability.
2. No document has been produced to formally acknowledge your disability because our Department has never questioned the existence of your disability.
3. With regard to the confirmation of your condition as being a Federally or State RA qualifying disability for reasonable accommodations requests, I am unaware of specific criteria that the code/law has outlined for that type of determination being made. The Fair Housing Act does define a "person with a disability", and there has been no dispute or statement from the County that you fail to meet that definition. The December 5, 2017 and May 9, 2018 denials from the Department of Conservation and Development advise that each determination was a result of a failure to find that the RA request was necessary for access to or construction of the proposed residence; not due to the lack of a "Federal or State RA qualifying disability".

104

7/23/2018 Applicant requests CCC DCD and PW honor her request in this email for protection, disclosure and privacy rights and laws relating to medical (disability) information and disclosures. Requests BofS appeal not heard at public hearing.

CCC RA "internal policy" does not protect applicants right to privacy, medical and protection of her disability status disclosure protection.
BofS appeal hearings are on TV, everything on agenda and in minutes is disclosed to the public. Even using the word Reasonable
Accommodation signifies disability of applicant and disclosures this over the world wide internet.

CCC internal RA policy is inadequate, incomplete and leads to discrimination.

CCC has no forms or policy or procedures that allows disabled persons appealing the Directors decision to request confidentiality requirements regarding my reasonable accommodation process for protecting medical information. No mention of right of privacy is addressed in CCC internal RA policy.

105.1 7/30/2018 Applicant had requested the form that must be signed prior to release the of private protected medical information. CCC confirms by email S Tully there are no forms or CCC DCD RA housing policy regarding compliance rules and policy with confidentiality requirements regarding my reasonable accommodation process for protecting medical information.

7/30/2018

Email from Carrie Ricci Deputy Director form attached. Title VI Discrimination Complaint CCC Form. Process also.

Applicant responds, stating "I think it would be best to preserve my rights to communicate and file my own complaint individually with the agency you sometimes could forward to; to exercise my Constitutional due process rights and free speech individually since the complaint could just be forward anyway by CCC. This communication process is so important." Further, applicant states maybe it would be in the applicants best interest, best practices, if the county just notified in writing the applicant that the county decided the complaint should be referred to a different entity (and provide contact information) for processing and give the freedoms to the applicant to act on communicating contacting the referred entity? That way the applicant who had been discriminated against has full control of their own due process constitutional rights, including free speech and rights to decide where, when and how to file and there would never be an question of conflict of interest? This would ensure each and every complaint person would be treated and communicated with in the same, equal, just manner. "

105.3 7/31/2018

Applicant searches internet for CCC policy for Confidential Medical information to comply with the Americans with Disabilities Act.

ADA as amended states, "A state or local government must eliminate any eligibility criteria for participation in programs, activities, and services that screen out or tend to screen out persons with disabilities."

See attached CCC office of the County Administrator Administrative bulletin issued 6/4/2014 addressing Confidential Medical Information in accordance with the ADA as amended. Nothing but employment policies.

105.4 7/31/2018

Applicant emails CCC S Tully regarding her protecting her medical information, requests County Administrator review her appeal.

CCC RA "internal" policy doesn't address or mention or have a separate policy for protection of applicants disability status.

CCC RA "internal" policy violates protect and confidentiality of private medical information and disability status, CCC does not have a form for applicant to sign to protect her disability status in an open public hearing before the BofS.

Applicant has legally protected privacy interest concerning her medical condition. 2. Applicant confirms again I have a more than reasonable expectation of privacy and all related rights in these circumstances of requesting disability RA process from CCC planning and building departments (constitutionally guaranteed right to privacy) for building home of my choice. 3. In fact, again I respectfully request all confidentially and rights to privacy protection laws relating to rights to privacy are complied with by CCC as applicable to my RA request. Further, applicant has not, and does not, give explicit or any other form of verbal or written consent or authorization to disclose my medical information, or waived any of these rights to protecting my medical privacy.

Applicant again requested, Reasonable Accommodation Request, that my appeal is not heard at a Board of Supervisors open, televised public hearing, with electronic transmission of the appeal information on the agenda website!!! CCC will only demonstrate their neglect and intentional, disregard to privacy protection laws.

4. Applicant again requests that my appeal is not heard at a Board of Supervisors open, televised public hearing, with electronic transmission of the appeal information on the agenda website!!!

106.1

8/3/2018

Email from S Tully stating, "As mentioned in my July 30th email, I am not aware of the existence of a form for you to sign for the protection of your medical information related to your RA request." and...

Applicant again, 4th time, provides site plan and building plan to CCC for review.

S Tully also stated, "I am also unaware of any DCD Housing policy regarding compliance with confidentiality requirements regarding your RA process and your medical information. The only RA request documentation available for DCD matters are those that have previously been forwarded to you from the General Plan and from the un-codified RA Policy that has been forwarded to your attention."

107

8/6/2018

Applicant again, 4th time, provides site plan and building plan to CCC for review.

108.10

8/5/2018 Applicant looks up and emails self 2016-2017 CCC Grand Jury report regarding Funding for Flood Control Infrastructure.

108.20

8/16/2018 **Deputy Director, Aruna Bhat, emails applicant to confirm she received applicants original RA request 9/29/2017.**

Report states January 2017 wettest on record since 1973, no major flooding. Report states reserves have not been set aside for replacement costs of CCC flood control system.

109

8/16/2018 S Tully emails applicant with BofS hearing appeal date of 9/18/2018.

Applicant emails back, yes perfect date yet would like County Administrator to protect my privacy rights.

Deputy Director agrees with 9/29/2017 date received for initial submittal date of applicants appeal date BofS. This mean CCC took over 2 months to respond to initial RA request and violated their own General Plan and internal policy.

CCC in letter of 8/23/2018 states, "...there is no provision in the RA Policy or County Ordinance Code that delegates the Board of Supervisor' authority to hear Reasonable Accommodation Appeals to the County Administrator or any other County officer.

Accordingly, the County Administrator is not authorized to hear your Reasonable Accommodation Appeal.

110

8/20/2018

Applicant calls and sends email requesting help from County Administrator and County Council regarding request to protect my applicant privacy rights as the board of supervisors agenda, television broadcasted, open public hearing process under the Brown Act will violate my privacy rights. Also, any notices sent out to neighbors will also violate my privacy rights. My rights are protected under the anti-discrimination, HIPPA and reasonable accommodation laws among **many other laws**.

Email confirming receipt from Eric Suitos, County Counsel. On 8/22/2018 email from Barbara Riveira Senior Management Analyst CCC Administrator's office received email.

110

8/20/2018
8/24/2018

Applicant emails Board of Supervisor office requesting help (RA request) and a meeting with BofS Andersen.

BofS follows CCC "internal RA Policy" of ignoring RA requests, refusing to engage in effective interactive communication process with disabled persons.

Chief of Staff said, "...County Counsel is reviewing your request and we have been advised to await their ruling prior to setting up a meeting." Again, second request to meet with BofS is denied, RA request by disabled person denied again.

Letter from CCC S Tully saying no to closed BofS session, the County Administrator hearing appeal will be an open public hearing (so disability status will not be protected). And CCC suddenly changes the hearing date to next month to stall and punish applicant Again, not complying with RA "prompt" process laws.

111

8/28/2018 Letter received dated 8/23/2018 from CCC S Tully saying no to CCC "internal RA policy" is silent on RA process billing. It is against closed BofS closed session, no the County Administrator hearing the law to bill for RA services. CCC "internal RA Policy" and customs appeal, will be in open public hearing (so disability status will lead to ignoring 7 requests for information by disabled person. The not be protected).

CCC then changes the date of hearing to 10/9/2018 even though they agree to hearing date above of 9/8/2018.

More important, it is a dishonest RA procedures to take old billings and charges already paid in full by applicant and "transfer" to a different account and not transfer the related payments. Then CCC continues to present as a outstanding bill due and payable to applicant.

Finally, CCC RA procedures and processes staff uses by referring to the CCC "internal RA Policy" allows discriminatory "double billing" for charges applicant already paid for, "double, rebilling" of fully paid for services is causing anxiety to applicant.

Finally, Public Works substantially and materially overcharged for Drainage Fees which applicant paid in 2014. CCC PW refuses to answer requests for refunds via phone calls and emails. Refuses to refund.

112 8/30/2018 Applicant receives another erroneous billing 5/10/2018 from CCC for RA services rendered. Applicant emails S Tully the

See packet filed with Clerk of the Board of Supervisors.

7th time asking for detail and backup and explanation.

All billings thru 6/12/2017 AC#47054 were paid in full for prior months. In fact, a credit of \$249.18 overpaid balance was confirmed by CCC numerous monthly statements. Then CCC did a "transfer" billing and appropriated applicants money and rebilled for same services already paid for in the past.

113

9/4/2018 Applicant files BofS packet of information in response to 7/3/2018 letter from S Tully asking for more information.

Email from S Tully stating BofS appeal hearing on October 9th, 2018

114

9/5/2018 Applicant files BofS Packet with Clerk of the Board; CCC Filed additional appeal packet of information with Clerk of the Board of requested additional information for Appeal to BofS- more Supervisor.
detailed Nexus analysis and drawings of house, plans etc. packet.

115

9/11/2018 Applicant email S Tully, RA request meeting and "...if there a No reply from CCC.
reasonable accommodation checklist or RA form I can use to ensure that I have given you all the plans, Information, maps, other unknown CCC requests required to obtain my final permit and final map?

116

9/11/2018 Applicant files additional CCC requested information packet Applicant dropped off letter/packet for BofS hearing, more drawings of site with Dept. of Conservation and Development for BofS appeal plans, elevation plans and building plans and revised wheelchair plans (and hearing. Mostly drawing of house, wheelchair ramp, etc. created an "option 2" plan, less square footage) as requested in CCC July 2018 letter.

117

9/28/2018 Meeting with Board of Supervisor C Andersen and staff Jen with Agenda, see #6 discussed with BofS, CCC not implementing General Plan applicant. Applicant went over Agenda items. See attached policies, goals, not complying with laws. Board of Sup. Andersen requested Agenda. applicant create a "list" of "Discriminating Conditions of Approval" for BofS. Supervisor Andersen mentioned the reasons for the importance of the scenic easement.

118

10/1/2018 Applicant emails drainage information to Board of Sup Andersen.

119

10/2/2018 Applicant spends many hours creating list for BofS and emails to See attached "list" of "Discriminating Conditions of Approval" for BofS BofS with 6 attachments. Applicant emails to BofS office. emailed to C Andersen.

120

10/8/2018 CCC email from S Tully that CCC is postponing my 10/9/2018 Email states DCD Director is postponing due to a "REVISED WRITTEN Board of Supervisors Appeal hearing. DETERMINATION" the director John K. will be sending based on most recent applicant appeal information. Postpone BofS Appeal hearing.

121

10/8/2018 Email from applicant to CCC DCD Director **protesting the postponing of BofS appeal hearing** and request the hearing occur in next 3 weeks.

See attached email. No prompt processing of RA. No valid RA procedures that follow the Federal and State laws. CCC "internal RA policy" incomplete, errors, violates constitutional rights, just a poorly written internal policy, not on CCC letterhead, not codified law. CCC not following this internal policy and now postpones the BofS appeal hearing applicant has been waiting months for per the "internal policy" and CCC discriminatory use of police powers. Applicant stressed out, anxiety.

122

10/11/2018 Meeting with Deputy Director A Bhat, S Tully and applicant to go over the "list" of "Discriminating Conditions of Approval" for BofS. Possible compromises and suggestions from DCD management and staff regarding the discriminatory conditions of approval.

PW S. Gospodchikov behavior discriminatory. See 10/16/2018 email (applicant tried to phone but no reply from Director Brian Balbas). Also, Ms. Bhat had an odd conclusion and discussion regarding the 35 miles site distance for the entire street. See list of A Bhat's interpretations of various CoFA.

A Bhat said applicant needs to work with Public Works directly to address CoFA in PW area. Applicant phoned and sent email request to discuss w/ PW to Director B Balbus and Mike Carlson on 10/15/2018.

Director A Bhat made some peculiar statements during the meeting. For example A Bhat said the CoFA requiring 2 impossible roads could be interpreted as requiring only one driveway. Applicant is trying to compromise with the CCC Deputy Director; using the Deputy Directors knowledge of the planning process. Applicant is unsure if this is another discriminatory, bad faith, misleading, undocumented part of the CCC RA internal procedures to stall applicant? Applicant will document A Bhat's opinions of her interpretations on the BofS list as that is what she said.

10/15/2018 Applicant sent email to PW and DCD question about how PW and DCD share information on a RA project? See email for more questions.

Director A Bhat made some peculiar statements during the meeting. For example A Bhat said the CoFA requiring 2 impossible roads could be interpreted as requiring only one driveway. Applicant is trying to compromise with the CCC Deputy Director; using the Deputy Directors knowledge of the planning process. Applicant is unsure if this is another discriminatory, bad faith, misleading, undocumented part of the CCC RA internal procedures to stall applicant? Applicant will document A Bhat's opinions of her interpretations on the BofS list as that is what she said.

123

10/15/2018 Email from S Tully with sample attached CoFA for projects in applicants neighborhood.

All samples extremely old, no infill allowed, not for disabled persons, no RA. Examples not useful.

124

10/16/2018 Email to DCD and PW Directors regarding PW Slava Gospodchikov discriminatory comments at the 10/11/2018 RA meeting.

S. Gospodchikov stated, "**1 do not believe the conditions of approval were discriminatory, that it's just a matter of perception...**" Applicant was shocked, immediately upset and extremely insulted by the comment and deeply offended by his inappropriate "critique of disabled me" when we were opening good faith negotiations regarding the conditions of approval modifications. Most important, Slava is prejudice, just because I have physical feet disability, DOES NOT MEAN MY BRAIN DOES NOT WORK, MY PERCEPTION, THOUGHTS are fine."

S. Gospodchikov stated "...I don't know about reasonable accommodations..." CCC needs to train their staff that come to meetings, this is disrespectful, discriminatory treatment.

3. Most discriminatory comments by Slava was stating, "...**reasonable accommodation will NEVER be (used to waive) waived by Public Works for drainage (issues) that effects public safety.**" Slava told applicant could, "change CoFA, can be changed by public hearing to Zoning Administrator, then appeal in public hearing to Planning Commission." Apparently, PW believes RA does not apply to PW department and disabled people hit a solid barrier and inflexible governmental constraints & discriminatory procedures in the PW department.

125
10/16/2018 Email from S Tully, confirming DCD shares information with Public Works.

126
10/26/2018 **Applicant files at PW office, hand delivers, additional Drainage Nexus analysis and appeal information for Bofs appeal additional information with Public Works department** requesting RA as DCD told applicant she needed to discuss certain CoFA with PW.

Drainage Bofs additional drainage detail nexus appeal information to PW. Applicant emailed 10/26/2018 to Director Brian Balbas, Bofs Andersen. Applicant never received a written reply to requests.
CCC ordinance 82-28.468 Hardship appeal states... "physical handicaps cannot qualify as an exceptional hardship." CCC has established a pattern of discrimination by actions, lack of proper procedures and even CCC ordinance does not allow disabled applicant to use appeal.

127
10/28/2018 Applicant email Mike Carlson PW Deputy Director the docs emailed on 10/26/2018 again.

128

10/30/2018 Email from S Tully confirming DCD has received my
10/26/2018 email and 10/30/2018 submittal to PW of additional
drainage information.

128

11/2/2018 Email from Sean Tully with attached 11/2/2018 "Revised DCD
Determination Letter."

Not one of the "revised" determinations allows me to build the
housing of my choice for a disabled person. CCC is painful
aware of their continued discrimination. The other RA requests
were denied and applicant is unable to proceed.

CCC DCD confirms receipt of applicants RA request additional drainage
detailed nexus analysis and appeal information.

Applicant never asked for a revised Determination letter that still denied all
her recent appeal to BofS requests. The DCD Director and the PW director
did not even consider applicants appeal information emailed on 10/26/2018
regarding the drainage.

CCC never provided, even after many requests, the "internal RA policy" until
after applicant submitted her RA request. Very hard for the public to follow
a policy if CCC refuses to provide, this is discriminatory treatment.

The Directors letter has errors that are misleading. Applicant submitted her
RA on 9/29/2017, not 10/20/2017. See email from Deputy Director A Bhat
confirm RA submitted 9/29/2018. CCC violated their "internal RA policy"
due date. Another error, page 2, 3rd paragraph, states CCC requested
additional information. See email from S Tully dated 11/8/2017 stating CCC
has all information required of applicant. CCC procedures for
communication between staff, keeping accurate information, and following
the RA internal policy are inadequate. These types of misleading errors
should not occur.

129

11/5/2018 Applicant emails PW Director Brian Balbas and Dep. Dir. Mike
Carlson requesting the PW Reasonable Accommodation policy
and why DCD director denial letter dated 11/2/2018 did not
mention all the information I sent PW.

130

11/6/2018 Phone call and email to Mike Carlson requesting he call
applicant.

131

11/8/2018 Applicant contacts risk management.

132

Email back, M Carlson will call at 4:00pm. Did not call until after 5:00pm,
said he has not read my packet submitted and only had 10 minutes to talk.
Said he would review and get back to me.

11/8/2018 Phone meeting with A Bhat, to review list of discriminating Conditions of Approval for BofS. Possible compromises and suggestions from DCD management and staff regarding the discriminatory conditions of approval.

2nd meeting (half hour) regarding the BofS list of discriminatory CoFA. See attached minutes email to BofS, Director DCD and Director PW. Applicant very upset, more CCC stalling and discrimination and wasting applicants time as this part of the RA process, process will result in no solution per A Bhat.

A Bhat stated on the phone today that no written letter, no legal CCC letter head, no signature of authority will be given to applicant after the "BofS list" negotiations, compromises and A Bhat's "interpretations of CoFA" to prove any of the "interpretation" changes to CoFA exist in the future; so no legal evidence of any "interpretation" changes. Is that how CCC treats union agreement negotiations, no documentation of compromises of future legal reference? Or is this more discrimination against a disabled person, CCC actions show we don't deserve any legal, valid documentation because we are disabled? See entire email, applicant experiencing anxiety over this odd procedure CCC is applying to the RA process.

133

11/8/2018 Applicant has repeatedly requested a meeting with Public Works (PW) Director Brian Balbas to discuss outstanding issues including drainage CoFA and special PW appeal procedures. Over 6 phone calls and 5 emails.

CCC doesn't engage in a prompt, interactive RA process.

CCC PW Director B Balbus sends email stating, "... With that said, I'm happy to meet with you as schedules allow, however I have been made aware of the circumstance and reasonable accommodations you have requested and as I previously stated, I am not of the opinion that the existing conditions should be modified at this time." PW Brian also says, "The Public Works conditions required as part of this application are appropriate, consistent with similar applications and shall remain in place." That is a falsehood. CoFA 48 site distance ALL driveways and #54 that applicant MUST GUARANTEE ADEQUACY are not consistent with similar applications. CCC is discriminating.

This statement shows Public Works has no intention of following RA laws or CCC General Plan or CCC internal RA policy.

134

11/26/2018 Meeting with DCD Director and A Bhat and applicant.

See agenda and Minutes of meeting. Of note, applicant brought up topic of RA and CCC implementing of the CCC Consortium Analysis of Impediments to Fair Housing Choice Plan and implementing the current Action Plan relating to HUD funds such as CDBG Federal grants relating to funding of certain projects. Please include the Fair Housing Education and Enforcement sections and Government Barriers section with impediments discussed and actions taken to address disabled folks and money spent for disabled folks. Applicant asked, how the DCD CD is answering the Annual Housing Element Progress Report to Sacramento state officials relating to RA process and fair housing?

135

12/3/2018 Drive to Martinez, submit Additional information documenting

CCC RA process and treatment of applicant since CCC
"postponed" BofS hearing.

136

Mary Dunne Rose

#53.2

From: Sean Tully <Sean.Tully@dcd.cccounty.us>
Sent: Wednesday, November 8, 2017 12:49 PM
To: Mark Summers
Cc: 217061; Mary Dunne Rose; Vince D'Alo
Subject: RE: Mary Dunne Rose: One Question (two questions)

Mark:

Good afternoon. Per our conversation, I have all the information that has been requested of me to date. A final determination from the County should be coming shortly.

SEAN TULLY
SENIOR PLANNER
CONTRA COSTA COUNTY
DEPARTMENT OF CONSERVATION AND DEVELOPMENT
30 MUIR ROAD
MARTINEZ, CA 94553
(925) 674-7800 PH
(925) 674-7258 FX

From: Mark Summers [mailto:msummers@aliquot.com]
Sent: Wednesday, November 08, 2017 12:06 PM
To: Sean Tully <Sean.Tully@dcd.cccounty.us>
Cc: 217061 <217061@aliquot.com>; Mary Dunne Rose <marydrose1@gmail.com>; Vince D'Alo <vdalo@aliquot.com>
Subject: RE: Mary Dunne Rose: One Question (two questions)

Good morning Sean,

Please confirm that you have all the information you need from Mary per our phone conversation yesterday afternoon. My understanding is that we're expecting a determination letter from the County later this week or early next week.

Thank you,

Mark Summers, PE
Aliquot Associates, Inc.
PLANNERS | CIVIL ENGINEERS | SURVEYORS
WALNUT CREEK 1390 S. Main St. – Ste. 310 | Walnut Creek, CA 94596
OAKLAND 460 Boulevard Way, 2nd Floor | Oakland, CA 94610
Main: (925) 476-2300 | Direct: (925) 476-2329
Cell: (925) 917-1022 | Fax: (925) 476-2350

From: Sean Tully [mailto:Sean.Tully@dcd.cccounty.us]
Sent: Monday, November 06, 2017 3:41 PM
To: Mark Summers
Subject: Mary Dunne Rose: One Question

#83

THE PERMIT STREAMLINING ACT AND OTHER DEVELOPMENT TIME LIMITS

By John Eastman
Richmond City Attorney

For years, the time limits within which government agencies were required to approve or deny development projects were set forth in a confusing patchwork of statutory schemes that were seemingly irreconcilable. Beginning in the 1990s, however, the Legislature began enacting a series of measures to coordinate the time limits imposed by the Permit Streamlining Act (Government Code § 65920 *et seq.*), the California Environmental Quality Act (CEQA) (Public Resources Code § 21000 *et seq.*), and the Subdivision Map Act (Government Code § 66410 *et seq.*). These Acts will be discussed in turn.

I. The Permit Streamlining Act

The Permit Streamlining Act was enacted in 1977 in order to expedite the processing of permits for development projects. Government Code § 65921.

The Permit Streamlining Act achieves this goal by (1) setting forth various time limits within which state and local government agencies must either approve or disapprove permits and (2) providing that these time limits may be extended once (and only once) by agreement between the parties.

Although hardly a paper tiger, the Permit Streamlining Act is less efficacious than it appears at first blush. As explained immediately below, a permit may not be deemed approved until the agency is provided with notice of the applicant's intent to invoke the Act, and an opportunity to hold a public hearing to decide whether to approve or deny the project. Further, a permit may not be deemed approved until the agency has complied with CEQA. Finally, the Permit Streamlining Act does not apply to legislative land use decisions or to ministerial permits.

A. Deemed Approval

If a local agency fails to approve or disapprove the permit within the time limits specified below, the permit is subject to being "deemed approved." Government Code § 65956(b). A deemed-approved permit confers the same privileges and entitlements as a regularly issued permit. *Ciani v. San Diego Trust & Savings Commission*, 233 Cal. App. 3d 1604, 1613, 285 Cal. Rptr. 699, 705 (1991).

If a local legislative body votes to deny a project within the time limits of the Permit Streamlining Act, but directs staff to return with a resolution on a date that falls outside of the Permit Streamlining Act's time limits, the application is timely denied and does not result in a deemed-approved project. The Permit Streamlining Act does not require that a denial be absolutely final in order to be timely. *El Dorado Palm Springs v. City of Palm Springs*, 96 Cal. App. 4th 1153, 118 Cal. Rptr. 2d 15 (2002).

PLEASE SET CELL PHONES TO
VIBRATION OR TURN THEM OFF
DURING THE MEETING.

#98.1

CCC and Applicant Meeting

(Reasonable Accommodation Appeal for Lot Split MS 060037 78 Grandview Place Walnut Creek CA)

Confidential * Wednesday, June 13, 2018 at 1:00pm

Department of Conservation and Development Contra Costa County (DCD CCC) 30 Muir Road Martinez, CA

AGENDA

Attending – John Kopchik Director DCD CCC, Aruna Bhat Deputy Director DCD CCC, Sean Tully, Staff, Mary Dunne Rose Applicant

Introductions – Self-Introductions of all attendees

Agenda Topics:

- X 1. **Inner Front Door Not Disability Friendly** – The public use inner front door to 30 Muir Rd., DCD does not appear to be law compliant regarding disability assessability of the inner front door. Exceeds weight requirement to open door, no automatic opener for inner door. Applicant almost fell on face when trying to open last visit. }
2. **Go Over and Explain the "Deferred Improvement Agreement"** – is this standard language, why lot A and B, why say city not CCC first page, when is it triggered over \$200,000 to \$900,000 or more cost at least of improvements- just on PW whim? How is the "payments" required by CCC, time required by PW, how is it set-fair, reasonable, nondiscriminatory? See Exhibit B, required improvements "1600 square feet of street paving (no room on Panoramic Way)? put in retaining walls, and drainage ("guarantee drainage") put in new drainage, relocate all utility's (drainage, PGE, Phone, Cable lines). Is this given to over 90% of every lot split? What about just charging the drainage fee applicant has already paid?
3. **Front Yard Setback on Grandview Place** - Next door neighbor to lot B has a front yard 5 foot or less (looks like zero) setback. Other neighbors also have less than 10-foot setback in my neighborhood. It is common on my street to have less than the required front yard setback. Could CCC take a look please?
- X 4. **CCC Retaliation Against Applicant** – Retaliation against applicant and her property for requesting Reasonable Accommodation (RA) should be a prohibited act by CCC personnel and such language banning retaliatory acts by CCC personnel against applicant and her property could be written in the RA policy to help prevent discrimination.
- X 5. **Fees Charged for RA Processing** – What are the fees charged by CCC for RA processing? Is there a written fee schedule applicant can review?
6. **Time for Answering Emails** – What is CCC policy regarding the standard time for staff to answer phone calls and emails? One day, two days a week?
7. **Review Conditions of Approval** - for reasonableness, nexus, commonality, ect.
- X 8. **Applicant Requests Confidentiality and Requests 200 plus pages of Wrongly Requested Filing of 10 day 5-21-2018 Appeal Packet**
9. **Nexus** – There are different methods of applying the Nexus theories to land use decision-making process
10. **Extension of Permit as RA Process Very Lengthy Time Wise**
11. **Other Discussion Items**

**Department of
Conservation and
Development**

30 Muir Road
Martinez, CA 94553

Phone: 1-855-323-2626

**Contra
Costa
County**



#94
#97

John Kopchik
Director

Aruna Bhat
Deputy Director

Jason Crapo
Deputy Director

Maureen Toms
Deputy Director

Kara Douglas
Assistant Deputy Director

Kelli Zenn
Business Operations Manager

July 3, 2018

Mary Dunne Rose
1020 Glasgow Place
Danville, CA 94526

Re: Reasonable Accommodation Request – June 13, 2018 Meeting
County File: #MS06-0037, #CV14-0042
APN: 184-462-008
Address: 78 Grandview Place, Walnut Creek

Dear Ms. Rose:

On June 13, 2018, Department of Conservation and Development (DCD) staff met with you to discuss your pending reasonable accommodations appeal to the County Board of Supervisors pertaining to the County Files and real property listed above. This letter memorializes our discussion and address inquiries you made during the meeting.

1. Staff Recommendation to the Board of Supervisors: During the meeting, you were advised that County staff will likely recommend that the Board of Supervisors deny your appeal of the Director's May 9, 2018 decision to deny your reasonable accommodations request.
2. Date of Appeal Hearing: During the meeting, DCD staff asked if you have a preferred date for scheduling your appeal hearing before the Board of Supervisors. You stated that you have no preferred date at this time, but that you first wish to meet with Public Works staff. Accordingly, no date for your appeal hearing has been set. Once you have met with Public Works staff and DCD staff completes its report and recommendation, DCD staff will contact you to coordinate the scheduling of the appeal hearing to suit your availability.
3. Request for Closed Session: During the meeting, you asked if your appeal hearing before the Board could be held in closed session. County Ordinance Code Section 14-4.006 (Setting of Hearing – Notice) states that the clerk of the board will set the matter for hearing at a *regular* board meeting. Moreover, the provisions of the Government Code that regulate public meetings do not allow your appeal hearing to be held in closed session. Accordingly, your appeal hearing will be scheduled as part of a regular public meeting.

4. Appeal Materials for Consideration: On May 21, 2018, you submitted a 234-page appeal of the Director's decision to DCD. On June 5, 2018, you submitted a 17-page amended appeal of the Director's decision to the County Clerk of the Board's office. You have advised DCD staff in writing and in person that you wish to have the amended 17-page document serve as your official appeal. DCD will consider your 17-page document as your appeal document.
5. Meeting with Public Works Department Staff: During the meeting, you requested a separate meeting with Public Works staff to discuss the County File #MS06-0037 Conditions of Approval, and that DCD staff coordinate the scheduling of the meeting. Public Works staff offered to meet with you at their offices on Wednesday, June 27, 2018, at 2:00 PM, which you were able to attend.
6. Status of Approved Tentative Map: During the meeting, you asked DCD staff to clarify the status of your approved tentative map (County File #MS06-0037) and the map's December 25, 2018 expiration date. After its original approval on December 14, 2006, your tentative map became effective on December 25, 2006 and had an initial filing period of three years. Pursuant to Government Code Section 66463.5(c), the County can extend the expiration date of the approved tentative map for a period not exceeding a total of 6 years. On December 22, 2009, the County granted a five-year extension to extend the tentative map through December 25, 2017. On December 14, 2017, the County granted you an additional one-year extension to extend the expiration date through December 25, 2018. State law does not allow for any further extensions. Therefore, all of the conditions of approval required to be completed prior to recordation of the map must be satisfied and the required documentation must be submitted and accepted as complete by both DCD and Public Works on or before December 24, 2018 (December 25th is a holiday), or the filing period for the map will expire.
7. Duplicate Appeal Fees Paid: You submitted a \$125 appeal fee to DCD on May 21, 2018 with your original appeal. You also submitted a \$125 appeal fee to the County Clerk of the Board on June 5, 2018 with your amended appeal. Both appeals and fees were submitted in response to the Director's May 9, 2018 decision to deny your reasonable accommodations request. Only a single \$125 appeal fee is due. DCD will be refund the \$125 payment made to our office.
8. Charges for Reasonable Accommodation Request Review: During the meeting and in prior emails you asked for DCD's policy or protocol for charging processing fees for a Reasonable Accommodations request. DCD has agreed to waive all charges associated with our review of your reasonable accommodations request. Please be advised that any time and materials costs for the compliance review of your subdivision entitlement that accrued prior to your reasonable accommodations request are still due and payable prior to recordation of your Parcel Map. Documentation detailing the waiver of the reasonable accommodations review charges will be sent to you separately once completed.
9. Additional Information Requested to Support the Reasonable Accommodation Request: During the meeting, DCD staff reaffirmed that the County does not question the existence

of your or your spouse's disability. We discussed DCD staff's previous request for additional information to show that a waiver of zoning code regulations and certain subdivision conditions of approval is a reasonable accommodation necessary to make housing on your parcel available to you. If you wish to submit additional information to DCD staff prior to the appeal hearing, DCD staff will review the items to determine whether the additional information is sufficient to show that your requested reasonable accommodation is necessary to make housing on your parcel available to you. Additional information that staff has requested includes:

- Plans such as a site plan, building floor plan, or building elevations that illustrate why your desired design elements (e.g., wheelchair accessible hallways, limited amounts of stairs, ADA-compliant rooms) cannot be accommodated without waiving the applicable structure setbacks and yard requirements of the zoning code;
- Plans indicating the location and manner of construction of a wheelchair ramp at the entry of the residence and a written statement describing why the importing or exporting of fill from the site is necessary for the construction of the proposed wheelchair ramp;
- Written statement describing why structures such as retaining walls cannot be utilized in parcel development to create additional "flat" developable area.

Please feel free to contact me at (925) 674-7800, or via email at sean.tully@dcd.cccounty.us with any questions that you may have.

Sincerely,



Sean Tully
Senior Planner

cc: Jocelyn LaRocque (Public Works)
Office of the Clerk of the Board
County File #CV14-0042

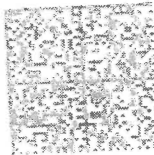
Department of Conservation and Development
30 Muir Road
Martinez, CA 94553

260

Contra Costa County



PRESORTED
FIRST CLASS



U.S. POSTAGE & PINNEY EOWEN
ZIP 04120 \$ 000.40
03 1M
0001402558 JUL 05 2018

letter
dated 7/3/2018

Mary Dunne Rose
1020 Glasgow Place
Danville, CA 94526

received
by mdr
7/10/2018
mhr

255

FPI-14B

94526



CCC and Applicant Meeting # 118

(Reasonable Accommodation Appeal for Lot Split MS 060037 78 Grandview Place Walnut Creek CA)

Confidential * Wednesday, June 13, 2018 at 1:00pm 9/28/2018

Department of Conservation and Development Contra Costa County (DCD CCC) 30 Muir Road Martinez, CA

AGENDA

Attending – CCC Board of Supervisor C. Andersen, John Kopchik Director DCD CCC, Aruna Bhat Deputy Director DCD CCC, Sean Tully, Staff, Mary Dunne Rose Applicant *Ten Quallick*

Sign In Sheet

BofS said she wants list of CofA

Introductions – Self-Introductions of all attendees

that applicant feels are discriminatory

Agenda Topics:

1. **Disability** – Physically viewing of applicant's Right Foot and Left Foot offered to BofS? Also, did BofS want to view applicant X-rays? CCC confirmed feet disability in written communication 7/16/2018 and 7/3/2018 and husband's disability. *BofS C. Andersen said assumed both of us disabled, no need to view my bare feet.*
2. **Any Applicant Additional Information and Documentation Needed and any Additional Questions Requested by CCC?** – Any more info needed by CCC or other questions by CCC? CCC confirmed at 9/17/2018 no additional information is requested by CCC, see S Tully 9/17/2018 email.
3. **RA Request for Constitutional Right to Privacy and Protect Disability Status & Medical Information** – Applicant requested numerous times, in writing to CCC my RA request regarding my disability status and related medical status be kept private and confidential. What is the status update on this RA request?
4. **Extension of Permit as RA Process taking excess time to process. No Prompt Processing of RA requests.** See email from Jim Stein, CCC Surveyor said all applicants CofA must be satisfied before 12/31/2018 or my permit will expire. Applicant requested prompt RA requests, CCC has not complied with prompt processing laws. Applicant required to build 2 dangerous roads as example of COA not satisfied.
5. **Fees Charged for RA Processing** – What are the fees charged by CCC for RA processing? Is there a written fee schedule applicant can review? See 7/3/2018 letter from CCC to applicant stating CCC intends to "back bill" "once review is completed." What is the status of this "back billing"? *will look into - BofS.*
6. **CCC not Implementing General Plan (GP) Policies, goals, Not Complying with Laws such as Fed Constitutional and Civil Rights, State laws; Not following RA laws, No valid RA policy as required by law, CCC actions do not follow GP "Consistency requirements, CCC fails to implement parts of its GP, not following Cal. Gov. Code § 65583(c)(3) and many other laws, Need Increase in Budget for Training.** Also, invalid CCC RA policy. *Discussed with*
7. **Go Over and Explain the "Deferred Improvement Agreement"** How is the "payments" required by CCC, time required by PW, how is it set-fair, reasonable, nondiscriminatory? See Exhibit B, required improvements "1600 square feet of street paving (no room on Panoramic Way)? put in retaining walls, and drainage ("guarantee drainage") put in new drainage, relocate all utility's (drainage, PGE, Phone, Cable lines). Is this given to over 90% of every lot split? What about just charging the drainage fee applicant has already paid? *send her info,*
8. **Front Yard Setback on Grandview Place** - Next door neighbor to lot B has a front yard 5 foot or less (looks like zero) setback. Other neighbors also have less than 10-foot setback in my neighborhood. It is common on my street to have less than the required front yard setback. Could CCC take a look please?
9. **Other Discussion Items**
 - west brough drainage
 - COA
 - Drainage my project

Mary Dunne Rose

4123

From: Mary D Rose <marydrose1@gmail.com>
Sent: Monday, October 15, 2018 7:52 AM
To: Sean Tully
Cc: mike.carlson@pw.cccounty.us; admin@pw.cccounty.us; Aruna B CCC Aruna Bhat Deputy Director - Community Development Department of Conservation and Development Contra Costa County 30 Muir Road Martinez, CA 94553 Phone: 925 674 7784; John.Kopchik@dcd.cccounty.us; jen.quallick@bos.cccounty.us; Gayle.Israel@bos.cccounty.us
Subject: Please send All my appeals and appeal denials and other pertinent project information to Mike Carlson and director Brian Balbas my project Reasonable accommodation requests outstanding - Public Works department. Effective RA communication process

Good morning Sean,

Would greatly appreciate an extra effective communications step in the reasonable accommodation process for my outstanding project.

Question, how does community development department share reasonable accommodation information for effective communication with public works, regarding all submittals and emails by RA applicant?

Given the Public Works customs and policies, drainage issues, towards reasonable accommodation requests that applicant was informed about in last Thursdays meeting going over applicants conditions of approval, I respectfully request you provide (email ?) all my submittals of information to Contra Costa County public works department deputy director Mike Carlson and director Brian Balbas, including emails. Hopefully PW should have Contra Costa County's DCD denial responses to applicant on file?

Please CC me on all emails. I am very concerned that everything I submitted to the community development department and anything submitted to PW for my RA requests has NOT been shared properly with the public works Director and deputy director department heads. Let's rectify that!

Further, please provide public works with a copy of the internal RA policy for their review.

The public works department does not seem to even know about or understand reasonable accommodations and Contra Costa County's reasonable accommodation internal policy rules.

Hopefully, public works will then have access to all files; paper files and electronic files of all applicants submittals of information and Contra Costa County's responses and CCC RA internal policy. This should help them understand the lawful reasonable accommodation process.

I look forward a telephone conference meeting with the PW deputy director or director today.

Finally, could you please explain to me the reasonable accommodation process of how one department shares an applicants RA information with the other department? For example, is applicant required to send everything submitted to both departments? I gathered I just had to submit information to your department and you, the point person from department of development and conservation, Community development per the internal reasonable accommodation policy? How are email requests shared between departments?

Depending upon CCC RA internal policy, requiring an applicant to send all information to all parties in the county could

get very expensive for the governmental entity; possible Duplicate efforts? Waste of limited resources? The flipside being the disabled applicant should not have "Know" which department to submit it to, depending on the issue, and be forced to do extra work, calling both departments over and over to try to figure out which department handles what etc. In my humble opinion, a specific person and a specific department should be designated to be responsible for sharing appropriate information with other county departments and keeping them current, on task on RA project matters.

Applicant is apologetic of requiring this extra step of work for you Sean, thank you in advance for your assistance! It is very important to the reasonable accommodation process and an applicant that public works has all the information applicant has given to you and your department!

Warm Regards,

Mary Dunne Rose
925-286-8796

Sent from my iPhone

Begin forwarded message:

From: Admin <admin@pw.cccounty.us>
Date: October 15, 2018 at 6:49:46 AM PDT
To: Mary D Rose <marydrose1@gmail.com>
Subject: Automatic reply: Reasonable accommodation requests outstanding - Public Works department

Thank you for contacting the Public Works Department

Messages sent to Admin@pw.cccounty.us are checked once a day in the morning Monday through Thursday. Messages received Friday through Sunday or holidays that fall on Monday through Thursday will be checked the following business day.

If this is an emergency during business hours (M-TH 7AM-5PM or F 7AM-4PM), please call (925) 313-2000. If this is an afterhours emergency, please call (925) 646-2441.

Mary Dunne Rose

4105-1

From: Mary Dunne Rose <marydrose1@gmail.com>
Sent: Monday, July 23, 2018 8:10 AM
To: 'Sean Tully'
Cc: aruna.bhat@dcd.cccounty.us; John.Kopchik@dcd.cccounty.us;
slavA.GOSPOdCHIKOV@PW.CCCCOUNTY.US; jocelyn.larocque@pw.cccounty.us;
MaryDRose1@gmail.com
Subject: RE: Another Request for CCC Compliance with HIPPA, Constitutional Right to Privacy Protection- medical disability information protection and disclosures

Hi Sean and John and Slava,

Thank you for confirming Contra Costa County (CCC) acknowledges applicants feet disability and applicants multitude of requests for medical disability confidentially as discussed below in the 7/16/2018 email.

Applicants question is my appeal to the Board of Supervisors and also CCC overall treatment of my medical information. The HIPPA regulations and all other Constitutional and Federal and State confidentiality, protection and disclosure and privacy rights and laws, etc. relating to medical (disability) information protection and disclosures and how CCC applies them to Reasonable Accommodation (RA) process is confusing, emotionally draining and stressful. Some of the issues are below:

1. Applicant does have a legally protected privacy interest concerning her medical condition.
2. Applicant confirms again I have a more than reasonable expectation of privacy and all related rights in these circumstances of requesting disability RA process from CCC planning and building departments (constitutionally guaranteed right to privacy) for building home of my choice.
3. In fact, again I respectfully request all confidentiality and rights to privacy protection laws relating to rights to privacy are complied with by CCC as applicable to my RA request. **Further, applicant has not, and does not, give explicit or any other form of verbal or written consent or authorization to disclose my medical information, or waived any of these rights to protecting my medical privacy.**
4. **Applicant again requests that my appeal is not heard at a Board of Supervisors open, televised public hearing, with electronic transmission of the appeal information on the agenda website!!!** CCC will only demonstrate their neglect, intentional, knowingly, willfully, without regard to privacy protection laws, (not to mention unethical behavior by those holding the police powers) to harm applicant if my appeal is held in a public open meeting. This type of unauthorized public disclosure of my protected disability information would devastatingly financially affect my ability to earn my living and greatly damage my life.
5. Applicant proposes an alternative idea, having the County Administrator review applicants appeal privately and make a fair decision, instead of going before the Board of Supervisors in an open, public hearing must comply with the open information Brown Act. CCC Administrator review would side step compliance with the public information laws and uphold confidentiality laws! Please advise on the possibility of this idea and solution???
6. Applicant is unsure of past, current and future actions and conduct by CCC, relating to privacy laws, that will constitute a serious, "knowingly understanding that CCC actions will break the law and constitute an offense." Applicant is very worried and is experiencing anxiety about CCC treatment of my private medical information!
7. **Therefore, applicant specifically and respectfully requests a copy of the written policy of "CCC DCD Housing Compliance with Confidentiality Requirements Regarding the RA Process of Protected Medical Information."** Please provide this on DCD letterhead, approved, signed and dated so I know it is a real policy and can read it. Applicant can not find it as part of CCC internal RA policy nor can I find this anywhere on the CCC DCD website.

8. Finally, applicant requests you send me the CCC form for "DCD Housing Reasonable Accommodation Authorization Form for "Authorization of Release of Medical Information Form" so applicant can check the box NO applicant does not agree to waiving HIPAA regulations and all other Constitutional and Federal and State confidentiality, protection and disclosure and privacy laws, etc. relating to medical (disability) information protection and disclosures.

Thank you for helping reduce my emotional distress regarding protecting my private medical information,

Mary Dunne Rose
925-286-8796

From: Sean Tully <Sean.Tully@dcd.cccounty.us>

Sent: Monday, July 16, 2018 4:11 PM

To: Mary D Rose <marydRose1@gmail.com>

Cc: John Kopchik <John.Kopchik@dcd.cccounty.us>; Aruna Bhat <Aruna.Bhat@dcd.cccounty.us>

Subject: RE: Request CCC confirm applicants Qualified Reasonable accommodation (RA) feet issues /mobility problems as one of the CCC recognized disabilities in this process

Mary:

Good morning. Please find responses to your inquiries below.

1. The County's understanding throughout this process has been that your disability is in relation to your feet. We have, and will continue, to review your RA request in relation to that disability.
2. No document has been produced to formally acknowledge your disability because our Department has never questioned the existence of your disability. In addition, you have requested on various occasions that the details of your disability be kept private.
3. With regard to the confirmation of your condition as being a Federally or State RA qualifying disability for reasonable accommodations requests, I am unaware of specific criteria that the code/law has outlined for that type of determination being made. The Fair Housing Act does define a "person with a disability", and there has been no dispute or statement from the County that you fail to meet that definition. The December 5, 2017 and May 9, 2018 denials from the Department of Conservation and Development advise that each determination was a result of a failure to find that the RA request was necessary for access to or construction of the proposed residence; not due to the lack of a "Federal or State RA qualifying disability".

SEAN TULLY
SENIOR PLANNER
CONTRA COSTA COUNTY
DEPARTMENT OF CONSERVATION AND DEVELOPMENT
30 MUIR ROAD
MARTINEZ, CA 94553
(925) 674-7800 PH
(925) 674-7258 FX

#125

From: Mary Dunne Rose <marydrose1@gmail.com>

Sent: Tuesday, October 16, 2018 2:55 PM

To: 'Sean Tully' <Sean.Tully@dcd.cccounty.us>; aruna.bhat@dcd.cccounty.us; mike.carlson@pw.cccounty.us; John.Kopchik@dcd.cccounty.us; admin@pw.cccounty.us

Cc: MaryDRose1@gmail.com

Subject: RA meeting with community development & PW regarding BofS Requested List prepared by applicant Documenting Discriminating Conditions of Approval and Comparison to Similarly Situated Non-Disabled Applicants

Hi All,

Applicant would like to thank Mike Carlson for stepping up, taking over as the point person for Public Works (PW). He replaces Slava.

Last week, A Bhat, Sean Tully, Slava Gospodchikov (PW) and applicant met for a reasonable accommodation communication meeting on Thursday October 11, 2018 at 3:00pm. The goal was to work as professionals with good faith efforts, together, to resolve the discriminatory conditions of approval in my project ASAP and put past discriminatory treatment behind us! The list (see attached, updated with comments in the meeting) was prepared by applicant at the request of BofS C. Andersen.

S Tully and A Bhat sat down at the table, hung in there, rolled up their sleeves and actually tried to find compromises to the conditions of approval for my project. For this I am grateful.

However, Slava Gospodchikov might need additional reasonable accommodations training. CCC BofS needs to budget money for RA training, policies and process/procedures and effective communications training to benefit PW and DCD. Some of the comments made by Slava in the meeting were discriminatory towards a disabled person. His stereotypes about people with disabilities need correction, for which I am disgusted and angry.

1. For example, S. Gospodchikov stated, "I do not believe the conditions of approval were discriminatory, that it's just a matter of perception..." when we were discussing CCC Rose Marie's Pietras disparate treatment of applicant by intentionally writing and imposing different, additional, restrictive conditions of approval not imposed on other similarly situated non-disabled persons (see list attached).

Applicant was shocked, immediately upset and extremely insulted by the comment and deeply offended by his inappropriate "critique of disabled me" when we were opening good faith negotiations regarding the conditions of approval modifications. Most important, Slava is prejudice, just because I have physical feet disability, DOES NOT MEAN MY BRAIN DOES NOT WORK, MY PERCEPTION, UNDERSTANDING AND INTERPERTATIONS ARE JUST FINE, some the CofA are discriminatory!!! Many people have physical disabilities and can still think, obtain a masters degree, hold down a job; case in point prior USA President FDR.

2. For example, S. Gospodchikov stated "...I don't know about reasonable accommodations..."

Why did CCC PW send him to the meeting if he could not be bothered to read (prepare for the meeting and try to comprehend applicants point of view) the list we were going over and take time to learn about reasonable accommodations rules? X

3. Most discriminatory comments by Slava was stating, "...reasonable accommodation will NEVER be (used to waive) waived by Public Works for drainage (issues) that effects public safety." Slava continued, told me applicant could, "change CofA, can be changed by public hearing to Zoning Administrator, then appeal in public hearing to Planning Commission." Slava told applicant, "You (I) need to come to a solution..." A Bhat confirmed this process costs fees, money. This is disparate treatment, long term discrimination with malicious intent by CCC! I requested RA process and am told I have to use the standard CCC modification/variance process, not the RA process. See laws below. X

Why would applicant have requested reasonable accommodations if not for discriminatory treatment protection? Why has CCC wasted hours, weeks, months, years of my time "pretending" to work with applicant if they never intend to remove the "guarantee" adequacy CofA from my project (applicant spent about \$60,000 to date) so disabled applicant could build her home like other similarly situated non-disabled persons? Is all the work and efforts and spend money by applicant just a big joke to CCC PW, what is CCC long term intent and result treatment to disabled person? See landmark case: Lawsuit Oxford House-C v. City of St. Louis, 843 F.Supp. 1556 (E.D. Mo. 1994) (forcing a group home to use the variance process was not a reasonable accommodation where compliance would have a discriminatory effect and the process, which required a public hearing and notice, stigmatized the prospective residents, increased their stress and evidence showed that any attempt to obtain a variance would be futile). Please see below some laws regarding RA process.

Applicant will put together an "Open Item To Do List" to document the meeting discussed above and hope it will assist all parties reach a compromise.

Thank You,
Mary Dunne Rose
925-286-8796

Mary Dunne Rose

#134

Subject:

FW: PW 6th email Meeting request, 6th voice mail request; timeline request, Reasonable accommodation policy for Public Works request, Request for assistance

From: Mary D Rose <marydrose1@gmail.com>

Sent: Friday, November 30, 2018 12:11 PM

To: Brian Balbas <brian.balbas@pw.cccounty.us>; admin@pw.cccounty.us; Mike Carlson <mike.carlson@pw.cccounty.us>

Subject: Re: PW 6th email Meeting request, 6th voice mail request; timeline request, Reasonable accommodation policy for Public Works request, Request for assistance

Happy Friday!

Confirming we have a meeting next Tuesday, December 4 at 1:30 PM.

Please advise if incorrect.

Have a wonderful weekend!

Warm Regards,

Mary Dunne Rose
925-286-8796

Sent from my iPhone

On Nov 8, 2018, at 5:00 PM, Brian Balbas <brian.balbas@pw.cccounty.us> wrote:

Ms. Rose,

I am aware of the circumstances surrounding your case. Mr. Carlson, Mr. Gospodchikov, and other staff have met with you or spoken with you on several occasions. They have also coordinated with the Department of Conservation and Development and the many staff that have been responding to your numerous concerns related to this application.

I am not in the office the rest of this week as I am chairing a conference for APWA. I had conversations with staff prior to the conference and based on the information I have reviewed I do not see any basis for your assertions that Public Works has not worked to meet the conditions of approval for your application. Furthermore the letter sent by John Kopchik shows the County's work in addressing the accommodations that can be accommodated.

The Public Works conditions required as part of this application are appropriate, consistent with similar applications and shall remain in place. Should you wish to request modifications to your conditions I would suggest you follow the normal process to ask for modifications to your conditions of approval.

I strongly disagree with your assertion that Public Works is ignoring and unwilling to work with anyone, specifically "disabled people" on this or any other interaction. That is blatantly false and I cannot simply allow statements such as that be made without calling them out as inaccurate, unjust and unfair, especially in light of the number of staff that have worked with you on your concerns.

With that said, I'm happy to meet with you as schedules allow, however I have been made aware of the circumstance and reasonable accommodations you have requested and as I previously stated, I am not of the opinion that the existing conditions should be modified at this time.

~Brian

Sent from my mobile device

On Nov 8, 2018, at 3:52 PM, Mary Dunne Rose <marydrose1@gmail.com> wrote:

Dear PW Director,

I have called and tried to communicate with your Secretary Ms. Wara during the last 30 days. I have left Ms. Wara **at least 6 voice messages and this is the 5th email request** for setting a meeting date to talk with you, the PW director, Brian Balbas.

Time is running out. Nothing substantial has been done by PW regarding my RA requests.

Mr. Carlson has had no time to work on or even review anything applicant has submitted. Mr. Carlson and I have only had a three 10 minutes meetings, with one half hour meeting at the beginning of this process just to bring him up to date. This adds up to less than 2 hours meeting time to discuss a number of complex issues. Mike C. has admitted he has not read my RA submittal of information to PW.

Applicant needs the RA process with PW to be an timely, effective, interactive communication process to work.

It is becoming very apparent CCC PW will not work with disabled people to process RA requests. Instead, they just ignore requests and documents submitted.

Slava said in the last meeting he had not even read my information submitted that we were going over. In addition, Salva said:

1. Applicant requests an hour face to face meeting with the Director. Slava Gospodchikov, in the 10-11-2018 meeting with applicant stated, **"I do not believe the conditions of approval were discriminatory, that it's just a matter of perception..."** when we were discussing CCC Rose Marie's Pietras disparate treatment of applicant by intentionally writing and imposing different, additional, restrictive conditions of approval not imposed on other similarly situated non-disabled persons (see list attached). Applicant was shocked, immediately upset and extremely insulted by the comment and deeply offended by his inappropriate "critique of disabled peoples ability to think" when we were opening good faith negotiations regarding the conditions of approval modifications. Most important, Slava is prejudice, just because I have physical feet disability, **DOES NOT MEAN MY BRAIN DOES NOT WORK, MY PERCEPTION, UNDERSTANDING AND THOUGHT PROCESSES ARE JUST FINE**, some the CofA are discriminatory!!!
2. Most discriminatory comments by Slava G. was stating, **"...reasonable accommodation will NEVER be (used to waive) waived by Public Works for drainage (issues) that effects public safety."** Slava continued, told me applicant could, **"change CofA, can be changed by public hearing to Zoning Administrator, then appeal in public hearing to Planning Commission."** Slava told applicant, **"You (I) need to come to a solution..."** This is disparate treatment, long term discrimination with malicious intent by CCC! I requested RA process and am told I have to use the standard CCC modification/variance process, not the RA process. See laws below.

3. For example, S. Gospodchikov stated “...I don’t know about reasonable accommodations...” at the meeting. Why is CCC sending someone to meet with applicant that doesn’t bother learn RA laws?

This email is my 5th request (email 10/15/2018, email 10/30/2018, spoke with Directors Executive secretary Michele Wara October 30, 2018 to set up a meeting with PW director Brian Balbas. Ms. Wara would not make an appointment, said she would inform the director of my reasonable accommodation request for an appointment and I’ve still heard nothing back. This is not an effective RA communication process. Please see prior email dated November 5, 2018 for additional request for meeting. Again, applicant is requesting a meeting with the public works director under the RA laws, I am requesting assistance. I am available this Wednesday, November 7 between eight and 10am, **Thursday, November 8 anytime, all day Friday, November 9 any time after 1 PM, Wednesday, November 14 anytime all day, Monday, November 19 anytime between 8 AM and 10 AM. Please advise.**

Please pick a date and time and let me know!!!

Mary Rose

From: Mary D Rose <marydrose1@gmail.com>
Sent: Wednesday, November 7, 2018 8:01 AM
To: Brian Balbas PW ccc <bbalb@pw.cccounty.us>; Mike Carlson <mike.carlson@pw.cccounty.us>; admin@pw.cccounty.us
Subject: Re: PW 4th Meeting request, timeline request, Reasonable accommodation policy for Public Works request, Request for assistance

Hi Mike,

Glad we spoke last night around 530 pm for a few minutes.

Summary of key points only:

1. Timeline. Please advise as to when Public Works review and approval will be completed regarding my October 27, 2018 packet submission of drainage additional PW requested detailed information for nexus analysis and reasonable accommodation request for drainage conditions of approval. Applicant only has a 30 day appeal deadline to the board of supervisors, given the directors partial denial re-issued determination letter. Applicants right to appeal to the BofS is being compromised by PW refusal to comply with the RA prompt processing federal and state laws.
2. Request for PW reasonable accommodation policy. Applicant has requested in prior emails PW written “reasonable accommodation internal policy and procedures.” To date PW has not provided.
3. Meeting with PW director. **This email is my 4th request (email 10/15/2018, email 10/30/2018, spoke with Directors Executive secretary Michele Wara October 30, 2018 to set up a meeting with PW director Brian Balbas. Ms. Wara would not make an appointment, said she would inform the director of my reasonable accommodation request for an appointment and I’ve still heard nothing back.** This is not an effective RA communication process. Please see prior email dated November 5, 2018 for additional request for meeting. Again, applicant is requesting a meeting with the public works

director under the RA laws, I am requesting assistance. I am available this Wednesday, November 7 between eight and 10am, Thursday, November 8 anytime, all day Friday, November 9 anytime after 1 PM, Wednesday, November 14 anytime all day, Monday, November 19 anytime between 8 AM and 10 AM. Please advise.

Again, an effective communication process is very important in the reasonable accommodation process.

Warm Regards,

Mary Dunne Rose
925-286-8796

On Nov 6, 2018, at 7:40 AM, Mary D Rose <marydrose1@gmail.com> wrote:

From: Mary D Rose <marydrose1@gmail.com>
Date: November 5, 2018 at 3:42:50 PM PST
To: bbalb@pw.cccounty.us,
John.Kopchik@dcd.cccounty.us, Mike Carlson
<mike.carlson@pw.cccounty.us>
Subject: Fwd: where is the Drainage reasonable accommodation request with applicants Nexis analysis and director's response in the Revised Director's Determination 11/2/2018 letter???

Mike and Brian,

Please see attached revised CCC determination letter below.

On October 27, 2018 applicant submitted my reasonable accommodation request for drainage with Nexus analysis to both Public Works and community development for review and inclusion in the decisions in the revised directors determination letter.

I have followed Contra Costa County's internal reasonable accommodation policy.

Please advise as to why the DCD directors 11/2/2018 determination letter does not include the drainage RA requests & information I sent 10/27/2018??? Contra Costa County had plenty of time to process the information and include their response in the November 2, 2018 revised Determination letter.

Please send me a copy of the process we are currently following for reasonable accommodation requests. I respectfully request under the reasonable accommodation law the written policy (for both

community development and for Public Works) and procedures so I can understand the process.

Greatly appreciate the assistance with this reasonable accommodation request.

Warm Regards,

Mary Dunne Rose
925-286-8796

Sent from my iPhone
xx

From: Mary Dunne Rose <marydrose1@gmail.com>
Sent: Tuesday, October 30, 2018 12:00 PM
To: brian.balbas@PW.cccounty.us;
admin@pw.cccounty.us; jen.quallick@bos.cccounty.us;
mike.carlson@pw.cccounty.us
Cc: marydunnerose@fiduciaryus.com; 'Sean Tully'
<Sean.Tully@dcd.cccounty.us>;
aruna.bhat@dcd.cccounty.us;
John.Kopchik@dcd.cccounty.us
Subject: FW: Drainage Nexus and requests for exceptions Grandview MS-060037 or CV-14-00042

Hi Brian and Michelle,

Drainage CofA 42, 43, 44, 45, 49, 53 and 54 Possible Compromise

Please see attached information regarding the drainage nexus and information requesting Reasonable Accommodation (RA) requests for change, exception, adjustment to a rule, policy, practice relating to drainage CofA **42, 43, 44, 45, 49, 53 and 54** in my appeal for the Board of Supervisors hearing that is being re-scheduled, if CCC PW and CD can't find a compromise. This should give PW everything it needs to create a compromise.

I believe I have given CCC everything necessary to create a RA compromise requests for change, exception, adjustment to a rule, policy, practice relating to **drainage** CofA for my possible upcoming appeal to the Board of Supervisors hearing.

Applicant would like a meeting, RA request, with Brian (and Mike if possible) to discuss the status of the "compromise" and determine if we need to re-schedule the BofS appeal hearing. Would Nov. 6th at 1:30 or 2:00pm work for a meeting with Brian? Would

anytime on Nov. 7th work with Brian? Would anytime between 10:00am to 2:00 pm work for Brian on Nov 8th? This should give CCC time to review the attached documents for the meeting.

Possible Comprise Scenic Easement

In addition, applicant made an offer to purchase the 10 to 16 feet wide of CCC owned land next to my lot on the east side, length of from edge of pavement to the 92 contour, scenic easement line, see attached. Consideration for purchase is \$500.00 and approving the CCC allowing the scenic easement (currently a legal material "taking" without compensation) BofS Andersen thought was important for the long term future of lots. This purchase will be finalized after we settle all CofA issues. Who do I contact to determine the process and start the process moving forward?

Letter from DCD

I believe a letter from CCC DCD will be sent to applicant shortly to assist in the RA re issued denial process. Look forward to receiving and reading!

Please advise.

Thank You for Your Assistance,
Mary Rose
925-286-8796

From: Mary Dunne Rose <marydRose1@gmail.com>

Sent: Sunday, October 28, 2018 10:38 AM

To: mike.carlson@pw.cccounty.us;
aruna.bhat@dcd.cccounty.us; 'Sean Tully'

<Sean.Tully@dcd.cccounty.us>;

admin@pw.cccounty.us;

John.Kopchik@dcd.cccounty.us

Cc: MaryDRose1@gmail.com

Subject: Drainage Nexus and requests for exceptions
Grandview

H Mike,

Please find attached as discussed. Hope this gives you everything you need.

How is the Scenic easement/ purchase land compromise progressing?

Give me a call with any questions!
Mary

#133

Minutes of Meeting at 11:00am on 11/8/2018, A Bhat, Sean Tully and Applicant Mary Rose for half an hour, ending at 11:30am:

From: Mary Dunne Rose <marydrose1@gmail.com>

Sent: Thursday, November 8, 2018 2:15 PM

To: 'Sean Tully' <Sean.Tully@dcd.cccounty.us>; aruna.bhat@dcd.cccounty.us; John.Kopchik@dcd.cccounty.us

Cc: jen.quallick@bos.cccounty.us; 'Gayle Israel' <Gayle.Israel@bos.cccounty.us>;

mike.carlson@pw.cccounty.us; admin@pw.cccounty.us; brian.balbas@PW.cccounty.us;

jen.qualillick@bos.cccounty.us

Subject: RE: Minutes of BofS requested list updated 11-8-2018; for meeting w Deputy Director A Bhat

Hi Aruna,

Thank you for the half hour phone meeting, I understand you had a meeting at 11:30am to get to for other projects.

Minutes of Meeting at 11:00am on 11/8/2018, A Bhat, Sean Tully and Applicant Mary Rose for half an hour, ending at 11:30am:

1. Ms. Bhat said no time to go over the "BofS list" attachment to this email, that BofS Andersen had requested applicant prepare as part of the RA process and meeting with her 9/28/2018.
2. Ms. Bhat as Deputy Director DCD (DDAB) said she has been in meetings all day and has not had a chance to look at her emails and read the updated info applicant sent her today.
3. Discussed the Directors grant of 6 inch height limit on the wheel chair ramp and the Kings Drive project measuring from "natural grade" problems and lawsuit.
4. We discussed DCD Director Kopchik denied applicants 6/5/2018 and all prior appeals and applicants submittal on 10-26-2018 of RA drainage Nexus packet (PW requested more information) to PW/BofS/DCD in his 11/2/2018 2nd reissued partial denial Determination letter. The director had the drainage nexus information and did not even consider and grant approval of the request. Nowhere does CCC RA internal policy say a 2nd determination letter is to be issued. If CCC had a valid RA codified complete RA policy and related in house written procedures and training of staff, applicant would have been informed of all information required at the beginning of this process. Instead, CCC just kept asking for more information and stalling. Communication process is ineffective and error prone.
5. We determined there has been a vast misunderstanding regarding the list between applicant and CCC. Applicant has been working on the "BofS list" with the understanding that this was part of the Reasonable Accommodation process and she would receive documentation of the changes in the Directors Determination Letter.
6. However, Ms. Bhat as Deputy Director DCD (DDAB), told applicant on the phone meeting it was NOT her understanding, instead DDAB believed the process was an "interpretation process of certain CofA". **This is the first applicant was informed this was not part of CCC a RA process when an appeal before the BofS was pending. Applicant disagrees, she has only been using the RA process!!!**
7. DDAB stated on the phone today that no written letter, no legal CCC letter head, no signature of authority will be given to applicant after the "BofS list" negotiations to prove any of the "interpretation" changes to CofA exist in the future; so no legal evidence of any "interpretation" changes. **What??? Is that how CCC treats union agreement negotiations, no documentation of compromises of future legal reference? Or is this more discrimination against a disabled person, CCC actions show we don't deserve any legal, valid documentation because we are disabled? Applicant expects to be treated like other non-disabled persons, without discriminatory treatment.**
8. DDAB stated on the phone today CCC will not be issuing a modified permit, will not be issuing any modified CofA; that the meeting was to find "interpretations" of the CofA with no final official CCC

- written evidence and documentation. Applicant believes this was more stalling, not in good faith negotiations, by CCC.
9. Applicant informed DDAB that she is and has been following the CCC internal RA process this entire time from her original RA request 9/27/2017, and CCC never informed her verbally or in writing, nor has CCC given applicant written policies and procedures for this "interpretations" process.
 10. **Applicant welcomes continuing the "interpretations" process with CCC so she can get a 3rd revised Director Determination Letter on CCC letterhead, documenting the interpretations, signed by the Director. Applicant told and now CCC understands any compromises or changes in interpretations of the CoA need to be in writing, on CCC letterhead and signed by the Department Director, just like other important agreements are documented by CCC with similarly situated non-disabled people.** And of course applicant request CCC follow the RA internal policy procedures, doing otherwise would result in major errors and an ineffective communication processes that could be interpreted as bad faith negotiations.
 11. Applicant requested Ms. Bhat as Deputy Director DCD (DDAB) under CCC's RA (under the Reasonable Accommodation Laws) assistance with "Filing" an official claim forms and a face to face meeting with the proper staff (risk management?) for assistance with the timely filing of the required proper forms to submit a claim against CCC. This was not mentioned in the CCC reasonable accommodation internal policy and applicant cannot find the policy and procedures on how to do this relating to the Fed and State special reasonable accommodations laws, time limits etc. for filing RA claim forms for damages against CCC. Hence, the need to request RA assistance in completing the forms and understanding the process. Please provide detailed written procedures for this process as it relates to federal and state laws surrounding unique, non-standard claims, for reasonable accommodation requests, **along with time requirements and deadlines.** Ms. Bhat said she did not know about this, applicant requested she find contact who can help her and inform applicant.
 12. Ms. Bhat as Deputy Director DCD (DDAB) said she would look at info applicant sent, prior emails and then get back to applicant.

Ms. Bhat, please advise if CCC wants to try to continue with this RA process with the understanding that 3rd revised Director Determination Letter on CCC letterhead, signed by the Director.

Thank You,
Mary D. Rose

PLEASE SET CELL PHONES TO
VIBRATION OR TURN THEM
OFF DURING THE MEETING.

CCC and Applicant Meeting

(MS 060037 78 Grandview Place Walnut Creek CA) Confidential * Monday November 26, 2018 at 1:00pm
One hour Meeting Department of Community Development Contra Costa County (DCD CCC) Muir Dr.
Martinez, CA

Minutes for Meeting 11/26/2018

Attending DCD Director J Kopchik (DCDDJK), DCD Deputy Director A Bhat (DDAB), Mary Dunne Rose Applicant (MDR)
Visitor PW Director Brian Balbas (PWDBB) - MDR and PWDBB set PW meeting for Tuesday Dec 4th at 1:30pm (PWDBB
has conference rest of his week, can't meet).

Agenda Topics:

1. **Approve minutes from last meeting on 11-8-2018** Applicant handed out Agenda and attached written minutes that MDR had emailed above CCC personal on 11/8/2018. DCDDJK said CCC doesn't approve minutes for the meeting, he will look into maybe considering issuing letter.
2. **Correct Date Applicant Submitted RA Request is 9/29/2017.** MDR handed DCDDJK email from DDAB confirming, in writing, MDR submitted the original RA request on 9/29/2018. Clarified the original date applicant submitted Reasonable Accommodation Request to DCD A Bhat was 9/29/2017. MDR requested DCDDJK please correct all correspondence to reflect correct date and use correct 9/29/2017 date in future.
3. **When is Applicant Response to Revised Director Denial Letter due to BofS?** This Friday or following Monday Dec. 3, 2018 dates were discussed, 30-day RA internal policy lands on weekend. DDAB said CCC usually allows to go to next working day. Applicant discussed and agreed with DCDDJK that applicant will submit supplemental appeal information no later than Monday 12-3-18 and will move forward with the RA process. MDR needs to call and make appointment with CCC Sean Tully.
4. **Fees Charged for RA Processing** – Applicant asked, "does CCC intend to "back bill" for my project?" DCDDJK said CCC will not go back and back bill, large balloon payment. However, DCDDJK suggested I should apply for a "modifications of conditions of approval, need to put down \$1,000.00 and more will be charged". Applicant has already spent over \$60,000.00, devoted countless hours over the years and gotten nothing. DDAB said modifications of conditions of approval was open hearing, public process. DCDDJK asked MDR, as we are nearing end of RA process, to try not to make additional requests (emails, phone calls) of DCD staff. Applicant understands.
5. **Applicant did indeed provide all information requested by CCC prior to first CCC DCD Deputy Director Denial of RA Request letter.** Applicant handed DCDDJK attached email from CCC Senior Planner Sean Tully stating, "I have all the information that has been requested of me to date. A final determination from the County should be coming shortly." In the first denial letter CCC stated they wanted more information but CCC staff said he had everything.
6. **Time for Answering Emails** – What is CCC policy regarding the standard time for staff to answer RA phone calls and emails? One day, two days a week? No set policy per DCDDJK, professional standards for CCC CD.
7. **Again, Applicant Requests Confidentiality and Privacy in the appeal process to Board of Supervisor.** Applicant again requested she would like head of Planning Commission or CCC Administrator to review to preserve privacy, disabled condition.

8. How is DCD CD implementing the: CCC Consortium Analysis of Impediments to Fair Housing Choice Plan? Original 2010 plan and the 2015 to 2020 Plan. *DCDDJK said CCC can't be doing applicants research. Applicant said OK.* X
9. How is DCD CD implementing the current Action Plan relating to HUD funds such as CDBG Federal grants relating to funding of certain projects? Please include the Fair Housing Education and Enforcement sections and Government Barriers section with impediments discussed and actions taken to address disabled folks and money spent for disabled folks. *DCDDJK said CCC can't be doing applicants research. Applicant said OK.* X
10. How is DCD CD answering the Annual Housing Element Progress Report to Sacramento state officials relating to RA process and fair housing? *DCDDJK said CCC can't be doing applicants research. Applicant said OK.* X
11. **Board of Supervisor List:** *Applicant and DDAB discussed there were some items DDAB was "looking into" and would get back to applicant on the Board of Supervisors list. We discussed the building requirement of impossible 2 roads. DDAB will look into about putting some of the items we compromised/DDAB "interpreted" on in writing. Applicant is firm any compromises/ agreement need to be in writing. See prior Applicant MDR email 11-8-2018 of minutes of 11-8-2018 half hour phone meeting. DDAB said she would see what she could do. Applicant also gave DDAB the Board of Supervisor List for her review.*
12. Additional discussion at end of meeting. *DCDDJK had to go to another meeting. Meeting to end at 2:00. Visitor PW Director Brian Balbas suggested applicant drive home gather her PW information and drive back now for a PW meeting, in the Bay Area Traffic (applicant would not get back until 4:45pm or 5:00pm)!!! Applicant had a client appointment after the meeting for her work. Applicant has sent over 7 emails and many phone call to request meeting date with PW director. Applicant asked PWDBB to set meeting date, MDR and PWDBB set PW meeting for Tuesday Dec 4th at 1:30pm (PWDBB has conference rest of his week, can't meet). This date is past the applicant 30 deadline discussed above #3 for BofS supplemental information appeal packet, too late for input to BofS packet.*

78 Grandview Place Discriminating Conditions of Approval (COA) List by Applicant

Compare Applicant COA Project, to Other CCC Approved Similarly Situated Projects Without Discriminatory Conditions of Approval (COA)

Mary Dunne Rose, Owner of property; # MS060037 or CV14-0042 Revised 10/11/2018 Per BofS Andersen request by applicant, then 10-30-2018

Some Laws: 42 U.S.C. § 1981; ADA 42 U.S.C. § 12101; Rehabilitation Act of 1973 (29 U.S.C. § 701)9/30/2018; The Fair Employment and Housing Act and The Unruh Civil Rights Act

SAA = Same as Applicant CoA

NO = Not SAA, Applicant has punitive COA

16-0015 = MS16-0015; Arfa 2 Lot Subdivision COA

15-0009 = MS15-0009; Wiedemann 2 Lot Subdivision COA

13-0007 = MS13-0007; Dyer 2 lot Subdivision COA

SD-4-9376; Westborough 14 units condos

Comparison of Similar CCC Approved Projects

16-0015 15-0009 13-0007 SD-4-9376

COA #	COA Description	Applicant Comments
-------	-----------------	--------------------

Westborough Project Other downstream 14 unit project Information Regarding Drainage.

Westborough Project	REZONING: Westborough 14 unit condos; See PW Data	See attached drainage 7/27/2015 letter from PW to Condo Engineer AND see letter received by PW on 8/12/2015 from DK Engineering Consultants for Condo project, page 3 #16, stating "....neglecting the capacity of the inadequate storm drain system."	NO	NO	NO	grant of special privilege inconsistent with the limitation on other properties in the vicinity
Other downstream 14 unit project.	Schuh-Garibay letter admitting CCC knows the storm drain system inadequate to DK Consulting and Engineering letter dated 7/27/2015, page 2, #16 stating "...inadequate storm drain system".	CCC allowed project to be built and storm water dumped into inadequate storm drain system (same bottom of hill storm drainage system applicant will use).	NO	NO	NO	grant of special privilege inconsistent with the limitation on other properties in the vicinity
Westborough Project	Applicants Grandview project is in vicinity. Applicants storm drains end up at the bottom of the hill connected to this storm drain system.	PG. 3. Variance Findings: See Rezoned, waved zoning M-12 lot sized standards with variance that granted, "...a grant of special privilege inconsistent with the limitation on other properties in the vicinity and the land use district which the site is located." See attached documents	NO	NO	NO	Violates CCC General Plan; grant of special privilege inconsistent with the limitation on other properties in the vicinity
Other downstream 14 unit project.	Westborough 14 unit Condos: Grant of Special Privileges: COA for Condos #47 was standard CCC Division 914-2.004 Code drainage code "...surface waters...to drainage facilities with adequate capacity. <u>Westborough did NOT have "GUARANTEE ADEQUACY" governmental constraint in any of their COA, see applicants COA #54</u>	STORM DRAIN MAJOR IMPROVEMENT RELATIVE TO CCC granted special privileges regarding not requiring any major offsite storm drain improvement.	NO	NO	NO	Violates CCC General Plan; grant of special privilege inconsistent with the limitation on other properties in the vicinity
Westborough Project	See Westborough CCC file and Drainage and Hydrologic Hydraulic study by DK Engineering Consultants for statement that the "...bioretention basins are designed ..low flows. Higher flows will enter the storm drain system and bypass the bioretention basins all together."	CCC General Plan provision 4-Q says, "All new development shall contribute to, or participate in, the improvement of the ...and flood control systems in reasonable proportion to the demand impacts and burdens generated by project occupants and users. (GP4-11)	NO	NO	NO	Violates CCC General Plan; grant of special privilege inconsistent with the limitation on other properties in the vicinity

Public Works is working on these CoFA.

DCD Director Kopchik denied applicants 6/5/2018 and all prior appeals and her 10-26-2018 RA drainage request to PW/BofS on 11/2/2018 in his 2nd partial denial Determination letter.

Applicant

Applicant expects CCC DCD 3rd determination letter to address well before BofS appeal 30 day deadline (RA law prompt processing). Applicant can't move forward until receives reply from DCD director per CCC internal RA policy.

Applicant sent letter 10-26-2018 Nexus, RA exception packet in response to CCC additional information request. PW is working on resolving.

List of Discriminatory Conditions of Approval (COA) for applicant's project AND "comparison projects" to similarly situated, non disabled persons "CCC approved COA for lot split into two parcels".

If one of the three "comparison projects" has a "NO" in column, then Applicant's COA is considered discriminatory.

If THREE of the three "comparison projects" has a "NO" in column, then Applicant's COA is considered purposely discriminatory as similarly situated non-disabled persons treated differently and applicant penalized.

Total #
of COA
for
project

Applicant has at least 76 conditions of approval, including
GMS Findings page 1, Variance Findings, page 2, Finding for
map page 3-4; COA pages 3-15, Advisory Notes with more
COA pages 16 - 17.

Applicant has almost double COA
compared to similar situated, non
disabled applicants in "comparison
projects"

44 COA

39 COA

45 COA

CCC

Aruna Bhat, DCD representative said in meeting applicant did not have to comply with the "Findings and Conditions" at beginning of Approved Permit Doc. Instead, Ms. Bhat said applicant is responsible for only the CoFA #1 - 54. DCD Director Kopchik denied? by not approving in his 2nd partial denial Determination letter.

Applicant

Applicant agrees to this compromise. It removes the Collect and Convey and Flood control requirements that all drainage must built before file final map. However, applicant insists CCC keep Variance Findings and C. Findings for Approval. Applicant expects CCC DCD 3rd determination letter to address this issue and possible written agreement well before (date of 11/16/2018) BofS appeal 30-day deadline of 12/2/2018 (Director 2nd revised Determination Letter), under Prompt Processing laws. Applicant can't move forward until receives reply from DCD director per CCC internal RA policy

25	Applicant can't obtain building permit until she build 2 impossible roads, see attached map. Renders the disabled friendly home building project infeasible, stops project	Topo map show impossible to build 2 roads, grade too steep issue, from Grandview Place to Panoramic Way through scenic easement. Discriminatory COA to stop project.	NO	NO	NO
CCC	<p><i>Aruna Bhat said in meeting applicant will not need to build the 2 roads from Panoramic to Grandview. Instead, build a driveway from Grandview to new home on new lot.</i></p> <p><i>DCD Director Kopchik denied? by not approving in his 2nd partial denial Determination letter.</i></p> <p><i>Applicant agrees to this compromise. Will build new driveway to new home only. Applicant expects CCC DCD 3rd determination letter to address this issue and written agreement well before (date of 11/16/2018) BofS appeal 30-day deadline of 12/2/2018 (Director 2nd revised Determination Letter), under Prompt Processing laws. Applicant can't move forward until receives reply from DCD director per CCC internal RA policy procedures.</i></p>				
Applicant					
30	Haul routes <u>limited</u> allowed only where <u>proposed grading</u> . (for 2 new roads); no hauling thru approved scenic easement	Only can haul materials where <u>graded for 2 new IMPOSSIBLE TO BUILD</u> roads that must go thru scenic easement, conflicts with COA 25 that must build roads thru easement. Discriminatory COA to stop project.	NO	NO	NO
Done		see coa 9 and 10	see coa 10 thru 15	see coa 23	
CCC	<p><i>Aruna Bhat said in meeting applicant can use the regular roads as a haul route.</i></p> <p><i>DCD Director Kopchik denied? by not approving in his 2nd partial denial Determination letter.</i></p> <p><i>Applicant agrees to this compromise. Applicant expects CCC DCD 3rd determination letter to address this issue and written agreement well before (date of 11/16/2018) BofS appeal 30-day deadline of 12/2/2018 (Director 2nd revised Determination Letter), under Prompt Processing laws. Applicant can't move forward until receives reply from DCD director per CCC internal RA policy procedures.</i></p>				
Applicant					

Must pay for compliance report 45 days before file final map grading permit, applicant must file report to show compliance with EVERY CONDITION OF APPROVAL

Applicant has impossible COA (build impossible road, guarantee drainage, only 2 vehicles on site when building...), can never get final map or grading permit, COA to stop project

yes SSA see
coa 4

yes SSA see
coa 4

yes SSA see
coa 6

CCC

Aruna Bhat said in meeting applicant CCC is working on the CofA applicant believes are objectionable, after RA compromise, we can revisit this. CCC is preparing a Director Determination letter to send applicant, some of the solved CofA will be included.

DCD Director Kopchik denied? by not approving in his 2nd partial denial Determination letter

Applicant

NO AGREEMENT AS SOME COFA ARE DISCRIMINTORY AND IMPOSSIBLE. Applicant expects CCC DCD 3rd determination letter to address this issue and possible written agreement well before (date of 11/16/2018) BofS appeal 30-day deadline of 12/2/2018 (Director 2nd revised Determination Letter), under Prompt Processing laws. Applicant can't move forward until receives reply from DCD director per CCC internal RA policy procedures.

48

Done Site distance COA states, "... Applicant shall provide adequate sight distance at ALL driveway intersections with Grandview Place for a through traffic design speed of 35 miles per hour." This CofA requires additional setbacks and hence more, additional barriers to disabled individual.

Applicant has no rights to go onto other neighbors private property and cut out their landscaping. Applicant would have to tear down next door neighbors home as it's set back is less than 5 feet from property line. CCC is fully aware this is a COA to stop my project.

1. California DMV (the law) states the speed zoning for non-arterial residential neighborhood roads is 25 miles per hour, not 35.

2. At ALL driveway intersection(s) (plural- more then one driveway-in fact ALL driveways) with Grandview Place, at ALL driveway intersections

3. this could increase setbacks in such a manner as to force the home to be built out side the building envelop, on the steep part of the hillside which is unbuildable, stopping project

NO

see coa 26
says only for
their own
driveway
not entire
street

NO

see coa 22
vesting
map shows
two roads,
172 acre
lot split,
only trim
vegetation,
clear site
line on
their
property
only

NO

see coa 29
says only
for their
own
driveway
not entire
street, only
trim
vegetation,
clear site
line on
their
property
only

CCC

PW representative Slava said in meeting applicant need only comply with her driveway in new project, not all driveways intersections on Grandview Place.

DCD Director Kopchik denied? by not approving in his 2nd partial denial Determination letter?

Applicant

Applicant expects CCC DCD 3rd determination letter to address this issue and written agreement well before (date of 11/16/2018) BofS appeal 30-day deadline of 12/2/2018 (Director 2nd revised Determination Letter), under Prompt Processing laws. Applicant can't move forward until receives reply from DCD director per CCC internal RA policy procedures.

13	Applicant to hire tree arborist to create "tree-bonding" project report that <u>must be reviewed and approved by CCC.</u>	No other applicants must hire arborist to create "tree-bonding report" then take to CCC for review and approval. Just harassing discriminatory COA.	NO	NO	NO
----	---	--	----	----	----

CCC	Ms. Bhat said she would look into.				
Applicant	Applicant waiting for info from Deputy Director. Applicant expects CCC DCD 3rd determination letter to address this issue and written agreement well before (date of 11/16/2018) BofS appeal 30-day deadline of 12/2/2018 (Director 2nd revised Determination Letter), under Prompt Processing laws. Applicant can't move forward until receives reply from DCD director per CCC internal RA policy procedures.				

15B	After grading Trees Arborist shall prepare a 2nd report, applicant to pay, for additional methods of tree protection	Why force applicant to pay for 2nd arborist report? Similarly situated non disabled applicants do not have this govern. constraint. Harassing discriminatory COA.	NO	NO	NO
-----	--	---	----	----	----

CCC	Ms. Bhat said she would look into 2nd report, no trees impacted.				
Applicant	Applicant waiting for info from Deputy Director. Applicant expects CCC DCD 3rd determination letter to address this issue and possible written agreement well before (date of 11/16/2018) BofS appeal 30-day deadline of 12/2/2018 (Director 2nd revised Determination Letter), under Prompt Processing laws. Applicant can't move forward until receives reply from DCD director per CCC internal RA policy procedures.				

18	<p><u>All planting shall occur prior to issuing the BUILDING permit AND after planting the planting must be reviewed and approved by CCC.</u></p>	<p>Why would CCC required review and approval by ZA <u>after planting, before building permit</u> issued? To hold up my project again and again? Why plant before build (everything will be killed during construction & watering system destroyed), should say <u>occupancy</u> permit, not building permit. Harassing discriminatory COA.</p>	NO	NO	NO; this applicant allowed to decide when to plant, not specified
CCC Applicant	<p><i>Ms. Bhat said she would look into and fix. Applicant waiting for info from Deputy Director. Applicant expects CCC DCD 3rd determination letter to address this issue and possible written agreement well before (date of 11/16/2018) BofS appeal 30-day deadline of 12/2/2018 (Director 2nd revised Determination Letter), under Prompt Processing laws. Applicant can't move forward until receives reply from DCD director per CCC internal RA policy procedures.</i></p>				
17	<p><u>Landscape plans must be submitted to 9 neighbors, 10 days and must be submitted to CCC for approval 30 days before building permit.</u></p> <p>Plant up to 12 trees.</p>	<p>This is discriminatory for disabled person and applicant requested Reasonable Accommodation to remove and was denied by CCC</p>	NO	NO	NO
CCC Applicant	<p><i>Ms. Bhat said she felt this CofA is OK. Just need to mail, Sean Tully to get names, address list. Applicant objects, knows law that County take actions that allows, encourages neighbors complaining, harassing disabled person. This CofA does violate that law. Applicant requests RA that CCC follow law. Applicant will comply to get her home built. Applicant expects CCC DCD 3rd determination letter to address this issue and possible written agreement well before (date of 11/16/2018) BofS appeal 30-day deadline of 12/2/2018 (Director 2nd revised Determination Letter), under Prompt Processing laws. Applicant expects CCC DCD 3rd determination letter to address this issue and possible written agreement well before (date of 11/16/2018) BofS appeal 30-day deadline of 12/2/2018 (Director 2nd revised Determination Letter), under Prompt Processing laws. Applicant can't move forward until receives reply from DCD director per CCC internal RA policy procedures.</i></p>				

23 One week prior to grading, post list of contacts persons name and phone number for noise, litter control, tree protect, construction traffic, erosion control, 24 hr. emergency phone number

Punitive COA so neighbors or any other who likes to discriminate, see coa 9 NO see coa 13, NO
can call applicant in middle of night, and 10 not required to see coa
wake up and harass, work stoppage mail to 23
etc. neighbors

CCC Ms. Bhat said she felt this CoFA is OK. Just need to mail, Sean Tully to get names, address list.

Applicant Applicant objects, knows law that County take actions that allows, encourages neighbors complaining, harassing disabled person. This CoFA does violate that law. Applicant requests RA that CCC follow law. Applicant will comply to get her home built. Applicant expects CCC DCD 3rd determination letter to address this issue and possible written agreement well before (date of 11/16/2018) BoFS appeal 30-day deadline of 12/2/2018 (Director 2nd revised Determination Letter), under Prompt Processing laws. Applicant expects CCC DCD 3rd determination letter to address this issue and possible written agreement well before (date of 11/16/2018) BoFS appeal 30-day deadline of 12/2/2018 (Director 2nd revised Determination Letter), under Prompt Processing laws. Applicant can't move forward until receives reply from DCD director per CCC internal RA policy procedures.

24 Dust and litter control program violation requires immediate work stoppage, must create and submit program for CCC review

No other projects have "work stoppage" verbiage; additional see coa 9 NO NO NO
burdensome requirements to and 10
create and review program,
neighbors will call and stop project constantly. Harassing
discriminatory COA.

CCC Ms. Bhat said CCC will work with applicant to control, follow the rules, OK to water the site. Ms. Bhat said no need to create "program", just follow the rules and use water and try to keep dust off neighbors homes. Treatment like other applicants, dont want to shut down project, will work with applicant.

Applicant Applicant agrees to this compromise. No expensive "program", ok to use water per A. Bhat, Deputy Director DCD. Applicant expects CCC DCD 3rd determination letter to address this issue and possible written agreement well before (date of 11/16/2018) BoFS appeal 30-day deadline of 12/2/2018 (Director 2nd revised Determination Letter), under Prompt Processing laws. Applicant expects CCC DCD 3rd determination letter to address this issue and possible written agreement well before (date of 11/16/2018) BoFS appeal 30-day deadline of 12/2/2018 (Director 2nd revised Determination Letter), under Prompt Processing laws. Applicant can't move forward until receives reply from DCD director per CCC internal RA policy procedures.

J	Pay drainage fee for Drainage Area	Applicant SUBSTANTIALLY <u>over billed the drainage fee, paid and now requests refund. CCC told her the bill, IN WRITING ON PW letterhead, she had to pay \$3,940. Applicant paid 2014.</u>	yes, applicant of this project allowed to choose to pay the 25 cents per sq. ft. mitigation fee or construct all water capacity improve ments as directed by CCC Flood Control	NO	NO
CCC	CCC overcharged PW Deputy Director M Carlson will look into.	Applicant expects CCC DCD 3rd determination letter to address this issue and possible written agreement well before (date of 11/16/2018) Bofs appeal 30-day deadline of 12/2/2018 (Director 2nd revised Determination Letter), under Prompt Processing laws. Applicant can't move forward until receives reply from DCD director per CCC internal RA policy procedures.			
Applicant	Applicant still waiting for refund				
page 1. Growth Mang Stand, A.#2	Findings #A.2, Growth Management Standards page 1: states ALL collect and convey requirements and IMPROVEMENTS must be met before file final map	COA says NO final map till all downstream drainage improvements had been completed. This is impossible! See COA 54 and letter from my engineer stating, "PW said...prove (guarantee) that ANY runoff is conveyed to an adequate storm drain facility." See letter, implies I must construct new drainage facilities for all of neighborhood to <u>guarantee</u> drainage adequacy. CCC discriminatory COA will never allow me to build my home. COA to stop project	NO	NO	NO
CCC	Applicant expects CCC DCD 3rd determination letter to address this issue and possible written agreement well before (date of 11/16/2018) Bofs appeal 30-day deadline of 12/2/2018 (Director 2 nd revised Determination Letter), under Prompt Processing laws. Applicant can't move forward until receives reply from DCD director per CCC internal RA policy procedures.				
Applicant					

Page 3
C.2 Finding for Ten.
Map
See page C.3. Findings for Tentative Map #2; Project finding, "In lieu of constructing on-site drainage facilities to meet collect and convey requirement..."

Applicant not allowed, stopped from building ANY on-site drainage facilities to satisfy CCC collect and convey rules. So then with COA #54 says I must "guarantee adequacy" of ALL downstream existing drainage facilities. CCC knows the downstream storm drainage are inadequate. See PW letter dated 7/27/2015, page 2, #16 stating inadequate storm drain system" Westborough project. COA to stop project.

NO NO NO

CCC Applicant
Applicant expects CCC DCD 3rd determination letter to address this issue and possible written agreement well before (date of 11/16/2018) BofS appeal 30-day deadline of 12/2/2018 (Director 2nd revised Determination Letter), under Prompt Processing laws. Applicant can't move forward until receives reply from DCD director per CCC Internal RA policy procedures.

39
Improvement plans prepared by reg. civil engineer must submit to PW with review and fees for all improvements required by CCC Code for CoFA, including Traffic signage and striping plans.

See CCC COA 53, 54, J, Findings#2 (cant file parcel map till collect convey COA met). See 'Deferred Improvement Agreement DIA" CCC said applicant must sign if wanted final building permit. Unfair DIA, it violates CCC General Plan and other CCC policies, procedures etc.

Yes SSA Yes SSA Yes SSA
see coa 20, 21 see coa 15, 16, 17 see coa 24, 25, 26

CCC Applicant
OK

40
Applicant exception to construct curb, sidewalk, drainage, street light pavement widen on Grandview St.

see coa 22 NO see coa 27

CCC Applicant
Applicant fully agrees with this CoFA.

41	<p>Applicant exception to construct curb, sidewalk, longitudinal and transverse drainage, street light pavement widen on <u>Panoramic Way</u></p>	<p>See COA 42 this condition #41 grants exception and is in direct conflict with COA42</p> <p>CCC discriminates, choose to apply 42 and 43 that shut down project. <u>CCC could have chose #41 that exempted her from required drainage improvements, deferred agreement, street paving</u></p>	na	na	na
CCC Applicant	Applicant fully agrees with this CofA.				

42	<p>Applicant exception to construct curb, sidewalk, drainage, street light pavement widen on <u>Panoramic Way</u> but then wrote and added "provided a deferred improvement agreement for following improvements: <u>COA 43 and COA44.</u></p> <p>Error -staff wrote this COA to conflict with other COA and CCC supervisor approved. CCC needs policy and procedures in place to stop continued discriminatory treatment of people.</p>	<p>See COA 41 this condition #42 is in direct conflict with COA #41 that granted exceptions to all required improvements including drainage on <u>Panoramic.</u> COA written to cause confusion, penalized applicant (huge monetary and time delays / costs) and this is a discriminatory COA to stop project.</p> <p>See applicant "drainage RA requests Nexus submittal packet" to CCC 10-26-2018 in response to CCC request for additional information.</p>	NO	NO	NO
CCC Applicant	<p>DCD Director Kopchik denied applicants 6/5/2018 and all prior appeals and her 10-26-2018 RA drainage request to PW/Bofs on 11/2/2018 in his 2nd partial denial Determination letter</p> <p>Applicant expects CCC DCD 3rd determination letter to address this issue and possible written agreement well before (date of 11/16/2018) Bofs appeal 30-day deadline of 12/2/2018 (Director 2nd revised Determination Letter), under Prompt Processing laws. Applicant can't move forward until receives reply from DCD director per CCC internal RA policy procedures.</p>				

43	Construct 8 feet of pavement widening and transitions, retaining walls, and longitudinal and transverse drainage on frontage of Panoramic Way AND see COA44...	See COA 41 this condition #43 is in <u>direct conflict with COA #41 that granted exception to all required improvements including drainage on Panoramic.</u>	NO	NO	NO
	Error -staff wrote this COA to conflict with other COA and CCC supervisor approved. CCC needs policy and procedures in place to stop continued discriminatory treatment of people.	See applicant "drainage RA requests Nexus submittal packet" to CCC 10-26-2018 in response to CCC request for <u>additional information.</u>			
		COA written to cause confusion, penalized applicant (huge monetary and time delays / costs) and this is a discriminatory COA to stop project.			
CCC	DCD Director Kopchik denied applicants 6/5/2018 and all prior appeals and her 10-26-2018 RA drainage request to PW/Bofs on 11/2/2018 in his 2nd partial denial Determination letter				

Applicant	Applicant expects CCC DCD 3rd determination letter to address this issue and possible written agreement well before (date of 11/16/2018) Bofs appeal 30-day deadline of 12/2/2018 (Director 2 nd revised Determination Letter), under Prompt Processing laws. Applicant can't move forward until receives reply from DCD director per CCC internal RA policy procedures.				
CCC	DCD Director Kopchik denied applicants 6/5/2018 and all prior appeals and her 10-26-2018 RA drainage request to PW/Bofs on 11/2/2018 in his 2nd partial denial Determination letter				

44	Any time CCC wants to call up deferred improvement agreement, applicant must pay for and submit Civil Engineer Improvement Plans AND submit to Public Works for review AND pay many more fees to CCC AND sign a Deferred Improvement Agreement.	See COA 41 this condition #44 is in <u>direct conflict with COA #41 that granted exception to all required improvements including drainage on Panoramic. See applicant "drainage RA requests Nexus submittal packet" to CCC 10-26-2018 in response to CCC request for additional information.</u>	NO	NO	NO
	Error -staff wrote this COA to conflict with other COA and CCC supervisor approved. CCC needs policy and procedures in place to stop continued discriminatory treatment of people.	COA written to cause confusion, penalized applicant (huge monetary and time delays / costs) and this is a discriminatory COA to stop project.			
CCC	DCD Director Kopchik denied applicants 6/5/2018 and all prior appeals and her 10-26-2018 RA drainage request to PW/Bofs on 11/2/2018 in his 2nd partial denial Determination letter				

Applicant expects CCC DCD 3rd determination letter to address this issue and possible written agreement well before (date of 11/16/2018) BofS appeal 30-day deadline of 12/2/2018 (Director 2nd revised Determination Letter), under Prompt Processing laws. Applicant can't move forward until receives reply from DCD director per CCC internal RA policy procedures.

Drainage Collect and Convey all storm water on property to adequate storm drainage facility, adequate natural watercourse or existing adequate public storm drainage facility.

See COA 41 this condition #53 is in direct conflict with COA #41 that granted exception to all required improvements including drainage on Panoramic. See applicant "drainage RA requests Nexus submittal packet" to CCC 10-26-2018 in response to CCC request for additional information.

yes, SSA yes, SSA yes, SSA

see coa 31 see coa 27 see coa 33

DCD Director Kopchik denied applicants 6/5/2018 and all prior appeals and her 10-26-2018 RA drainage request to PW/BofS on 11/2/2018 in his 2nd partial denial Determination letter

Applicant expects CCC DCD 3rd determination letter to address this issue and possible written agreement well before (date of 11/16/2018) BofS appeal 30-day deadline of 12/2/2018 (Director 2nd revised Determination Letter), under Prompt Processing laws. Applicant can't move forward until receives reply from DCD director per CCC internal RA policy procedures.

Applicant must "guarantee adequacy" of all downstream drainage facilities".

Prohibited from using historical drainage system/patterns by this COA.

See attached memo dated 3/26/2014 from consulting firm hired by applicant to solve drainage barriers, APEX Engineering Jon Vizcay, stating he spoke with CCC PW staff Jocelyn LaRocque in March 2014 and he reported Ms. LaRocque said, "even if applicant proved that the runoff from the site was reduced to be equal or below the existing condition by constructing an onsite detention facility that this condition would still not be met because applicant still has to prove that ANY RUNOFF (guarantee) is conveyed to an adequate storm drain facility. CoFA #54 effectively shuts down my project.

Applicant should only be charged the correct amount of 35 cents impervious surface per General Plan like other similarly situated non disabled persons

COA #54 says I must "guarantee adequacy" of ALL downstream existing drainage facilities. CCC knows the downstream storm drainage is inadequate.

See COA 41 this condition #53 is in direct conflict with COA #41 that granted exception to all required improvements including drainage on Panoramic.

For example, 14 condos Westborough 2014 project, in same drainage area as applicant, corner of Tice Valley & Olympic Blvd. was allowed to build the project even though PW letter regarding Westborough storm drainage, dated 7/27/2015, page 2, #16 stating inadequate storm drain system" at Westborough project. This "guarantee adequacy" COA is being use to stop project.

CCC General Plan provision 4-O says, "All new development shall contribute to, or participate in, the improvement of the ...and flood control systems in *reasonable proportion to the demand impacts and burdens generated by project occupants and users.* (GP4-11) See applicant "drainage RA requests Nexus submittal packet" to CCC 10-26-2018 in response to CCC request for additional information.

	NO	NO	NO
"guarantee adequacy" requirement for this project			
"guarantee adequacy" requirement for this project			
"guarantee adequacy" requirement for this project			

Applicant of this project allowed to choose to pay the 25 cents per sq. ft. mitigation fee or construct all water capacity improve ments as directed by CCC Flood Control

CCC DCD Director Kopchik denied applicants 6/5/2018 and all prior appeals and her 10-26-2018 RA drainage request to PW/Bofs on 11/2/2018 in his 2nd partial denial Determination letter

Applicant Applicant expects CCC DCD 3rd determination letter to address this issue and possible written agreement well before (date of 11/16/2018) Bofs appeal 30-day deadline of 12/2/2018 (Director 2nd revised Determination Letter), under Prompt Processing laws. Applicant can't move forward until receives reply from DCD director per CCC internal RA policy procedures.

Drainage
Deferred
Maintenance
Agreement

Drainage Deferred Improvement Agreement" and the fact CCC PW staff told applicant it must be signed for both lot A and B. If it was recorded, CCC could have called it up anytime to require applicant, to force her to build all the downstream improvements, (estimated cost enormous as Panoramic is a very long street), even though she would never be granted a building permit.

The Drainage Area Plan and Fees documents states, "Following the adoption of a drainage plan, drainage fees can be assessed against new development within the drainage area. Because drainage fees can only be assessed on new developments occurring within adopted drainage areas, developments built within areas not yet established as adopted drainage areas do not pay standardized drainage fees but must meet the collect and convey requirements of the subdivision ordinance. In most cases, larger development projects are required to make ... mitigation payments, although the requirement may not be consistently applied to smaller projects. (CCC General Plan pg. 7-18)

Required DIA improvements include "1600 square feet of street paving, retaining walls, expensive and extensive drainage, temporary conforms for paving and drainage, pay for engineering to create plans and submit improvement plans and pay fees to CCC for review and pay for entire neighborhood new drainage system." *Whenever CCC determines that there is no further reason to defer*, owner will be notified construction is to commence..."

Per CCC General Plan pg. 7-17 and see 7-18 "...Many of the smaller developments are located in existing urbanized areas and, due to their size, are unable to bear the full cost of the needed drainage improvements. Frequently, these developments are allowed to proceed without contributing to the long-range solutions. An additional problem is the inconsistencies in the amounts of drainage improvement fees required by the various cities and the County." See applicant "drainage RA requests Nexus submittal packet" to CCC 10-26-2018 in response to CCC request for additional information.

CCC

Applicant

DCD Director Kopchik denied applicants 6/5/2018 and all prior appeals and her 10-26-2018 RA drainage request to PW/Bofs on 11/2/2018 in his 2nd partial denial Determination letter.

Applicant expects CCC DCD 3rd determination letter to address this issue and possible written agreement well before (date of 11/16/2018) Bofs appeal 30-day deadline of 12/2/2018 (Director 2nd revised Determination Letter), under Prompt Processing laws. Applicant can't move forward until receives reply from DCD director per CCC internal RA policy procedures.

Applicants governmental, discriminatory constraint; Construction-related vehicle access to the site shall be limited to two vehicles. Says, Construction work will NOT be allowed to resume...

COA discriminatory because it is so <u>burdensome/ impossible to comply with</u> , there are times more than 2 construction vehicles are need on site to comply with other CCC CoFA and programs. 1. The grading vehicles (CoFA #11 with no import or export of fill CoFA will take an inordinate amount of time), 2. the required (CoFA#12(A)) arborist vehicle who needs extra time observing the grading to protect tree and 3. the litter (CoFA #24) vehicle & 4. dust control vehicle (CoFA #28 taking extra time while "conserving water") all are on site and other CCC required COA. Discriminatory COA to harass and stop project.	NO	NO	NO
	see coa 9 and 10	see coa 10 thru 15	see coa 23

CCC

DCD Director Kopchik denied applicants 6/5/2018 and all prior appeals and her 10-26-2018 RA drainage request to PW/Bofs on 11/2/2018 in his 2nd partial denial Determination letter

Applicant

Applicant expects CCC DCD 3rd determination letter to address this issue and possible written agreement well before (date of 11/16/2018) Bofs appeal 30-day deadline of 12/2/2018 (Director 2nd revised Determination Letter), under Prompt Processing laws. Applicant can't move forward until receives reply from DCD director per CCC internal RA policy procedures.

1.1

Grading plan shall not allow import or export of fill material for building of house

(how would no change in fill work with a set back of 20 feet, given topo hill, requiring large retaining walls- perhaps project could not be built to allowed 2500 sq. feet) and also consideration of CCC building height limit code measuring from natural grade

Similarly, situated non-disabled people do not have this CoFA govern. constraint that doesn't allow for sufficient import and export fill material on-site necessary to correctly grade and build a home of this small project size. NO COA for applicant regarding Geology and Soils; CCC knows this is a discriminatory COA to stop project

NO NO NO NO

CCC

DCD Director Kopchik denied applicants 6/5/2018 and all prior appeals and her 10-26-2018 RA drainage request to PW/Bofs on 11/2/2018 in his 2nd partial denial Determination letter

Applicant

Applicant expects CCC DCD 3rd determination letter to address this issue and possible written agreement well before (date of 11/16/2018) Bofs appeal 30-day deadline of 12/2/2018 (Director 2nd revised Determination Letter), under Prompt Processing laws. Applicant can't move forward until receives reply from DCD director per CCC internal RA policy procedures.

Note:
Building
height

CCC Code says, "Building height means the vertical distance measured from grade to top of structure directly above. Height may be measured from finished grade when is below natural grade. Height shall be measured from natural grade when the finished grade is higher than natural grade."

If CCC does not grant RA request for side yard and front yard set back, then applicant forced to build towards North with very large retaining walls. Then her 2 story project is stopped due to "Building height measuring" in relation to 28 feet height

na

na

na

CCC

Applicant

Applicants Project

Similar CCC Approved Projects

COA #	Name	Comments	16-0015	15-0009	13-0007
1	Approval based on exhibits received by CCC				
3	Variance allowed				
5	Applicant must submit & get CCC approval of building plans. House limited to 2500sq ft, 28 feet tall. Must screen neighbors.	The other similar situated projects do not have these building restrictions.	NO see coa 4 and 5	NO see coa 4 and 5	NO see coa 6 and 7
6	Applicant must file and record statement to run with deed such as design, size limit of home, fencing, landscaping	Excessive COA, other similarly situated non disabled do not have this COA	NO see coa 4 and 5	NO see coa 4 and 5	NO see coa 6 and 7
7	Archaeology <u>stop work</u> if find archaeological materials	No work stoppage for 13-0007, they are allowed to "redirect work" not stop work	NO see coa 4 and 5	yes, SSA see coa 7	yes is a coa 13-NO WORK STOPPAGE work redirected

8	Archaeology cultural material such as artifacts, <u>operations stopped, job stopped</u>	Only applicant is forced to endure required "work stoppages"	NO see coa 4 and 6	yes, SSA see coa 7	yes, SSA see coa 14; NO WORK STOPPAGE work redirected
9	Archaeology find human remains <u>stop work on entire job</u>	Only applicant is required to entirely shut down the job. Excessive COA, other similarly situated non disabled do not have this COA	NO see coa 4 and 7	yes, SSA see coa 8, work continues past 30 yards	yes, SSA see coa 8, work continues past 50 feet
10	Pay \$400 for child care		yes, SSA see coa 5	yes, SSA see coa 5	yes, SSA see coa 16
12A	Tree removal, must provide fencing 5 feet outside drip line protected trees	Some other similarly situated non disabled do not have this COA	NO see coa 7 and 8	NO see coa 8 and 9	maybe? SSA see coa 7, 8, 9, 10, 11
13	COA that applicant must post bond for trees	Some other similarly situated non disabled do not have this COA	NO	NO	7a 7b pay bond
14	Remove 4 trees	Applicant forced to replace 3 trees for every removed. Other applicants granted preference to have less ratio of replacement.	NO	NO	NO
15A	Install fencing		NO	NO	NO
15B	Trees Arborist shall prepare a 2nd report, applicant to pay, for additional methods of tree protection	Why force applicant to pay for 2nd arborist report? Excessive, penalizing COA, other similarly situated non disabled do not have this COA	NO	NO	NO
15C	No parking, storing vehicles, equipment in drip line		NO	NO	NO
16	If no trees in 40 feet of development, plans must note		NO	NO	NO

17	Landscape plans must be submitted to CCC for approval, certified in compliance with CCC water conservation ordinance, submitted 30 days before issue building permit with cost estimate. Must give to neighbors be ZA hearing	NO	NO	yes see coa 7a, NO TO GIVE TO NEIGHBORS TO STOP MY PROJECT AND HARRASS AND DELAY PROJECT
18	Replace 12 trees, outside building envelope, for 4 removed	NO	NO	removed 12 trees, replace 18 trees
19	Exterior lights shall shine onto applicants property	NO	NO	
20	Contractor comply construction, noise, dust, litter control requirements	NO	NO	yes see coa 23
21	Construction activity hours and holiday schedule	yes, SSA see coa 15	yes, SSA see coa 10	yes, SSA see coa 23
Geology, soils, foundation COA per State & CCC Code	NO COA for applicant regarding Geology and Soils, no required soils or geology reports to be review by CCC ZA, building and Peer Review Geologist. NO requirements during on site grading, drainage and foundation work for a geotechnical engineer to provide observation and testing.	NO applicant does not have Geology COA. This project does, see coa 16, 17, 18, 19	NO applicant does not have Geology COA. This project does, see coa 11, 12, 13, 14	NO applicant does not have Geology COA. This project does see coa 12
22	Contractors, subs must fit all internal combustion engines with mufflers	NO see coa 9 and 10	yes, SSA see coa 11	yes see coa 23C
				CCC left off all COA geotechnical report requirements for specific standards for foundations, soils, geology per Ca Building Code and CCC Code requirements. Why? Because CCC knew this project would never be built and if it was built CCC did not care if a deformed foot persons home was unsafe.

Why is applicant forced to plant 3 trees for every one removed; when other applicant removed 12 tree and only had to replace 18 trees? Excessive ratio tree replacement calculation COA, other similarly situated non disabled do not have this COA that forces higher ratio of tree replacement

23	One week prior to grading, post list of contacts persons <u>name and phone number</u> for noise, litter control, tree protect,, construction traffic, erosion control, 24 hr. emergency phone number	Punitive COA so neighbors or any other who likes to discriminate, can call applicant in middle of night, wake up and harass etc.	NO see coa 9 and 10	Yes SSA see coa 13, not required to mail to neighbors	NO see coa 23
24	Dust and litter control program violation requires <u>immediate work stoppage</u> , must create and submit <u>program for CCC review</u>	Other project have NO " <u>work stoppage</u> " verbiage; additional burdensome requirements to create and review program, neighbors will call and stop project constantly	NO see coa 9 and 10	NO see coa 15	NO see coa 23
26	Transporting of heavy equipment required between 9:00am and 4:00pm-only allowed, <u>constrained by 7 hours</u>	Other projects allowed to have 8 or 9 hours. Applicant restricted unfairly to only 7 hours	NO- get 9 hrs. see coa 9 and 11 NO	NO get 9 hrs. see coa 10 and 13 Yes SSA	NO get 8 hrs. see coa 23E Yes SSA
27	Maintain site in orderly fashion		see coa 9 and 10	see coa 12	see coa 23B
28	Project to follow Grading Ordinance dust control including <u>required water conservation rules</u>	To sufficiently comply with adequate dust control, sufficient watering to control dust is required at all times.	see coa 9 and 10 NO	see coa 10 thru 15 NO	see coa 23E NO
31	Before can record parcel map, provide proof of adequate water facilities		NO	NO	NO
32	Before can record parcel map, provide proof of adequate sanitary sewer quantity and <u>quality</u>		NO	NO	NO
33	Must comply with CCC Ordinance for water conservation		NO	NO	yes SSA see coa 21
34	CCC wrote, per CA <u>ENERGY COMMISSION</u> , all toilets shall be low flow		NO	NO	NO
35	Prior to filing final map or get building permit, pay \$2,000 for police service		yes SSA see coa 9	NO	yes SSA see coa 18
36	Fire District if require sprinklers, must do record deed disclosure to run with title		NO	NO	NO

37	CCC requires applicant donate scenic easement; government taking and constraint	CCC paid no compensation for the 40% of land "taking", takings are against the law, compensation owed applicant, never paid by CCC	NO	NO	NO
38	Pay \$ 5,513 for initial application processing by CCC	Applicant forced to pay more than all other applicants	due \$4,800 see coa 2	due \$5,400 see coa2	due \$5,400 see coa 3
45	Proof of Access		yes SSA see coa 24	yes SSA see coa 19	yes SSA see coa 28
46	Encroachment Permit		yes SSA see coa 25	yes SSA see coa 20	yes SSA see coa 28
47	Abutter's Rights		yes SSA see coa 27	yes SSA see coa 21	NO
49	Grandview Road Dedications CCC granted exception for dedication of additional right of way on Grandview Place street		na	na	na
50	Panoramic Way Road Dedications CCC required 5 feet of additional right of way with width of future 50 feet on Panoramic Way frontage		na	na	yes SSA see coa 30
51	Street lights must annex to lighting district		yes SSA see coa 28	yes SSA see coa 25	yes SSA see coa 31
52	Utilities/Undergrounding required		NO	yes SSA see coa 26	yes SSA see coa 32
55	National Pollutant Discharge Elimination System- not required submittal of Plan as less than 10,000 impervious surface, CCC stormwater Management and Discharge Control Ordinance	COF55 conflicts with See page C.3. Findings for Tentative Map #2; Project finding, "In lieu of constructing on-site drainage facilities to meet collect and convey requirement..." , applicant not allowed to build on site drainage facilities	NO	NO	NO

56	National Pollutant Discharge Elimination System	yes, SSA see coa 35	yes, SSA see coa 33	yes, SSA see coa 35
57	Must comply with developing long-term best management practices for reduction or elimination of storm water pollutants.	yes, SSA see coa 35	yes, SSA see coa 33	yes, SSA see coa 35

58	Applicant must comply with "other alternatives approved by the Public Works Dept.	yes, SSA see coa 35	yes, SSA see coa 33	yes, SSA see coa 35
----	---	------------------------	------------------------	------------------------

Advisory Notes

A.	Various notices	yes, SSA	yes, SSA	yes, SSA
B.	Comply with Building Inspection	yes, SSA	yes, SSA	yes, SSA
C.	Comply with health services	yes, SSA	yes, SSA	yes, SSA
D.	Comply with EBMUD	yes, SSA	yes, SSA	yes, SSA
E.	Comply with CCC Fire	yes, SSA	yes, SSA	yes, SSA
F.	Comply with Sheriff	yes, SSA	yes, SSA	yes, SSA
G.	Comply with National Pollutant Discharge Elimination System	Conflicting COA to 55 above. Not required to submit report.		
H.	Pay many fees		yes	
I	Comply with bridge/Thoroughfare fee	NO		yes

Notes Regarding CCC Fair Housing and Discrimination

WPR
2/2/18

Contra Costa HOME Consortium to cooperatively plan for the housing and community development needs of the County. The County administers HOME funds on behalf of all the Consortia cities and the Urban County. The County administers Urban County CDBG funds, Consortium HOME funds, County ESG funds, and a share of the Alameda/Contra Costa allocation of HOPWA funds as a sub-grantee to the City of Oakland.

The Consolidated Plan was created by the Consortium to assess the needs of all Consortium member communities and to guide the use of funds within each individual member community.

Please see past documents also.

2015 -2020 Consolidated Plan CCC Consortium; *The Contra Costa HOME Consortium has made significant progress in meeting the goals and objectives contained in its 2010-15 Five-Year Consolidated Plan.* This 5-year plan has no material mention or future planning for RA for disabled applicants trying to build a house of their choice. CCC doing nothing to stop discrimination against disabled folks who are trying to build a disabled friendly house.

Current CCC Analysis of Past Impediments and Actions Appendix 2; source of document, CCC Analysis of Impediments to Fair Housing Web Site

6. IMPEDIMENT: Lack of knowledge of fair housing rights. 6.1. Action: Support efforts to educate tenants, and owners and agents of rental properties regarding their fair housing rights. CCC did not report any actions. CCC doesn't have goals in this document to help non-rental disabled folks, a large growing population of the seniors in CCC.

8. IMPEDIMENT: Failure to provide reasonable accommodation to persons with disabilities. 8.1. Action: Support efforts to educate tenants, and owners and agents of rental properties regarding the right of persons with disabilities to reasonable accommodation. CCC did not report any actions. CCC doesn't have goals in this document to help non-rental disabled folks, a large growing population of the seniors in CCC.

10. IMPEDIMENT: Lack of formal policies and procedures regarding reasonable accommodation. 10.1. Action: Jurisdictions which have not done so will adopt formal policies and procedures for persons with disabilities to request reasonable accommodations to local planning and development standards. CCC documented action states in this report, "Contra Costa County - The County's Mortgage Credit Certificate program reserves 40 percent of its allocation for households with incomes at or below 80 percent of area median income. Lenders have been cooperative with this program, and 150 Mortgage Credit Certificates were provided to low-income households through 2010 - 2015." **CCC has not adopted formal procedures and is in violation of this plan and the CCC General Plan.**

2016 Analysis of Impediments to Fair Housing Choice Contra Costa County Consortium: *The purpose of an AI is to review conditions in the jurisdictions that may impact the ability of households to freely choose housing and to be treated without regard to race, ethnicity, religion, gender, national origin, source of income, age, disability, or other protected status. The AI reviews the general state of fair housing, the enforcement of fair*

housing law, efforts to promote fair housing, access to credit for the purpose of housing, and general constraints to the availability of a full range of housing types.

Major Goal is to identify impediments to fair housing choice and actions that will take to remove those impediments or to mitigate the impact those impediments have on fair housing choice.

This analysis has identified the following impediments and actions to address those impediments.

4. Disability and elder care issues. Availability and access to housing for individuals with physical and mental disabilities is a rapidly emerging impediment to fair housing. Further, insufficient education and enforcement around issues of reasonable accommodations results in discrimination against individuals with disabilities.

5. Local Building Approvals. Lengthy, complex, and extensive local review and approval processes discourage construction of affordable housing. Local governments sometimes require separate approvals for every aspect of the development process and sometimes stipulate public hearings that invite community opposition, which can have the same effect as exclusionary zoning.

The impediments listed below were identified as obstacles to fair housing in the County's previous Analysis of Impediments to Fair Housing report in 2010.

8. IMPEDIMENT: Failure to provide reasonable accommodation to persons with disabilities.

8.1. Action: Support efforts to educate tenants, owners, agents of rental properties regarding the right of persons with disabilities to reasonable accommodation. Pg 11

8.2. Action: Support efforts to enforce the right of persons with disabilities to reasonable accommodation and to provide redress to persons with disabilities who have been refused reasonable accommodation. Pg 12

Government Barriers See attached documents, see entire report

10. IMPEDIMENT: Lack of formal policies and procedures regarding reasonable accommodation.

10.1. Action: Jurisdictions which have not done so will adopt formal policies and procedures for persons with disabilities to request reasonable accommodations to local planning and development standards. See additional information attached that show CCC has not fully complied with required laws.

CCC 2015 GENERAL PLAN ANNUAL PROGRESS REPORT: The Contra Costa County Department of Conservation and Development (DCD) is a division of the planning agency for the unincorporated area of Contra Costa County and is responsible for proper preparation and administration of the County General Plan (County Ordinance Code section 26-2.808[1]). *Government Code section 65400 requires jurisdictions to discuss the degree to which the adopted General Plan complies with the General Plan Guidelines. The Guidelines provide a definitive interpretation of State statutes and case law as they relate to the General Plan. Additionally, the Guidelines outline the general framework for preparation and revision of a General Plan, Attorney General Opinions. Compliance with Section 65400(b)(1) of the Government Code, this report covering calendar year 2015 has been prepared for the Contra Costa County Board of Supervisors' consideration and acceptance. This report:*

1. Summarizes the status of the Contra Costa County General Plan and describes steps that have been taken to implement General Plan policies in calendar year 2015;

3. Describes Housing Element implementation, specifically the County's progress in meeting its share of the regional housing needs over the current reporting period (current Housing Element cycle) and on the efforts to remove governmental constraints to maintenance, improvement, and development of housing pursuant to Government Code Section 65583;

4. Concludes with a discussion on goals, objectives, and work activities (next year) related to General Plan implementation for calendar year 2016.

- **Anti-Discrimination Program:** objective to Promote fair housing. No updates, nothing done See page 17

- **Special Needs Housing Program:** objective to Increase Supply of Special Needs Housing. CCC built two units for women leaving prison, very low income. See pg. 15
- **Accessible Housing Program:** Objective to Increase the supply of accessible housing. Noting done in unincorporated CCC. Pg. 15
- **Reasonable Accommodation Program:** objective to Increase the supply of special needs and accessible housing. Reported status of program implementation, County assisted one client with translation services. CCC not spending limited funds in best manner and funds should be spent on projects that increase the supply of housing. Pg. 17
- **Infill Program:** CCC uses use the Small Lot Review process to assist applicants in developing infill single-family residences on substandard-size lots and streamline the administrative review process for infill housing in the former redevelopment areas. No infill projects reported. Pg. 16

CCC 2016 GENERAL PLAN ANNUAL PROGRESS REPORT: *The intent of this report is to demonstrate the County's compliance with California Government Code Section 65400(b)(1), which mandates that all cities and counties submit to their legislative bodies an annual report on the status of their General Plan and progress in its implementation.*

A copy of this report will, as required under the statute, be provided to the Governor's Office of Planning and Research (OPR) and the California Department of Housing and Community Development (HCD). A separate report will be provided to HCD in fulfillment of another statutory requirement to report certain housing information, including the County's progress in meeting its share of regional housing needs and local efforts to remove governmental constraints to the development of housing, as defined in Government Code sections 65584 and 65583(c)(3).

- **Special Needs Housing:** Page 13 of report CCC shows it has done nothing in the areas of SNH.
- **Reasonable Accommodations** to increase supply of special needs accessible housing. CCC reported all they did was fund 5 bathrooms and language services. CCC is not complying with the required laws, 5 bathrooms has done nothing to increase housing. Where is CCC spending the money? Pag 14
- **Anti-Discrimination Program:** Objective to "promote fair housing": CCC has not done anything to date for and intend to have an "updated document of Analysis of Impediments to Fair Housing document".

CCC 2017 GENERAL PLAN ANNUAL PROGRESS REPORT: Contra Costa County did no changes, reported no material changes for the General Plan Housing Element Program:

- **Anti-Discrimination Program:** objective to Promote fair housing. Status of Program Implementation reported: The Analysis of Impediments to Fair Housing (AI) was updated 2017. CCC is working on a County wide Assessment of Fair Housing report. See page 14
- **Special Needs Housing Program:** objective to Increase Supply of Special Needs Housing. CCC has done nothing, There were no projects in this reporting period within the unincorporated County. See pg. 16
- **Accessible Housing Program:** Objective to Increase the supply of accessible housing.
- **Reasonable Accommodation Program:** objective to Increase the supply of special needs and accessible housing. Reported status of program implementation, County assisted in the funding of 2 projects that included accessibility improvements for accessible bathroom renovations. CCC not spending limited funds in best manner. Pg. 17
- **Infill Program:** CCC uses use the Small Lot Review process to assist applicants in developing infill single-family residences on substandard-size lots and streamline the administrative review process for infill housing in the former redevelopment areas. No infill projects reported.

CCC FY2017/18 CAPER Consolidated Annual Performance & Evaluation Report CDBG, HOME etc. funds:

The Housing and Community Development Act of 1974, as amended, requires all Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Program entitlement jurisdictions to prepare and submit a Consolidated Annual Performance and Evaluation Report (CAPER) to the U.S. Department of Housing and Urban Development (HUD) by September 30 of each year. The CAPER provides the County and interested stakeholders with an opportunity to evaluate the progress in carrying out priorities and objectives contained in the County's five-year Consolidated Plan and annual Action Plan. This annual report shows CCC doing nothing to stop discrimination against disabled folks who are trying to build a disabled friendly house. Nothing in report regarding Reasonable Accommodation for building disabled friendly housing of disabled person's choice.

- No signification actions taken by CCC to prevent discrimination against disabled person wanting to build housing of their choice. See page 22 of CAPER
- Only one Project Name EDEN, to promote Fair Housing pg. 65 of CAPER document
- Applicant called EDEN (see pg. 65 Fair Housing funds spent to stop discrimination and train for fair housing) and was told "... ECHO serve peoples with complaints about landlords, tenants, hotels, advertisements. ECHO Cannot help applicant with reasonable accommodations of structure not yet built. " See attached list of phone call log sheet documenting phone calls.
- ECHO CCC funded program will only help rental type discrimination complaints. Refused access to CCC program to prevent discrimination.
- CCC "Objective CD-6 Infrastructure / Public Facilities: Maintain quality public facilities and adequate infrastructure and ensure access for the mobility-impaired by addressing physical access to public facilities." CCC is spending funds on projects that have no Nexus to ensuring access for the mobility-impaired by addressing physical access to public facilities such as the budgeted \$140,000 project at to "Installation of solar panels along the top of a new cantilevered carport structure" see pg. 71 COCOKIDS of CAPER.

CCC Consortium Strategic Plan is incomplete and does not significantly address or plan for Discrimination Prevention, Special Needs Housing Program for disabled folks who want to build housing of their choice and Reasonable Accommodation Program.

FY 2014/15 ACTION PLAN Community Development Block Grant HOME Investment Partnerships Act... Not much done for anti-discrimination and RA for disabled folks building housing of their choice. See pg. 11.

Mary Dunne Rose

From: Gabriel Lemus <Gabriel.Lemus@dcd.cccounty.us>
Sent: Monday, November 26, 2018 10:24 AM
To: M D Rose
Subject: RE: CCC appendix 2 impediments to fair housing; Please send a PDF copy to me
Attachments: APPENDIX 2 Past Impediments and Actions.pdf

Hi Mary,

Attached is Appendix 2 as a PDF document.

-Gabriel

Gabriel Lemus
CDBG Program Manager
Contra Costa County
Department of Conservation and Development
30 Muir Road
Martinez, CA 94553
(925) 674-7882
gabriel.lemus@dcd.cccounty.us

From: M D Rose <trustmdrose@gmail.com>
Sent: Sunday, November 25, 2018 9:05 AM
To: Gabriel Lemus <Gabriel.Lemus@dcd.cccounty.us>
Subject: CCC appendix 2 impediments to fair housing; Please send a PDF copy to me

Hi Gabriel,

Trust you had a wonderful Thanksgiving holiday! It's so nice when we get time off!

See below that I copied and pasted today from the CCC website:

Analysis of Impediments to Fair Housing Choice Document

Contra Costa County Consortium Analysis of Impediments to Fair Housing Choice

Appendix 1: List of Stakeholder Interviews

Appendix 2: Past Impediments and Actions

— Attached → →

I am having a problem with my computer getting the "appendix two: past impediments and actions" listed on the county's website to print out right.

Would ever so greatly appreciate you emailing me a PDF of the "appendix number 2: past Impediments and actions" listed on your website.

Thank you in advance for helping me, hope it doesn't take too much time!

APPENDIX 2

PAST IMPEDIMENTS AND ACTIONS

PAST IMPEDIMENTS	ACTION
<p>1. IMPEDIMENT: Lack of sufficient affordable housing supply.</p> <p>1.1. Action: Provide assistance to preserve existing affordable housing and to create new affordable housing. Assistance will be provided through the Consolidated Plan programs of the Consortium member jurisdictions. These include CDBG, HOME, and HOPWA.</p>	<p>Antioch – Antioch allocates CDBG funds to promote Fair Housing activities. The City of Antioch has historically funded BALA and/or Echo to provide fair housing services to its residents. These agencies provide trainings and workshops to landlords, tenants and other interested parties annually. Both agencies are HUD-approved housing counseling agencies, and satisfy HUD's definition of Fair Housing Enforcement Organization and Qualified Fair Housing Enforcement Organization.</p> <p>Concord – Concord took the following actions to preserve and create affordable housing</p> <p>a. Preserve affordable housing – The City reserved \$300,000 in RDA Housing set-aside funds to assist in rehabilitating a 48-unit multifamily complex in the Monument Corridor, however, due to the State Budget elimination of RDAs and subsequent litigation, these</p>

191

<p>Census Tracts with loan origination rates under 50 percent according to the most recently published HMDA data.</p>	<p>the loss of Redevelopment funding. City staff has contacts with Spanish-speaking loan agents that are also listed on the City's Preferred lender list.</p>
<p>5.2. Action: Member jurisdictions will encourage mortgage lenders to responsibly market loan products to households who wish to purchase homes in Census Tracts with loan origination rates under 50 percent according to the most recently published HMDA data.</p>	<p>Concord - City staff has contact with Spanish-speaking loan agents that are also listed on the City's Preferred lender list to market to both English and Spanish speaking low-income clients. The City also coordinated the subordination of existing loans to assist existing eligible homeowners in the FTHB Program or Rehabilitation Loan Program to achieve better interest rates through a refinance of their homes.</p>
<p>6. IMPEDIMENT: Lack of knowledge of fair housing rights.</p> <p>6.1. Action: Support efforts to educate tenants, and owners and agents of rental properties regarding their fair housing rights and responsibilities.</p>	<p>Concord - Concord allocated resources to encourage and facilitate the development of affordable housing, as detailed in this CAPER. To ensure fair access to housing for all in Concord, the City invested \$70,000 in resources for fair housing and tenant/ land lord counseling services through Housing Rights; \$40,000 to provide one-stop services for housing and tenant/landlord issues at the Mt. Diablo Housing Opportunity Center; and additional \$5,000 to provide augmented foreclosure-related housing services. At least 67 percent of all services were provided to extremely low- and very</p>

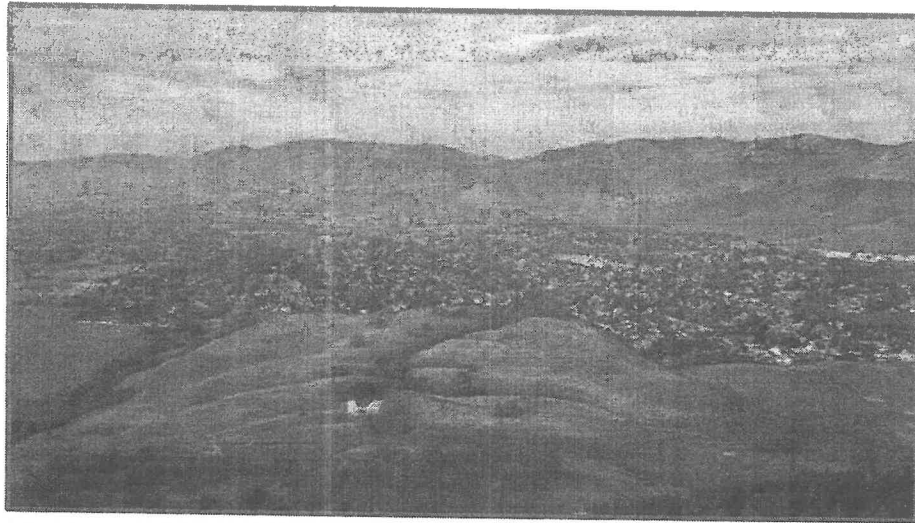
	Pittsburg - Agreements such as a lease or housing agreement executed by the City, SA, HA, etc. specifically addresses language against discrimination.
8. IMPEDIMENT: Failure to provide reasonable accommodation to persons with disabilities.	
8.1. Action: Support efforts to educate tenants, and owners and agents of rental properties regarding the right of persons with disabilities to reasonable accommodation.	<p>Concord - Through 2010-2015, the City contracted with Housing Rights and ECHO to promote fair housing assistance and tenant/landlord counseling to provide reasonable accommodation to persons with disabilities.</p> <p>Pittsburg - PCSI services funded by SA.</p> <p>Walnut Creek - Walnut Creek funds ECHO Housing to provide Tenant/Landlord and Fair Housing services.</p>
8.2. Action: Support efforts to enforce the right of persons with disabilities to reasonable accommodation and to provide redress to persons with disabilities who have been refused reasonable accommodation.	<p>Concord - Through 2010-2015, the City contracted with Housing Rights and ECHO to promote fair housing assistance and tenant/landlord counseling to provide reasonable accommodation to persons with disabilities.</p> <p>Pittsburg - Agreements such as a lease or housing agreement executed by the City, SA, HA, etc. specifically addresses language</p>

	against discrimination.
9. IMPEDIMENT: Lack of information on the nature and basis of housing discrimination.	
9.1. Action: Monitor the incidence of housing discrimination complaints and report trends annually in the CAPER.	Concord - The City monitored incidence of discrimination complaints through review of the quarterly Housing Rights and ECHO reports. No trends have been noted.
9.2. Action: Improve the consistency in reporting of housing discrimination complaints. All agencies who provide this information should do so in the same format with the same level of detail. Information should be available by the quarter year.	Concord - All Housing Rights and ECHO reports were submitted by quarter year, with breakdowns regarding type of assistance, household composition, household ethnicity and household income, with a brief summary of the quarter and an outreach report, with the types and number of clinics, mailings, or household distributions conducted. The City will implement reporting online in City Data Services in FY 2011-12.
9.3. Action: Improve collection and reporting information on discrimination based on sexual orientation and failure to provide reasonable accommodation to persons with disabilities.	Concord - During 2010-2015, the City's Housing Program continued to coordinate with Housing Rights and ECHO through quarterly reporting in monitoring trends and incidents of discrimination.

<p>10. IMPEDIMENT: Lack of formal policies and procedures regarding reasonable accommodation.</p>	
<p>10.1. Action: Jurisdictions which have not done so will adopt formal policies and procedures for persons with disabilities to request reasonable accommodations to local planning and development standards.</p>	<p>Concord - The City has completed this action. The City's Municipal Code, Section 122-213 through -220, pursuant to the federal Fair Housing Amendments Act of 1988, the Americans with Disabilities Act, and the California Fair Employment and Housing Act, provides people with disabilities, reasonable accommodation as necessary to ensure equal access to housing and a process for individuals with disabilities to make requests for reasonable accommodation in regard to relief from the zoning rules, policies, practices and/or procedures of the City.</p> <p>Contra Costa County - The County's Mortgage Credit Certificate program reserves 40 percent of its allocation for households with incomes at or below 80 percent of area median income. Lenders have been cooperative with this program, and 150 Mortgage Credit Certificates were provided to low-income households through 2010 - 2015.</p> <p>Walnut Creek - In 2014 the City of Walnut Creek adopted a Reasonable Accommodation Ordinance that outlines the policy and procedure for requesting reasonable accommodation in the application of local planning, zoning, and building standards.</p>

Analysis of Impediments to Fair Housing Choice


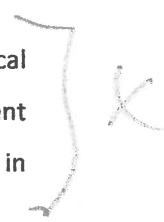
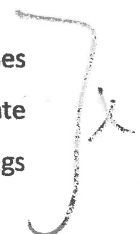
Contra Costa County
Consortium



2016

Impediments Identified

This analysis has identified the following impediments and actions to address those impediments.

1. **Education and public perception.** Inadequate information on fair housing issues and a lack of understanding about the potential extent of housing discrimination exists. 
2. **Housing affordability.** The high cost of housing and extreme burden those costs place, particularly on renters, present a barrier to fair housing choice. Also, low vacancies and lack of affordable housing options contribute to these issues. Concentration of the limited affordable housing supply is also a fair housing concern.
3. **Home purchase loan denials.** Significant disparity between races and ethnicities in loan denial rates exists. Minorities are more likely to be denied loans than whites, even in high income categories.
4. **Disability and elder care issues.** Availability and access to housing for individuals with physical and mental disabilities is a rapidly emerging impediment to fair housing. Further, insufficient education and enforcement around issues of reasonable accommodations results in discrimination against individuals with disabilities. 
5. **Local Building Approvals.** Lengthy, complex, and extensive local review and approval processes discourage construction of affordable housing. Local governments sometimes require separate approvals for every aspect of the development process and sometimes stipulate public hearings that invite community opposition, which can have the same effect as exclusionary zoning. 

4.3. Action: Member jurisdictions will encourage mortgage lenders to responsibly market loan products to lower income (low and very low), immigrant, and minority households. Minority households include Hispanic households.

5. IMPEDIMENT: Lower mortgage approval rates in areas of minority concentration and low-income concentration.

5.1. Action: Member jurisdictions will support home purchase programs targeted to households who wish to purchase homes in Census Tracts with loan origination rates under 50 percent according to the most recently published HMDA data.

5.2. Action: Member jurisdictions will encourage mortgage lenders to responsibly market loan products to households who wish to purchase homes in Census Tracts with loan origination rates under 50 percent according to the most recently published HMDA data.

6. IMPEDIMENT: Lack of knowledge of fair housing rights.

6.1. Action: Support efforts to educate tenants, owners, and agents of rental properties regarding their fair housing rights and responsibilities.

7. IMPEDIMENT: Discrimination in rental housing.

7.1. Action: Support efforts to enforce fair housing rights and to provide redress to persons who have been discriminated against.

7.2. Action: Support efforts to increase the awareness of discrimination against persons based on sexual orientation.

8. IMPEDIMENT: Failure to provide reasonable accommodation to persons with disabilities.

8.1. Action: Support efforts to educate tenants, owners, agents of rental properties regarding the right of persons with disabilities to reasonable accommodation.

8.2. Action: Support efforts to enforce the right of persons with disabilities to reasonable accommodation and to provide redress to persons with disabilities who have been refused reasonable accommodation.

9. IMPEDIMENT: Lack of information on the nature and basis of housing discrimination.

9.1. Action: Monitor the incidence of housing discrimination complaints and report trends annually in the CAPER.

9.2. Action: Improve the consistency in reporting of housing discrimination complaints. All agencies who provide this information should do so in the same format with the same level of detail. Information should be available by the quarter year.

9.3. Action: Improve collection and reporting information on discrimination based on sexual orientation and failure to provide reasonable accommodation to persons with disabilities.

Government Barriers

10. IMPEDIMENT: Lack of formal policies and procedures regarding reasonable accommodation.

10.1. Action: Jurisdictions which have not done so will adopt formal policies and procedures for persons with disabilities to request reasonable accommodations to local planning and development standards.

11. IMPEDIMENT: Transitional and supportive housing is not treated as a residential use subject only to those restrictions that apply to other residential uses of the same type in the same zone, and is not explicitly permitted in the zoning code.

11.1. Action: Jurisdictions which have not done so will amend their zoning codes to treat transitional and supportive housing types as a residential use subject only to those restrictions that apply to other residential uses of the same type in the same zone, and to explicitly permit both transitional and supportive housing types in the zoning code.

employment (63 percent), inadequate access to transportation (59 percent), and inadequate access to public and social services (58 percent).

The results were similar with economic impediments to housing choice. Almost three-quarters (72 percent) of respondents said an inability to secure subsidies for affordable housing developments occurred very frequently, and another 16 percent reported somewhat frequent occurrence. Next was lack of affordable housing developers at 69 percent and high cost of land at 66 percent. Despite these results, impediments related to the real estate market did not receive similar high reported frequency. It seems that stakeholders may find economic impediments to housing choice related to developing affordable housing, but not as much in the homebuyer market.

The survey also asked about impediments to housing choice related to government actions and policies. For the nine possible impediments offered, a majority indicate somewhat or very frequent occurrence for just two of them—lack of fair housing knowledge at the local level (62 percent very or somewhat frequent) and lack of designated officer to handle fair housing issues (53 percent). In addition, exactly half of respondents indicated local land-use controls and zoning prohibiting higher density housing very or somewhat frequently. But the other six impediments did not receive a majority of responses about higher frequency, in contrast to the other areas of impediments on the survey. This could be because the local government respondents and non-profit respondents with close ties to local government are not self-reporting issues related to their own organizations.

In a related item, participants were asked to evaluate the effectiveness of nine different government actions related to fair housing. In almost every case, a plurality of respondents indicated that the action was “somewhat effective.” Most of these items dealt with coordination and locating affordable housing near different services. However, in two cases the plurality chose “not at all effective”: increasing housing choice for Housing Choice Voucher (HCV) recipients (45

- Residential care facilities for the elderly (RCFE) provide care, supervision, and assistance with daily living activities to persons 60 years of age and over and persons under 60 with compatible needs.
- Small family homes (SFH) provide care 24 hours a day in the licensee's family residence for six or fewer children who are mentally disabled, developmentally disabled, or physically handicapped and who require special care and supervision as a result of such disabilities.
- A social rehabilitation facility is any facility that provides 24-hour-a-day nonmedical care and supervision in a group setting to adults recovering from mental illnesses who temporarily need assistance, guidance, or counseling.
- The Transitional Housing Placement Program provides care and supervision for children at least 17 years of age participating in an independent living arrangement.

Reasonable Accommodation

Under State and Federal law, local governments are required to "reasonably accommodate" housing for persons with disabilities when exercising planning and zoning powers. Jurisdictions must grant variances and zoning changes if necessary to make new construction or rehabilitation of housing for persons with disabilities feasible, but they are not required to fundamentally alter their zoning ordinance. Although most local governments are aware of State and Federal requirements to allow reasonable accommodations, if specific policies or procedures are not adopted by a jurisdiction, disabled residents may be unintentionally displaced or discriminated against. All of the jurisdictions examined provide flexibility in development standards to reasonably accommodate the housing needs of residents with disabilities. The degree of formalization varies by jurisdiction.

Twelve percent of resident survey respondents reported that they did not know if they had experienced housing discrimination. It is possible that some victims of housing discrimination do not know enough about the issue to self-report.

Only 21 percent of resident respondents reported an awareness of fair housing trainings and workshops in their communities. Sixty-three percent of stakeholder survey respondents said that inadequate information about fair housing rights was a somewhat frequent or very frequent impediment to fair housing.

Disabled persons are especially impacted by the increase in evictions that resulted from property owners being foreclosed upon beginning in 2008 and 2009. There is little legal recourse for tenants who are evicted as a result of foreclosure. Disabled persons find it more difficult to find housing that can accommodate their needs than nondisabled persons and are more likely to fall into a low - income category, making it more difficult to find new housing that meets their needs and that they can afford.

Several jurisdictions studied have greater percentages of persons who are disabled than the County average of 10.4 percent, which is in line with the state average of 10.3 percent. These jurisdictions include Pinole (14.3 percent), Pittsburg (14.1 percent), Antioch (13.4 percent), Walnut Creek (12.3 percent), Pleasant Hill (12 percent), San Pablo (11.9 percent), and Concord (11.5 percent).

Stakeholders reported that a lack of formal policies and procedures regarding reasonable accommodation remains an issue, especially as applied to small rental property owners. They also noted that transitional and permanent supportive housing faces resistance throughout the County.

could benefit from more information on the availability of home finance and rental subsidy programs (including both tenant-based and project-based subsidies). In order to increase the number of households who are served by these programs, there needs to be additional funding and increased efficiencies in program delivery. Members of the Contra Costa County Consortium could support efforts to increase funding through local, State and federal initiatives; lower development costs of new affordable housing; and allow for innovative housing options such as tiny homes and accessory dwelling units.

Recommendation # 3: Review Home Purchase Loan Denial Figures with Local Lenders

Significant disparity between races and ethnicities in loan denial rates exists. Minorities are more likely to be denied loans than Whites, even in high income categories. The Contra Costa County Consortium should further research the extent of these issues and review this information with Fair Housing Organizations and local lenders. Both members of the Consortium and the Fair Housing Organizations should report the disparate impact to lenders, encourage them to examine loan approval policies and procedures within that context and indicate what affirmative steps, as appropriate, that they might take to address this apparent issue. Members of the Consortium have some established networks such as the Home Equity Preservation Alliance and lists of preferred lenders that may be able to serve as a base for growing outreach on these issues.

Recommendation # 4: Increase Access to Special Needs Housing

The Contra Costa County Consortium should gather more information of this emerging impediment and determine the extent to which the available supply of supportive housing is limited particularly for individuals with physical and mental disabilities. Members of the Consortium should examine and develop more formal policies and procedures regarding reasonable accommodation and better inform landlords, especially small rental property owners. Promoting best practices for alternative types of special needs/elderly housing and considering policy changes may be in order. Shaping community attitudes as described in the first recommendation may also be necessary to confront this barrier.

Recommendation #5: Review Municipalities Planning Code and Offer Incentives

The Contra Costa County Consortium should encourage local governments to examine the review and approval processes that discourage construction of affordable housing with respect to elements that have the unintended consequence of impeding such development. As observed in the findings, local governments sometimes require separate approvals for every aspect of the development process and sometimes stipulate public hearings that result in community opposition, which can have the same effect as exclusionary zoning. Local building and zoning codes could be modified to simplify local processes for building approvals and more effectively encourage construction of affordable housing as well as special needs housing.

X. Fair Housing Action Plan

Based on the Analysis of Impediments to Fair Housing Choice, the Consortium proposes specific goals and action aimed at overcoming barriers to fair housing choice and expanding public awareness of fair housing issues throughout the County. This plan contains long- and short-term goals. Its supporting actions are specific, measurable, attainable and realistic, and they correspond directly with impediments identified in the preceding section. Appropriate maps are available in the AI to support all recommendations.

The plan is informed by a report on the progress and the success of actions to affirmatively further fair housing taken by the County as well as accomplishments of other jurisdictions and organizations that address fair housing issues. As described in the body of the AI, the Consortium has made significant progress in addressing impediments since the last AI was published in 2010. Data analysis, survey results, focus groups, and interview records indicate past barriers are being removed. There is increased investment in affordable housing and the creation of assistance programs for low income households, greater outreach to community partners working to address fair housing concerns, and progress on strengthening policies and local ordinances to

protect rights and encourage best practices. Nonetheless, the following impediments remain and present barriers which this plan is designed to address:

- Inadequate information on fair housing issues and a lack of understanding about the potential extent of housing discrimination exists.
- The high cost of housing and extreme burden those costs place, particularly on renters, present a barrier to fair housing choice. Also, low vacancies and lack of affordable housing options contribute to these issues. Concentration of the limited affordable housing supply is also a fair housing concern.
- Significant disparity between races and ethnicities in loan denial rates exists. Minorities are more likely to be denied loans than whites, even in high income categories.
- Availability and access to housing for individuals with physical and mental disabilities is a rapidly emerging impediment to fair housing. Further, insufficient education and enforcement around issues of reasonable accommodations results in discrimination against individuals with disabilities.
- Lengthy, complex and extensive local review and approval processes discourage construction of affordable housing. Local governments sometimes require separate approvals for every aspect of the development process and sometimes stipulate public hearings that invite community opposition, which can have the same effect as exclusionary zoning.

A set of tables containing the specific goals and actions appear on the following pages.

Goal	Duration	Action Steps	Responsibility	Completion	Deliverable	Comments
Goal # 1: To Increase Public Awareness of Fair Housing Rights	Long-term	a) Contract with Fair Housing Services or consultant(s) to educate County residents, tenants, and owners and agents of rental properties regarding their fair housing rights and responsibilities	Consortium Members	2017	Service contracts with each jurisdiction of the Consortium; assignments related to standardizing public information materials Countywide	Expect to renew contracts every fiscal year; plan joint semiannual meetings with fair housing providers
		b) Update existing guidance on fair housing rights to include recent changes in protected classes and equal access	Fair Housing Services	2017	Content for website and brochures with consistent message and inclusive delivery	Refer to HUD Exchange for updated guidance and coordinate content production from County
		c) Promote and coordinate expansion of outreach to the community regarding fair housing rights	Consortium Lead	2018	Campaign to highlight the single toll-free telephone number for fair housing services; strategies to jurisdictions and pre-prepared content for trade publications	Involve Home Builders, Realtors, Property Management Association, and small landlords
		d) Diversify form and content of outreach	Fair Housing Services	2019	Alternatives to traditional fair housing outreach that reach different populations or present a fresh way of sharing information; also, develop a LAP	Collect best practices and outcomes to share with grantees. (This will be ongoing and updates will be provided annually in CAPER.)

Goal	Duration	Action Steps	Responsibility	Completion	Deliverable	Comments
Goal # 4: Increase Access to Special Needs Housing	Short-term					
		a) Adopt formal policies and procedures, in jurisdictions that have none, for persons with disabilities to request reasonable accommodations to local planning and development standards	Consortium Members	2017	New appeals process within jurisdictions that presently do not offer such protection	Gather more information to determine extent to which the available supply of supportive housing is limited particularly for individuals with physical and mental disabilities; use County policy as model for other jurisdictions
		b) Promote best practices for alternative types of special needs/elderly housing and considering policy changes	Consortium Members	2017	Prototypes of housing designs that permit vulnerable populations to gain access, receive services/age in place (this includes development of accessory dwelling units by reducing fees for new units), placement services for seniors, and expanded use of VASH vouchers	Reflect changes in plans, program descriptions and funding requests for CoC, PHA, etc. (Also, follow new State legislation to further encourage accessory dwelling units)
		c) Educate tenants, and owners and agents of rental properties	Fair Housing Service Providers	2018	Targeted outreach to property owners and representatives that have not received past notification	Include landlords and small property owners with scattered site units

Goal	Duration	Action Steps	Responsibility	Completion	Deliverable	Comments
Goal # 5: To Review Municipalities Planning Code and Publicize Incentives	Long-term					
		a) Examine the review and approval process to identify opportunities to streamline and simplify action on affordable projects	Consortium Members	2018	Report recommending possible changes in zoning, land use and building permit issuance	Confer with both planners, developers and builders
		b) Publicize the density bonus ordinance and encourage developers to utilize the ordinance in order to create affordable housing	Consortium Lead	2018	Media campaign to draw attention to recent successes in the region (e.g. as a 25% parking reduction permitted with the inclusion of very low income rental housing units); updates of promotional material and outreach strategies	Track progress to determine whether further changes are necessary in other jurisdictions and promote consideration of similar incentives
		c) Develop policy for priority review to affordable housing projects as needed	Consortium Members	2019	Model development codes, including one adopted recently in the region which streamlines the review process for many types of development; facilitate information sharing and networking among municipalities	Compile best practices from other states, ask APA and ICMA for best practices

100% Reasonable Accommodation? Why?

CONTRA COSTA COUNTY 2015 GENERAL PLAN ANNUAL PROGRESS REPORT

**Submitted to:
Board of Supervisors
Contra Costa County
April 26, 2016**



**Prepared By:
Contra Costa County
Department of Conservation and Development**

Anti-Discrimination Program	Promote fair housing.	Complete update to the AI after promulgation of new regulations	There are no updates to report this period. The AI as adopted by the Board of Supervisors on 5/25/2010 with a major effort to update the AI initiated in late 2015.
Residential Displacement Program	Limit number of households being displaced or relocated because of County sponsored programs or projects.	Ongoing	There are no updates to report this period.
Residential Energy Conservation Program	Participate in Bay Area regional efforts to reduce energy consumption.	2015: Review examples of guidelines for solar retrofit	A tutorial and checklist for residential solar retrofit building permit applications was established and posted on-line under the Building Inspection Division's e-permit web page.
Neighborhood Preservation Program	Improve the quality of existing housing & neighborhoods.	Ongoing	There were 16 homes within the county that were rehabilitated. 6 low income, 4 very low income, and 6 extremely low income.
Weatherization Program	Assist homeowners and renters with minor home repairs.	Ongoing	305 units have been weatherized in County cities, towns, and communities. 181 units were extremely low income, 84 units were very low income, and 30 units were low income.
Code Enforcement	Maintain & improve the quality of existing housing & neighborhoods.	Ongoing	There were a total of 1128 cases opened with 1059 cases closed. Approximately 85-90% of all cases were residential.
Preservation of Affordable Housing Assisted with Public Funds	Preserve the existing stock of affordable housing.	Ongoing	There were no projects that involved the preservation of affordable housing in the unincorporated County. The County issued \$12.5 million in bonds to the cities of Oakley and Walnut Creek for a total of 85 units.

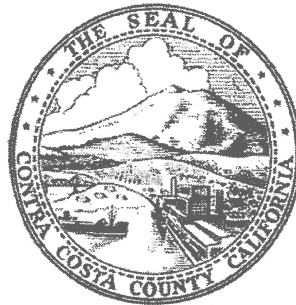
			HOPWA funds to experienced housing developers	development of 138 new rental units in the cities of El Cerrito, Pittsburg, and Walnut Creek. The County also issued \$23,571,320 in tax-exempt bonds for 143 new units in the cities of Walnut Creek and Antioch.
Housing Successor to the former Redevelopment Agency	Utilize County owned property (former redevelopment agency) to develop affordable housing	Disposition agreements by 2020.		The Rodeo Senior Housing Extension project in Rodeo had an Exclusive Negotiating Agreement approved in December. The County issued a Request for Qualifications/Request for Proposal in December for the Orbisonia Heights project in Bay Point. The property at 1250 Las Juntas in Walnut Creek was sold in December to Habitat for Humanity. This property is located within the city limits.
Inclusionary Housing	Integrate affordable housing within market-rate developments.	Ongoing		In-lieu fees were collected for developments within a subdivision. The total fees collected was \$23,249.
Acquisition/ Rehabilitation	Improve existing housing and increase supply of affordable housing.	Ongoing		There were no projects in this reporting period within the unincorporated County. The County issued \$45,464,000 in tax-exempt bonds for 235 units in the Cities of Pinole and Concord.
Second Units	Facilitate the development of second units.	Ongoing		There were 19 building permits issued for second units.
Affordability by Design	Develop affordability by design program to promote creative solutions to building design and construction.	2017		There is nothing to report for this reporting period.
New Initiatives Program	Develop new programs or policies to fund or incentivize affordable housing development	2017		The County is implementing the State's Accessory Dwelling Unit Ordinance.
Special Needs Housing	Increase the supply of special needs housing.	Ongoing		There were no projects in this reporting period within the unincorporated County. The County provided \$487K in HOME funds to support the development of a 30-unit rental project in the City of Pittsburg for homeless veterans and veterans.
Developmental Disabled Housing	Increase the supply of housing available to persons with developmental disabilities.	Ongoing		There were no projects this reporting period in the unincorporated County.
Accessible Housing	Increase the supply of accessible housing.	Ongoing		The County provided funding for a multifamily rental project in North Richmond that will include 4 fully accessible units; 3 physically disabled units and 1 vision/hearing impaired unit. Additionally, the County provided funding for projects located in the Cities of El Cerrito, Pittsburg and Walnut Creek that included a total of 11 fully accessible units; 8 physically disabled units and 3 vision/hearing impaired units.

Reasonable Accommodation	Increase the supply of special needs and accessible housing.	Ongoing	Through the NPP program, the County assisted in the funding of 5 fully accessible bathroom renovations and 1 addition of an exterior stair lift. In addition, the County provides access to language assistance via phone calls, emails, and/or general correspondence to all residents of the County requiring these services.
Council on Homelessness, formerly known as, Contra Costa Interagency Council on Homelessness	Meet the housing & supportive services needs of the homeless	Ongoing	This program is currently known as the Council on Homelessness. They continue to support the development of permanent supportive housing. Hearth Act funds are used for the support of existing permanent supportive housing units or placement of people into permanent supportive housing.
Farmworker Housing	Increase the supply of farmworker housing.	Annually: Include farmworker housing in CDBG, HOME NOFA (See #5 above)	There were none built this reporting period.
First-Time Homebuyer Opportunities	Provide additional homeownership opportunities.	Ongoing	The County provided 54 households with the Mortgage Credit Certificate Program (MCC) throughout the county and cities, a total of \$3,566,301 in MCC funds.
Extremely Low Income Housing	Promote development of housing affordable to extremely low income households.	Annually: Prioritize x-low income housing in funding recommendations	The County continues to provide funding preferences to developers who include units that are affordable to extremely-low income households. There were a total of 225 extremely low income housing projects during this reporting period (See Neighborhood Preservation Program and Weatherization Program).
Sites Inventory	Provide for adequate housing sites, including 'as-right development' sites for homeless facilities	Ongoing maintenance of site inventory.	There are no changes or updates for this reporting period.
Mixed-Use Developments	Encourage mixed-use developments.	2015 & 2016: Review existing ordinance and development patterns.	There are no projects to report.
Density Bonus & Other Development Incentives	Support affordable housing development.	Ongoing	There are no projects to report for this reporting period.
Infill Development	Facilitate infill development.	Biennially:	The County continues to use the Small Lot Review process to assist applicants

			Review site inventory, adjust for planned and completed developments	in developing infill single-family residences on substandard-size lots and streamline the administrative review process for infill housing in the former redevelopment areas.
Planned Unit District	Provide flexibility in design for residential projects.		Ongoing	There are no updates to report during this period.
Development Fees	Reduce the cost of development		Ongoing	There are no updates to report during this period.
Quick Turn-around Program	Develop program to expedite review of small projects, and conditions of approval.		2016	This program continues to be utilized for ensuring expedited review of infill projects and various planning applications including tree permits, variances, and design reviews.
Review of Zoning & Subdivision Ordinance	Periodically review subdivision ordinance to ensure it does not unduly constrain housing development. Revise zoning code to allow emergency shelters by right, single room occupancy housing, transitional and permanent supportive housing, and agricultural worker housing.		Ongoing: period review of zoning and subdivision ordinances	There are no updates to report during this period. The agricultural worker housing, permanent supportive housing, and transitional housing draft zoning ordinance is expected in 2017.
Coordinated County Department Review of Development Applications	Expedite application review through a better coordinated process with other County departments.		Ongoing	The County strives to coordinate and reach-out to other County departments and agencies when processing new applications.
Anti-Discrimination Program	Promote fair housing.		Complete update to the AI after promulgation of new regulations	The Analysis of Impediments to Fair Housing (AI) was adopted by the Board of Supervisors on May 25, 2010. A major effort to update the AI occurred in 2016. The final AI updated document is anticipated to be presented to the County Board of Supervisors in Spring 2017.
Residential Displacement Program	Limit number of households being displaced or relocated because of County sponsored programs or projects.		Ongoing	There are no updates to report this period within the unincorporated County.
Residential Energy Conservation Program	Participate in Bay Area regional efforts to reduce energy consumption.		2016: Draft County guidelines	Solar permits for roof-mounted residential PV systems are available on-line under the Application and Permit Center web page. Instructions for in-person and on-line submittal for expedited review is posted on the County's web page. The number of solar permits issued is 1,563.

CONTRA COSTA COUNTY 2017 GENERAL PLAN ANNUAL PROGRESS REPORT

**Submitted to:
Board of Supervisors
Contra Costa County
March 27, 2018**



**Prepared by:
Contra Costa County
Department of Conservation and Development**

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction CONTRA COSTA COUNTY

Reporting Period 01/01/2017 - 12/31/2017

Table C

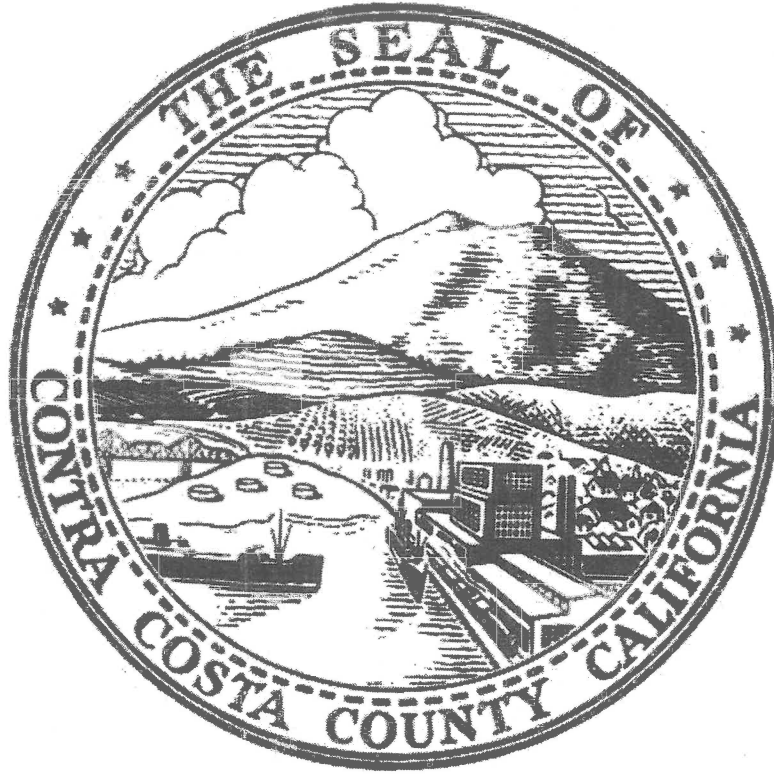
Program Implementation Status

Program Description (By Housing Element Program Names)	Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
Review of Zoning & Subdivision Ordinance		Periodically review subdivision ordinance to ensure it does not unduly constrain housing development. Revise zoning code to allow emergency shelters by right, single room occupancy housing, transitional and permanent supportive housing, and agricultural worker housing.	Ongoing	The agricultural worker housing, permanent supportive housing, and transitional housing zoning ordinances were adopted on September 19, 2017.
Coordinated County Department Review of Development Applications		Expedite application review through a better coordinated process with other County departments	Ongoing	The County strives to coordinate and reach-out to other County departments and agencies when processing new applications.
Anti-Discrimination Program		Promote fair housing.	Complete update to the AI after promulgation of new regulations	The Analysis of Impediments to Fair Housing (AI) was adopted by the Board of Supervisors on May 25, 2010. An update to the AI was completed April 12, 2017. The County is currently working on a County-wide Assessment of Fair Housing report and has entered into contract with a consultant to prepare this document.

			(fun	Paul's Commons a 45-unit rental project in Walnut Creek. In addition, the County awarded \$100,000 in CDBG funds for Aging in Place, an 82-unit senior project in Pleasant Hill and \$110,000,000 in tax-exempt bonds for 21 and 23 Nevin a 271-unit apartment in Richmond.
Housing Successor to the former Redevelopment Agency	Utilize County owned property (former redevelopment agency) to develop affordable housing	Disposition agreements by 2020		The Rodeo Senior Housing Extension project in Rodeo is under an Exclusive Negotiating Agreement, which was approved in January 2017. The County also entered into an Exclusive Negotiating Agreement with a developer for a 325-unit multi-family housing development, Orbisonia Heights in Bay Point.
Inclusionary Housing	Integrate affordable housing within market-rate developments.	Ongoing		There were no in-lieu fees collected during this reporting period.
Acquisition/ Rehabilitation	Improve existing housing and increase supply of affordable housing.	Ongoing		The County awarded \$625,000 in HOME funds for the rehabilitation of the Elaine Null Apartments an existing 14-unit rental development in Bay Point.
Second Units	Facilitate the development of second units.	Ongoing		There were 28 building permits issued for second units.
Affordability by Design	Develop affordability by design program to promote creative solutions to building design and construction.	2017		There is nothing to report for this reporting period.
New Initiatives Program	Develop new programs or policies to fund or incentivize affordable housing development	2017		The County updated the Accessory Dwelling Unit Ordinance to streamline internal conversions.
Special Needs Housing	Increase the supply of special needs housing.	Annually: Include a priority for special needs housing in CDBG, HOME, HOPWA NOFA		There were no projects in this reporting period within the unincorporated County.
Developmental Disabled Housing	Increase the supply of housing available to persons with developmental disabilities	Annually: Include a priority for special needs housing in CDBG, HOME, HOPWA NOFA		There were no projects this reporting period in the unincorporated County.

Accessible Housing	Increase the supply of accessible housing.	Ongoing	The County continues to require accessible units in all new construction projects that received HOME or CDBG funding. Accessible units are included in rehabilitation projects when feasible where five percent of the units must be accessible to the physically impaired and an additional two percent of the units must be accessible to the hearing/vision impaired. (See New Construction and Affordable Housing Program)
Reasonable Accommodation	Increase the supply of special needs and accessible housing.	Ongoing	Through the NPP program, the County assisted in the funding of 2 projects that included accessibility improvements for accessible bathroom renovations.
Contra Costa Interagency Council on Homelessness	Meet the housing & supportive services needs of the homeless	Ongoing	This program is currently known as the Council on Homelessness. They continue to support the development of permanent supportive housing. Hearth Act funds are used for the support of existing permanent supportive housing units or placement of people into permanent supportive housing.
Farmworker Housing	Increase the supply of farmworker housing	Annually: Include farmworker housing in CDBG, HOME NOFA (See #5 above)	There were none built this reporting period. The County's Farmworker Housing Ordinance was adopted in September 2017.
First-Time Homebuyer Opportunities	Provide additional homeownership opportunities.	Ongoing	The County provided 24 households with Mortgage Credit Certificate Program (MCC) funds throughout the county and cities with a total of \$1,890,150 in MCC funds.
Extremely Low Income Housing	Promote development of housing affordable to extremely low income households.	Annually: Include a priority for extremely-low income housing in CDBG, HOME, HOP	The County continues to provide funding preferences to developers who include units that are affordable to extremely-low income households. There were a total of 275 extremely low income housing projects during this reporting period (See Neighborhood Preservation Program and Weatherization Program).
Sites Inventory	Provide for adequate housing sites, including 'as-right development' sites for homeless facilities	Ongoing maintenance of site inventory.	There are no changes or updates for this reporting period.
Mixed-Use Developments	Encourage mixed-use developments.	2016/2017: Draft outline of revised ordinance and meet with	The Saranap Village project in the Saranap community was granted planning entitlements for retail with 70 for-sale condominiums, 6 for-sale townhomes, and 122 rental apartment units.

CONTRA COSTA COUNTY
FY2017/18 CAPER
(Consolidated Annual Performance & Evaluation Report)



Community Development Block Grant
HOME Investment Partnerships Act
Emergency Solutions Grants
Housing Opportunities for Persons with AIDS
Neighborhood Stabilization Program

September 26, 2018

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

The County will continue its efforts to remove or ameliorate public policies which negatively impact affordable housing development in the County including the following:

- Through the Density Bonus Ordinance, the County is required to grant one density bonus and incentives or concessions when an applicant for a housing development seeks and agrees to construct a housing development, excluding any units permitted by the density bonus that will contain at least one of the following: ten percent of the for lower income households; five percent of the total units for very low income households; a senior citizen housing development, or a mobile home park that limits residency based on age requirements for housing older persons; or ten percent of the total dwelling units in a common interest development for persons and families of moderate income, provided that all units in the development are offered to the public for purchase.
- The Inclusionary Housing Ordinance requires all developers of five or more units to provide 15 percent of the units at affordable costs to moderate, low or very-low income households depending on the type of project. Developers may pay a fee in lieu of providing the affordable units.
- The County will review and develop new regulations to permit the development of agriculturally related structures on agriculturally zoned land without a use permit in order to encourage the provision of onsite farmworker housing.

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

The County's efforts to increase and maintain the supply of affordable housing; and to meet the objectives identified in the Consolidated Plan, described in the general narrative sections of this report, are all directed to meeting underserved needs. In addition, the criteria for target population and alleviation of affordable housing needs employed in the allocation of HOME and CDBG funds for housing, establish a priority for projects that reserve a portion of the units for extremely-low income and/or special needs populations.

The following are obstacles to meeting needs of the underserved:

Accessibility to Services: Lack of accessibility to services can be the result of lack of transportation for those in need, services that are not delivered in a culturally appropriate manner or in the appropriate language, burdensome prerequisites to accessing services ("red tape"), and services that are not provided in proximity to those in need. Lack of transportation is a particular challenge for those who do

**CONTRA COSTA COUNTY
FY 2017/18 CAPER
Public Service Projects**

Project ID	Sponsor	Project Name/Location	Project Objective/Description	Project Status	CDBG Funds Budgeted	FY 2016/17 Expenses	Total Served	Race/Ethnicity (bottom number represents those who identify Hispanic as ethnicity in addition to selecting a racial category)														Income	
								White	Hisp.	ALAm	Hisp.	Asian	Hisp.	Am. Ind./ Native	Hisp.	Am. Ind./ Pacific Is.	Hisp.	Asian	Hisp.	Am. Ind./ White	Hisp.	Other	Hisp.
17-28-PS	RYSE, Inc. 205 41st Street Richmond, CA 94605 (510) 374-3401	RYSE Career Pathway Program - West County	The purpose of this program is to support economic development by providing a combination of 1) career skill development, 3) paid work experience opportunities, along with 4) academic enrichment and interventions. Primary Performance Measurement: Provide support services and teach basic skills to 230 Urban County youth, in order to enable them to maintain long-term financial stability.	Complete.	\$40,000	\$40,000.00	269	84	1197	10	0	2	2	0	2	324	3	9081	152	82	35	100%	
17-29-PS	YMCA of the East Bay (Fiscal Agent) 2330 Broadway Oakland, CA 94612 (510) 524-8252	James Morehouse Project at El Cerrito High School - 540 Ashbury Ave. El Cerrito, CA 94530 West County	The purpose of the project is to improve the well-being and success of students in school and reduce barriers to learning by providing comprehensive mental health services to students attending El Cerrito High School. Primary Performance Measurement: Provide mental health services to 110 El Cerrito High School students in order to improve the students' well-being and reduce barriers to learning.	Complete.	\$10,000	\$10,000.00	114	17	33	15	0	0	0	0	0	0	0	48	44	38	32	100%	
Objective CD - 4 Fair Housing: To continue to promote fair housing opportunities and affirmatively further fair housing.																							
17-30-PS	Eden Council for Hope and Opportunity (ECHO) 770 A Street, Hayward, CA 94541 (510) 581-6380	Fair Housing Services Program	The purpose of this program is to further fair housing by addressing discrimination in Antioch, Concord, Walnut Creek, and urban Contra Costa County; investigating allegations of discrimination; conducting audits to uncover discrimination; and provide training to housing providers. Primary Performance Measurement: Provide services to 80 urban County residents.	Complete.	\$40,000.0	\$32,180.2	91	2812	44	1	43	2	0	0	0	0	0	63	49	11	23	91%	
Objective H - 1 Housing & Supportive Services for the Homeless: Further "Housing First" approach to ending homelessness by supporting homeless persons achieve housing stability.																							
17-31-PS	Contra Costa County Behavioral Health Services Homeless Outreach Program 1350 Arnold Drive, Ste 202 Martinez, CA 94553 (925) 313-7700	CHS-CORE Street Outreach Program Urban County	The purpose of this program is to provide daytime street outreach to the homeless population in Contra Costa County in small multidisciplinary teams that will work collaboratively to engage and stabilize homeless individuals living outside and deliver health and basic need services and aid in obtaining interim and permanent housing. Primary Performance Measurement: Provide street outreach to the homeless population in Contra Costa County via small multidisciplinary teams that will work collaboratively to engage and stabilize homeless individuals living outside, and deliver health and basic need services and aid in obtaining interim and permanent housing to at least 450 Urban County homeless.	Complete.	\$22,224	\$22,289.92	1,864	72396	5118	281	187157	28	4	102	211	21	1864	0	0	0	100%		
17-32-PS	Contra Costa County Behavioral Health Services Homeless Outreach Program 1350 Arnold Drive, Ste 202 Martinez, CA 94553 (925) 313-7700	Contra Costa Adult Continuum of Services 2047-A Arnold Industrial Way Concord, CA 94520 - Urban County	The purpose of this program is to prevent homelessness by offering a safe shelter environment with critical support services. Objectives of the program are to give emergency shelter to homeless adults and provide services to help them transition to more permanent situations. Primary Performance Measurement: Provide shelter and supportive services to 150 Urban County homeless men and women to help them regain housing.	Complete.	\$54,000	\$54,000.00	421	18818	1611	7	2826	31	82	11	22	2	421	0	0	0	100%		

Goal	Category	Source / Amount	Indicator	Unit of Measure	Expected – Strategic Plan	Actual – Strategic Plan	Percent Complete	Expected – Program Year	Actual – Program Year	Percent Complete
AH-1 New Construction of Affordable Rental Housing	Affordable Housing	CDBG: \$ / HOME: \$ / ESG: \$	Rental units constructed	Household Housing Unit	125	104	83.20%	25	0	0.00%
AH-2 Homeownership Opportunities	Affordable Housing	CDBG: \$ / HOME: \$	Homeowner Housing Added	Household Housing Unit	20	12	60.00%			
AH-3 Maintain and Preserve Affordable Housing	Affordable Housing Non-Homeless Special Needs	CDBG: \$ / HOME: \$	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	0			0	0	
AH-3 Maintain and Preserve Affordable Housing	Affordable Housing Non-Homeless Special Needs	CDBG: \$ / HOME: \$	Rental units rehabilitated	Household Housing Unit	125	169	135.20%	25	141	564.00%
AH-3 Maintain and Preserve Affordable Housing	Affordable Housing Non-Homeless Special Needs	CDBG: \$ / HOME: \$	Homeowner Housing Rehabilitated	Household Housing Unit	75	70	93.33%	15	24	160.00%

**CONTRA COSTA COUNTY
FY 2017/18 CAPER
Infrastructure/Public Facilities Projects/CDBG Administration**

Project ID	Sponsor	Project Name/ Location	Project Objective/Description	Project Status	Total CDBG Funds Budgeted	FY 2017/18 Expenses	Total Served	Race/Ethnicity										Income				
								White Hisp.	LatAm Hisp.	Asian Hisp.	Am.Ind/ Native Hisp.	Am.Ind/ White Hisp.	Asian/ White Hisp.	Am.Ind/ LatAm Hisp.	Other Hisp.		30%	50%	60%	80%	% of total	
17-48E-IPF	Contra Costa Family Justice Alliance	West County Family Justice Center Roof Replacement Project	Roof replacement to the West County Family Justice Center building.	Underway. Project is under construction. Expected to be complete by October 2018.	\$ 95,000	\$ -																
17-48F-IPF	Martinez Early Childhood Center, Inc. 615 Arch Street Martinez, CA 94553 (925) 228-2002	Playground Safety Upgrades	Replace playground surfacing with Pour-In-Place rubber safety surfacing for compliance with State licensing requirements. In addition to the installation of shade structures for UV ray protection.	Complete.	\$ 39,805	\$ 36,484																
17-48G-IPF	Opportunity Junction	In-Place Capacity/Bathroom Expansion Project	Renovation and reconfiguration of existing bathrooms into four gender-neutral private bathrooms.	Complete.	\$ 95,000	\$ 95,000	107	41 0	0	0	0	0	0	0	0	52 52	0	0	0	0	96	88.7
17-48H-IPF	RYSE, Inc.	Acquisition of property located at 205 41st Street, Richmond	Acquisition of real property located at 205 41st Street, Richmond, where RYSE will occupy to continue to operate and provide services to low/moderate income youth that are primarily residents of Richmond.	Underway. Acquisition is complete and administrative review is in process before final payment and official close-out of the project.	\$ 180,000	\$ 175,000	37	14 1	7	2	0	2	0	0	2	0	10 10	31	3	0	2	97%
TOTALS					\$ 2,877,323	\$ 532,133.50	0															
Objective CD-4 Administration/Planning: Support development of viable urban communities through extending and strengthening partnerships among all levels of government and the private sector, and administer federal grant programs in a fiscally prudent manner.																						
CCC Conservation and Development Department 30 Muir Road - Martinez, CA 94553 (925) 674-7200	CDBG Program Administration	Provide oversight and administer the CDBG program.	Complete.		\$818,042.00	\$1,093,226.72	n/a															
TOTALS					\$818,042.00	\$1,093,226.72																
Not Applicable																						

This project will serve an area that meets the criteria for an "area benefit" activity.

Phone calls Log to request help with Housing Discrimination by Mary D Rose

MDR said: Requesting legal help for housing discrimination and CCC non compliance with Reasonabel Accommodations RA concerning building a disability friendly house in CCC. The County has imposed Conditions of Approval that are discriminatory, huge barriers to housing of my choice. Been over one year & CCC just denys appeals. Now at Board of Supervisor Appeal level and I need legal help to stop discrimination, ensure fair housing of my choice and proper application of RA civil rights.

Date	Phone #	Entity Name	Comments
11/18/2018	1-510-581-9380	Called Echo Housing	Left message no answer
11/19/2018	1-510-581-9380	Called Echo Housing	MDR spoke with Sandra Martinez from Echo Housing called. She said Echo does counseling for tenant/landlord problems. Said she would have Delia call be back to discuss.
11/19/2018	1-510-581-9380	Called Echo Housing	Delia from Echo Housing said they serve people with complaint about landlords, tenants, hotels, advertisements. Can not help with reasoanble accommodations of structure not yet built.
11/20/2018	1-510-663-4745	Echo Housing	Echo called back, they said they cant help with RA building housing area. Echo deals only with rental , evictions that sort of practice area. She told me to phone Bay Area Legal Aid 1-800-551-5554 .
11/20/2018	925-609-7900	CCC Senior Legal Services	Tina said the don't do the reasonable accommodation in the area of my issues. She said to call Disability Rights CA 1-800-776-5746 , they might help me.
11/21/2018	1-800-551-5554	Bay Area Legal Aid	Called, just rang and rang. Hung up. Thanksgiving week.
11/27/2018	1-800-551-5554	Bay Area Legal Aid	Called BALA, on hold for over 2 hours. Website says, "Get help through the Legal Advice Line, a free legal hotline available to <u>qualified low-income residents</u> living in the Bay Area. The Legal Advice Line provides counsel and advice." Attorney Louie advised MDR that they help with landlord, tenant issues, evictions and even reasonable accommodations with a landlord. But they do not help with County issue "outside their area of practice". MDR requested he check with his manager. He checked and his manager said it was outside of their practice area. Referred me to <u>Disability Rights CA, Oakland, 510-267-1200</u>. And <u>Independent Living Resources</u> in Concord 925-363-7293.

Strategic Plan

SP-05 Overview

Strategic Plan Overview

The Strategic Plan discusses the priority housing and community development needs of Contra Costa County as a whole and establishes objectives intended to meet those needs as well as strategies to implement the objectives.

Priority needs have been determined as the result of the needs assessment process. Assessment consisted of an analysis of the community setting including housing and population characteristics, consultations, public workshops, and an online survey.

Priority needs have been grouped into four major categories: Housing, Homeless, Non-housing Community Development, and Administration. Housing needs are further divided into affordable housing and special needs housing. Non-housing Community Development is divided into public services, economic development, and infrastructure/public facilities. Administration refers to the general administration of the CDBG, HOME, and ESG Programs.

SP-10 Geographic Priorities - 91.415, 91.215(a)(1)

Geographic Area

Table 49 - Geographic Priority Areas

1	Area Name:	Contra Costa County
	Area Type:	Countywide
	Other Target Area Description:	Countywide
	HUD Approval Date:	
	% of Low/ Mod:	
	Revital Type:	
	Other Revital Description:	
	Identify the neighborhood boundaries for this target area.	
	Include specific housing and commercial characteristics of this target area.	
	How did your consultation and citizen participation process help you to identify this neighborhood as a target area?	
	Identify the needs in this target area.	
	What are the opportunities for improvement in this target area?	
	Are there barriers to improvement in this target area?	

General Allocation Priorities

Describe the basis for allocating investments geographically within the state

The Contra Costa County HOME Consortium area is comprised of the unincorporated areas and incorporated cities/towns of the County, with the exception of the City of Richmond. The City of Richmond receives its own allocation of HOME Program funds from HUD and therefore is not part of the Contra Costa County HOME Consortium area. In terms of geographic distribution of investment of HOME funds, HOME housing activities will go towards all eligible areas of the HOME Consortium area to benefit low-income households.

Contra Costa County also receives an allocation of CDBG funds from HUD to benefit residents of the Urban County. The Urban County area is comprised of all the unincorporated areas and incorporated cities/towns of the County, minus the Cities of Antioch, Concord, Pittsburg, Richmond, and Walnut Creek. These five cities receive their own allocation of CDBG funds from HUD and therefore are not part of the Urban County area. In terms of specific geographic distribution of investments, infrastructure improvements and public facilities will be focused primarily in areas with concentrations of low- to

Attachment L
Index of Correspondence and Meetings

Date	Action	Summary
9/29/2017	Email from Appellant to DCD	Request for reasonable accommodations (details of requested accommodations not provided), summary of medical conditions, and copy of project site plan.
10/2/2017	Ltr from Appellant to DCD and PWD	Duplicate of 9/29/2017 email to DCD, but in hard copy form
10/20/2017	Ltr from Appellant to DCD	Revised reasonable accommodations request including details of the specific accommodations being requested
11/17/2017	Ltr from DCD to Appellant	Preliminary review and request for additional information with respect to setback and grading accommodations.
12/5/2017	Ltr from DCD to Appellant	Official Deputy Director Determination. All reasonable accommodations denied either due to insufficient documentation to support request or request not related to disability.
12/12/2017	Ltr from Appellant to DCD	Appeal of the Deputy Director's 12/5/2017 determination.
12/14/2017	Ltr from DCD to Appellant	Letter granting a requested extension of the filing period for the Final Map for one additional year, through December 2018.
4/30/2018	Mtg w/ DCD and appellant	Meeting to discuss requests.
5/9/2018	Ltr from DCD to Appellant	Official DCD Director's Determination. Appeal denied and Deputy Director's determination upheld. All reasonable accommodations denied either due to insufficient documentation to support request or request not related to disability.
5/21/2018	Ltr from Appellant to DCD	Appeal of the DCD Director's 5/9/2018 determination.
5/22/2018	Ltr from DCD to Appellant	Acknowledgement of timely appeal of DCD Director's 5/9/2018 determination.
6/5/2018	Ltr from Appellant to Clerk of the Board	Revised appeal of the DCD Director's 5/9/2018 determination. Submitted to replace original 5/21/2018 appeal.
6/13/2018	Mtg w/ DCD and appellant	Discussion of COAs, date for appeal hearing, private hearing request, status of tentative map, and fees/charges for reasonable accommodations review.

6/26/2018	Mtg w/ DCD, PWD, and Appellant	Meeting to discuss COAs
6/27/2018	Mtg w/ PWD and Appellant	Meeting to discuss COAs
7/3/2018	Ltr from DCD to Appellant	Letter memorializing the items discussed in meeting with staff on 6/13/2018.
7/9/2018	Ltr from Appellant to DCD, PWD, and Clerk of the Board	Supplemental information to support requests, copy of letter from appellant's consulting engineer, copy of notarized Deferred Improvement Agreement and associated communication with PWD.
8/23/2018	Ltr from DCD to Appellant	Letter clarifying procedural issues and scheduling BOS hearing dates.
8/30/2018	Ltr from Appellant to Clerk of the Board	Appellant's agreement to a 10/9/2018 appeal hearing before the BOS, request for a private appeal hearing, timeline of events from 9/8/2006 through 8/28/2018, request for privacy of medical information, documents of what appellant believes are examples of non-disabled persons receiving special privileges from the County, itemized costs the appellant has incurred, maps and plans to support desired design and location for the proposed residence on Parcel-B
9/11/2018	Ltr from Appellant to DCD	Supplemental information to support requests, request for a one-year extension of the project through December 31, 2019, and preliminary plans (site plan, floor plan, elevations) for the proposed residence.
10/11/2018	Mtg w/ DCD, PWD, and Appellant	Meeting to discuss COAs
10/22/2018	Conference Call w/ DCD and Appellant	Discussion on interpretation of DCD COAs and procedures for satisfying them.
10/25/2018	Mtg w/ PWD and Appellant	Meeting to discuss COAs
10/26/2018	Ltr from Appellant to DCD, PWD, and BOS	Request for additional reasonable accommodation.

11/2/2018	Ltr from DCD to Appellant	Revised DCD Director determination granting accommodations for reduced setbacks and unbalanced grading, but affirming denial of the remaining requests. Clarification that tentative map is valid through December 2020.
11/26/2018	Mtg w/ DCD, PWD, and Appellant	Meeting to discuss COAs
12/3/2018	Ltr from Appellant to Clerk of the Board	Information to support appeals, summary of Federal and State laws applicable to her request, list of injuries sustained as a result of reasonable accommodation review process, timeline of interactions with County staff, comparison of COAs from her subdivision against other projects in the area, and various appellant notes
12/4/2018	Mtg w/ PWD and Appellant	Meeting to Discuss COAs
12/6/2018	Ltr from DCD to Appellant	Letter advising that time & materials charges (\$3,726.48) assessed to County File #CV14-0042 in relation to the reasonable accommodations review have been waived.
1/10/2019	Ltr from PWD to Appellant	Letter detailing the documentation and actions needed to satisfy various PWD COAs.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Twentieth Anniversary of the Industrial Safety Ordinance

RECOMMENDATION(S):

ACCEPT report on the twentieth anniversary of the Industrial Safety Ordinance.

FISCAL IMPACT:

There is no fiscal impact.

BACKGROUND:

During the 1990s there were many serious incidents where there were fatalities, major impact to the community, or major damage onsite. The County's Board of Supervisor knew something needed to be done. They adopted the Industrial Safety Ordinance that went well beyond any other requirements to prevent accidents. The attached report shows the success of this ordinance.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Randy Sawyer,
925-335-3210

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

By: , Deputy

cc: Marcy Wilhelm, Randy Sawyer

ATTACHMENTS

Annual Report

Twentieth Anniversary of the Industrial Safety Ordinance



Twentieth Anniversary of the Industrial Safety Ordinance

In December 1998, Contra Costa County's Board of Supervisors adopted a landmark Industrial Safety Ordinance requiring regulated facilities in the County to implement comprehensive safety programs. The requirements of the Industrial Safety Ordinance (ISO) aimed to prevent chemical accidents are some of the most stringent in the United States, if not the world. The goal is for facilities to implement safety programs, instill a safety culture and management systems that prevents incidents that could have detrimental impacts to the surrounding communities. In addition, ISO mandated participation from industries, agencies, elected officials and the public at large.

During the 1990s, there were high severity incidents that occurred that caused major damage onsite, large community impacts or caused serious injuries or fatalities onsite that occurred almost every year. Below is a history of these incidents.

These incidents were of serious concern to the surrounding communities and the Board of Supervisors. The Board of Supervisors worked with refinery and chemical plant representatives, representatives of Oil, Chemical and Atomic Workers (OCAW)¹ and community members to develop the Industrial Safety Ordinance. The Board passed this ordinance in December 1998 and it became effective on January 15, 1999. There were two high severity incidents that occurred in February and March 1999 at facilities that are covered by either the County's or the City of Richmond's Industrial Safety Ordinances.² Since those two incidents, there has only been one incident of that severity, which was the 2012 Chevron Richmond Refinery Crude Unit fire.

History

1990's Major Chemical Accidents and Releases

Below is a listing of major accidents and releases that occurred in the County during the 1990s³.

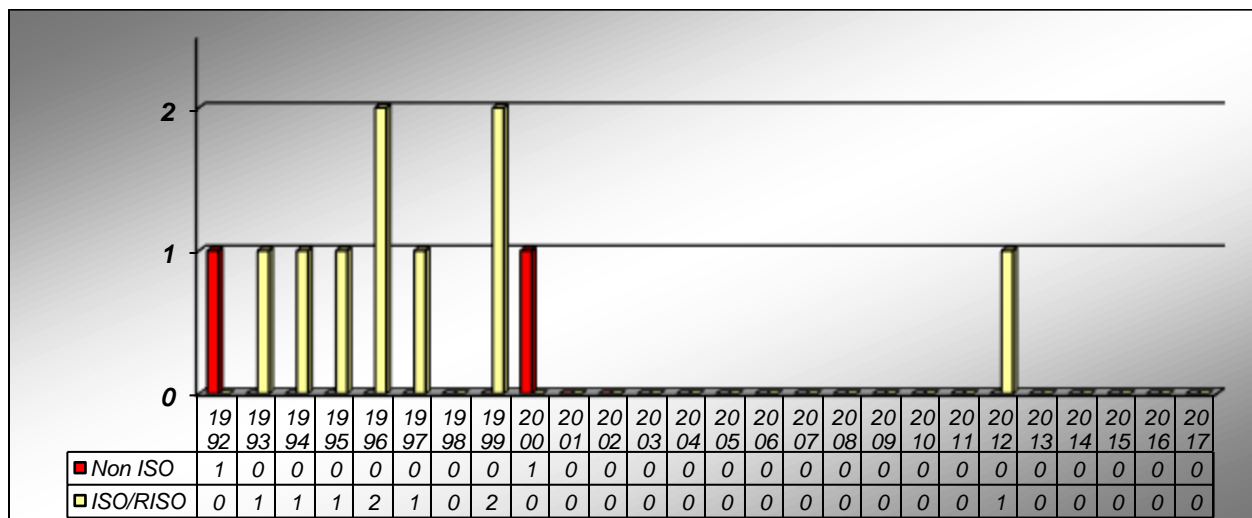
- May 1992 lube spent acid was released and ignited. One worker died and another was seriously injured and there was a major impact from the smoke and gas cloud that was formed.
- August 1993 four to eight tons of sulfur trioxide was released that reacted with the water in the air to produce a sulfuric acid cloud and more than 20,000 people sought medical attention.

¹ OCAW is now part of the United Steel Workers.

² The City of Richmond adopted the County's Industrial Safety Ordinance that became effective in February 2002.

³ Note that two of these incidents were at facilities that are not covered by either the County's or the City of Richmond's Industrial Safety Ordinance.

- September 1994 there was a release that occurred over 16 days that impacted the workers at the refinery and the surrounding community where more than 1,200 people sought medical attention at a special clinic established because of this release.
- June 1995 there was a crude unit fire where the refinery established alternative housing at a motel during and after the fire for more than 100 families.
- April 1996 there was a major release and fire at a catalytic gas unit that caused millions of dollars of damage at the facility and impact to the surrounding community from the smoke.
- May 1996 there was an accidental release of hot coke⁴ that ignited and caused millions of dollars of damage at the facility.
- January 1997 there was a runaway reaction at a hydrocracker unit, which caused increased temperatures and pressures and the outlet piping from the hydrocracker failed, killing one worker and injuring 46 contractor employees.
- February 1999 there was a crude unit fire where four employees died and one was seriously injured.
- March 1999 a six-inch valve failed at a gasoline process unit and a gas release occurred that exploded and ignited, causing millions of dollars of damage to the facility and smoke impacting the surrounding community.⁵



Major Chemical Accidents or Releases

Hazardous Materials Programs analyzed the Major Chemical Accidents or Releases (MCAR)

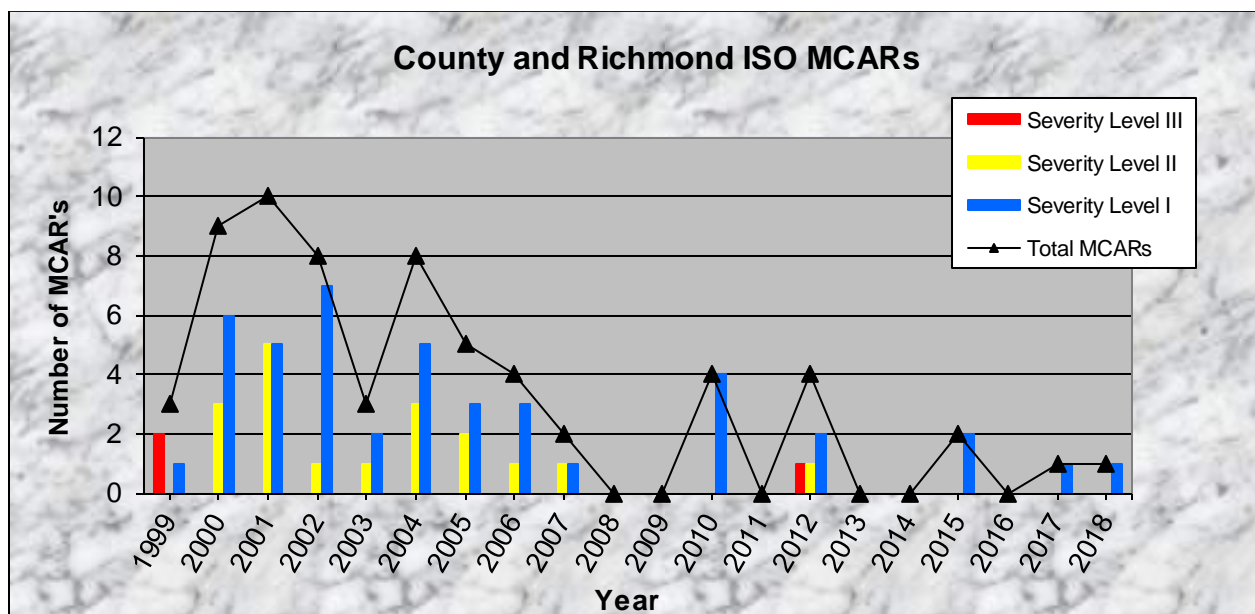
⁴ Coke is a petroleum byproduct of some refineries. Coke is similar to coal. A delayed coker is one type of equipment that is used to produce this coke. The coke is formed in a delayed coker at high temperatures and then cooled. When the coke is cooled it is then dropped from the coker to a containment area below the delayed coker. This accident occurred when the coke was dropped before it was cooled properly, which caused a major fire.

⁵ August 2012 a pipe failed on the Crude Unit Atmospheric Column. Gas oil was released, formed a vapor cloud and ignited. There were six minor injuries to emergency responders at the facility. Over 15,000 people sought medical attention as a result of the fire. This was the first Major Chemical Accidental Release that meets severity level 3 criteria since May 1999.

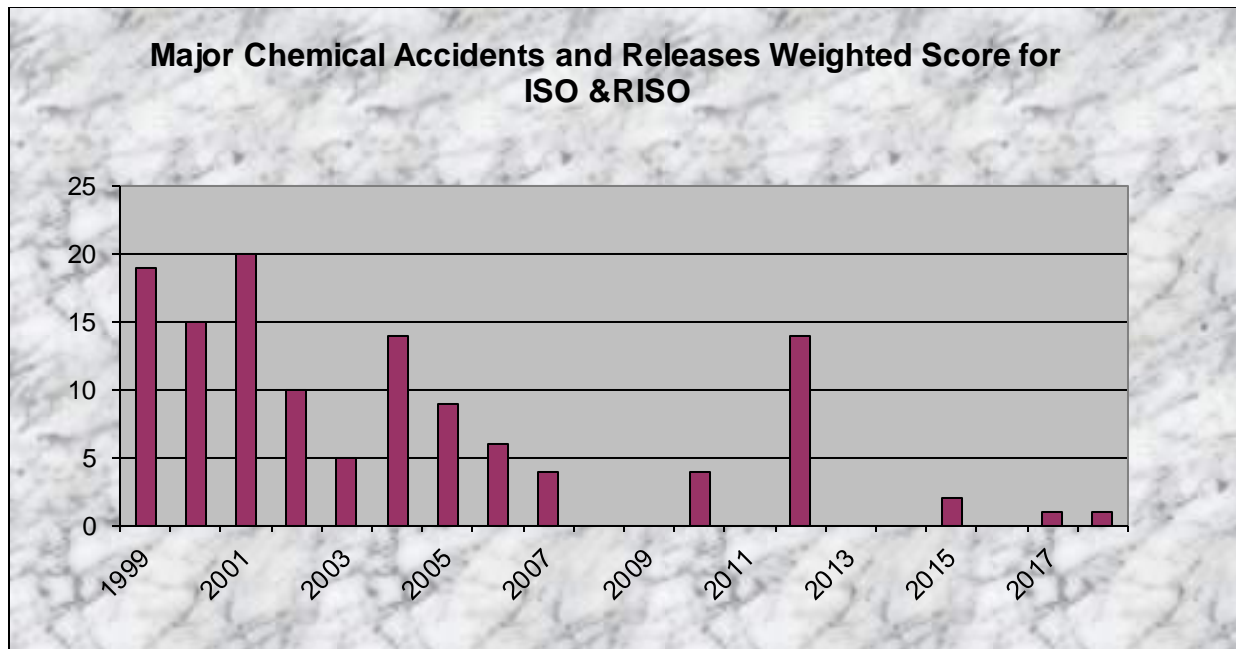
that occurred since the implementation of the Industrial Safety Ordinance. The analysis includes the number of MCARs and the severity of the MCARs. Three different levels of severity were assigned:

- *Severity Level III*—A fatality, serious injuries or major on-site and/or off-site damage occurred
- *Severity Level II*—An impact to the community occurred, or if the situation was slightly different the accident may have been considered major, or there is a recurring type of incident at that facility
- *Severity Level I*—A release where there was no or minor injuries, the release had no or slight impact to the community, or there was no or minor onsite damage

Below is a chart showing the number of MCARs from January 1999 through 2018 for the stationary sources subject to either the County's or the City of Richmond's Industrial Safety Ordinances.



A weighted score has been developed, giving more weight to the higher severity incidents and a lower weight to the less severe incidents. The purpose is to develop a metric of the overall process safety of facilities in the County, the facilities that are covered by the County and the City of Richmond Industrial Safety Ordinances. A severity level III incident is given 9 points, severity level II is given 3 points and severity level I is given 1 point. Below is a graph of this weighted scoring.



Conclusion

The success of the implementation of the Industrial Safety Ordinance has been recognized by the United State Chemical Safety and Hazard Investigation Board, by Congress with presentation to two Senate subcommittees, and California adopted regulations for petroleum refineries that used the Industrial Safety Ordinance as the model.

The success can be attributed to the changes the ordinance required, the work of the engineers implementing the program, and the culture change that occurred by the regulated facilities. What was at one time okay is no longer okay.



Contra
Costa
County

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: February 12, 2019

Subject: Report on General Plan Update - "Envision Contra Costa 2040"

RECOMMENDATION(S):

ACCEPT a report from the Department of Conservation and Development on "Envision Contra Costa 2040," the effort to update to the Contra Costa County General Plan, Zoning Code, and Climate Action Plan (CAP).

FISCAL IMPACT:

The project cost, which includes updates to the County General Plan, Zoning Code, and CAP, and preparation of an environmental impact report (EIR) to cover these actions, is estimated at approximately \$4.54 million. This effort is being financed by DCD's Land Development Fund and up to \$2.25 million from the County General Fund.

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 (rezoning, subdivisions, use permits, etc.) must be consistent with a 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.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/12/2019 ☐ 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: February 12, 2019

Contact: Will Nelson (925)
674-7791

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

On December 19, 2017, DCD staff reported to the Board on the status of the General Plan (see Attachment 1). The report explained the necessity of a comprehensive update and presented three basic options. The Board directed DCD to proceed with Option 2 for updating the General Plan along with a parallel update of the County Zoning Code, and to select a consultant to assist with this work. After completing the solicitation process, DCD selected PlaceWorks, a full-service planning and environmental consulting firm that has worked on over 75 general plans across the state. While not originally requested by the County, PlaceWorks included a CAP update in their proposed scope of work. PlaceWorks is primarily responsible for preparing the updated General Plan and CAP, along with the EIR, and is providing technical support to DCD staff for the Zoning Code Update. As the General Plan will cover the period from 2020 to 2040, staff has dubbed this effort "Envision Contra Costa 2040."

Since execution of the contract in September 2018, PlaceWorks and DCD staff have commenced work on the following items.

Public Outreach

Public outreach will constitute a significant portion of the overall effort and will occur in-person as well as online. Approximately 80 public meetings are planned. These include meetings before the Board of Supervisors, County Planning Commission, Sustainability Commission, and Hazardous Materials Commission; numerous community meetings; subregional workshops focusing on issues affecting larger geographic areas (e.g., traffic); and stakeholder focus groups that will provide opportunities for in-depth discussion of topics such as environmental justice, economic development and housing, community health, and sustainability. Attachment 2 outlines the preliminary outreach plan in more detail.

The bulk of the planned meetings will occur in and be focused on the various communities across the county. For communities where little change is anticipated over the life of the new General Plan, meetings will focus on coming to consensus on a vision statement that will guide future planning decisions. This is anticipated to occur over the course of one to two meetings. For communities where more change is anticipated, a series of three or more meetings may be necessary. In the communities where they exist staff will conduct these meetings through the Municipal Advisory Councils. Staff will coordinate with Supervisor District offices on meetings occurring in those districts.

The public can also engage in the process online, primarily through the dedicated website for the project: <https://envisioncontracosta2040.org> (the link currently points to the draft website; the public website will be launched after February 12 at this address). This website provides the background for Envision Contra Costa 2040, explains the process, offers access to documents, provides information on public meetings, and allows users to submit their comments and ideas directly to County staff. This website will be demonstrated during the February 12 Board Meeting. Information on Envision Contra Costa 2040 will also be available on DCD's new Facebook page.

Technical Advisory Working Group

DCD and PlaceWorks staff are currently forming the General Plan Update Technical Advisory Working Group (TAWG). At a minimum this group will include staff from the following departments: County Administrator, DCD, Public Works, Health Services, and Agriculture. The primary purpose of the TAWG is to provide guidance and technical input, and review interim work products. Members of the TAWG will also be responsible for ensuring that their respective departments understand the overarching goals of the General Plan Update and can implement the future General Plan's policies.

Vulnerability Assessment

The Vulnerability Assessment will analyze current and future hazard conditions throughout Contra Costa County, and emphasize changes to hazard frequency and severity due to climate change. Physical damage to buildings and infrastructure, vulnerability of persons likely to be disproportionately harmed by hazards, potential disruption to the county's economic engines, loss of important services, and damage to sensitive ecosystems will all be assessed. The Vulnerability Assessment will be based on the most current information available and draw from sources such as the State Cal-Adapt database, the California Adaptation Planning Guide, the 2018 State Hazard Mitigation Plan, and the 2018 Contra Costa County Hazard Mitigation Plan. The Vulnerability Assessment will be completed in April 2019.

Briefing Book

The Briefing Book, which is web based, introduces readers to Contra Costa County and highlights key issues and opportunities for the General Plan Update. The text is concise and easy to understand, and the "document" is richly illustrated with tables, photographs, and interactive maps. The Briefing Book provides information on the following topics: Planning Context; Land Use; Mobility; Sustainability and Resiliency; Economy; Housing; Environmental Justice; Community Health and Well-Being; Hazards and Safety; Natural and Cultural Resources; and Infrastructure and Services. The Briefing Book will be accessible through the Envision Contra Costa 2040 website, once that website is publicly launched shortly after February 12.

Next Steps

The Envision Contra Costa 2040 website will be publicly launched shortly after the Board of Supervisors meeting and staff anticipates holding the first community meetings in March. Staff anticipates providing another update to the Board in approximately six months.

CONSEQUENCE OF NEGATIVE ACTION:

None. The purpose of this action is to provide an update to the Board.

ATTACHMENTS

Attachment 1 - Board Order on General Plan Update 12/19/17

Attachment 2 - Preliminary Public Outreach Plan

Attachment 3 - Project Schedule



Contra
Costa
County

To: Board of Supervisors

From: John Kopchik, Director, Conservation & 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

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **12/19/2017** ☐ APPROVED AS RECOMMENDED ☒ OTHER

Clerks Notes:

See Addendum

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: Will Nelson, (925)
674-7791

cc:

FISCAL IMPACT: (CONT'D)

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.

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 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 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 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 (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 reconsolidations described above. This option focuses on bringing the General Plan up to date. Option 1 would include the nine items described in the reconsolidation 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.

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. 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.

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.

[\[1\]](#) 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.

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.

PRELIMINARY PUBLIC OUTREACH PLAN

	BOS and CPC Updates and Study Sessions* (BOS 3, CPC 6)	Sustainability Commission (5 Meetings)	Community-Based Meetings** (Approximately 50)	Subarea Workshops (3 Rounds of 3 Meetings)	Focus Group Meetings on Key Topics Such as Environmental Justice, Economic Development, Community Health, and Sustainability (Approximately 12)	Online Engagement
1 st Quarter 2019	BOS 1 (2/12/19) CPC 1 (3/13/19)	-	Identify issues and community visions	-	-	Launch website
2 nd Quarter 2019	CPC 2	Climate Action Plan inventory, forecasts, target setting, and goals (4/22/19)	Identify issues and community visions Formulate community goals and objectives	Open House: Project overview, identify issues/hopes/concerns	Gather initial input: Issues, data sources, priorities, etc. (broad invitation workshops)	Identify issues/ hopes/ concerns
3 rd Quarter 2019	BOS 2 CPC 3	Climate Action Plan greenhouse gas reduction measures development (2 meetings)	Formulate community goals and objectives	Open House – Ideas for General Plan, Zoning Code, and Climate Action Plan	Formulate draft policy options (smaller groups) Consider General Plan changes (smaller groups)	Online Open House: Gather ideas for General Plan, Zoning Code, and Climate Action Plan
4 th Quarter 2019	CPC 4	Draft Climate Action Plan development (2 meetings)	Feedback from communities on their community profiles	-	Consider Climate Action Plan changes (smaller groups)	Answer specific General Plan and Climate Action Plan questions
1 st Quarter 2020	BOS 3 CPC 5	-	-	-	-	-
2 nd Quarter 2020	-	-	-	-	-	Solicit feedback on Draft General Plan and Draft Climate Action Plan
3 rd Quarter 2020	CPC 6	-	-	Present Draft General Plan and Draft Climate Action Plan	-	-

*Does not include hearings to adopt the updated General Plan, Zoning Code, and Climate Action Plan

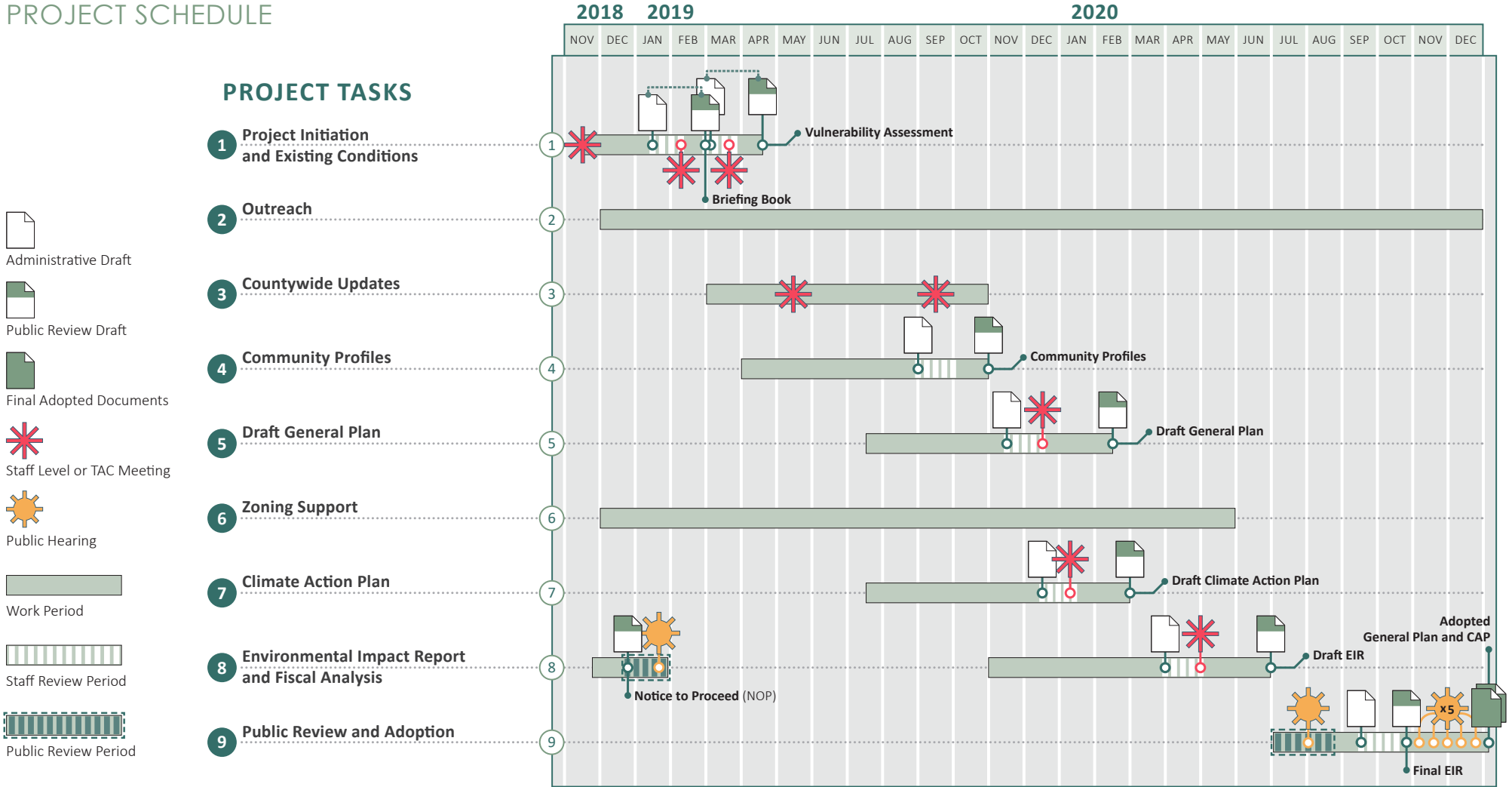
**Staff will coordinate with Supervisor District offices regarding all meetings in communities in each district.

BOS = Board of Supervisors

CPC = Planning Commission

ENVISION CONTRA COSTA 2040

PROJECT SCHEDULE





**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: February 12, 2019

Subject: Review and Approval of the Request for Proposal and Selection Process for Limited Commercial Cannabis Permits

RECOMMENDATION(S):

APPROVE the Request for Proposal (RFP) and selection process for the limited commercial cannabis permits uses and DIRECT the Department of Conservation and Development to release the RFP.

FISCAL IMPACT:

Staff costs to develop selection process are included in the Department's budget and paid for out of the Land Development Fund. The cost of reviewing commercial cannabis applications will be paid by applicants.

BACKGROUND:

The County's Cannabis Zoning Ordinance, (Chapters 88-28 and 84-86 of the County Code) (the "Zoning Ordinance") sets numeric limits on the number of land use permits that may be issued for three categories of commercial cannabis activities: storefront retailer (four), commercial cultivation (ten) and cannabis manufacturing in agricultural zoning districts (two). The Zoning Ordinance also provides for Board review and approval of the solicitation process to be used to request and evaluate proposals for these three permit categories and determine which proposals to invite to apply for a land use permit.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Ruben Hernandez,
925-674-7785

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

On December 18, 2018, the Department of Conservation and Development (DCD) presented to the Board a draft version of the Request for Proposal (RFP) packet to be used for selecting land use permit applicants for the numerically limited number of commercial cannabis permits to be issued in accordance with the recently adopted County Cannabis Ordinance.

At that meeting, DCD staff indicated that additional detail needed to be added to the RFP, specifically in relation to guidance to applicants, including but not limited to additional guidance regarding operating plans and security plans for the proposed commercial cannabis uses. Staff also informed the Board that they had been in contact with HdL Consultants, the consultant used to provide consulting services to the County for preparation of the County's cannabis tax measure (and who have assisted numerous jurisdictions with selection processes) and that staff was planning to seek detailed input on the RFP from HdL and reflect that in the next draft. The Board heard public comment from a number of individuals who offered a range of perspectives. Board members asked questions and provided guidance on the RFP and the selection process, including a request that the idea of including preferences in the scoring for locally-owned businesses be explored.

Attached please find a revised Draft RFP for Board consideration. Staff has received input from HdL Consultants and revised the document to incorporate their advice, with a particular emphasis on trying to provide clear guidance on what information is requested.

Staff has incorporated a “locally-owned business” metric into the “Community/Economic Benefit” portion of the RFP scoring table. “Locally-owned business” is proposed to be defined as a business with a majority of ownership shares held by Contra Costa residents (anywhere in the County). The basis for including a “locally-owned” metric into the scoring criteria is that by providing some preference to locally owned businesses, the following could be achieved:

1. Support business owners and property owners in Contra Costa County, including farmers, who want to establish commercial cannabis enterprises in Contra Costa County;
2. Promote the investment of profits earned by local-owned businesses into the purchases of local goods and services with the County;
3. Encourage innovation investment into the commercial cannabis industry by locally-owned businesses;
4. Foster the locally-owned supply chain for all areas of the burgeoning commercial cannabis industry;
5. By encouraging local residents to invest into Contra Costa County, promote Contra Costa County as a business-friendly destination for resources and investment.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board does not accept the commercial cannabis RFP and selection process presented today, issuance of the RFP will be delayed which will delay the land use permitting process for the specified limited commercial cannabis uses.

ATTACHMENTS

Draft RFP

**CONTRA COSTA COUNTY
DEPARTMENT OF CONSERVATION
AND DEVELOPMENT**



February 14, 2019

PRELIMINARY DRAFT
REQUEST FOR PROPOSALS (RFP) FOR
OPPORTUNITY TO APPLY FOR A COMMERCIAL
CANNABIS ACTIVITY LAND USE PERMIT

Deadlines:

Letter of Intent (LOI)

Thursday, April 4, 2019 by 4:00 P.M.

Proposals (by invitation only)

Thursday, June 27, 2019 by 4:00 P.M.

All submittals must be delivered in person to the following location:

Contra Costa County
Department of Conservation and Development
30 Muir Rd, Martinez, CA 94553
(925) 674-7205

TABLE OF CONTENTS

Section 1: Introduction

Section 2: Schedule

Section 3: RFP Instructions

Section 4: Scoring and Selection Process

Attachments:

- Attachment A: Letter of Intent Form

Section 1: Introduction

In accordance with the provisions of the Contra Costa County Cannabis Zoning Ordinance (Chapters [88-28](#) and [84-86](#) of the County Code) (the “Zoning Ordinance”) the County hereby invites interested parties to participate in the selection process for the opportunity to submit a land use permit (“LUP”) application for the establishment of one of three types of commercial cannabis activity permits with a limit (or “cap”) on the number of business that may be permitted by the County.

The following three types of commercial cannabis businesses have numeric limits and are the subject of this Request for Proposals (“RFP”):

- Storefront retailer (with or without delivery): **Cap = Four (4)**
- Commercial cultivation: **Cap = Ten (10)**
- Cannabis manufacturing in agricultural zoning districts: **Cap = Two (2)**

Proponents of these three types of businesses may only apply for an LUP upon receiving an invitation from the County following the completion of the selection process. Vertically-integrated businesses that include one or more of the three numerically-limited types must also respond to this RFP. Other types of commercial cannabis activities allowed under the Zoning Ordinance including delivery-only retailers, cannabis manufacturing businesses not located in an agricultural zoning district, cannabis testing laboratories and cannabis distribution businesses do not have a cap and do not need to respond to this RFP. However, all commercial cannabis activities require an LUP and other approvals, as more particularly described in the Zoning Ordinance.

All commercial cannabis activities must be located within specifically designated zoning districts and outside of the required buffer zones from sensitive uses, all in accordance with the Zoning Ordinance.

As authorized by the Contra Costa County Board of Supervisors (“Board of Supervisors” or “Board”), the Department of Conservation and Development (“DCD”) will administer the RFP selection process described in this document. The RFP process described below will be utilized to evaluate, qualify and score prospective land use permit applicants for the numerically-limited commercial cannabis activities described above.

As further described below, all parties interested in submitting proposals must first submit a Letter of Intent (LOI) that includes basic information about the proposed business. LOIs will be utilized to identify persons who meet certain minimum requirements for obtaining an LUP under the Zoning Ordinance (e.g., location and ownership interest, as more fully described in Section 3A) and to disqualify persons who do not meet those minimum requirements. All

persons who submit an LOI will receive a written response from DCD indicating whether or not they are invited to submit a proposal.

Parties invited to submit a proposal must do so by the deadline set forth in Table 1, on page 5, to be considered for an invitation to apply for an LUP. Submitted proposals will be evaluated, scored and ranked by County staff according to the Scoring Guidelines described in Section 4 below based on the written materials, an oral interview and a site visit. A ranked and scored list of prospective applicants will be provided to the Board of Supervisors along with a recommendation on which prospective applicants should be invited to apply for an LUP. The Board of Supervisors will consider the staff recommendation and determine which prospective applicants, if any, will be invited to apply for an LUP.

Steps in the RFP Process

The County's RFP process to select persons to invite to apply for an LUP will occur as follows (see Table 1 for dates and deadlines):

- i. County publishes RFP on its website and sends notice to those who have asked to be on the email notification list.
- ii. DCD conducts a question and answer meeting for prospective applicants that wish to attend. DCD also collects written questions through its website and publishes on its website a collective response.
- iii. Each prospective applicant submits a **Letter of Intent** (LOI) and required \$500 filing fee to DCD by the submission deadline.
- iv. DCD responds in writing to persons who submit an LOI to inform them whether or not they are invited to submit a proposal (See Section 3A for additional information on how the determination will be made).
- v. Each prospective applicant invited to do so submits a proposal and required \$2,500 filing fee to DCD by the submission deadline.
- vi. Proposals are evaluated, scored and ranked by a County staff team. The evaluations will be supplemented with information from oral interviews and site visits for Proposals that achieve minimum scores based solely on written materials. The County staff team will include representatives from multiple County Departments and agencies, including DCD, Health Services, Agriculture Weights and Measures, County Administrator's Office and the Contra Costa County Fire Protection District.
- vii. DCD prepares a report to the Board of Supervisors compiling the County staff team's recommendations on evaluating, scoring and ranking proposals.
- viii. Board of Supervisors considers whether to approve the scoring panel's recommendations and invite prospective applicants to apply for land use permits.

- ix. Letters sent to any prospective applicants selected by the Board (“Invitees”) inviting them to apply for an LUP prior to a specified deadline.

Steps after the RFP Process

- LUP applications submitted by Invitees will be processed by DCD in accordance with County Code requirements and will include compliance the California Environmental Quality Act (CEQA). LUP applications require a deposit (currently \$2,700) and require the applicant to pay for the County’s direct costs in reviewing the application on a time and materials basis. LUPs are discretionary permits and applications may be denied. One or more public hearings will be conducted to review the LUP. All LUPs for commercial cannabis activities will be heard initially by the County Zoning Administrator. An appeal of a Zoning Administrator decision will be heard by the County Planning Commission. An appeal of a Planning Commission decision will be heard by the County Board of Supervisors.
- Following approval by the appropriate hearing body, and after any appeals, DCD will issue an LUP for a commercial cannabis activity. An approved LUP will include required terms and conditions. The Zoning Ordinance describes the minimum mandatory terms and conditions that must be adhered to, but the LUP will include additional terms and conditions specific to the application. Prior to commencing operation of the activity, the applicant must document for DCD compliance with all LUP terms and conditions, including but not limited to securing all other necessary permits and approvals.
- Other required permits and approvals that must be secured before commencing operations include, but may not be limited to, the following:
 - Permit from the County Health Services Department issued pursuant to Commercial Cannabis Health Permit Code (Chapter 413-4 of the County Code)
 - Cannabis license(s) from the State of California
 - Business license from the County Treasurer-Tax Collector, and
 - Building permits from DCD for any and all construction activities.

Important Notices Regarding RFP Process

- In order to be eligible to apply for and receive an LUP for one of the limited commercial cannabis activities described above, the cannabis business operator must have control over a physical location located within a designated zoning district and outside of the cannabis exclusion zoning district and designated cannabis buffer zones for sensitive uses.

- An LUP may be revoked or suspended for reasons specified in the Zoning Ordinance.
- Persons submitting an LOI or a proposal must submit all materials in person by the specified deadlines. No late LOI's or proposals will be accepted.

Section 2: Schedule

Table 1: RFP Schedule

CANNABIS RFP SCHEDULE	
RFP Release Date	February 14, 2019 (estimated)
DCD Hosts Meeting to Answer Questions	Early March 2019
Letters of Intent Due	April 4, 2019 by 4 pm
DCD notifies submitters of LOI if they are invited to submit a Proposal by	May 9, 2019
Proposals due (by invitation only)	June 27, 2019 by 4 pm
Proposals evaluated, ranked and scored by County staff team. Oral interviews. Site visits.	July-September, 2019
Board considers staff recommendation and determines which respondents to invite to apply for an LUP	September/October, 2019 (estimated)

Section 3: RFP Instructions

A) Letter of Intent (LOI) Submittal

The LOI must be submitted in person to the Department of Conservation and Development by **4:00 P.M. on April 4, 2019**. Late LOIs will not be accepted and will be returned unopened to the submitter.

In order to be deemed acceptable, an LOI submission must include the following:

- ☐ A “Letter of Intent to Submit a Proposal to Apply for One of the Limited Commercial Cannabis Activity Permits” prepared as described in the attached **Letter of Intent Form (Attachment A)**;
- ☐ Letter of Intent (LOI) processing fee of \$500.00;
- ☐ Evidence of a secured location for the proposed cannabis business such as:
 - **Real Estate Letter of Intent**: A signed written term sheet, letter of intent, or exclusive negotiating agreement between two or more parties to sell, lease, or sublease property for a commercial cannabis use. To be acceptable, this document must provide an outline of the terms of the proposed agreement and clearly indicate that the property will be used for a commercial cannabis use. These terms can be further negotiated but must provide the basis for the proposed written agreement.
 - **Real Estate Purchase or Lease Option**: This is a signed written agreement for the purchase or lease of a specific piece of real property. With this document, the proposed buyer or lessee gains the exclusive right to purchase or lease the property for a commercial cannabis use. Once a potential buyer or lessee has an option to buy or lease a property, the owner cannot sell or lease the property to anyone else during the term of the option. The potential buyer or lessee pays for this option for a specific time period.
 - **Purchase Agreement**: This is a signed written agreement that a potential buyer will purchase a specific piece of property and the owner cannot sell to anyone else unless the terms of the agreement are not fulfilled.
 - **Lease Agreement**: This is a signed written agreement that gives a lessee certain rights to use and occupy specific property for a specified period of time and for a commercial cannabis use.
 - **Proof of Ownership**: This is a deed that shows that title to the real property belongs to the applicant/proposer.

DCD will review all LOIs received by the LOI submission deadline stated in this RFP. Within 30 days after the LOI submission deadline, DCD will provide a written notice to each person who submits an LOI stating whether that person is invited to submit a full proposal in response to this RFP. A party submitting an LOI will not be invited to submit a full proposal if DCD determines any of the following: (1) the LOI was not submitted by the LOI submission deadline; (2) the LOI is not accompanied by the LOI processing fee; (3) the LOI is incomplete or does not include sufficient information to support a determination that the proposed commercial cannabis activity will meet the requirements of the Zoning Ordinance; (4) the LOI is not accompanied by evidence of a secured location; or (5) DCD determines that information included in the LOI establishes that the requirements of the Zoning Ordinance cannot be satisfied.

B) Submittal of Proposal

A party may submit a proposal in response to the RFP if DCD notifies the party that its LOI has been accepted and the party is invited to submit a proposal.

To be considered, each LOI respondent invited to submit a proposal must submit the \$2,500 filing fee and **two (2) hardcopies** of the proposal in person to the Department of Conservation and Development no later than the deadline of 4:00 p.m. on Thursday, June 27, 2019. Late submittals will not be accepted.

At the close of the submittal period all proposals will be reviewed and ranked by a committee comprised of staff from various County departments. Proposals will be scored in accordance with the Scoring Guidelines shown in Table 2 of this RFP.

In order to ensure fair and consistent scoring and ranking of the proposals, a proposal must be prepared utilizing the guidelines found Sections 3 and 4 of this RFP. Once all of the proposals are ranked, a meeting will be scheduled before the County Board of Supervisors where the Board of Supervisors will make a final determination regarding which, if any, persons submitting proposals will be invited to apply for a LUP. Within two weeks after the final Board's decision, all parties who submitted proposals will be informed, in writing, of the status of their proposal and whether or not they have been selected to submit a LUP application for the commercial cannabis use(s) designated in their proposal.

C) Proposal Format

In order to ensure consistent evaluation of proposals, each proposal must be prepared in accordance with the guidelines provided below.

A proposal must include the following six sections in the following order:

- 1) COVER LETTER/OWNER QUALIFICATIONS**
- 2) LOCATION SUMMARY**
- 3) BUSINESS AND OPERATING PLAN**
 - a. **Business Plan**
 - b. **Site and Building Plans**
 - c. **Operating Plan**
 - d. **Additional required information for storefront retailers**
 - e. **Additional required information for commercial cultivation**
 - f. **Additional required information for cannabis manufacturing in agriculturally zoned areas**
- 4) SECURITY PLAN**
 - a. **Cannabis Manufacturing in Agricultural(A-) Zoning District**
- 5) SUSTAINABILITY/ODOR CONTROL**
- 6) COMMUNITY/ECONOMIC BENEFIT SUMMARY**

D) Instructions for Preparing Proposals

For each of the required six sections of the proposal, please provide the information requested below. Please also include information responsive to the Scoring Guidelines (Table 2 in Section 4). The Scoring Guidelines are categorized into sections that correspond with required six sections of the proposal.

1) COVER LETTER/OWNER QUALIFICATION

All proposals must include a cover letter that provides the following information:

- ☐ A one-page or less description of the proposed cannabis business which provides information on the type of activities to take place at the business,

including the type of products and/or services to be provided or handled, the type of cannabis, medicinal or recreational or both, the business will operate with, the market the business is expected to reach, etc.

- The type of State license(s) to be obtained
- Information on owner(s) of proposed business: The cover letter must include the name and address of each person or entity proposed to be responsible for the operation of the business. Such persons or entities include, but may not be limited to, each manager, each corporate officer, each individual with an ownership interest, each member of a board of directors, each general or limited partner, and each member of a decision-making body for the commercial cannabis activity.
- Statement of Qualifications. The cover letter must include a description of the owner's or owners' qualifications, including the qualifications of individuals proposed to oversee key aspects of the activity. Please focus on experience relevant to the proposal, including but not limited operating a business similar to that which is proposed.
- A statement that owner/applicant/business operator has read and understood the rules and permitting requirements of the Zoning Ordinance (Chapters 88-28 and 84-86 of the County Code) and of the Commercial Cannabis Health Permit Code (Chapter 413-4 of the County Code) available at:

https://library.municode.com/ca/contra_costa_county/codes/ordinance_code

2) LOCATION SUMMARY

Using the Key Metrics for Location found in the Scoring Guidelines (Table 2), provide a description of the proposed business location in terms of its surroundings, access, neighborhood character, visibility, etc., as well as a summary of the appropriateness of the location of the cannabis business and how it conforms to the location requirements of the Zoning Ordinance. The summary should also identify the nearest sensitive uses as provided in the Zoning Ordinance such as schools, day care centers, youth centers and drug treatment centers or any other potentially sensitive uses.

3) BUSINESS AND OPERATING PLAN

The operating plan portion of the proposal must include all of the following:

- a. Business Plan

- ☐ The business plan should provide a summary of the operational and financial objectives of the business and detailed plans and budgets showing how the objectives are to be realized. See the Scoring Criteria in Table 2 for additional detail.

b. Site and Building Plans

Proposal must include complete site plans and proposed building and floor plans. The plans must include the following information:

- ☐ The address and assessor's parcel number of the property or properties where the business will be located
- ☐ Site plans must identify all existing and proposed site improvements including building descriptions and locations, parking areas for employees and clients/customers, driveways, fencing, cannabis cultivation/canopy areas, storage and processing areas, secure areas, and the location of any and all other improvements on-site
- ☐ Floor plans must show existing and proposed floor plans. Floor plans must identify all building areas including secured areas, waiting areas, cultivation/grow areas, office areas, employee only areas, etc. and all other areas required by State regulations or the County Cannabis Ordinance and zoning code

c. Operating Plan

Proposal must include a detailed preliminary operating plan that, at a minimum, must include the following information:

- ☐ A standard operating procedures manual detailing how operations will comply with State and local regulations; how safety and quality of products will be ensured; record keeping procedures for financing, testing, and other items records required to be kept by State law; and product recall procedures.
- ☐ Proposed hours of operation.
- ☐ Waste disposal information.
- ☐ Medical recommendation verification procedures, if applicable, and youth access restriction procedures.
- ☐ A record keeping policy that ensures records will be kept in accordance with State laws and regulations.
- ☐ A description of track and trace measures that will be implemented.

- ❑ An odor control plan that describes how the business will prevent odors from impacting neighboring parcels or creating a public nuisance.
- ❑ Size, height, colors, design and location of any proposed signage at the business.
- ❑ A parking plan that establishes how all off-street parking requirements will be met.
- ❑ A security plan that establishes how all security requirements in State laws and regulations will be satisfied. [Staff anticipates proposing to add additional detail to the requirements outlined in this paragraph either here or in the selection criteria]
- ❑ Details regarding how cannabis and cannabis products will be received, stored, handled, transported, and secured to prevent theft and trespass.

d. Additional Information Required for Storefront Retail

In addition to the information required in Section (c) above, a proposal for a storefront retailer must provide information on how the following requirements will be satisfied:

- ❑ A storefront retailer's hours of operation may not begin earlier than 8:00 a.m., and they may not end later than 9:00 p.m.
- ❑ A retailer shall implement and maintain the security measures required by Business and Professions Code section 26070(j). At the same time that a retailer provides notice to a licensing authority and law enforcement under Business and Professions Code section 26070(k), the retailer shall provide that same notice to the Department.
- ❑ A proposal for a storefront retailer must indicate whether the storefront retailer will provide deliveries.
- ❑ If delivery is proposed, the shall show describe how its employees who deliver cannabis or cannabis products will comply with Section 88-28.412(b)(Deliveries) of the County Cannabis Ordinance.
- ❑ **Products:** A retailer shall ensure that all cannabis and cannabis products at the premises of the retailer are cultivated, manufactured, transported, distributed, and tested by licensed and permitted facilities that maintain operations in full conformance with all applicable state and local laws, regulations, and ordinances, including this chapter.

e. Additional Information Required for Commercial Cultivation

In addition to the information required in Section c. above, a proposal for commercial cultivation must provide information describing how the following requirements will be satisfied.

- ☐ A floor plan or site plan identifying the location, dimensions, and boundaries of all proposed canopy areas, taking into account space needed for ongoing care of plants, and a description of the proposed method of physically delineating those boundaries at the site.
- ☐ Proof of water service availability from a retail water supplier.
- ☐ Commercial cultivation may be located only in the following zoning districts outside of a cannabis exclusion (-CE) combining district: general agricultural (A-2); heavy agricultural (A-3); A-20 exclusive agricultural; A-40 exclusive agricultural; A-80 exclusive agricultural; planned unit (P-1) when commercial cultivation is permitted by the development plan; controlled manufacturing (C-M); light industrial (L-I); and heavy industrial (H-I). A business engaged in commercial cultivation may cultivate cannabis outdoors only if the business is located in a general agricultural (A-2), heavy agricultural (A-3), A-20 exclusive agricultural, A-40 exclusive agricultural, or A-80 exclusive agricultural zoning district located outside of a cannabis exclusion (-CE) combining district.
- ☐ **Indoor Commercial Cultivation:** All indoor commercial cultivation must be conducted within a building, as defined in Section 82-4.210, or within a greenhouse. No indoor commercial cultivation may be conducted indoors within a residential building.

***Cultivation Area Size Information**

- ☐ **Indoor Commercial Cultivation:** The proposal shall describe the total maximum proposed canopy size. Per the County Cannabis Ordinance, the total canopy size for indoor commercial cultivation in other than agricultural zoning districts may not exceed the lesser of:
 - Twenty-two thousand square feet, or
 - The maximum size authorized by the State license for the business
 - Indoor commercial cultivation in an agricultural zoning district may not be located in any building that is larger than ten thousand square feet of floor area.

- **Outdoor Commercial Cultivation:** The proposal shall describe the total maximum proposed canopy size. Per the County Cannabis Ordinance, the total canopy size for outdoor commercial cultivation may not exceed the lesser of:
 - Two acres
 - The maximum size authorized by the State license for the business.

f. Additional Information Required for Cannabis Manufacturing in Agricultural Zones

In addition to the information required in Section (c) above, a proposal for commercial manufacturing activities within an agricultural zoning district must provide information describing how the following requirements will be satisfied.

- **No Volatile Solvents.** Cannabis manufacturing that will require a State "Type 7" license, or will use volatile solvents, is prohibited.
- **Products.** A cannabis manufacturing business in agricultural zoning shall ensure that all manufactured cannabis products are cultivated, transported, distributed, and tested by licensed and permitted facilities that maintain operations in full conformance with State laws and regulations and the applicable requirements of this chapter. A cannabis manufacturing business shall maintain adequate quality control measures to ensure cannabis and cannabis products manufactured at the site meet applicable requirements of State laws and regulations.
- **Employee Training.** A cannabis manufacturing business shall ensure that all employees of the business operating potentially hazardous equipment are trained on the proper use of equipment and on the proper hazard response protocols in the event of equipment failure.

4) SECURITY PLAN

A proposal must include a security plan that establishes how all security requirements in State laws and regulations will be satisfied.

The security plan must clearly identify the security measures to both deter and prevent unauthorized entrance into areas of the business used for cultivation, including the following measures.

- **Indoor commercial cultivation areas** must be locked, and no cannabis plants may be visible from outside of the indoor commercial cultivation areas. Outdoor cultivation areas and greenhouses must be fenced and all gates must be locked. Fencing surrounding outdoor cultivation areas and greenhouses

must be designed and maintained to ensure those areas and greenhouses are not visible from adjacent lots, private roads, and public rights of way.

- ☐ Access to the premises must be limited to authorized personnel.
- ☐ The premises must include an alarm system and security cameras to monitor all cultivation areas and all entryways. The alarm system and security cameras must be monitored twenty-four-hours per day by a licensed alarm company operator.

a. Cannabis Manufacturing in Agricultural(A-) Zoning District

- ☐ A cannabis manufacturing business in agricultural zoning shall implement and maintain sufficient security measures to both deter and prevent unauthorized entrance into areas containing cannabis or cannabis products, including an alarm system and security cameras that monitor all manufacturing areas and entryways and that are monitored twenty-four-hours per day by a licensed alarm company operator.

5) SUSTAINABILITY

- ☐ Proposal must provide a complete explanation of all proposed measures to ensure the sustainability of the business, including but not limited to a description of energy generation and efficiency measures, high efficiency mechanical systems, and alternative fuel transportation methods.
- ☐ Proposal must provide the following information in relation to water use:
 - A description of the water source to be used for the business.
 - For commercial cultivation and other uses that require significant water, a water management and conservation plan that identifies sustainability measures that will be utilized at the business, including water efficiency measures
 - To the maximum extent feasible, water conservation measures, water recapture systems, drip irrigation, raised beds, or grey water systems must be incorporated in cannabis cultivation operations in order to minimize use of water.
 - A waste water management plan.
- ☐ For indoor commercial cultivation businesses please provide an explanation on how the operation shall satisfy its electricity demands by (1) providing onsite renewable energy generation, or (2) purchasing electricity that is generated entirely from renewable sources, or a combination of (1) and (2).

- ❑ A description of efforts to avoid and minimize air emissions, including emissions from vehicles and operations.
- ❑ A commercial cultivation or manufacturing business located outside the urban limit line shall include measures to avoid and minimize impacts on rural infrastructure, including but not limited to water, sewer, and transportation infrastructure.

Important Notice Regarding Water Usage for Commercial Cultivation

Per the County Cannabis Ordinance, water service for a commercial cultivation business must be provided by a retail water supplier with the following exceptions;

A commercial cultivation business may satisfy its water demand by pumping groundwater from a groundwater production well if all of the following criteria are met:

- a. The retail water supplier does not provide retail water service at all times during the year.
- b. Groundwater is used to satisfy water demand of the business only during those periods when the retail water supplier does not provide retail water service to the business.
- c. The use of groundwater by the business will not substantially deplete groundwater supplies, and will not substantially interfere with groundwater recharge, such that there would be a net deficit in aquifer volume or a lowering of the groundwater table level.

6) COMMUNITY/ECONOMIC BENEFIT SUMMARY

Using the Key Metrics for Community/Economic benefit in Table 2 below, provide a community/economic benefit statement describing the benefits the proposed business will have in these areas.

Section 4: Scoring and Selection Process

The County staff team will use the criteria detailed in the table below to evaluate, score and rank proposals and will prepare a report to the Board on the evaluations. To be considered eligible to be invited to apply for an LUP, a proposal must receive both (1) a minimum score of 70% of the available points in each category listed in Table 2, and (2) at

least 80% of the available points overall (at least 960 points). The Board of Supervisors will make the final determination on which, if any, persons submitting proposals will receive an invitation to apply for an LUP. Regardless of score, the Board may, in its discretion, determine on the basis of the proposals submitted not to invite any persons submitting proposals to apply for an LUP, or the Board may, in its discretion, invite a number of LUP applications that is less than the cap for the applicable category of commercial cannabis activity.

Table 2: Scoring Guidelines

Subject	Key Metrics	Point Value
1. Cover Letter/ Ownership Qualifications	<ul style="list-style-type: none"> • Thoroughness of Cover Letter in providing a complete picture of the proposed business and business operators ability to operate a successful business • Business owner experience operating a licensed cannabis business in another jurisdiction and/or experience operating a business similar to what is proposed • Description of any special business or professional qualifications or licenses relevant to the proposed business. • Performance during oral interview, including knowledge of state and local regulations, knowledge of the details of the proposals, ability to answer questions accurately and consistently, demonstrated ability to exercise good judgement and demonstrated ability and commitment to comply with the terms and conditions of any permit that is ultimately secured. 	200 pts.
2. Location	<ul style="list-style-type: none"> • Location clearly identified with address and detailed description, in appropriate zoning district and meets all the locational requirements as described in Section 88-28.410(b) of the County Zoning Ordinance. 	200 pts.

Table 2: Scoring Guidelines

Subject	Key Metrics	Point Value
<p>2. Location (continued)</p>	<ul style="list-style-type: none"> • Compliance with buffer/setback/sensitive use requirements of the Zoning Ordinance. • The business is located in an area that would not result in the undue influence of cannabis use upon sensitive populations such as children and those recovering from substance abuse. Distances from residential and other sensitive uses, such as schools, daycare centers, youth centers and drug/alcohol recovery facilities are maximized / exceed minimum requirements. • Proposed storefront retailer has a location that has public visibility to enable easy reporting of violations and nuisances, but is not highly visible to youth. • Proposed storefront retailer is readily accessible from public transit? (a benefit) • Proposed storefront retailer is readily accessible from major thoroughfares? (a benefit) • Compatibility with surrounding community and nearby land uses. • Provision of parking will meet or exceed required minimum off-street parking requirements. • Will not exacerbate crime in an high crime area (e.g. within a crime reporting district, where the general crime rate exceeds the countywide general crime rate by more than twenty percent) • The business is proposed to be located in an area that is safe and accessible by law enforcement and fire fighters. • Observed features of the property (lighting, parking, landscaping, access, etc.) are consistent with the proposed site plan. 	
<p>3. Business and Operating Plan</p>	<ul style="list-style-type: none"> • Completeness of operating plan and documented ability to comply with County Zoning Ordinance requirements. 	

Table 2: Scoring Guidelines

Subject	Key Metrics	Point Value
3. Business and Operating Plan	<ul style="list-style-type: none">• Completeness and effectiveness of inventory control plan• Floorplan/layout is clear and provides for safe and functional operation• Signage plan (interior and exterior), including plan for avoiding marketing to youth• Proposed design features, such as windows, primary entrance facing street, pedestrian improvements, no significant blank walls, removal of existing nonconforming features such as pole signs, security screening not visible from exterior• Timeline for beginning operation, including outline for any proposed construction/improvements and a deadline for completion• Are the proposed odor control measures likely to be effective in preventing odors that will disturb neighboring properties or create a nuisance and in protecting the quality of the indoor air for the health of employees and customers?• Budget for construction, operation, maintenance, compensation of employees, equipment costs, utility costs, and other operation costs is well thought out and reasonable. The budget must include a detailed pro forma for three years of operations and a description of the sources and uses of funds.• Proof of sufficient capital to cover first 3 months of operation (documentation of cash or other liquid assets on hand, Letters of Credit or other equivalent assets);	200 pts.

Table 2: Scoring Guidelines

Subject	Key Metrics	Point Value
4. Security Plan	<ul style="list-style-type: none"> • A complete security plan has been provided identifying all proposed security measures in detail • The security plan identifies and describes all active security measures • The security plan identifies and describes all proposed security measures • Active security measures are described in appropriate detail and will be effective • Passive security measures are described in appropriate detail and will be effective • Security camera plan is described in appropriate detail and will be effective • Information is provided on how site layout conducive to security • Information is provided on how interior layout conducive to security • Details on Employee background check measures • Product security measures • Document and cash storage security measures • Security measures beyond minimum standards 	200 pts.

Table 2: Scoring Guidelines

Subject	Key Metrics	Point Value
5.Sustainability	<ul style="list-style-type: none">• Would the proposed business meet the requirements of the Zoning Ordinance related to electricity generation, water use and control of any wastewater or runoff?• Would the business include any innovative sustainability measures in excess of minimum requirements?• Would the proposal aggressively avoid and minimize emissions, including vehicle emissions (especially diesel emissions) related to operation of the business?	100 pts.

Table 2: Scoring Guidelines

Subject	Key Metrics	Point Value
<p>6.Community /Economic Benefits</p>	<ul style="list-style-type: none"> • What benefits would the proposal offer to the community? • Would the anticipated tax revenue be substantial relative to other proposals? • Would the business serve a unmet need in the community, such as greatly access to cannabis for medicinal or adult-use purposes? • Would the business stimulate broader economic development and contribute substantial new jobs? • Would the business avoid negative impacts to the community and generally serve as a net community asset? • Would the business protect overall public health? • Is the business a locally-owned business, that is a majority of ownership is held by Contra Costa County residents? • Are the products to be sold, manufactured or handled by the proposed business designed to avoid encouraging use by children? • What other benefits would the business have for the broader community 	<p>200 pts.</p>

Table 2: Scoring Guidelines

Subject	Key Metrics	Point Value
7. Equitable Geographic Distribution	<ul style="list-style-type: none">• Would the proposal result in an undesirable concentration of a specific type of cannabis activity in an area of the County? (a significant detriment, particularly for storefront retailers near an existing retailer or a more highly ranked proposed retailer)• Would the proposal serve an area of the County that would not otherwise be served?	100 pts.

ATTACHMENT A

LETTER OF INTENT TEMPLATE

Date

Contra Costa County
Department of Conservation and Development
30 Muir Rd.
Martinez, CA 94553
Attn: Ruben Hernandez

RE: Letter of Intent to Submit Cannabis Business Proposal

Dear Mr. Hernandez;

I, the undersigned, attest that I am a duly authorized representative of the proposed cannabis business identified below:

Name of Business: _____

**Address of Proposed
Business Location:** _____

**Assessor's Parcel
Number:** _____

Zoning: _____ **General Plan:** _____

**Complies with Location
requirements of Section
88-28.410(b)** ☐ Yes ☐ No

Applicant: _____

**Applicant Notification
address:** _____

**Applicant Phone
Number:** _____

**Applicant Email
Address:** _____

I understand that I will be expected to receive all notices at the application notification address of the applicant. I further consent to receiving notice by email at (provide email address).

I am interested in applying for a (select one: (1) commercial cultivation, (2) storefront retail, (3) manufacturing in agricultural zone, or (4) a vertically-integrated business that includes at least one of (1), (2), or (3)) cannabis permit.

ATTACHMENT A

Preliminary Draft LETTER OF INTENT TEMPLATE

Further, I have secured a property located at (business address) which is located in the unincorporated area of Contra Costa County and located within the (Zoning) Zoning District, and located outside of both (1) the cannabis exclusion zoning district, and (2) the cannabis sensitive uses buffer zones identified in Section 88-28.410(b)(3) of the County Cannabis Ordinance.

Please find enclosed (e.g., a real estate letter of intent, a realestate purchase or lease option, purchase agreement, lease agreement or proof of ownership of the place where business will be located; a letter of interest is not acceptable) evidencing that I have secured a proposed site for the minimum requirement of two years.

I have also included \$500.00 for payment of the required Letter of Intent filing fee.

I understand that if I am selected to participate in the limited commercial cannabis activity RFP process I will be prepared to submit my proposal by **June 27, 2019**. I also understand that if County finds the RFP process unnecessary based on the number of LOIs submitted and the number of permits available, I am prepared to submit a land use permit application for the stated commercial cannabis use within 90 days of receiving notification. Furthermore, I understand that failure to submit a proposal or apply for a land use permit within that time periods described above automatically forfeits my opportunity to submit my proposal or land use permit.

Name

Title

Enclosures:

1. (e.g., a letter of intent to sign a lease, a lease, a purchase option, a purchase agreement, or evidence of ownership of the place where business will be located)
2. \$500.00 Letter of intent filing fee



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 12, 2019

Subject: Prohibit stopping, standing, or parking at all times on a portion of San Pablo Dam Road (Road No. 0961D), El Sobrante area.

RECOMMENDATION(S):

ADOPT Traffic Resolution No. 2019/4482 to prohibit stopping, standing, or parking at all times on both sides of San Pablo Dam Road (Road No. 0961D), beginning at the eastern curblin of Castro Ranch Road (Road No. 1461) and extending southerly a distance of 2,400 feet, as recommended by the Public Works Director, El Sobrante area. (District I)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

Upon request from Supervisor Gioia's Office to prohibit parking on both sides of San Pablo Dam Road, between Castro Ranch Road and the Richmond City Limit to the south, the Traffic Section of the Public Works Department proceeded to draft these restrictions with the attached Traffic Resolution. If adopted, the area will be signed notifying the public of the restriction to stopping, standing, or parking.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Monish Sen,
925.313.2187

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Parking will remain unrestricted.

ATTACHMENTS

Traffic Reso. 2019/4482

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

Adopted this Traffic Resolution on February 12, 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

TRAFFIC RESOLUTION NO. 2019/4482
Supervisory District 1

SUBJECT: Prohibit stopping, standing, or parking at all times on a portion of San Pablo Dam Road (Road No. 0961D), El Sobrante 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 22507 of the California Vehicle Code, stopping, standing, or parking is hereby declared to be prohibited at all times on both sides of San Pablo Dam Road (Road No. 0961D), El Sobrante area, beginning at the eastern curblane of Castro Ranch Road (Road No. 1461) and extending southerly a distance of 2,400 feet.

I hereby certify that this is 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

TRAFFIC RESOLUTION NO. 2019/4482



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 12, 2019

Subject: ACCEPT the 2018 Semi- Annual Report of Real Estate Acquisition Acceptances dated July 1, 2018 – December 31, 2018, Countywide.

RECOMMENDATION(S):

ACCEPT the 2018 Semi-Annual Report of Real Estate Acquisition Acceptances dated July 1, 2018 through December 31, 2018, approved by the Public Works Director, as submitted, Brentwood, Byron, Clayton, Concord, Martinez and Pinole areas. (No fiscal impact)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

Pursuant to the Contra Costa County, Ordinance Code, Title 11, Division 1108, Chapter 1108-8.002, "The Board of Supervisors authorizes the Public Works Director, or the designated deputy, to perform all acts necessary to approve and accept for the County, the acquisition of any interest in real property where the purchase price for the real property interest does not exceed one hundred thousand dollars (\$100,000)." The Public Works Director shall submit a semi-annual report to the Board of Supervisors on each acquisition done pursuant to this section, including the interest acquired, its price, and the necessity for the purchase, which is described in the attached Semi-Annual Acceptance Report.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Karen A. Laws,
925-957-2456

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

By: , Deputy

cc: Wiley Osborn, PW Information Technology, PW Records, Jon Suemnick, Flood Control, Auditor-Controller

CONSEQUENCE OF NEGATIVE ACTION:

The Board of Supervisors would not be informed of the acquisitions accepted by the Public Works Director pursuant to Contra Costa County Ordinance Code.

ATTACHMENTS

2018 Semi-Annual Acceptance Report

**2018 Semi-Annual Acceptance Report
of Real Estate Acquisition
July - December 2018**

CERT. NO.	AREA	PROJECT/PURPOSE	INTEREST	PRICE
18-12	Martinez	Pacheco Blvd. Sidewalk Gap Closure Phase III	Grant Deed & TCE*	\$25,000.00
18-13	Concord	Kirker Pass Rd. Northbound Truck Lanes	TCE*	\$4,500.00
18-14	Martinez	Pacheco Blvd. Sidewalk Gap Closure Phase III	TCE*	\$19,500.00
18-15	Pinole	Pinole Valley Rd. Embankment Repairs	Grant Deed	\$4,000.00
18-16	Brentwood	SR4 Bypass Balfour Rd. Interchange	Quitclaim Deed	N/A
18-17	Martinez	Pacheco Blvd. Sidewalk Gap Closure Phase III	TCE*	\$750.00
18-18	Martinez	Pacheco Blvd. Sidewalk Gap Closure Phase III	TCE*	\$3,000.00
18-19	Martinez	Alhambra Valley Road Wing Wall Repair	TCE*	\$500.00
18-20	Byron	Byron Highway At Camino Diablo	Grant Deed	\$54,341.00
18-21	Clayton	Marsh Creek Rd. Bridge Replacement	Grant of Easement	N/A



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 12, 2019

Subject: 2019/2020 Transportation Development Act (TDA) grant application for the Contra Costa County Active Transportation Plan

RECOMMENDATION(S):

ADOPT Resolution. No. 2019/33 approving and authorizing the Public Works Director, or designee, to submit a 2019/2020 Transportation Development Act (TDA) grant application to the Metropolitan Transportation Commission in the total amount of \$94,500 for fiscal year 2019/2020 for the Contra Costa County Active Transportation Plan, Countywide.

FISCAL IMPACT:

This project will be funded approximately by 78% State Grant Funds, 20% Transportation Development Act Grant Funds, and 2% Local Road Funds.

BACKGROUND:

The purpose of the proposed planning study is to highlight locations in unincorporated Contra Costa County where multi-modal infrastructure is deficient or nonexistent. Capital projects at these locations will then be prioritized through development of a rubric that considers collision history, high demand locations, cost, ease of construction, and ability to close gaps in infrastructure. The result of the study will be a database and map of proposed improvements rated into three tiers based upon priority. Staff has applied for a State funded grant to provide a majority of the funding for this study. TDA and local road funds would be combined to provide local matching funds.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Mary Halle,
925.313.2327

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Delay in approving the submittal of the grant application will result in a delay in the planning study and will jeopardize funding.

ATTACHMENTS

Resolution No. 2019/33

Reso. 2019/33 Attachments A & B

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

Adopted this Resolution on 02/12/2019 by the following vote:

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



Resolution No. 2019/33

IN THE MATTER OF approving and authorizing the Public Works Director, or designee, to submit a 2019/2020 Transportation Development Act (TDA) grant application to the Metropolitan Transportation Commission (MTC) in the total amount of \$94,500 for Fiscal Year 2019/2020 for the Contra Costa County Active Transportation Plan, Countywide.

WHEREAS, Article 3 of the TDA, Public Utilities Code (PUC) Section 99200 et seq., authorizes the submission of claims to a regional transportation planning agency for the funding of projects exclusively for the benefit and/or use of pedestrians and bicyclists; and

WHEREAS, MTC, as the regional transportation planning agency for the San Francisco Bay region, has adopted MTC Resolution No. 4108, entitled "Transportation Development Act, Article 3, Pedestrian and Bicycle Projects," which delineates procedures and criteria for submission of requests for the allocation of "TDA Article 3" funding; and

WHEREAS, MTC Resolution No. 4108 requires that requests for the allocation of TDA Article 3 funding be submitted as part of a single, countywide coordinated claim from each county in the San Francisco Bay region; and

WHEREAS, Contra Costa County desires to submit a request to MTC for the allocation of TDA Article 3 funds to support the projects described in Attachment B to this resolution, which are for the exclusive benefit and/or use of pedestrians and/or bicyclists;

NOW, THEREFORE, BE IT RESOLVED, that Contra Costa County declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code;

FURTHER BE IT RESOLVED, that there is no pending or threatened litigation that might adversely affect the project or projects described in Attachment B to this resolution, or that might impair the ability of Contra Costa County to carry out the project; and

FURTHER BE IT RESOLVED, that the project has been reviewed by the Bicycle Advisory Committee (BAC) of Contra Costa County; and

FURTHER BE IT RESOLVED, that Contra Costa County attests to the accuracy of and approves the statements in Attachment A to this resolution; and

FURTHER BE IT RESOLVED, that a certified copy of this resolution and its attachments, and any accompanying supporting materials shall be forwarded to the congestion management agency, countywide transportation planning agency, or county association of governments, as the case may be, of Contra Costa County for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

I hereby certify that this 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: Mary Halle, 925.313.2327

ATTESTED: February 12, 2019

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

By: , Deputy

cc:

RESOLUTION NO. 2019/33

ATTACHMENT A

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2019/2020 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

FINDINGS

1. That Contra Costa County is not legally impeded from submitting a request to the Metropolitan Transportation Commission for the allocation of Transportation Development Act (TDA) Article 3 funds, nor is Contra Costa County legally impeded from undertaking the project(s) described in “Attachment B” of this resolution.
2. That Contra Costa County has committed adequate staffing resources to complete the project(s) described in Attachment B.
3. A review of the project(s) described in Attachment B has resulted in the consideration of all pertinent matters, including those related to environmental and right-of-way permits and clearances, attendant to the successful completion of the project(s).
4. Issues attendant to securing environmental and right of way permits and clearances for the projects described in Attachment B have been reviewed and will be concluded in a manner and on a schedule that will not jeopardize the deadline for the use of the TDA funds being requested.
5. That the project(s) described in Attachment B complies with the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.).
6. That as portrayed in the budgetary description(s) of the project(s) in Attachment B, the sources of funding other than TDA are assured and adequate for completion of the project(s).
7. That the project(s) described in Attachment B are for capital construction and/or design engineering; and/or for the maintenance of a Class I bikeway which is closed to motorized traffic; and/or for the purposes of restriping Class II bicycle lanes; and/or for the development or support of a bicycle safety education program; and/or for the development of a comprehensive bicycle and/or pedestrian facilities plan, and an allocation of TDA Article 3 funding for such a plan has not been received by Contra Costa County within the prior five fiscal years.
8. That the project(s) described in Attachment B is included in a locally approved bicycle, pedestrian, transit, multimodal, complete streets, or other relevant plan.
9. That any project described in Attachment B that is a bikeway meets the mandatory minimum safety design criteria published in Chapter 1000 of the California Highway Design Manual.
10. That the project(s) described in Attachment B will be completed before the funds expire.
11. That the Contra Costa County agrees to maintain, or provide for the maintenance of, the project(s) and facilities described in Attachment B, for the benefit of and use by the public.

RESOLUTION NO. 2019/33

ATTACHMENT B

TDA ARTICLE 3 PROJECT APPLICATION FORM

Fiscal Year of this Claim: **2019/2020** Applicant: **Contra Costa County Public Works Department**

Contact Person: **Mary Halle**

Mailing Address: **255 Glacier Drive, Martinez, CA 94553**

E-Mail Address: **mary.halle@pw.cccounty.us** Telephone: **925-313-2327**

Secondary Contact (in event primary not available): **Jeff Valeros**

E-Mail Address: **jeff.valeros@pw.cccounty.us** Telephone: **925-313-2031**

Short Title Description of Project: **Contra Costa County Active Transportation Plan**

Amount of claim: **\$94,500**

Functional Description of Project:

The purpose of the proposed planning study is to highlight locations in unincorporated Contra Costa County where multi-modal infrastructure is deficient or nonexistent. Capital projects at these locations will then be prioritized through development of a rubric that considers collision history, high demand locations, cost, ease of construction, and ability to close gaps in infrastructure. The result of the study will be a database and map of proposed improvements rated into three tiers based upon priority.

Financial Plan:

List the project elements for which TDA funding is being requested (e.g., planning, engineering, and construction, contingency). Use the table below to show the project budget for the phase being funded or total project. Include prior and proposed future funding of the project. Planning funds may only be used for comprehensive bicycle and pedestrian plans. Project level planning is not an eligible use of TDA Article 3.

Project Elements:

Funding Source	All Prior FYs	Application FY	Next FY	Following FYs	Totals
TDA Article 3		\$94,500			\$94,500
list all other sources:					
1. Local Funds		\$10,500			\$10,500
2. Pending State Grant		\$190,000	\$190,000		\$380,000
Totals		\$295,000	\$190,000		\$485,000

Project Eligibility:	YES?/NO?
A. Has the project been approved by the claimant's governing body? (If "NO," provide the approximate date approval is anticipated). <u>February 12, 2019</u>	PENDING
B. Has this project previously received TDA Article 3 funding? If "YES," provide an explanation on a separate page.	NO
C. For "bikeways," does the project meet Caltrans minimum safety design criteria pursuant to Chapter 1000 of the California Highway Design Manual? (Available on the internet via: http://www.dot.ca.gov).	N/A
D. Has the project been reviewed by a Bicycle Advisory Committee (BAC)? (If "NO," provide an explanation). Enter date the project was reviewed by the BAC: <u>December 10, 2018</u>	YES
E. Has the public availability of the environmental compliance documentation for the project (pursuant to CEQA) been evidenced by the dated stamping of the document by the county clerk or county recorder? (required only for projects that include construction).	N/A
F. Will the project be completed before the allocation expires? Enter the anticipated completion date of project (month and year) <u>12/2020</u>	YES
G. Have provisions been made by the claimant to maintain the project or facility, or has the claimant arranged for such maintenance by another agency? (If an agency other than the Claimant is to maintain the facility provide its name: _____)	N/A



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 12, 2019

Subject: APPROVE Notice of Intention to Sell 2710 East Tregallas Road and collectively 28 – 34 Drake Street and 2515 Lindberg Street, Antioch area.

RECOMMENDATION(S):

APPROVE the Notice of Intention (“NOI”) to Sell Real Property at public auction, identified as Assessor’s Parcel Number 068-151-016, located at 2710 East Tregallas Road and collectively Assessor’s Parcel Numbers 067-283-010, 011, 012, and 013 located at 28, 30, and 34 Drake Street, and 2515 Lindberg Street, pursuant to Government Code Section 25363, Antioch area. (Project No. 4660-6X4168)

DETERMINE that the parcels of land acquired for highway purposes described in the NOI attached hereto and incorporated herein, are surplus and no longer required for public use.

DECLARE Contra Costa County’s (County) intention to sell said properties under the Terms and Conditions of an Option Agreement referred to in the attached Notice of Public Land Sale for said properties prepared by the Real Estate Division of the Public Works Department (Real Estate).

APPROVE the Notice of Public Land Sale; and DIRECT Real Estate to publish the NOI in the East Contra Costa Times and Contra Costa Times pursuant to Government Code Section 25363.

The Board sets April 3, 2019, at 10:00 a.m. at 255 Glacier Drive, Martinez, California as the time and place where oral bids will be

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Michael Serrano (925)
957-2489

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

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

received and considered.

FISCAL IMPACT:

100% Contra Costa Transportation Authority

BACKGROUND:

From 2009 through 2011 the County acquired right of way for CCTA's State Route 4 East Widening Project from Somersville Road to State Route 160 (Segment 3A). CCTA no longer needs the remainder of these properties for State Highway purposes and wishes to dispose of the parcels as surplus property. On June 27, 2006 the Board of Supervisors ADOPTED the Mitigated Negative Declaration for the State Route 4 (East) Widening Project. [(SCH#20040921350)].

CONSEQUENCE OF NEGATIVE ACTION:

The County would own and be liable for maintenance of these properties.

ATTACHMENTS

Notice of Public Land Sale

NOI

**CONTRA COSTA COUNTY
PUBLIC WORKS DEPARTMENT
255 Glacier Drive
Martinez, CA 94553**

**NOTICE OF PUBLIC LAND SALE
Option to Purchase Auction Sale**

(Government Code § 25363)



DATE: Wednesday, April 3, 2019
TIME: 10:00 a.m.
PLACE: Public Works Department
255 Glacier Drive, Martinez
Conference Room "A"

If you have special accessibility needs to attend the auction, please provide 72-hour notice by calling (925)957-2489, or by email at michael.serrano@pw.cccounty.us or by accessing a telecommunications device for the deaf by calling 1-800-735-2929 and asking the relay service operator for (925) 957-2489.

Contra Costa County (County) will sell individually at public auction to the highest responsible bidder, the real properties hereinafter described, which are no longer required for public use:

PROPERTY INFORMATION:

Assessor's Parcel No.: 068-151-016 – 2710 E. Tregallas Road, Antioch, CA

Minimum Bid: \$75,000

7,800 sf vacant land

Zone: R-6

General Plan Land Use: Commercial

Single Family Residential Development



Assessor's Parcel Nos.: 067-283-010, -011, -012, & -013 – 28 Drake Street, 30 Drake Street, 34 Drake Street and 2515 Lindberg Street, Antioch, CA

Minimum Bid: \$125,000

22,800 sf (combined) vacant land

Zone: R-6

General Plan Land Use: Office

Single Family Residential Development



OPTION DEPOSIT AMOUNTS:

- \$7,500 for Assessor's Parcel No.: 068-151-016 – 2710 E. Tregallas Road, Antioch, CA.
- \$10,000 for Assessor's Parcel Nos.: 067-283-010, -011, -012, & -013 – 28 Drake Street, 30 Drake Street, 34 Drake Street, and 2515 Lindberg Street, Antioch, CA. ALL PAYMENTS ARE TO BE IN THE FORM OF A CASHIER'S CHECK, CERTIFIED CHECK OR MONEY ORDER (NO PERSONAL CHECKS) payable to Contra Costa County.

OPTION PERIOD: 30 Days after acceptance of the bid by the Contra Costa County Board of Supervisors.

The County reserves the right to reject any and all bids received.

The properties will be sold "**AS-IS**" with no warranty as to their condition and possible uses and the purchaser assumes all risks and responsibilities.

Said sales will be done in accordance with the Terms and Conditions of Sale and Option Agreement which can be viewed online, along with additional information, at the Contra Costa County Public Works Department website (<http://www.co.contra-costa.ca.us/471/Surplus-Property>), or by visiting the Public Works Department, located at 255 Glacier Drive, Martinez, California 94553, or may be requested by phone to be mailed by calling Michael Serrano at (925)957-2489.

**CONTRA COSTA COUNTY
PUBLIC WORKS DEPARTMENT
255 Glacier Drive
Martinez, CA 94553**

NOTICE OF INTENTION TO SELL REAL PROPERTY

(Government Code § 25363)

Contra Costa County's (County) Real Estate Division will sell individually at public auction to the highest responsible bidder, the real properties hereinafter described, which are no longer required for public use:

Assessor's Parcel No. 068-151-016, is a 7,800 sf vacant lot, located at 2710 E. Tregallas Road in Antioch, California in a Single Family Residential Development with a General Plan Land Use of R-6 Commercial.

Assessor's Parcel Nos. 067-283-010, -011, -012, and -013 are collectively a 22,800 sf vacant lot, located at 28 Drake Street, 30 Drake Street, 34 Drake Street and 2515 Lindberg Street in Antioch, California in a Single Family Residential Development with a General Plan Land Use of R-6, Office, may require a General Plan Amendment.

The auction will be held at 255 Glacier Drive, Martinez, California, on April 3, 2019 at 10 a.m.

The sale will be done in accordance with the Terms and Conditions of an Option Agreement which can be viewed online at the Contra Costa County Public Works Department website (<http://www.co.contra-costa.ca.us/471/Surplus-Property>) or by visiting the Public Works Department, located at 255 Glacier Drive, Martinez, California 94553, or may be requested by phone to be mailed by calling Michael Serrano at (925) 957-2489.

The County reserves the right to reject any and all bids received.

The properties will be sold "AS-IS" with no warranty as to their condition and possible uses and the purchaser assumes all risks and responsibilities.

I hereby certify that this is 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



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 12, 2019

Subject: Contract Amendment with Dynamic Dzyne Associates, Inc. d/b/a Substrate, Inc., Clayton area.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment with Dynamic Dzyne Associates, Inc. d/b/a Substrate, Inc., effective February 12, 2019, to increase the payment limit by \$55,000 to a new payment limit of \$655,000, with no change to the original term May 1, 2018 to June 30, 2019, for construction management services for the Marsh Creek Road Bridge Replacement Project, Clayton area. (Federal Project No. BRLS-5928-(107), County Project No. 0662-6R4079) (District III)

FISCAL IMPACT:

This project, including the CSA, is funded by 88.53% Federal Highway Bridge Program Funds and 11.47% Local Road Funds.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Kevin Emigh,
925-313-2233

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

By: , Deputy

cc:

BACKGROUND:

The Project consists of removal of existing bridge, construction of new bridge, roadway section approaching to bridge, retaining walls, reconstruct driveway, and installation of new waterline in Clayton, California. Substrate, Inc. was selected to provide construction management services for the project.

Proposed Amendment No. 1 will amend the payment limits in order to provide additional construction management services that are needed to successfully complete the project.

CONSEQUENCE OF NEGATIVE ACTION:

The project completion would be delayed and federal funds would be in jeopardy.



**Contra
Costa
County**

To: Board of Supervisors

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

Date: February 12, 2019

Subject: 2019/2020 Transportation Development Act grant application for the Oak Road Bikeway Project, Walnut Creek area.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

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

Contact: Sandeep Singh
925-313-2022

By: , Deputy

cc: Ave' Brown

RECOMMENDATION(S): (CONT'D)

ADOPT Resolution No. 2019/43 approving and authorizing the Public Works Director, or designee, to submit a 2019/2020 Transportation Development Act (TDA) grant application to the Metropolitan Transportation Commission in the total amount of \$100,000 for the fiscal year 2019/2020 for the Oak Road Bikeway Project.

AUTHORIZE the Public Works Director, or designee, to advertise the Project, Walnut Creek area. [County Project No. 0676-6P1025, DCD-CP#18-47] (District IV).

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

DIRECT the Director of 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 Conservation and Development for processing, and a \$50 fee to the County Clerk for filing the Notice of Exemption.

FISCAL IMPACT:

Estimated Project cost: \$167,000. This project will be funded approximately, 60% Transportation Development Act Funds, 40% Local Road Funds.

BACKGROUND:

The purpose of this project is to improve bicyclist safety along a 2,040-foot segment of Oak Road as currently there are no existing bicycle facilities.

The project will stripe Class II bicycle lanes and place shared roadway markings (sharrows) to designate Class III bike routes within the existing roadway. Class II bike lanes will be striped where adequate roadway width is available. Vehicle lane widths will be narrowed to 11 feet as needed to accommodate the new Class II bike lanes, and Class III sharrows will be used in places where there is insufficient width assuming existing on-street parking will remain.

CONSEQUENCE OF NEGATIVE ACTION:

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

ATTACHMENTS

Resolution No. 2019/43

CEQA

Resolution 2019/43 Attachments A & B

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

Adopted this Resolution on 02/12/2019 by the following vote:

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



Resolution No. 2019/43

IN THE MATTER OF approving and authorizing the Public Works Director, or designee, to submit a 2019/2020 Transportation Development Act (TDA) grant application to the Metropolitan Transportation Commission (MTC) in the total amount of \$100,000 for Fiscal Year 2019/2020 for the Oak Road Bikeway Project, Walnut Creek.

WHEREAS, Article 3 of the TDA, Public Utilities Code (PUC) Section 99200 et seq., authorizes the submission of claims to a regional transportation planning agency for the funding of projects exclusively for the benefit and/or use of pedestrians and bicyclists; and WHEREAS, MTC, as the regional transportation planning agency for the San Francisco Bay region, has adopted MTC Resolution No. 4108, entitled "Transportation Development Act, Article 3, Pedestrian and Bicycle Projects," which delineates procedures and criteria for submission of requests for the allocation of "TDA Article 3" funding; and WHEREAS, MTC Resolution No. 4108 requires that requests for the allocation of TDA Article 3 funding be submitted as part of a single, countywide coordinated claim from each county in the San Francisco Bay region; and WHEREAS, Contra Costa County desires to submit a request to MTC for the allocation of TDA Article 3 funds to support the projects described in Attachment B to this resolution, which are for the exclusive benefit and/or use of pedestrians and/or bicyclists;

NOW, THEREFORE, BE IT RESOLVED, that Contra Costa County declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code;
FURTHER BE IT RESOLVED, that there is no pending or threatened litigation that might adversely affect the project or projects described in Attachment B to this resolution, or that might impair the ability of Contra Costa County to carry out the project; and
FURTHER BE IT RESOLVED, that the project has been reviewed by the Bicycle Advisory Committee (BAC) of Contra Costa County; and
FURTHER BE IT RESOLVED, that Contra Costa County attests to the accuracy of and approves the statements in Attachment A to this resolution; and
FURTHER BE IT RESOLVED, that a certified copy of this resolution and its attachments, and any accompanying supporting materials shall be forwarded to the congestion management agency, countywide transportation planning agency, or county association of governments, as the case may be, of Contra Costa County for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

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

ATTESTED: February 12, 2019

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

Contact: Sandeep Singh 925-313-2022

By: , Deputy

cc: Ave' Brown

PUBLIC WORKS DEPARTMENT
INITIAL STUDY OF
ENVIRONMENTAL SIGNIFICANCE

PROJECT NUMBER: 0676-6P1025

CP# 18-47

PROJECT NAME: Oak Road Bikeway

PREPARED BY: Sandeep Singh, Environmental Services Division *ch*

DATE: January 8, 2019

APPROVED BY: *Jason B. Moore*

DATE: 1/11/2019

RECOMMENDATIONS:

☒ Categorical Exemption: 15301(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 alterations of existing public facilities including existing streets involving negligible expansion of use, pursuant to section 15301(c) of the CEQA guidelines.

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

USGS Quad Sheet: <u>Walnut Creek</u>	Base Map Sheet #: <u>L-14</u>	Parcel #: <u>N/A</u>
--------------------------------------	-------------------------------	----------------------

GENERAL CONSIDERATIONS:

- Location:** The project is located on Oak Road between Oak Park Boulevard in the City of Pleasant Hill and Treat Boulevard in unincorporated Walnut Creek [Figures 1-2].
- Project Description:** The purpose of this project is to improve bicyclist safety along the 2,040-foot segment of Oak Road as currently there are no existing bicycle facilities. This project is within bounds of the Contra Costa Centre Transit Village, which is clustered around the Pleasant Hill BART station and is characterized by mixed commercial, office, and residential development. This road experiences high volume of vehicular traffic during commuting hours, and the lack of bicycle infrastructure poses as a deterrent for non-vehicular modes of travel.

The project will stripe Class II bicycle lanes and place shared roadway markings (sharrows) to designate Class III bike routes within the existing roadway (Sheets 1-3). Class II bike lanes will be striped where adequate roadway width is available. Vehicle lane widths will be narrowed to 11 feet as needed to accommodate the new Class II bike lanes, and Class III sharrows will be used in places where there is insufficient width assuming existing on-street parking will remain.

Upon completion of a detailed survey, the option to use buffered bike lanes will be considered to enhance bicyclist safety. Additionally, appropriate signage will be installed to designate proposed bike routes. This project will be coordinated with the City of Pleasant Hill for the segment between the I-680 on ramp and Oak Park Boulevard, which is within the City (Sheet 3). Should an agreement not be obtained, construction will only occur within the unincorporated Walnut Creek segment between Treat Boulevard and the I-680 on ramp (Sheet 1-2).

In general, the construction process for bicycle lanes will consist of removing existing striping as needed, slurry sealing the roadway to prepare the surface for new striping, striping Class II bicycle lanes and Class III sharrows, narrowing lane widths in spot locations as needed, installing bicycle lane and bicycle route roadside signs.

The project design will maintain existing roadway drainage and will not create new impervious areas. No right-of-way acquisition is expected, and any private encroachments within our right-of-way will not be moved. No tree removal will be necessary. Tree and shrubbery trimming may be necessary throughout the project area. Appropriate Best Management Practices (BMPs) will be implemented to protect storm drain inlets. Utility

**Contra
Costa
County**

adjustments or relocation may be necessary in support of the project. One lane will be open during construction activities. Emergency vehicles will have access at all times.

General Plan Conformance will be obtained from the City of Pleasant Hill if the project will be constructed within the city limits.

3. Does it appear that any feature of the project will generate significant public concern?

☐ Yes ☒ **No** ☐ maybe (Nature of concern):

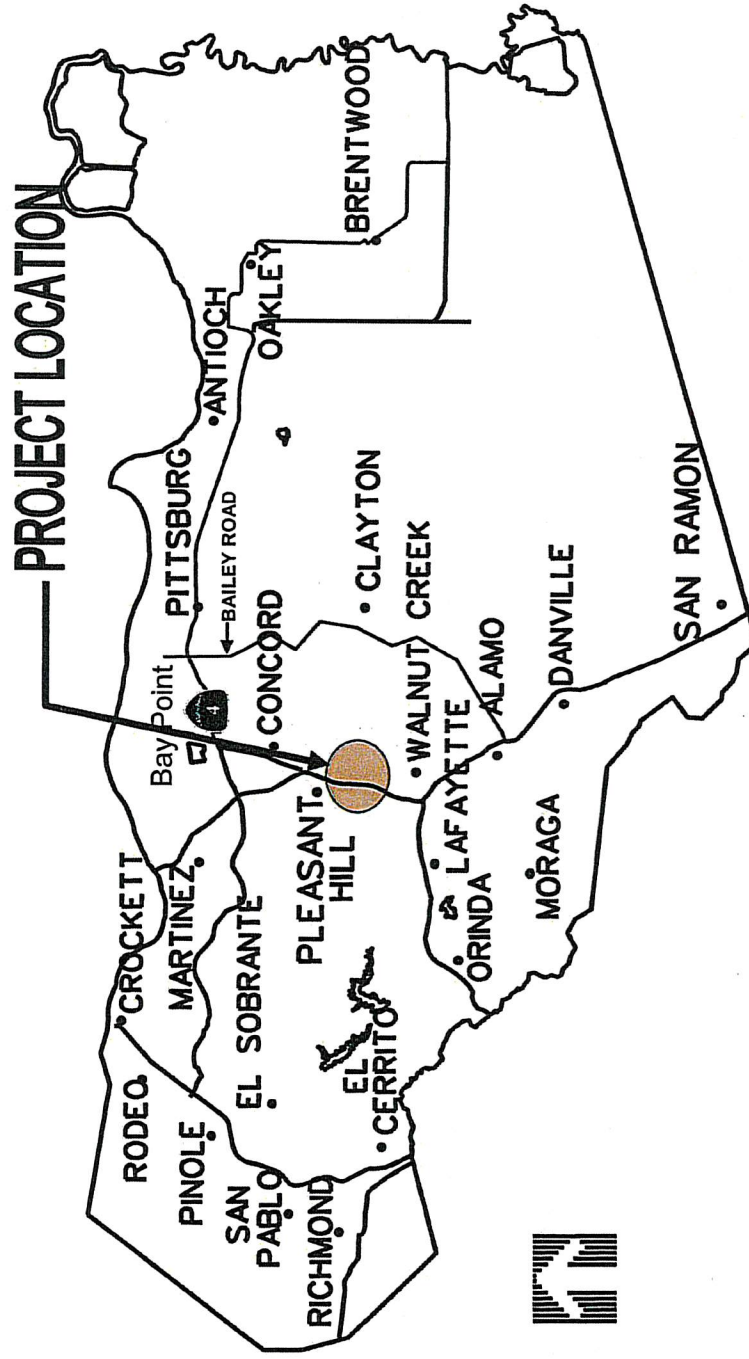
4. Will the project require approval or permits by other than a County agency?

☒ Yes ☐ **No** A portion of the project will have to be approved by the City of Pleasant Hill.

5. Is the project within the Sphere of Influence of any city? Yes

A portion of the project is in the City of Pleasant Hill, and the remainder is within the City of Walnut Creek Sphere of Influence.

CONTRA COSTA COUNTY CALIFORNIA



Contra Costa County
Public Works
Department



255 GLACIER DRIVE, MARTINEZ, CA 94553 PH: (925) 313-2000 FAX: (925) 313-2333

PROJECT LOCATION MAP

Oak Road Bikeway Project

DB: OL CB: JV DATE: NOV 18 SHEET 1 OF 1

Figure 1: Regional Location Map




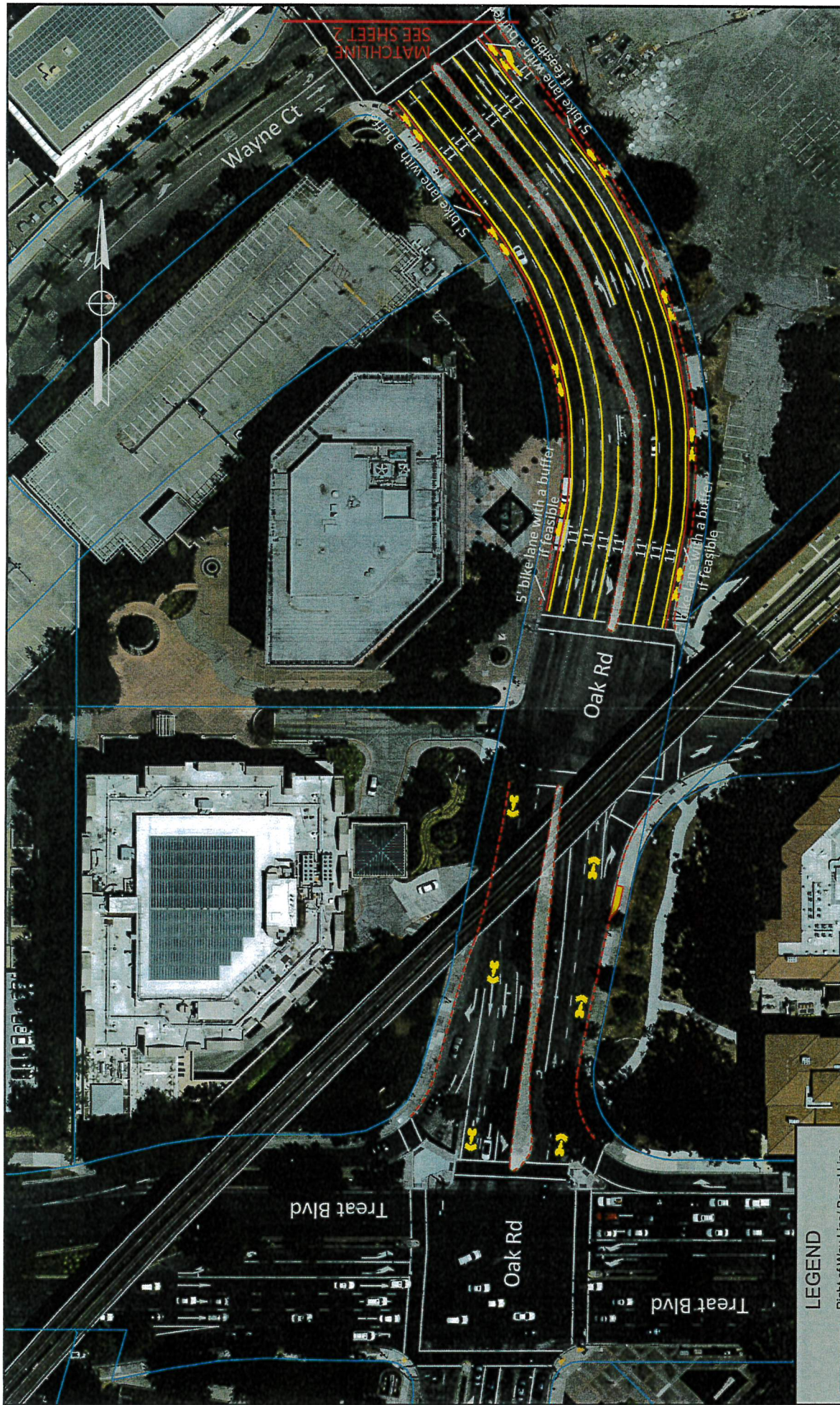
<div>  <div> Contra Costa County Public Works Department </div> </div> <div> 255 GLACIER DRIVE MARTINEZ, CALIFORNIA 94553 PH: (925) 313-2000 FAX: (925) 313-2333 </div>		<div>PROJECT VICINITY MAP - CONTRA COSTA COUNTY</div> <div> Oak Road Bikeway Project </div>	
FEDERAL ID NO:		DB: JV CB: OL DATE: NOV 2018	Page 1 of 1

Figure 2: Project Vicinity Map



LEGEND

- Right of Way Line/ Parcel Line
- Face of Curb
- Traffic Lane Line
- Bike Lane Line
- Bike Lane Symbol
- Shared Roadway Bicycle Marking

SCALE:
1:30 on 24x26



Contra Costa County
Public Works
Department

255 GLACIER DRIVE MARTINEZ, CALIFORNIA 94533 PH: (925) 312-2000 FAX: (925) 313-2333

PRELIMINARY LAYOUT

OAK ROAD BIKEWAY PROJECT

FEDERAL ID NO.:

DATE NOV 2018

DR: OL CB:

SHEET 1 OF 3



LEGEND

- Right of Way Line/ Parcel Line
- Face of Curb
- Traffic Lane Line
- Bike Lane Line
- Bike Lane Symbol
- Shared Roadway Bicycle Marking

SCALE:
1"=30' on 24x26

CONTRA COSTA COUNTY
Public Works
Department

255 GLACIER DRIVE MARTINEZ, CALIFORNIA 94553 PH: (925) 313-2000 FAX: (925) 313-2313

PRELIMINARY LAYOUT

OAK ROAD BIKEWAY PROJECT

FEDERAL ID NO.:

DATE: NOV 2018

SHEET 2 OF 3

CALIFORNIA ENVIRONMENTAL QUALITY ACT
Notice of Exemption

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

☒ County Clerk
County of: Contra Costa

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

Project Title: Oak Road Bikeway
Proj. No. 0676-6P1025 CP#18-47

Project Applicant: Contra Costa County Public Works Department

Project Location – **Specific:** Oak Road between Oak Park Boulevard and Treat Boulevard

Project Location: Unincorporated area of Walnut Creek Project Location – County: Central Contra Costa

Description of Nature, Purpose and Beneficiaries of Project:

The purpose of this project is to improve bicyclist safety along the 2,040-foot segment of Oak Road as currently there are no existing bicycle facilities. This project is within bounds of the Contra Costa Centre Transit Village, which is clustered around the Pleasant Hill BART station and is characterized by mixed commercial, office, and residential development. This road experiences high volume of vehicular traffic during commuting hours, and the lack of bicycle infrastructure poses as a deterrent for non-vehicular modes of travel. The project will stripe Class II bicycle lanes and place shared roadway markings (sharrows) to designate Class III bike routes within the existing roadway. Class II bike lanes will be striped where adequate roadway width is available. Vehicle lane widths will be narrowed to 11 feet as needed to accommodate the new Class II bike lanes, and Class III sharrows will be used in places where there is insufficient width assuming existing on-street parking will remain.

Upon completion of a detailed survey, the option to use buffered bike lanes will be considered to enhance bicyclist safety. Additionally, appropriate signage will be installed to designate proposed bike routes. This project will be coordinated with the City of Pleasant Hill for the segment between the I-680 on ramp and Oak Park Boulevard, which is within the City. Should an agreement not be obtained, construction will only occur within the unincorporated Walnut Creek segment between Treat Boulevard and the I-680 on ramp.

In general, the construction process for bicycle lanes will consist of removing existing striping as needed, slurry sealing the roadway to prepare the surface for new striping, striping Class II bicycle lanes and Class III sharrows, narrowing lane widths in spot locations as needed, installing bicycle lane and bicycle route roadside signs.

The project design will maintain existing roadway drainage and will not create new impervious areas. No right-of-way acquisition is expected, and any private encroachments within our right-of-way will not be moved. No tree removal will be necessary. Tree and shrubbery trimming may be necessary throughout the project area. Appropriate Best Management Practices (BMPs) will be implemented to protect storm drain inlets. Utility adjustments or relocation may be necessary in support of the project. One lane will be open during construction activities. Emergency vehicles will have access at all times.

General Plan Conformance will be obtained from the City of Pleasant Hill if the project will be constructed within the city limits.

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>Section 15301(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 alterations of existing public facilities including existing streets, involving negligible expansion of use beyond what is previous existing, pursuant to Section 15301(c) of the CEQA guidelines.

Lead Agency Contact Person: Sandeep Singh - Public Works Dept. Area Code/Telephone/Extension: (925) 313-2022

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: _____ 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: Sandeep Singh
Environmental Services Division
Phone: (925) 313-2022

Department of Fish and Game Fees Due

- | |
|---|
| <input type="checkbox"/> EIR - \$3,271. ⁰⁰ |
| <input type="checkbox"/> Neg. Dec. - \$2,354. ⁷⁵ |
| <input type="checkbox"/> DeMinimis Findings - \$0 |
| <input checked="" type="checkbox"/> County Clerk - \$50 |
| <input checked="" type="checkbox"/> Conservation & Development - \$25 |

Total Due: \$75.⁰⁰

Total Paid \$ _____

Receipt #: _____

RESOLUTION NO. 2019/43

ATTACHMENT A

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2019/2020 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

FINDINGS

1. That Contra Costa County is not legally impeded from submitting a request to the Metropolitan Transportation Commission for the allocation of Transportation Development Act (TDA) Article 3 funds, nor is Contra Costa County legally impeded from undertaking the project(s) described in “Attachment B” of this resolution.
2. That Contra Costa County has committed adequate staffing resources to complete the project(s) described in Attachment B.
3. A review of the project(s) described in Attachment B has resulted in the consideration of all pertinent matters, including those related to environmental and right-of-way permits and clearances, attendant to the successful completion of the project(s).
4. Issues attendant to securing environmental and right of way permits and clearances for the projects described in Attachment B have been reviewed and will be concluded in a manner and on a schedule that will not jeopardize the deadline for the use of the TDA funds being requested.
5. That the project(s) described in Attachment B complies with the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.).
6. That as portrayed in the budgetary description(s) of the project(s) in Attachment B, the sources of funding other than TDA are assured and adequate for completion of the project(s).
7. That the project(s) described in Attachment B are for capital construction and/or design engineering; and/or for the maintenance of a Class I bikeway which is closed to motorized traffic; and/or for the purposes of restriping Class II bicycle lanes; and/or for the development or support of a bicycle safety education program; and/or for the development of a comprehensive bicycle and/or pedestrian facilities plan, and an allocation of TDA Article 3 funding for such a plan has not been received by Contra Costa County within the prior five fiscal years.
8. That the project(s) described in Attachment B is included in a locally approved bicycle, pedestrian, transit, multimodal, complete streets, or other relevant plan.
9. That any project described in Attachment B that is a bikeway meets the mandatory minimum safety design criteria published in Chapter 1000 of the California Highway Design Manual.
10. That the project(s) described in Attachment B will be completed before the funds expire.
11. That the Contra Costa County agrees to maintain, or provide for the maintenance of, the project(s) and facilities described in Attachment B, for the benefit of and use by the public.

RESOLUTION NO. 2019/43

ATTACHMENT B

TDA ARTICLE 3 PROJECT APPLICATION FORM

Fiscal Year of this Claim: **2019/2020**

Applicant: **Contra Costa County Public Works**

Contact person: **Jeff Valeros**

Mailing Address: **255 Glacier Drive, Martinez, CA 94553**

E-Mail Address: **jeff.valeros@pw.cccounty.us**

Telephone: **925-313-2031**

Secondary Contact (in event primary not available): **Oksana Lapenok**

E-Mail Address: **oksana.lapenok@pw.cccounty.us**

Telephone: **925-313-2032**

Short Title Description of Project: Oak Road Bikeway Project

Amount of claim: **\$100,000**

Functional Description of Project:

The purpose of this project is to improve bicyclist safety by providing bicycle infrastructure on Oak Road between Treat Boulevard and Buskirk Avenue in unincorporated Contra Costa County.

Financial Plan:

List the project elements for which TDA funding is being requested (e.g., planning, engineering, construction, contingency). Use the table below to show the project budget for the phase being funded or total project. Include prior and proposed future funding of the project. Planning funds may only be used for comprehensive bicycle and pedestrian plans. Project level planning is not an eligible use of TDA Article 3.

Project Elements: Engineering and Construction

Funding Source	All Prior FYs	Application FY	Next FY	Following FYs	Totals
TDA Article 3		\$100,000			\$100,000
list all other sources:					
1. Local Funds		\$67,000			\$67,000
2.					
3.					
4.					
Totals		\$167,000			\$167,000

Project Eligibility:	YES?/NO?
A. Has the project been approved by the claimant's governing body? (If "NO," provide the approximate date approval is anticipated). <u>February 12, 2019</u>	PENDING
B. Has this project previously received TDA Article 3 funding? If "YES," provide an explanation on a separate page.	NO
C. For "bikeways," does the project meet Caltrans minimum safety design criteria pursuant to Chapter 1000 of the California Highway Design Manual? (Available on the internet via: http://www.dot.ca.gov).	YES
D. Has the project been reviewed by a Bicycle Advisory Committee (BAC)? (If "NO," provide an explanation). Enter date the project was reviewed by the BAC: <u>December 10, 2018</u>	YES
E. Has the public availability of the environmental compliance documentation for the project (pursuant to CEQA) been evidenced by the dated stamping of the document by the county clerk or county recorder? (required only for projects that include construction).	YES
F. Will the project be completed before the allocation expires? Enter the anticipated completion date of project (month and year) <u>Fall 2021</u>	YES
G. Have provisions been made by the claimant to maintain the project or facility, or has the claimant arranged for such maintenance by another agency? (If an agency other than the Claimant is to maintain the facility provide its name: _____)	YES



**Contra
Costa
County**

To: Board of Supervisors

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

Date: February 12, 2019

Subject: 2019/2020 Transportation Development Act (TDA) grant application for the 7th Street Crosswalk Improvements Project

RECOMMENDATION(S):

ADOPT Resolution No. 2019/44 approving and authorizing the Public Works Director, or designee, to submit a 2019/2020 Transportation Development Act (TDA) grant application to the Metropolitan Transportation Commission in the total amount of \$100,000 for the fiscal year 2019/2020 for the 7th Street Crosswalk Improvements Project.

AUTHORIZE the Public Works Director, or designee, to advertise the Project, Rodeo area. [County Project No. WO1025, DCD-CP# 18-46] (District V); and

DETERMINE the Project is a California Environmental Quality Act (CEQA), Class 15301(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: **02/12/2019** ☐ 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: February 12, 2019

Contact: Laura Cremin (925)
313-2015

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

By: , Deputy

cc: Ave Brown - Environmental Division Manager

RECOMMENDATION(S): (CONT'D)

FISCAL IMPACT:

Estimated Project cost: \$300,000. This Project will be funded approximately 67% Local Road Funds and 33% Transportation Development Act Funds.

BACKGROUND:

The purpose of this project is to improve pedestrian safety at existing crosswalk locations used by children and community members to access St. Patrick Elementary School and Catholic Church.

The project consists of consolidating two crosswalks on 7th Street into one location, installing safety features, and constructing sidewalk improvements. The current crosswalks are at the intersections of 7th Street and Napa Avenue and 7th Street and Vallejo Avenue. The new crosswalk will be placed between the two existing crosswalks. The crosswalk will be placed on a raised speed table, which is a feature that is similar to a speed bump but with a gentler transition to travel over. Associated striping and signage and pedestrian-actuated rectangular rapid flashing beacons (RRFBs) will be installed at the new crosswalk. A speed feedback sign will be installed at the intersection of 7th Street and Sonoma Avenue.

A sidewalk will be installed along the north side of 7th Street in the gap between the new crosswalk location and Vallejo Avenue. Curb ramps will be installed at the new crosswalk and also at the two corners of the same block to ensure Americans with Disabilities Act (ADA) compliance.

CONSEQUENCE OF NEGATIVE ACTION:

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

ATTACHMENTS

Resolution No. 2019/44

CEQA Document

Resolution 2019/44 Attachments A & B

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

Adopted this Resolution on 02/12/2019 by the following vote:

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



Resolution No. 2019/44

IN THE MATTER OF approving and authorizing the Public Works Director, or designee, to submit a 2019/2020 Transportation Development Act (TDA) grant application to the Metropolitan Transportation Commission (MTC) in the total amount of \$100,000 for Fiscal Year 2019/2020 for the 7th Street Crosswalk Improvements Project, Rodeo.

WHEREAS, Article 3 of the TDA, Public Utilities Code (PUC) Section 99200 et seq., authorizes the submission of claims to a regional transportation planning agency for the funding of projects exclusively for the benefit and/or use of pedestrians and bicyclists; and

WHEREAS, MTC, as the regional transportation planning agency for the San Francisco Bay region, has adopted MTC Resolution No.4108, entitled "Transportation Development Act, Article 3, Pedestrian and Bicycle Projects," which delineates procedures and criteria for submission of requests for the allocation of "TDA Article 3" funding; and

WHEREAS, MTC Resolution No. 4108 requires that requests for the allocation of TDA Article 3 funding be submitted as part of a single, countywide coordinated claim from each county in the San Francisco Bay region; and

WHEREAS, the Contra Costa County desires to submit a request to MTC for the allocation of TDA Article 3 funds to support the projects described in Attachment B to this resolution, which are for the exclusive benefit and/or use of pedestrians and/or bicyclists;

NOW, THEREFORE, BE IT RESOLVED, that Contra Costa County declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code, and

FURTHER BE IT RESOLVED, that there is no pending or threatened litigation that might adversely affect the project or projects described in Attachment B to this resolution, or that might impair the ability of Contra Costa County to carry out the project; and

FURTHER BE IT RESOLVED, that the project has been reviewed by the Bicycle Advisory Committee (BAC) of Contra Costa County; and

FURTHER BE IT RESOLVED, that Contra Costa County attests to the accuracy of and approves the statements in Attachment A to this resolution; and

FURTHER BE IT RESOLVED, that a certified copy of this resolution and its attachments, and any accompanying supporting materials shall be forwarded to the Congestion Management Agency, Countywide Transportation Planning Agency, or County Association of Governments, as the case may be, of Contra Costa County for submission to MTC as part of the Countywide-coordinated TDA Article 3 claim.

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

ATTESTED: February 12, 2019

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

Contact: Laura Cremin (925) 313-2015

By: , Deputy

cc: Ave Brown - Environmental Division Manager

PUBLIC WORKS DEPARTMENT
INITIAL STUDY OF
ENVIRONMENTAL SIGNIFICANCE

PROJECT NUMBER: 0676-6P1025

CP# 18-46

PROJECT NAME: 7th Street Crosswalk Improvements

PREPARED BY: Laura Cremin, Environmental Services Division

DATE: January 31, 2019

APPROVED BY: [Signature]

DATE: 1/31/2019

RECOMMENDATIONS:

☒ Categorical Exemption: 15301(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 alterations of existing streets and sidewalks, involving negligible or no expansion of existing or former use, pursuant to section 15301(c) of the CEQA guidelines.

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

USGS Quad Sheet: Mare Island	Base Map Sheet #: E-7	Parcel #: N/A
------------------------------	-----------------------	---------------

GENERAL CONSIDERATIONS:

- Location:** The project is located on 7th Street between the intersections of Napa Avenue and Vallejo Avenue in unincorporated Rodeo in West Contra Costa County (Figures 1-2).
- Project Description:** The purpose of this project is to improve pedestrian safety at existing crosswalk location used by children and community members to access St. Patrick Elementary School and Catholic Church.

The project consists of consolidating two crosswalks on 7th Street into one location, installing safety features, and constructing sidewalk improvements (Figure 3). The current crosswalks are at the intersections of 7th Street and Napa Avenue and 7th Street and Vallejo Avenue. The new crosswalk will be placed between the two existing crosswalks. The crosswalk will be placed on a raised speed table, which is a feature that is similar to a speed bump but with a gentler transition to travel over. Associated striping and signage and a pedestrian-actuated rectangular rapid flashing beacons (RRFBs) will be installed at the new crosswalk. A speed feedback sign will be installed at the intersection of 7th Street and Sonoma Avenue..

Sidewalks will be installed in the gap between the new crosswalk location and Vallejo Avenue. Curb ramps will be installed at the new crosswalk and also at the two corners of the same block to ensure Americans with Disabilities Act (ADA) compliance.

All improvements will be constructed within the existing right-of-way. The project will maintain the existing drainage pattern and will not create new impervious areas. Appropriate Best Management Practices (BMPs) will be implemented to protect storm drain inlets. No tree removal will be necessary. One lane will be open during construction activities. Emergency vehicles will have access at all times.

- Does it appear that any feature of the project will generate significant public concern?**

☐ Yes ☒ No ☐ maybe (Nature of concern):

- Will the project require approval or permits by other than a County agency?**

☐ Yes ☒ No

- Is the project within the Sphere of Influence of any city?** No

CONTRA COSTA COUNTY CALIFORNIA

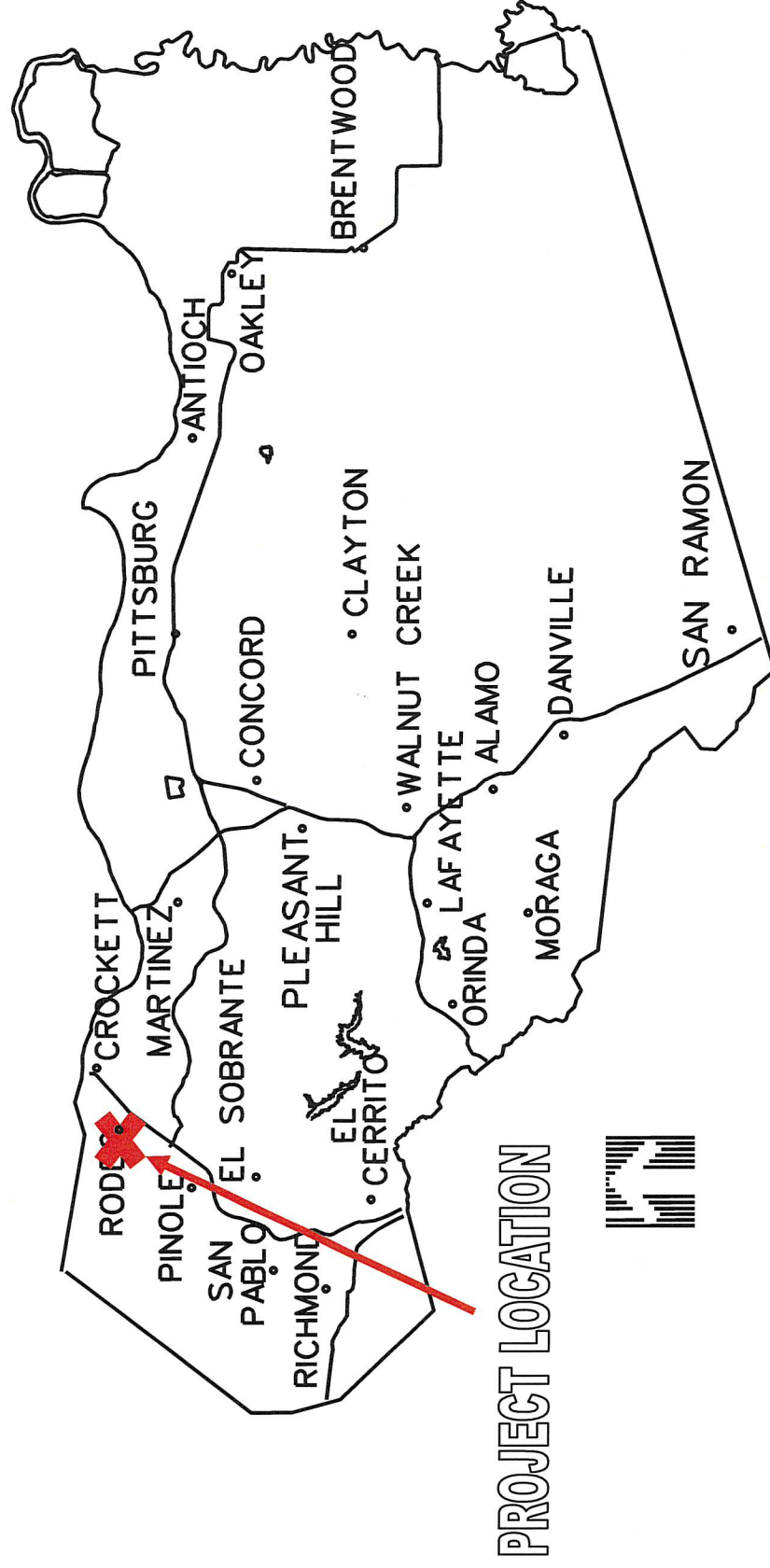


FIGURE 1: Regional Location Map



FIGURE 2: Project Vicinity Map

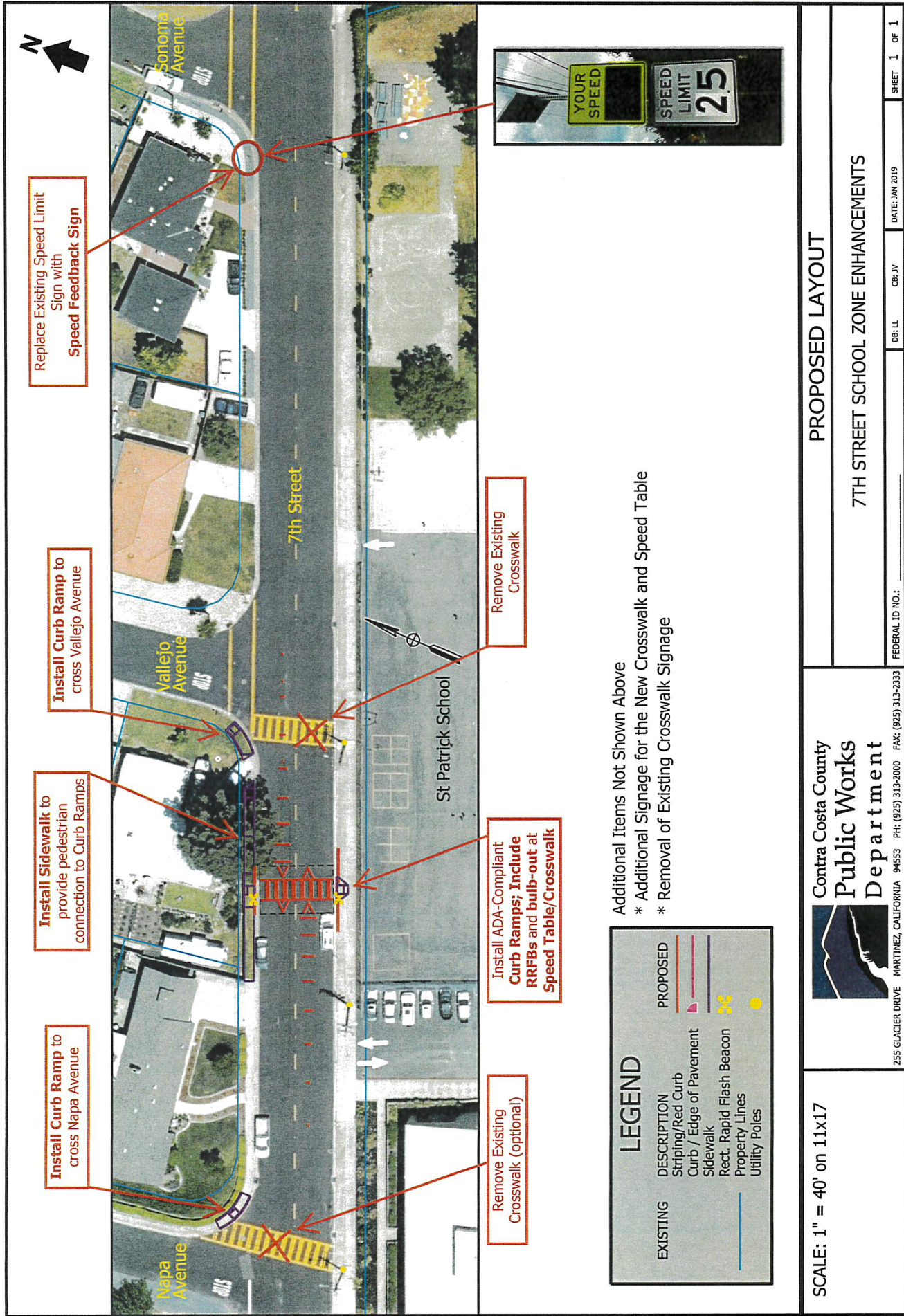


FIGURE 3: Project Layout

CALIFORNIA ENVIRONMENTAL QUALITY ACT
Notice of Exemption

To: [] Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
[] County Clerk
County of: Contra Costa
From: Contra Costa County
Dept. of Conservation & Development
30 Muir Road
Martinez, CA 94553

Project Title: 7th Street Crosswalk Improvements
Proj. No. 0676-6P1025 CP#18-46

Project Applicant: Contra Costa County Public Works Department
Project Location - Specific: 7th Street between the intersections of Napa Avenue and Vallejo Avenue
Project Location: Rodeo
Project Location - County: West Contra Costa

Description of Nature, Purpose and Beneficiaries of Project:
The purpose of this project is to improve pedestrian safety at existing crosswalk locations used by children and community members to access St. Patrick Elementary School and Catholic Church.

The project consists of consolidating two crosswalks on 7th Street into one location, installing safety features, and constructing sidewalk improvements. The current crosswalks are at the intersections of 7th Street and Napa Avenue and 7th Street and Vallejo Avenue. The new crosswalk will be placed between the two existing crosswalks. The crosswalk will be placed on a raised speed table, which is a feature that is similar to a speed bump but with a gentler transition to travel over. Associated striping and signage and pedestrian-actuated rectangular rapid flashing beacons (RRFBs) will be installed at the new crosswalk. A speed feedback sign will be installed at the intersection of 7th Street and Sonoma Avenue.

A sidewalk will be installed along the north side of 7th Street in the gap between the new crosswalk location and Vallejo Avenue. Curb ramps will be installed at the new crosswalk and also at the two corners of the same block to ensure Americans with Disabilities Act (ADA) compliance.

All improvements will be constructed within the existing right-of-way. The project will maintain the existing drainage pattern and will not create new impervious areas. Appropriate Best Management Practices (BMPs) will be implemented to protect storm drain inlets. No tree removal will be necessary. One lane will be open during construction activities. Emergency vehicles will have access at all times.

Name of Public Agency Approving Project: Contra Costa County
Name of Person or Agency Carrying Out Project: Contra Costa County Public Works Department

Exempt Status:
[] Ministerial Project (Sec. 21080(b) (1); 15268;
[] Declared Emergency (Sec. 21080(b)(3); 15269(a));
[] Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption: Class 15301(c)
[] Other Statutory Exemption, Code No.:
[] General Rule of Applicability [Article 5, Section 15061 (b)(3)]

Reasons why project is exempt: The project consists of minor alterations of existing streets and sidewalks, involving negligible or no expansion of existing or former use, pursuant to section 15301(c) of the CEQA guidelines

Lead Agency Contact Person: Laura Cremin - Public Works Dept. Area Code/Telephone/Extension: (925) 313-2015

If filed by applicant:
1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? [] Yes [] No

Signature: Date: Title:
[] Signed by Lead Agency [] Signed by Applicant

AFFIDAVIT OF FILING AND POSTING
I declare that on I received and posted this notice as required by California Public Resources Code Section 21152(c). Said notice will remain posted for 30 days from the filing date.
Signature Title

Applicant: Department of Fish and Game Fees Due
Public Works Department
255 Glacier Drive
Martinez, CA 94553
Attn: Laura Cremin
Environmental Services Division
Phone: (925) 313-2015
[] EIR - \$3,271.00
[] Neg. Dec. - \$2,354.75
[] DeMinimis Findings - \$0
[X] County Clerk - \$50
[X] Conservation & Development - \$25
Total Due: \$75.00
Total Paid \$
Receipt #:

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2019/2020 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

Findings

Page 1 of 1

1. That the COUNTY OF CONTRA COSTA is not legally impeded from submitting a request to the Metropolitan Transportation Commission for the allocation of Transportation Development Act (TDA) Article 3 funds, nor is the COUNTY OF CONTRA COSTA legally impeded from undertaking the project(s) described in "Attachment B" of this resolution.
2. That the COUNTY OF CONTRA COSTA has committed adequate staffing resources to complete the project(s) described in Attachment B.
3. A review of the project(s) described in Attachment B has resulted in the consideration of all pertinent matters, including those related to environmental and right-of-way permits and clearances, attendant to the successful completion of the project(s).
4. Issues attendant to securing environmental and right-of-way permits and clearances for the projects described in Attachment B have been reviewed and will be concluded in a manner and on a schedule that will not jeopardize the deadline for the use of the TDA funds being requested.
5. That the project(s) described in Attachment B comply with the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.).
6. That as portrayed in the budgetary description(s) of the project(s) in Attachment B, the sources of funding other than TDA are assured and adequate for completion of the project(s).
7. That the project(s) described in Attachment B are for capital construction and/or design engineering; and/or for the maintenance of a Class I bikeway which is closed to motorized traffic; and/or for the purposes of restriping Class II bicycle lanes; and/or for the development or support of a bicycle safety education program; and/or for the development of a comprehensive bicycle and/or pedestrian facilities plan, and an allocation of TDA Article 3 funding for such a plan has not been received by the COUNTY OF CONTRA COSTA within the prior five fiscal years.
8. That the project(s) described in Attachment B is included in a locally approved bicycle, pedestrian, transit, multimodal, complete streets, or other relevant plan.
9. That any project described in Attachment B that is a bikeway meets the mandatory minimum safety design criteria published in Chapter 1000 of the California Highway Design Manual.
10. That the project(s) described in Attachment B will be completed before the funds expire.
11. That the COUNTY OF CONTRA COUNTY agrees to maintain, or provide for the maintenance of, the project(s) and facilities described in Attachment B, for the benefit of and use by the public.

TDA Article 3 Project Application FormFiscal Year of this Claim: **2019/2020**Applicant: **Contra Costa County Public Works**Contact person: **Jeff Valeros**Mailing Address: **255 Glacier Drive, Martinez, CA 94553**E-Mail Address: **jeff.valeros@pw.cccounty.us**Telephone: **925-313-2031**Secondary Contact (in event primary not available): **Larry Leong**E-Mail Address: **larry.leong@pw.cccounty.us**Telephone: **925-313-2026****Short Title Description of Project: 7th Street School Zone Enhancements**Amount of claim: **\$100,000****Functional Description of Project:**

The purpose of this project is to improve school zone safety at St. Patrick Elementary School in Rodeo by installing rectangular rapid flash beacons, raised crosswalk, curb ramps, concrete sidewalk, and speed feedback sign. These enhancements aim to improve pedestrian safety and reduce the amount of vehicular speeding in front of the school.

Financial Plan:

List the project elements for which TDA funding is being requested (e.g., planning, engineering, construction, contingency). Use the table below to show the project budget for the phase being funded or total project. Include prior and proposed future funding of the project. Planning funds may only be used for comprehensive bicycle and pedestrian plans. Project level planning is not an eligible use of TDA Article 3.

Project Elements: Engineering and Construction

Funding Source	All Prior FYs	Application FY	Next FY	Following FYs	Totals
TDA Article 3		\$100,000			\$100,000
list all other sources:					
1. Local Funds		\$200,000			\$200,000
2.					
3.					
4.					
Totals		\$300,000			\$300,000

Project Eligibility:	YES?/NO?
A. Has the project been approved by the claimant's governing body? (If "NO," provide the approximate date approval is anticipated). 02/26/2019	PENDING
B. Has this project previously received TDA Article 3 funding? If "YES," provide an explanation on a separate page.	NO
C. For "bikeways," does the project meet Caltrans minimum safety design criteria pursuant to Chapter 1000 of the California Highway Design Manual? (Available on the internet via: http://www.dot.ca.gov).	YES
D. Has the project been reviewed by a Bicycle Advisory Committee (BAC)? (If "NO," provide an explanation). Enter date the project was reviewed by the BAC: 12/10/2018	YES
E. Has the public availability of the environmental compliance documentation for the project (pursuant to CEQA) been evidenced by the dated stamping of the document by the county clerk or county recorder? (required only for projects that include construction).	PENDING
F. Will the project be completed before the allocation expires? Enter the anticipated completion date of project (month and year) 12/2022	YES
G. Have provisions been made by the claimant to maintain the project or facility, or has the claimant arranged for such maintenance by another agency? (If an agency other than the Claimant is to maintain the facility provide its name: _____)	YES



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 12, 2019

Subject: Correction on Resolution No. 2019/16 for development permit DP07-03029, Martinez area.

RECOMMENDATION(S):

ADOPT Resolution No. 2019/41 to correct the bond number on Resolution No. 2019/16 for development permit DP07-03029, for a project being developed by 44 Mountain View Management, LLC, as recommended by the Public Works Director, Martinez area. (District V)

FISCAL IMPACT:

100% Developer Fees.

BACKGROUND:

The number of the bond was noted incorrectly on Resolution No. 2019/16 of January 22, 2019. The correct bond number is PB01798100155.

CONSEQUENCE OF NEGATIVE ACTION:

The outstanding Bond PB01798100155 will not be exonerated and the developer will be charged an annuity.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

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, Mike Mann- Finance, Ruben Hernandez - DCD, 44 Mountain View Management, LLC, Philadelphia Indemnity Insurance Company

ATTACHMENTS

Resolution No.
2019/41

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

Adopted this Resolution on 02/12/2019 by the following vote:

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



Resolution No. 2019/41

IN THE MATTER OF correcting the bond number on Resolution No. 2019/16 for development permit DP07-03029, for a project being developed by 44 Mountain View Management, LLC, as recommended by the Public Works Director, Martinez area. (District V)

WHEREAS the Public Works Director has notified this Board that certain information on the following Board Resolution was incorrect.

NOW, THEREFORE, BE IT RESOLVED that, on the recommendation of the Public Works Director, the following resolution is hereby CORRECTED.

Accepting completion of warranty period for development permit DP07-03029, Martinez area. (Resolution No. 2019/16)

Bond number AS ACCEPTED: PB00473800090

Bond number AS CORRECTED: PB01798100155

I hereby certify that this 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: February 12, 2019

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, Mike Mann- Finance, Ruben Hernandez - DCD, 44 Mountain View Management, LLC, Philadelphia Indemnity Insurance Company



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 12, 2019

Subject: APPROVE and AUTHORIZE a License Agreement with Saint Mary's College of California for rain gauge monitoring, Moraga area.

RECOMMENDATION(S):

As the governing body of the Contra Costa County Flood Control and Water Conservation District (District), APPROVE and AUTHORIZE the Chief Engineer, or designee, to execute the License Agreement with Saint Mary's College of California (St. Mary's College), effective February 12, 2019, which shall remain in effect until terminated in writing, by either party, for the purpose of maintenance and rain gauge monitoring. (District II) (Project No.: 7505-6F8158)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The District monitors the collection of rain and stream gauge data, which also includes maintenance of rain and stream gauges throughout Contra Costa County. The rain gauge at St. Mary's College was installed in 1943 and continues to be an ideal location for the monitoring equipment. As one of the conditions of the License Agreement, St. Mary's College has requested the District to indemnify them. The indemnification language has been reviewed and approved by County Counsel and Risk Management.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Naila Thrower,
925-957-2465

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If the License Agreement is not approved, the District will not be able to monitor the rain gauge equipment which will prevent the monitoring of rainfall for this area.

ATTACHMENTS

License Agreement and Map

PRECIPITATION & RUNOFF GAUGE LICENSE

Upon the full execution of this License, Saint Mary's College of California ("St. Mary's") hereby grants to Contra Costa County Flood Control and Water Conservation District ("District"), and the District's authorized employees and agents, permission to enter and bring the necessary workmen, tools, and equipment onto the property of St. Mary's, located off of Saint Mary's Road in Moraga, California, identified as Assessor's Parcel No. 258-150-005 (the "Property"), as shown on Attachment A, for the purpose of installing and maintaining equipment and facilities for measuring and recording rainfall and rainfall runoff (the "Equipment"), as shown on Attachment B.

The District shall indemnify St. Mary's, its trustees, regents, officers, employees, agents, and students from all costs, losses, damages, liabilities, expenses, demands, and judgments, including court costs and attorney's fees, (collectively, "Liabilities") to the extent that the Liabilities arise out of District's negligence or willful misconduct while accessing the Property, or installing or maintaining the Equipment on the Property. Notwithstanding the foregoing, the District shall not be required to indemnify, defend, and hold harmless St. Mary's for that proportion of Liabilities that arise out of the negligence or willful misconduct St. Mary's, its trustees, regents, officers, employees, agents, or students.

During regular business hours (7:30 AM to 4:30 PM, Monday through Friday) the District will check in at the Facilities Services Office and, if required, check out a key or be escorted by a team member to the Property.

Upon termination of this License the District will leave the Property in a clean and orderly condition.

[Remainder of page left blank]

It is further understood and agreed that this permission may be terminated by written notice from either party given to the other party at least 60 days in advance of such termination.

RECOMMENDED FOR APPROVAL:



Karen A. Laws
Principal Real Property Agent




Naila Thrower
Real Property Technical Assistant

ACCEPTED:
CONTRA COSTA COUNTY FLOOD
CONTROL AND WATER
CONSERVATION DISTRICT

Brian M. Balbas
Chief Engineer

Date _____

SAINT MARY'S COLLEGE OF
CALIFORNIA



Susan H. Collins
VP for Finance and Administration

Date 1/7/19

St. Mary's College

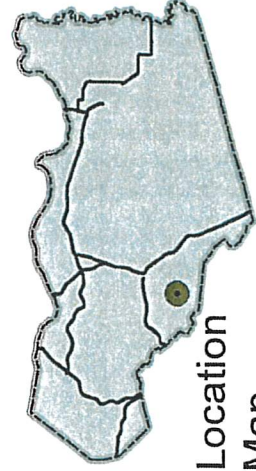
Chapel Plz

258150005
ST MARYS
COLLEGE

De la Salle Dr

SMC

258150005
ST MARYS
COLLEGE



Location
Map

Note: The equipment includes a data collection unit (DCU) secured either in a building, a small shelter, or inside a building. The rain sensor is located on a roof or post approximately in the location shown on the map.



N

Gauge Location Map

Rain Gages

Permit From

School

Parcels





Contra
Costa
County

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: February 12, 2019

Subject: AUTHORIZE WRITE OFF OF UNCOLLECTABLE ACCOUNT RECEIVABLE BALANCE

RECOMMENDATION(S):

APPROVE and **AUTHORIZE** the Director of Airports or his designee to write off the uncollectible outstanding balance of former hangar and tie-down tenant, Walter Lyall, in the amount of \$1,053.86.

FISCAL IMPACT:

There will be no impact to the General Fund. The impact of the write off will be borne by the Airport Enterprise Fund.

BACKGROUND:

The Airport is carrying an outstanding balance on the account of Mr. Walter Lyall, a former hangar and tie-down tenant, in the amount of \$1,053.86 due to non-payment of assessed charges. Airport staff worked with Walter Lyall over the past two years in an effort to bring the account current. On October 24, 2018, to satisfy unpaid taxes, the County Assessor's Office held an Unsecured Property Tax Sale and sold the aircraft Mr. Lyall had stored at Buchanan Field

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Beth Lee, (925)
681-4200

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Airport. A portion of the sale proceeds were used to reduce the amount owed to the Airport by Mr. Lyall. The remaining balance of \$1,053.86 is deemed unrecoverable as the cost of the recovery would be greater than the amount owed. For this reason, Airport staff recommends that the remaining balance be written off.

CONSEQUENCE OF NEGATIVE ACTION:

The Airport Enterprise Fund will be overstated by \$1,053.86.



Contra Costa County

To: Board of Supervisors
 From: David Twa, County Administrator
 Date: February 12, 2019

Subject: Claims

RECOMMENDATION(S):

DENY claims filed by JoAnne Angelo, Unborn Doe, through guardian Marisol Solis, Lindy Thelxi Hernandez, through Hazel Ortiz Dubon, Hannah Royal, by Guardian ad Litem, Meoldy Royal, and Marisol Solis.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

JoAnne Angelo: Personal injury claim for damages allegedly caused by defamatory statements by County employees in the amount of \$50,000. Unborn Doe, through guardian, Marisol Solis: Personal injury claim for wrongful death arising out of alleged dangerous condition of property in an amount to be determined. Lindy Thelxi Hernandez, through Hazel Ortiz Dubon: Personal injury claim for wrongful death arising out of alleged dangerous condition of property in an amount to be determined. Hannah Royal, by Guardian ad Litem, Melody Royal: Personal injury claim for assault in an amount exceeding \$25,000. Marisol Solis: Personal injury claim for wrongful death arising out of alleged dangerous condition of property in an amount to be determined.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

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

Contact: Scott Selby
 925.335.1400

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: Candace Andersen, District II Supervisor
Date: February 12, 2019

Subject: Resolution Recognizing The Olsen Team as the 2018 Moraga Business of the Year.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

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

Contact: 9259578860

By: , Deputy

cc:

ATTACHMENTS

Resolution
2019/40

*The Board of Supervisors of
Contra Costa County, California*

In the matter of:

Resolution No. 2019/40

recognizing the Olsen Team as the 2018 Moraga Business of the Year.

The Olsen Team is the most successful real estate partnership in Lamorinda; Sue and her son, Ben, have decades of experience between them, and bring a wealth of local knowledge and business acumen to each transaction; and

Whereas, Sue and Ben have been #1 in Lamorinda real estate transactions since 2003, the Olsen Team has completed more than 400 transactions in the past decade, is #1 in Moraga Country Club real estate transactions for the past two decades, and sold 5 times as many MCC homes than the nearest competition in 2012 alone. The Olsen Team is also #1 in total Moraga transactions for more than 10 years and counting; and

Whereas, The Olsen Team is the biggest business supporter of Moraga schools, donating \$60,000 to Moraga Education Fund (MEF) within the past few years alone. The Olsen Team supports and sponsors other community groups like the California Independent Film Festival, Rheem Theatre, Moraga Juniors and Moraga Chamber of Commerce; and

Whereas, Along with supporting numerous Moraga organizations and businesses, Ben belongs to Moraga Citizen's Network, Viva Moraga!, and the Moraga Rotary; Sue serves as a board member on the Moraga Community Foundation.

that the Board of Supervisors of Contra Costa County does hereby honor The Olsen Team for their passion and dedication to Moraga and it's citizens.

JOHN GIOIA

Chair, 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: February 12, 2019

David J. Twa,

By: _____, Deputy



Contra
Costa
County

To: Board of Supervisors
From: Candace Andersen, District II Supervisor
Date: February 12, 2019

Subject: Resolution Recognizing The Moraga Citizen's Network as the 2018 Non-Profit Organization.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

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

Contact: 9259578860

By: , Deputy

cc:

ATTACHMENTS

Resolution
2019/42

*The Board of Supervisors of
Contra Costa County, California*

In the matter of:

Resolution No. 2019/42

recognizing the Moraga Citizen's Network as the 2018 organization of the year.

Moraga Citizens Network was founded in January, 2005, with about 25 people with the intent to stimulate a greater flow of information from the Town Council and Town staff in order to encourage greater participation in Town matters. Though Moraga Citizens Network is not a “business” in the usual sense of the word, they do have a business that focuses on communication to instill the desire in Moraga residents to participate in issues and events that are relevant to Moraga, believing it is essential in order to build an effective, positive community; and

Whereas, The creation of a twice-monthly e-news bulletin is one piece of MCN’s strategy that reaches 1,781 inboxes, and named in 2008 the "MCN Link". Most recipients are Moraga residents, but a respectable number of Orinda and Lafayette residents who come to Moraga often are included in that data base. It is the largest database of Moraga residents that exists in Moraga; and

Whereas, Since 2006, the MCN board has organized a Candidates Night forum to enable all Town Council candidates to meet the public and present their views on key town issues, the attendance at these informational forums, held 7 times in the past 13 years, has averaged 200 people, plus the countless others who viewed the night’s video on the Lamorinda Weekly’s website. Often candidates running for the Moraga School Board, the MOFD, and even for the County Board of Education, have asked to be introduced to the audience at these public forums; and

Whereas, The current board is composed of 9 members plus the Executive Director. There is a wide range of ages on the board as well as both men and women.

Backgrounds include public school teachers, law professionals, parents, college professors, marriage counselor, and real estate sales. All are committed to being publicly neutral on council candidates and town issues, and to providing factual information to Moraga residents, as free of bias as possible.

that the Board of Supervisors of Contra Costa County does hereby honor the Moraga Citizen’s Network for their dedication to encouraging participation in Moraga Town matters.

JOHN GIOIA

Chair, District I Supervisor

CANDACE ANDERSEN

District II Supervisor

DIANE BURGIS

District III Supervisor

KAREN MITCHOFF

FEDERAL D. GLOVER

District IV Supervisor

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: February 12, 2019

David J. Twa,

By: _____, Deputy



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: February 12, 2019

Subject: Results of the 2018 Counties Care Holiday Food Fight

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

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

Contact: Stacey Durocher
925.335.1703

By: , Deputy

cc:

ATTACHMENTS

Resolution
2019/48

*The Board of Supervisors of
Contra Costa County, California*

In the matter of:

Resolution No. 2019/48

In the Matter of recognizing the employees of Contra Costa County and the 2018 Counties Care Holiday Food Fight

WHEREAS, Contra Costa County departments and employees again demonstrated just how much public servants care and rose to the annual challenge to raise funds for the Food Bank of Contra Costa and Solano during the 2018 holiday season; and
WHEREAS, this 16th Annual Counties Care Challenge has been an important part of the Food Bank of Contra Costa and Solano's holiday fundraising program, and
WHEREAS, in the 2018 drive Contra Costa County employees raised \$73,963.57 bringing their cumulative total raised in 16 years to just over \$1.4 million, and
WHEREAS, with the 2018 Counties Care Holiday Food Fight, Contra Costa County employees must congratulate Solano County employees for once again winning the Big Apple and bragging rights for the year to come; and
WHEREAS, because departments and team leaders entered the annual competition with enthusiasm despite any personal or departmental challenges and stress, we salute the following stellar standouts in their leagues:

MINI DEPARTMENTS: AGRICULTURE, STEPHANNA HIDALGO, ROXANN CROSBY, TEAM LEADERS;
SMALL DEPARTMENTS: COUNTY COUNSEL, MICHIELLE MAURER, WANDA MCADOO, TEAM LEADERS;
MIDSIZED DEPARTMENTS: CONSERVATION AND DEVELOPMENT, TEAM LEADERS TOO MANY TO NAME;
LARGE DEPARTMENTS: HEALTH SERVICES, TEAM LEADERS TOO MANY TO NAME;
SUPERVISORS' OFFICES: DISTRICT II, CANDACE ANDERSEN, SUPERVISOR AND LAURI BYERS TEAM LEADER; and

WHEREAS, all County departments and team leaders showed special ingenuity and energy by raising copious funds and earning kudos and various special awards as determined by Food Fight organizers, including:

GAYLE B. UILKEMA GOOD EGG: DIANA BECTON, DISTRICT ATTORNEY
ADDITIONAL RECOGNITION:

KRISTIE HIRSCHENBERGER HEART AND SOUL: RUSTY WATTS, TREASURER-TAX COLLECTOR

WHEREAS, the combined efforts of employees of Contra Costa and Solano counties netted the Food Bank of Contra Costa and Solano a grand total of \$119,283.67 in 2018, providing close to 240,000 meals to approximately 180,000 "food-insecure" residents of both counties; and

WHEREAS, this annual effort has now raised over \$1.8 MILLION for the Food Bank since beginning in 2003;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Contra Costa County hereby applauds all of the tireless department team leaders and congratulates all participating Contra Costa County departments, department heads, and employees for their inspired and inspiring efforts on behalf of their community and those in need; and BE IT FURTHER RESOLVED that the Board of Supervisors of Contra Costa County thanks all County employees and residents who participated in the 2018 Counties Care Holiday Food Fight and urges all citizens of Contra Costa County and their communities to recognize and match the generosity and public spirit of County employees by giving generously to the Food Bank of Contra Costa and Solano regularly and often, through all of the Food Bank's programs.

JOHN GIOIA

Chair, 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: February 12, 2019

David J. Twa,

By: _____, Deputy



Contra
Costa
County

To: Board of Supervisors
From: Karen Mitchoff, District IV Supervisor
Date: February 12, 2019

Subject: In the Matter of Recognizing Choice in Aging's 70th Anniversary

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Colleen Isenberg,
925-521-7100

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

By: , Deputy

cc:

ATTACHMENTS

Resolution
2019/50

*The Board of Supervisors of
Contra Costa County, California*

In the matter of:

Resolution No. 2019/50

Recognizing Choice in Aging's 70th Anniversary

Choice in Aging is a nonprofit organization that has been serving Contra Costa County and the broader Bay Area since 1949; and

Whereas, Choice in Aging continues to support their mission, "To promote dignity and independence of people with disabilities and special needs"; and

Whereas, Choice in Aging originally started as a Polio rehabilitation facility, but in the 1970s, shifted their focus to serving the aging population; and

Whereas, Choice in Aging runs several programs including: two Adult Day Health Care Programs, two Multi-Purpose Senior Services Programs, and the California Community Transitions Project; and

Whereas, Choice in Aging also offers a licensed program, Alzheimer's Day Care & Resource Center, for participants who are in the mid-to-late stages of Alzheimer's or related dementia, which provides respite for caregivers, in-depth case management, exercise, and social interaction; and

Whereas, they serve the aging populations of Contra Costa, Napa and Solano Counties; and

Whereas, located in Pleasant Hill, Choice in Aging's oldest Adult Day Health Care program is at the Mt. Diablo Center (MDC), which was licensed in 1985, becoming the 16th licensed Adult Day Health Care Program in the State of California; and

Whereas, the Mt. Diablo Center provides nursing, physical, speech, and occupational therapy, social work, transportation, healthy meals, and most importantly a sense of community, while giving caregivers and their families much needed respite; and

Whereas, Choice in Aging also runs an Adult Day Health Care Program at the Bedford Center in Antioch which is the only licensed adult day facility in East Contra Costa County providing social work, nursing, physical, speech, and occupational therapies, transportation, as well as providing a nutritious lunch and snacks; and

Whereas, Choice in Aging is also a teaching institute and provides internship opportunities certified nursing assistants, nurses and social workers; and

Whereas, in 2017, the Board of Directors approved and created Choice in Learning Montessori and implemented the Young at Heart Intergenerational Program, and

Whereas, the Young at Heart Intergenerational Program brings together Mt. Diablo Center and Choice in Learning through singalongs, story time and other traditional preschool activities.

that the Board of Supervisors does hereby honor Choice in Aging on their 70th anniversary and the work they continue to do addressing the needs of seniors, caregivers and preschoolers in our community.

JOHN GIOIA
Chair, 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: February 12, 2019

David J. Twa,

By: _____, Deputy



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: February 12, 2019

Subject: Alternate members to the Assessment Appeals Board

RECOMMENDATION(S):

INTRODUCE Ordinance No. 2019-03 to authorize the appointment of up to five alternate members to the Contra Costa County Assessment Appeals Board, WAIVE reading, and FIX February 26, 2019 for approval.

FISCAL IMPACT:

None

BACKGROUND:

The current Contra Costa County Assessment Appeals Board is composed of five regular members. One member is nominated for appointment from each of the supervisorial districts. Members are approved by a majority vote of the board of supervisors. A three-member panel of the Assessment Appeals Board hears each appeal. The panel members are designated by the clerk of the Assessment Appeals Board. The common practice is that the clerk designates the three-member panels such that regular members sit on a routine, rotating basis. However, if any regular member is unavailable when he or she is designated to sit, another regular member not already included in the designated panel must be available to convene the required three-member panel.

Revenue and Taxation Code section 1622.5 authorizes the

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Jami Napier, (925)
335-1908

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Board of Supervisors to appoint alternate members to the Assessment Appeals Board. The attached ordinance would amend County Ordinance Code section 26-10.204 to authorize the Board of Supervisors to appoint up to five alternate members to the Assessment Appeals Board. Approval of each alternate member would be by majority vote of the Board of Supervisors. If a regular member is unavailable to sit on a three-member panel, an alternate member would sit and have the same authority to act as the regular member. Each alternate member would be required to have the same qualifications as regular members.

CONSEQUENCE OF NEGATIVE ACTION:

No alternate members would be appointed to the Contra Costa County Assessment Appeals Board.

ATTACHMENTS

Ordinance No. 2019-03

ORDINANCE NO. 2019-03

ASSESSMENT APPEALS BOARD ALTERNATES

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

SECTION I. SUMMARY. This ordinance amends the County Ordinance Code to authorize the appointment of up to five alternate members to the Contra Costa County Assessment Appeals Board.

SECTION II. Section 26-10.204 of the County Ordinance Code is amended to read:

26-10.204 Membership–Qualifications–Term–Alternates.

- (a) Membership: The assessment appeals board shall consist of five members appointed directly by the board of supervisors, acting only by three-member panels designated from time to time by the clerk of the assessment appeals board. Approval of each member shall be by majority vote of the board of supervisors.
- (b) Qualifications and Terms: The members' qualifications and terms of office shall be as provided by Revenue and Taxation Code Section 1620 et seq. The members shall be assigned terms in such a manner that the terms of no more than two offices shall expire in any one year.
- (c) Alternates: The board of supervisors may directly appoint up to five alternate members to the assessment appeals board. Approval of each alternate member shall be by majority vote of the board of supervisors. If any regular member of the assessment appeals board is temporarily unable to act as a member of the assessment appeals board, an alternate member may sit on the assessment appeals board and shall have the same authority to act as a regular member. (Ords. 2019-03 § 2, 84-62 § 1, 73-45 § 1 (part): R. & T. C. § 1622.1).

SECTION III. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published once with the names of supervisors voting for or against it in the Contra Costa Times, a newspaper published in this County.

PASSED on _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ORDINANCE NO. 2019-03

ATTEST: DAVID J. TWA,
Clerk of the Board of Supervisors
and County Administrator

Board Chair

By: _____
Deputy

[SEAL]

KCK:
H:\Client Matters\2019\AAB\Ordinance No. 2019-03 Assessment Appeals Board Alternates.wpd

ORDINANCE NO. 2019-03



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Designating Certain Health Services Department Vehicles as Hazardous Materials Response Team Vehicles

RECOMMENDATION(S):

INTRODUCE Ordinance No. 2019-04 designating 2004 Freightliner FL60, 1996 Freightliner FL60, 1992 Ford F-E350 Flatbed Truck, 2006 Ford F650, three 2018 Ford Interceptor utility vehicles and two 2018 Ford Edges as Hazardous Materials Emergency Response Team Vehicles; WAIVE reading; and FIX February 26, 2019 for adoption, as recommended by the Health Services Director.

FISCAL IMPACT:

There is no fiscal impact. All response vehicles are already equipped to meet Code 3 requirements.

BACKGROUND:

Since 1981, the Health Services Department Emergency Response Team has been responding to spills, chemical releases and other hazardous materials incidents throughout the County. The need often arises to go through or around slow or stalled traffic.

In 1990 the Vehicle Code was amended to allow the California Highway Patrol to issue Authorized Emergency Vehicle Permits to counties for vehicles designated for response during hazardous materials emergencies. In 1991, the Board designated two Health Services Department vehicles as hazardous

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Randy Sawyer,
925-335-3210

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

By: , Deputy

cc: Marcy Wilhelm, Randy Sawyer

BACKGROUND: (CONT'D)

materials response vehicles; these original vehicles have been replaced. In 2005, the Board adopted Ordinance No. 2005-31 that designated three vehicles as hazardous materials response team vehicles. In 2009, the Board adopted Ordinance No. 2009-33 that designated an additional vehicle as a hazardous materials response team vehicle, for a total of four vehicles.

The County is updating the vehicle permits to include an additional five vehicles, purchased since 2009, for use during hazardous material emergencies. The attached ordinance designates nine vehicles as hazardous materials response team vehicles for response to hazardous material emergencies. Adoption of this ordinance will allow Health Services to apply to the California Highway Patrol for Authorized Emergency Vehicles Permit for these vehicles.

CONSEQUENCE OF NEGATIVE ACTION:

Hazardous Materials Programs will not be able to apply for an authorized emergency vehicle permit which allows the vehicles to respond to emergencies using lights and sirens.

ATTACHMENTS

Ordinance

ORDINANCE NO. 2019-04

(Uncodified)

**(Designating Certain Health Services Department Vehicles as
Hazardous Materials Response Team Vehicles)**

The Contra Costa County Board of Supervisors ordains as follows:

SECTION I. SUMMARY. This ordinance repeals Ordinance No. 2009-33 and designates a total of nine Health Services Department vehicles as hazardous materials response team vehicles.

SECTION II. AUTHORITY. This ordinance is adopted pursuant to Vehicle Code section 2416, subdivision (a)(10).

SECTION III. REPEAL. Ordinance No. 2009-33 is repealed in its entirety.

SECTION IV. DESIGNATION. The following vehicles owned and operated by the County Health Services Department are hereby designated as hazardous materials response team vehicles for response to hazardous materials emergencies:

- A. 2004 Freightliner FL60
County Vehicle No. 6824
License No. 1201175
VIN: 1FVACWDDX5HN93858
- B. 1996 Freightliner FL60
County Vehicle No. 6814
License No. 048373
VIN: 1FV3GF3D6VH708472
- C. 1992 Ford F-350 Flatbed Truck
County Vehicle No. 6131
License No. 342231
VIN: 2FDKF38MXNCA73548
- D. 2006 Ford F650
County Vehicle No. 6868
License No. 1232779
VIN: 3FRNX65N66V297707
- E. 2018 Ford Interceptor SUV
County Vehicle No. 3643
License No. 1555994
VIN: 1FM5K8AT7JGC34129

- F. 2018 Ford Interceptor SUV
County Vehicle No. 3644
License No. 1555995
VIN: 1FM5K8AT3JGC34130
- G. 2018 Ford Interceptor SUV
County Vehicle No. 3645
License No. 1555996
VIN: 1FM5K8AT5JGC34131
- H. 2018 Ford Edge
County Vehicle No. 3657
License No. 1553842
VIN: 2FMPK4J87JBC40775
- I. 2018 Ford Edge
County Vehicle No. 3658
License No. 1555999
VIN: 2FMPK4J89JBC40776

SECTION V. PERMIT. The Director of Health Services is authorized to apply to the Commissioner of the California Highway Patrol for authorized emergency vehicle permits for the above vehicles.

SECTION VI. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published once with the names of supervisors voting for and against it in the East Bay Times, 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

Board Chair

By: _____
Deputy

[seal]

LW



Contra
Costa
County

To: Board of Supervisors
From: John Gioia, District I Supervisor
Date: February 12, 2019

Subject: Reappoint Joey Smith to the District 1 seat of the Commission for Women

RECOMMENDATION(S):

Supervisor Gioia wishes to reappoint Joey Smith to the District 1 seat of the Commission for Women, to a term ending 2/28/2022.

FISCAL IMPACT:

None.

BACKGROUND:

Joey Smith has been serving successfully and Supervisor Gioia would like her to continue to represent West County.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: James Lyons,
510-231-8692

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

By: , Deputy

cc:



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: February 12, 2019

Subject: APPOINT Monisha Merchant to Economic Opportunity Council, Private/Non-Profit Seat 4

RECOMMENDATION(S):

APPOINT Monisha Merchant to Private/Non-profit Sector 4 seat on the Contra Costa County Economic Opportunity Council, with a term end date of June 30, 2019, as recommended by the Employment and Human Services Director.

FISCAL IMPACT:

There is no fiscal impact.

BACKGROUND:

This board order seeks to appoint Monisha Merchant to the vacancy in Private/Non-profit Sector 4 with a term end date of June 30, 2019. The Economic Opportunity Council approved the appointment on January 10, 2018. Ms. Merchant resides in Concord, CA 94518.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, the Economic Opportunity Council will be unable to conduct routine business.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: CSB (925)
681-6308

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

By: , Deputy

cc: Nancy Sparks


ATTACHMENTS

EOC Application

Monisha

Application Form**Profile****Which Boards would you like to apply for?**

Economic Opportunity Council: Submitted

Seat #4
Private/Non-Profit Sector ~~Alternate~~ 
Seat Name (if applicable)

Describe why you are interested in serving on this advisory board/commission (please limit your response to one paragraph).

The Bay Area's economy and wealth generation are the envy of the world. However, the limited economic mobility in this region is shocking and having a significant negative impact on families in Contra Costa County. For one of my clients, I work closely with low wage workers preparing to apply for citizenship. Their stories are inspiring. Even though they encounter more walls than doors, they are determined to give their children the best. I am interested in supporting the County's efforts to provide our community's families access to the region's wealth.

This application is used for all boards and commissions

Monisha Merchant
First Name Middle Initial Last Name


Email Address


Home Address

Suite or Apt

Concord
City

CA
State

94518
Postal Code


Primary Phone

Lotus Advisory Ltd. Managing Director Consultant
Employer Job Title Occupation

Do you, or a business in which you have a financial interest, have a contract with Contra Costa Co.?

☐ Yes ☒ No

Is a member of your family (or step-family) employed by Contra Costa Co.?

☐ Yes ☒ No

Education History

Select the highest level of education you have received:

☒ Other

Master's Degree

If "Other" was Selected Give Highest Grade or Educational Level Achieved

College/ University A

Yale University - School of Management

Name of College Attended

Public and Nonprofit Management

Course of Study / Major

4

Units Completed

Type of Units Completed

☒ Semester

Degree Awarded?

☒ Yes ☐ No

MBA - Master of Business Administration

Degree Type

2004

Date Degree Awarded

College/ University B

Massachusetts Institute of Technology

Name of College Attended

Electrical Engineering and Political Science

Course of Study / Major

8

Units Completed

Type of Units Completed

None Selected

Degree Awarded?

☒ Yes ☐ No

Bachelor of Science

Degree Type

1999

Date Degree Awarded

College/ University C

Name of College Attended

Course of Study / Major

Units Completed

Type of Units Completed

None Selected

Degree Awarded?

☐ Yes ☐ No

Degree Type

Date Degree Awarded

Other schools / training completed:

Course Studied

Hours Completed

Certificate Awarded?

☐ Yes ☐ No

Work History

Please provide information on your last three positions, including your current one if you are working.

1st (Most Recent)

2015-present

Dates (Month, Day, Year) From - To

40

Hours per Week Worked?

Volunteer Work?

☐ Yes ☒ No

Managing Director

Position Title

Employer's Name and Address

Lotus Advisory Ltd. 2072 La Orinda Place Concord, CA 94518

Duties Performed

Provide management consulting and government relations services to private, nonprofit, and government clients.

2nd

2011-2015

Dates (Month, Day, Year) From - To

40

Hours per Week Worked?

Volunteer Work?

☐ Yes ☒ No

Senior Advisor

Position Title

Employer's Name and Address

U.S. Senator Michael Bennet

Duties Performed

3rd

2007-2011

Dates (Month, Day, Year) From - To

40

Hours per Week Worked?

Volunteer Work?

☐ Yes ☒ No

Senior Director

Position Title

Employer's Name and Address

Level 3 Communications (now CenturyLink)

Duties Performed

[MonishaMerchant_CCCBoards.pdf](#)

Upload a Resume

Final Questions

How did you learn about this vacancy?

☒ Contra Costa County Homepage

If "Other" was selected please explain

. Do you have a Familial or Financial Relationship with a member of the Board of Supervisors?

☐ Yes ☒ No

If Yes, please identify the nature of the relationship:

Do you have any financial relationships with the County such as grants, contracts, or other economic relations?

☐ Yes ☒ No

If Yes, please identify the nature of the relationship:

Please Agree with the Following Statement

I understand that this form is a public document and is subject to the California Public Records Act.

☒ I Agree



**Contra
Costa
County**

To: Board of Supervisors
From: Candace Andersen, District II Supervisor
Date: February 12, 2019

Subject: APPOINTMENT TO THE ALAMO POLICE SERVICES ADVISORY COMMITTEE

RECOMMENDATION(S):

APPOINT the following individual to the Appointee 4 Seat on the Alamo Police Services Advisory Committee for a two-year term with an expiration date of December 31, 2020, as recommended by Supervisor Candace Andersen:

William Nelson
Alamo, CA 94507

FISCAL IMPACT:

NONE

BACKGROUND:

Established on November 18, 1969, by Board Resolution 69/765, the purpose of the County Service Area P-2B Citizens Advisory Committee is to advise the Board of Supervisors and the Sheriff's Department on the needs of the Alamo community for extended police services which shall include, but not be limited to, enforcement of the State Vehicle Code, crime prevention, and litter control. On March 19, 2013, the Board of Supervisors approved a Board Order that retitled the County Service Area P-2B Citizens Advisory Committee to the "Alamo Police Services Advisory Committee". Alamo Police Services Advisory Committee is comprised of nine regular members and two alternates who each serve a two year term.

☒ APPROVE

☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Jill Ray
925-957-8860

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

By: , Deputy

cc: District 2 Supervisor, Maddy Book, APSAC, Appointee

CONSEQUENCE OF NEGATIVE ACTION:

The Committee could have quorum issues.

CHILDREN'S IMPACT STATEMENT:

NONE



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: February 12, 2019

Subject: Advisory Council on Aging Resignation

RECOMMENDATION(S):

ACCEPT the resignation of Jessica Thomas, DECLARE a vacancy in Local Committee Walnut Creek seat, DIRECT the Clerk of the Board to post the vacancy as recommended by the Employment and Human services Department Director.

FISCAL IMPACT:

There is no fiscal impact.

BACKGROUND:

Ms. Thomas was appointed to the Advisory Council on Aging March 20, 2018. The seat expires September 30, 2019. She is reigning as a member of the Advisory Council on Aging due to career challenges.

The Advisory Council on Aging (ACOA) provides a county-wide planning, cooperation, and coordination forum for individuals and groups interested in improving and developing services and opportunities for older residents of the County. The ACOA provides leadership and advocacy on behalf of older persons and serves as a channel of communication and information on aging.

CONSEQUENCE OF NEGATIVE ACTION:

The Advisory Council on Aging may not be able to conduct routine business.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Elaine Burres
608-4960

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

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: John Gioia, District I Supervisor
Date: February 12, 2019

Subject: ACCEPT the resignation of Barbara Pendergrass from the El Sobrante Municipal Advisory Council

RECOMMENDATION(S):

Accept the resignation of Barbara Pendergrass from the El Sobrante Municipal Advisory Council. Please declare her seat vacant.

FISCAL IMPACT:

None

BACKGROUND:

Mrs. Pendergrass has been a long serving member of the El Sobrante Municipal Advisory Council and is now stepping down for personal reasons.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: James Lyons,
510-231-8692

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

By: , Deputy

cc:



**Contra
Costa
County**

To: Board of Supervisors

From: INTERNAL OPERATIONS COMMITTEE

Date: February 12, 2019

Subject: RECOMMENDATIONS FOR APPOINTMENT TO "AT-LARGE" SEATS ON THE 2020 CENSUS COMPLETE COUNT STEERING COMMITTEE

RECOMMENDATION(S):

APPOINT the following individuals to At-Large seats on the 2020 Census Complete Count Steering Committee:

Fran Biderman, Kensington
 Alvaro Fuentes, Richmond
 Samuel Houston, Concord
 Melody Howe Weintraub, Lafayette
 Terry Koehne, San Ramon
 Mariana Moore, Richmond
 Mark Orcutt, Walnut Creek
 Andres Orozco, Brentwood
 Ali Saidi, Pinole

FISCAL IMPACT:

No fiscal impact. Members of the Steering Committee receive no compensation.

☒ APPROVE

☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR ☒ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Julie DiMaggio Enea
 (925) 335-1077

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

By: , Deputy

cc:

BACKGROUND:

The Board of Supervisors, on December 18, 2018, authorized the establishment of a Complete Count Steering Committee to guide the County's 2020 Census outreach effort. The charge of the Committee is to:

- Set clear, achievable goals and objectives;
- Identify areas of the community that may need extra outreach efforts, either a geographical area or a population group that might be hard to count;
- Use a “grassroots” approach to working with community-based organizations and groups who have direct contact with households who may be hard to count;
- Customize promotional materials for local area;
- Implement special events;
- Build awareness of the census and its benefits and motivate response through social media, newsletters, and other communications;
- Support and complete these tasks through the work of regional sub-committees in Central County, East County, South County, and West County;
- Develop a proposed Census 2020 budget for consideration by the Board of Supervisors by March 26, 2019.

The Complete Count Steering Committee is an *ad hoc* committee created for the limited duration of the 2020 Census effort. The Board appointed Supervisor Diane Burgis to chair the Steering Committee and to make recommendations to the Board on the Committee's composition. The Committee will be composed of 15 members, including the Chair. Of these, 5 will be representatives from each Supervisorial District, and 9 will be at-large members, all appointed by the Board of Supervisors. The 5 Supervisorial District representatives are being recommended by Diane Burgis, District III Supervisor, in a separate action today. This action concerns the 9 At-Large appointees.

Steering Committee members will be expected to serve as ambassadors for the 2020 Census within their region and/or across diverse sectors and communities countywide, and will need to think strategically about how to engage residents in hard to count populations, help to organize community events, communicate through their networks, and make presentations to community groups. They must be able and willing to commit the time required (estimated to be 5-10 hours/month) and regularly attend Complete Count Committee meetings, which will be held monthly in the afternoons. Periodic meetings will be held in the evening or on weekends.

The Board's Internal Operations Committee was charged by the Board of Supervisors on December 18, 2018 with recruiting and recommending individuals to represent the public at large on the Steering Committee. Due to the condensed start-up schedule and the need to develop a strategic plan and budget for adoption by the Board of Supervisors no later than April 9, 2019, the IOC conducted a two week recruitment and received 24 applications. Two applicants later withdrew, leaving a pool of 22 candidates. The IOC, at a special meeting on January 28, 2019, interviewed 20 candidates (2 were unable to attend), and recommends today the appointment of 9 individuals, whose applications are attached, to represent the public at large. In developing the recommendations, the IOC considered the candidates' connections to hard-to-count populations within the county as well as their capacity to leverage regional cooperation through existing community networks. Consideration was also given to geographic representation and filling gaps in the composition needed to create an effective outreach strategy and campaign.

Applicants not selected for the Steering Committee are encouraged to attend public meetings for one of the four regional Complete Count work groups (Central, East, South, and West).

CONSEQUENCE OF NEGATIVE ACTION:

Due to the condensed start-up schedule and the need to develop a strategic plan and budget for Board adoption no later than April 9, any delay in forming the Steering Committee may jeopardize the County's ability to secure up to \$362,605 in State funding to support the Complete Count effort.

ATTACHMENTS

Recruitment Announcement_2020 Census Steering Committee

Candidate Application_Fran Biderman_Census Steering Cte

Candidate Application_Alvaro Fuentes_Census Steering Cte

Candidate Application_Samuel Houston_Census Steering Cte

Candidate Application_Melody Howe Weintraub_Census Steering Cte

Candidate Application_Terry Koehne_Census Steering Cte

Candidate Application_Mariana Moore_Census Steering Cte

Candidate Application_Mark Orcutt_Census Steering Cte

Candidate Application_Andres Orozco_Census Steering Cte

Candidate Application_Ali Saidi_Census Steering Cte



Contra Costa County

County Administrator's Office • 651 Pine Street • Martinez, CA 94553 • www.contracosta.ca.gov

NEWS RELEASE

January 11, 2019

Contact: Susan Shiu, PIO, 925-313-1183

Susan.Shiu@contracostatv.org

WOULD YOU LIKE TO VOLUNTEER TO SERVE ON THE Census 2020 Complete Count Steering Committee?

(Martinez, CA) - On December 18, 2018 the Contra Costa County Board of Supervisors created the Census 2020 Complete Count Steering Committee to increase awareness and motivate residents to respond to the 2020 Census. The County is seeking volunteers for the Complete Count Steering Committee who will serve as local "census ambassadors" to ensure a complete and accurate count of the community in the 2020 Census.

Complete Count Steering Committee members should represent the diversity within Contra Costa County, in particular Hard to Count populations. Examples of Hard to Count populations include immigrants and refugees, minority communities, households living in poverty, youth between the age of 0-5 and 18-24, rural residents, seniors/older adults, people with disabilities, LGBTQ, veterans, homeless individuals and families, areas with limited internet access, and households with limited English proficiency. The Complete Count Steering Committee may include representatives from government agencies, community-based organizations, business community, and the faith-based community.

Complete Count Committee members should be able to think strategically about how to engage residents within Hard to Count populations, help organize community events, communicate through their networks, and make presentations to community groups. They must be able and willing to commit the time required (estimated to be 5-10 hours/month) and regularly attend Complete Count Committee meetings, which will be held monthly in the afternoons. Periodic meetings will be held in the evening or weekends. These are volunteer positions.

Application forms can be obtained from the Clerk of the Board of Supervisors by calling (925) 335-1900 or visiting the County webpage at <https://www.contracosta.ca.gov/3418/>.

Applications should be returned to the Clerk of the Board of Supervisors, Room 106, County Administration Building, 651 Pine Street, Martinez, CA 94553 or emailed to ClerkoftheBoard@cob.cccounty.us no later than close of business at **5 pm on January 23, 2019**. Applications will be reviewed, and selection of the Census 2020 Complete Count Steering Committee members will be made by the Board of Supervisors.

###

Application Form

Profile

Which Boards would you like to apply for?

Census 2020 Complete Count Steering Committee: Submitted

Seat Name (if applicable)

Describe why you are interested in serving on this advisory board/commission (please limit your response to one paragraph).

I coordinate the Family Economic Security Partnership (FESP), an association of public and private organizations that help individuals and families to become financially stable - many of whom utilize and depend on services that are funded through the census and therefore rely on an accurate count to ensure continued and adequate funding to the county.

This application is used for all boards and commissions

Fran

First Name

Biderman

Last Name

Middle Initial

Email Address

Home Address

Suite or Apt

Kensington

City

CA

State

94707

Postal Code

Primary Phone

First 5 Contra Costa

Employer

Special Projects Coordinator

Job Title

Coordinate FESP and other related duties

Occupation

Do you, or a business in which you have a financial interest, have a contract with Contra Costa Co.?

☐ Yes ☒ No

Is a member of your family (or step-family) employed by Contra Costa Co.?

☐ Yes ☒ No

Education History

Select the highest level of education you have received:

☒ Other

Masters Degree

If "Other" was Selected Give Highest Grade or Educational Level Achieved

College/ University A

UC Berkeley

Name of College Attended

Social Work

Course of Study / Major

Units Completed

Type of Units Completed

None Selected

Degree Awarded?

☒ Yes ☐ No

Masters in Social Welfare

Degree Type

1988

Date Degree Awarded

College/ University B

UC Davis

Name of College Attended

Child Development

Course of Study / Major

Units Completed

Type of Units Completed

None Selected

Degree Awarded?

☒ Yes ☐ No

Masters in Child Development

Degree Type

1977

Date Degree Awarded

College/ University C

Name of College Attended

Course of Study / Major

Units Completed

Type of Units Completed

None Selected

Degree Awarded?

☐ Yes ☐ No

Degree Type

Date Degree Awarded

Other schools / training completed:

Course Studied

Hours Completed

Certificate Awarded?

☐ Yes ☐ No

Work History

Please provide information on your last three positions, including your current one if you are working.

1st (Most Recent)

2/19/2003

Dates (Month, Day, Year) From - To

20

Hours per Week Worked?

Volunteer Work?

☐ Yes ☒ No

Special Projects Coordinator

Position Title

Employer's Name and Address

First 5 Contra Costa 1485 Civic Court, Suite 1200 Concord, CA 94520

Duties Performed

Coordinate Family Economic Security Partnership (FESP) - convene meetings, identify speakers, disseminate information about wide range of economic stability-related issues. I also represent First 5/FESP on variety of coalitions including Census Working Group, Cal Fresh Partnership, Budget Justice Coalition, Rise Together and the Early Learning Leadership Group.

2nd

Dates (Month, Day, Year) From - To

Hours per Week Worked?

Volunteer Work?

☐ Yes ☐ No

Position Title

Employer's Name and Address

Duties Performed

3rd

Dates (Month, Day, Year) From - To

Hours per Week Worked?

Volunteer Work?

☐ Yes ☐ No

Position Title

Employer's Name and Address

Duties Performed

Upload a Resume

Final Questions

How did you learn about this vacancy?

☒ Other

Already engaged in this work

If "Other" was selected please explain

Do you have a Familial or Financial Relationship with a member of the Board of Supervisors?

☐ Yes ☒ No

If Yes, please identify the nature of the relationship:

Do you have any financial relationships with the County such as grants, contracts, or other economic relations?

☐ Yes ☒ No

If Yes, please identify the nature of the relationship:

Please Agree with the Following Statement

I understand that this form is a public document and is subject to the California Public Records Act.

☒ I Agree

Application Form

Profile

Which Boards would you like to apply for?

Census 2020 Complete Count Steering Committee: Submitted

Seat Name (if applicable)

Describe why you are interested in serving on this advisory board/commission (please limit your response to one paragraph).

My work is focused on advocating to improved access to health care for low-income marginalized communities throughout Contra Costa County. Our member health centers serve over 100,000 patients annually and many are mixed status families that would be impacted by a disproportionate census count.

This application is used for all boards and commissions

Alvaro

First Name

Fuentes

Last Name

Middle Initial

Email Address

Home Address

Suite or Apt

Richmond

City

CA

State

94805

Postal Code

Primary Phone

Community Clinic Consortium

Employer

Executive Director

Job Title

Healthcare Policy

Occupation

Do you, or a business in which you have a financial interest, have a contract with Contra Costa Co.?

☒ Yes ☐ No

Is a member of your family (or step-family) employed by Contra Costa Co.?

☐ Yes ☒ No

Education History

Select the highest level of education you have received:

☒ Other

College

If "Other" was Selected Give Highest Grade or Educational Level Achieved

College/ University A

Alvaro Fuentes

Name of College Attended

Political Science

Course of Study / Major

70

Units Completed

Type of Units Completed

None Selected

Degree Awarded?

☒ Yes ☐ No

AA

Degree Type

Date Degree Awarded

College/ University B

Alvaro Fuentes

Name of College Attended

Course of Study / Major

Units Completed

Type of Units Completed

None Selected

Degree Awarded?

☐ Yes ☐ No

Degree Type

Date Degree Awarded

College/ University C

Alvaro Fuentes

Name of College Attended

Course of Study / Major

Units Completed

Type of Units Completed

None Selected

Degree Awarded?

☐ Yes ☐ No

Degree Type

Date Degree Awarded

Other schools / training completed:

Course Studied

Hours Completed

Certificate Awarded?

☐ Yes ☐ No

Work History

Please provide information on your last three positions, including your current one if you are working.

1st (Most Recent)

9/1/2008 - present

Dates (Month, Day, Year) From - To

40

Hours per Week Worked?

Volunteer Work?

☒ Yes ☐ No

Executive Director

Position Title

Employer's Name and Address

3720 Barrett Ave

Duties Performed

2nd

Dates (Month, Day, Year) From - To

Hours per Week Worked?

Volunteer Work?

☐ Yes ☐ No

Position Title

Employer's Name and Address

3720 Barrett Ave

Duties Performed

3rd

Dates (Month, Day, Year) From - To

Hours per Week Worked?

Volunteer Work?

☒ Yes ☐ No

Position Title

Employer's Name and Address

3720 Barrett Ave

Duties Performed

[Fuentes Alvaro 8.30.17.docx](#)

Upload a Resume

Final Questions

How did you learn about this vacancy?

☒ District Supervisor

If "Other" was selected please explain

Do you have a Familial or Financial Relationship with a member of the Board of Supervisors?

☐ Yes ☒ No

If Yes, please identify the nature of the relationship:

Do you have any financial relationships with the County such as grants, contracts, or other economic relations?

☒ Yes ☐ No

If Yes, please identify the nature of the relationship:

Our member health centers receive county funding to support the Contra Costa CARES program.

Please Agree with the Following Statement

I understand that this form is a public document and is subject to the California Public Records Act.

☒ I Agree

ALVARO FUENTES

San Francisco, California 94117

Committed Executive Director with over 20 years experience in the non-profit sector. Proven track record in leading successful grant fundraising efforts, program development and management, as well as executive leadership, fiscal oversight and strategic planning. Effectively works with board of directors to develop and execute organizational goals and priorities to advance the mission of community health centers. Demonstrated success in establishing critical relationships with cross-sector stakeholders in Contra Costa and Solano Counties. Fluent in Spanish. Core competencies include:

Strategic Planning - Budget Planning - Management - Policy Analysis - Community Organizing and Advocacy - Program Development - Grant Writing - Facilitation

PROFESSIONAL EXPERIENCE

Community Clinic Consortium, Richmond, CA

A consortium of five community health centers serving low-income uninsured patients in Contra Costa and Solano County. Services provided include primary care with a broad range of wrap around services, in addition to reproductive health services.

Executive Director

2011 - Present

- Oversee administration and infrastructure development of the organization and work with Board of Directors to develop and implement long-term strategic planning goals and objectives.
- Effectively manage \$600,000 budget to achieve organizational goals.
- Lead efforts to formulate effective relationships and partnerships with Contra Costa and Solano County public and private stakeholders that include public health departments, health plans, elected officials from all levels of government, and community based organizations.
- Raised over \$3 million to plan and develop a local coverage program for undocumented adults - Contra Costa CARES.

Director of Community Affairs**2010**

- Represented the Consortium and members in public forums, legislative hearings, conferences and other convenings by providing oral and written testimony.
- Developed and implemented advocacy and grassroots training opportunities for members.

Fund Development Manager**2008 - 2010**

- Responsible for writing grant proposals and reports, and developing a base of corporate funders.
- Managed relationships with partners to implement programs.

AltaMed Health Services Corporation, Los Angeles, CA

One of the largest community health center corporations in the United States providing a broad range of health and wellness services to low-income uninsured residents in the greater Los Angeles and Orange County areas.

Grants Development Associate**2006 - 2008**

- Managed federal, state, and local government grant proposal projects.
- Secured over \$2 million in funding by analyzing prospective funding opportunities and authored grant proposals.

New Economics for Women, Los Angeles, CA

Community development corporation that develops affordable housing and support services for low-income women and their families.

Program Manager**1999 - 2006**

- Led a staff of seven in the organization's health outreach department.
- Secured over \$2.5 million in funding by authoring successful grant proposals.
- Successfully developed and implemented effective outreach and enrollment strategies.

Housing Authority City of Los Angeles, Los Angeles, CA

One of the largest public housing agencies in the United States providing quality housing and support services for low-income families.

Management Clerk**1994 - 1999**

- Coordinated with public and private agencies to organize community services for low-income public housing families.
- Provided direct support to department heads to ensure successful coordination of project implementation across Resident Relations Department.

LEADERSHIP AND AFFILIATIONS***Solano Coalition for Better Health - Board Member*****2014 - Present**

Coalition of 15 cross-sector stakeholders committed to addressing issues of health shortages and disparities in Solano County.

Insure the Uninsured Project - Advisory Council Member**2014 - Present**

Statewide organization committed to increasing access to health care for California's uninsured population.

Clinic Leadership Institute - Alumni**2012**

Program sponsored by the Blue Shield of California designed to support emerging leaders in the community health center field.

Operation Access - Board Member**2012 - Present**

San Francisco based non-profit organization that coordinates volunteer specialty care procedures for 1000 uninsured individuals annually throughout the greater Bay Area.

Regional Associations of California**2011 - Present**

Association of 15 non-profit consortia's and state-wide associations committed to supporting and advancing the mission of community health centers to provide access to quality health care services for uninsured low-income families.

RYSE Youth Center - Treasurer (Past Board Chair)**2010 - Present**

Non-profit organization located in Richmond, California grounded in social justice to help young people build power and transform their communities.

Application Form

Profile

Which Boards would you like to apply for?

Census 2020 Complete Count Steering Committee: Submitted

Seat Name (if applicable)

Describe why you are interested in serving on this advisory board/commission (please limit your response to one paragraph).

I think it is Important that we get out and personally connect with our community to help get a complete count and i think it needs to have the face of people who are already working in the community so that people can feel comfortable with asking the questions needed to help quell any false or misleading information.

This application is used for all boards and commissions

SAMUEL

First Name

Houston

Middle Initial

Last Name

Email Address

Home Address

Suite or Apt

Concord

City

CA

State

94520

Postal Code

Primary Phone

Houston Insurance

Employer

Owner

Job Title

Insurance

Occupation

Do you, or a business in which you have a financial interest, have a contract with Contra Costa Co.?

☐ Yes ☒ No

Is a member of your family (or step-family) employed by Contra Costa Co.?

☐ Yes ☒ No

Education History

Select the highest level of education you have received:

☒ Other

Some College
If "Other" was Selected Give Highest Grade or Educational Level Achieved

College/ University A

Berkeley Community college
Name of College Attended

Business
Course of Study / Major

24
Units Completed

Type of Units Completed

☒ Semester

Degree Awarded?

☐ Yes ☒ No

Degree Type

Date Degree Awarded

College/ University B

Name of College Attended

Course of Study / Major

Units Completed

Type of Units Completed

None Selected

Degree Awarded?

☐ Yes ☐ No

Degree Type

Date Degree Awarded

College/ University C

Name of College Attended

Course of Study / Major

Units Completed

Type of Units Completed

None Selected

Degree Awarded?

☐ Yes ☐ No

Degree Type

Date Degree Awarded

Other schools / training completed:

Course Studied

Hours Completed

Certificate Awarded?

☐ Yes ☐ No

Work History

Please provide information on your last three positions, including your current one if you are working.

1st (Most Recent)

09/14/2014 - present

Dates (Month, Day, Year) From - To

40

Hours per Week Worked?

Volunteer Work?

☐ Yes ☒ No

Owner

Position Title

Employer's Name and Address

pleasant hill ca 94523

Duties Performed

Manage and organize health and life detailing for clients. forecasting changes in coverage to help save money and increase increase enrollment in the proper plan. review and consult on retirement and wealth management.

2nd

05/05/2017

Dates (Month, Day, Year) From - To

5

Hours per Week Worked?

Volunteer Work?

☒ Yes ☐ No

Low-income representative

Position Title

Employer's Name and Address

Economic opportunity council 1470 Civic Ct. Suite 200, Concord, CA

Duties Performed

Program services chair help reinvesting money into key areas of the community, partnering with county and local agencies we try to provide economic assistance to agency at key places in the community that will impact and help disenfranchised families. Working within the community to provide stable and viable support to programs looking to help low income and at risk individuals.

3rd

06/05/2017

Dates (Month, Day, Year) From - To

18

Hours per Week Worked?

Volunteer Work?

☒ Yes ☐ No

Pastor

Position Title

Employer's Name and Address

Changing Lives Community Ministry

Pleasant Hill Ca, 94523

Duties Performed

We help community neighbors teach the Word of God. I minister to the people and council those in need. Organize activities to partner with other agencies to help support growth in my community.

Upload a Resume

Final Questions

How did you learn about this vacancy?

☒ Other

signed up to help with the 2020
Census

If "Other" was selected please explain

Do you have a Familial or Financial Relationship with a member of the Board of Supervisors?

☐ Yes ☒ No

If Yes, please identify the nature of the relationship:

Do you have any financial relationships with the County such as grants, contracts, or other economic relations?

☐ Yes ☒ No

If Yes, please identify the nature of the relationship:

Please Agree with the Following Statement

I understand that this form is a public document and is subject to the California Public Records Act.

☒ I Agree

Application Form

Profile

Which Boards would you like to apply for?

Census 2020 Complete Count Steering Committee: Submitted

Seat Name (if applicable)

Describe why you are interested in serving on this advisory board/commission (please limit your response to one paragraph).

I am the chair of the Steering Committee of the Multi-faith ACTION Coalition, which is made up of faith leaders and community members working together to address the root causes of poverty through advocacy and public policy change. I wish to represent faith voices at the table. The Complete Count is important to the faith community because the census impacts so many vulnerable citizens we are working to lift out of poverty. If the count is not accurate, the faith community will see the suffering of residents and have less ability to help them.

This application is used for all boards and commissions

Melody

First Name

R

Middle Initial

Howe Weintraub

Last Name

Email Address

Home Address

Suite or Apt

Lafayette

City

CA

State

94549

Postal Code

Primary Phone

Self

Employer

Community Organizer and
Consultant

Job Title

Political Consultant

Occupation

Do you, or a business in which you have a financial interest, have a contract with Contra Costa Co.?

☐ Yes ☒ No

Is a member of your family (or step-family) employed by Contra Costa Co.?

☐ Yes ☒ No

Education History

Select the highest level of education you have received:

☒ Other

College
If "Other" was Selected Give Highest Grade or Educational Level Achieved

College/ University A

Cal State Hayward (East Bay)
Name of College Attended

Political Science
Course of Study / Major

Enough to graduate
Units Completed

Type of Units Completed

☒ Quarter

Degree Awarded?

☒ Yes ☐ No

Bachelor of Science
Degree Type

December 1981
Date Degree Awarded

College/ University B

Name of College Attended

Course of Study / Major

Units Completed

Type of Units Completed

None Selected

Degree Awarded?

☐ Yes ☐ No

Degree Type

Date Degree Awarded

College/ University C

Name of College Attended

Course of Study / Major

Units Completed

Type of Units Completed

None Selected

Degree Awarded?

☐ Yes ☐ No

Degree Type

Date Degree Awarded

Other schools / training completed:

Course Studied

Hours Completed

Certificate Awarded?

☐ Yes ☐ No

Work History

Please provide information on your last three positions, including your current one if you are working.

1st (Most Recent)

1/1/2014 - present

Dates (Month, Day, Year) From - To

30

Hours per Week Worked?

Volunteer Work?

☒ Yes ☐ No

Chair, Steering Committee

Position Title

Employer's Name and Address

Multi-faith ACTION Coalition 1014 Florida Ave., #200 Richmond, CA. 94804

Duties Performed

Coordinate Steering Committee, 5 Task Forces and 1 Working Group Write and execute communications Strategic planning for advocacy efforts

2nd

12/1/1985 - Present

Dates (Month, Day, Year) From - To

Between 0 - 20

Hours per Week Worked?

Volunteer Work?

☐ Yes ☒ No

Consultant

Position Title

Employer's Name and Address

Self/ Winning Results 3527 Mt. Diablo Blvd. #322 Lafayette, CA. 94549

Duties Performed

Strategic planning and general coordination of local political campaigns Writing, designing and producing direct mail, radio and television communications

3rd

1982-1985

Dates (Month, Day, Year) From - To

40

Hours per Week Worked?

Volunteer Work?

☐ Yes ☒ No

District Representative

Position Title

Employer's Name and Address

Congressman George Miller (Ret.) 1333 Willow Pass Rd Concord, CA. 94520 (last office address)

Duties Performed

Assisted constituents with issues involving multiple federal agencies Coordinated Town Hall meetings

Upload a Resume

Final Questions

How did you learn about this vacancy?

☒ Other

Ensuring Opportunity to End
Poverty in Contra Costa Countuy

If "Other" was selected please explain

Do you have a Familial or Financial Relationship with a member of the Board of Supervisors?

☐ Yes ☒ No

If Yes, please identify the nature of the relationship:

Do you have any financial relationships with the County such as grants, contracts, or other economic relations?

☐ Yes ☒ No

If Yes, please identify the nature of the relationship:

Please Agree with the Following Statement

I understand that this form is a public document and is subject to the California Public Records Act.

☒ I Agree

Application Form

Profile

Which Boards would you like to apply for?

Census 2020 Complete Count Steering Committee: Submitted

Seat Name (if applicable)

Describe why you are interested in serving on this advisory board/commission (please limit your response to one paragraph).

I know that you are searching for a broad spectrum of government and community leaders from education, business, healthcare, and other community organizations to develop a Census outreach plan to encourage participation in the Census. I am the Chief Communications Officer for the Contra Costa County Office of Education, with close ties to all 18 school districts and many education leaders in Contra Costa County. I feel that my position would enhance the committee communication efforts.

This application is used for all boards and commissions

Terry

First Name

W

Middle Initial

Koehne

Last Name

Email Address

Home Address

Suite or Apt

San Ramon

City

CA

State

94583

Postal Code

Primary Phone

Contra Costa County Office of
Education

Employer

Chief Communications Officer

Job Title

Education

Occupation

Do you, or a business in which you have a financial interest, have a contract with Contra Costa Co.?

☐ Yes ☒ No

Is a member of your family (or step-family) employed by Contra Costa Co.?

☐ Yes ☒ No

Education History

Select the highest level of education you have received:

☒ Other

Bachelor of Arts Degree

If "Other" was Selected Give Highest Grade or Educational Level Achieved

College/ University A

CSU East Bay (Hayward)

Name of College Attended

Communications

Course of Study / Major

Units Completed

Type of Units Completed

None Selected

Degree Awarded?

☒ Yes ☐ No

B.A.

Degree Type

June 1990

Date Degree Awarded

College/ University B

Holy Names College, Oakland

Name of College Attended

Religious Studies

Course of Study / Major

45

Units Completed

Type of Units Completed

☒ Semester

Degree Awarded?

☐ Yes ☒ No

Degree Type

Date Degree Awarded

College/ University C

Name of College Attended

Course of Study / Major

Units Completed

Type of Units Completed

None Selected

Degree Awarded?

☐ Yes ☐ No

Degree Type

Date Degree Awarded

Other schools / training completed:

Course Studied

Hours Completed

Certificate Awarded?

☐ Yes ☐ No

Work History

Please provide information on your last three positions, including your current one if you are working.

1st (Most Recent)

9/18/2014-Present

Dates (Month, Day, Year) From - To

40

Hours per Week Worked?

Volunteer Work?

☐ Yes ☒ No

Chief Communications Officer

Position Title

Employer's Name and Address

Contra Costa County Office of Education 77 Santa Barbara Road Pleasant Hill, CA 94523

Duties Performed

I act as spokesperson for the County Office of Education, and plan, organize and direct the operations and activities of the Communications department.

2nd

2/1/1996-9/1/2014

Dates (Month, Day, Year) From - To

40

Hours per Week Worked?

Volunteer Work?

☐ Yes ☒ No

Communications Director

Position Title

Employer's Name and Address

San Ramon Valley Unified School District 699 Old Orchard Road Danville, CA 94526

Duties Performed

Lead comprehensive communications and community relations program to strengthen understanding of and support for the San Ramon Valley Unified School District (35 schools/32,000 students/3,400 employees)

3rd

2009-2013

Dates (Month, Day, Year) From - To

10

Hours per Week Worked?

Volunteer Work?

☐ Yes ☒ No

Communications Consultant

Position Title

Employer's Name and Address

City of San Ramon 7000 Bollinger Canyon Road San Ramon, CA 94583

Duties Performed

Host of "Mayor's Report," a twice monthly, 30-minute Community Television Show with the Mayor of San Ramon. Created a comprehensive Communications Plan for the City of San Ramon. Produced "City Report," San Ramon's quarterly community newsletter.

[TK_resume_2014.pdf](#)

Upload a Resume

Final Questions

How did you learn about this vacancy?

☒ Other

CCC Dept. of Conservation and
Development

If "Other" was selected please explain

Do you have a Familial or Financial Relationship with a member of the Board of Supervisors?

☐ Yes ☒ No

If Yes, please identify the nature of the relationship:

Do you have any financial relationships with the County such as grants, contracts, or other economic relations?

☐ Yes ☒ No

If Yes, please identify the nature of the relationship:

Please Agree with the Following Statement

I understand that this form is a public document and is subject to the California Public Records Act.

☒ I Agree

TERRY KOEHNE

San Ramon, CA 94583

K-12 Communications/Community Relations Professional

A strategic, creative and collaborative leader with extensive experience and expertise in communications and public relations, primarily in the education, public agency and non-profit environments.

Key strengths

- Spokesperson
- Media Relations
- Crisis Communication
- Presenter/Facilitator
- Community Outreach
- Strong Leader

Education

Bachelor of Arts, Communications
California State University, Hayward

Work towards Accreditation in
Public Relations (APR)

Professional and Community Affiliations

California School Public Relations
Association, 1997- Present
President, Board of Directors
2006 -07

San Ramon Valley
Education Foundation
Danville, CA
Board of Directors, 1996 – Present
President, 2009-11

Leadership San Ramon Valley
Board of Directors, 2000 - Present
President, 2007-08

San Ramon Chamber of Commerce
Member, Board of Directors
1998 - Present

East Bay Heart Association
Oakland, CA
Member, Board of Directors
2000 – 2007

Museum of the San Ramon Valley
Danville, CA
Member, Board of Directors
2006 – Present

San Ramon Valley Community
Core Council on Emergency
Preparedness
Member, Technical Committee
2012 - Present

Professional Experience

San Ramon Valley Unified School District
Danville, CA

1996–Present

Public K-12 school district serving 32,000 students and 35 school sites.

Director, Communications and Community Relations

Lead comprehensive communications and community relations program to strengthen understanding of and support for the San Ramon Valley Unified School District (35 schools/32,000 students/3,400 employees).

- Successfully created and continuously expanded an all-purpose communications, community and media relations office.
- Primary spokesperson; manage local and national media coverage. Appeared on CNN and Japanese Public Television (October, 2011)
- Advisor to superintendent, trustees, directors and school principals on matters related to media relations and crisis communication.
- Developed and implemented a comprehensive communications plan.
- Act as liaison to public safety and community partners related to campus safety and emergency response.
- Developed a district-wide media relations plan and training program.
- Helped pass \$260 million school facilities bond and 7-year parcel tax that saved several critical programs and 240 teaching jobs. Responsible for communication campaigns including ballot arguments, campaign materials, media relations, employee and community presentations.
- Coordinate all communications during emergency/crisis situations.
- Manage district's award-winning web site.
- Train management employees on effective media relations practices.
- Manage district-level internal communications.
- Conduct press conferences and other media-related events.
- Coordinate district and community programs/events, including Business/Education Roundtable and annual Student Recognition Project.
- Act as liaison to various community and key stakeholder groups.
- Oversee all community and business partnerships.
- Oversee production of all district publications and marketing materials.
- Write and deliver targeted presentations/speeches to various local community groups and service clubs.
- Created hundreds of attention-getting press releases.
- Coordinate/chair various committee processes including Traffix, Streetsmarts, District Climate Committee and naming of all new schools.

City of San Ramon, California

2009–Present

Communications Consultant/Host of "Mayor's Report" TV Show

Current host of "Mayor's Report," a twice monthly, 30-minute Community Television Show with the Mayor of San Ramon. Created a comprehensive Communications Plan for the City of San Ramon. Produced "City Report," San Ramon's quarterly community newsletter.

TERRY KOEHNE

San Ramon, CA 94583
(925) 552-0555

Technical Skills

Experience in Adobe InDesign and Photoshop, Microsoft Word, PowerPoint and Excel.
Also experienced in web design, image editing and photography

Awards/Recognitions

Danville Area Chamber of Commerce
Employee of the Year
March, 2013

City of San Ramon/San Ramon Chamber of Commerce
Employee of the Year
December, 2008

San Ramon Valley Education Foundation
Annual Dinner Honoree
April, 2011

California School Public Relations Association: Awards for Excellence in Communication
2007, 2006, 2003, 2002, 2001, 2000

Del Valle Council of PTAs
Honorary Service Award
2010, 2001, 2000

United Press International
Best Newscast in the United States
KSFO/KYA Radio, San Francisco

Featured on Cover of
"Acacia Magazine"

References

References available.

Professional Experience, continued

KSFO/KYA Radio - San Francisco, CA **1991-1994**
Flagship Station for Oakland A's and UC Berkeley Basketball
Fourth largest media market in the United States

Sports Talk Show Host/News and Sports Reporter

- Twice weekly hosted a live 3-hour sports talk show and acted as daily sports anchor during "Afternoon Drive."
- Hosted Oakland A's Pregame Show each weekend during baseball season.
- Conducted live remote broadcasts and provided broadcast and print material for ESPN and USA Today.

Roman Catholic Diocese of Oakland **1990-1995**
Oakland, CA

Director of Youth and Young Adults

- Coordinated training, support and resource opportunities for all 89 Catholic parishes and communities in the Diocese of Oakland on matters relating to youth and young adults.
- Promoted, planned and coordinated large-scale events (including annual *Youth Day* which attracted more than one thousand high school youth).
- Served as consultant and trainer to parish coordinators, staff and volunteers.
- Keynote speaker.

KEKA/KFLI Radio - Eureka, CA **1989- 1991**

News and Sports Director

- Coordinated all aspects of a small-market radio news department
- Gathered, wrote and reported eight live newscasts daily.
- Attended press conferences and communicated with city/county officials
- Coordinated and maintained communication with other media and public service agencies.
- Radio "play-by-play" announcer for Humboldt State University Basketball and Football, and Humboldt Crabs Semi-Professional Baseball
- Coordinated live remote broadcasts.
- Worked with promotions department.

Application Form

Profile**Which Boards would you like to apply for?**

Census 2020 Complete Count Steering Committee: Submitted

Seat Name (if applicable)

Describe why you are interested in serving on this advisory board/commission (please limit your response to one paragraph).

As the Director of the Ensuring Opportunity Campaign to End Poverty in Contra Costa, I am deeply committed to ensuring that every resident of Contra Costa is counted in 2020 Census. Due to a number of factors, achieving a Complete Count will be challenging for this Census, particularly for low-income residents, communities of color and other populations that have been designated as Hard to Count. The Ensuring Opportunity Campaign currently leads the Contra Costa Census Coalition, which includes several key community partners and funders and is focused on ensuring local census outreach efforts are effectively focused, well-coordinated, and sufficiently funded. As policy-focused initiative, Ensuring Opportunity has established deep connections with a broad and diverse network of key stakeholders across all Supervisorial districts and sectors, including community-based organizations, faith-centered groups, businesses, labor unions, city/county government, resident advocates, elected officials, and more. Over the past four years, Ensuring Opportunity has earned strong credibility across all sectors and perspectives. We have become a trusted partner in convening and supporting a wide array of community-based and cross-sector initiatives, including such high-profile efforts as the recently formed Contra Costa Housing Advisory Council. If selected to serve on the Complete Count Steering Committee, I anticipate serving as strategic advisor (internally) and bridge-builder and connector (externally), as well as being a liaison both to the Contra Costa Census Coalition and to the regional Administrative Community-Based Organization (ACBO). At a personal level, I bring 20+ years of experience in leading and participating in coalitions and other forms of collaborative work throughout Contra Costa and the Bay Area. I am formally trained in group and process facilitation, strategic planning, systems coaching and a number of other relevant skill sets. I will be pleased to offer these tools to the Complete Count Steering Committee to assist with designing effective planning and implementation of community outreach and engagement strategies for the 2020 Census.

This application is used for all boards and commissions

Mariana

First Name

Moore

Middle Initial

Last Name

Email Address

Home Address

Suite or Apt

Richmond

City

CA

State

94510

Postal Code

Primary Phone

Richmond Community
Foundation

Employer

Director, Ensuring Opportunity
Campaign to End Poverty in
Contra Costa

Job Title

Program Director

Occupation

Do you, or a business in which you have a financial interest, have a contract with Contra Costa Co.?

☐ Yes ☒ No

Is a member of your family (or step-family) employed by Contra Costa Co.?

☐ Yes ☒ No

Education History

Select the highest level of education you have received:

☒ Other

Bachelor of Arts

If "Other" was Selected Give Highest Grade or
Educational Level Achieved

College/ University A

Mariana Moore

Name of College Attended

American Studies

Course of Study / Major

Units Completed

Type of Units Completed

☒ Semester

Degree Awarded?

☒ Yes ☐ No

Bachelor of Arts

Degree Type

1988

Date Degree Awarded

College/ University B

Name of College Attended

Course of Study / Major

Units Completed

Type of Units Completed

None Selected

Degree Awarded?

☐ Yes ☐ No

Degree Type

Date Degree Awarded

College/ University C

Name of College Attended

Course of Study / Major

Units Completed

Type of Units Completed

None Selected

Degree Awarded?

☐ Yes ☐ No

Degree Type

Date Degree Awarded

Other schools / training completed:

Coro Fellowship in Public Affairs

Course Studied

One year

Hours Completed

Certificate Awarded?

☒ Yes ☐ No

Work History

Please provide information on your last three positions, including your current one if you are working.

1st (Most Recent)

3/1/2015 - present

Dates (Month, Day, Year) From - To

40

Hours per Week Worked?

Volunteer Work?

☐ Yes ☒ No

Campaign to End Poverty in
Contra Costa

Position Title

Employer's Name and Address

Richmond Community Foundation, 1014 Florida Ave., #200, Richmond CA 94804

Duties Performed

Direct planning and execution of strategies with the goal of ending poverty in Contra Costa County through systems and policy change. Primary focus areas include housing security, food security, health security, community safety, and economic security. Lead and participate in numerous initiatives and coalitions throughout Contra Costa County to build broad community support toward the goal of ending poverty in our communities. Supervise the work of Ensuring Opportunity staff and interns. Raise and manage philanthropic funds to support the work of Ensuring Opportunity. Staff the operations of Ensuring Opportunity's Leadership Team, comprising system leaders from across several sectors and regions within the county.

2nd

1/1/05 - 3/1/15

Dates (Month, Day, Year) From - To

40

Hours per Week Worked?

Volunteer Work?

☐ Yes ☒ No

Principal/Consultant

Position Title

Employer's Name and Address

Mariana Moore Consulting

Duties Performed

Provided executive coaching, strategic planning, fundraising, capacity building and facilitation services to community-based organization, coalitions and cross-sector initiatives throughout the Bay Area.

3rd

2001 - 2005

Dates (Month, Day, Year) From - To

40

Hours per Week Worked?

Volunteer Work?

☐ Yes ☒ No

Executive Director

Position Title

Employer's Name and Address

The Wellness Community of the East Bay (since re-named Cancer Support Community), 3276 McNutt Ave., Walnut Creek.

Duties Performed

Planned, executed and supervised strategies to provide practical and emotional support to people with cancer and their loved ones. Raised \$1 million/year (in partnership with board of directors and staff) to support operating budget. Partnered with board of directors to develop key strategies, assess outcomes and secure necessary resources to support the work.

[Mariana_Moore_bio_2018.pdf](#)

Upload a Resume

Final Questions

How did you learn about this vacancy?

☒ Other

Funders, County Census staff and
Supervisor Burgis

If "Other" was selected please explain

Do you have a Familial or Financial Relationship with a member of the Board of Supervisors?

☐ Yes ☒ No

If Yes, please identify the nature of the relationship:

Do you have any financial relationships with the County such as grants, contracts, or other economic relations?

☐ Yes ☒ No

If Yes, please identify the nature of the relationship:

Please Agree with the Following Statement

I understand that this form is a public document and is subject to the California Public Records Act.

☒ I Agree



Mariana Moore

Mariana Moore is director of the **Ensuring Opportunity Campaign to End Poverty in Contra Costa**, a collaborative campaign that engages local leaders and activists across all sectors, including elected officials, nonprofits, faith-based organizations, businesses, labor unions, local government, academia and the philanthropic sector in a collective effort to end poverty in Contra Costa County, a mid-sized county of 1.1 million residents within the San Francisco Bay Area.

The Ensuring Opportunity campaign took shape in 2014 as a means to address the root causes of poverty in six key areas: Economic Security, Housing Security, Food Security, Safety, Health and Education. Three core assumptions infuse the Campaign's work: that poverty is not inevitable and can be eradicated by our actions; that equity and justice should live at the center of all systems; and that food, housing and health care are basic human rights. The vision of Ensuring Opportunity is that all Contra Costa residents have the resources they need to support themselves and their families, and have a powerful voice in shaping local political, cultural and economic systems that impact their lives and well-being.

Before co-founding the Ensuring Opportunity campaign, Mariana worked as a consultant to nonprofit organizations, providing strategic counsel, organizational development, executive coaching and capacity building services. She currently serves on the faculty of the Nehemiah Emerging Leaders Program (NELP), a nine-month leadership development program for diverse mid-career professionals in Sacramento. She has held a number of leadership positions in the nonprofit and higher education sectors, including director of the Human Services Alliance of Contra Costa, national development director for Tony La Russa's Animal Rescue Foundation, annual giving director for Mills College, and executive director of the Cancer Support Community of San Francisco/East Bay.

Mariana received her undergraduate degree from Mills College and graduated from the Coro Fellowship in Public Affairs in San Francisco. She recently served as board chair for LeaderSpring, a leadership development program for social justice organizations in the Bay Area, and also served as board president for Diablo Valley College Foundation in Pleasant Hill, CA.

Application Form

Profile

Which Boards would you like to apply for?

Census 2020 Complete Count Steering Committee: Submitted

Seat Name (if applicable)

Describe why you are interested in serving on this advisory board/commission (please limit your response to one paragraph).

The census has always been important and even more so today with hard to count populations increasingly wary of sharing information with the federal government. And even though we cannot change the national narrative driving that fear, we must work to overcome it. My role at the East Bay Leadership Council and Contra Costa Economic Partnership have further instilled my belief that an accurate census count is critical to our community's future. An undercount would have far-reaching negative implications including funding for school and hospitals, affect the number of seats California is given in Congress, and erode the accuracy of economic data that employers depend on. I believe that my background as Communications Director for two business-led organizations and time as an East Bay campaign manager provide me with a unique skill set and network to put to use for the cause. I look forward to the challenge and I hope to make a difference for the community where I live and work.

This application is used for all boards and commissions

Mark

First Name

A

Middle Initial

Orcutt

Last Name

Email Address

Home Address

Suite or Apt

Walnut Creek

City

CA

State

94596

Postal Code

Primary Phone

East Bay Leadership Council

Employer

Communications Director

Job Title

Occupation

Do you, or a business in which you have a financial interest, have a contract with Contra Costa Co.?

☐ Yes ☒ No

Is a member of your family (or step-family) employed by Contra Costa Co.?

☐ Yes ☒ No

Education History

Select the highest level of education you have received:

☒ Other

Four Year University

If "Other" was Selected Give Highest Grade or Educational Level Achieved

College/ University A

San Francisco State University

Name of College Attended

Political Science

Course of Study / Major

Units Completed

Type of Units Completed

None Selected

Degree Awarded?

☒ Yes ☐ No

Bachelor of Arts - Summa Cum Laude

Degree Type

2012

Date Degree Awarded

College/ University B

Name of College Attended

Course of Study / Major

Units Completed

Type of Units Completed

None Selected

Degree Awarded?

☐ Yes ☐ No

Degree Type

Date Degree Awarded

College/ University C

Name of College Attended

Course of Study / Major

Units Completed

Type of Units Completed

None Selected

Degree Awarded?

☐ Yes ☐ No

Degree Type

Date Degree Awarded

Other schools / training completed:

Course Studied

Hours Completed

Certificate Awarded?

☐ Yes ☐ No

Work History

Please provide information on your last three positions, including your current one if you are working.

1st (Most Recent)

6/1/2015 - Present

Dates (Month, Day, Year) From - To

40

Hours per Week Worked?

Volunteer Work?

☐ Yes ☒ No

Communications Director

Position Title

Employer's Name and Address

East Bay Leadership Council and Contra Costa Economic Partnership 1615 Bonanza Street #324 Walnut Creek, CA 94596

Duties Performed

I direct the organization in all aspects of communications, public relations, advocacy, and member engagement.

2nd

1/1/14 - 6/1/15

Dates (Month, Day, Year) From - To

50+

Hours per Week Worked?

Volunteer Work?

☐ Yes ☒ No

Campaign and Project Manager

Position Title

Employer's Name and Address

Independent Contractor Address -- would be my former home address

Duties Performed

I ran the field campaign for a State Assembly seat in the East Bay, managed operations of a ballot measure campaign in San Francisco, and supported the East Bay Leadership Council in the launch of a new website and integrated membership/ event database

3rd

1/1/12 - 1/1/14

Dates (Month, Day, Year) From - To

40

Hours per Week Worked?

Volunteer Work?

☐ Yes ☒ No

Project Assistant

Position Title

Employer's Name and Address

California Forward 300 Montgomery Street #638, San Francisco, CA 94104

Duties Performed

I worked on event planning, social media strategy, content creation, and database management all in support of programs focused on public safety realignment and government transparency at the time.

Upload a Resume

Final Questions

How did you learn about this vacancy?

☒ Other

and colleague and the East Bay
Leadership Council

If "Other" was selected please explain

Do you have a Familial or Financial Relationship with a member of the Board of Supervisors?

☐ Yes ☒ No

If Yes, please identify the nature of the relationship:

Do you have any financial relationships with the County such as grants, contracts, or other economic relations?

☐ Yes ☒ No

If Yes, please identify the nature of the relationship:

Please Agree with the Following Statement

I understand that this form is a public document and is subject to the California Public Records Act.

☒ I Agree



**Contra
Costa
County**

For Office Use Only
Date Received:

For Reviewers Use Only:
Accepted Rejected

BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

MAIL OR DELIVER TO:

Contra Costa County
CLERK OF THE BOARD
651 Pine Street, Rm. 106
Martinez, California 94553-1292

PLEASE TYPE OR PRINT IN INK

(Each Position Requires a Separate Application)

BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:

Census2020 Complete Count Steering Cmte

PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

PRINT EXACT SEAT NAME (if applicable)

1. Name: Orozco Andres
(Last Name) (First Name) (Middle Name)

2. Address: Brentwood, CA 94513
(No.) (Street) (Apt.) (City) (State) (Zip Code)

3. Phones:
(Home No.) (Work No.) (Cell No.)

4. Email Address:

5. **EDUCATION:** Check appropriate box if you possess one of the following:

High School Diploma ☒ G.E.D. Certificate ☐ California High School Proficiency Certificate ☐

Give Highest Grade or Educational Level Achieved Current college student

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) St. Mary's College of CA	Double major-Politics & Ethnic Studies	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	6			in progress
B)		Yes No <input type="checkbox"/> <input type="checkbox"/>				
C)		Yes No <input type="checkbox"/> <input type="checkbox"/>				
D) Other schools / training completed:	Course Studied	Hours Completed	Certificate Awarded: Yes No <input type="checkbox"/> <input type="checkbox"/>			

6. PLEASE FILL OUT THE FOLLOWING SECTION COMPLETELY. List experience that relates to the qualifications needed to serve on the local appointive body. Begin with your most recent experience. A resume or other supporting documentation may be attached but it may not be used as a substitute for completing this section.

<p>A) Dates (Month, Day, Year)</p> <p>From To</p> <p>07/2014 present</p> <p>Total: Yrs. Mos.</p> <p>4 6</p> <p>Hrs. per week 6 . Volunteer <input checked="" type="checkbox"/></p>	<p>Title</p> <p>You, Me, We Oakley! Ambassador</p> <p>Employer's Name and Address</p> <p>Gabriela Banos Galvan 3231 Main Street, Oakley, CA 94561 925-726-1483</p>	<p>Duties Performed</p> <ul style="list-style-type: none"> - Assist with community outreach on program's mission and event planning throughout the year. - Translate and guide east county residents in commencing Naturalization process, including filling out the N-400 application - Utilize existing community networks to inform marginalized community members of their rights
<p>B) Dates (Month, Day, Year)</p> <p>From To</p> <p>08/2016 present</p> <p>Total: Yrs. Mos.</p> <p>2 5</p> <p>Hrs. per week 15 . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p>Head Receptionist</p> <p>Employer's Name and Address</p> <p>Marcus D. Weemes Director of Campus Housing St. Mary's College</p>	<p>Duties Performed</p> <ul style="list-style-type: none"> - Train new staff is office practices and procedures - Address student/parent inquiries regarding housing - Plan and execute biweekly staff meetings - Manage resident hall room reservations - Assist with AP duties as needed
<p>C) Dates (Month, Day, Year)</p> <p>From To</p> <p>08/2018 present</p> <p>Total: Yrs. Mos.</p> <p> 5</p> <p>Hrs. per week 15 . Volunteer <input checked="" type="checkbox"/></p>	<p>Title</p> <p>Resident Advisor</p> <p>Employer's Name and Address</p> <p>Jim Sciuto Associate Dean of Students St. Mary's College</p>	<p>Duties Performed</p> <ul style="list-style-type: none"> - Oversee resident hall (approx. 60 students) - Follow up on incident reports submitted by residents - Plan social events for hall residents
<p>D) Dates (Month, Day, Year)</p> <p>From To</p> <p> </p> <p>Total: Yrs. Mos.</p> <p> </p> <p>Hrs. per week . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p> </p> <p>Employer's Name and Address</p> <p> </p>	<p>Duties Performed</p> <p> </p>

7. How did you learn about this vacancy?

☐ CCC Homepage ☐ Walk-In ☐ Newspaper Advertisement ☐ District Supervisor ☒ Other Nancy Marquez & Gaby Bano

8. Do you have a Familial or Financial Relationship with a member of the Board of Supervisors? (Please see Board Resolution no. 2011/55, attached): No ☒ Yes ☐

If Yes, please identify the nature of the relationship:

9. Do you have any financial relationships with the County such as grants, contracts, or other economic relations? No ☒ Yes ☐

If Yes, please identify the nature of the relationship:

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publically accessible. I understand and agree that misstatements / omissions of material fact may cause forfeiture of my rights to serve on a Board, Committee, or Commission in Contra Costa County.

Sign Name: _____

te: 1/24/2019

Important Information

1. This application is a public document and is subject to the California Public Records Act (CA Gov. Code §6250-6270).
2. Send the completed paper application to the Office of the Clerk of the Board at: **651 Pine Street, Room 106, Martinez, CA 94553.**
3. A résumé or other relevant information may be submitted with this application.
4. All members are required to take the following training: 1) The Brown Act, 2) The Better Government Ordinance, and 3) Ethics Training.
5. Members of boards, commissions, and committees may be required to: 1) file a Statement of Economic Interest Form also known as a Form 700, and 2) complete the State Ethics Training Course as required by AB 1234.
6. Advisory body meetings may be held in various locations and some locations may not be accessible by public transportation.
7. Meeting dates and times are subject to change and may occur up to two days per month.
8. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA and for
Special Districts, Agencies and Authorities Governed by the Board Adopted Resolution
no. 2011/55 on 2/08/2011 as follows:**

IN THE MATTER OF ADOPTING A POLICY MAKING FAMILY MEMBERS OF THE BOARD OF SUPERVISORS INELIGIBLE FOR APPOINTMENT TO BOARDS, COMMITTEES OR COMMISSIONS FOR WHICH THE BOARD OF SUPERVISORS IS THE APPOINTING AUTHORITY

WHEREAS the Board of Supervisors wishes to avoid the reality or appearance of improper influence or favoritism;

NOW, THEREFORE, BE IT RESOLVED THAT the following policy is hereby adopted:

I. SCOPE: This policy applies to appointments to any seats on boards, committees or commissions for which the Contra Costa County Board of Supervisors is the appointing authority.

II. POLICY: A person will not be eligible for appointment if he/she is related to a Board of Supervisors' Member in any of the following relationships:

1. Mother, father, son, and daughter;
2. Brother, sister, grandmother, grandfather, grandson, and granddaughter;
3. Great-grandfather, great-grandmother, aunt, uncle, nephew, niece, great-grandson, and great-granddaughter;
4. First cousin;
5. Husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepson, and stepdaughter;
6. Sister-in-law (brother's spouse or spouse's sister), brother-in-law (sister's spouse or spouse's brother), spouse's grandmother, spouse's grandfather, spouse's granddaughter, and spouse's grandson;
7. Registered domestic partner, pursuant to California Family Code section 297.
8. The relatives, as defined in 5 and 6 above, for a registered domestic partner.
9. Any person with whom a Board Member shares a financial interest as defined in the Political Reform Act (Gov't Code §87103, Financial Interest), such as a business partner or business associate.

Application Form

Profile

Which Boards would you like to apply for?

Census 2020 Complete Count Steering Committee: Submitted

Seat Name (if applicable)

Describe why you are interested in serving on this advisory board/commission (please limit your response to one paragraph).

As Director of Stand Together Contra Costa, public education and outreach to immigrant families regarding the census is one of the key issues that we intend to address between now and 2020. With county-wide reach and relationships with community based organizations and a robust volunteer network, I believe that we can contribute to strategic planning and execution of the County's census efforts.

This application is used for all boards and commissions

Ali

First Name

J

Middle Initial

Saidi

Last Name

Email Address

Home Address

Suite or Apt

Pinole

City

CA

State

94564

Postal Code

Primary Phone

Office of the Public Defender for
Contra Costa County

Employer

Deputy Public Defender/Director,
Stand Together Contra Costa

Job Title

Attorney

Occupation

Do you, or a business in which you have a financial interest, have a contract with Contra Costa Co.?

☐ Yes ☒ No

Is a member of your family (or step-family) employed by Contra Costa Co.?

☒ Yes ☐ No

Education History

Select the highest level of education you have received:

☒ Other

Juris Doctorate

If "Other" was Selected Give Highest Grade or Educational Level Achieved

College/ University A

UC Berkeley

Name of College Attended

International Relations/Middle Eastern Studies

Course of Study / Major

Units Completed

Type of Units Completed

None Selected

Degree Awarded?

☒ Yes ☐ No

BA

Degree Type

1996

Date Degree Awarded

College/ University B

University of Michigan Law School

Name of College Attended

Law

Course of Study / Major

Units Completed

Type of Units Completed

None Selected

Degree Awarded?

☒ Yes ☐ No

Juris Doctorate

Degree Type

2000

Date Degree Awarded

College/ University C

Name of College Attended

Course of Study / Major

Units Completed

Type of Units Completed

None Selected

Degree Awarded?

☐ Yes ☐ No

Degree Type

Date Degree Awarded

Other schools / training completed:

Course Studied

Hours Completed

Certificate Awarded?

☐ Yes ☐ No

Work History

Please provide information on your last three positions, including your current one if you are working.

1st (Most Recent)

12/07/2015 - Present

Dates (Month, Day, Year) From - To

50

Hours per Week Worked?

Volunteer Work?

☐ Yes ☒ No

IV/Director, Stand Together Contra
Costa

Position Title

Employer's Name and Address

800 Ferry Street, Martinez, CA 94553

Duties Performed

Immigration Attorney for the Office of the Public Defender, where I also administratively manage the County's rapid response and legal due process program for immigrants called Stand Together Contra Costa.

2nd

2005-2015

Dates (Month, Day, Year) From - To

50

Hours per Week Worked?

Volunteer Work?

☐ Yes ☐ No

Attorney

Position Title

Employer's Name and Address

Law Office of Ali Saidi 1160 Brickyard Cove Rd Ste 200 Richmond, CA 94801-4173

Duties Performed

Criminal and Deportation Defense Practice

3rd

2004-2005

Dates (Month, Day, Year) From - To

60

Hours per Week Worked?

Volunteer Work?

☐ Yes ☐ No

Attorney

Position Title

Employer's Name and Address

Law Office of Robert Jobe 550 Kearny Street, STE 200 San Francisco, CA 94108

Duties Performed

Immigration Attorney

Upload a Resume

Final Questions

How did you learn about this vacancy?

☒ District Supervisor

If "Other" was selected please explain

Do you have a Familial or Financial Relationship with a member of the Board of Supervisors?

☐ Yes ☒ No

If Yes, please identify the nature of the relationship:

Do you have any financial relationships with the County such as grants, contracts, or other economic relations?

☒ Yes ☐ No

If Yes, please identify the nature of the relationship:

I work for the County.

Please Agree with the Following Statement

I understand that this form is a public document and is subject to the California Public Records Act.

☒ I Agree



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: February 12, 2019

Subject: Appointment to the Advisory Council on Aging

RECOMMENDATION(S):

APPOINT Branin Cook as the Oakley Local Committee Seat on the Advisory Council on Aging, for a term ending September 30, 2019, as recommended by the Employment and Human Services Director.

FISCAL IMPACT:

There is no fiscal impact.

BACKGROUND:

Mr. Cook resides in Oakley and was recommended for appointment by the City Council of the City of Oakley. The seat term ends September 30, 2019. The seat is currently vacant.

The Advisory Council on Aging (ACOA) provides a means for county-wide planning, cooperation, and coordination of individuals and groups interested in improving and developing services and opportunities for older residents of the County. ACOA provides leadership and advocacy on behalf of older persons and serves as a channel for communication and information on aging.

CONSEQUENCE OF NEGATIVE ACTION:

The Advisory Council on Aging may not be able to conduct routine business.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Elaine Burres
608-4960

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

By: , Deputy

cc:

ATTACHMENTS

B. Cook Application

City of Oakley Resolution



Contra
Costa
County

For Office Use Only
Date Received:

For Reviewers Use Only:
Accepted Rejected

BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

MAIL OR DELIVER TO:

Contra Costa County
CLERK OF THE BOARD
651 Pine Street, Rm. 106
Martinez, California 94553-1292

PLEASE TYPE OR PRINT IN INK

(Each Position Requires a Separate Application)

BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:

CCC ADVISORY BOARD ON AGING

OAKLEY

PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

PRINT EXACT SEAT NAME (if applicable)

1. Name:	COOK	BRANIN	TRAVERS
	(Last Name)	(First Name)	(Middle Name)
2. Address:	OAKLEY		
	(No.)	(Street)	(City)
3. Phones:			
	(Home No.)	(Work No.)	(Cell No.)
4. Email Address:			

5. **EDUCATION:** Check appropriate box if you possess one of the following:

High School Diploma ☒ G.E.D. Certificate ☐ California High School Proficiency Certificate ☐

Give Highest Grade or Educational Level Achieved 12 HIGH SCHOOL

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) NONE		Yes No <input type="checkbox"/> <input type="checkbox"/>				
B) NONE		Yes No <input type="checkbox"/> <input type="checkbox"/>				
C)		Yes No <input type="checkbox"/> <input type="checkbox"/>				
D) Other schools / training completed:	Course Studied	Hours Completed	Certificate Awarded: Yes No <input type="checkbox"/> <input type="checkbox"/>			

6. PLEASE FILL OUT THE FOLLOWING SECTION COMPLETELY. List experience that relates to the qualifications needed to serve on the local appointive body. Begin with your most recent experience. A resume or other supporting documentation may be attached but it may not be used as a substitute for completing this section.

<p>A) Dates (Month, Day, Year)</p> <p>From To</p> <p>10/17 04/18</p> <p>Total: Yrs. Mos.</p> <p>0 6</p> <p>Hrs. per week <input type="text"/> . Volunteer <input checked="" type="checkbox"/></p>	<p>Title</p> <p>ACOA</p> <p>Employer's Name and Address</p> <p>ACOA</p>	<p>Duties Performed</p> <p>MONTHLY MEETINGS AND GIVING REPORTS</p>
<p>B) Dates (Month, Day, Year)</p> <p>From To</p> <p>12/04 12/07</p> <p>Total: Yrs. Mos.</p> <p>3 0</p> <p>Hrs. per week <input type="text"/> . Volunteer <input checked="" type="checkbox"/></p>	<p>Title</p> <p>BOARD OF DIRECTORS</p> <p>Employer's Name and Address</p> <p>OREGON INDEPENDENT FEDERAL CREDIT UNION</p>	<p>Duties Performed</p> <p>ATTEND MEETINGS MONTHLY, GIVE PRESENTATION ONCE A YEAR</p>
<p>C) Dates (Month, Day, Year)</p> <p>From To</p> <p><input type="text"/> <input type="text"/></p> <p>Total: Yrs. Mos.</p> <p><input type="text"/> <input type="text"/></p> <p>Hrs. per week <input type="text"/> . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p><input type="text"/></p> <p>Employer's Name and Address</p> <p><input type="text"/></p>	<p>Duties Performed</p> <p><input type="text"/></p>
<p>D) Dates (Month, Day, Year)</p> <p>From To</p> <p><input type="text"/> <input type="text"/></p> <p>Total: Yrs. Mos.</p> <p><input type="text"/> <input type="text"/></p> <p>Hrs. per week <input type="text"/> . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p><input type="text"/></p> <p>Employer's Name and Address</p> <p><input type="text"/></p>	<p>Duties Performed</p> <p><input type="text"/></p>

7. How did you learn about this vacancy?

☐ CCC Homepage ☐ Walk-In ☐ Newspaper Advertisement ☐ District Supervisor ☒ Other THRU THE CITY OF OAKLEY

8. Do you have a Familial or Financial Relationship with a member of the Board of Supervisors? (Please see Board Resolution no. 2011/55, attached): No ☒ Yes ☐

If Yes, please identify the nature of the relationship:

9. Do you have any financial relationships with the County such as grants, contracts, or other economic relations? No ☒ Yes ☐

If Yes, please identify the nature of the relationship:

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publically accessible. I understand and agree that misstatements / omissions of material fact may cause forfeiture of my rights to serve on a Board, Committee, or Commission in Contra Costa County.

Sign Name:  Date: 12/18/2018

Important Information

1. This application is a public document and is subject to the California Public Records Act (CA Gov. Code §6250-6270).
2. Send the completed paper application to the Office of the Clerk of the Board at: **651 Pine Street, Room 106, Martinez, CA 94553.**
3. A résumé or other relevant information may be submitted with this application.
4. All members are required to take the following training: 1) The Brown Act, 2) The Better Government Ordinance, and 3) Ethics Training.
5. Members of boards, commissions, and committees may be required to: 1) file a Statement of Economic Interest Form also known as a Form 700, and 2) complete the State Ethics Training Course as required by AB 1234.
6. Advisory body meetings may be held in various locations and some locations may not be accessible by public transportation.
7. Meeting dates and times are subject to change and may occur up to two days per month.
8. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.

RESOLUTION NO. 147-18

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY
TO APPOINT BRANIN COOK TO THE CONTRA COSTA COUNTY
ADVISORY COUNCIL ON AGING TO FILL THE VACANCY SEAT FOR
THE REMAINDER OF THE CURRENT TERM EXPIRING
OCTOBER 11, 2019**

BE IT RESOLVED by the City Council of the City of Oakley that Branin Cook is hereby appointed to the Contra Costa County Advisory Council on Aging for the current term expiring October 11, 2019.

PASSED, APPROVED AND ADOPTED this 13th day of November 2018 by the following vote:

AYES: Alaura, Hardcastle, Higgins, Pope, Romick

NOES:

ABSTENTION:

ABSENT:

ATTEST:



Libby Vreonis, City Clerk

APPROVED:



Randy Pope, Mayor



Date



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Medical Staff Appointments and Reappointments – December, 2018

RECOMMENDATION(S):

APPROVE the medical staff appointments and reappointments, additional privileges, advancements, and voluntary resignations as recommended by the Medical Staff Executive Committee, at their December 17, 2018 meeting, and by the Health Services Director.

FISCAL IMPACT:

There is no fiscal impact.

BACKGROUND:

The Joint Commission on Accreditation of Healthcare Organizations has requested that evidence of Board of Supervisors approval for each Medical Staff member will be placed in his or her credentials file. The above recommendations for appointment/reappointment were reviewed by the Credentials Committee and approved by the Medical Executive Committee at their December 17, 2018 meeting.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Contra Costa Regional Medical and Contra Costa Health Centers' medical staff would not be appropriately credentialed and not be in compliance with The Joint Commission on Accreditation of Healthcare Organizations.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/12/2019 ☐ 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: February 12, 2019

Contact: Jaspreet Benepal,
925-370-5101

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

By: , Deputy

cc: Marcy Wilhelm, James Ham

ATTACHMENTS

List

A. New Medical Staff Members

Aragam, Gowri, MD	Psychiatry/Psychology
Berry, Sharon, PsyD	Psychiatry/Psychology

B. Request for Additional Privileges

	<u>Department</u>	<u>Requesting</u>
Levin, Sara, MD	DFAM	DFAM

C. Biennial Reappointments

Apfel, Brigitte, MD	Psychiatry/Psychology	C
Bernett, Jorge, MD	Internal Medicine	C
Carpenter, James, MD	Pediatrics	A
Chen, Sophia, DO	Internal Medicine	A
Chung, Johanna, DDS	Dental	A
Davae, Umee, DO	Psychiatry/Psychology	A
Dosanjh, Sandeep, MD	DFAM	A
Fordham, John, DO	Psychiatry/Psychology	C
Gardner, Randall, DDS	Dental	C
Huang, Cathy, MD	Pediatrics	A
Joseph, Mary, MD	Pediatrics	A
Lutrin, Calvin, MD	Diagnostic Imaging	C
Pyrkova, Irina, MD	Internal Medicine	A
Reedy, David, MD	Emergency Medicine	A
Rehman, Naima, MD	DFAM	C
Roark, John, MD	Internal Medicine-Gastro	C
Saadi, Jeffery, MD	Anesthesia	A
Sethi, Harleen, DMD	Dental	A
Shah, Naman, MD	Obstetrics & Gynecology	A
Shah, Samir, MD	Surgery-Opthalmology	A
Slawsky, Richard, MD	Psychiatry/Psychology	C
Standish, Jessica, MD	Hospital Medicine	C
Tang, Joyce, MD	DFAM	C
Truong, Victor, DDS	Dental	A
Vanjani, Rachna, MD	Obstetrics & Gynecology	A

D. Biennial Renew of Privileges

Blackman, Jenny, FNP	DFAM	AFF
Manaut, Paul, NP	DFAM	AFF
Medina, Gina, NP	DFAM	AFF

E. Biennial Reappointment for Teleradiologist (vRad)

Bold, Jonathan, MD	Diagnostic Imaging (vRad)
Kim, Shawn, MD	Diagnostic Imaging (vRad)
Novick, Michael, MD	Diagnostic Imaging (vRad)

F. Voluntary Resignations

Avakumaov, Tigran, MD	Anesthesia
Richardson, Joseph, MD	Anesthesia
Rosser, Robert, MD	Pathology
Thomas, Brian, MD	Psychiatry/Psychology



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Hazardous Materials Commission Appointments

RECOMMENDATION(S):

APPOINT Gabriel Quinto, El Cerrito Council Member, to City Seat #1 and David Hudson, San Ramon Council Member, to City Seat #1 Alternate on the Hazardous Materials Commission to fill the seats that expired on December 31, 2018 for terms ending on December 31, 2022.

Gabriel Quinto
El Cerrito, CA 94530

David Hudson
San Ramon, CA 94583

FISCAL IMPACT:

There is no fiscal impact.

BACKGROUND:

The Hazardous Materials Commission was established in 1986 to advise the Board, County staff and the mayor's council members, and staffs of the cities within the County, on issues related to the development, approval and administration of the County Hazardous Waste

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Michael Kent,
925-313-6587

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

By: , Deputy

cc: Michael Kent, Marcy Wilhelm

BACKGROUND: (CONT'D)

Management Plan. Specifically, the Board charged the Commission with drafting a hazardous materials storage and transportation plan and ordinance, coordinating the implementation of the hazardous materials release response plan and inventory program, and to analyze and develop recommendations regarding hazardous materials issues with consideration to broad public input, and report back to the Board on Board referrals.

The bylaws of the Commission provide that two City seats be appointed by the City Selection Committee pursuant to Article II (50270 et Seq.) of Chapter 1, Part 1 of Division 1 of Title 5 of the Government Code.

CONSEQUENCE OF NEGATIVE ACTION:

If these appointments are not approved there will be a vacancy on the Hazardous Materials Commission.



**Contra
Costa
County**

To: Board of Supervisors
From: Diane Burgis, District III Supervisor
Date: February 12, 2019

Subject: RECOMMENDATIONS FOR APPOINTMENT OF DISTRICT REPRESENTATIVES TO THE 2020 CENSUS
COMPLETE COUNT STEERING COMMITTEE

RECOMMENDATION(S):

APPOINT the following individuals to Supervisorial District seats on the 2020 Census Complete Count Steering Committee:

District I: Lina Velasco
District II: Aparna Madireddi
District III: Linda Soliven
District IV: Lauren Babb
District V: Lynn Reichard-Enea

FISCAL IMPACT:

No fiscal impact. Members of the Steering Committee receive no compensation.

BACKGROUND:

The Board of Supervisors, on December 18, 2018, authorized the establishment of a Complete Count Steering Committee to guide the County's 2020 Census outreach effort. The charge of the Committee is to:

- Set clear, achievable goals and objectives;

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Mark Goodwin (925)
252-4500

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

- Identify areas of the community that may need extra outreach efforts, either a geographical area or a population group that might be hard to count;
- Use a “grassroots” approach to working with community-based organizations and groups who have direct contact with households who may be hard to count;
- Customize promotional materials for local area;
- Implement special events;
- Build awareness of the census and its benefits and motivate response through social media, newsletters, and other communications;
- Support and complete these tasks through the work of regional sub-committees in Central County, East County, South County, and West County;
- Develop a proposed Census 2020 budget for consideration by the Board of Supervisors by March 26, 2019.

The Complete Count Steering Committee is an *ad hoc* committee created for the limited duration of the 2020 Census effort. The Board appointed Supervisor Diane Burgis to chair the Steering Committee and to make recommendations to the Board on the Committee’s composition. The Committee will be composed of 15 members, including the Chair. Of these, 5 will be appointed representatives from each Supervisorial District, and 9 will be at-large members, all appointed by the Board of Supervisors. The 9 At-Large representatives are being recommended by the Internal Operations Committee in a separate action today. This action concerns the 5 Supervisorial District representatives.

Steering Committee members will be expected to serve as ambassadors for the 2020 Census within their region and/or across diverse sectors and communities countywide, and will need to think strategically about how to engage residents in hard to count populations, help to organize community events, communicate through their networks, and make presentations to community groups. They must be able and willing to commit the time required (estimated to be 5-10 hours/month) and regularly attend Complete Count Committee meetings, which will be held monthly in the afternoons. Periodic meetings will be held in the evening or on weekends. Steering Committee members will also be expected to interface with the four county regional Complete Count committees.

CONSEQUENCE OF NEGATIVE ACTION:

Due to the condensed start-up schedule and the need to develop a strategic plan and budget for Board adoption no later than April 9, any delay in forming the Steering Committee may jeopardize the County's ability to secure up to \$362,605 in State funding to support the Complete Count effort.



Contra
Costa
County

To: Board of Supervisors
From: John Gioia, District I Supervisor
Date: February 12, 2019

Subject: APPOINT the following persons to their respective Municipal Advisory Council's

RECOMMENDATION(S):

APPOINT the following persons to their respective municipal advisory council's (MAC):

El Sobrante MAC:

Appointee Seat 1: Tom Owens
Appointee Seat 2: Robin Tanner
Appointee Seat 3: Andrew Chahrour
Appointee Seat 4: Tom Lang
Appointee Seat 5: James Hermann
Appointee Seat 6: Xina Ash
Appointee Seat 7: Ylan Hunt
Alternate Seat 1: vacant
Alternate Seat 2: vacant

Kensington MAC:

Seat 1: Lloyd Cowell
Seat 2: Patrick Tahara
Seat 3: Larry Nucci
Seat 4: Christopher Brydon
Seat 5: Melissa Holmes Snyder
Alternate 1: Adam Novickas

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: James Lyons,
510-231-8692

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

By: , Deputy

cc:

Alternate 2: vacant

North Richmond MAC:

Business seat: Lily Rahnema

Nonprofit seat: Don Gilmore

Unincorporated seat:

RECOMMENDATION(S): (CONT'D)

Aaron Morgan

Unincorporated seat: Karen Garcia

Unincorporated seat: Beverly Scott

Unincorporated seat: Dr. Henry Clark

Incorporated seat: Annie King Meredith

FISCAL IMPACT:

None

BACKGROUND:

Supervisor Gioia recommends reappointing these members to their respective Municipal Advisory Council's to terms to run concurrent with his new term that ends on December 31, 2022



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: February 12, 2019

Subject: RECOMMENDATION FOR APPOINTMENT TO THE COMMISSION FOR WOMEN

RECOMMENDATION(S):

RE-APPOINT the following individuals to At Large seats on the Commission for Women to new three-year terms expiring on February 28, 2022:

<u>Name</u>	<u>Seat</u>
Dayanna Macias-Carlos	At Large #3
Hannah Brown	At Large #5
Juliana King Hynes	At Large #8
Deborah Cowans	At Large Alternate

FISCAL IMPACT:

No fiscal impact.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☒ 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: February 12, 2019

Contact: Julie DiMaggio Enea
(925) 335-1077

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

By: , Deputy

cc:

BACKGROUND:

In September 2017, the IOC held a discussion about problems that had been reported concerning the Commission for Women including a spate of member resignations, inability to achieve a meeting quorum, blurred responsibilities, disagreement over the Commission's mission, factions and fragmentation, open meeting act errors, and loss of interest among some of the membership. The IOC continues to work with the Commission to institute policy and bylaws changes to address the issues that have hindered functioning of the Commission.

The Commission for Women has a small group of very devoted members who try to keep the Commission moving forward. However, they have struggled to maintain enough members to conduct meetings. In April of this year, the Board of Supervisors reduced the Commission's membership size from 20 seats down to 15 to assist them in achieving a meeting quorum, which is now 8. Even with the 5-seat reduction, the Commission is struggling to achieve a quorum.

To assist the Commission in achieving a quorum so that it can meet and recruit additional members, we recommend that the Board re-appoint four incumbents to At Large seats on the Commission. Upon their appointment, the Commission will have only one remaining At Large seat vacancy. Member applications are attached for reference.

ATTACHMENTS

Candidate Application_Hannah Brown_Comm for Women

Candidate Application_Dayanna Macias-Carlos_Comm for Women

Candidate Application_Deborah Cowan_Comm for Women

Candidate Application_Juliana King Hynes_Comm for Women

Application Form

Profile

Which Boards would you like to apply for?

Arts & Culture Commission: Submitted

Commission for Women: Submitted

Seat Name (if applicable)

Describe why you are interested in serving on this advisory board/commission (please limit your response to one paragraph).

Contra Costa County is an incredibly diverse county with continual changes and I want to do my part to make sure the county is continuing to move in a positive direction with voices from women and decisions ensuring education and culture are promoted.

This application is used for all boards and commissions

Hannah

First Name

R

Middle Initial

Brown

Last Name

Email Address

Home Address

Suite or Apt

Pleasant Hill

City

CA

State

94523

Postal Code

Primary Phone

Employer

Job Title

Occupation

Do you, or a business in which you have a financial interest, have a contract with Contra Costa Co.?

☐ Yes ☒ No

Is a member of your family (or step-family) employed by Contra Costa Co.?

☐ Yes ☒ No

Education History

Select the highest level of education you have received:

☒ Other

MBA in progress

If "Other" was Selected Give Highest Grade or
Educational Level Achieved

College/ University A

CSU East Bay

Name of College Attended

Communications

Course of Study / Major

Units Completed

Type of Units Completed

☒ Quarter

Degree Awarded?

☒ Yes ☐ No

BA

Degree Type

December 2013

Date Degree Awarded

College/ University B

CSU East Bay

Name of College Attended

MBA with Marketing Concentration

Course of Study / Major

Units Completed

Type of Units Completed

None Selected

Degree Awarded?

☐ Yes ☒ No

MBA

Degree Type

Spring 2019

Date Degree Awarded

College/ University C

Name of College Attended

Course of Study / Major

Units Completed

Type of Units Completed

None Selected

Degree Awarded?

☐ Yes ☐ No

Degree Type

Date Degree Awarded

Other schools / training completed:

Course Studied

Hours Completed

Certificate Awarded?

☐ Yes ☐ No

Work History

Please provide information on your last three positions, including your current one if you are working.

1st (Most Recent)

7/1/1018-Present

Dates (Month, Day, Year) From - To

30

Hours per Week Worked?

Volunteer Work?

☒ Yes ☐ No

Marketing Specialist

Position Title

Employer's Name and Address

Teen Challenge NorWestCal Nevada 390 Matthew St. Santa Clara, CA 95050

Duties Performed

Created marketing/communication plan. Created a website revision plan with rollout timeline for improved SEO and digital presence. Worked with Google for non-profits to run advertising campaigns. Created web changes resulting in immediate increase of over 200%.

2nd

11/15/2017-6/29/2018

Dates (Month, Day, Year) From - To

70

Hours per Week Worked?

Volunteer Work?

☐ Yes ☒ No

Marketing Manager

Position Title

Employer's Name and Address

Six Flags Discovery Kingdom 1001 Fairgrounds Dr. Vallejo, CA 94589

Duties Performed

Community relations improving presence and awareness of Six Flags Discovery Kingdom and Sox Flags Hurricane Harbor Concord. Assisted with rebrand of Sox Flags Hurricane Harbor Concord. Managed website communications and website transition during rebrand. Financial reporting, performance trend analysis, and forecasting.

3rd

Dates (Month, Day, Year) From - To

Hours per Week Worked?

Volunteer Work?

☐ Yes ☐ No

Position Title

Employer's Name and Address

Duties Performed

Upload a Resume

Final Questions

How did you learn about this vacancy?

☒ Contra Costa County Homepage

If "Other" was selected please explain

. Do you have a Familial or Financial Relationship with a member of the Board of Supervisors?

☐ Yes ☒ No

If Yes, please identify the nature of the relationship:

Do you have any financial relationships with the County such as grants, contracts, or other economic relations?

☒ Yes ☐ No

If Yes, please identify the nature of the relationship:

Living in the county, I have an economic relationship with the county through property taxes. This does impact my relationship with the county to a certain extent.

Please Agree with the Following Statement

I understand that this form is a public document and is subject to the California Public Records Act.

☒ I Agree

Application Form

Profile

Which Boards would you like to apply for?

Commission for Women: Submitted

Seat Name (if applicable)

Describe why you are interested in serving on this advisory board/commission (please limit your response to one paragraph).

Beyond personal qualifications, the focus and mission of the Commision for Women is one that is truly near and dear to my heart. As a first-generation college and master's graduate of immigrant working-class family, raised by a single mother I first hand have experience the barriers and issues women face today in society. Professionally I have always focused my efforts on empowering California's working families which tend to majority be a household where women are the sole providers. Through my master's program, I understood the power government has not only in shaping local policy but the opportunities they hold when inclusion and representation are exercised. I believe that my unique background makes me an ideal candidate for the Women's Commission in Contra Costa.

This application is used for all boards and commissions

Dayanna

First Name

Macias-Carlos

Middle Initial

Last Name

Email Address

Home Address

Suite or Apt

Concord

City

CA

State

94518

Postal Code

Primary Phone

The California Endowment

Employer

Program Associate

Job Title

Occupation

Do you, or a business in which you have a financial interest, have a contract with Contra Costa Co.?

☐ Yes ☒ No

Is a member of your family (or step-family) employed by Contra Costa Co.?

☐ Yes ☒ No

Education History

Select the highest level of education you have received:

☒ Other

MPA

If "Other" was Selected Give Highest Grade or Educational Level Achieved

College/ University A

University of California, Santa Cruz

Name of College Attended

Latin American Latino Studies

Course of Study / Major

Units Completed

Type of Units Completed

☒ Quarter

Degree Awarded?

☒ Yes ☐ No

BA

Degree Type

2009

Date Degree Awarded

College/ University B

University of San Francisco

Name of College Attended

Master of Public Administration

Course of Study / Major

Units Completed

Type of Units Completed

☒ Semester

Degree Awarded?

☒ Yes ☐ No

MPA

Degree Type

2018

Date Degree Awarded

College/ University C

Name of College Attended

Course of Study / Major

Units Completed

Type of Units Completed

None Selected

Degree Awarded?

☐ Yes ☐ No

Degree Type

Date Degree Awarded

Other schools / training completed:

Course Studied

Hours Completed

Certificate Awarded?

☐ Yes ☐ No

Work History

Please provide information on your last three positions, including your current one if you are working.

1st (Most Recent)

1/3/2013 - present

Dates (Month, Day, Year) From - To

40

Hours per Week Worked?

Volunteer Work?

☐ Yes ☒ No

Program Associate

Position Title

Employer's Name and Address

The California Endowment 2000 Franklin St 4th floor Oakland CA

Duties Performed

Provide programmatic and grant making support, strengthening capacity of grantees to engage in advocacy and communications. Develop, execute and manage portfolio for grants and budgets totaling over \$10 million annually. Assist with the development and execution of strategic policy and statewide communications for foundation's initiatives. • Direct the WE Connect program, which empowers and connects lower-income families to underutilized public resources like CalFresh, health care, and Earned Income Tax Credits. • Serve as Deputy Campaign Manager leading Spanish communications strategy for \$150 million “Asegurate/Get Covered” campaign to enroll Californians in health care through the Affordable Care Act. Manage communications and outreach and enrollment efforts alongside Obama administration, Covered California and other federal and statewide advocates. In California 1.3 million newly eligible individuals signed up for health care coverage. • Manage communications for “#Health4All” campaign, which aims to highlight contributions of over 1 million undocumented Californians who are excluded from health care access and “Health4All Kids” campaign to enroll over 170,000 undocumented California children into state-funded Medi-Cal.

2nd

Dates (Month, Day, Year) From - To

Hours per Week Worked?

Volunteer Work?

☐ Yes ☐ No

Position Title

Employer's Name and Address

Duties Performed

3rd

Dates (Month, Day, Year) From - To

Hours per Week Worked?

Volunteer Work?

☐ Yes ☐ No

Position Title

Employer's Name and Address

Duties Performed

[DMCarlos_Resume_2018.docx](#)

Upload a Resume

Final Questions

How did you learn about this vacancy?

☒ District Supervisor

If "Other" was selected please explain

. Do you have a Familial or Financial Relationship with a member of the Board of Supervisors?

☐ Yes ☒ No

If Yes, please identify the nature of the relationship:

Do you have any financial relationships with the County such as grants, contracts, or other economic relations?

☐ Yes ☒ No

If Yes, please identify the nature of the relationship:

Please Agree with the Following Statement

I understand that this form is a public document and is subject to the California Public Records Act.

☒ I Agree

Dayanna Macias-Carlos

Concord, CA 94518 •

The California Endowment | Program Associate | Oakland, CA | 2013 - Present

Provide programmatic and grant making support, strengthening capacity of grantees to engage in advocacy and communications. Develop, execute and manage portfolio for grants and budgets totaling over \$10 million annually. Assist with the development and execution of strategic policy and statewide communications for foundation's initiatives.

- Direct the WE Connect program, which empowers and connects lower-income families to underutilized public resources like CalFresh, health care, and Earned Income Tax Credits.
- Serve as Deputy Campaign Manager leading Spanish communications strategy for \$150 million "Asegurate/Get Covered" campaign to enroll Californians in health care through the Affordable Care Act. Manage communications and outreach and enrollment efforts alongside Obama administration, Covered California and other federal and statewide advocates. In California 1.3 million newly eligible individuals signed up for health care coverage.
- Manage communications for "#Health4All" campaign, which aims to highlight contributions of over 1 million undocumented Californians who are excluded from health care access and "Health4All Kids" campaign to enroll over 170,000 undocumented California children into state-funded Medi-Cal.

Dewey Square Group | Community Affairs Manager | Sacramento, CA | 2010 - 2013

Develop and direct brand management for corporate, nonprofit and foundation clients. Manage portfolio inclusive of health, education, immigration, digital divide and financial literacy issues. Increase contracts and grant management totaling profits of over \$2.5 million annually. Lead and manage 10+ person in house project team. Client portfolio included services such as:

- Lead and manage statewide efforts for California Emerging Technology Fund 'Get Covered' campaign aimed to provide computer literacy education and adoption of broadband to unserved and underserved communities and populations.
- Managed The California Endowment's Spanish Communications for the 'Health Happens Aqui' campaign which challenge conventional assumptions about health and advance health justice and equity in underserved Latino communities.
- Operations management for former First Lady Maria Shriver's public service programs WE Connect, KIVA and Women's Conference. Strategies including partnerships and coalition building across a diverse set of partners like nonprofits, private sector, government, faith based congregations and community based organizations. Managed large scale public activation events like health care enrollment, tax preparation, voter registration and legal aid services. Management including logistics, volunteer recruitment (100+) and training for event programs.

32 South Inc. | International Marketing Coordinator | Santa Cruz, CA | 2008 - 2013

Develop marketing programs for international clients (Canadian, European and American companies) in Latin American countries including Mexico, Argentina, Chile and Brazil.

- Expanded Latin American client base by 40% in three years, consistently exceeding marketing impact goals and ensuring complete client satisfaction.
- Manage overseas product launch and press events for multiple mobile apps in Latin America. Manage outreach and initiatives targeted to youth in partnership with private and public universities and government and community organizations.

Education

University of California, Santa Cruz	Bachelor of Arts Latin American Latino Studies & Politics	Spring 2009
University of California, Davis	Project Management Certification	2016
University of San Francisco	Candidate for Master's in Public Administration	May 2018

References Available Upon Request



Contra
Costa
County

For Office Use Only

Date Received:

For Reviewers Use Only:

Accepted

Rejected

BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

MAIL OR DELIVER TO:

Contra Costa County
CLERK OF THE BOARD
651 Pine Street, Rm. 106
Martinez, California 94553-1292

PLEASE TYPE OR PRINT IN INK

(Each Position Requires a Separate Application)

BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:

CCC Womens Commission
PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

At Large
PRINT EXACT SEAT NAME (if applicable)

1. **Name:** _____
(Last Name) (First Name) (Middle Name)

2. **Address:** _____
(No.) (Street) (Apt.) (City) (State) (Zip Code)

3. **Phones:** _____
(Home No.) (Work No.) (Cell No.)

4. **Email Address:** _____

5. **EDUCATION:** Check appropriate box if you possess one of the following:

High School Diploma ☐ G.E.D. Certificate ☐ California High School Proficiency Certificate ☐

Give Highest Grade or Educational Level Achieved Bachelors Degree

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) <u>CSU Sacramento</u>	<u>Communications</u>	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	<u>4</u>		<u>B.A.</u>	<u>May 1985</u>
B)		Yes No <input type="checkbox"/> <input type="checkbox"/>				
C)		Yes No <input type="checkbox"/> <input type="checkbox"/>				
D) Other schools / training completed:	Course Studied	Hours Completed	Certificate Awarded: Yes No <input type="checkbox"/> <input type="checkbox"/>			

6. PLEASE FILL OUT THE FOLLOWING SECTION COMPLETELY. List experience that relates to the qualifications needed to serve on the local appointive body. Begin with your most recent experience. A resume or other supporting documentation may be attached but it may not be used as a substitute for completing this section.

<p>A) Dates (Month, Day, Year) <u>From</u> <u>To</u></p> <p>Total: <u>Yrs.</u> <u>Mos.</u></p> <p>Hrs. per week ____ . Volunteer <input type="checkbox"/></p>	<p>Title</p> <hr/> <p>Employer's Name and Address</p>	<p>Duties Performed</p>
<p>B) Dates (Month, Day, Year) <u>From</u> <u>To</u></p> <p>Total: <u>Yrs.</u> <u>Mos.</u></p> <p>Hrs. per week ____ . Volunteer <input type="checkbox"/></p>	<p>Title</p> <hr/> <p>Employer's Name and Address</p>	<p>Duties Performed</p>
<p>C) Dates (Month, Day, Year) <u>From</u> <u>To</u></p> <p>Total: <u>Yrs.</u> <u>Mos.</u></p> <p>Hrs. per week ____ . Volunteer <input type="checkbox"/></p>	<p>Title</p> <hr/> <p>Employer's Name and Address</p>	<p>Duties Performed</p>
<p>D) Dates (Month, Day, Year) <u>From</u> <u>To</u></p> <p>Total: <u>Yrs.</u> <u>Mos.</u></p> <p>Hrs. per week ____ . Volunteer <input type="checkbox"/></p>	<p>Title</p> <hr/> <p>Employer's Name and Address</p>	<p>Duties Performed</p>

7. How did you learn about this vacancy?

☐ CCC Homepage Walk-In ☐ Newspaper Advertisement ☐ District Supervisor ☐ Other _____

8. Do you have a Familial or Financial Relationship with a member of the Board of Supervisors? (Please see Board Resolution no. 2011/55, attached): No _____ Yes _____

If Yes, please identify the nature of the relationship: _____

9. Do you have any financial relationships with the County such as grants, contracts, or other economic relations?

No _____ Yes _____

If Yes, please identify the nature of the relationship: _____

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publically accessible. I understand and agree that misstatements / omissions of material fact may cause forfeiture of my rights to serve on a Board, Committee, or Commission in Contra Costa County.

Sign Name: _____ Date: 1-16-2019

Important Information

1. This application is a public document and is subject to the California Public Records Act (CA Gov. Code §6250-6270).
2. Send the completed paper application to the Office of the Clerk of the Board at: **651 Pine Street, Room 106, Martinez, CA 94553.**
3. A résumé or other relevant information may be submitted with this application.
4. All members are required to take the following training: 1) The Brown Act, 2) The Better Government Ordinance, and 3) Ethics Training.
5. Members of boards, commissions, and committees may be required to: 1) file a Statement of Economic Interest Form also known as a Form 700, and 2) complete the State Ethics Training Course as required by AB 1234.
6. Advisory body meetings may be held in various locations and some locations may not be accessible by public transportation.
7. Meeting dates and times are subject to change and may occur up to two days per month.
8. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA and for
Special Districts, Agencies and Authorities Governed by the Board Adopted Resolution
no. 2011/55 on 2/08/2011 as follows:**

IN THE MATTER OF ADOPTING A POLICY MAKING FAMILY MEMBERS OF THE BOARD OF SUPERVISORS INELIGIBLE FOR APPOINTMENT TO BOARDS, COMMITTEES OR COMMISSIONS FOR WHICH THE BOARD OF SUPERVISORS IS THE APPOINTING AUTHORITY

WHEREAS the Board of Supervisors wishes to avoid the reality or appearance of improper influence or favoritism;
NOW, THEREFORE, BE IT RESOLVED THAT the following policy is hereby adopted:

- I. SCOPE: This policy applies to appointments to any seats on boards, committees or commissions for which the Contra Costa County Board of Supervisors is the appointing authority.
- II. POLICY: A person will not be eligible for appointment if he/she is related to a Board of Supervisors' Member in any of the following relationships:
1. Mother, father, son, and daughter;
 2. Brother, sister, grandmother, grandfather, grandson, and granddaughter;
 3. Great-grandfather, great-grandmother, aunt, uncle, nephew, niece, great-grandson, and great-granddaughter;
 4. First cousin;
 5. Husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepson, and stepdaughter;
 6. Sister-in-law (brother's spouse or spouse's sister), brother-in-law (sister's spouse or spouse's brother), spouse's grandmother, spouse's grandfather, spouse's granddaughter, and spouse's grandson;
 7. Registered domestic partner, pursuant to California Family Code section 297.
 8. The relatives, as defined in 5 and 6 above, for a registered domestic partner.
 9. Any person with whom a Board Member shares a financial interest as defined in the Political Reform Act (Gov't Code §87103, Financial Interest), such as a business partner or business associate.



Contra
Costa
County

For Office Use Only
Date Received:

For Reviewers Use Only:
Accepted Rejected

BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

MAIL OR DELIVER TO:

Contra Costa County
CLERK OF THE BOARD
651 Pine Street, Rm. 106
Martinez, California 94553-1292
PLEASE TYPE OR PRINT IN INK
(Each Position Requires a Separate Application)

BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:

Contra Costa Commission for Women

8

PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

PRINT EXACT SEAT NAME (if applicable)

1. **Name:** Hynes, Julianna King
(Last Name) (First Name) (Middle Name)
2. **Address:** Pittsburg, CA 94565
(No.) (Street) (Apt.) (City) (State) (Zip Code)
3. **Phones:**
(Home No.) (Work No.) (Cell No.)
4. **Email Address:**

5. **EDUCATION:** Check appropriate box if you possess one of the following:

High School Diploma ☐ G.E.D. Certificate ☐ California High School Proficiency Certificate ☐

Give Highest Grade or Educational Level Achieved

PhD

Names of colleges / universities attended	Course of Study / Major	Degree Awarded Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) Alliant International University	Organizational Psychology	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>				PhD
B) JFK University	Consulting Psychology	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>				MA
C) UC Davis	Psychology	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>				BS
D) Other schools / training completed:	Course Studied	Hours Completed	Certificate Awarded: Yes No <input type="checkbox"/> <input type="checkbox"/>			

THIS FORM IS A PUBLIC DOCUMENT

6. PLEASE FILL OUT THE FOLLOWING SECTION COMPLETELY. List experience that relates to the qualifications needed to serve on the local appointive body. Begin with your most recent experience. A resume or other supporting documentation may be attached but it may not be used as a substitute for completing this section.

<p>A) Dates (Month, Day, Year)</p> <p>From <u> </u> To <u> </u></p> <p>2003 <u> </u> Present <u> </u></p> <p>Total: Yrs. <u> </u> Mos. <u> </u></p> <p>10 <u> </u> <u> </u></p> <p>Hrs. per week <u>40</u> . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p>Principal</p> <p>Employer's Name and Address</p> <p>Julianna Hynes & Associates</p>	<p>Duties Performed</p> <p>Consultant - Strategic Planning, Executive Coaching</p>
<p>B) Dates (Month, Day, Year)</p> <p>From <u> </u> To <u> </u></p> <p>2003 <u> </u> Present <u> </u></p> <p>Total: Yrs. <u> </u> Mos. <u> </u></p> <p><u> </u> <u> </u></p> <p>Hrs. per week <u>10</u> . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p>Faculty</p> <p>Employer's Name and Address</p> <p>University of Phoenix</p>	<p>Duties Performed</p> <p>Instructor</p>
<p>C) Dates (Month, Day, Year)</p> <p>From <u> </u> To <u> </u></p> <p>2005 <u> </u> Present <u> </u></p> <p>Total: Yrs. <u> </u> Mos. <u> </u></p> <p><u> </u> <u> </u></p> <p>Hrs. per week <u>20</u> . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p>Executive Coach</p> <p>Employer's Name and Address</p> <p>Lee Hecht Harrison</p>	<p>Duties Performed</p> <p>Coaching of Executives, Leadership Development, Career Transition Coach</p>
<p>D) Dates (Month, Day, Year)</p> <p>From <u> </u> To <u> </u></p> <p>2000 <u> </u> 2003 <u> </u></p> <p>Total: Yrs. <u> </u> Mos. <u> </u></p> <p><u> </u> <u> </u></p> <p>Hrs. per week <u>40</u> . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p>Jack in the Box Corporation</p> <p>Employer's Name and Address</p> <p>Training and Development Specialists</p>	<p>Duties Performed</p> <p>Facilitate Training Classes</p>

7. How did you learn about this vacancy?

☐ CCC Homepage ☐ Walk-In ☐ Newspaper Advertisement ☐ District Supervisor ☒ Other Former Commissioner

8. Do you have a Familial or Financial Relationship with a member of the Board of Supervisors? (Please see Board Resolution no. 2011/55, attached): No ☒ Yes ☐

If Yes, please identify the nature of the relationship:

9. Do you have any financial relationships with the County such as grants, contracts, or other economic relations? No ☒ Yes ☐

If Yes, please identify the nature of the relationship:

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publically accessible. I understand and agree that misstatements / omissions of material fact may cause forfeiture of my rights to serve on a Board, Committee, or Commission in Contra Costa County.

Date: 8/23/18

Important Information

1. This application is a public document and is subject to the California Public Records Act (CA Gov. Code §6250-6270).
2. Send the completed paper application to the Office of the Clerk of the Board at: **651 Pine Street, Room 106, Martinez, CA 94553.**
3. A résumé or other relevant information may be submitted with this application.
4. All members are required to take the following training: 1) The Brown Act, 2) The Better Government Ordinance, and 3) Ethics Training.
5. Members of boards, commissions, and committees may be required to: 1) file a Statement of Economic Interest Form also known as a Form 700, and 2) complete the State Ethics Training Course as required by AB 1234.
6. Advisory body meetings may be held in various locations and some locations may not be accessible by public transportation.
7. Meeting dates and times are subject to change and may occur up to two days per month.
8. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.

THIS FORM IS A PUBLIC DOCUMENT



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: February 12, 2019

Subject: Appropriation Adjustment- Four Positions from Aging and Adult Services to Administrative Services

RECOMMENDATION(S):

APPROVE Appropriation Adjustment No. 5040 authorizing the transfer of salary and benefit appropriations between the Aging and Adult Services Bureau (decreasing Department 0503 expenditures) and the Administrative Services Bureau (increasing Department 0501 expenditures) to reflect the transfer of four full-time positions engaged in Volunteer & Emergency activities, in the Employment and Human Services Department.

FISCAL IMPACT:

This action will adjust expenditure budgets to reflect an internal staffing transfer of the four employees (position no. 4435, 13136, 13132, 4005) in the Volunteer & Emergency Services Unit, out of the Aging and Adult Services Bureau (0503) and into the Administrative Services Bureau (0501). The Employment and Human Services Department (EHSD) has been journaling these expenses into 0501 since July 1, 2018. This appropriation adjustment and complimentary P300 22418, submitted to the Board of Supervisors on February 12, 2019, will eliminate the need for future journals.

The net effect of these appropriation changes is an increase to the budgeted Administrative Services Bureau salaries and benefits and a decrease in the Aging and Adult Services Bureau salaries and benefits

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: K. Arana,
(925)608-4887

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

By: , Deputy

cc:

FISCAL IMPACT: (CONT'D)

by \$439,148, with offsetting expenditure transfers in both Bureaus. These positions are claimed as overhead, so no revenue adjustments are needed and there is no additional net county cost.

BACKGROUND:

For enhanced management oversight and improved administrative support, EHSD believes the Volunteer & Emergency Services Unit belong under the Policy and Planning Division in the Administrative Services Bureau. EHSD desires to establish this staffing change for the remainder of the current Budget Year and ongoing thereafter. Since this is an administrative transfer of where the positions are budgeted, there is no impact to the employees.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, expenditure appropriations will not be properly allocated within EHSD to maximize efficiency in administering the Volunteer & Emergency Services program.

ATTACHMENTS

T/C 27 No. 5040 EHSD

**CONTRA COSTA COUNTY
APPROPRIATION ADJUSTMENT/
ALLOCATION ADJUSTMENT
T/C-27**

AUDITOR-CONTROLLER USE ONLY:

FINAL APPROVAL NEEDED BY:

- ☒ BOARD OF SUPERVISORS
☒ COUNTY ADMINISTRATOR
☒ AUDITOR-CONTROLLER

ACCOUNT CODING		DEPARTMENT: Dept. 0501, EHSD, Policy and Planning		
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>	INCREASE
5101	1011	PERMANENT SALARIES		276,597.00
5101	1015	DEFERRED COMP		2,040.00
5101	1042	FICA/MEDICARE		21,160.00
5101	1044	RETIREMENT EXPENSE		91,688.00
5101	1060	EMPLOYEE GROUP INSURANCE		33,447.00
5101	1063	UNEMPLOYMENT INSURANCE		138.00
5101	1070	WORKERS COMP INSURANCE		14,078.00
5101	5022	INTRA-FUND TRANSFER SERVICES	439,148.00	
5330	1011	PERMANENT SALARIES	276,597.00	
5330	1015	DEFERRED COMP	2,040.00	
5330	1042	FICA/MEDICARE	21,160.00	
5330	1044	RETIREMENT EXPENSE	91,688.00	
5330	1060	EMPLOYEE GROUP INSURANCE	33,447.00	
5330	1063	UNEMPLOYMENT INSURANCE	138.00	
5330	1070	WORKERS COMP INSURANCE	14,078.00	
5330	5022	INTRA-FUND TRANSFER SERVICES		439,148.00
			878,296.00	878,296.00

<p align="center">APPROVED</p> <p>AUDITOR - CONTROLLER</p> <p>By: <u>[Signature]</u> Date <u>1/16/19</u></p> <p>COUNTY ADMINISTRATOR</p> <p>By: <u>[Signature]</u> Date <u>2/6/19</u></p> <p>BOARD OF SUPERVISORS</p> <p>YES:</p> <p>NO:</p> <p>By: _____ Date _____</p>	<p align="center">EXPLANATION OF REQUEST</p> <p>To transfer budget to rightful Org 5101 (Administrative Services- Policy and Planning) as part of staff transfer. This includes 4 existing positions. In both orgs, these positions are claimed as overhead and funded with a combined average of 17% open-ended federal revenue, 52% capped state allocation and capped 2011 Realignment revenues, 26% state capped Medi-Cal allocation and open-ended Title XIX Health-Related revenues, and 5% county General funds.</p> <p align="center"><u>[Signature]</u></p> <p>PREPARED BY: Mansoorali Hudda TITLE: Chief Financial Officer DATE: 1/15/2019</p> <p align="right">APPROPRIATION <u>APOO 5040</u> ADJ. JOURNAL NO.</p>
---	---



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: February 12, 2019

Subject: Appropriation Adjustment for FY 18-19 for the Youth Justice Initiative, a JAG-funded program

RECOMMENDATION(S):

APPROVE Appropriation and Revenue Adjustment No. 5052 authorizing revenue and expenditures in the Office of Reentry & Justice (1217) in the amount of \$53,626 from the federal Edward Byrne Memorial Justice Assistance Grant Program and appropriating it for Youth Justice Initiative services provided through December 31, 2018. (100% Federal JAG)

FISCAL IMPACT:

This adjustment recognizes the receipt of federal JAG funds in the amount of \$53,626 in FY 18-19 to support the Youth Justice Initiative project.

BACKGROUND:

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program (42 U.S. Code §3751(a)) is the primary provider of federal criminal justice funding to state and local jurisdictions. The JAG Program provides critical funding necessary to support state and local initiatives, to include: technical assistance, strategic planning, research and evaluation (including forensics), data collection, training, personnel, equipment, forensic laboratories, supplies, contractual support, and criminal justice information systems. The JAG Program supports seven Program Purpose Areas designated by federal statute.

Historically,

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: L. DeLaney,
925-335-1097

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

funding for the JAG Program in California had been allocated directly to counties through a non-competitive process. The majority of funds were passed through to local law enforcement agencies to fund multi-jurisdictional task forces related to narcotics suppression. In fact, in 2012, 98 percent of JAG funds were allocated to Program Purpose Area (1) – Law enforcement programs. On July 1, 2012, California state law transferred the administration of the JAG Program from the California Emergency Management Agency (now the California Office of Emergency Services) to the Board of State and Community Corrections (BSCC). With this transfer, BSCC became the State Administering Agency responsible for oversight of Byrne JAG funding in California.

On November 4, 2014, the Board of Supervisors authorized the submission of an RFP response for a project called the "Youth Justice Initiative," and was awarded a 3-year grant in 2015 which was initially managed by the Employment and Human Services Department (later transferred to the Office of Reentry & Justice in 2017). For the third year of the grant, 2017, the ORJ requested and received an extension of the grant agreement for one year, through December 31, 2018 in order to continue providing services under the grant. The grant provided funding for two pilot projects that were supporting youth, one of which was a school based project in Antioch at Park Middle School. Although services were originally anticipated to end at the conclusion of the school year, the balance of remaining grant funding was extended through the calendar year to continue providing Youth Advocacy services to juveniles supported by the Youth Justice Initiative through the Public Defender's Office and to prepare the evaluation of the project.

This appropriation and revenue adjustment recognizes the revenue provided under the JAG Grant Agreement (BSCC 614-17, amendment 1) and provides expenditure appropriations to reimburse the contractors providing services.

ATTACHMENTS


TC24/27_5052

(M 129 Rev. 6/09)

**CONTRA COSTA COUNTY
ESTIMATED REVENUE ADJUSTMENT/
ALLOCATION ADJUSTMENT
TC/24**

AUDITOR-CONTROLLER USE ONLY:	
FINAL APPROVAL NEEDED BY:	
<input checked="" type="checkbox"/>	BOARD OF SUPERVISORS
<input checked="" type="checkbox"/>	COUNTY ADMINISTRATOR
<input checked="" type="checkbox"/>	AUDITOR-CONTROLLER

ACCOUNT CODING		DEPARTMENT: 0003		
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE	<DECREASE>
1217	9551	FED AID CRIME CONTROL	53,626.00	
TOTALS			53,626.00	0.00

<p style="text-align: center;">APPROVED</p> <p>AUDITOR – CONTROLLER</p> <p>By: <u></u> Date <u>2/6/19</u></p> <p>COUNTY ADMINISTRATOR</p> <p>By: _____ Date _____</p> <p>BOARD OF SUPERVISORS</p> <p>YES:</p> <p>NO:</p> <p>By: _____ Date _____</p>	<p>EXPLANATION OF REQUEST</p> <p>Recognizing revenue reimbursement for federally funded JAG project in FY 18-19 from the 2017 grant extension through December 31, 2018.</p> <p>PREPARED BY: <u>Lara DeLaney</u> TITLE: <u>Senior Deputy County Administrator</u> DATE: <u>2/6/2019</u></p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div>REVENUE ADJ. JOURNAL NO.</div> <div>RA00 <u>5052</u></div> </div>
---	---



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Appropriation and Revenue Adjustment for Enterprise Fund I – Capital (Fund 145000-0853)

RECOMMENDATION(S):

Approve Appropriation and Revenue Adjustment No. 5041 increasing appropriations for capital projects, capital equipment, and reallocating budget revenues and expenditures to reflect appropriate categories in fiscal year 2018/2019.

FISCAL IMPACT:

No impact to the General Fund. This action increases appropriations by \$8,208,843 (fully revenue offset) for anticipated costs associated with capital projects, capital equipment, and reallocates revenues and expenditures between categories to reflect the most current estimates. (100% Hospital Enterprise Fund I)

BACKGROUND:

Subsequent to the adoption of the FY18-19 budget in June, 2018 capital project costs expected to be incurred this fiscal year were revised, and additional equipment purchases were necessary. This adjustment increases appropriations and the revenue sources used to pay for them to reflect the most current estimates. No change in County subsidy is required as a result of the adjustment.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Patrick Godley,
925-957-5405

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

By: , Deputy

cc: Laura Garvey, Marcy Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Health Services Department's Hospital Enterprise Fund I FY 18-19 budget will not reflect the revenue and expenditure costs expected to be incurred in this fiscal year.

ATTACHMENTS

TC27/TC24 No. 5041 HSD

CONTRA COSTA COUNTY AUDITOR-CONTROLLER
APPROPRIATION ADJUSTMENT
T/C 27 2018 DEC 21 PM 4:01

AUDITOR CONTROLLER USE ONLY

Final Approval Needed By:

☒ Board Of Supervisors

☐ County Administrator

ACCOUNT CODING		BUDGET UNIT: ENTERPRISE FUND 1 - CAPITAL (145000-0853)	Page 1 of 1	
ORGIN.	EXPENSE SUB-ACCT.	EXPENDITURE ACCOUNT DESCRIPTION	< DECREASE >	INCREASE
6971	4514	550-Update Elevators		9,000 .00
6971	4515	550-Construct Expansion		692 .00
6971	4517	265-Repair Roof		58 .00
6971	4518	749-WCHD Clinic Expansion		3,000,000 .00
6971	4519	555-Secure 5A 5B 5C Hosp		450,000 .00
6971	4524	550-TI Move Hm & Parking		328,000 .00
6971	4525	756TI HSD 2380 Bisso B		7,000 .00
6971	4526	726-Tenant Improvement		122,000 .00
6971	4527	756-CONSTRUCT DATA CENTER		16,000 .00
6977	4953	Autos & Trucks		191,995 .00
6977	4954	Medical & Lab Equipment	542,453 .00	
6979	4951	Office Furniture & Equipment		4,603,969 .00
6979	4955	Racio & Communicatin Equip		22,582 .00
			\$542,453 .00	\$8,751,296 .00

EXPLANATION OF REQUEST

To adjust FY18/19 Expenditure Appropriations to Current Estimates.

 Approved
AUDITOR - CONTROLLER

 By:  Date: 12/31/18

COUNTY ADMINISTRATOR

 By:  Date: 9/7/19

BOARD OF SUPERVISORS

YES:

NO:

 Revenue Increase(Decrease)
Expense Increase(Decrease)
Subsidy Increase (Decrease)

 \$8,208,843.00
\$8,208,843.00
\$0.00

By: _____ Date: _____

 Signature
PATRICK GODLEY

 COO/CFO
Title
12/18/18
Date

 Appropriation
Adj. Journal NO.

AP00 5041

CONTRA COSTA COUNTY
ESTIMATED REVENUE ADJUSTMENT
T/C 24

AUDITOR-CONTROLLER

2018 DEC 21 P 4:06

ACCOUNT CODING BUDGET UNIT: ENTERPRISE FUND 1 - CAPITAL (145000-0853) Page 1 of 1

ORGN.	REVENUE SUB-ACCT.	REVENUE ACCOUNT DESCRIPTION	INCREASE	<DECREASE>
6971	8239	Miscel Hospital Revenue	4,578,817 .00	
6977	8239	Miscel Hospital Revenue		638,215 .00
6979	8239	Miscel Hospital Revenue	4,268,241 .00	

Approved			\$8,847,058 .00	\$638,215 .00
----------	--	--	-----------------	---------------

AUDITOR - CONTROLLER

By:  Date: 12/21/18

COUNTY ADMINISTRATOR

By:  Date: 3/7/19

BOARD OF SUPERVISORS

YES:

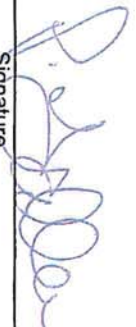
NO:

By: _____ Date: _____

EXPLANATION OF REQUEST

To adjust FY18/19 Expected Revenues to Current Estimates.

Revenue Increase(Decrease)	\$8,208,843.00
Expense Increase(Decrease)	8,208,843.00
Subsidy Increase (Decrease)	\$0.00


Signature
PATRICK GODLEY

COO/CFO Title Date 12/18/18
Revenue Adj. Journal NO. RA00 5041



Contra
Costa
County

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: February 12, 2019

Subject: APPROVE Co-sponsorship of MCE Low-Income Electric Vehicle Rebate Program

RECOMMENDATION(S):

APPROVE and AUTHORIZE MCE to identify the County as a partner in its Low-Income Electric Vehicle Rebate Program.

FISCAL IMPACT:

None. MCE would fund the rebates. The County is proposed to be identified as a supporter of the program for outreach purposes.

BACKGROUND:

In May 2017, the Board of Supervisors voted to join MCE, a community choice energy provider. In addition to providing electricity to its customers, MCE offers programs that help customers reduce energy consumption and use energy more wisely. MCE offers a number of programs to facilitate more of its customers driving electric vehicles (EVs), including rebates for electric vehicle charging stations and for the vehicles themselves. MCE is designing its EV rebates to complement those offered by other entities including PG&E and Electrify America.

MCE has recently launched an EV rebate program focused on low-income customers. MCE has asked the County to be a partner in promoting the opportunity, noting that its participation rates are higher when it is able to show partnership with local governments (see attached request from MCE, as well as the outreach

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Jody London,
925-674-7871

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

email and information about the low-income electric vehicle rebate program). If approved, the County would be indicated as a partner in promotional materials distributed by MCE.

CONSEQUENCE OF NEGATIVE ACTION:

Should the County not join MCE as a partner with the low-income electric vehicle rebate program, participation by low-income customers will likely be not as robust.

ATTACHMENTS

MCE Request re County Sponsorship of Low-income EV Rebate Program

MCE - Contra Costa County Partner Notice

MCE Low-income EV Customer Rebate Web Page

From: [Alex DiGiorgio](#)
To: [Jody London](#); [Jason Crapo](#)
Subject: EV rebate outreach to the County's low-income electricity customers - OK to communicate MCE's partnership with Contra Costa County?
Date: Friday, January 11, 2019 3:11:09 PM

Good afternoon, Jody and Jason,

A quick EV-related question for you:

MCE is eager to promote its [low-income electric vehicle \(LI-EV\) rebate program](#) and would like to reach out to qualifying electricity customers in Contra Costa County. May we communicate the County is our partner/co-presenter in outreach emails to low-income CARE residents in the County's unincorporated communities? Attached is a snapshot of the exact outreach email to be sent.

This approach has yielded great results in other communities within MCE's service area. After working with the cities of Richmond, Concord, Walnut Creek, San Rafael, Novato and many more, we have experienced an average email:

- open rate of 44%
- click through rate of 14%
- conversion rate of 1.7%

In addition, a very limited number of individuals have unsubscribed from future email engagement. Our unsubscribe rate is about half a percent (0.05%).

Thanks in advance for your consideration! If you would like to learn more about our LI-EV program, please visit <https://www.mcecleanenergy.org/ev-drivers>

Thanks again,

Alex

--

Alex DiGiorgio
Deputy Director, Community Development, MCE
415.464.6031 | ADiGiorgio@mceCleanEnergy.org
mceCleanEnergy.org

Cleaner energy for our community. Your choice.
¡Ahora usted puede elegir energía más limpia!

Join our [Facebook group](#) and sign up for our [e-newsletter](#)!

MCE is committed to protecting customer privacy. Learn more at: <https://www.mceCleanEnergy.org/privacy/>



**TAKE THE DRIVER'S SEAT
with MCE's Low-Income EV Rebate**



Hello Allen,

Contra Costa County and MCE are proud to announce you may be eligible to save \$3,500 on the purchase or lease of an electric vehicle (EV).

MCE's generous **rebate for low-income qualifying customers** gives you a great deal on a cutting-edge, new or used EV, especially when you combine it for up to \$12,000 in total incentives.

EVs are zero-emission vehicles that offer significant savings on fuel and maintenance costs and also reduce air pollution in your community.

[Click to Learn More About MCE's EV Rebate Program](#)

Sincerely,
Contra Costa County and MCE

[Opt Out](#)[#optUP to 100%](#)[About Us](#)[FAQ](#)[Español](#)[Your Energy Choices](#)[Rates & Billing](#)[Energy Savings](#)[Solar & Electric Vehicles](#)[Energy Sources](#)[Meetings & Events](#)[Community News](#)[Electric Vehicle Rebates](#)[Home / Electric Vehicle Rebates](#)

\$3,500 rebates are now available for income qualifying residents to purchase or lease a new or used EV. [Learn more about the MCEv Rebate Program and how to apply.](#)



**MCE ELECTRIC
VEHICLE
REBATE**

**EV CHARGING
(REBATES +
RATES)**



OTHER ELECTRIC VEHICLE REBATES + DISCOUNTS

Need a Reliable Car That Meets Your Budget?

Perks of Driving an Electric Vehicle



Don't Miss Out on Savings

California drivers keep ~\$69/month in their wallets by charging an EV instead of a fueling a gas-powered car.

Plus no more oil changes, spark plugs, or emissions checks!



Get There Faster

Reduce your commute time and tolls with a Clean Air Vehicle sticker that allows you to use the carpool lane.



Breathe Easy

EVs have no tailpipe emissions, which means cleaner air and a healthier environment for your community.

MCE Electric Vehicle \$3,500 Rebate Program

The MCEv Program is helping to lower the price of new and used electric vehicles (EVs) for low-income qualifying customers with a \$3,500 EV rebate. Both purchased and leased EVs are eligible. MCE can also help qualifying customers to combine this rebate with other incentives for a total discount of up to \$12,000 for a new EV or \$9,000 for a used EV.

EVs are zero emissions, which means cleaner air and a healthier environment for your community! EV owners also save on the monthly cost of fuel and maintenance.

Eligibility

To qualify for MCE's \$3,500 EV rebate, the applicant must belong to a household that receives MCE service and meet at least one of the following household requirements:

- be enrolled in California Alternate Rates for Energy (CARE),
- be enrolled in Family Electric Rate Assistance (FERA), or
- meet the qualifying annual household income shown in the table.

Number of People in Household*	Maximum Annual Household Income**
1-2	\$32,920
3	\$41,560
4	\$50,200
5	\$58,840
6	\$67,480
7	\$76,120
8	\$84,760
9	\$93,400



Number of People in Household*	Maximum Annual Household Income**
10	\$102,040

*Include only yourself and any spouse and/or dependents.

**Before taxes based on current income sources. Valid through May 31, 2019.

How to Apply for the MCEv Rebate

To find out if you qualify, please complete the EV Rebate Interest Form below and we will get back in touch with you. You can also contact us at ev@mceCleanEnergy.org or (415) 464-6686 to learn more about the program.

EV Rebate Interest Form for Income-Qualifying Customers

Name *

First Name

Last Name

Zip Code of Residence *

Current Vehicle Usage *

- ☐ Own your own vehicle
- ☐ Lease your own vehicle
- ☐ Borrow from friends or family
- ☐ Use rideshares (like Lyft or Uber)
- ☐



Rent a careshare (like GetAround or ZipCar)

☐ Don't use a vehicle

Preferred Contact *

☐ Email ☐ Cell phone ☐ Work phone

☐ Home phone

Income Qualifications (Please check all that apply.) *

☐ My electric account receives the CARE program discount.

☐ My electric account receives the FERA program discount.

☐ I meet the household income requirements in the Eligibility section above.

☐ I don't know if I qualify.

MCE will confirm your eligibility after receiving your Interest Form submission.

What questions do you have for MCE about EVs?

(optional)

Submit Form

Other Available EV Incentives

MCE customers are eligible to receive the following EV rebates and discounts, subject to availability and restrictions:

Program	New EV	Used EV	Available for Leases	Additional Information
---------	--------	---------	----------------------------	---------------------------



Program	New EV	Used EV	Available for Leases	Additional Information
MCEv Program	\$3,500	\$3,500	yes	Rebate provided at time of purchase/lease.
Federal Tax Credit	\$3,000 (estimated)	does not apply	no	Tax credit provided after purchase. Tax credit ranges from \$2,500-\$7,500 base on tax liability, battery capacity, and vehicle make/model. \$3,000 is an estimated amount for low-income customers.
Clean Vehicle Assistance Program (CVAP) Grant	\$5,000	\$5,000	no	Rebate provided at time of purchase. Maximum household income must be 400% of 2018 Federal Poverty Level. CVAP and CVRP incentives cannot be combined. For customers that qualify for both incentives, CVAP is a better option for <i>purchasing</i> a new or used EV.
California Clean Vehicle Rebate	\$2,500	does not apply	yes	Rebate provided after purchase. CVAP and CVRP incentives cannot be combined. For



Program	New EV	Used EV	Available for Leases	Additional Information
Project (CVRP)				customers that qualify for both incentives, CVRP is a better option for <i>leasing</i> a new EV.
California Clean Vehicle Rebate Project – Low Income Increased Rebate	\$2,000	does not apply	yes	Rebate provided after purchase. Maximum household income must be 300% of 2018 Federal Poverty Level.
PG&E Clean Fuel Rebate*	\$500	\$500 (if the previous owner(s) did not already take advantage of the Clean Fuel Rebate)	yes	Rebate provided after purchase.

*As an MCE customer you continue to receive PG&E electric delivery, billing, and maintenance services and are eligible to participate in PG&E's EV rebate programs.

Need to Get Rid of An Old Gas Guzzler?



You might qualify for the Bay Area Air Quality Management District's [Vehicle Buyback Program](#). This program will pay Bay Area residents \$1,000 to turn in their operable, registered, 1996 or older vehicle for scrapping.

Electric Vehicle FAQ

- + Are electric vehicles expensive?
- + Are electric vehicles safe?
- + Are electric vehicles really better for the environment?

EV Charging and Rebates

Visit our [EV Charging and Rates page](#) for information about charging station rebates, charger locations, and electricity rates for EV drivers.

GET IN TOUCH

Questions? We have answers!
Use the Contact Form, email
info@mceCleanEnergy.org,
or call us at 1 (888) 632-3674 (Mon - Fri, 7am - 7pm).

Receive the latest MCE News.

UPCOMING EVENTS

Rodeo- West County Winter Job Fair

January 23 @ 10:00 am - 1:00 pm

Napa-130th Annual Meeting & Awards Luncheon

January 25 @ 11:30 am - 1:00 pm



PRIVACY POLICY

MCE is committed to protecting your privacy.

[Learn more here.](#)

[State Controller's Government Compensation
in California Information](#)

San Rafael-Forecasting the Future Marin Economic
Conference

January 29 @ 7:30 am - 10:00 am

[View All Events](#)

Copyright © 2016 | Website designed by MCE & developed by Marketing Machine





**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: February 12, 2019

Subject: Cancel (2) Social Service Employment Placement Counselors and Add (2) Social Worker I in EHSD Whole Person Care Program

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 22419 to cancel two (2) Social Service Employment Placement Counselor (X7WB) (represented) position nos. 15838 and 15841 at Salary Plan and Grade 255 1432 (\$5,069 - \$6,161) and add two (2) Social Worker I (X0VC) (represented) positions at Salary Plan and Grade 255 1434 (\$5,079 - \$6,173), in the Employment and Human Services Department, Adult and Aging Services.

FISCAL IMPACT:

Upon approval, this action will have an approximate annual cost increase of \$386 with estimated annual pension costs of \$134. This cost will be completely offset by revenue from the Whole Person Care (WPC) Pilot Program grant awarded by the California Department of Health Care Services to the Contra Costa County Health Services (CCHS) Department. The positions are funded with 100% Whole Person Care program State revenue.

BACKGROUND:

In July 2017, the Employment and Human Services Department (EHSD) entered into an Interdepartmental Services Agreement with

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Bao Tran (925)
608-5027

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

By: , Deputy

cc: Bao Tran

BACKGROUND: (CONT'D)

Health Services to partner in staffing the Whole Person Care CommunityConnect Pilot Program.

The overall goal of the program is to increase coordination of health, behavioral health, and social services for Medi-Cal recipients who are at high risk of utilizing high acuity medical services across multiple delivery systems. The program integrates physical health, behavioral health, and social services in a patient-centered manner in order to improve the health and well-being of this vulnerable population. Originally, EHSD requested and was approved to hire six (6) Social Workers and six (6) Social Worker II positions to perform case management services to WPC patients. In the first round of hiring, three (3) staff in the classification of Social Service Employment Placement Counselor (EPC) were hired into three of the Social Worker positions. Since that time, two EPC positions have been vacated. Upon review, the Social Worker position is more greatly needed to meet the needs of WPC.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, EHSD will not have the appropriate classifications staff needed to participate in the Whole Person Care CommunityConnect Pilot Program. CCHS will be forced to explore other alternatives for social service case management and care coordination, potentially risking successful pilot program implementation.

ATTACHMENTS

P300 No. 22419 EHSD

POSITION ADJUSTMENT REQUEST

NO. 22419
DATE 11/2/2018

Department Employment and Human Services

Department No./
Budget Unit No. 0503 Org No. 5315 Agency No. A19

Action Requested: Cancel two (2) Social Service Employment Placement Counselor positions (represented) (X7WB) positions at Salary Plan and Grade 255 2125 (\$5,069-\$6,161) and add two (2) Social Worker I positions (represented) (X0VC) at Salary Plan and Grade 255 1434 (\$5,079-\$6,173), in the Employment and Human Services Department.

Proposed Effective Date: 12/1/2018

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 \$386.00

Net County Cost \$0.00

Total this FY \$193.00

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT State 100%

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Bao Tran 608-5027

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Julia Taylor

1/15/19

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 1/16/2019

Cancel two (2) Social Service Employment Placement Counselor (X7WB) position no. 15838 and 15841 (represented) at Salary Plan and Grade 255 1432 (\$5,069 - \$6,161) and add two (2) Social Worker (X0VC) positions (represented) at Salary Plan and Grade 255 1434 (\$5,079 - \$6,173), in the Employment and Human Services Department, Adult and Aging Services.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ ____ (Date)

Amanda Monson

1/16/2019

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE 02/06/2019

☒ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: _____

Enid Mendoza

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED ☐ DISAPPROVED ☐

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

DATE _____

BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:

REQUEST FOR PROJECT POSITIONS

Department _____

Date 2/6/2019

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: Diana Becton, District Attorney
Date: February 12, 2019

Subject: Add one full time Victim/Witness Asst. Prog Specialist position in the District Attorney's Office

RECOMMENDATION(S):

ADOPT Personnel Adjustment Resolution No. 22405 to add one (1) full time Victim/Witness Assistance Program Specialist (65SA) (represented) at salary plan and grade QV5 119 (\$3,992 - \$4,853) in the District Attorney's Office.

FISCAL IMPACT:

100% State, California Governor's Office of Emergency Services (Cal OES) Human Trafficking Program grant.

BACKGROUND:

The District Attorney's Office is requesting an additional full time Victim/Witness Assistance Program Specialist position in the Human Trafficking unit. The position will be responsible for advocacy and direct services for victims of human trafficking. Contra Costa County is at the center of a human trafficking passageway bordered by counties that maintain a constant influx of both domestic and international victims.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Elizabeth Molera, (925)
957-2205

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

By: , Deputy

cc: Beth Molera

BACKGROUND: (CONT'D)

Human trafficking occurs without detection as a result of the lack of trained and dedicated human trafficking staff and the cases are very complex and time consuming. As law enforcement increases its effort in this area, the need to provide services grows. This new position will support the efforts of the Contra Costa County District Attorney's Office to prioritize these victims and provide the mandated services that they need.

CONSEQUENCE OF NEGATIVE ACTION:

The position will not be created or filled resulting in the District Attorney's Office forfeiting the grant funding.

ATTACHMENTS

AIR 36229 P300 22405-Add VWA Prog Spec-2.12.19-HR

P-300 No 22405

POSITION ADJUSTMENT REQUEST

NO. 22405
DATE 12/7/2018

Department District Attorney

Department No./

Budget Unit No. 0242 Org No. 2855 Agency No. 042

Action Requested: Add one (1) Victim/Witness Assistance Program Specialist position, class code 65SA in the District Attorney's Office Human Trafficking unit

Proposed Effective Date: 2/1/2019

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 \$84,405.00

Net County Cost \$0.00

Total this FY \$33,886.00

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Human Trafficking Grant

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Phyllis Redmond

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Paul Reyes

1/8/2019

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 1/23/2019

Add one (1) full time Victim/Witness Assistance Program Specialist (65SA) (represented) at salary plan and grade QV5 119 (\$3,992.94 - \$4,853.44) in the District Attorney's Office.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ ____ (Date)

Mary Jane De Jesus-Saepharn

1/23/2019

(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 1/23/2019

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

POSITION ADJUSTMENT REQUEST

NO. 22405
DATE 12/7/2018

Department District Attorney

Department No./

Budget Unit No. 0242 Org No. 2855 Agency No. 042

Action Requested: Add one (1) Victim/Witness Assistance Program Specialist position, class code 65SA in the District Attorney's Office Human Trafficking unit

Proposed Effective Date: 2/1/2019

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 \$84,405.00

Net County Cost \$0.00

Total this FY \$33,886.00

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Human Trafficking Grant

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Phyllis Redmond

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Paul Reyes

1/8/2019

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 1/23/2019

Add one (1) full time Victim/Witness Assistance Program Specialist (65SA) (represented) at salary plan and grade QV5 119 (\$3,992.94 - \$4,853.44) in the District Attorney's Office.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ ____ (Date)

Mary Jane De Jesus-Saepharn

1/23/2019

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

2/6/2019

☒ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: _____

Paul Reyes

(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 2/6/2019

No. xxxxxx

1. Project Positions Requested:
2. Explain Specific Duties of Position(s)
3. Name / Purpose of Project and Funding Source (do not use acronyms i.e. SB40 Project or SDSS Funds)
4. Duration of the Project: Start Date _____ End Date _____
Is funding for a specified period of time (i.e. 2 years) or on a year-to-year basis? Please explain.
5. Project Annual Cost
 - a. Salary & Benefits Costs: _____
 - b. Support Costs: _____
(services, supplies, equipment, etc.)
 - c. Less revenue or expenditure: _____
 - d. Net cost to General or other fund: _____
6. Briefly explain the consequences of not filling the project position(s) in terms of:
 - a. potential future costs
 - b. legal implications
 - c. financial implications
 - d. political implications
 - e. organizational implications
7. Briefly describe the alternative approaches to delivering the services which you have considered. Indicate why these alternatives were not chosen.
8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted
9. How will the project position(s) be filled?
 - ☐ a. Competitive examination(s)
 - ☐ b. Existing employment list(s) Which one(s)? _____
 - ☐ c. Direct appointment of:
 - ☐ 1. Merit System employee who will be placed on leave from current job
 - ☐ 2. Non-County employee

Provide a justification if filling position(s) by C1 or C2

USE ADDITIONAL PAPER IF NECESSARY



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: February 12, 2019

Subject: Cancel One Administrative Services Assistant III Position in Employment and Human Services, Administrative Services Bureau

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No.22399 to cancel one (1) Administrative Services Assistant III (APTA) (represented) position no. 16289 at Salary Plan and Grade ZB5 1631 (\$6,174 - \$7,504), effective April 1, 2019, in the Employment and Human Services Department, Administrative Services Bureau.

FISCAL IMPACT:

Approval of this action will decrease annual costs by \$144,993, including a net annual cost of \$7,250. The FY 2018/19 cost decrease is estimated to be \$36,249, including a net annual county cost decrease of \$1,812. This position is funded 43% Federal, 52% State, and 5% County.

A companion item adding Department Fiscal Officer positions went to the Board on December 18, 2018. That action item added personnel costs, which are made cost neutral by this item.

BACKGROUND:

Employment and Human Services Department (EHSD) has had one Department Fiscal Officer (DFO), responsible for the budget, providing day-to-day fiscal oversight of all programs, and the supervision

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Reni Radeva, (925)
608-5036

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

By: , Deputy

cc: Reni Radeva

BACKGROUND: (CONT'D)

and training of eight (8) Fiscal Analyst. An additional DFO is required to support the needs of the department.

On December 18, 2018, the Board approved adding two DFO positions in the Administrative Services Bureau to provide a transition period between two new and one soon to retire DFO staff. One DFO position will be cancelled as of May 1, 2019.

This Board Order is to request one ASA III position be cancelled, making the addition of one DFO position cost neutral. In March 2019, one Administrative Services Assistant III position will be vacated when the incumbent retires. The position will be cancelled as of April 1, 2019.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Department will be unable to ensure a smooth transition of responsibilities and develop a more sustainable organizational structure. This in return could hinder the Department's ability to effectively and efficiently conduct its financial functions.

ATTACHMENTS

AIR 36240_P300 22399 ASAIII Cancellation BOS 2.12.19

POSITION ADJUSTMENT REQUEST

NO. 22399
DATE 12/12/2018

Department Employment and Human Services

Department No./
Budget Unit No. 0501 Org No. 5101 Agency No. 19

Action Requested: Cancel one Administrative Services Specialist III (APTA) (represented) position no. 16289 at Salary Plan and Grade ZB5 1631 (\$6,174 - \$7,504), effective April 1, 2019, in the Employment and Human Services Department, Administrative Services Bureau.

Proposed Effective Date: 04/01/2019

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 (\$144,993.00)

Net County Cost (\$7,250.00)

Total this FY (\$36,249.00)

N.C.C. this FY (\$1,812.00)

SOURCE OF FUNDING TO OFFSET ADJUSTMENT N/A

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Julia Taylor

12/12/2018

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 1/16/2019

Cancel one (1) Administrative Services Assistant III (APTA) (represented) position no. 16289 at Salary Plan and Grade ZB5 1631 (\$6,174 - \$7,504), effective April 1, 2019, in the Employment and Human Services Department, Administrative Services Bureau.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☐ Day following Board Action.

☒ 4/1/19(Date)

Amanda Monson

1/16/19

(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 1/16/2019

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 Self, Child Support Services Director
Date: February 12, 2019

Subject: Add One Child Support Supervisor position and Cancel One Child Support Assistant Supervisor position

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 22415 to add one (1) Child Support Supervisor (SMNA) (represented) full time position at salary plan and grade ZA5 1546 (\$5,675 - \$6,898), and cancel one (1) vacant Child Support Assistant Supervisor (JJHJ) (represented) position #3548 in salary plan and grade K65 1483 (\$5,332 - \$6,481) in the Department of Child Support Services (DCSS).

FISCAL IMPACT:

This transaction will result in an approximate salary increase of \$5,006 annually. The Department of Child Support Services is fully funded by 66% Federal and 34% State grant funds. There is zero cost to the County General Fund.

BACKGROUND:

The Department of Child Support Services (DCSS) has one vacant Child Support Assistant Supervisor position. The Department restructured teams in March 2018, which caused more Child Support Specialists to be on specialized teams. With this restructuring, another Child Support Supervisor is needed to supervise teams that have both Child Support Assistants and Child Support Specialists on them, which is in the job scope. Therefore, DCSS requests to cancel one (1) Child Support Assistant Supervisor position and add one (1) Child Support Supervisor position to supervise and support DCSS teams.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Sarah Bunnell,
925-313-4433

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the existent Child Support Assistant Supervisor position will be unable to fulfill the specialized knowledge and scope of supervision that is needed in DCSS.

ATTACHMENTS

P300 No. 22415 DCSS

POSITION ADJUSTMENT REQUEST

NO. 22415
DATE 12/13/2018

Department Dept of Child Support Services

Department No./

Budget Unit No. 0249 Org No. 1780 Agency No. A40

Action Requested: Delete one (1) Child Spprt Asst Supervisor (JJHJ), pos#3548 and Add one (1) Child Support Svcs Supervisor (SMNA).

Proposed Effective Date: 1/1/2019

Classification Questionnaire attached: Yes ☐ No ☒ / Cost is within Department's budget: Yes ☒ No ☐

Total One-Time Costs (non-salary) associated with request: 0

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost \$5,006.00

Net County Cost \$0.00

Total this FY \$2,085.00

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Fully funded by Federal/State grants; zero cost to CGF

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Sarah Bunnell

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Julia Taylor

1/14/19

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 1/23/2019

Add one (1) Child Support Supervisor (SMNA) (represented) full time position in salary plan and grade ZA5 1546 (\$5,675.81 - \$6,898.98), and cancel one (1) vacant Child Support Assistant Supervisor (JJHJ) (represented) position #3548 in salary plan and grade K65 1483 (\$5,332.57 - \$6,481.78) in the Department of Child Support Services (DCSS).

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ _____(Date)

Mary Jane De Jesus-Saepharn

1/23/2019

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

02/06/2019

☒ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: _____

Enid Mendoza

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED ☐ DISAPPROVED ☐

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

DATE _____

BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:

REQUEST FOR PROJECT POSITIONS

Department _____

Date 2/6/2019

No. _____

1. Project Positions Requested:
2. Explain Specific Duties of Position(s)
3. Name / Purpose of Project and Funding Source (do not use acronyms i.e. SB40 Project or SDSS Funds)
4. Duration of the Project: Start Date _____ End Date _____
Is funding for a specified period of time (i.e. 2 years) or on a year-to-year basis? Please explain.
5. Project Annual Cost
 - a. Salary & Benefits Costs: _____
 - b. Support Costs: _____
(services, supplies, equipment, etc.)
 - c. Less revenue or expenditure: _____
 - d. Net cost to General or other fund: _____
6. Briefly explain the consequences of not filling the project position(s) in terms of:
 - a. potential future costs
 - b. legal implications
 - c. financial implications
 - d. political implications
 - e. organizational implications
7. Briefly describe the alternative approaches to delivering the services which you have considered. Indicate why these alternatives were not chosen.
8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted
9. How will the project position(s) be filled?
 - ☐ a. Competitive examination(s)
 - ☐ b. Existing employment list(s) Which one(s)? _____
 - ☐ c. Direct appointment of:
 - ☐ 1. Merit System employee who will be placed on leave from current job
 - ☐ 2. Non-County employee

Provide a justification if filling position(s) by C1 or C2

USE ADDITIONAL PAPER IF NECESSARY



Contra Costa County

To: Board of Supervisors
From: Anna Roth, Health Services
Date: February 12, 2019

Subject: Increase hours of one vacant Clerk - Senior Level position and decrease hours of one vacant Clerk - Senior Level position

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 22425 to decrease eight (8) position hours from vacant part-time 32/40 hour Clerk - Senior Level (JWXC) position #15692, at salary plan 3RX-1033 (\$3,406 - \$4,350), to 24/40, and increase by eight (8) position hours vacant part-time 32/40 Clerk - Senior Level (JWXC) position #8535, at salary plan 3RX-1033 (3,406- \$4,350), to full-time, in the Health Services Department. (represented)

FISCAL IMPACT:

There is no fiscal impact as the net FTE change of these positions in the same classification is zero and both positions are vacant funded positions in the Hospital Enterprise Fund I.

BACKGROUND:

The Health Services Department is requesting to reassign eight (8) hours from vacant Clerk - Senior Level position #15692 currently at 32/40 hours to vacant Clerk - Senior Level (JWXC) position #8535 currently at 32/40 hours. The Department has identified a need for a permanent full time position (position #8535) as the workload in the Ambulatory Care Registration has increased dramatically since the implementation of the Electronic Health System in July 2002. To

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Abigail O'Connor,
925-957-5240

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

ensure quality assurance and regulatory requirements are met, the full-time position will work closely with the Clerical Supervisor, Registration Manager, Patient Accounting, Financial Counselors, Hospital Management and other staff. This position will be responsible for interviewing patients face-to-face to obtain demographic and financial information that is essential to registering the patient into the billing system, prior to their visit as needed. The position will also be responsible for answering the hospital switchboard, numerous alarms and codes in the Communication Center as needed. The Department has also identified a need for a 24/40 hour position (position #15692) located at the Miller Wellness Center to provide shift coverage for Thursday, Friday, and Saturday services. Currently, there is only coverage for Monday, Tuesday, and Wednesday services.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, there will not be sufficient staff hours in the Registration department, which will impact daily deliverable regulatory requirements when registering patients.

ATTACHMENTS

P300 No. 22425 HSD

POSITION ADJUSTMENT REQUEST

NO. 22425
DATE 01/30/19

Department Health Services/Registration

Department No./
Budget Unit No. 0540 Org No. 6570 Agency No. A18

Action Requested: Decrease by eight (8) hours Clerk – Senior Level (JWXC) position #15692 from 32/40 to 24/40 hours and increase by eight (8) hours Clerk – Senior Level (JWXC) position #8535 from 32/40 to 40/40 hours in the Health Services Department.

Proposed Effective Date: 02/13/2019

Classification Questionnaire attached: Yes ☐ No ☒ / Cost is within Department's budget: Yes ☒ No ☐

Total One-Time Costs (non-salary) associated with request: \$0.00

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost \$0.00

Net County Cost \$0.00

Total this FY \$0.00

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Cost neutral (100% Enterprise Fund I)

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Abigail O'Connor

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE _____

Exempt from Human Resources review under delegated authority.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☐ Day following Board Action.
☐ _____(Date)

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE 2/6/2019

- ☐ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☒ Other: Approve as recommended by the department.

Enid Mendoza

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED ☐ DISAPPROVED ☐

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

DATE _____

BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:

REQUEST FOR PROJECT POSITIONS

Department _____

Date 2/6/2019

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: David Twa, County Administrator
Date: February 12, 2019

Subject: Retitle, Reallocate, and Establish Various Classifications in the Veterans Service Department

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 22403 to, Retitle the classification of Veterans Service Branch Office Manager (96TA) (represented) to Veterans Service Manager (96TA) (represented); Reallocate on the salary schedule from salary plan and grade ZA5 1516 (\$5,509-\$6,697) to salary plan and grade ZA5 1003 (\$6,177-\$7,508); Establish the classification of Veterans Service Representative II (96VA) (represented) at salary plan and grade ZB5 1002 (\$5,236 - \$6,364); and Retitle Veterans Service Representative (96WA) (represented) to Veterans Service Representative I (96WA) in the Veterans Service Office.

FISCAL IMPACT:

The annual cost increase of retitling the Veterans Service Branch Manager to the new classification of Veterans Service Manager is \$9,097, with a pension cost increase of \$2,547. The annual cost increase for adding a Veterans Service Representative (VSR) II classification is estimated at \$32,480. Pension costs will increase by \$2,599 for each VSR I that becomes a VSR II. These personnel cost increases will be funded by County General Fund.

BACKGROUND:

Veterans Service Representatives (VSRs) play a vital role in counseling, advising, and assisting veterans in the preparation and presentation of claims and appeals. The levels to which a VSR executes this work

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Nathan Johnson, (925)
313-1481

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

By: , Deputy

cc: Sylvia Wang

BACKGROUND: (CONT'D)

>

varies. By establishing the Veterans Service Representative II class level and by retitling the existing Veterans Service Representative class to a "I" level, we are establishing and developing a flexibly-staffed career path and progression within the series. VSR IIs will have a higher level of authority, such as having access to VA systems and operating independently at the veterans' outstations.

The current title of Veterans Service Branch Office Manager does not reflect the true nature of the classification. For one, there are three branch offices under the class management responsibilities, so the title often confuses veterans about the Veterans Office's organizational structure. The retitling of the Veterans Service Branch Office Manager to Veterans Service Manager and the revision of the management/supervisory responsibilities accurately reflect the organizational structure and current duties and responsibilities.

CONSEQUENCE OF NEGATIVE ACTION:

By not approving these classification changes, employees in Veteran Services will not have titles and job duties that accurately reflect the high level of work needed and being performed. Retention can become an issue and the Department will not operate at maximum effectiveness, within fiscal means.

ATTACHMENTS

P300 No. 22403

P300 No. 22403 -Attachment HR Dept. Recommendations

POSITION ADJUSTMENT REQUEST

NO. 22403
DATE 1/21/2018

Department Veterans Services Department

Department No./
Budget Unit No. 0579 Org No. 0579 Agency No. 095

Action Requested: RETITLE Veterans Service Branch Office Manager (96TA)(represented) to Veterans Service Manager (96TA)(represented);REALLOCATE on the salary schedule from salary planZA5 1516 (5,509-\$6,697) to salary planZA5 1003 (\$6,177-\$7,508); ESTABLISH the classVeterans Service Representative II (96VA)(represented) at salary plan ZB5 1002 (\$5,236-\$6,364) Retitle Vet Serv Rep (96WA)(Rep) to Veterans Service Representative I.

Proposed Effective Date: 7/1/2019

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 \$41,577.00

Net County Cost \$32,016.00

Total this FY _____

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT _____

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Susan H. Ferguson

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Julia Taylor

1/11/19

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 2/1/2019

See attachment.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☐ Day following Board Action.

☒ 7/1/2019(Date)

Eva V. Barrios

2/1/2019

(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 2/4/2019

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

ATTACHMENT

Agenda Item Request No. 36460 – VETERANS SERVICE DEPARTMENT

Position Adjustment Request No.22403

Board Agenda Date: February 12, 2019

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

ADOPT Position Adjustment Resolution No. 22403 to, RETITLE the classification of Veterans Service Branch Office Manager (96TA) (represented) to Veterans Service Manager (96TA) (represented); REALLOCATE on the salary schedule from salary plan ZA5 1516 (5,509-\$6,697) to salary plan ZA5 1003 (\$6,177-\$7,508); ESTABLISH the classification Veterans Service Representative II (96VA) (represented) at salary plan ZB5 1002 (\$5,236- \$6,364); RETITLE Veterans Service Representative (96WA) (represented) to Veterans Service Representative I (96WA) in the Veterans Service Department.



**Contra
Costa
County**

To: Board of Supervisors
From: Todd Billeci, County Probation Officer
Date: February 12, 2019

Subject: P300 to add one Administrative Services Assistant II (APVA)

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 22408 to add one (1) Administrative Services Assistant II (APVA) (represented) position at salary plan and grade ZB5 1475 (\$5,290-\$6,430) in the Probation Department.

FISCAL IMPACT:

Upon approval, this personnel action will have an annual cost savings of approximately \$3,046.

BACKGROUND:

As part of the FY 18-19 budget, the Probation Department was allocated funds for a Data Analyst position to help assess the effectiveness of the Probation Department's programming. However, the department did not add a position at that time. After discussions with the Human Resources Department, it was determined that an Administrative Services Assistant II position will better meet the needs of the department.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Probation Department will not have the proper position to provide the necessary analysis.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Danielle Fokkema, (925)
313-4195

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

By: , Deputy

cc: Danielle Fokkema

ATTACHMENTS

P300 No. 22408

POSITION ADJUSTMENT REQUEST

NO. 22408
DATE 1/9/2019

Department Probation

Department No./
Budget Unit No. 0308 Org No. 3000 Agency No. 30

Action Requested: ADOPT Position Adjustment Resolution No. 22408 to add one (1) Administrative Services Assistant II (APVA) (represented) position in the Probation Department.

Proposed Effective Date: 1/23/2019

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 (\$3,046.00)

Net County Cost (\$3,046.00)

Total this FY (\$1,269.00)

N.C.C. this FY (\$1,269.00)

SOURCE OF FUNDING TO OFFSET ADJUSTMENT _____

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Danielle Fokkema

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Paul Reyes

1/9/2019

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 1/14/2019

Add one Administrative Services Assistant II (APVA) position in the Probation Department.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ _____(Date)

Tanya Williams

1/14/2019

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE 2/7/2019

☒ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: _____

Timothy M. Ewell

(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 2/7/2019

No. xxxxxx

1. Project Positions Requested:
2. Explain Specific Duties of Position(s)
3. Name / Purpose of Project and Funding Source (do not use acronyms i.e. SB40 Project or SDSS Funds)
4. Duration of the Project: Start Date _____ End Date _____
Is funding for a specified period of time (i.e. 2 years) or on a year-to-year basis? Please explain.
5. Project Annual Cost
 - a. Salary & Benefits Costs: _____
 - b. Support Costs: _____
(services, supplies, equipment, etc.)
 - c. Less revenue or expenditure: _____
 - d. Net cost to General or other fund: _____
6. Briefly explain the consequences of not filling the project position(s) in terms of:
 - a. potential future costs
 - b. legal implications
 - c. financial implications
 - d. political implications
 - e. organizational implications
7. Briefly describe the alternative approaches to delivering the services which you have considered. Indicate why these alternatives were not chosen.
8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted
9. How will the project position(s) be filled?
 - ☐ a. Competitive examination(s)
 - ☐ b. Existing employment list(s) Which one(s)? _____
 - ☐ c. Direct appointment of:
 - ☐ 1. Merit System employee who will be placed on leave from current job
 - ☐ 2. Non-County employee

Provide a justification if filling position(s) by C1 or C2

USE ADDITIONAL PAPER IF NECESSARY



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: February 12, 2019

Subject: Reassign (4) positions from Aging and Adult Services to Administrative Services in EHSD

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 22418 to reassign four (4) positions no. 4435, 13136, 13132, and 4005, and incumbents (represented) from Department 0503 (Aging and Adult Services Bureau) Org 5330, to Department 0501 (Administrative Services Bureau) Org 5101 in the Employment and Human Services Department effective March 1, 2019.

FISCAL IMPACT:

Upon approval, this action will have a salary and benefit cost shift from the Aging and Adult Services Bureau (0503) to the Administrative Services Bureau (0501). Appropriation Adjustment No 5040, submitted to the Board of Supervisors February 12, 2019, moves these expenses to the correct dept/org. The Department has journaled expenses for these four positions to 0501, starting July 1, 2018. This P300 and complimentary Appropriation Adjustment will eliminate the need for future journals.

Moving (1) Clerk Senior Level (4435), (1) Volunteer Emergency Services Program Specialist (13136), (1) Volunteer Emergency Services Program Specialist (13132), and (1) Volunteer Program Coordinator (4005) positions in the Aging and Adult Services will not impact the budget. Costs will remain the same

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Bao Tran (925)
608-5027

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

By: , Deputy

cc: Bao Tran

FISCAL IMPACT: (CONT'D)

at \$439,148. These positions are claimed as overhead and funded with a combined average of 17% open-ended federal revenue, 52% capped state allocation and capped 2011 Realignment revenues, 26% state capped Medi-Cal allocation and open-ended Title XIX Health-Related revenues, and 5% county General funds. No revenue adjustments are needed.

BACKGROUND:

Volunteer Emergency Services (VES) staff carry out department wide support for clients (across numerous bureaus) including coordinating donations and resources for clients and administering grant funds. These functions of resource development and grant activities are centralized to support the entire Department in the Policy & Planning Unit under the Office of the Director. The shift is aligned with greater organizational efficiency and leveraging skills and talents.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the County will not be able to maximize efficiency in administering the Administrative Services Bureau, Policy & Planning Division.

ATTACHMENTS

P300 No. 22418 EHSD

POSITION ADJUSTMENT REQUEST

NO. 22418
DATE 1/9/2019

Department Employment and Human Services Department No./
Budget Unit No. 0503 Org No. 5330 Agency No. A19
Action Requested: Reassign four positions and incumbents (Position #4435, 13136, 13132, 4005) (represented) from
Department 0503 (Aging and Adult Services Bureau) Org 5330, to Department 0501 (Administrative Services Bureau) Org
5101

Proposed Effective Date: 1/1/2019

Classification Questionnaire attached: Yes ☐ No ☒ / Cost is within Department's budget: Yes ☒ No ☐

Total One-Time Costs (non-salary) associated with request: \$0.00

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost \$0.00

Net County Cost \$0.00

Total this FY \$0.00

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT _____

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Bao Tran 608-5027

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Julia Taylor

1/15/2019

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 1/16/2019

Reassign four positions and incumbents (represented) from Department 0503 (Aging and Adult Services Bureau) Org 5330, to
Department 0501 (Administrative Services Bureau) Org 5101 in the Employment and Human Services Department effective
March 1, 2019.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☐ Day following Board Action.

☒ 3/1/2019(Date)

Amanda Monson

1/16/2019

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE 02/06/2019

☒ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: _____

Enid Mendoza

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED ☐ DISAPPROVED ☐

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

DATE _____

BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:

REQUEST FOR PROJECT POSITIONS

Department _____

Date 2/6/2019

No. xxxxxx

1. Project Positions Requested:
2. Explain Specific Duties of Position(s)
3. Name / Purpose of Project and Funding Source (do not use acronyms i.e. SB40 Project or SDSS Funds)
4. Duration of the Project: Start Date _____ End Date _____
Is funding for a specified period of time (i.e. 2 years) or on a year-to-year basis? Please explain.
5. Project Annual Cost
 - a. Salary & Benefits Costs: _____
 - b. Support Costs: _____
(services, supplies, equipment, etc.)
 - c. Less revenue or expenditure: _____
 - d. Net cost to General or other fund: _____
6. Briefly explain the consequences of not filling the project position(s) in terms of:
 - a. potential future costs
 - b. legal implications
 - c. financial implications
 - d. political implications
 - e. organizational implications
7. Briefly describe the alternative approaches to delivering the services which you have considered. Indicate why these alternatives were not chosen.
8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted
9. How will the project position(s) be filled?
 - ☐ a. Competitive examination(s)
 - ☐ b. Existing employment list(s) Which one(s)? _____
 - ☐ c. Direct appointment of:
 - ☐ 1. Merit System employee who will be placed on leave from current job
 - ☐ 2. Non-County employee

Provide a justification if filling position(s) by C1 or C2

USE ADDITIONAL PAPER IF NECESSARY



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services
Date: February 12, 2019

Subject: Add and Cancel Varied Permanent Postions in Health Services Department

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 22426 to add the following represented positions:

- Two (2) full-time Clerk-Senior Level (JWXC) positions at salary plan and grade level 3RX-1033 (\$3,406-\$4,350);
- One (1) full-time Health Services Planner-Evaluator Level-A (VCXC) position at salary plan and grade level ZB2-1099 (\$3,756-\$5,440);
- One (1) full-time Public Health Program Specialist I (VBSD) position at salary plan and grade level ZA5-1602 (\$5,999-\$7,292);
- One (1) full-time Administrative Services Assistant III (APTA) position at salary plan and grade level ZB5-1631 (\$6,174-\$7,504);
- One (1) full-time Public Health Nurse (VVXA) position at salary plan and grade level LT2-1832 (\$9,431-\$11,778);

and cancel the following vacant positions:

- Four (4) full-time Substance Abuse Counselor Trainee (VHWE) positions #16938,16939,16940,16941 at salary plan and grade level TC5-0903 (\$5,090-\$6,187);
- One (1) full-Time Substance Abuse Program Supervisor (VHHB) position #16846 at salary plan and grade level ZA5-1682 (\$6,493-\$7,893);
- Two (2) full-Time Mental Health Community Support Worker I (VQWE) position

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Sabrina Pearson, (925)
957-5240

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

By: , Deputy

cc:

RECOMMENDATION(S): (CONTD)

#16914,16915 at salary plan and grade level TC5-0875 (\$2,290-\$3,550);

-One (1) full-Time Registered Nurse (VWXG) position #16901 at salary plan and grade level L32-1880 (\$8,982-\$11,217) in the Health Services Department.

FISCAL IMPACT:

Upon approval, this action has an annual cost savings of \$163,436 with \$40,295 pension costs already included. (100% Whole Person Care Grant)

BACKGROUND:

The Health Services Department recently made changes within its Whole Person Care/Community Connect program. The Sobering Center project was decommissioned and the funds were re-allocated to other projects within the program. Whole Person Care (WPC) is a pilot program within Medi-Cal 2020, California's section 1115 Medicaid Waiver. WPC is designed to improve the health of high-risk, high-utilizing patients through the coordinated delivery of physical health, behavioral health, housing support, food stability, and other critical community services. Community Connect enhanced and coordinated case management model provides social services including assistance with accessing public benefits (SNAP, SI, GA) and integrated care coordination. Social resources are provided to patients in addition to transportation, and money management services.

The Department is requesting to cancel four (4) Substance Abuse Counselor Trainee positions, one (1) Substance Abuse Program supervisor position, two (2) Mental Health Community Support Worker positions, and one (1) Registered Nurse position, and to add two (2) Clerk-Senior Level positions, one (1) Health Planner-Evaluator Level A position, one (1) Public Health Program Specialist 1 position, one (1) Administrative Services Assistant III position, and one (1) Public Health Nurse position to increase the case management staff to provide services to the clients within the Community Connect programs.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Whole Person Care/Communityconnect Program will not have adequate case management staff to provide services to its clients.

ATTACHMENTS

P300 No. 22426 HSD

POSITION ADJUSTMENT REQUEST

NO. 22426
DATE 1/16/2019

Department Health Services

Department No./
Budget Unit No. 0450 Org No. 5754 Agency No. A18

Action Requested: Add the following full-time permanent positions: two (2) Clerk-Senior Level (JWXC), one (1) Health Services Planner-Evaluator Level-A (VCXC), one (1) Public Health Program Specialist I (VBSD), one (1) Administrative Services Assistant III (APTA), and one (1) Public Health Nurse (VVXA), and cancel the following vacant positions: four (4) Substance Abuse Counselor Trainee (VHWE) (#16938,16939,16940,16941), one (1) Substance Abuse Program Supervisor (VHHB) (#16846), two (2) Mental Health Community Support Worker I (VQWE) (#16914 & 16915), and one (1) Registered Nurse (VWXG) (#16901) positions in the Health Services Department.

Proposed Effective Date: 2/13/2019

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 (\$163,436)

Net County Cost \$0

Total this FY (\$54,478)

N.C.C. this FY \$0

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Cost savings to Whole Person Care Grant

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Sabrina Pearson

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE _____

Exempt from Human Resources review under delegated authority.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☐ Day following Board Action.
☐ _____(Date)

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE 2/6/2019

- ☐ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☒ Other: Approve as recommended by the department.

Enid Mendoza

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED ☐ DISAPPROVED ☐

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

DATE _____

BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:

REQUEST FOR PROJECT POSITIONS

Department _____

Date _____

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: David Twa, County Administrator
Date: February 12, 2019

Subject: P300 No. 22414 to Increase the Position Hours of one BOS Assistant Specialist and Decrease the Positions Hours of the General Secretary

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 22414 to increase the hours of one (1) Board of Supervisors Assistant-Specialist (J994)(unrepresented) position (#14748) from part-time (16/40) to part time (20/40) and decrease the hours of one (1) Board of Supervisors Assistant-General Secretary (J993)(unrepresented) position (#2477) from part-time (24/40) to part-time (20/40) in the District II Supervisor's Office.

FISCAL IMPACT:

Upon approval, this action has no impact on authorized FTE and increases the annual costs to the District by the estimated cost of the County's healthcare subsidy (\$15,800) and wages (\$2,500).

BACKGROUND:

The requested action increases the hours of one vacant position by four (4) hours per week and offsets that increase by reducing the hours of another vacant position by four (4). The change to the District Office's hourly positions will maintain alignment with other district office FTEs. The increased cost is due to both of the positions being eligible for a healthcare premium subsidy.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the District will have insufficient specialist hours available for staffing.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

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

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

By: , Deputy

cc: Gayle Israel, Chief of Staff District II

ATTACHMENTS

P300 No. 22414

POSITION ADJUSTMENT REQUEST

NO. 22414
DATE 1/14/2019

Department Board of Supervisors/District II Department No./
Budget Unit No. 0001 Org No. 1102 Agency No. 01

Action Requested: INCREASE the hours of one (1) Board of Supervisors Assistant-Specialist (J994)(unrepresented) position (#14748) from part-time (16/40) to part time (20/40) and decrease the hours of one (1) Board of Supervisors Assistant-General Secretary (J993)(unrepresented) position (#2477) from part-time (24/40) to part-time (20/40) in the District II Supervisor's Office.

Proposed Effective Date: 1/1/2019

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 \$18,400.00

Net County Cost \$18,400.00

Total this FY \$6,200.00

N.C.C. this FY \$6,200.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% General

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Lisa Driscoll

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Lisa Driscoll

1/14/2019

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 1/9/2019

INCREASE the hours of one (1) Board of Supervisors Assistant-Specialist (J994)(unrepresented) position (#14748) from part-time (16/40) to part time (20/40) and decrease the hours of one (1) Board of Supervisors Assistant-General Secretary (J993)(unrepresented) position (#2477) from part-time (24/40) to part-time (20/40) in the District II Supervisor's Office.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ 1/1/2019(Date)

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE 1/14/2019

☒ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: _____

Lisa Driscoll

(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 1/14/2019

No. xxxxxx

1. Project Positions Requested:
2. Explain Specific Duties of Position(s)
3. Name / Purpose of Project and Funding Source (do not use acronyms i.e. SB40 Project or SDSS Funds)
4. Duration of the Project: Start Date _____ End Date _____
Is funding for a specified period of time (i.e. 2 years) or on a year-to-year basis? Please explain.
5. Project Annual Cost
 - a. Salary & Benefits Costs: _____
 - b. Support Costs: _____
(services, supplies, equipment, etc.)
 - c. Less revenue or expenditure: _____
 - d. Net cost to General or other fund: _____
6. Briefly explain the consequences of not filling the project position(s) in terms of:
 - a. potential future costs
 - b. legal implications
 - c. financial implications
 - d. political implications
 - e. organizational implications
7. Briefly describe the alternative approaches to delivering the services which you have considered. Indicate why these alternatives were not chosen.
8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted
9. How will the project position(s) be filled?
 - ☐ a. Competitive examination(s)
 - ☐ b. Existing employment list(s) Which one(s)? _____
 - ☐ c. Direct appointment of:
 - ☐ 1. Merit System employee who will be placed on leave from current job
 - ☐ 2. Non-County employee

Provide a justification if filling position(s) by C1 or C2

USE ADDITIONAL PAPER IF NECESSARY



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services
Date: February 12, 2019

Subject: Add one Nutrition Assistant position and cancel one Public Health Nutritionist position in the Health Services Department

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No.22427 to add one full time Nutrition Assistant (1K7B) position at salary plan and grade level TC5-1086 (\$3,599-\$4,375) and cancel one vacant part-time (30/40) Public Health Nutritionist position #13027 (V9WB) at salary plan and grade level TC5-1430 (\$5,059-\$6,150) in Health Services Department. (Represented)

FISCAL IMPACT:

Upon approval, this request has an annual savings of approximately \$4,401 which includes pension costs of \$1,085. The cost savings will reflect in the State WIC program funds.

BACKGROUND:

The Health Services Department is requesting to add one full-time Nutrition Assistant position and cancel one vacant part-time Public Health Nutritionist position (#13027) as part of restructuring efforts to better serve the current needs in the Public Health Division. The new position is allocated to the Women, Infant, and Child program (WIC) within the Family, Maternal and Child Health Program. This nutrition program helps pregnant women, new mothers and young children to eat well, learn about nutrition and stay healthy.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Sabrina Pearson, (925)
957-5240

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

The primary duties of the new position includes applicant screening and participant eligibility determination according to WIC policies; assessing and education WIC participants; checking in WIC participants and preparing their documents; reviewing and documenting participants immunization status, blood work and offering referrals, if necessary; answering phones and performing callbacks to reschedule missed appointments; assisting participants in completing health, nutrition and other forms required by WIC; initiating appropriate referrals to other County and community resources; performing WIC outreach and acting as a local agency liaison. These duties are more aligned with the nutrition program needs of the Public Health Division.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the WIC Program will not have the appropriate level of staffing which negatively impacts patient services.

ATTACHMENTS

P300 No. 22427 HSD

POSITION ADJUSTMENT REQUEST

NO. 22427
DATE 1/22/2019

Department Health Services

Department No./
Budget Unit No. 0450 Org No. 5828 Agency No. A18

Action Requested: Add one Nutrition Assistant (1K7B) position and cancel one vacant Public Health Nutritionist position (V9WB) position #13027 in the Health Services Department.

Proposed Effective Date: 2/13/2019

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 (\$4,401)

Net County Cost

Total this FY (\$1,100)

N.C.C. this FY

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Cost savings to State WIC Fund

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Sabrina Pearson

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

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 2/6/2019

☐ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☒ Other: Approve as recommended by the department.

Enid Mendoza

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED ☐ DISAPPROVED ☐

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

DATE _____

BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:

REQUEST FOR PROJECT POSITIONS

Department _____

Date _____

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: David Twa, County Administrator
Date: February 12, 2019

Subject: Add one Secretary - Journey Level 32/40 position and cancel one Administrative Analyst 50/50 position

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 22422 to add one (1) part-time (32/40) Secretary-Journey Level (J3TF) (represented) position at Salary Plan and Grade 3R2 1018 (\$3,467 -\$4,779) and cancel one (1) part-time (20/40) Administrative Analyst (APWA) (represented) position number 10501 at Salary plan and grade ZB5 1277 (\$ 4,349 - \$5,286) in the County Administrator's Office, Contra Costa Television Division.

FISCAL IMPACT:

Upon approval, this action will result in an annual cost savings of \$12,018. (100% Cable TV Franchise Fees)

BACKGROUND:

The Administrative Analyst position has recently become vacant and, after a review of operational needs it was determined that the classification of Secretary-Journey Level would better fit the organization going forward.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☒ 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: February 12, 2019

Contact: Susan Shiu (925)
313-1183

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

By: , Deputy

cc: Laura Strobel

CONSEQUENCE OF NEGATIVE ACTION:

Operational needs of the department will not be met, high level administrative support will not be available to the Director and Operations Director for CCTV.

ATTACHMENTS

P300 #22422

POSITION ADJUSTMENT REQUEST

NO. 22422
DATE 1/25/2019

Department County Administrator - CCTV Department No./
Budget Unit No. 0003 Org No. 1225 Agency No. 03
Action Requested: ADD one (1) part-time Secretary-Journey Level (J3TF) (represented) position at Salary Plan and Grade 3R2 1018 (\$3,467 -\$4,779) and CANCEL one (1) part-time Administrative Analyst (APWA) (represented) position number 10501 at Salary plan and grade ZB5 1277 (\$4,349 - \$5,286)

Proposed Effective Date: 2/12/2019

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	<u>(\$12,018.00)</u>	Net County Cost	<u>\$0.00</u>
Total this FY	<u>(\$5,007.00)</u>	N.C.C. this FY	<u>\$0.00</u>

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Cost Savings

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

L.Strobel

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

L.Strobel

1/25/2019

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 1/28/2019

ADOPT Position Adjustment Resolution No. 22422 to add one (1) part-time (32/40) Secretary-Journey Level (J3TF) (represented) position at Salary Plan and Grade 3R2 1018 (\$3,467 -\$4,779) and cancel one (1) part-time (20/40) Administrative Analyst (APWA) (represented) position number 10501 at Salary plan and grade ZB5 1277 (\$4,349 - \$5,286) in the County Administrator's Office, Contra Costa Television Division.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ _____(Date)

Marta Goc

1/28/2019

(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 1/28/2019

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: February 12, 2019

Subject: Resolution No. 2019/51 Authorizing an Upward Salary Step Adjustment

RECOMMENDATION(S):

ADOPT Resolution No. 2019/51 to grant an exemption to Contra Costa County Salary Regulations Section 4.1, and adjust the salary step of the incumbent in the classification of Senior Deputy District Attorney - Exempt (2KD1), position number 3524, from step four to step five of salary range B8E 2376 (\$13,615.54 - \$16,549.78) effective at date of promotion January 1, 2019.

FISCAL IMPACT:

Approximately \$12,300 in increased salary and benefit costs, of which \$3,700 is attributable to employer pension costs.

BACKGROUND:

On January 1, 2019, the incumbent was promoted to a position in the classification of Senior Deputy District Attorney and the department made the recommendation to the County Administrator's Office to approve and recommend to the Board of Supervisors' approval to grant an exemption to the County's Salary Regulations to allow the incumbent to be placed at step five of the classification's salary range.

CONSEQUENCE OF NEGATIVE ACTION:

If the recommended action is not approved, the Department will not be able to appropriately compensate the incumbent.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Paul Reyes (925)
335-1096

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

By: , Deputy

cc: Diana Becton, District Attorney

ATTACHMENTS

Resolution
2019/51

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

Adopted this Resolution on 02/12/2019 by the following vote:

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



Resolution No. 2019/51

In The Matter Of: Adjusting the Salary Step of an Incumbent in the Classification of Senior Deputy District Attorney - Exempt (2KD1).

WHEREAS, Section 4.1 (Salary-On Promotion) of the Contra Costa County Salary Regulations states, "Any employee who is appointed to a position of a class allocated to a higher salary range than the class he previously occupied, shall receive the salary in the new salary range, which is next higher than the rate he was receiving before promotion. In the event this increase is less than five (5) percent, the employee's salary shall be adjusted to the step in the new range which is five (5) percent greater than the next higher step, if the new range permits such adjustment"; and

WHEREAS, the incumbent in the Senior Deputy District Attorney - Exempt (2KD1) position #3524 was promoted to that position on January 1, 2019 and placed at step four according to the salary regulations rule on promotion; and

WHEREAS, the Contra Costa County District Attorney has requested the incumbent be placed at step five of the Senior Deputy District Attorney - Exempt (2KD1) salary range; and

WHEREAS, the County Administrator's Office approves of this specific request to grant an exemption to the Salary-On Promotion regulation for the recently appointed incumbent of the Senior Deputy District Attorney - Exempt (2KD1) position.

NOW, THEREFOR, BE IT RESOLVED that the Board of Supervisors does hereby grant an exemption to Section 4.1 (Salary-On Promotion) of the Salary Regulations, so that the incumbent of position #3524 shall be moved from step four to step five of the salary range for the Senior Deputy District Attorney - Exempt (2KD1) classification, effective January 1, 2019.

I hereby certify that this 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: Paul Reyes (925) 335-1096

ATTESTED: February 12, 2019

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

By: , Deputy

cc: Diana Becton, District Attorney



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 12, 2019

Subject: APPROVE and AUTHORIZE a lease amendment for office space located at 2151 Salvio Street, Ste. R in Concord.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a lease amendment with Autumn Wood 1, LP, Pinewood Condominiums, LP and Vaca Villa Apartments, LP for 1,923 square feet of office space for Supervisor Karen Mitchoff and staff. The term of this lease is 4 years with one four-year renewal term. The annual rental payment for the first year is \$55,200 with annual increases thereafter, under the terms and conditions set forth in the lease amendment.

AUTHORIZE the Public Works Director, or designee, to execute any renewal options under the terms and conditions set forth in the lease.

FISCAL IMPACT:

100% Board of Supervisors District IV – General Fund. The Lease costs were anticipated and budgeted in the Supervisor's approved FY 2019/20 budget.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Charlotte Nelson,
925-957-2458

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

By: , Deputy

cc:

BACKGROUND:

On October 3, 2006, the Board of Supervisors approved a Lease between the County and Salvio Pacheco Square, LLC for occupancy by the County's District IV Supervisor.

The lease was amended by a first amendment dated December 14, 2010, which extended the lease term through January 31, 2015.

On January 20, 2015 a second amendment was approved by the Board of Supervisors, which extended the lease term through January 31, 2019.

This third amendment provides for the County's continued occupancy of the premises through January 31, 2023 by the District IV Supervisor and staff.

CONSEQUENCE OF NEGATIVE ACTION:

If this third lease amendment is not approved, the District IV Supervisor's office will be in hold-over and they will have to relocate to another location at a substantial higher cost.

ATTACHMENTS

Third Amendment to Lease

Third Amendment to Lease

This third amendment is dated January 9, 2019, and is between Autumn Wood 1 LP, a California limited partnership, Pinewood Condominiums LP, a California limited partnership, Vaca Villa Apartments, LP, a California limited partnership (together, the "**Lessor**") and the County of Contra Costa, a political subdivision of the State of California (the "**County**").

Recitals

A. The County is leasing approximately 1,923 square feet of office space, known as Suite R, in the building commonly known as 2151 Salvio Street, Concord, California (the "**Building**"), pursuant to a lease dated October 3, 2006, between the County and Salvio Pacheco Square, LLC (the "**Original Landlord**") (the "**Lease**"). The Lease was amended by a first amendment dated December 14, 2010, and by a second amendment dated January 20, 2015.

B. On November 13, 2017, Lessor acquired the Building from the Original Landlord and assumed all the rights and obligations of the Lessor under the Lease.

C. The parties desire to (i) extend the term of the Lease and identify the amount of rent due each month for the term of the Lease, and (ii) provide the County with an option to renew the Lease for an additional four-year term and identify the amount of rent due each month during the renewal term.

The parties therefore agree as follows:

Agreement

1. Section A.3. Term is deleted in its entirety and replaced with the following:

Term. The "**Term**" of this Lease begins on February 1, 2007 (the "Commencement Date") and ends January 31, 2023. The County has one option to renew this Lease for a term of four years (the "**Renewal Term**") upon all the terms and conditions set forth herein.

- a. County will provide Lessor with written notice of its election to renew the Lease ninety days prior to the end of the Term. However, if the County fails to provide such notice, its right to renew the Lease will not expire until fifteen working days after the County's receipt of Lessor's written demand that the County exercise or forfeit the option to renew.
- b. Upon the commencement of the Renewal Term, all references to the Term of this Lease will be deemed to mean the Term as extended pursuant to this Section.

2. Section A.4. Rent is deleted in its entirety and replaced with the following:

Rent. The County shall pay rent ("**Rent**") to Lessor monthly in advance beginning on the Commencement Date. Rent is payable on the tenth day of each month. Rent for the period beginning February 1, 2019 through January 31, 2023, and, if applicable, the Renewal Term, is set forth below:

- a. February 1, 2019 through January 31, 2023

<u>Time Period</u>	<u>Monthly Rent</u>
February 1, 2019 – January 31, 2020	\$4,600.00
February 1, 2020 – January 31, 2021	\$4,738.00
February 1, 2021 – January 31, 2022	\$4,880.14
February 1, 2022 – January 31, 2023	\$5,026.54

- b. Renewal Term

<u>Time Period</u>	<u>Monthly Rent</u>
February 1, 2023 – January 31, 2024	\$5,177.34
February 1, 2024 – January 31, 2025	\$5,332.66
February 1, 2025 – January 31, 2026	\$5,492.64
February 1, 2026 – January 31, 2027	\$5,657.42

3. Section A.7 Extension is deleted in its entirety.
4. Section A.13 Notices is deleted in its entirety and replaced with the following:

Notices. All notices given under this Lease are to be in writing and will be deemed to have been given if personally delivered, sent by courier, or deposited in the United States mail, postage prepaid and addressed to the other party as follows or as otherwise designated by written notice from time to time:

To Lessor: LeFever Mattson
 6359 Auburn Blvd., Suite B
 Citrus Heights, CA 95621
 Attn: Tim LeFever

To County: Contra Costa County
 Public Works Department
 Attn: Real Property Agent
 40 Muir Road, 2nd Floor
 Martinez, CA 94553

5. All other terms of the Lease remain unchanged.

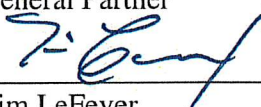
Lessor and County are signing this third amendment as of the date set forth in the introductory paragraph.

COUNTY OF CONTRA COSTA, a
political subdivision of the State of
California

By: _____
Brian M. Balbas
Director of Public Works

Autumn Wood 1, LP, a
California limited partnership

By: LeFever Mattson, its
General Partner

By: 
Tim LeFever
Secretary

RECOMMENDED FOR APPROVAL:

By: _____
Karen A. Laws
Principal Real Property Agent

By: _____
Charlotte A. Nelson
Senior Real Property Agent

Pinewood Condominiums, LP, a
California limited partnership

By: LeFever Mattson, its
General Partner

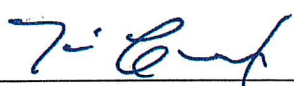
By: 
Tim LeFever
Secretary

APPROVED AS TO FORM
SHARON L. ANDERSON,
COUNTY COUNSEL

By: _____
Kathleen M. Andrus
Deputy County Counsel

Vaca Villa Apartments, LP, a
California limited partnership

By: LeFever Mattson, its
General Partner

By: 
Tim LeFever
Secretary



Contra Costa County

To: Board of Supervisors

From: Matt Slattengren

Date: February 12, 2019

Subject: MOU Seed Subvention 18-sd07

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute a Memorandum of Understanding 18-sd07 Seed Subvention Fiscal Year 2018/19 with the California Department of Food and Agriculture, for an amount not to exceed \$100 to enforce California seed marketing and labeling law requirements, for the period July 1, 2018 through June 30, 2019.

FISCAL IMPACT:

This MOU will pay the Contra Costa County Agriculture/Weights & Measures Department \$100 for services. There is no cost share requirement and the revenue has been anticipated in the departmental FY 18/19 budget. There is no county match of funds required nor grant money involved.

BACKGROUND:

The goal of seed law enforcement (Section 52288, California Food and Agriculture Code) is to protect seed consumers, including vegetable and field crop growers, as well as urban landscapers. Poor quality seeds can cost farmers and home gardeners considerable amounts of time, money and resources, by way of reduced yields, poor crop quality, contamination by weeds or other unwanted species. By enforcing the California Seed Law regarding marketing and labeling, the Department is able to ensure that consumers receive the desired product and that there is a supportive legal action for those who are wronged.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

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

Contact: 608-6600

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

A negative action would mean loss of revenue to the Department for a mandated program.



**Contra
Costa
County**

To: Board of Supervisors

From: Matt Slattengren

Date: February 12, 2019

Subject: EBRPD Noxious Weed Agreement 2019-2020

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute an agreement containing modified indemnification language with East Bay Regional Park District (EBRPD) for Noxious Weed Services in an amount not to exceed \$40,000, for the period January 1, 2019 through December 31, 2020.

FISCAL IMPACT:

Approval of this agreement will reimburse the Agricultural Department (Department) in an amount not to exceed \$40,000 for noxious weed services in various East Bay Regional Parks. There is no County match requirement.

BACKGROUND:

The Department shall supply products to spray noxious weeds that have been approved by EBRPD's Integrated Pest Management department. Products will be sprayed using backpack sprayers, all-terrain vehicles and/or boom truck sprayers at East Bay Regional Parks within the jurisdiction and operation of the Department. The noxious weed control services are limited to those locations where noxious weeds have been located, identified and pose a public, economic, environmental or recreational nuisance. Noxious weed control services will be performed within

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

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

Contact: 608-6600

By: , Deputy

cc:

BACKGROUND: (CONT'D)

normal business hours. The Department will use ensure pesticide usage is in compliance with all Federal and State laws and regulations governing pesticides.

This agreement has a modified, mutual indemnification provision. Services will be provided at District parks and associated land bank areas for the period January 1, 2019 through December 31, 2020. This amount has been anticipated in the Department's FY 18/19 budget and will be budgeted for in 19/20.

CONSEQUENCE OF NEGATIVE ACTION:

A negative approval would cause a loss of revenue to the Department and the possible spread of noxious and invasive weeds in East Bay Regional Parks and Contra Costa County.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Amendment Agreement #29-814-1 with the City of Concord

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Amendment Agreement #29-814-1 with the City of Concord, to amend Grant Agreement #29-814, to increase the amount payable to the County by \$67,284 from \$61,230 to a new amount of \$128,514 and to extend the termination date from June 30, 2018 to June 30, 2019 for the Coordinated Outreach, Referral and Engagement (CORE) Program to provide homeless outreach services to residents in Concord and Walnut Creek.

FISCAL IMPACT:

Approval of this amendment agreement will allow the County to receive an additional amount not to exceed \$67,284 from the City of Concord. No additional County funds required.

BACKGROUND:

The CORE Program services locate and engage homeless clients 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

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/12/2019 ☐ 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: February 12, 2019

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)

individuals and families.

On September 12, 2018, the Board of Supervisors approved Agreement #29-814 to receive funds from the City of Concord for the provision of the CORE Program, for the period from August 1, 2017 through June 30, 2018. This Agreement included agreeing to indemnify and hold harmless the Contractor for claims arising out of County's performance under this Contract.

Approval of Agreement #29-814-1 will allow County to receive funds for homeless outreach services through June 30, 2019.

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: Kathy Gallagher, Employment & Human Services Director
Date: February 12, 2019

Subject: California Workforce Development Board and Employment Development Department Grant Funding

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to apply for and accept a grant in the amount of \$463,800 from the California Workforce Development Board and Employment Development Department for support and participation in the Workforce Innovation and Opportunity Act Regional Plan implementation, for the period April 1, 2019 through September 30, 2020.

FISCAL IMPACT:

County to receive federal Workforce Innovation and Opportunity Act (WIOA) funding an amount not to exceed \$463,800 from the California Workforce Development Board and Employment Development Department grant. No County match is required.

BACKGROUND:

WIOA funding aligns the Bay Area regional local Workforce Board of Contra Costa County, Alameda County, City of Oakland, and City of Richmond as it relates to workforce systems, practices, and strategies. There are three main objections and goals that create common operation practices, strategic service alignment, and enhanced data tracking.

To accomplish these goals, as the lead in the Workforce Development Board of the East Bay Regional

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Elaine Burres,
608-4960

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Planning Unit, the Workforce Development Board of Contra Costa will: 1) Continue progression and refinement of the regional strategic advisory body for industry sector partnerships; and 2) Continue advancement of training programs in the priority industry sectors of Healthcare and Advanced Manufacturing; and 3) Work toward long term sustainability of regional efforts and priority industry sector training program.

The total grant amount of \$463,800 is designated to two areas of service: Regional Plan Implementation (\$300,000) and Regional Organizer/Training Coordinator and training costs (\$163,800).

CONSEQUENCE OF NEGATIVE ACTION:

Without funding, the Workforce Development Board of Contra Costa could not participate fully in the regional planning process and implementation of a plan to align regional local workforce boards.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Agreement #29-819 with California Business, Consumer Services and Housing

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Grant Agreement #29-819 (State #18-HEAP-00031) with the California Business, Consumer Services and Housing Agency (BCSH) in an amount payable to County not to exceed \$7,196,771 for the Contra Costa County Continuum of Care (CoC) to expand and improve the homeless crisis response system for unsheltered individuals and families for the period from January 9, 2019 through October 31, 2021.

FISCAL IMPACT:

Approval of this agreement will result in an amount not to exceed \$7,196,771 of funding from the BCSH for the CoC Program. No County match is required.

BACKGROUND:

HEAP funding is intended to support CoCs and large cities in addressing the state's homelessness crisis. Contra Costa CoC is eligible to receive \$7,196,771 based on its 2017 point-in-time count total homeless population and its 2017 share of the overall state's

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

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)

homeless population. Five percent of HEAP funding is allocated by state statute to address youth experiencing or at-risk of experiencing homelessness. Five percent of funds will also be utilized for administrative costs. This funding will allow County to expand homelessness services across the County and implement interventions that build on the best-practices and current CoC efforts.

Approval of Grant Agreement #29-819 will allow County to receive funding for the CoC Program in Contra Costa County through October 31, 2021.

CONSEQUENCE OF NEGATIVE ACTION:

If this application is not approved, County will not be able to better assist its homeless population with emergency homeless crisis response for unsheltered individuals and families.



**Contra
Costa
County**

To: Board of Supervisors

From: Matt Slattengren

Date: February 12, 2019

Subject: Agreement for Bee Safe Program

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute an agreement with the California Department of Food and Agriculture (CDFA) in an amount not to exceed \$9,431 for reimbursement of services for the Bee Safe Program for the period November 15, 2018 through June 30, 2019.

FISCAL IMPACT:

Approval of this agreement will provide reimbursement to the Department in an amount not to exceed \$9,431. There is no county match of funds, or grant money involved.

BACKGROUND:

Existing state law recognizes the importance of managed honeybees. Per the California Food and Agricultural Code (FAC), "a healthy and vibrant apiary industry is important to the economy and welfare of the people of the State California." (FAC Division 13, Chapter 1, Article 1, Section 29000). The health of managed honeybees gained national attention in 2006 following an unsustainable, 50% overwinter loss rate of commercial honey bees. Continued honeybee losses can jeopardize not only commercial bee keepers, but the numerous crops that benefit from, or in the case of almonds, entirely depend on the honeybee.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

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

Contact: 608-6600

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Recognizing the critical role of insect pollinators in producing the wide variety of fruit, vegetables, nuts and other crops that feed the nation and the world, federal funding was made available for conservation and research to improve health of honeybees and other key pollinators. A report from 2012 concluded that on-going honeybee losses were the result of the combined effects of four key honey bee stressors: Pests and parasites; nutrition and lack of forage; pesticide exposure; and genetics.

The main objectives of the Bee Safe Program are to reduce honeybee stressors through: Improved apiary (a place where bees are kept) theft prevention efforts; Decreased apiary pest pressure; Decreased apiary stress due to pesticide exposure; and, Increased apiary foraging opportunities. County Agricultural Commissioners are granted authority identified in the Food and Agricultural Code to enforce various apiary and pest prevention laws (i.e. registration, identification, and placement of hives; inspection and abatement of pests) intended to ensure the vitality of the beekeeping industry and to prevent the introduction into, or the spread within the state of pests. The CDFA agreement was received on December 11, 2018, resulting in this retroactive request.

CONSEQUENCE OF NEGATIVE ACTION:

A negative vote would result in loss of revenue to the Department and a possible threat to the honey bee population not only in Contra Costa County, but statewide.



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: February 12, 2019

Subject: 2019 Early Head Start Cost-of-Living Adjustment Grant

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to apply for and accept funding from the U.S. Department of Health and Human Services, Administration for Children and Families, in an amount not to exceed \$62,754 for Early Head Start supplemental funding for the period January 1, 2019 through December 31, 2019.

FISCAL IMPACT:

The County, as Grantee, is required to generate a 20% non-federal in-kind match, not to exceed \$15,689 (see chart below). This match is achieved through collaboration with State Child Development programs and the volunteer hours accrued by Head Start parents and community partners.

CFDA # 93.600 / grant no. 09CH010777

Early Head Start Cost-of-Living adjustment

Federal \$62,754 = 80%
Match (In-Kind) \$15,689 = 20%
Grand Total \$78,443 = 100%

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: CSB (925)
681-6389

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

By: , Deputy

cc: Nasim Eghlima, Haydee Ilan, Christina Reich

BACKGROUND:

Contra Costa County submits an application annually to U.S. Health and Human Services Department, Administration for Children and Families (ACF) as the Head Start grantee. The Department of Health and Human Services, and Education Appropriations Act of 2019 and Continuing Appropriations Act of 2019 contains an increase for Head Start. The Consolidated Appropriations Act, 2018, contains an increase under the Head Start Act for Fiscal Year 2018. A portion of the increase provides a cost-of-living adjustment (COLA) of 1.77 percent to assist grantees in increasing staff salaries and fringe benefits and offsetting higher operating costs. The Department intends to use the funding to cover negotiated increases to salary and benefits. Early Head Start services are operated by the Employment and Human Services Department, Community Services Bureau.

The Head Start Policy Council will review the application for approval on February 20, 2019. This board order is to obtain Board of Supervisors' approval for the grant submission.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, funding to assist with Early Head Start operating costs will be forfeited.

CHILDREN'S IMPACT STATEMENT:

The Community Services Bureau of the Employment and Human Services Department's Head Start program supports three of Contra Costa County's community outcomes - Outcome 1: "Children Ready for and Succeeding in School," Outcome 3: "Families that are Economically Self-sufficient," and, Outcome 4: "Families that are Safe, Stable, and Nurturing." These outcomes are achieved by offering comprehensive services, including high quality early childhood education, nutrition, and health services to low-income children throughout Contra Costa County.



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: February 12, 2019

Subject: 2019 Head Start Cost-of-Living Adjustment Grant

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Department Director, or designee, to apply for and accept funding from the U.S. Department of Health and Human Services, Administration for Children and Families, in an amount not to exceed \$290,745 for Head Start supplemental funding for the period January 1, 2019 through December 31, 2019.

FISCAL IMPACT:

The County, as Grantee, is required to generate a 20% non-federal in-kind match not to exceed \$72,686 (see chart below). This match is achieved through collaboration with State Child Development programs and the volunteer hours accrued by Head Start parents and community partners.

CFDA # 93.600 / grant no. 09CH010777

Early Head Start Cost-of-Living adjustment

Federal \$290,745 = 80%
Match (In-Kind) \$72,686 = 20%
Grand Total \$363,431 = 100%

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: CSB (925)
681-6389

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

By: , Deputy

cc: Nasim Eghlima, Haydee Ilan, Christina Reich

BACKGROUND:

Contra Costa County submits an application annually to U.S. Health and Human Services Department, Administration for Children and Families (ACF) as the Head Start grantee. The Department of Health and Human Services, and Education Appropriations Act of 2019 and Continuing Appropriations Act of 2019 contains an increase for Head Start. The Consolidated Appropriations Act, 2018, contains an increase under the Head Start Act for Fiscal Year 2018. A portion of the increase provide a cost-of-living adjustment (COLA) of 1.77 percent to assist grantees in increasing staff salaries and fringe benefits and offsetting higher operating costs. The Department intends to use the funding to cover increased operational costs due to benefits and negotiated salary increases. Head Start services are operated by the Employment & Human Services Department, Community Services Bureau.

The Head Start Policy Council will review the application for approval on February 20, 2019. This board order is to obtain BOS approval for the grant submission.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, funding to assist with Early Head Start operating costs will be forfeited.

CHILDREN'S IMPACT STATEMENT:

The Community Services Bureau of the Employment & Human Services Department's Head Start program supports three of Contra Costa County's community outcomes - Outcome 1: "Children Ready for and Succeeding in School," Outcome 3: "Families that are Economically Self-sufficient," and, Outcome 4: "Families that are Safe, Stable, and Nurturing." These outcomes are achieved by offering comprehensive services, including high quality early childhood education, nutrition, and health services to low-income children throughout Contra Costa County.

ATTACHMENTS

HS COLA grant letter



ADMINISTRATION FOR
CHILDREN & FAMILIES

Office of Head Start | Region IX | 90 7th Street, San Francisco, California 94103 | www.eclkc.ohs.acf.hhs.gov

Karen Mitchoff
Board Chair
Contra Costa County Community Services
1470 Civic Court, Suite 200
Concord, California 94520

January 9, 2019

Re: Grant No. 09CH010777

Dear Ms. Mitchoff:

The Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019, contains an increase of approximately \$200 million for programs under the Head Start Act for Fiscal Year (FY) 2019. A portion of the increase provides a cost-of-living adjustment (COLA) of 1.77 percent, depending on final funding decisions, to assist grantees in increasing staff salaries and fringe benefits and offsetting higher operating costs.

The following table reflects the increase(s) for FY 2019.

Funding Type	Head Start	Early Head Start
Cost-of-Living Adjustment (COLA)	\$290,745	\$62,754
Total COLA Funding	\$353,499	

Submission Requirements

Program Instruction ACF-PI-HS-18-06, dated November 30, 2018, informed Head Start and Early Head Start grantees and delegate agencies of the intended uses of these funds and announced the opportunity for grantees to apply for the funds. Please review the Program Instruction carefully to ensure your supplemental application meets the requirements for funding and contains all of the necessary information.

The supplemental application is due March 1, 2019 and must be submitted in the Head Start Enterprise System (HSES) at <https://hses.ohs.acf.hhs.gov/hsprograms>. Please select the Financials tab, Application tab, Fiscal Year 2019 and the budget period to add the 'Supplement - COLA' amendment type. For technical assistance in preparing the application, please contact the HSES Help Desk at help@hsesinfo.org or 1-866-771-4737.

Please ensure the program narrative, budget and detailed budget justification submitted in the application documents demonstrate:

- An increase of 1.77 percent in the hourly rate of pay for each Head Start/Early Head Start employee and the pay scale subject to the provisions of Sections 653 and 640(j) of the Head Start Act;
- The rationale if employees are receiving less than the 1.77 percent COLA or differential COLA increases;

- The provision of the 1.77 percent increase to all delegate agencies and partners or justification if the full percentage is not provided to delegate agencies and partners;
- The planned uses for the balance of the COLA funds to offset higher operating costs;
- Each source of non-federal match, including the estimated amount per source and the valuation methodology; and
- A detailed justification that conforms with the criteria under Section 640(b)(1)-(5) of the Head Start Act if the application proposes a waiver of any portion of the non-federal match requirement.

Signed statements of the Governing Body and Policy Council Chairs along with Governing Body and Policy Council minutes documenting each group's participation in the development and approval of the supplemental application must be provided. The application must be submitted on behalf of the Authorizing Official registered in the HSES. **Incomplete applications will not be processed.**

Please ensure the application contains all of the required information. If you have any questions or need assistance, please contact Maureen Burns-Vermette, Program Specialist, at (415) 437-8452 or maureen.burns@acf.hhs.gov or Frank Olguin, Grants Management Specialist, at (415) 437-8415 or frank.olguin@acf.hhs.gov. Thank you for your cooperation and timely submission of the grant application.

Sincerely,



Jan Len
Regional Program Manager
Office of Head Start – Region IX

cc: Kathy Gallagher, Executive Director
Camilla Rand, Head Start Director



**Contra
Costa
County**

To: Board of Supervisors

From: John Kopchik, Director, Conservation & Development Department

Date: February 12, 2019

Subject: Authorization to Accept the County Noncompetitive Allocation Award under the No Place Like Home Program

RECOMMENDATION(S):

ADOPT Resolution No. 2019/29 authorizing the Department of Conservation and Development Director, or designee, to apply for and accept an award of loan funds from the State of California's No Place Like Home Program (NPLH)/Noncompetitive Allocation to fund a portion of affordable permanent supportive housing projects for persons with a serious mental illness who are homeless, chronically homeless or at-risk of chronic homelessness, in an amount not to exceed \$2,231,574, including:

1. Authorizing the Department of Conservation and Development (DCD) Director to execute documents necessary to accept the funds in the form of a loan;
2. Acknowledging that the County and/or the developer proposing a project (the "Development Sponsor") will be subject to the terms and conditions included in the State's Standard Agreement to be entered into with the State pursuant to Government Code section 15463, Part 3.9 of Division 5 of the Welfare and Institutions Code, and Welfare and Institutions Code section 5890;
3. Authorizing a commitment by the Health Services Department (HSD) to make mental health supportive services available to each project's NPLH tenants for at least twenty years.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Kristen Lackey (925)
674-7888

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

By: , Deputy

cc:

FISCAL IMPACT:

No fiscal impact. This action approves the County to participate in the NPLH Noncompetitive Allocation program and submit a Noncompetitive Allocation Acceptance Form to the California Department of Housing and Community Development (HCD). Effectively, it is a notice of intent to apply for the County's allocation of \$2,231,571 between now and February 15, 2021. Separate Board of Supervisor action will be taken prior to each project-specific application submittal. When the project receives an allocation of NPLH, the funds will be loaned to the County or the Development Sponsor and secured by a Deed of Trust on the development property. Loan payments are deferred until the project is sold and the proceeds from the sale are used for loan repayment. The cost of providing mental health supportive services will be covered by existing Mental Health Services Act funds allocated to the Health Services Department. DCD staff costs will be covered by Special Revenue Funds designated for affordable housing.

BACKGROUND:

On September 18, 2018, the Board of Supervisors approved an advocacy position for Proposition 2 that authorized the issuance of bonds to fund existing housing programs for individuals with mental illness. The proposition was passed by voters on November 6, 2018. The proceeds of the Proposition 2 bond issuance are designated for the No Place Like Home (NPLH) program to be provided as deferred payment loans for the development of permanent supportive housing for persons with a serious mental illness who are homeless, chronically homeless or at-risk of chronic homelessness. NPLH funds are administered by the California Department of Housing and Community Development (HCD) in two tranches:

1. Noncompetitive Allocation Funds – Funding available on an “over the counter” basis to specific cities and counties throughout the state. Contra Costa’s allocation is \$2,231,571. The County is required to submit a Noncompetitive Allocation Acceptance Form with a Board approved resolution to HCD no later than August 15, 2019 before being able to apply for funds on behalf of specific development projects.
2. Competitive Allocation Funds - Funding available on a competitive per-project allocation basis. These funds will be available through four Notice of (NOFA) rounds over the next four years. The County may apply independently or with a development sponsor. Applications for the first round were due on January 30, 2019, and the County submitted one application with a development sponsor. See Item C.71 on the January 22, 2019 agenda.

The funds may be used to acquire, design, construct, rehabilitate, or preserve permanent supportive housing, which may include a capitalized operating subsidy reserve.

This action approves submission of the Noncompetitive Allocation Acceptance Form to HCD in order for the County to express intent to use it’s Noncompetitive allocation no later than February 15, 2021 through the submission of one or more project-specific applications. After identifying eligible projects, staff will return to the Board for approval to apply to HCD for the actual allocation of Noncompetitive Funds.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, the County’s ability to secure permanent supportive housing for persons with a serious mental illness who are Homeless, Chronically Homeless or At-Risk of Chronic Homelessness will be diminished.

CHILDREN'S IMPACT STATEMENT:

Permanent supporting housing supports all of the following children's outcomes: (1) Children Ready for and Succeeding in School; (2) Children and Youth Healthy and Preparing for Productive Adulthood; (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.

ATTACHMENTS

Resolution 2019/29

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

Adopted this Resolution on 02/12/2019 by the following vote:

AYE: ☐

NO: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐



Resolution No. 2019/29

IN THE MATTER OF: AUTHORIZATION TO ACCEPT THE COUNTY NONCOMPETITIVE ALLOCATION AWARD UNDER THE NO PLACE LIKE HOME PROGRAM

WHEREAS, the State of California, Department of Housing and Community Development ("Department") issued a Notice of Funding Availability, dated August 15, 2018 as amended on October 30, 2018 ("NOFA"), under the No Place Like Home Program ("NPLH" or "Program") for approximately \$190 million authorized by Government Code section 15463, Part 3.9 of Division 5 (commencing with Section 5849.1) of the Welfare and Institutions Code, and Welfare and Institutions Code section 5890;

WHEREAS, the NOFA relates to the availability of Noncompetitive Allocation funds under the NPLH Program; and

WHEREAS, the County of Contra Costa ("County") is a County and an Applicant, as those terms are defined in the NPLH Program Guidelines, dated July 17, 2017 ("Guidelines")

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors for County does hereby determine and declare as follows:

SECTION 1. That County is hereby authorized and directed to apply for and accept their NPLH Noncompetitive Allocation award, as detailed in the NOFA, up to the amount authorized by Section 102 of the Guidelines and applicable state law.

SECTION 2. That John Kopchik, Department of Conservation and Development Director, or his or her designee, is hereby authorized and directed to act on behalf of County in connection with the NPLH Noncompetitive Allocation award, and to enter into, execute, and deliver any and all documents required or deemed necessary or appropriate to be awarded the NPLH Noncompetitive Allocation award, and all amendments thereto (collectively, the "NPLH Noncompetitive Allocation Award Documents").

SECTION 3. That County shall be subject to the terms and conditions that are specified in the NPLH Noncompetitive Allocation Award Documents, and that County will use the NPLH Noncompetitive Allocation award funds in accordance with the Guidelines, other applicable rules and laws, the NPLH Program Documents, and any and all NPLH Program requirements.

SECTION 4. For Projects funded under Article II of the Guidelines, that County is hereby authorized and directed to submit one or more Project applications within 30 months of the issuance of the Department's NOFA, proposing to utilize any Noncompetitive Allocation funds awarded to the County.

SECTION 5: For Shared Housing Projects proposed under Articles III or IV of the Guidelines, if designated by the Department to administer funds for Shared Housing, the County is hereby authorized and directed to accept applications utilizing Noncompetitive Allocation funds no later than 30 months from the issuance of the Department's NOFA.

SECTION 6. That County will make mental health supportive services available to a project's NPLH tenants for at least 20 years, and will coordinate the provision of or referral to other services (including, but not limited to, substance use services) in accordance with the County's relevant supportive services plan, in accordance with Welfare and Institutions Code section 5849.9 (a).

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

ATTESTED: February 12, 2019

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

Contact: Kristen Lackey (925) 674-7888

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: David O. Livingston, Sheriff-Coroner
Date: February 12, 2019

Subject: Granicus Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a Software and Services Agreement Amendment with Granicus, Inc., to increase the payment limit by \$75,000 to a new payment limit of \$150,000, and extend the term of the contract from August 1, 2016 to July 31, 2019 to a new term of August 1, 2016 to December 31, 2023 for the implementation of updated software and additional years of hosting and licensing.

FISCAL IMPACT:

Additional \$75,000.00; 100% Budgeted

BACKGROUND:

Granicus Inc. provides the Office of the Sheriff with its current Website platform. Granicus will be providing the Sheriff's Office with updated software and will be conducting the migration of data from the existing platform to the new platform. The new software will allow the Sheriff's Office the ability to quickly make updates and edit the public facing content. The new software will require less training for those that will be required to maintain the current website. The new software will also allow for integration of additional websites in the future.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Sandra Brown
925-335-1553

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If we do not get approval, there will be a continued inefficiency in updating the website thus causing loss of productivity from an employee. Additionally, the Sheriff's Office will not have ability to provide and modern public facing website that has become industry standard.



**Contra
Costa
County**

To: Board of Supervisors
From: Marc Shorr, Chief Information Officer
Date: February 12, 2019

Subject: Contract amendment with CSI Telecommunications, Inc., for Telecommunications Engineering Services

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Chief Information Officer, or designee, to execute a contract amendment with CSI Telecommunications, Inc., effective January 22, 2019, to extend the termination date from January 31, 2019 to January 31, 2021, and increase the payment limit by \$220,000 to a new payment limit of \$1,080,000 for continued Federal Communications Commission radio licensing and microwave frequency coordination, as needed by the Department of Information Technology.

FISCAL IMPACT:

\$220,000 increase (100% User Fees). As budgeted under Org 4295 and recovered through DoIT's billing process.

BACKGROUND:

The Department of Information Technology's Microwave Division is responsible for maintaining the County's Microwave System, including frequency coordination and licensing. On February 3, 2015, the Board authorized the Chief Information Officer to enter into a professional services contract with CSI Telecommunications, Inc., to provide (on an as-needed basis) telecommunications permitting assistance including, without limitation, Federal Communications Commission ("FCC") license application

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☒ 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: February 12, 2019

Contact: Wayne Tilley
925-356-1802

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

engineering/frequency coordination, and preparation of specifications for the County's Microwave and Public Safety Radio Systems; with subsequent annual amendments to extend the term of the contract being executed, January 5, 2016, January 17, 2017, and January 25, 2018; increasing the payment limit by \$220,000 under each amendment, for a new contract payment limit of \$860,000. During the term of this proposed contract amendment/extension, CSI Telecommunications, Inc., will continue to work with County employees, under the direction of the Chief Information Officer, or designee, of the Department of Information Technology.

In accordance with Administrative Bulletin No 605.3, service contracts exceeding \$100,000 require the approval of the Board of Supervisors. The County Administrator's Office has reviewed this request and recommends approval.

CONSEQUENCE OF NEGATIVE ACTION:

Should the Board elect to not approve this contract amendment, DoIT will be unable to ensure the integrity of the County's Microwave System. Proper maintenance of the system is essential for many reasons including homeland security and public safety.



Contra
Costa
County

To: Board of Supervisors
From: Sharon L. Anderson, County Counsel
Date: February 12, 2019

Subject: APPROVAL OF CONTRACT FOR PROFESSIONAL SERVICES

RECOMMENDATION(S):

APPROVE AND AUTHORIZE the County Counsel, or designee, to execute, on behalf of the County, a contract with Baker & O'Brien, Inc., in an amount not to exceed \$700,000 to provide refining industry analyses in connection with refinery property tax appeals, for the period from January 1, 2019 through December 31, 2019.

FISCAL IMPACT:

100% General Fund. The cost of this contract will be partially offset by revenue generated by Property Tax Administration Charges.

BACKGROUND:

Baker and O'Brien, Inc. is a consultant for refinery industry analyses, and provides the County with specialized consulting services with respect to the refining industry and refineries in defending actual and anticipated assessment appeals, which challenge the valuations of the taxable property of refineries in Contra Costa County. These appeals typically place several billion dollars of valuation in issue. Assistance is required because valuations of refineries are highly technical, requiring specialized knowledge that only industry experts have. The Assessor concurs with and supports this recommendation.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/12/2019 ☒ 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: February 12, 2019

Contact: Rebecca J. Hooley, Deputy County Counsel, 925 335-1854

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

By: , Deputy

cc: David Twa, County Administrator, Robert Campbell, Auditor-Controller, Peter Yu, Assessor's Office

CONSEQUENCE OF NEGATIVE ACTION:

If the contract is not approved, there is a greatly increased possibility of very significant but presently unquantifiable impacts due to adverse decisions by the Assessment Appeals Board on large refinery valuation disputes.



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: February 12, 2019

Subject: Contract with City of Richmond Workforce Development Board

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute an Interagency Agreement with the City of Richmond Workforce Development Board, in an amount not to exceed \$50,000 to provide workforce development staff training and professional development, for the period February 1, 2019 through January 31, 2020.

FISCAL IMPACT:

The interagency agreement is funded 100% by federal Workforce Innovation and Opportunity Act Funding revenue.

BACKGROUND:

The Workforce Innovation and Opportunity Act (WIOA) requires States to identify economic regions within their states, and for local areas to coordinate planning and service delivery on a regional basis. The State designated the East Bay Regional Planning Unit (RPU) as four local workforce areas consisting of: Contra Costa County, the City of Richmond, Alameda County, and the City of Richmond. The Workforce Development Board of Contra Costa County (WDBCCC) currently serves as the lead workforce development board for the East Bay RPU. As such, the WDBCCC receives the entire allocation of State funding dedicated to the East Bay RPU for organizing and training purposes.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: V. Kaplan, (925)
608-4963

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

By: , Deputy

cc: Kathy Gallagher, EHSD Director

BACKGROUND: (CONT'D)

Each local workforce board within the State-designated RPU is responsible for complying with the training plan as developed and agreed upon by their RPU.

The purpose of this Agreement is to establish the responsibilities of WDBCCC and the City of Richmond Workforce Development Board (Agency) to provide one (1) cohort of twenty (20) students a ten (10) week construction project management course, convene a construction industry advisory group, and provide technical assistance, as established in the East Bay RPU's proposal approved by the California Workforce Development Board.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, Contra Costa County will not be meeting its responsibilities as the lead agency for the State-defined East Bay Regional Planning Unit for WIOA funding.



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 12, 2019

Subject: APPROVE a contract with Accurate Poly Coatings

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Accurate Poly Coatings, subject to approval by the County Administrator and approval as to form by County Counsel, in an amount not to exceed \$2,000,000 for on-call polyurea coating installation and maintenance, for the period February 1, 2019 through January 31, 2022, Countywide.

FISCAL IMPACT:

This cost is to be funded through Facilities Services maintenance budget. (100% General Fund)

BACKGROUND:

Facilities Services has been tasked with several requests for maintenance and replacement of the showers and floors at the detention facilities. These areas are in an unusual environment, with constant wear and usage. Various materials have been used in the past to rebuild or replace shower units, only to have them decay and degrade, causing problems with surrounding areas. Accurate Poly Coating has a product which has been used in the replacement of the shower units and a partial floor, which seems to be able to withstand the treatment of the guests in the facility.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Stan Burton
925-313-7077

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Facilities has identified an immediate need to replace 40 shower units at the Martinez Detention Facility and flooring in various modules. The balance of the contract will be used for future projects, including showers at the West County Detention Facility. Bidsync # 1810-305 solicited several contractors interested in performing sublet polyurea work for Facilities Services. Government Code Section 25358 authorizes the County to contract for maintenance and upkeep of County facilities. Facilities is requesting a three year contract with Accurate Poly Coatings.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, polyurea installation and maintenance services will be discontinued.



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 12, 2019

Subject: APPROVE a contract with Charles Kopp, Inc. d/b/a Continental Electric

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Charles Kopp Inc. d/b/a Continental Electric, subject to approval by the County Administrator and approval as to form by County Counsel, in an amount not to exceed \$1,300,000 for traffic signal, street lighting, and general electrical maintenance, for the period February 1, 2019 through January 31, 2022, Countywide.

FISCAL IMPACT:

This cost is to be funded through Facilities Services maintenance budget. (100% General Fund)

BACKGROUND:

Facilities Services has been tasked with several requests for electrical upgrades to County facilities. The amount of work has surpassed Facilities' ability to conduct work in a timely manner with the current staff. Bidsync # 1809-301 solicited several electrical contractors interested in performing sublet work for Facilities Services. Government Code Section 25358 authorizes the County to contract for maintenance and upkeep of County facilities. Continental Electric was selected for general electrical, traffic signal and lighting system maintenance.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Stan Burton
925-313-7077

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, electrical maintenance services will be discontinued.



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 12, 2019

Subject: APPROVE a contract with DC Electrical Group, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with DC Electrical Group Inc., subject to approval by the County Administrator and approval as to form by County Counsel, in an amount not to exceed \$400,000 for general electrical, airport electrical and lighting maintenance, for the period April 1, 2019 through January 31, 2022, Countywide.

FISCAL IMPACT:

This cost is to be funded through Facilities Services maintenance budget. (100% General Fund)

BACKGROUND:

Facilities Services has been tasked with several requests for electrical upgrades to County facilities. The amount of work has surpassed Facilities' ability to conduct work in a timely manner with the current staff. Bidsync # 1809-301 solicited several electrical contractors interested in performing sublet work for Facilities Services. Government Code Section 25358 authorizes the County to contract for maintenance and upkeep of County facilities. DC Electrical Group, Inc. was selected for general electrical, airport electrical and lighting maintenance.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Stan Burton
925-313-7077

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, general electrical, airport electrical and lighting maintenance services will be discontinued.



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 12, 2019

Subject: APPROVE a contract with Diablo Boiler & Steam Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Diablo Boiler & Steam Inc. subject to approval by the County Administrator and approval as to form by County Counsel, in an amount not to exceed \$1,500,000 to provide boiler service maintenance, for the period February 1, 2019 through January 31 2022, Countywide.

FISCAL IMPACT:

This cost is to be funded through Facilities Services maintenance budget. (100% General Fund)

BACKGROUND:

Public Works Facilities Services is responsible for maintenance of all hot water, boiler furnace and heat pump systems at County facilities. Scheduling this maintenance is done by Facilities Services, but the actual maintenance is performed by outside vendors. Bidsync # 1810-306 solicited several boiler maintenance contractors interested in performing sublet work for Facilities Services. Government Code Section 25358 authorizes the County to contract for maintenance and upkeep of County facilities. Diablo Boiler & Steam Inc. was selected for boiler and hot water system maintenance.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Stan Burton
925-313-7077

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, boiler service maintenance will be discontinued.



Contra
Costa
County

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: February 12, 2019

Subject: Tolling Agreement with Verizon Wireless

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Conservation and Development Director or designee to execute, on behalf of the County, a tolling agreement with GTE MobilNet of California Limited Partnership (dba Verizon Wireless) to extend the time to act on a wireless access permit application for a facility proposed to be located in the County right-of-way near 279 Smith Road in the Alamo area.

FISCAL IMPACT:

The applicant is responsible for all related costs.

BACKGROUND:

GTE MobilNet of California Limited Partnership (dba Verizon Wireless) has filed an application for a wireless access permit to construct a wireless telecommunication facility within the County public right-of-way near 279 Smith Road in the Alamo area (WA17-0016). This application was filed on November 9, 2017.

Under a ruling of the Federal Communication ("FCC"), a wireless service provider whose application has been pending for a period of 90 days for collocation applications, and 150 days for all other applications, is authorized to seek judicial review within 30 days on the basis that a state or local permitting authority

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Telma Moreira (925)
674-7783

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

did not act on the application within a "reasonable time". (In Re: Petition for Declaratory Ruling to Clarify Provisions of Section 332(c)(7)(B) to ensure Timely Siting Review, Etc., FCC 09-99 (FCC November 18, 2009) (the "2009 Ruling", 45). A more recent FCC ruling prescribes shorter periods for small wireless facilities: 60 days for collocations on existing structures, and 90 days for new structures. (In the Matter of Acceleration Broadband Deployment by Removing Barriers to Infrastructure Investment, FCC 18-133 (FCC September 27, 2018) (The "2018 Ruling"). The two FCC Rulings also permit the period for a local jurisdiction's review of an application to be extended by mutual consent. (2009 Ruling, 49; 2018 Ruling 75-76).

The proposed tolling agreement would extend through February 15, 2019, the time for the County Planning Commission to act on this application, and would extend through April 18, 2019, the time for the Board of Supervisors to act on this application. The proposed tolling agreement would also prohibit Verizon Wireless from seeking a court order before April 18, 2019, that would direct the County to act on the application. In addition, the proposed tolling agreements would toll the time for Verizon to seek a court order alleging a violation of the Permit Streamlining Act to after April 18, 2019.

This Board also authorizes the Director of Conservation and Development, or designee, to execute extensions of the above time period if necessary.

CONSEQUENCE OF NEGATIVE ACTION:

If the tolling agreement is not approved, the Federal Communications Commission "shot clock" requirements would require the County to act on the applications within the time prescribed by the FCC.

ATTACHMENTS

Verizon Tolling Agreement

TOLLING AGREEMENT

This Tolling Agreement (“Agreement”), dated as of January 15, 2019, is made and entered into by and between GTE MobilNet of California Limited Partnership, a California limited partnership dba Verizon Wireless (“Verizon Wireless”) and the County of Contra Costa (“County”).

RECITALS

A. Verizon Wireless has filed an application for a permit to authorize Verizon Wireless to construct a wireless telecommunications facility in the public right-of-way in Contra Costa County, California. On December 17, 2018, the County Zoning Administrator approved the Verizon Wireless application under County File WA17-0016 (near 279 Smith Road) (the “Application”). The County Planning Commission will hear an appeal of the Zoning Administrator’s determination on the Application on February 13, 2019. The Planning Commission’s determinations may be further appealed to the County Board of Supervisors.

B. On November 18, 2009, the Federal Communications Commission (the “FCC”) released a Declaratory Ruling clarifying Section 332(c)(7) of the Communications Act. *See In Re: Petition for Declaratory Ruling to Clarify Provisions of Section 332(c)(7)(B) to Ensure Timely Siting Review, Etc.*, FCC 09-99 (FCC November 18, 2009) (the “Ruling”). The Ruling permits a wireless service provider whose application has been pending for a period of 90 days for collocation applications, and 150 days for all other applications, to seek judicial review within 30 days on the basis that a state or local permitting authority failed to act on the application within “a reasonable time.” Ruling, ¶ 45. The Ruling further permits the period for review of an application to be extended by mutual consent. Ruling, ¶ 49.

C. In order to allow the County to act on the Verizon Wireless Application in an orderly manner, without either party risking the loss of important rights, the parties wish to enter into a tolling agreement.

NOW, THEREFORE, the parties agree as follows:

1. The parties agree that the time period within which the Planning Commission may act on the appeal of the Zoning Administrator determination on the Application, under both California and federal law, shall be extended through February 15, 2019. The parties further agree that the time period within which the Board of Supervisors may act on any appeal of Planning Commission determination on the Application shall be extended through April 18, 2019, and that no limitations period under California or federal law for any claim by Verizon Wireless of unreasonable or unlawful delay in processing the Applications shall commence to run before April 18, 2019.

2. If the Planning Commission has not acted on appeals of the Applications by February 15, 2019, or if the Board of Supervisors has not acted on any appeals of Planning Commission determinations by April 18, 2019, this Agreement shall not be construed as an admission by the County that such failure to act is unreasonable or unlawful, nor shall it be construed to waive or otherwise impair the rights of Verizon Wireless with respect to any such claim. In addition, this Agreement shall not be

construed to waive any claims by the County regarding the validity or applicability of the requirements and deadlines established in the Ruling.

3. This Agreement may be executed in counterparts and facsimile, each of which shall be deemed an original. The individuals whose signatures appear below on behalf of each party are authorized to execute this Agreement on behalf of the respective parties, and to bind them to the terms thereof.

COUNTY OF CONTRA COSTA

By: _____

Printed name: _____

Title: _____

**GTE MOBILNET OF
CALIFORNIA LIMITED
PARTNERSHIP DBA VERIZON
WIRELESS**

By: 

Paul Albritton
Counsel to Verizon Wireless



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 12, 2019

Subject: APPROVE a purchase order amendment with Dugmore & Duncan of California, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a purchase order amendment with Dugmore & Duncan of California, Inc., to increase the payment limit by \$253,000 to a new payment limit of \$350,000, and extend the term from July 31, 2019 to June 30, 2020 for Sargent lock equipment and hardware, Countywide.

FISCAL IMPACT:

This cost is to be funded through Facilities Services Maintenance budget. (100% General Fund)

BACKGROUND:

Facilities Services maintains all County buildings. Door frames, closures, hinges, locks, and latch bars are a part of this maintenance. They are also in control of the County wide key system, assigning and managing all of the keys used at County facilities. Facilities uses Sargent lock products, mortise assemblies and lock cylinders. The lock shop is currently managing 50,000 plus locks in the Sargent system. Dugmore and Duncan has been awarded CMAS (California Multiple Award Schedule) contract # 3-17-84-0061A for

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Stan Burton
925-313-7077

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

the procurement of Sargent lock products. Dugmore and Duncan has been historically a superb vendor for Facilities, with rapid order deployment, and technical assistance not normally offered. With recent funding for building improvements and several new buildings under construction, Facilities anticipates exceeding the current payment limit. Government Code Section 23004 authorizes the County to make contracts and purchase and hold personal property necessary to the exercise of its powers.

CONSEQUENCE OF NEGATIVE ACTION:

If this purchase order is not approved, Sargent Lock products purchased through Dugmore & Duncan will not proceed.



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 12, 2019

Subject: APPROVE a contract with St Francis Electric, LLC

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with St Francis Electric, LLC, subject to approval by the County Administrator and approval as to form by County Counsel, in an amount not to exceed \$500,000 to provide airport electrical and traffic signal inductive loop maintenance service, for the period June 1, 2019 through May 31, 2022, Countywide.

FISCAL IMPACT:

This cost is to be funded through Facilities Services maintenance budget. (100% General Fund)

BACKGROUND:

Public Works Facilities maintains hundreds of traffic intersections owned by both the County and several contract cities. Each of these intersections is equipped with inductive magnetic loops installed under the pavement. These loops provide information to the signal controller, alerting it when the magnetic field of a vehicle is detected above it. Replacement and maintenance



APPROVE



OTHER



RECOMMENDATION OF CNTY ADMINISTRATOR



RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/12/2019 ☐ 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: February 12, 2019

Contact: Stan Burton
925-313-7077

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

of these systems requires several specialized tasks including environmental concerns, traffic control and controller function. Facilities also maintain airport electrical systems such as runway lights and signs. Bidsync # 1809-301 solicited several electrical contractors interested in performing sublet work for Facilities Services. Government Code Section 25358 authorizes the County to contract for maintenance and upkeep of County facilities. St Francis Electrical, LLC was selected for airport electrical system and traffic signal inductive loop maintenance.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, inductive loop maintenance will be discontinued.



Contra Costa County

To: Board of Supervisors
 From: Joseph E. Canciamilla, Clerk-Recorder
 Date: February 12, 2019

Subject: Two Year Contract Extension with SOE Software

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Clerk-Recorder, or designee, to execute a contract amendment with SOE Software Corporation (dba ScytI), to extend the term from December 31, 2018 through December 31, 2020 and increase the payment limit by \$150,000 to a new payment limit of \$390,000, for web hosting and Election Night reporting.

FISCAL IMPACT:

The cost of this contract is included in the 2018-19 and 2019-20 budgets. The cost is 100% County General Fund.

BACKGROUND:

On September 1, 2015, the County entered into an agreement with SOE Software Corp. to provide web hosting for Clerk-Recorder-Elections functions, including election information, look-up tools, mobile device support, and election night reporting. The contract was previously extended through December 31, 2018. Approval of this amendment will allow SOE Software Corp, to continue to provide these services through December 31, 2020.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Scott O. Konopasek,
925-335-7808

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this extension is not approved, the Department will lose its public-facing web presence and will be required to find a new hosting service and developing a new website, on-line applications, and election night reporting tools.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Amendment #23-384-12 with Language Line Services, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #23-384-12 with Language Line Services, Inc, a corporation, effective September 1, 2018, to amend Contract #23-384-11, to increase the payment limit by \$1,500,000, from \$3,900,000 to a new payment limit of \$5,400,000, with no change in the term of May 1, 2015 through April 30, 2020.

FISCAL IMPACT:

This amendment is funded 100% by Hospital Enterprise Fund I budget. (No rate increase)

BACKGROUND:

This Contract allows County to meet Title VI language access regulations and Limited English Proficient (LEP) patient/client needs for the County.

On July 7, 2015, the Board of Supervisors approved Contract #23-384-11 with Language Line Services, Inc., for the provision of mandated over-the-phone interpretation, testing of our in-house healthcare interpreters, and translation services for the Health Services Department including, but not limited to recruiting, screening, training and supervising qualified interpreters to translate over 100 languages, for the period from May 1, 2015 through April 30, 2020.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/12/2019 ☐ 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: February 12, 2019

Contact: Anna Roth,
925-957-5403

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

By: , Deputy

cc: L Walker, M Wilhelm

BACKGROUND: (CONT'D)

Approval of Contract Amendment Agreement #23-384-12 will allow the Contractor to provide additional Federal and State mandated services and back-up telephonic services to the County's Health Services Department, through April 30, 2020.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, the Contractor will not be able to provide translation services required by State and Federal mandates.

ATTACHMENTS



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Contract #27-830-4 with Pleasanton Physical Therapy Services, Inc. (dba Back on Track Physical Therapy)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #27-830-4 with Pleasanton Physical Therapy Services, Inc. (dba Back on Track Physical Therapy), a corporation, in an amount not to exceed \$750,000, to provide physical therapy services for Contra Costa Health Plan (CCHP) members for the period from February 1, 2019 through January 31, 2021.

FISCAL IMPACT:

This Contract is funded 100% by CCHP Enterprise Fund II. (Rate increase)

BACKGROUND:

On February 7, 2017, the Board of Supervisors approved Contract #27-830-3 with Pleasanton Physical Therapy Services, Inc., (dba Back on Track Physical Therapy), a corporation, to provide physical therapy services for CCHP members, for the period from February 1, 2017 through January 31, 2019.

Approval of Contract #27-830-4 will allow Contractor to continue providing physical therapy services for CCHP members through January 31, 2021.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Sharron Mackey,
925-313-6104

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 CCHP 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: February 12, 2019

Subject: Contract #27-686-7 with Michael P. Sherman, M.D., Ph.D., A Medical Corporation (dba Contra Costa Oncology)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #27-686-7 with Michael P. Sherman, M.D., Ph.D., A Medical Corporation (dba Contra Costa Oncology), in an amount not to exceed \$2,000,000, to provide oncology services to Contra Costa Health Plan (CCHP) members, for the period from February 1, 2019 through January 31, 2021.

FISCAL IMPACT:

This contract is funded 100% by CCHP Enterprise Fund II. (No rate increase)

BACKGROUND:

On February 7, 2017, the Board of Supervisors approved Contract #27-686-6 with Michael P. Sherman, M.D., Ph.D., A Medical Corporation (dba Contra Costa Oncology), to provide oncology services to CCHP members, for the period February 1, 2017 through January 31, 2019.

Approval of Contract #27-686-7 will allow Contractor to continue providing oncology services to CCHP members through January 31, 2021.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Sharron Mackey,
925-313-6104

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 CCHP 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: February 12, 2019

Subject: Contract #27-640-9 with Noel T.D. Chiu, M.D., A Medical Corporation (dba Diablo Dermatology)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee to execute, on behalf of the County, Contract #27-640-9 with Noel T.D. Chiu, M.D., A Medical Corporation (dba Diablo Dermatology), in an amount not to exceed \$900,000, to provide dermatology services to Contra Costa Health Plan (CCHP) members for the period from February 1, 2019 through January 31, 2021.

FISCAL IMPACT:

This contract is funded 100% by CCHP Enterprise Fund II. (No rate increase)

BACKGROUND:

On February 14, 2017, the Board of Supervisors approved Contract #27-640-8 with Noel T.D. Chiu, M.D., A Medical Corporation, to provide to provide dermatology services to CCHP members for the period from February 1, 2017 through January 31, 2019.

Approval of Contract #27-640-9 will allow the Contractor to continue to provide dermatology services to CCHP members through January 31, 2021.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/12/2019 ☐ 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: February 12, 2019

Contact: Sharron Mackey,
925-313-6104

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 CCHP 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: February 12, 2019

Subject: Contract #76-633 with Leena Ray, M.D.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Contract #76-633 with Leena Ray, M.D., an individual, in an amount not to exceed \$150,000, to provide nephrology services at Contra Costa Regional Medical Center (CCRMC) and Health Centers, for the period February 1, 2019 through January 31, 2020.

FISCAL IMPACT:

This contract is funded 100% by Hospital Enterprise Fund I.

BACKGROUND:

Under Contract #76-633, the Contractor will provide nephrology services at CCRMC and Health Centers, including consultation, training and medical and surgical procedures, for the period February 1, 2019 through January 31, 2020.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring nephrology care at CCRMC and Health Centers will not have access to Contractor's services.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/12/2019 ☐ 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: February 12, 2019

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: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Contract #26-700-12 with Jaison James, M.D.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Contract #26-700-12 with Jaison James, M.D., an individual, in an amount not to exceed \$880,000, to provide orthopedic services for Contra Costa Regional Medical Center (CCRMC) and Health Center patients, for the period from February 1, 2019 through January 31, 2020.

FISCAL IMPACT:

This contract is funded 100% by Hospital Enterprise Fund I. (No rate increase)

BACKGROUND:

On January 23, 2018, the Board of Supervisors approved Contract #26-700-11 with Jaison James, M.D., to provide orthopedic services, including consultation, training, medical and surgical procedures for CCRMC and Health Centers patients for the period from February 1, 2018 through January 31, 2019.

Approval of Contract #26-700-12 will allow Contractor to continue to provide orthopedic services through January 31, 2020.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

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

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, County's patients will not have access to Contractor's services.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Contract #26-788-8 with Peyman Keyashian, M.D.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Contract #26-788-8 with Peyman Keyashian, M.D., an individual, in an amount not to exceed \$565,000, to provide anesthesia services for Contra Costa Regional Medical Center (CCRMC) and Health Centers patients, for the period February 1, 2019 through January 31, 2020.

FISCAL IMPACT:

This contract is funded 100% Hospital Enterprise Fund I. (No rate increase)

BACKGROUND:

On December 5, 2017, the Board of Supervisors approved Contract #26-788-5 (as amended by Contract Amendment Agreements #26-788-6 and 26-788-7) with Peyman Keyashian, M.D., to provide anesthesia services, including consultation, training, medical and surgical procedures for CCRMC and Health Centers patients for the period from February 1, 2018 through January 31, 2019.

Approval of Contract #26-788-8 will allow Contractor to continue to provide anesthesia services through January 31, 2020.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/12/2019 ☐ 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: February 12, 2019

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

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, County's patients will not have access to Contractor's services.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Contract #26-792-6 with Edward Y. Tang, M.D., Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #26-792-6 with Edward Y. Tang, M.D., Inc. a corporation, in an amount not to exceed \$440,000, to provide orthopedic services at Contra Costa Regional Medical Center (CCRMC) and Health Centers, for the period from March 1, 2019 through February 29, 2020.

FISCAL IMPACT:

This contract is funded 100% Hospital Enterprise Fund I. (No rate increase)

BACKGROUND:

On February 6, 2018, the Board of Supervisors approved Contract #26-792-5 with Edward Y. Tang, M.D., Inc., to provide orthopedic services to CCRMC and Health Center patients for the period March 1, 2018 through February 28, 2019.

Approval of Contract #26-792-6 will allow Contractor to continue to provide orthopedic services through February 29, 2020.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, County's patients will not have access to Contractor orthopedic services.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

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: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Contract #26-761-4 with Rawel Randhawa, M.D.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Contract #26-761-4, with Rawel Randhawa, M.D., an individual, in an amount not to exceed \$136,000, to provide gastroenterology services at Contra Costa Regional Medical Center (CCRMC) and Health Centers, for the period from March 1, 2019 through February 28, 2021.

FISCAL IMPACT:

This contract is funded 100% by Hospital Enterprise Fund I. (No rate increase)

BACKGROUND:

In April 2018, the County Administrator approved and Purchasing Service Manager executed Contract #26-761-3 with Rawel Randhawa, M.D., to provide gastroenterology services to CCRMC and Health Center patients for the period from March 1, 2019 through February 28, 2021.

Approval of Contract #26-761-4 will allow Contractor to continue to provide gastroenterology services through February 28, 2021.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/12/2019 ☐ 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: February 12, 2019

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

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, County's patients will not have access to Contractor's gastroenterology services.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Contract #76-580-5 with James Pak, M.D., Incorporated

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #76-580-5 with James Pak, M.D., Incorporated, in an amount not to exceed \$155,000 for the provision of anesthesiology services to Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers patients for the period from March 1, 2019 through February 29, 2020.

FISCAL IMPACT:

This contract is funded 100% by Hospital Enterprise Fund I.

BACKGROUND:

In August 2017, the County Administrator approved and the Purchasing Services Manager executed Contract #76-580-2 (as amended by Contract Amendment Agreement #76-580-3 and Contract Amendment/Extension Agreement #76-580-4) with James Pak, M.D., Incorporated, to provide anesthesiology services at Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers, for the period from September 1, 2017 through February 28, 2019.

Approval of Contract #76-580-5 will allow the Contractor to continue to provide anesthesiology services at CCRMC and Contra Costa Health Centers through February 29, 2020.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/12/2019 ☐ 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: February 12, 2019

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

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring anesthesiology services at CCRMC and Contra Costa Health Centers will not have access to the Contractor's services.



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 12, 2019

Subject: APPROVE a contract with Eisen Environmental and Construction Services

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Eisen Environmental and Construction Services, subject to approval by the County Administrator and approval as to form by County Counsel, in an amount not to exceed \$1,000,000 to provide abatement and restoration services, for the period February 1, 2019 through January 31, 2022, Countywide.

FISCAL IMPACT:

This cost is to be funded through Facilities Services maintenance budget. (100% General Fund)

BACKGROUND:

Public Works Facilities Services is responsible for repair of County facilities found to have damage due to water, mold, or contain asbestos. As bid on Bidsync # 1710-256, Eisen Environmental and Construction Services is one of two vendors being awarded this type of work. While Facilities staff has the ability to abate small areas of asbestos or mold, they are not capable of larger projects. Government Code Section 25358 authorizes the County to contract for maintenance and upkeep of County facilities.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Stan Burton
925-313-7077

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, abatement and restoration services will be discontinued.



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 12, 2019

Subject: APPROVE a contract with Thor Doors and Construction, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Thor Doors and Construction Inc., subject to approval by the County Administrator and approval as to form by County Counsel, in an amount not to exceed \$800,000 to provide commercial door and power gate service and maintenance, for the period March 1, 2019 through February 29, 2022, Countywide.

FISCAL IMPACT:

This cost is to be funded through Facilities Services maintenance budget. (100% General Fund)

BACKGROUND:

Public Works Facilities Services is responsible for maintenance services of all commercial mechanical and overhead doors, and automatic power gates at County facilities. Bidsync # 1812-312 solicited several mechanical maintenance contractors interested in performing sublet work for Facilities Services. Government Code Section 25358 authorizes the County to contract for maintenance and upkeep of County facilities. Thor Doors and Construction, Inc. was one of three (3) vendors selected for this work.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Stan Burton
925-313-7077

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, commercial mechanical and overhead doors, and automatic power gate maintenance services will be discontinued.



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 12, 2019

Subject: APPROVE a contract amendment with Waterproofing Associates, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment with Waterproofing Associates, Inc., subject to approval by the County Administrator and approval as to form by County Counsel, to increase the payment limit by \$2,500,000 to a new payment limit of \$3,500,000, with no change to the original term February 1, 2018 through January 31, 2021, to provide building waterproofing services, Countywide.

FISCAL IMPACT:

This cost is to be funded through Facilities Services maintenance budget. (100% General Fund)

BACKGROUND:

Public Works Facilities Maintenance is responsible for roofing repairs and maintenance and general building health. Important in exterior building maintenance is the waterproofing of vertical walls, foundations, and other parts of the structures. Facilities staff performs small roof repairs, and responds to urgent requests for roof leaks, but has neither the equipment nor the training to conduct vertical waterproofing or foundation sealing. As bid on Bidsync # 1706-228, Building Waterproofing, Waterproofing Associates, Inc. has been awarded this work. Public Works has exhausted the original payment limit requested on this contract and is requesting an increase.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Stan Burton
925-313-7077

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, roofing services with Waterproofing Associates, Inc., will not continue.



**Contra
Costa
County**

To: Board of Supervisors
From: Todd Billeci, County Probation Officer
Date: February 12, 2019

Subject: Contract increase with Behavioral Interventions (B.I.), Incorporated

RECOMMENDATION(S):

APPROVE and AUTHORIZE an increase in the payment limit for the contract between the Probation Department and Behavioral Interventions (B.I.), Incorporated, dated February 1, 2018 in the amount of \$40,000 from \$175,000 to a new contract payment limit of \$215,000 to provide electronic monitoring services and equipment, with no extension in the term of the agreement.

FISCAL IMPACT:

\$40,000, 100% General Fund

BACKGROUND:

Behavioral Interventions (B.I.), Incorporated provides electronic monitoring services on behalf of the Probation Department for designated probationers. There has been an increase in the number of probationers placed on electronic monitoring in the current contract year. This has led to a need to increase the contract amount to cover the additional costs of equipment rental and monitoring services.

CONSEQUENCE OF NEGATIVE ACTION:

The Probation Department will not have insufficient funds to contract with a vendor for electronic monitoring services.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Danielle Fokkema,
925-313-4195

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: February 12, 2019

Subject: Contract #26-508-10 with Liam Keating, M.D.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #26-508-10 with Liam Keating, M.D., an individual, in an amount not to exceed \$404,000 to provide otolaryngology services at Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers, for the period from March 1, 2019 through February 29, 2020.

FISCAL IMPACT:

This contract is funded 100% by Hospital Enterprise I funds. (No rate increase)

BACKGROUND:

On February 6, 2018, the Board of Supervisors approved Contract #26-508-9 with Liam Keating, M.D., to provide otolaryngology services, including but not limited to; consultation, training, clinic coverage and on-call services at CCRMC and Health Centers, for the period from March 1, 2018 through February 28, 2019.

Approval of Contract #26-508-10 will allow the Contractor to continue to provide otolaryngology services through February 29, 2020.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

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 , Marcy Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, Contractor will not be able to provide otolaryngology services at CCRMC and Contra Costa Health Centers.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Contract #24-794-7(18) with St. Helena Hospital

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Contract #24-794-7(18) with St. Helena Hospital, a non-profit corporation, in an amount not to exceed \$75,000, to provide inpatient psychiatric hospital services for the period from October 1, 2018 through June 30, 2019.

FISCAL IMPACT:

This contract is funded 100% by Mental Health Realignment. (Rate increase)

BACKGROUND:

Assembly Bill (AB) 757, (Chapter 633, Statutes of 1994), authorized the transfer of state funding for Fee-For-Service/Medi-Cal (FFS/MC) acute psychiatric inpatient hospital services from the Department of Health Services (DHCS) to the Department of Mental Health (DMH). On January 1, 1995, the DMH transferred these funds and the responsibility for authorization and funding of Medi-Cal acute psychiatric inpatient hospital services to counties that chose to participate in this program.

Under Contract #24-794-7(18), the Contractor will provide inpatient psychiatric hospital services through June 30, 2019. This contract contains mutual indemnification to hold harmless both parties for any claims arising out of the performance of this contract.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Matthew White, M.D.,
925-927-5201

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

By: , Deputy

cc: L Walker, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, County's mental health clients will not receive needed inpatient psychiatric services from Contractor's facility.

ATTACHMENTS



Contra
Costa
County

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: February 12, 2019

Subject: Weatherization Contract Amendment - McHale's Environmental Insulation (C46296)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute a contract amendment with McHale's Environmental Insulations, Inc. (C46296), to increase payment by \$205,000 from \$95,000 to a new payment limit of \$300,000 with no change to the original contract period of July 1, 2018 to December 31, 2020, for the purchase or replacement of installation as part of the Department's Weatherization Program, which provides weatherization and energy conservation services to low income residents in County Costa County.

FISCAL IMPACT:

100% State and Federal Weatherization Program Funds for a variety of weatherization projects throughout the County. No impact on the County General Fund.

BACKGROUND:

The Department of Conservation and Development (DCD) has partnered with the Employment and Human Services Department (EHSD) for the past 20 years to provide energy-saving home improvements to low-income families throughout unincorporated Contra Costa County, as well as the county's 19 cities. This funding is provided by State and federal grant programs including, but not limited to, the Low Income Home Energy Assistance Program (LIHEAP), the Energy Crisis Intervention Program (ECIP), and the

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/12/2019 ☒ 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: February 12, 2019

Contact: Laura Glass
925-674-7834

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Department of Energy (DOE).

With these grants, the Weatherization Program may provide homes with hot water heaters, furnaces, refrigerators, microwaves, doors, windows, LED (light emitting diode) light bulbs, LED night lights, Tier 2 Advanced power strips, occupancy sensors, weather-stripping, ceiling fans, and attic insulation.

Homes receive a blower door test (a diagnostic tool to locate and correct air infiltration), and homes with gas appliances receive a combustion appliance safety test that checks for carbon monoxide gas leakage. Homes with gas appliances are provided with a carbon monoxide alarm.

Under its grant funding contract, the Weatherization Program is required to meet minimum unit production goals (number of homes weatherized) by the end of its annual grant contract term. Failure to maintain the required production goals may result in the State reallocating our share of funding to other counties and could jeopardize our future funding. These contracts will allow the Weatherization Program to have ready access to water heaters and other necessary supplies and equipment to weatherize homes and meet production goals.

Due to the increase in the number of older homes that require attic, wall and/or underfloor insulation, the Weatherization Program needs to increase the amount of the contract. All expenditures are reimbursed by State and Federal grant funding.

CONSEQUENCE OF NEGATIVE ACTION:

DCD may not be able to provide weatherization services to as many homes.

CHILDREN'S IMPACT STATEMENT:

Approval of this item will enable the Weatherization Program to purchase materials necessary to provide home energy efficiency improvements to low-income households, which reduces living expenses and improves comfort and quality of life for children residing in the households served. This supports outcomes Numbers 3 and 5 established in the Children's Report Card: (3) Families are economically self-sufficient; and (5) Families are safe, stable and nurturing.



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: February 12, 2019

Subject: Amend Contract with Social Service Staffing & Recruiting, Inc. for Temporary Social Workers

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Social Service Staffing & Recruiting, Inc. effective February 1, 2019 to increase the payment limit by \$710,000 for a new payment limit of \$1,350,000 for additional and increased services by qualified temporary social workers for clients of Children and Family Services Program and Aging and Adult Services, with no change to the original term ending June 30, 2019.

FISCAL IMPACT:

This contract will increase department expenditures by \$710,000 for a new total payment limit of \$1,350,000, funded as Administrative Overhead with 45% Federal, 45% State, and 10% County revenue.

BACKGROUND:

Children and Family Services Bureau (CFS) and Aging and Adult Services Bureau (AAS) have experienced difficulties in recruiting and retaining qualified social workers. Currently, there are 32 vacancies in CFS and another 11 in AAS, resulting in a higher than optimal caseload for current CFS and AAS social workers. Recruitment efforts through Human Resources have produced candidates, but not adequate numbers to fill all vacancies. Even when new Social Workers are recruited, they require extensive training to be ready to assume a caseload. Social Service Staffing & Recruiting, Inc. ensures a ready

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

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

Contact: Gina
Chenoweth

By: , Deputy

cc:

BACKGROUND: (CONT'D)

source of temporary fully qualified social workers to immediately address this situation to ensure child safety. Additionally, social workers obtained through this contractor may be candidates for permanent County positions, since these applicants would already be trained and familiar with CFS and AAS programs, clients, and procedures.

This amendment adds AAS to the original contract. AAS is currently experiencing a backlog of over 4,000 overdue In-Home Supportive Services (IHSS) cases. This backlog has resulted in IHSS being placed under a corrective action plan by the California Department of Social Services. IHSS must come within 80% of full compliance by the end of the 2018/19 fiscal year. IHSS will utilize the temporary social workers to work only on IHSS backlogged cases to help bring IHSS into compliance. Currently, IHSS has only three (3) social worker vacancies, but, an additional eight (8) IHSS social workers are on protected leave.

CONSEQUENCE OF NEGATIVE ACTION:

The immediate need for more qualified social workers will not be fulfilled, hindering the ability of CFS and AAS to efficiently and effectively serve clients.

CHILDREN'S IMPACT STATEMENT:

The services provided under this contract support all five of Contra Costa County's community outcomes: (1) "Children Ready for and Succeeding in School"; (2) "Children and Youth Healthy and Preparing for Productive Adulthood"; (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 ensuring children and families in CFS programs are working with qualified staff on a consistent basis.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Contract #23-447-10 with RG Hernandez, LLC

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #23-447-10 with RG Hernandez, LLC, a limited liability company, in an amount not to exceed \$115,880, to provide consulting and technical assistance for third party cost revenues, costs and claims, for the period February 1, 2019 through January 31, 2020.

FISCAL IMPACT:

This contract is funded 100% by Third Party Reimbursement. (Rate increase)

BACKGROUND:

On February 27, 2018, the County Administrator executed Contract #23-447-9 with RG Hernandez, LLC, for the provision of consulting and technical assistance to assist the Health Services Department on matters related to budget, state and federal reimbursement programs, third party revenues, and costs and claims for the period from February 1, 2018 through January 31, 2019.

Approval of Contract #23-447-10 will allow Contractor to continue providing services through January 31, 2020.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Patrick Godley,
925-957-5410

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

By: , Deputy

cc: L Walker, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, County will not have access to Contractor's services.



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: February 12, 2019

Subject: Amend Contract with Community Violence Solutions for Services to Victims of Human Trafficking

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Community Violence Solutions, a non-profit corporation, to increase the payment limit by \$20,289 from the current payment limit of \$174,309 to a new payment limit of \$194,598, for the provision of services to victims of human trafficking in Contra Costa County, with no change to the term ending March 31, 2019.

FISCAL IMPACT:

This amendment contract will increase budgeted expenditures by \$20,289 to a new payment limit of \$194,598, 100% federally funded through the U.S. Department of Justice, Office for Victims of Crimes Services to Victims of Human Trafficking Program.

BACKGROUND:

On July 7, 2015, the County Board of Supervisors approved application to and acceptance of this U.S. Department of Justice, Office for Victims of Crime (OVC) grant for comprehensive services for victims of all forms of human trafficking. Grant funding is used to assist communities in developing effective and sustainable multidisciplinary human trafficking task forces. The task forces are designed to implement collaborative, victim-centered, and coordinated approaches to identifying victims of human trafficking,

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Gina Chenoweth
8-4961

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

addressing the individualized needs of victims through quality services, and investigating and prosecuting human trafficking cases at the local, state, tribal and federal levels.

During the extended term of this contract, Contractor is responsible for case management services, social services, and criminal justice system-based advocacy for victims of trafficking who are identified during the grant period. Contractor must also support the objectives of this OVC project, by developing resources for survivors of human trafficking, such as conducting outreach, community awareness, and technical assistance and training on human trafficking. This amendment will provide funding for added resources that support the Contractor's ability to execute project management and general administrative services in support of this OVC project, and provide semi-annual progress reports on project activity.

CONSEQUENCE OF NEGATIVE ACTION:

Vital services to Contra Costa County victims of human trafficking and accurate data collection and reporting will be significantly limited.

CHILDREN'S IMPACT STATEMENT:

The services provided under this contract support three of the five Contra Costa County's community outcomes: (2) "Children and Youth Healthy and Preparing for Productive Adulthood"; (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 timely, high-quality, comprehensive services to Contra Costa County victims of human trafficking.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Contract #27-745-7 with Suraj M. Cherry, M.D.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #27-745-7 with Suraj M. Cherry, M.D., an individual, in an amount not to exceed \$500,000, to provide ophthalmology services to Contra Costa Health Plan (CCHP) members for the period from March 1, 2019 through February 28, 2021.

FISCAL IMPACT:

This contract is funded 100% by CCHP Enterprise Fund II. (No rate increase)

BACKGROUND:

On February 14, 2018, the Board of Supervisors approved Contract #27-745-6 with Suraj M. Cherry, M.D., to provide ophthalmology services for CCHP members, for the period from March 1, 2017 through February 28, 2019.

Approval of Contract #27-745-7 will allow the contractor to continue providing ophthalmology services for CCHP members through February 28, 2021.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialized health care services for CCHP members under the terms of their Individual and Group Health Plan membership contract with the County will not be provided.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/12/2019 ☐ 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: February 12, 2019

Contact: Sharron Mackey,
925-313-6104

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

By: , Deputy

cc: K Cyr, M Wilhelm



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Contract #77-035-2 with 1125 Sir Francis Drake Boulevard Operating Company, LLC (DBA Kentfield Hospital)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Contract #77-035-2 with 1125 Sir Francis Drake Boulevard Operating Company, LLC (DBA Kentfield Hospital), a Limited Liability Company, in an amount not to exceed \$4,000,000, to provide long term acute care hospital services for Contra Costa Health Plan (CCHP) members for the period from February 1, 2019 through January 31, 2020.

FISCAL IMPACT:

This contract is funded 100% by CCHP Enterprise Fund II. (Rate increase)

BACKGROUND:

On January 16, 2018, the Board of Supervisors approved Contract #77-035-1 with 1125 Sir Francis Drake Boulevard Operating Company, LLC (dba Kentfield Hospital), to provide long term acute care hospital services for CCHP members for the period from February 1, 2018 through January 31, 2019.

Approval of Contract #77-035-2 will allow Contractor to continue to provide long term acute care hospital services for CCHP members through January 31, 2020.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Sharron Mackey,
925-313-6104

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 CCHP 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: February 12, 2019

Subject: Contract #27-154-14 with Steven Cloutier (dba Alhambra Valley Counseling Associates)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #27-154-14 with Steven Cloutier (dba Alhambra Valley Counseling Associates), a sole proprietorship, in an amount not to exceed \$350,000, to provide outpatient psychotherapy services to Contra Costa Health Plan (CCHP) members for the period from March 1, 2019 through February 28, 2021.

FISCAL IMPACT:

This contract is funded 100% by CCHP Enterprise Fund II. (Rate increase)

BACKGROUND:

On March 7, 2017, the Board of Supervisors approved Contract #27-154-13 with Alhambra Valley Counseling Associates to provide outpatient psychotherapy services to CCHP members, for the period from March 1, 2017 through February 28, 2019.

Approval of Contract #27-154-14 will allow Contractor to continue providing outpatient psychotherapy services to CCHP members through February 28, 2021.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/12/2019 ☐ 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: February 12, 2019

Contact: Sharron Mackey,
925-313-6104

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 CCHP 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: February 12, 2019

Subject: Contract #27-368-16 with John Patrick Leonard Kirby (dba River Counseling Center)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #27-368-16 with John Patrick Leonard Kirby (dba River Counseling Center), an individual, in an amount not to exceed \$200,000, to provide outpatient psychotherapy services for the Contra Costa Health Plan (CCHP) members for the period from March 1, 2019 through February 28, 2021.

FISCAL IMPACT:

This contract is funded 100% by CCHP Enterprise Fund II. (No rate increase)

BACKGROUND:

On March 7, 2017, the Board of Supervisors approved Contract #27-368-15 with John Patrick Leonard Kirby (dba River Counseling Center), to provide outpatient psychotherapy services for CCHP members for the period from March 1, 2017 through February 28, 2019.

Approval of Contract #27-368-16 will allow the Contractor to continue to provide outpatient psychotherapy services through February 28, 2021.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/12/2019 ☐ 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: February 12, 2019

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

Contact: Sharron Mackey,
925-313-6104

By: , Deputy

cc: K Cyr, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialized health care services for CCHP 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: February 12, 2019

Subject: 2018-19 Mount Diablo Unified School District Childcare Services Inter-Agency Agreement Amendment

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute an inter-agency agreement amendment with Mount Diablo Unified School District to change the term from October 1, 2018 through September 30, 2019 to a new term of July 1, 2018 through June 30, 2019.

FISCAL IMPACT:

This agreement is funded by federal funds through the U.S. Department of Health and Human Services, Administration for Children and Families, CFDA No. 93.600. There is no County match requirement.

BACKGROUND:

Contra Costa County receives funds from the U.S. Department of Health and Human Services, Administration for Children and Families (ACF) to provide Head Start and Early Head Start program services to program eligible County residents. The Department of Employment and Human Services (Department), in turn, contracts with a number of community-based organizations to provide a wider distribution of services. This inter-agency agreement supports the continued provision of Early Head Start services through the provision of 28 childcare slots at Crossroads High School.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: CSB (925)
681-6389

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

By: , Deputy

cc: Nasim Eghlima, Haydee Ilan

BACKGROUND: (CONT'D)

The first Inter Agency Agreement was approved by the board on September 11, 2018 (c.117) with a term of October 1, 2018 through September 30, 2019. Contracts with this contractor in previous years had a start date of October, to correspond with most school-based programs. However, the program at this particular high school begins on July 1, 2018. The error was not realized until after the original contract had been executed. This proposed amendment is to cover the additional two months of program operation.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, the County's ability to more widely distribute childcare services through partnerships with community based agencies will be hindered.

CHILDREN'S IMPACT STATEMENT:

The Employment and Human Services Department Community Services Bureau supports three of Contra Costa County's community outcomes - Outcome 1: "Children Ready for and Succeeding in School," Outcome 3: "Families that are Economically Self-sufficient," and, Outcome 4: "Families that are Safe, Stable, and Nurturing." These outcomes are achieved by offering comprehensive services, including high quality early childhood education, nutrition, and health services to low-income children throughout Contra Costa County.



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 12, 2019

Subject: Authorize the Flood Control District to pay for BASMAA regional project costs for FY 2017/18

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Auditor-Controller, or his designee, to pay the amount of \$149,869 to the Bay Area Stormwater Management Agencies Association for services provided to the Contra Costa Clean Water Program, during the period July 1, 2017, to June 30, 2018, as recommended by the Chief Engineer, Contra Costa County Flood Control and Water Conservation District ("District") (Fund 251900).

FISCAL IMPACT:

Payment will be drawn from the Contra Costa Clean Water Program fund. Program funding is provided by the County and 19 cities and towns within Contra Costa County. The County's share of the above payment is approximately \$22,500.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/12/2019 ☐ 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: February 12, 2019

Contact: Tim Jensen (925)
313-2390

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

By: , Deputy

cc:

BACKGROUND:

Municipalities are required by federal law to obtain permits in order to discharge stormwater into receiving waters such as rivers, lakes and bays. Permits are issued under the National Pollutant Discharge Elimination System (“NPDES”) permit program, administered by the U.S. Environmental Protection Agency. In California, the NPDES permit program is administered by the State Water Resources Control Board and the Regional Water Quality Control Boards.

In Contra Costa County, the municipal storm sewer systems located within both the incorporated and unincorporated areas are permitted under a Joint Municipal Regional Stormwater NPDES permit (“Joint MRP”). Permit compliance is managed by the Contra Costa Clean Water Program (“CWP”), a stormwater quality management program formed by the County, District and the 19 incorporated cities and towns located in Contra Costa County (the “Permittees”). The District is the contracting authority and fiscal agent for the Contra Costa CWP.

Compliance with some of the provisions of the Joint MRP involves participation in regional projects with other stormwater quality management agencies in the Bay Area. Regional projects have been managed by the Bay Area Stormwater Management Agencies Association (“BASMAA”), which collects payments from participating agencies to pay BASMAA’s costs associated with the projects.

In Fiscal Year 2017-2018, the Contra Costa CWP participated in seven regional projects through BASMAA. The Contra Costa CWP made reference to these regional projects in its September 2018 annual report to the San Francisco Regional Water Quality Control Board (“Regional Board”) to demonstrate permit compliance. In return, BASMAA seeks payment in the amount of \$149,869. BASMAA provided these services without a valid contract in place. For this reason, the District seeks Board approval of this payment as consideration for services provided to the Contra Costa CWP.

Services were provided by BASMAA through consultants retained by BASMAA to complete the projects. BASMAA’s executive director also provided services directly. A brief description of the services follows:

Projects

1. Pesticides Toxicity – Regulatory Modernization

Summary: Permittees are required under the Joint MRP to track and comment on federal and state pesticide evaluation and registration activities. BASMAA arranges for the California Association of Stormwater Quality Agencies (CASQA) to perform these duties at a statewide level. In Fiscal Year 2017-2018, CASQA submitted letters to the U.S. Environmental Protection Agency regarding six pesticide reviews, provided partner agencies technical information that spawned additional comment letters, and participated in numerous meetings and conference calls on specific pesticide issues and the long term goal of improving the pesticide regulatory process.

Cost: \$5,921.00

2. Project: Creek Status Monitoring Coordination

Summary: MRP Provision C.8 requires the Permittees to submit to the Regional Board an annual

comprehensive Urban Creeks Monitoring Report regarding the status of selected creeks. Preparation of the report requires a substantial amount of the data on each creek. The data that are collected are submitted to and stored in a database. Ongoing data management is required to support the database. In Fiscal Year 2017/18, a BASMAA consultant assisted Permittees by tracking data submittals, and providing guidance on data management.

Cost: \$5,226.00

3. Project: POC Monitoring for Source Identification and Management Action Effectiveness

Summary: MRP Provision C.8.f requires identification of the sources of “pollutants of concern.” Polychlorinated biphenyls (PCBs) are key pollutants of concern and a key focus of the Joint MRP. In Fiscal Year 2017-18, a BASMAA consultant conducted field monitoring, collected samples for laboratory analysis and prepared a report on PCB source identification.

Cost: \$30,955.00

4. Project: On-Call Services to Maintain the Regional Monitoring Coalition Monitoring Database

Summary: The database referenced in Project #2 above requires ongoing technical support. In Fiscal Year 2017/18, a BASMAA consultant provided technical resources to maintain the creek monitoring database and provide technical assistance to the database users.

Cost: \$2,011.00

5. Project: Regional Monitoring Coalition Five Year Bio-Assessment Report

Summary: Bio-assessments contained in the report referenced in Project #2 are based on a wide range of data on the health of the watersheds identified in the report. In Fiscal Year 2017/18, BASMAA consultants collected watershed health indicator data, analyzed the data, mapped results to illustrate statistical relationships based on different scales and land use types, and geographic patterns, and then prepared a draft report based on the results of the analyses.

Cost: \$6,950.00

6. Project: Managing PCBs Containing Materials and Wastes during Building Demolition – Phase 1

Summary: MRP Provision C.12.f requires Permittees to prevent materials containing PCBs, or drainage from such materials, to enter a storm drain system during building demolition. This must be achieved through adoption of ordinances, policies, or procedures and integrating them into existing municipal building demolition permit requirements. In Fiscal Year 2017/2018, BASMAA consultants completed the second year of a two-year project to develop model language for ordinances, procedures, staff reports, resolutions, and CEQA documents, model demolition permit application materials, forms, process flow charts, applicant instructions, and an analysis and justification to modify demolition permit fees, plus outreach and training materials to help implement the new requirements.

Cost: \$46,087.00

7. Project: Integrated Pest Management Partnership Program

Summary: MRP Provision C.9.e requires Permittees to undertake an outreach program that encourages communities to reduce reliance on pesticides that threaten water quality, encourages landscape irrigation management that minimizes pesticide runoff, and promotes appropriate disposal of unused pesticides. Permittees must also reach out to customers where pesticides are purchased. In Fiscal Year 2017-18, BASMAA consultants prepared educational materials for distribution and trained retail employees how to explain non-toxic alternatives to customers shopping for pesticides.

Cost: \$7,402.00

Project Management

In addition to the regional project work performed by its consultants, BASMAA provides services directly in the form of project management. Before work can begin on a regional project, BASMAA's executive director advertises the project to solicit consultants to submit bids, manages an interview of those who respond, oversees the selection process and prepares a report to the BASMAA Board of Directors regarding the award of a contract to the selected consultant. After a contract is awarded, the executive director manages the contract with the consultant. This includes reviewing invoices and draft work products and preparing monthly status reports to the BASMAA Board of Directors. The BASMAA executive director also acts as a point of contact for questions regarding projects and responds to requests for information. Project management costs include the executive director's compensation as well as overhead such as insurance, accounting, telecommunications and legal costs.

Cost: \$45,317.00

CONSEQUENCE OF NEGATIVE ACTION:

Failure to pay BASMAA for regional projects for which the Contra Costa CWP has already taken credit for purposes of permit compliance could jeopardize its permit compliance status, as well as opportunities to work with other stormwater quality management programs on future regional projects.



Contra Costa County

To: Board of Supervisors
 From: Anna Roth, Health Services Director
 Date: February 12, 2019

Subject: Purchase Order with Grainger International, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent, to execute, on behalf of the Health Services Director, an amendment to Purchase Order F07962 with Grainger International, Inc., to increase the payment limit by \$60,000 to a new payment limit of \$159,000 for the purchase of miscellaneous hardware as required by the Contra Costa Regional Medical Center (CCRMC) and the Contra Costa Health Centers with no change in the original term of July 1, 2017 through June 30, 2019.

FISCAL IMPACT:

100% funding is included in the Hospital Enterprise Fund I budget.

BACKGROUND:

Grainger International, Inc. provides Contra Costa Health Services with miscellaneous hardware equipment used to maintain their facilities. Contra Costa County has utilized Grainger International, Inc. since 2001.

CONSEQUENCE OF NEGATIVE ACTION:

If this Purchase Order is not approved, we will not be able to provide the staff at CCRMC and the Contra Costa Health Centers with the hardware materials to maintain the facilities properly and expeditiously.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

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

Contact: Jaspreet Benepal,
925-370-5101

By: , Deputy

cc: Marcy Wilhelm, Margaret Harris



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Purchase Order with Performance Health Supply, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, an amendment to Purchase Order F06773 with Performance Health Supply, Inc., to increase the payment limit by \$100,000 to a new payment limit of \$400,000 for the purchase specialized rehabilitation equipment and supplies as required by the Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers, with no change in the original term of December 1, 2016 through November 30, 2019.

FISCAL IMPACT:

100% funded by Hospital Enterprise Fund I.

BACKGROUND:

Performance Health Supply, Inc. provides Contra Costa Health Services with multiple rehabilitation supplies including bikes, treatment tables, and splinting supplies required to perform specialized treatment. The Health Services Department has had an increase in patients needing these services.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Jaspreet Benepal,
925-370-5101

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

By: , Deputy

cc: Marcy Wilhelm, Margaret Harris

CONSEQUENCE OF NEGATIVE ACTION:

If this purchase order is not approved, the Rehabilitation Unit at the CCRMC and Health Centers will not be able to provide specialized treatment and therapy to patients.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Contract #23-448-8 with Garda CL West, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #23-448-8 with Garda CL West, Inc., a corporation, containing modified indemnification language, in an amount not to exceed \$26,000 to provide armored transport services for the Health Services Department, for the period from February 1, 2019 through January 31, 2020.

FISCAL IMPACT:

This contract is funded 100% by Hospital Enterprise Fund I. (Rate increase)

BACKGROUND:

On February 27, 2018, the Board of Supervisors approved Contract #23-448-7 with Garda CL West, Inc. to provide armored transport services for the Health Services Department, for the period from February 1, 2018 through January 31, 2019.

Approval of Contract #23-448-8 will allow the Contractor to continue to provide services through January 31, 2020. This contract includes modified indemnification language.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/12/2019 ☐ 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: February 12, 2019

Contact: Patrick Godley,
925-957-5405

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, the Health Services Department will not have access to Contractor's services.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Transportation Vouchers for the Health Care for the Homeless Program

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Health Services Director, to purchase transportation vouchers in an amount not to exceed \$33,433 to be used to provide transportation to appointments for homeless patients served by the Health Care for the Homeless Program, for the period from February 1, 2019 through January 31, 2020.

FISCAL IMPACT:

100% funded by the U.S. Health Resources and Services Administration (HRSA) Grant funds and Federally Qualified Health Center reimbursement. No County funds required.

BACKGROUND:

The Health Care for the Homeless Program received a grant from Health Resources and Services Administration to provide health care for the homeless population in Contra Costa County. The program provides care coordination to its homeless patients and assists them in getting to and from any necessary health-related appointments. Transportation is one of the biggest barriers to receiving care for the homeless population. Providing bus tickets and transportation vouchers helps address this barrier.

CONSEQUENCE OF NEGATIVE ACTION:

If this Purchases Order is not approved, the Health Care for the Homeless Program would not be fulfilling the goals outlined in the HRSA Grant.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/12/2019 ☐ 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: February 12, 2019

Contact: Dan Peddycord,
925-313-6712

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

By: , Deputy

cc: Marcy Wilhelm, Rachel Birch



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Contract #23-560-4 with Firm Revenue Cycle Management Services, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #23-560-4 with Firm Revenue Cycle Management Services, Inc., a corporation, in an amount not to exceed \$150,000, for billing services to process out-of-state Medicaid Claims, for the period from February 1, 2019 through January 31, 2020.

FISCAL IMPACT:

This contract is funded 100% by Hospital Enterprise Fund I. (No rate increase)

BACKGROUND:

On January 9, 2018, the Board of Supervisors approved Contract #23-560-3 with Firm Revenue Cycle Management Services, Inc., to provide billing services to process out-of-state Medicaid Claims on behalf of the County, including review claims for accuracy, rebill, request appeals, follow-up inquiries and prepare documentation, for the period from February 1, 2018 through January 31, 2019.

Approval of Contract #23-560-4 will allow Firm Revenue Cycle Management Services, Inc., to continue providing services through January 31, 2020.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Patrick Godley,
925-957-5405

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, the Department will not receive funding and claim solutions for denied, unpaid or underpaid medial insurance claims.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Purchase Order Amendment with Medline Industries, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, an amendment to Purchase Order #F04654 with Medline Industries, Inc., to increase the payment limit by \$6,000,000 to a new total payment limit of \$33,000,000 for medical and non-medical supplies at Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers with no change in the original term of June 27, 2016 through June 26, 2019.

FISCAL IMPACT:

100% funded by the Hospital Enterprise Fund I budget.

BACKGROUND:

Medline Industries, Inc. is the primary distributor for medical and non-medical supplies for CCRMC and Contra Costa Health Centers. Purchasing from them enables the Health Services Department to take advantage of their status as a Vizient vendor and collect rebates each year. The more supplies purchased the better the pricing and the higher the rebates. The Health Services Department will be purchasing additional non-medical

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

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

Contact: Jaspreet Benepal,
925-370-5101

By: , Deputy

cc: Marcy Wilhelm, Margaret Harris

BACKGROUND: (CONT'D)

items such as cups and tissue from this vendor in order to recognize more cost savings. CCRMC is making use of this vendor more and spending less with other vendors.

In addition, the hospital purchased a high volume of disaster supplies from Medline Industries, Inc. in order to be in compliance with State law.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved CCRMC and the Contra Costa Health Centers will be unable to procure sufficient supplies, which would greatly impact patient care.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Purchase Order with Sanofi Pasteur, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order with Sanofi Pasteur, Inc., in an amount not to exceed \$375,000 for the purchase of vaccines and injectable medications at the Contra Costa Regional Medical Center (CCRMC) and Health Centers, for the period from January 1, 2019 through December 31, 2019.

FISCAL IMPACT:

100% funding is included in the Hospital Enterprise Fund I budget.

BACKGROUND:

Sanofi Pasteur, Inc. furnishes pharmaceuticals for patient care provided in the hospital and the clinics. These vaccines and other injectable medications are essential in patient care. We have been purchasing vaccines and other injectable medications from Sanofi Pasteur since 2007.

CONSEQUENCE OF NEGATIVE ACTION:

If this Purchase Order is not approved, we will not be able to provide

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/12/2019 ☐ 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: February 12, 2019

Contact: Jaspreet Benepal,
925-370-5101

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

By: , Deputy

cc: Margaret Harris, Marcy Wilhelm

CONSEQUENCE OF NEGATIVE ACTION: (CONT'D)

needed vaccines and other pharmaceutical products to our patient population at the CCRMC and Health Centers. As part of our responsibility as a health care organization, we must provide needed vaccinations to our patient population in order to prevent disease, as well as prevent the spread of disease.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Contract #26-361-1 with John Muir Health

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Service Director, or designee, to execute on behalf of the County Contract #26-361-1 with John Muir Health, a non-profit corporation, including modifications to indemnification language, in an amount not to exceed \$50,000, to provide laboratory testing services for Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers, for the period from January 1, 2019 through December 31, 2021.

FISCAL IMPACT:

This contract is funded 100% by Hospital Enterprise Fund I. (No rate increase)

BACKGROUND:

On March 15, 2016, the Board of Supervisors approved Contract #26-361 with John Muir Health, to provide laboratory testing services for scheduled and non-scheduled down time for CCRMC for the period from January 1, 2016 through December 31, 2018.

Approval of Contract #26-361-1 will allow the Contractor to continue to provide laboratory services through December 31, 2021.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring laboratory testing will not receive services from the Contractor.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

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: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Purchase Order to Reliance Wholesale, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order with Reliance Whole Sale, Inc., in the amount of \$425,000 for intravenous and pharmaceutical drugs and supplies to be used at the Contra Costa Regional Medical Center and Health Centers, for the period from January 1, 2019 through December 31, 2019.

FISCAL IMPACT:

100% funding is included in the Enterprise Fund I Budget.

BACKGROUND:

Reliance Wholesale, Inc., is a pharmaceutical company that provides the Contra Costa Regional Medical Center and Health Centers with medications and pharmaceutical products unavailable through the contracted wholesaler Cardinal or the direct manufacturer of these products.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Jaspreet Benepal,
925-370-5101

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

By: , Deputy

cc: Marcy Wilhelm, Irene Segovia

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, we will not be able to take care of our patient population at the Contra Costa Regional Medical Center and Health Centers.



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Purchase Order with Biomerieux, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a Purchase Order with Biomerieux Inc., in an amount not to exceed \$198,000 for the purchase of reagents and supplies needed for the Vitek II for the Contra Costa Regional Medical Center (CCRMC) and the Contra Costa Health Centers Clinical Laboratory for the period from January 1, 2019 through December 31, 2019.

FISCAL IMPACT:

100% funded by the Hospital Enterprise Fund I.

BACKGROUND:

Biomerieux, Inc. supplies the reagents needed for the identification and sensitivities of pathogenic organisms from culture of body fluids and blood to be tested on the Vitek II. We have a long-standing history of utilizing this vendor upwards of a decade.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, then CCRMC Clinical Laboratory cannot perform the needed test(s) for the medical staff of the hospital to proceed with treatment.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Jaspreet Benepal,
925-370-5101

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

By: , Deputy

cc: Marcy Wilhelm, Margaret Harris



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Purchase Order with Stryker Corporation

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Health Services Director, to execute a purchase order with Stryker Corporation, in an amount not to exceed \$2,900,000, for the purchase of orthopedic products and other medical supplies for the Operating Room at the Contra Costa Regional Medical Center (CCRMC), for the period from January 1, 2019 through December 31, 2020.

FISCAL IMPACT:

100% funded by the Hospital Enterprise Fund I.

BACKGROUND:

CCRMC has seen a great increase in orthopedic surgeries which has required them to buy large quantities of equipment and supplies from this vendor. The recent survey by the California Department of Health and Human Services Centers for Medicare and Medicaid Services also required CCRMC to replace old and deteriorating instruments, furniture, and infection control supplies. The CCRMC has been using this vendor for more than ten years.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Jaspreet Benepal,
925-370-5101

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

By: , Deputy

cc: Marcy Wilhelm, Margaret Harris

CONSEQUENCE OF NEGATIVE ACTION:

If this purchase order is not approved, CCRMC will not be able to meet the surgical needs of its patients.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Contract #26-754-5 Care Review Resources, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #26-754-5 with Care Review Resources, Inc., a corporation, in an amount not to exceed \$300,000, to provide health care consulting, technical assistance and chart review services to Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers, for the period from March 1, 2019 through February 29, 2020.

FISCAL IMPACT:

This contract is 100% by funded Hospital Enterprise Fund I. (Rate increase)

BACKGROUND:

On February 6, 2018, the Board of Supervisors approved Contract #26-754-4 with Care Review Resources, Inc., to provide qualified health care consulting, technical assistance, and chart review services to CCRMC designated staff, including, safety and performance, reporting methodologies regarding quality and performance improvement on core measures, and providing written recommendations to the Health Services Director on processes and outcomes, for the period from March 1, 2018 through February 28, 2019.

Approval of Contract #26-754-5 will allow the Contractor to continue to provide consultation and technical assistance through February 29, 2020.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Jaspreet Benepal,
925-370-5101

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, the County will not be able to participate in Medicaid and Medicare funding.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Purchase Order with Bio-Rad Laboratories, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, an amendment to Purchase Order #F09142 with Bio-Rad Laboratories, Inc., to increase the payment limit by \$100,000 for a new payment limit of \$470,000 for the purchase of reagents and supplies for the D-100 Hemoglobin Testing System at the Contra Costa Regional Medical Center (CCRMC), with no change in the original term of July 1, 2017 through June 30, 2022.

FISCAL IMPACT:

100% funded by the Hospital Enterprise Fund I.

BACKGROUND:

The CCRMC Clinical Laboratory utilizes Bio-Rad Laboratories, Inc. for reagents, various controls, media and supplies for the D-100 Hemoglobin Testing System, which tests for iron deficiency and polycythemia. It is also used for hemoglobin A1C testing in patients with diabetes.

CONSEQUENCE OF NEGATIVE ACTION:

If the amendment to the Purchase Order is not approved, the CCRMC and Clinical Laboratory will not be able to perform patient testing, thus impacting patient safety and health.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

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

Contact: Jaspreet Benepal,
925-370-5101

By: , Deputy

cc: Marcy Wilhelm, Margaret Harris



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Purchase Order with Lifenet Health

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a Purchase Order with Lifenet Health, in an amount not to exceed \$160,000 for the purchase of medical supplies, instruments, and allografts for the Contra Costa Regional Medical Center (CCRMC), for the period from January 1, 2019 through December 31, 2020.

FISCAL IMPACT:

100% funded by the Hospital Enterprise Fund I.

BACKGROUND:

CCRMC purchases Allograft Bio-implant solutions for general orthopedics and trauma. Lifenet Health has a comprehensive Allograft portfolio to ensure surgeons have access to the right graft for their procedures. Grafts are specific to individual patients, so the availability of the correct graft for the procedure is critical for a successful outcome. Lifenet Health is an alternate provider for Allograft.

CONSEQUENCE OF NEGATIVE ACTION:

If this board order is not approved, the CCRMC will not be able to ensure the surgeons have access to the right products for their procedures.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Jaspreet Benepal,
925-370-5101

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

By: , Deputy

cc: Marcy Wilhelm, Margaret Harris



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Purchase Order with GCX Corporation

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a Purchase Order with GCX Corporation in an amount not to exceed \$189,000 for the purchase of Health Care Interpreter Network (HCIN) computers, monitors, and wall mounting supplies at the Contra Costa Regional Medical Center (CCRMC) and Health Centers, for the period from January 1, 2019 through December 31, 2021.

FISCAL IMPACT:

100% funded by the Hospital Enterprise Fund I.

BACKGROUND:

GCX Corporation has provided needed computer and HCIN wall mounting solutions since CCRMC instituted Electronic Medical Record (EMR), known as ccLink in 2012. Due to the current remodel of the Emergency and Diagnostic Imaging Departments at the CCRMC as well as numerous Health Center remodels and various new construction, CCRMC is adding more computers and HCIN units that need to be mounted on the walls.

CONSEQUENCE OF NEGATIVE ACTION:

Computers and HCIN phones are attached to wall mounts in patient rooms

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Jaspreet Benepal,
925-370-5101

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

By: , Deputy

cc: Margaret Harris, Marcy Wilhelm

CONSEQUENCE OF NEGATIVE ACTION: (CONT'D)

at the Hospital and exam rooms in the Health Centers. CCRMC has had an increasing number of requests for such wall mounts in the Health Centers as well as more being added through new construction. EMRs are used to manage patient care and they provide safety in treatment. If this purchase order is not approved CCRMC will not be able to effectively treat the increasing number of patients at the CCRMC and Health Centers.



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Purchase Order for Groupware Technology, Inc., for Cisco Hardware, Software and Support

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Health Services Department, to execute a Purchase Order with Groupware Technology, Inc, in an amount not to exceed \$149,665 for the purchase of Cisco hardware, software, and support services for the period from February 15, 2019 through February 14, 2022.

FISCAL IMPACT:

Funded 100% within the Enterprise Fund I budget.

BACKGROUND:

Health Services Department (HSD) Information Technology currently owns Cisco ASR and 2950 switches. The new hardware is replacing End-of-Life (EOL) Cisco Aggregate Service Routers (ASR) for the Data Centers, and EOL switches for the Hospital and Clinics, and Health Services' overall networking infrastructure. The new equipment suite will provide high-performance security for encrypted traffic, robust traffic inspection at high outputs, capabilities to support faster connection speeds, and upgrade capabilities for additional expansion capacity to support expected future growth in storage requirements for the Electronic Health Record (EHR) system.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Jaspreet Benepal,
925-370-5101

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

By: , Deputy

cc: Marcy Wilhelm, Margaret Harris

CONSEQUENCE OF NEGATIVE ACTION:

Quality of patient care could be negatively impacted without the purchase of this product suite. If the EOL equipment is not replaced, HSD will be unable to accommodate secured faster data link connectivity, or provide future expansion capacity for infrastructure supporting the Epic System's EHR storage requirements at the Hospital, Clinics, and Data Centers which could result in non-compliance with Federal and State regulations.



Contra
Costa
County

To: Board of Supervisors
From: David O. Livingston, Sheriff-Coroner
Date: February 12, 2019

Subject: Admin Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to enter into a contract with Admin Inc., for management support services, in an amount of \$167,094 for the term of March 1, 2019 to February 28, 2021.

FISCAL IMPACT:

\$167,094 General Fund (Budgeted)

BACKGROUND:

Based on the increase in Public Records request, the Office of the Sheriff is in need of additional management support. Currently, the Office of the Sheriff has a sworn Lieutenant handling Public Record requests. In order to utilize the sworn position in a capacity to benefit the department, a contractor is needed to fill this role. The contractor will provide assistance to the Sheriff and the executive team on administrative matters, including drafting and managing the implementation of the Sheriff's policies and procedures. The contractor has institutional knowledge that would greatly benefit the Office of the Sheriff. The Sheriff and the Executive Team have all worked with this contractor in the past and appreciate the quality of work he provides for their studies and inquiries. The contractor is also a member of the bar and has a good working relationship with County Counsel, Risk Management and the District Attorney's Office.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/12/2019 ☒ 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: February 12, 2019

Contact: Sandra Brown
925-335-1553

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

A negative action on this item would cause the Office of the Sheriff to continue to use a sworn position for administrative support services and not utilizing the sworn employee in more of a capacity trained for.



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: February 12, 2019

Subject: Martinez Unified School District General Obligation Bonds, Election of 2016, Series A

RECOMMENDATION(S):

ADOPT Resolution No. 2019/7 authorizing the issuance and sale of "Martinez Unified School District General Obligation Bonds, Election of 2016, Series 2019" in an amount not to exceed \$30,000,000 by the Martinez Unified School District on its own behalf pursuant to Sections 15140 and 15146 of the Education Code, as permitted by Section 53508.7(c) of the Government Code.

FISCAL IMPACT:

There is no fiscal impact to the County.

BACKGROUND:

The Martinez Unified School District intends to issue General Obligation bonds to fund capital improvements throughout the District. The District has requested that the Board of Supervisors adopt a resolution authorizing the direct issuance and sale of bonds by the District on its own behalf as authorized by Section 15140(b) of the Education Code.

The District adopted a resolution on January 28, 2019 authorizing the sale and issuance of the bonds. This issuance was approved by the voters as part of a bond measure listed on the November 8, 2016 ballot.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☒ 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: February 12, 2019

Contact: Timothy Ewell,
925-335-1036

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Without the Contra Costa County Board of Supervisors authorization, the School District will not be able to issue the bonds.

CHILDREN'S IMPACT STATEMENT:

The recommendation supports the following Children's Report Card outcome: Communities that are Safe and Provide a High Quality of Life for Children and Families.

ATTACHMENTS

Resolution 2019/7

Clerk's Certificate

District Resolution

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

Adopted this Resolution on 02/12/2019 by the following vote:

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



Resolution No. 2019/7

RESOLUTION AUTHORIZING THE MARTINEZ UNIFIED SCHOOL DISTRICT TO ISSUE ITS MARTINEZ UNIFIED SCHOOL DISTRICT (CONTRA COSTA COUNTY, CALIFORNIA) GENERAL OBLIGATION BONDS, ELECTION OF 2016, SERIES 2019, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$30,000,000 WITHOUT FURTHER ACTION OF THE BOARD OF SUPERVISORS OR OFFICERS OF THE COUNTY

RESOLVED, by the Board of Supervisors of the County of Contra Costa, State of California, that:

WHEREAS, an election was duly and regularly held in the Martinez Unified School District (the "District") on November 8, 2016, in accordance with Section 1(b)(3) of Article XIII A of the California Constitution, for the purpose of submitting a bond measure to the qualified electors of the District, authorizing the issuance of general obligation bonds in the aggregate principal amount of \$120,000,000 (the "Bonds"), and at least 55% of the votes cast were in favor of the issuance of the Bonds; and

WHEREAS, Sections 53506 and following of the California Government Code (the "Government Code"), including Section 53508.7 thereof, provide that a school district may issue and sell bonds on its own behalf at a private sale pursuant to Section 15140 and 15146 of the California Education Code (the "Education Code"); and

WHEREAS, Section 15140(b) of the Education Code provides that the board of supervisors of a county may authorize a school district over which the county superintendent of schools has jurisdiction, and which has not received a qualified or negative certification in its most recent interim report, to issue and sell bonds on its own behalf without further action of the board of supervisors or officers of the county; and

WHEREAS, the Board of Education of the District, a school district under the jurisdiction of the Superintendent of Schools of the County of Contra Costa, adopted on January 28, 2019, a resolution (the "District Resolution") providing for the issuance of its "Martinez Unified School District (Contra Costa County, California) General Obligation Bonds, Election of 2016, Series 2019," in an aggregate principal amount not to exceed \$30,000,000, in one or more series to be designated by the District (the "Series 2019 Bonds") pursuant to Section 53506 and following of the Government Code and additionally providing for the negotiated sale thereof pursuant to Sections 15140 and 15146 of the Education Code; and

WHEREAS, by said District Resolution, the District has requested that this Board of Supervisors (the "Board") of the County of Contra Costa (the "County") authorize the District on its own behalf to issue and sell the Series 2019 Bonds at a negotiated sale, all pursuant to Sections 53506 and following of the Government Code and Section 15140(b) of the Education Code and subject to the terms set forth in the District Resolution, and has represented and warranted to the Board that it has not received a qualified or negative certification in its most recent interim report;

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED as follows:

Section 1. Recitals. All of the above recitals are true and correct.

Section 2. Authorization of District Issuance and Sale. The Board hereby authorizes the issuance and private negotiated sale of the Series 2019 Bonds by the District on its own behalf, pursuant to the terms set forth in the District Resolution and as authorized by and in full compliance with all applicable laws, including but not limited to Sections 15140 and 15146 of the Education Code, as permitted by Section 53508.7 of the Government Code, as determined by the District's bond

counsel. This authorization shall only apply to the Series 2019 Bonds authorized to be issued by said District Resolution.

Section 3. Purpose. The purpose of this action is to permit the District to sell its Series 2019 Bonds in the manner that the District determines is in its best interests and the best interests of its taxpayers, as provided in the District Resolution.

Section 4. District Responsibilities. Pursuant to Section 15140(c) of the Education Code, the Board of Education of the District shall transmit the District Resolution and a copy of the final debt service schedule for the Series 2019 Bonds, reflecting the principal amounts and interest rates of such Series 2019 Bonds as determined in the sale thereof, to the Treasurer-Tax Collector of the County (the "County Treasurer") and to the County Controller (the "County Controller"), forthwith after the sale of the Series 2019 Bonds, and in any event no later than the date reasonably requested by such officers, in order to permit the County to establish tax rates and necessary funds or accounts for the Series 2019 Bonds.

Section 5. County Responsibilities. (a) The County, including the officers thereof and this Board of Supervisors, assumes no responsibility for any of the proceedings following the adoption of this Resolution which involve or result in the sale and issuance of the Series 2019 Bonds, including but not limited to, any proceedings for the sale and issuance of the Series 2019 Bonds or the validity of the Series 2019 Bonds.

(b) The County levies and collects taxes, pays principal and interest on the Series 2019 Bonds when due, and holds the bond proceeds and tax funds for the Series 2019 Bonds that have been duly issued and sold by the District, as otherwise required by law.

(c) The County, including the officers and employees thereof and this Board of Supervisors, assumes no responsibility for establishing a tax rate for any new issue of bonds in any year in which the information required by Section 4 hereof to be delivered to the County officers is delivered later than the deadline established by such officers in order to permit compliance with Government Code Section 29100 and following.

(d) Except as otherwise provided by this Resolution and by law, neither the County, this Board or any officers, officials or employees of the County shall have any liability hereunder or by reason hereof or in connection with the transactions contemplated hereby and the Series 2019 Bonds shall be payable solely from tax proceeds available therefor as set forth in this Section 5.

Section 6. Indemnification of County. The County acknowledges and relies upon the fact that the District has represented that it shall indemnify and hold harmless, to the extent permitted by law, the County and its officers and employees ("Indemnified Parties"), against any and all losses, claims, damages or liabilities, joint or several, to which such Indemnified Parties may become subject because of action or inaction related to the adoption of this Resolution, or related to the proceedings for sale, award, issuance and delivery of the Series 2019 Bonds in accordance herewith and with the District Resolution and that the District shall also reimburse any such Indemnified Parties for any legal or other expenses incurred in connection with investigating or defending any such claims or actions.

Section 7. Limited Responsibility for Official Statement. Neither this Board of Supervisors nor any officer of the County has prepared or reviewed the official statement of the District describing the Series 2019 Bonds (the "Official Statement"), and this Board of Supervisors and the various officers of the County take no responsibility for the contents or distribution thereof; provided, however, that solely with respect to a section contained or to be contained therein describing the County's investment policy, current portfolio holdings and valuation procedures, as they may relate to funds of the District held by the County Treasurer, the County Treasurer is hereby authorized and directed to prepare and review such information for inclusion in the District's Official Statement and in a preliminary Official Statement, and to certify in writing prior to or upon the issuance of the Series 2019 Bonds that the information contained in such section does not contain any untrue statement of a material fact or omit to state any material fact necessary in order to make the statements made therein, in the light of the circumstances under which they are made, not misleading.

Section 8. Limited Liability. Notwithstanding anything to the contrary contained herein, in the Series 2019 Bonds or in any other document mentioned herein, neither the County nor the Board shall have any liability hereunder or by reason hereof or in connection with the transactions contemplated hereby, and the Series 2019 Bonds shall be payable solely from tax proceeds and any other moneys of the District available therefore as set forth in the District Resolution and herein. This provision in no manner limits the obligations of the County to levy, collect and hold property taxes for the Series 2019 Bonds as required by law.

Section 9. Delivery of Resolution. The Clerk of the Board of Supervisors is hereby directed to deliver a copy of this Resolution to the Superintendent of the District.

Section 10. Effective Date: This Resolution shall take effect from and after its adoption.

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

ATTESTED: February 12, 2019

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

By: , Deputy

Contact: Timothy Ewell, 925-335-1036

cc:

CLERK'S CERTIFICATE

I, _____, Deputy Clerk of the Board of Supervisors (the "Board") of the County of Contra Costa, do hereby certify that the attached is a full, true and correct copy of a resolution and order duly adopted at a regular meeting of the Board duly and regularly and legally held at the regular meeting place thereof on February 12, 2019, and duly entered in the minutes of said meeting, of which meeting all the members of the Board had due notice and at which a quorum thereof was present.

An agenda of said meeting was posted at least 72 hours before said meeting at 651 Pine Street, Room 107, Martinez, California, a location freely accessible to members of the public, and a brief description of said resolution appeared on said agenda. A copy of said agenda is attached hereto.

I further certify that I have carefully compared the attached copy with the original minutes of said meeting on file and of record in my office. Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

WITNESS my hand this _____ day of _____, 2019.

Deputy Clerk of the Board of Supervisors
County of Contra Costa

RESOLUTION NO. 2019-14

RESOLUTION OF THE BOARD OF EDUCATION OF THE MARTINEZ UNIFIED SCHOOL DISTRICT AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$30,000,000 AGGREGATE PRINCIPAL AMOUNT OF BONDS OF MARTINEZ UNIFIED SCHOOL DISTRICT, BY A NEGOTIATED SALE PURSUANT TO A BOND PURCHASE AGREEMENT, PRESCRIBING THE TERMS OF SALE, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT AND A CONTINUING DISCLOSURE CERTIFICATE, APPROVING THE FORM OF AND AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT FOR THE BONDS, AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS

WHEREAS, an election was duly called and regularly held in the Martinez Unified School District (the "District"), located in the County of Contra Costa, California (the "County"), on November 8, 2016, at which the following proposition (as abbreviated pursuant to Section 13247 of the California Elections Code) was submitted to the electors of the District (the "Bond Measure"):

"To modernize, construct and/or renovate classrooms, restrooms and school facilities at elementary schools; improve student access to modern technology; upgrade inadequate electrical systems; replace deteriorating plumbing systems; construct career/technical education classrooms, including science labs; and replace leaky roofs, shall the Martinez Unified School District issue \$120,000,000 of bonds, at legal interest rates, with annual audits, an independent citizens' oversight committee, NO money for teacher or administrator salaries and all funds locally-controlled?" and

WHEREAS, passage of said proposition required a 55% affirmative vote of the votes cast therein, and at least 55% of the votes cast on said proposition were in favor of issuing said bonds; and

WHEREAS, on May 24, 2017, pursuant to Resolution No. 2017-28 of the Board of Education (the "Board of Education") of the District, the District issued a portion of such bonds, designated the "Martinez Unified School District (Contra Costa County, California) General Obligation Bonds, Election of 2016, Series 2017," in an aggregate principal amount of \$30,000,000, leaving \$90,000,000 aggregate principal amount authorized but unissued under the Bond Measure; and

WHEREAS, at this time, the Board of Education deems it necessary and desirable to authorize and consummate the sale of another portion of the bonds, designated the "Martinez Unified School District (Contra Costa County, California) General Obligation Bonds, Election of 2016, Series 2019" (the "Series 2019 Bonds"), with such additional or other series or subseries designations as may be approved as herein provided, in an aggregate principal amount not

exceeding \$30,000,000, for purposes of financing projects authorized to be financed under the Bond Measure, according to the terms and in the manner hereinafter set forth; and

WHEREAS, Sections 53506 and following of the California Government Code (the “Government Code”), including Section 53508.7 thereof, provide that a school district may issue and sell bonds on its own behalf at a private or negotiated sale pursuant to Sections 15140 and 15146 of the California Education Code (the “Education Code”); and

WHEREAS, Section 15140(b) of the Education Code provides that the board of supervisors of a county may authorize a school district in the county to issue and sell its own bonds without the further action of the board of supervisors or officers of the county if said school district has not received a qualified or negative certification in its most recent interim report; and

WHEREAS, the District has not received a qualified or negative certification in its most recent interim report; and

WHEREAS, the Series 2019 Bonds shall be issued and sold by the District on its own behalf at a negotiated sale pursuant to authorization to be obtained from the Board of Supervisors of the County (the “Board of Supervisors”); and

WHEREAS, the Board of Education has determined that securing the timely payment of the principal of and interest on the Series 2019 Bonds by obtaining a municipal bond insurance policy with respect thereto could be economically advantageous to the District; and

WHEREAS, a form of Bond Purchase Agreement (such Bond Purchase Agreement, in the form presented to this meeting, with such changes, insertions and omissions as are made pursuant to this Resolution, being referred to herein as the “Bond Purchase Agreement”) to purchase the Series 2019 Bonds proposed to be entered into with D.A. Davidson & Co., as underwriter (the “Underwriter”) has been prepared; and

WHEREAS, Rule 15c2-12 promulgated under the Securities Exchange Act of 1934 (“Rule 15c2-12”) requires that, in order to be able to purchase or sell the Series 2019 Bonds, the Underwriter must have reasonably determined that the issuer or other obligated person has undertaken in a written agreement or contract for the benefit of the holders of the Series 2019 Bonds to provide disclosure of certain financial and operating information and certain enumerated events on an ongoing basis; and

WHEREAS, in order to cause such requirement to be satisfied, the District desires to execute and deliver a Continuing Disclosure Certificate (such Continuing Disclosure Certificate, in the form presented to this meeting, with such changes, insertions and omissions as are made pursuant to this Resolution, being referred to herein as the “Continuing Disclosure Certificate”), a form of which has been prepared; and

WHEREAS, the Preliminary Official Statement to be distributed in connection with the public offering of the Series 2019 Bonds has been prepared (such Preliminary Official Statement, in the form presented to this meeting, with such changes, insertions and omissions as are made pursuant to this Resolution, being referred to herein as the “Preliminary Official Statement”); and

WHEREAS, Government Code Section 5852.1 requires that the Board of Education obtain from an underwriter, financial advisor or private lender and disclose, prior to authorization of the issuance of bonds with a term of greater than 13 months, good faith estimates of the following information in a meeting open to the public: (a) the true interest cost of the bonds, (b) the sum of all fees and charges paid to third parties with respect to the bonds, (c) the amount of proceeds of the bonds expected to be received net of the fees and charges paid to third parties and any reserves or capitalized interest paid or funded with proceeds of the bonds, and (d) the sum total of all debt service payments on the bonds calculated to the final maturity of the bonds plus the fees and charges paid to third parties not paid with the proceeds of the bonds; and

WHEREAS, in compliance with Government Code Section 5852.1, the Board of Education has obtained from Isom Advisors, a Division of Urban Futures, Inc., as financial advisor under Education Code Section 15146(b)(1)(C) and as municipal advisor under Section 15B of the Securities Exchange Act of 1934 (the "Municipal Advisor"), and from the Underwriter the required good faith estimates and such estimates are disclosed and set forth on Exhibit A attached hereto; and

WHEREAS, the District has previously adopted a local debt policy (the "Debt Management Policy") that complies with Government Code Section 8855(i), and the District's sale and issuance of the Series 2019 Bonds as contemplated by this Resolution is in compliance with the Debt Management Policy; and

WHEREAS, the Board of Education has been presented with the form of each document referred to herein relating to the financing contemplated hereby, and the Board of Education has examined each document and desires to approve, authorize and direct the execution of such documents and the consummation of such financing; and

WHEREAS, the District desires that the County levy and collect a tax on all taxable property within the District sufficient to provide for payment of the Series 2019 Bonds, and intends by the adoption of this Resolution to notify the Board of Supervisors of the County, the Auditor-Controller of the County, the Treasurer-Tax Collector of the County and other officials of the County that they should take such actions as shall be necessary to provide for the levy and collection of such a tax and payment of principal of and interest on the Series 2019 Bonds, all pursuant to Sections 15250 and 15251 of the Education Code; and

WHEREAS, all acts, conditions and things required by the Constitution and laws of the State of California to exist, to have happened and to have been performed precedent to and in connection with the consummation of the actions authorized hereby do exist, have happened and have been performed in regular and due time, form and manner as required by law, and the District is now duly authorized and empowered, pursuant to each and every requirement of law, to consummate such actions for the purpose, in the manner and upon the terms herein provided;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Martinez Unified School District, as follows:

Section 1. Recitals. All of the above recitals are true and correct and the Board of Education so finds.

Section 2. Definitions. Unless the context clearly otherwise requires, the terms defined in this Section shall, for all purposes of this Resolution, have the meanings specified herein, to be equally applicable to both the singular and plural forms of any of the terms herein defined.

“Auditor-Controller” means the Auditor-Controller of the County or any authorized deputy thereof.

“Authorized Officers” means the President of the Board of Education, or such other member of the Board of Education as the President may designate, the Superintendent of the District, the Chief Business Official of the District, or such other officer or employee of the District as the Superintendent may designate.

“Board of Education” means the Board of Education of the District.

“Board of Supervisors” means the Board of Supervisors of the County.

“Bond Purchase Agreement” means the Bond Purchase Agreement relating to the sale of the Series 2019 Bonds by and between the District and the Underwriter in accordance with the provisions hereof.

“Bonds” means all bonds, including refunding bonds, of the District heretofore or hereafter issued pursuant to voter-approved measures of the District, including bonds approved by the voters of the District on November 2, 2010, and pursuant to the Bond Measure, as all such Bonds are required by State law to be paid from the interest and sinking fund.

“Cede & Co.” means Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Series 2019 Bonds.

“Code” means the Internal Revenue Code of 1986.

“Continuing Disclosure Certificate” means the Continuing Disclosure Certificate executed and delivered by the District relating to the Series 2019 Bonds.

“County” means the County of Contra Costa.

“District” means the Martinez Unified School District.

“DTC” means The Depository Trust Company, a limited-purpose trust company organized under the laws of the State of New York, and its successors as securities depository for the Series 2019 Bonds, including any such successor thereto appointed pursuant to Section 9 hereof.

“Interest Payment Date” means February 1 and August 1 of each year, commencing on August 1, 2019, or such other dates as may be set forth in the Bond Purchase Agreement.

“Investment Agreement” shall have the meaning set forth in Section 15 hereof.

“Official Statement” means the Official Statement of the District relating to the Series 2019 Bonds.

“Opinion of Bond Counsel” means an opinion of counsel of nationally recognized standing in the field of law relating to municipal bonds.

“Owner” means, with respect to any Series 2019 Bond, the person whose name appears on the Registration Books as the registered Owner thereof.

“Paying Agent” means The Bank of New York Mellon Trust Company, N.A., or the Treasurer of the County, including his or her designated agents, or any bank, trust company, national banking association or other financial institution appointed as Paying Agent to act as authenticating agent, bond registrar, transfer agent and paying agent for the Series 2019 Bonds in accordance with Section 8 hereof.

“Preliminary Official Statement” means the Preliminary Official Statement of the District relating to the Series 2019 Bonds.

“Record Date” means, with respect to any Interest Payment Date for the Series 2019 Bonds, the 15th day of the calendar month immediately preceding such Interest Payment Date, whether or not such day is a business day, or such other date or dates as may be set forth in the Bond Purchase Agreement.

“Registration Books” means the books for the registration and transfer of the Series 2019 Bonds maintained by the Paying Agent in accordance with Section 8(d) hereof.

“Series 2019 Bonds” means the bonds authorized and issued pursuant to this Resolution, in one or more series or subseries, designated the “Martinez Unified School District (Contra Costa County, California) General Obligation Bonds, Election of 2016, Series 2019,” with such additional or other series or subseries designations as may be approved as herein provided.

“State” means the State of California.

“Tax Certificate” means the Tax Certificate with respect to the Series 2019 Bonds not issued as Taxable Bonds, executed by the District, dated the date of issuance of the Series 2019 Bonds.

“Tax-Exempt” means, with respect to interest on any obligations of a state or local government, that such interest is excluded from the gross income of the holders thereof for federal income tax purposes, whether or not such interest is includable as an item of tax preference or otherwise includable directly or indirectly for purposes of calculating other tax liabilities, including any alternative minimum tax or environmental tax under the Code.

“Taxable Bonds” means those Series 2019 Bonds the interest on which is not Tax-Exempt.

“Treasurer” means Treasurer-Tax Collector of the County or any authorized deputy thereof.

“Underwriter” means D.A. Davidson & Co., as underwriter.

Section 3. Authorization and Designation of Bonds. Subject to the authorization of the District by the Board of Supervisors of the County to issue and sell the Series 2019 Bonds without the further action of the Board of Supervisors pursuant to Sections 15140 and 15146 of the Education Code, as permitted by Section 53508.7 of the Government Code, which authorization is hereby respectfully requested, the Series 2019 Bonds described herein are being issued pursuant to the authority of Article 4.5 of Chapter 3, of Part 1 of Division 2 of Title 5 of the Government Code, and other applicable provisions of law, including applicable provisions of the Education Code. The Board of Education hereby authorizes the issuance and sale, by a negotiated sale, of not to exceed \$30,000,000 aggregate principal amount of Series 2019 Bonds. The Series 2019 Bonds may be issued in one or more series or subseries and shall be designated "Martinez Unified School District (Contra Costa County, California) General Obligation Bonds, Election of 2016, Series 2019," with appropriate additional or other series or subseries designations as approved by an Authorized Officer. The proceeds of the Series 2019 Bonds, exclusive of any premium and accrued interest received, shall be applied to finance projects authorized to be financed under the Bond Measure.

Section 4. Form of Bonds; Execution. (a) *Form of Series 2019 Bonds.* The Series 2019 Bonds shall be issued in fully registered form without coupons. The Series 2019 Bonds and the certificate of authentication and registration and the form of assignment to appear on each of them, shall be in substantially the form attached hereto as Exhibit B, with necessary or appropriate variations, omissions and insertions as permitted or required by this Resolution.

(b) *Execution of Bonds.* The Series 2019 Bonds shall be signed by the manual or facsimile signatures of the President of the Board of Education, and countersigned by the manual or facsimile signature of the Clerk of the Board of Education. The Series 2019 Bonds shall be authenticated by a manual signature of a duly authorized signatory of the Paying Agent.

(c) *Valid Authentication.* Only such of the Series 2019 Bonds as shall bear thereon a certificate of authentication and registration as described in subsection (a) of this Section, executed by the Paying Agent, shall be valid or obligatory for any purpose or entitled to the benefits of this Resolution, and such certificate of authentication and registration shall be conclusive evidence that the Series 2019 Bonds so authenticated have been duly authenticated and delivered hereunder and are entitled to the benefits of this Resolution.

(d) *Identifying Number.* The Paying Agent shall assign each Series 2019 Bond authenticated and registered by it a distinctive letter, or number, or letter and number, and shall maintain a record thereof at its principal office, which record shall be available to the District and the County for inspection.

Section 5. Terms of Bonds. (a) *Date of Series 2019 Bonds.* The Series 2019 Bonds shall be dated the date of their delivery, or such other date as shall be set forth in the Bond Purchase Agreement.

(b) *Denominations.* The Series 2019 Bonds shall be issued in denominations of \$5,000 principal amount or any integral multiple thereof.

(c) *Maturity.* The Series 2019 Bonds shall mature on the date or dates, in each of the years, in the principal amounts and in the aggregate principal amount as shall be set forth in the Bond Purchase Agreement. No Series 2019 Bond shall mature later than the date which is 30 years from the date of the Series 2019 Bonds, to be determined as provided in subsection (a) of this Section. No Series 2019 Bond shall have principal maturing on more than one principal maturity date.

(d) *Interest.* The Series 2019 Bonds shall bear interest at an interest rate or rates not to exceed 8.00% per annum, payable on the Interest Payment Dates in each year computed on the basis of a 360-day year of twelve 30-day months. Each Series 2019 Bond shall bear interest from the Interest Payment Date next preceding the date of authentication thereof, unless it is authenticated after the close of business on a Record Date and on or prior to the succeeding Interest Payment Date, in which event it shall bear interest from such Interest Payment Date, or unless it is authenticated on or before the Record Date preceding the first Interest Payment Date, in which event it shall bear interest from its dated date; provided, however, that if, at the time of authentication of any Series 2019 Bond, interest is in default on any outstanding Series 2019 Bonds, such Series 2019 Bond shall bear interest from the Interest Payment Date to which interest has previously been paid or made available for payment on the outstanding Series 2019 Bonds.

(e) *Interest; Tax-Exempt or Taxable.* Each series of Series 2019 Bonds may be issued such that the interest on such series of Series 2019 Bonds is Tax-Exempt or such that the interest on such series of Series 2019 Bonds is not Tax-Exempt. The Board of Education hereby finds and determines that, pursuant to Section 5903 of the Government Code, the interest payable on each series of Series 2019 Bonds issued as Taxable Bonds will be subject to federal income taxation under the Code in existence on the date of issuance of such series of Series 2019 Bonds.

Section 6. Payment of Bonds. (a) *Request for Tax Levy.* The money for the payment of principal, redemption premium, if any, and interest on the Series 2019 Bonds shall be raised by taxation upon all taxable property in the District and provision shall be made for the levy and collection of such taxes in the manner provided by law and for such payment out of the interest and sinking fund of the District. The Board of Supervisors and officers of the County are obligated by statute to provide for the levy and collection of property taxes in each year sufficient to pay all principal and interest coming due on the Series 2019 Bonds in such year, and to pay from such taxes all amounts due on the Series 2019 Bonds. The District hereby requests the Board of Supervisors to annually levy a tax upon all taxable property in the District sufficient to redeem the Series 2019 Bonds, and to pay the principal, redemption premium, if any, and interest thereon, and all fees and expenses of the Paying Agent as permitted by Section 15232 of the Education Code, as and when the same become due.

(b) *Principal.* The principal of the Series 2019 Bonds shall be payable in lawful money of the United States of America to the Owner thereof, upon the surrender thereof at the principal corporate trust office of the Paying Agent.

(c) *Interest; Record Date.* The interest on the Series 2019 Bonds shall be payable on each Interest Payment Date in lawful money of the United States of America to the Owner thereof as of the Record Date preceding such Interest Payment Date, such interest to be paid by check or draft mailed on such Interest Payment Date (if a business day, or on the next business day if the

Interest Payment Date does not fall on a business day) to such Owner at such Owner's address as it appears on the Registration Books or at such address as the Owner may have filed with the Paying Agent for that purpose except that the payment shall be made by wire transfer of immediately available funds to any Owner of at least \$1,000,000 of outstanding Series 2019 Bonds who shall have requested in writing such method of payment of interest prior to the close of business on the Record Date immediately preceding any Interest Payment Date.

(d) *Interest and Sinking Fund.* Principal and interest due on the Series 2019 Bonds shall be paid from the interest and sinking fund of the District as provided in Section 15146 of the Education Code.

(e) *Obligation of the District.* No part of any fund or account of the County is pledged or obligated to the payment of the Series 2019 Bonds. The obligation for repayment of the Series 2019 Bonds is the sole obligation of the District.

(f) *Pledge of Taxes.* The District hereby pledges all revenues from the property taxes collected from the levy by the Board of Supervisors of the County for the payment of Bonds of the District and amounts on deposit in the interest and sinking fund of the District to the payment of the principal or redemption price of and interest on the Bonds. This pledge shall be valid and binding from the date hereof for the benefit of the owners of the Bonds and successors thereto. The property taxes and amounts held in the interest and sinking fund of the District shall be immediately subject to this pledge, and the pledge shall constitute a lien and security interest which shall immediately attach to the property taxes and amounts held in the interest and sinking fund of the District to secure the payment of the Bonds and shall be effective, binding, and enforceable against the District, its successors, creditors and all others irrespective of whether those parties have notice of the pledge and without the need of any physical delivery, recordation, filing, or further act. The pledge is an agreement between the District and the owners of Bonds to provide security for the Bonds in addition to any statutory lien that may exist, and the Bonds secured by the pledge are or were issued to finance one or more of the projects specified in the applicable voter-approved measure.

(g) *Insurance.* The payment of principal of and interest on all or a portion of the Series 2019 Bonds may be secured by a municipal bond insurance policy as shall be described in the Bond Purchase Agreement. The Bond Purchase Agreement may provide that no municipal bond insurance policy shall be obtained. The Authorized Officers are each hereby authorized and directed to qualify the District for municipal bond insurance for the Series 2019 Bonds and authorize that such insurance be obtained if the present value cost of such insurance is less than the present value of the estimated interest savings with respect to the Series 2019 Bonds. The Authorized Officers are each hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver a contract or contracts for such insurance if such contract is deemed by the Authorized Officer executing the same to be in the best interests of the District, such determination to be conclusively evidenced by such Authorized Officer's execution and delivery of such contract. If the Authorized Officers so deem and obtain municipal bond insurance, and such insurance is issued by a mutual insurance company, the Authorized Officers are each hereby authorized and directed to enter into any required mutual insurance agreement substantially in such insurer's standard form with such changes, insertions and omissions therein as the

Authorized Officer executing the same may require or approve, such requirement or approval to be conclusively evidenced by the execution of such agreement by such Authorized Officer.

Section 7. Redemption Provisions. (a) *Optional Redemption.* The Series 2019 Bonds may be subject to redemption, at the option of the District, on the dates and terms as shall be designated in the Bond Purchase Agreement. The Bond Purchase Agreement may provide that the Series 2019 Bonds shall not be subject to optional redemption.

(b) *Selection.* If less than all of the Series 2019 Bonds, if any, are subject to such redemption and are called for redemption, such Series 2019 Bonds shall be redeemed in inverse order of maturities or as otherwise directed by the District (or as otherwise set forth in the Bond Purchase Agreement), and if less than all of the Series 2019 Bonds of any given maturity are called for redemption, the portions of such bonds of a given maturity to be redeemed shall be determined by lot (or as otherwise set forth in the Bond Purchase Agreement).

(c) *Mandatory Sinking Fund Redemption.* The Series 2019 Bonds, if any, which are designated in the Bond Purchase Agreement as term bonds shall also be subject to redemption prior to their stated maturity dates, without a redemption premium, in part by lot (or as otherwise set forth in the Bond Purchase Agreement), from mandatory sinking fund payments in the amounts and in accordance with the terms to be specified in the Bond Purchase Agreement. Unless otherwise provided in the Bond Purchase Agreement, the principal amount of each mandatory sinking fund payment of any maturity shall be reduced proportionately or as otherwise directed by the District by the amount of any Series 2019 Bonds of that maturity redeemed in accordance with subsection (a) of this Section prior to the mandatory sinking fund payment date. The Bond Purchase Agreement may provide that the Series 2019 Bonds shall not be subject to mandatory sinking fund redemption. The Auditor-Controller is hereby authorized to create such sinking funds or accounts for the term Series 2019 Bonds as shall be necessary to accomplish the purposes of this Section.

(d) *Notice of Redemption.* Notice of any redemption of the Series 2019 Bonds shall be mailed by the Paying Agent, postage prepaid, not less than 20 nor more than 60 days prior to the redemption date (i) by first class mail to the County and the respective Owners thereof at the addresses appearing on the Registration Books, and (ii) as may be further required in accordance with the Continuing Disclosure Certificate.

Each notice of redemption shall state (i) the date of such notice; (ii) the name of the Series 2019 Bonds and the date of issue of the Series 2019 Bonds; (iii) the redemption date; (iv) the redemption price; (v) the series of Series 2019 Bonds and the dates of maturity or maturities of Series 2019 Bonds to be redeemed; (vi) if less than all of the Series 2019 Bonds of a series of any maturity are to be redeemed, the distinctive numbers of the Series 2019 Bonds of each maturity of such series to be redeemed; (vii) in the case of Series 2019 Bonds of a series redeemed in part only, the respective portions of the principal amount of the Series 2019 Bonds of each maturity of such series to be redeemed; (viii) the CUSIP number, if any, of each maturity of Series 2019 Bonds of a series to be redeemed; (ix) a statement that such Series 2019 Bonds must be surrendered by the Owners at the principal corporate trust office of the Paying Agent, or at such other place or places designated by the Paying Agent; (x) notice that further interest on such Series 2019 Bonds will not accrue after the designated redemption date; and (xi) in the case of a conditional notice,

that such notice is conditioned upon certain circumstances and the manner of rescinding such conditional notice.

(e) *Effect of Notice.* A certificate of the Paying Agent that notice of redemption has been given to Owners as herein provided shall be conclusive as against all parties. Neither the failure to receive the notice of redemption as provided in this Section, nor any defect in such notice shall affect the sufficiency of the proceedings for the redemption of the Series 2019 Bonds or the cessation of interest on the date fixed for redemption.

When notice of redemption has been given substantially as provided for herein, and when the redemption price of the Series 2019 Bonds called for redemption is set aside for the purpose as described in subsection (g) of this Section, the Series 2019 Bonds designated for redemption shall become due and payable on the specified redemption date and interest shall cease to accrue thereon as of the redemption date, and upon presentation and surrender of such Series 2019 Bonds at the place specified in the notice of redemption, such Series 2019 Bonds shall be redeemed and paid at the redemption price thereof out of the money provided therefor. The Owners of such Series 2019 Bonds so called for redemption after such redemption date shall be entitled to payment thereof only from the interest and sinking fund or the trust fund established for such purpose. All Series 2019 Bonds redeemed shall be cancelled forthwith by the Paying Agent and shall not be reissued.

(f) *Right to Rescind Notice.* The District may rescind any optional redemption and notice thereof for any reason on any date prior to the date fixed for redemption by causing written notice of the rescission to be given to the owners of the Series 2019 Bonds so called for redemption. Any optional redemption and notice thereof shall be rescinded if for any reason on the date fixed for redemption moneys are not available in the interest and sinking fund or otherwise held in trust for such purpose in an amount sufficient to pay in full on said date the principal of, interest, and any premium due on the Series 2019 Bonds called for redemption. Notice of rescission of redemption shall be given in the same manner in which notice of redemption was originally given. The actual receipt by the owner of any Series 2019 Bond of notice of such rescission shall not be a condition precedent to rescission, and failure to receive such notice or any defect in such notice shall not affect the validity of the rescission.

(g) *Funds for Redemption.* Prior to or on the redemption date of any Series 2019 Bonds there shall be available in the interest and sinking fund of the District, or held in trust for such purpose as provided by law, monies for the purpose and sufficient to redeem, at the redemption prices as in this Resolution provided, the Series 2019 Bonds designated in the notice of redemption. Such monies shall be applied on or after the redemption date solely for payment of principal of, interest and premium, if any, on the Series 2019 Bonds to be redeemed upon presentation and surrender of such Series 2019 Bonds, provided that all monies in the interest and sinking fund of the District shall be used for the purposes established and permitted by law. Any interest due on or prior to the redemption date shall be paid from the interest and sinking fund of the District, unless otherwise provided to be paid from such monies held in trust. If, after all of the Series 2019 Bonds have been redeemed and cancelled or paid and cancelled, there are monies remaining in the interest and sinking fund of the District or otherwise held in trust for the payment of redemption price of the Series 2019 Bonds, the monies shall be held in or returned or transferred to the interest and sinking fund of the District for payment of any outstanding bonds of the District payable from

such fund; provided, however, that if the monies are part of the proceeds of bonds of the District, the monies shall be transferred to the fund created for the payment of principal of and interest on such bonds. If no such bonds of the District are at such time outstanding, the monies shall be transferred to the general fund of the District as provided and permitted by law.

(h) *Defeasance of Bonds.* If at any time the District shall pay or cause to be paid or there shall otherwise be paid to the Owners of any or all of the outstanding Series 2019 Bonds all or any part of the principal, interest and premium, if any, on the Series 2019 Bonds at the times and in the manner provided herein and in the Series 2019 Bonds, or as provided in the following paragraph, or as otherwise provided by law consistent herewith, then such Owners shall cease to be entitled to the obligation of the District and the County as provided in Section 6 hereof, and such obligation and all agreements and covenants of the District and of the County to such Owners hereunder and under the Series 2019 Bonds shall thereupon be satisfied and discharged and shall terminate, except only that the District shall remain liable for payment of all principal, interest and premium, if any, represented by the Series 2019 Bonds, but only out of monies on deposit in the interest and sinking fund or otherwise held in trust for such payment; and provided further, however, that the provisions of subsection (i) of this Section shall apply in all events.

For purposes of this Section, the District may pay and discharge any or all of the Series 2019 Bonds by depositing in trust with the Paying Agent or an escrow agent selected by the District, at or before maturity, money or non-callable direct obligations of the United States of America (including zero interest bearing State and Local Government Series) or other non-callable obligations the payment of the principal of and interest on which is guaranteed by a pledge of the full faith and credit of the United States of America, in an amount which will, together with the interest to accrue thereon and available monies then on deposit in the interest and sinking fund of the District, be fully sufficient to pay and discharge the indebtedness on such Series 2019 Bonds (including all principal, interest and redemption premiums) at or before their respective maturity dates.

(i) *Unclaimed Monies.* Any money held in any fund created pursuant to this Resolution, or by the Paying Agent or an escrow agent in trust, for the payment of the principal of, redemption premium, if any, or interest on the Series 2019 Bonds and remaining unclaimed for two years after the principal of all of the Series 2019 Bonds has become due and payable (whether by maturity or upon prior redemption) shall be transferred to the interest and sinking fund of the District for payment of any outstanding bonds of the District payable from the fund; or, if no such bonds of the District are at such time outstanding, the monies shall be transferred to the general fund of the District as provided and permitted by law.

Section 8. Paying Agent. (a) *Appointment; Payment of Fees and Expenses.* This Board of Education does hereby consent to and confirm the appointment of The Bank of New York Mellon Trust Company, N.A., to act as the initial paying agent for the Series 2019 Bonds. All fees and expenses of the Paying Agent shall be the sole responsibility of the District, and to the extent not paid from the proceeds of sale of the Series 2019 Bonds, or from the interest and sinking fund of the District, insofar as permitted by law, including specifically by Section 15232 of the Education Code, such fees and expenses shall be paid by the District.

(b) *Resignation, Removal and Replacement of Paying Agent.* The Paying Agent initially appointed or any successor Paying Agent may resign from service as Paying Agent and may be removed at any time by the District as provided in the Paying Agent's service agreement. If at any time the Paying Agent shall resign or be removed, the District shall appoint a successor Paying Agent, which shall be the Treasurer of the County, including his or her designated agents, or any bank, trust company, national banking association or other financial institution doing business in and having a corporate trust office in California, with at least \$50,000,000 in net assets.

(c) *Principal Corporate Trust Office.* The initial Paying Agent, and any successor Paying Agent, shall designate each place or places where it will conduct the functions of transfer, registration, exchange, payment, and surrender of the Series 2019 Bonds, and any reference herein to the "principal corporate trust office" of the Paying Agent shall mean the office so designated for a particular purpose, which includes the office of the Treasurer of the County, or the office of his or her designated agents, if the Treasurer of the County is acting in the capacity of Paying Agent. If no office is so designated for a particular purpose, such functions shall be conducted at the office of The Bank of New York Mellon Trust Company, N.A., in Dallas, Texas, or the principal corporate trust office of any successor Paying Agent.

(d) *Registration Books.* The Paying Agent shall keep or cause to be kept at its principal corporate trust office sufficient books for the registration and transfer of the Series 2019 Bonds, which shall at all times be open to inspection by the District and the County, and, upon presentation for such purpose, the Paying Agent shall, under such reasonable regulations as it may prescribe, register or transfer or cause to be registered or transferred on the Registration Books, Series 2019 Bonds as provided in Sections 9 and 10 hereof. The Paying Agent shall keep accurate records of all funds administered by it and of all Series 2019 Bonds paid and discharged by it. Such records shall be provided, upon reasonable request, to the District in a format mutually agreeable to the Paying Agent and the District.

(e) *Merger or Consolidation.* Any bank, national banking association or trust company into which the Paying Agent may be merged or converted or with which it may be consolidated or any bank, national banking association or trust company resulting from any merger, conversion or consolidation to which it shall be a party or any bank, national banking association or trust company to which the Paying Agent may sell or transfer all or substantially all of its corporate trust business, provided such bank, national banking association or trust company shall be eligible under subsection (b) of this Section shall be the successor to such Paying Agent, without the execution or filing of any instrument or any further act, deed or conveyance on the part of any of the parties hereto, anything herein to the contrary notwithstanding.

Section 9. Transfer Under Book-Entry System; Discontinuation of Book-Entry System. (a) *Appointment of Depository; Book-Entry System.* Unless otherwise specified in the Bond Purchase Agreement, DTC is hereby appointed depository for each series of the Series 2019 Bonds and the Series 2019 Bonds shall be issued in book-entry form only, and shall be initially registered in the name of "Cede & Co.," as nominee of DTC. One bond certificate shall be issued for each maturity of each series or subseries of the Series 2019 Bonds; provided, however, that if different CUSIP numbers are assigned to Series 2019 Bonds of a series or subseries maturing in a single year or, if Series 2019 Bonds of the same series or subseries maturing in a single year are issued with different interest rates, additional bond certificates shall be prepared for each such

maturity. Registered ownership of such Series 2019 Bonds of each such maturity, or any portion thereof, may not thereafter be transferred except as provided in this Section or Section 10 hereof:

(i) To any successor of DTC, or its nominee, or to any substitute depository designated pursuant to clause (ii) of this Section (a “substitute depository”); provided, however that any successor of DTC, as nominee of DTC or substitute depository, shall be qualified under any applicable laws to provide the services proposed to be provided by it;

(ii) To any substitute depository not objected to by the District, upon (1) the resignation of DTC or its successor (or any substitute depository or its successor) from its functions as depository, or (2) a determination by the District to substitute another depository for DTC (or its successor) because DTC or its successor (or any substitute depository or its successor) is no longer able to carry out its functions as depository; provided, that any such substitute depository shall be qualified under any applicable laws to provide the services proposed to be provided by it; or

(iii) To any person as provided below, upon (1) the resignation of DTC or its successor (or substitute depository or its successor) from its functions as depository; provided that no substitute depository which is not objected to by the District can be obtained, or (2) a determination by the District that it is in the best interests of the District to remove DTC or its successor (or any substitute depository or its successor) from its functions as depository.

(b) *Transfers.* In the case of any transfer pursuant to clause (i) or clause (ii) of subsection (a) of this Section, upon receipt of the outstanding Series 2019 Bonds by the Paying Agent, together with a written request of the District to the Paying Agent, a new Series 2019 Bond for each maturity shall be executed and delivered (in the aggregate principal amount of such Series 2019 Bonds then outstanding), registered in the name of such successor or such substitute depository, or their nominees, as the case may be, all as specified in such written request of the District. In the case of any transfer pursuant to clause (iii) of subsection (a) of this Section, upon receipt of the outstanding Series 2019 Bonds by the Paying Agent together with a written request of the District to the Paying Agent, new Series 2019 Bonds shall be executed and delivered in such denominations, numbered in the manner determined by the Paying Agent, and registered in the names of such persons, as are requested in such written request of the District, subject to the limitations of Section 5 hereof and the receipt of such a written request of the District, and thereafter, the Series 2019 Bonds shall be transferred pursuant to the provisions set forth in Section 10 hereof; provided, however, that the Paying Agent shall not be required to deliver such new Series 2019 Bonds within a period of less than 60 days after the receipt of any such written request of the District.

(c) *Partial or Advance Refundings.* In the case of partial redemption or an advance refunding of the Series 2019 Bonds evidencing all or a portion of the principal amount then outstanding, DTC shall make an appropriate notation on the Series 2019 Bonds indicating the date and amounts of such reduction in principal.

(d) *Treatment of Registered Owner.* The District and the Paying Agent shall be entitled to treat the person in whose name any Series 2019 Bond is registered as the owner thereof,

notwithstanding any notice to the contrary received by the District or the Paying Agent; and the District and the Paying Agent shall have no responsibility for transmitting payments to, communicating with, notifying, or otherwise dealing with any beneficial owners of the Series 2019 Bonds, and neither the District nor the Paying Agent shall have any responsibility or obligation, legal or otherwise, to the beneficial owners or to any other party, including DTC or its successor (or substitute depository or its successor), except for the Owner of any Series 2019 Bonds.

(e) *Form of Payment.* So long as the outstanding Series 2019 Bonds are registered in the name of Cede & Co. or its registered assigns, the District and the Paying Agent shall cooperate with Cede & Co., as sole registered Owner, or its registered assigns in effecting payment of the principal of and interest on the Series 2019 Bonds by arranging for payment in such manner that funds for such payments are properly identified and are made immediately available on the date they are due.

Section 10. Transfer and Exchange. (a) *Transfer.* Following the termination or removal of DTC or successor depository pursuant to Section 9 hereof, any Series 2019 Bond may, in accordance with its terms, be transferred, upon the Registration Books, by the Owner thereof, in person or by the duly authorized attorney of such Owner, upon surrender of such Series 2019 Bond to the Paying Agent for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Paying Agent.

Whenever any Series 2019 Bond or Series 2019 Bonds shall be surrendered for transfer, the designated District officials shall execute and the Paying Agent shall authenticate and deliver, as provided in Section 4 hereof, a new Series 2019 Bond or Series 2019 Bonds, of the same maturity, Interest Payment Date and interest rate or rates (for a like aggregate principal amount). The Paying Agent may require the payment by any Owner of Series 2019 Bonds requesting any such transfer of any tax or other governmental charge required to be paid with respect to such transfer.

No transfer of any Series 2019 Bond shall be required to be made by the Paying Agent (i) during the period established by the Paying Agent for selection of the Series 2019 Bonds for redemption, and (ii) after any Series 2019 Bond has been selected for redemption.

(b) *Exchange.* The Series 2019 Bonds may be exchanged for Series 2019 Bonds of other authorized denominations of the same maturity, Interest Payment Date and interest rate or rates, by the Owner thereof, in person or by the duly authorized attorney of such Owner, upon surrender of such Series 2019 Bond to the Paying Agent for cancellation, accompanied by delivery of a duly executed request for exchange in a form approved by the Paying Agent.

Whenever any Series 2019 Bond or Series 2019 Bonds shall be surrendered for exchange, the designated District officials shall execute and the Paying Agent shall authenticate and deliver, as provided in Section 4 hereof, a new Series 2019 Bond or Series 2019 Bonds of the same maturity and interest payment mode and interest rate or rates (for a like aggregate principal amount). The Paying Agent may require the payment by the Owner requesting such exchange of any tax or other governmental charge required to be paid with respect to such exchange.

No exchange of any Series 2019 Bonds shall be required to be made by the Paying Agent (i) during the period established by the Paying Agent for selection of the Series 2019 Bonds for redemption, and (ii) after any Series 2019 Bond has been selected for redemption.

Section 11. Bond Purchase Agreement; Sale of Bonds. (a) *Bond Purchase Agreement.* The form of Bond Purchase Agreement, in substantially the form submitted to this meeting and made a part hereof as though set forth herein, is hereby approved, and the Authorized Officers are each hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Bond Purchase Agreement in substantially said form, with such changes, insertions and omissions therein as the Authorized Officer executing the same may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof; provided, however, that (a) the true interest cost for the Series 2019 Bonds shall not be in excess of 5.04%, (b) the interest rates on the Series 2019 Bonds shall not exceed 8.00% per annum, (c) the ratio of total debt service to principal of the Series 2019 Bonds shall not exceed four to one, (d) the Underwriter's discount for the sale of Series 2019 Bonds shall not exceed 0.040% of the principal amount of such Series 2019 Bonds (exclusive of any costs of issuance the Underwriter contracts to pay), and (e) the Series 2019 Bonds shall otherwise conform to the limitations specified herein.

The Bond Purchase Agreement shall recite the aggregate principal amount of the Series 2019 Bonds, and the date thereof, the maturity dates, principal amounts and annual rates of interest of each maturity thereof, the initial and semiannual Interest Payment Dates thereof, and the terms of optional and mandatory sinking fund redemption thereof, if any.

(b) *Method of Sale.* The Board of Education hereby finds and determines that the sale of the Series 2019 Bonds at negotiated sale as contemplated herein and by the Bond Purchase Agreement will provide more flexibility in the timing of the sale, an ability to implement the sale in a shorter time period, an increased ability to structure the Series 2019 Bonds to fit the needs of particular purchasers, and greater opportunity for the Underwriter to pre-market the Series 2019 Bonds to potential purchasers prior to the sale, all of which will contribute to the District's goal of achieving the lowest overall cost of funds.

(c) *Reserves and Capitalized Interest.* In accordance with subsections (i) and (j) of Section 15146 of the Education Code, the Authorized Officers are each hereby authorized to cause to be deposited in the interest and sinking fund of the District proceeds of sale of the Series 2019 Bonds (in addition to any premium or accrued interest received) to fund (i) an annual reserve permitted by Section 15250 of the Education Code, and/or (ii) capitalized interest in an amount not exceeding the interest scheduled to become due on the Series 2019 Bonds for a period of two years from the date of issuance of the Series 2019 Bonds, as shall be set forth in the Bond Purchase Agreement, if any such a deposit is deemed by the Authorized Officer executing the same to be in the best interests of the District.

(d) *Good Faith Estimates.* In accordance with Government Code Section 5852.1 and subsection (b) of Section 15146 of the Education Code, good faith estimates of the following have been obtained from the Municipal Advisor and the Underwriter and are set forth on Exhibit A attached hereto: (a) the true interest cost of the Series 2019 Bonds, (b) the sum of all fees and charges paid to third parties with respect to the Series 2019 Bonds, (c) the amount of proceeds of the Series 2019 Bonds expected to be received net of the fees and charges paid to third parties and

any reserves or capitalized interest paid or funded with proceeds of the Series 2019 Bonds, and (d) the sum total of all debt service payments on the Series 2019 Bonds calculated to the final maturity of the Series 2019 Bonds plus the fees and charges paid to third parties not paid with the proceeds of the Series 2019 Bonds. In accordance with Section 15146(b)(4) of the Education Code, the actual costs associated with the issuance of the Series 2019 Bonds shall be presented to this Board of Education at its next scheduled public meeting following the sale of the Series 2019 Bonds.

(e) *Costs of Issuance.* In accordance with subsection (h) of Section 15146 of the Education Code, to the extent not contracted to be paid by the Underwriter, the Authorized Officers are each hereby authorized to cause to be deposited in a costs of issuance account, which may be held by a bank, national banking association or trust company meeting the qualifications necessary to be a paying agent set forth in Section 8, as cost of issuance administrator, proceeds of sale of the Series 2019 Bonds (exclusive of any premium or accrued interest received) in an amount not exceeding 2.00% of the principal amount of the Series 2019 Bonds sold, as shall be set forth in the Bond Purchase Agreement, for the purposes of paying the costs associated with the issuance of the Series 2019 Bonds.

Section 12. Continuing Disclosure Certificate. The Continuing Disclosure Certificate, in substantially the form submitted to this meeting and made a part hereof as though set forth herein, is hereby approved, and the Authorized Officers are each hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Continuing Disclosure Certificate in substantially said form, as is necessary to cause the requirements of Rule 15c2-12 to be satisfied, with such changes, insertions and omissions as the Authorized Officer executing the same may require or approve, such determination, requirement or approval to be conclusively evidenced by the execution of the Continuing Disclosure Certificate by such Authorized Officer.

Section 13. Preliminary Official Statement. The Preliminary Official Statement to be distributed in connection with the public offering of the Series 2019 Bonds, in substantially the form submitted to this meeting and made a part hereof as though set forth herein, with such changes, insertions and omissions as may be approved by an Authorized Officer, is hereby approved, and the use of such Preliminary Official Statement in connection with the offering and sale of the Series 2019 Bonds is hereby authorized and approved. The Authorized Officers are each hereby authorized to certify on behalf of the District that such Preliminary Official Statement is deemed final as of its date, within the meaning of Rule 15c2-12 (except for the omission of certain final pricing, rating and related information as permitted by Rule 15c2-12).

Section 14. Official Statement. The preparation and delivery of an Official Statement with respect to the Series 2019 Bonds, and its use by the Underwriter in connection with the offering and sale of the Series 2019 Bonds, is hereby authorized and approved. Such Official Statement shall be in substantially the form of the Preliminary Official Statement distributed in connection with the public offering of the Series 2019 Bonds with such changes, insertions and omissions as may be approved by an Authorized Officer, such approval to be conclusively evidenced by the execution and delivery thereof. The Authorized Officers are each hereby authorized and directed, for and in the name of and on behalf of the District, to execute the final Official Statement with respect to the Series 2019 Bonds and any amendment or supplement thereto and thereupon to cause such final Official Statement and any such amendment or supplement to be delivered to the Underwriter.

Section 15. Investment of Proceeds. (a) *Deposit of Proceeds.* As provided in subsection (g) of Section 15146 of the Education Code, (i) the proceeds of the sale of the Series 2019 Bonds, exclusive of any premium or accrued interest received, shall be deposited in the County treasury to the credit of the building fund of the District, (ii) the proceeds deposited in the building fund of the District shall be drawn out as other school moneys are drawn out, and (iii) the bond proceeds withdrawn shall not be applied to any purposes other than those for which the Series 2019 Bonds were issued. In accordance with subsection (g) of Section 15146 of the Education Code, at no time shall the proceeds of the Series 2019 Bonds be withdrawn by the District for investment outside the County treasury. Amounts in the building fund of the District shall be invested so as to be available for the aforementioned disbursements and the District shall keep a written record of such disbursements. Pursuant to subsection (g) of Section 15146 of the Education Code, any premium or accrued interest received by the District from the sale of the Series 2019 Bonds, shall be deposited in the interest and sinking fund of the District.

(b) *Investment of Proceeds.* All funds held in the interest and sinking fund of the District shall be invested at the sole discretion of the Treasurer of the County pursuant to State law, including Government Code Section 53601 *et. seq.*, and the investment policy of the County, as either may be amended or supplemented from time to time. Proceeds of the Series 2019 Bonds held in the building fund of the District shall be invested at the sole discretion of the Treasurer of the County pursuant to State law, including Government Code Section 53601 *et. seq.*, and the investment policy of the County, as either may be amended or supplemented from time to time.

(c) *Investment Agreements.* To the extent permitted by law, at the written request of an Authorized Officer, each of whom is hereby expressly authorized to make such request, all or any portion of the building fund of the District may be invested on behalf of the District, in investment agreements, including guaranteed investment contracts, float contracts or other investment products (collectively, "Investment Agreements"), which comply with the requirements of each rating agency then rating the Series 2019 Bonds necessary in order to maintain the then-current rating on the Series 2019 Bonds. Pursuant to Section 5922 of the Government Code, the Board of Education hereby finds and determines that the Investment Agreements will reduce the amount and duration of interest rate risk with respect to amounts invested pursuant to the Investment Agreements and are designed to reduce the amount or duration of payment, rate, spread or similar risk or result in a lower cost of borrowing when used in combination with the Series 2019 Bonds or enhance the relationship between risk and return with respect to investments of proceeds of the Series 2019 Bonds and funds held to pay the Series 2019 Bonds.

Section 16. Tax Covenants. (a) *General.* The District shall not take any action, or fail to take any action, if such action or failure to take such action would adversely affect the exclusion from gross income of the interest payable on a Tax-Exempt series of Series 2019 Bonds under Section 103 of the Code. Without limiting the generality of the foregoing, the District hereby covenants that it will comply with the requirements of the Tax Certificate to be executed by the District on the date of issuance of each Tax-Exempt series of Series 2019 Bonds. The provisions of this subsection (a) shall survive payment in full or defeasance of the Series 2019 Bonds.

(b) *Yield Restriction.* In the event that at any time the District is of the opinion that for purposes of this Section it is necessary or helpful to restrict or limit the yield on the investment of

any monies held by the Treasurer of the County on behalf of the District, in accordance with this Resolution or pursuant to law, the District shall so request of the Treasurer in writing, and the District shall make its best efforts to ensure that the Treasurer shall take such action as may be necessary in accordance with such instructions.

(c) *Reliance on Opinion of Bond Counsel.* Notwithstanding any provision of this Section, if the District shall provide to the Treasurer of the County an Opinion of Bond Counsel that any specified action required under this Section is no longer required or that some further or different action is required to maintain the exclusion from federal income tax of interest on Series 2019 Bonds not issued as Taxable Bonds under Section 103 of the Code, the Treasurer may conclusively rely on such Opinion of Bond Counsel in complying with the requirements of this Section and of each Tax Certificate with respect to the Series 2019 Bonds not issued as Taxable Bonds, and the covenants hereunder shall be deemed to be modified to that extent.

Section 17. Professional Services. Isom Advisors, a Division of Urban Futures, Inc., shall serve as Municipal Advisor to the District for the Series 2019 Bonds. Orrick, Herrington & Sutcliffe LLP shall serve as bond counsel and disclosure counsel to the District for the Series 2019 Bonds. D.A. Davidson & Co., shall serve as Underwriter for the Series 2019 Bonds.

Section 18. Delegation of Authority. The Authorized Officers are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or advisable in order to consummate the transactions herein authorized and otherwise to carry out, give effect to and comply with the terms and intent of this Resolution, including, without limitation negotiating the terms of the insurance policy, if any, referred to herein.

Section 19. Approval of Actions. All actions heretofore taken by the officers, employees and agents of the District with respect to the transactions set forth above are hereby approved, confirmed and ratified.

Section 20. Debt Management Policy; Notice to California Debt and Investment Advisory Commission. With the passage of this Resolution, the Board of Education hereby certifies that the Debt Management Policy complies with Government Code Section 8855(i), and that the Series 2019 Bonds authorized to be issued pursuant to this Resolution are consistent with such policy, and instructs Bond Counsel, on behalf of the District, with respect to each series of Series 2019 Bonds issued pursuant to this Resolution, (a) to cause notices of the proposed sale and final sale of the Series 2019 Bonds to be filed in a timely manner with the California Debt and Investment Advisory Commission pursuant to Government Code Section 8855, and (b) to check, on behalf of the District, the "Yes" box relating to such certifications in the notice of proposed sale filed pursuant to Government Code Section 8855.

Section 21. Filing with County. The Superintendent, or such other officer or employee of the District as the Superintendent may designate, is hereby authorized and directed to report to the Auditor-Controller of the County the final terms of sale of the Series 2019 Bonds, and to file with the Auditor-Controller and with the Treasurer of the County a copy of the executed Bond Purchase Agreement and this Resolution, and the schedule of amortization of the principal of and payment of interest on the Series 2019 Bonds, and to file with the Treasurer of the County a proposed schedule of draws on the building fund of the District, and this Resolution shall serve as

the notice required to be given by Section 15140(c) of the Education Code and as the District's request to the Auditor-Controller of the County and the Board of Supervisors of the County to propose and adopt in each year a tax rate applicable to all taxable property of the District for payment of the Series 2019 Bonds, pursuant to law; and to the other officers of the County to levy and collect said taxes for the payment of the Series 2019 Bonds, to pay in a timely manner to the Paying Agent on behalf of the Owners of the Series 2019 Bonds the principal, interest, and premium, if any, due on the Series 2019 Bonds in each year, and to create in the County treasury to the credit of the District a building fund and an interest and sinking fund pursuant to Section 15146 of the Education Code.

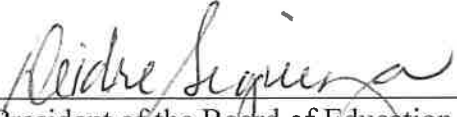
Section 22. Contract with Bondholders. The provisions of this Resolution shall be a contract with each and every owner of Bonds and the duties of the District and of the Board of Education and the officers of the District shall be enforceable by any owner of Bonds by mandamus or other appropriate suit, action or proceeding in any court of competent jurisdiction.

Section 23. Amendments. This Resolution may be modified or amended without the consent of the Owners in order to cure ambiguities or provide clarification, provided that such modification or amendment does not materially adversely affect the rights of owners of Bonds. For any other purpose, this Resolution may be modified or amended only with the consent of the Owners of a majority of the aggregate principal amount of all Series 2019 Bonds then outstanding; provided that any such modification or amendment to Section 6(f) or Section 22 shall require the consent of the owners of a majority of the aggregate principal amount of all Bonds then outstanding. No such modification or amendment shall extend the maturity of, reduce the interest rate or redemption premium on or principal amount of any Series 2019 Bond or reduce the percentage of consent required for amendment hereof without the express consent of all the owners so affected.

Section 24. Indemnification of County. The District shall indemnify and hold harmless, to the extent permitted by law, the County and its officers and employees ("Indemnified Parties"), against any and all losses, claims, damages or liabilities, joint or several, to which such Indemnified Parties may become subject because of action or inaction related to the adoption of any resolution by the Board of Supervisors of the County authorizing the District to issue and sell the Series 2019 Bonds without the further action of the Board of Supervisors pursuant to Sections 15140 and 15146 of the Education Code, as permitted by Section 53508.7 of the Government Code. The District shall also reimburse any such Indemnified Parties for any legal or other expenses incurred in connection with investigating or defending any such claims or actions.

Section 25. Effective Date. This Resolution shall take effect from and after its date of adoption.

PASSED AND ADOPTED this day, January 28, 2019.



President of the Board of Education of the
Martinez Unified School District

ATTEST:



Clerk of the Board of Education of the
Martinez Unified School District

EXHIBIT A

GOOD FAITH ESTIMATES

The good faith estimates set forth herein are provided with respect to the Series 2019 Bonds in compliance with Section 15146(b)(1)(D) of the California Education Code and Section 5852.1 of the California Government Code. Such good faith estimates have been provided to the District by Isom Advisors, a Division of Urban Futures, Inc., as the District's financial advisor under Education Code Section 15146(b)(1)(C) and as Municipal Advisor under Section 15B of the Securities Exchange Act of 1934 (the "Municipal Advisor"), and by D.A. Davidson & Co., the underwriter of the Series 2019 Bonds (the "Underwriter").

Principal Amount. The Municipal Advisor and the Underwriter have informed the District that, based on the District's financing plan and current market conditions, their good faith estimate of the aggregate principal amount of the Series 2019 Bonds to be sold is \$30,000,000 (the "Estimated Principal Amount").

True Interest Cost of the Series 2019 Bonds. The Municipal Advisor and the Underwriter have informed the District that, assuming that the Estimated Principal Amount of the Series 2019 Bonds is sold, and based on market interest rates prevailing at the time of preparation of such estimate, their good faith estimate of the true interest cost of the Series 2019 Bonds, which means the rate necessary to discount the amounts payable on the respective principal and interest payment dates to the purchase price received for the Series 2019 Bonds, is 4.04%.

Finance Charge of the Series 2019 Bonds. The Municipal Advisor and the Underwriter have informed the District that, assuming that the Estimated Principal Amount of the Series 2019 Bonds is sold, and based on market interest rates prevailing at the time of preparation of such estimate, their good faith estimate of the finance charge for the Series 2019 Bonds, which means the sum of all fees and charges paid to third parties (or costs associated with the Series 2019 Bonds), is \$300,000, as follows:

a)	Underwriter's Discount	\$120,000.00
b)	Credit Enhancement	*
c)	Bond Counsel and Disbursements	40,000.00
d)	Disclosure Counsel and Disbursements	20,000.00
e)	Municipal Advisor and Disbursements	72,500.00
f)	Rating Agency	29,000.00
g)	Other Expenses	13,500.00

* A municipal bond insurance policy with respect to the Series 2019 Bonds is not expected to be obtained.

Amount of Proceeds to be Received. The Municipal Advisor and the Underwriter have informed the District that, assuming that the Estimated Principal Amount of the Series 2019 Bonds is sold, and based on market interest rates prevailing at the time of preparation of such estimate, their good faith estimate of the amount of proceeds expected to be received by the District for sale of the Series 2019 Bonds, less the finance charge of the Series 2019 Bonds, as estimated above,

and any reserves or capitalized interest paid or funded with proceeds of the Series 2019 Bonds, is \$29,820,000.

Total Payment Amount. The Municipal Advisor and the Underwriter have informed the District that, assuming that the Estimated Principal Amount of the Series 2019 Bonds is sold, and based on market interest rates prevailing at the time of preparation of such estimate, their good faith estimate of the total payment amount, which means the sum total of all payments the District will make to pay debt service on the Series 2019 Bonds, plus the finance charge for the Series 2019 Bonds, as described above, not paid with the proceeds of the Series 2019 Bonds, calculated to the final maturity of the Series 2019 Bonds, is \$56,758,851.50.

The foregoing estimates constitute good faith estimates only. The actual principal amount of the Series 2019 Bonds issued and sold, the true interest cost thereof, the finance charges thereof, the amount of proceeds received therefrom and total payment amount with respect thereto may differ from such good faith estimates due to (a) the actual date of the sale of the Series 2019 Bonds being different than the date assumed for purposes of such estimates, (b) the actual principal amount of Series 2019 Bonds sold being different from the Estimated Principal Amount, (c) the actual amortization of the Series 2019 Bonds being different than the amortization assumed for purposes of such estimates, (d) the actual market interest rates at the time of sale of the Series 2019 Bonds being different than those estimated for purposes of such estimates, (e) other market conditions, or (f) alterations in the District's financing plan, or a combination of such factors. The actual date of sale of the Series 2019 Bonds and the actual principal amount of Series 2019 Bonds sold will be determined by the District based on the need for project funds and other factors. The actual interest rates borne by the Series 2019 Bonds will depend on market interest rates at the time of sale thereof. The actual amortization of the Series 2019 Bonds will also depend, in part, on market interest rates at the time of sale thereof. Market interest rates are affected by economic and other factors beyond the control of the District. The Board of Education has approved the issuance of the Series 2019 Bonds with a maximum true interest cost of 5.04%.

EXHIBIT B

FORM OF SERIES 2019 BOND

Number R-__	UNITED STATES OF AMERICA STATE OF CALIFORNIA COUNTY OF CONTRA COSTA	Amount \$_____
------------------------------	--	---------------------------------

**MARTINEZ UNIFIED SCHOOL DISTRICT
(CONTRA COSTA COUNTY, CALIFORNIA)
GENERAL OBLIGATION BONDS, ELECTION OF 2016, SERIES 2019**

<u>Maturity Date</u> August 1, 20__	<u>Interest Rate</u> _____%	<u>Dated as of</u> _____, 20__	<u>CUSIP No.</u> 573428 ____
--	--------------------------------	-----------------------------------	---------------------------------

Registered Owner: CEDE & CO.

Principal Amount: _____ DOLLARS

Martinez Unified School District, County of Contra Costa, State of California (the "District"), acknowledges itself obligated to and promises to pay to the Registered Owner identified above or registered assigns, on the Maturity Date set forth above or upon prior redemption hereof, the Principal Amount specified above in lawful money of the United States of America, and to pay interest thereon in like lawful money from the interest payment date next preceding the date of authentication of this Bond (unless this bond is authenticated after the close of business on a Record Date (as defined herein) and on or prior to the succeeding interest payment date, in which event it shall bear interest from such interest payment date, or unless this Bond is authenticated on or before _____ 15, 20__, in which event it shall bear interest from the date hereof) at the Interest Rate per annum stated above, payable commencing on _____ 1, 20__, and thereafter on February 1 and August 1 in each year, until payment of the Principal Amount. This Bond is issued pursuant to a Resolution adopted by the Board of Education of the District on January 28, 2019 (the "Resolution"). Capitalized undefined terms used herein have the meanings ascribed thereto in the Resolution.

The principal hereof is payable to the Registered Owner hereof upon the surrender hereof at the principal corporate trust office of The Bank of New York Mellon Trust Company, N.A., the paying agent/registrar and transfer agent of the District (the "Paying Agent"). The interest hereon is payable to the person whose name appears on the bond registration books of the Paying Agent as the Registered Owner hereof as of the close of business on the 15th day of the month preceding an interest payment date (the "Record Date"), whether or not such day is a business day, such interest to be paid by check or draft mailed to such Registered Owner at the owner's address as it appears on such registration books, or at such other address filed with the Paying Agent for that purpose. Upon written request, given no later than the Record Date immediately preceding an interest payment date, of the owner of bonds aggregating at least \$1,000,000 in principal amount, interest will be paid by wire transfer in immediately available funds to an account maintained in the United States as specified by the Registered Owner in such request. So long as Cede & Co. or

its registered assigns shall be the Registered Owner of this Bond, payment shall be made in immediately available funds as provided in the Resolution hereinafter described.

This Bond is one of a duly authorized issue of bonds of like tenor (except for such variations, if any, as may be required to designate varying series, numbers, denominations, interest rates, interest payment modes, maturities and redemption provisions), in the aggregate principal amount of \$_____, and designated as “Martinez Unified School District (Contra Costa County, California) General Obligation Bonds, Election of 2016, Series 2019” (the “Bonds”). The Bonds were authorized by a vote of at least 55% percent of the voters voting at an election duly and legally called, held and conducted in the District on November 8, 2016. The Bonds are issued and sold by the Board of Education of the District pursuant to and in strict conformity with the provisions of the Constitution and laws of the State, and of the Resolution, and subject to the more particular terms specified in the Bond Purchase Agreement, dated _____, 2019 (the “Bond Purchase Agreement”), by and between the District and D.A. Davidson & Co., as underwriter.

The Bonds are issuable as fully registered bonds without coupons in the denomination of \$5,000 principal amount or any integral multiple thereof, provided that no Bond shall have principal maturing on more than one principal maturity date. Subject to the limitations and conditions and upon payment of the charges, if any, as provided in the Resolution, Bonds may be exchanged for a like aggregate principal amount of Bonds of the same tenor, interest payment mode, and maturity of other authorized denominations.

This Bond is transferable by the Registered Owner hereof, in person or by attorney duly authorized in writing, at the principal corporate trust office of the Paying Agent, but only in the manner, subject to the limitations and upon payment of the charges provided in the Resolution, and upon surrender and cancellation of this Bond. Upon such transfer, a new Bond or Bonds of authorized denomination or denominations of the same tenor, interest payment mode, and same aggregate principal amount will be issued to the transferee in exchange herefor.

The District and the Paying Agent may treat the registered owner hereof as the absolute owner hereof for all purposes, and the District and the Paying Agent shall not be affected by any notice to the contrary.

[The Bonds are subject to optional and mandatory sinking fund redemption on the terms and subject to the conditions specified in the Resolution and the Bond Purchase Agreement. If this Bond is called for redemption and payment is duly provided therefor, interest shall cease to accrue hereon from and after the date fixed for redemption.]

The Board of Education of the District hereby certifies and declares that the total amount of indebtedness of the District, including the amount of this Bond, is within the limit provided by law; that all acts, conditions and things required by law to be done or performed precedent to and in the issuance of this Bond have been done and performed in strict conformity with the laws authorizing the issuance of this Bond; and that this Bond is in substantially the form prescribed by order of the Board of Education duly made and entered on its minutes. The Bonds represent an obligation payable out of the interest and sinking fund of the District, and the money for the payment of principal of, premium, if any, and interest hereon, shall be raised by taxation upon the taxable property of the District.

Unless this Bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the Paying Agent for registration of transfer, exchange, or payment, and any Bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the Registered Owner hereof, Cede & Co., has an interest herein.

This Bond shall not be entitled to any benefit under the Resolution, or become valid or obligatory for any purpose, until the certificate of authentication and registration hereon endorsed shall have been signed by the Paying Agent.

IN WITNESS WHEREOF, the Board of Education of the Martinez Unified School District, County of Contra Costa, State of California, has caused this bond to be signed by its President and countersigned by the Clerk of said Board, as of the date set forth above.

President of the Board of Education of the
Martinez Unified School District

Countersigned:

Clerk of the Board of Education of the
Martinez Unified School District

CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This is one of the Bonds described in the within-mentioned Resolution and authenticated and registered on _____.

**THE BANK OF NEW YORK MELLON
TRUST COMPANY, N.A., AS PAYING
AGENT**

By: _____
Authorized Officer

ASSIGNMENT

For value received the undersigned do(es) hereby sell, assign and transfer unto _____ the within-mentioned Bond and hereby irrevocably constitute(s) and appoint(s) _____ attorney, to transfer the same on the books of the Paying Agent with full power of substitution in the premises.

I.D. Number

Note: The signature(s) on this Assignment must correspond with the name(s) as written on the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.

Dated: _____

Signature Guarantee: _____

Note: Signature must be guaranteed by an eligible guarantor institution.

CLERK'S CERTIFICATE

I, Jonathan Wright, Clerk of the Board of Education of the Martinez Unified School District, County of Contra Costa, California, hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Board of Education of said District duly and regularly held at the regular meeting place thereof on January 28, 2019, and entered in the minutes thereof, of which meeting all of the members of the Board of Education had due notice and at which a quorum thereof was present, and that at said meeting the resolution was adopted by the following vote:

AYES: Fuller, Horack, McLaughlin, Siguenza

NOES: None

ABSTAIN: None

ABSENT: Wright

An agenda of the meeting was posted at least 72 hours before the meeting at 921 Susana Street, Martinez, California, a location freely accessible to members of the public, and a brief description of the resolution appeared on the agenda.

I further certify that I have carefully compared the same with the original minutes of said meeting on file and of record in my office; the foregoing resolution is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and that said resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

Dated: January 29, 2019



Clerk of the Board of Education of
Martinez Unified School District



Contra
Costa
County

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: February 12, 2019

Subject: Fish and Wildlife Committee 2018 Annual Report

RECOMMENDATION(S):

ACCEPT the Contra Costa County Fish and Wildlife Committee 2018 Annual Report, as recommended by the Fish and Wildlife Committee.

FISCAL IMPACT:

None.

BACKGROUND:

On June 18, 2002, the Board of Supervisors adopted Resolution No. 2002/377, which requires that each regular and ongoing board, commission, or committee report annually to the Board of Supervisors. The attached report presented for Board consideration was approved by the Fish and Wildlife Committee on January 16, 2019.

CONSEQUENCE OF NEGATIVE ACTION:

The annual reporting requirement to the Board of Supervisors would not be fulfilled.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/12/2019 ☒ 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: February 12, 2019

Contact: Maureen Parkes (925)
674-7831

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

By: , Deputy

cc:

ATTACHMENTS

2018 Fish and Wildlife Committee Annual
Report

Advisory Body Name: Contra Costa County Fish and Wildlife Committee

Advisory Body Meeting Time/Location: 3rd Wednesday of the month, 6 meetings per year, 3 – 5 pm
2475 Waterbird Way County Public Works Department Road Maintenance Division lunch room

Chair: Daniel Pellegrini

Staff: Maureen Parkes

Reporting Period: January 2018 – December 2018

1. Activities and Accomplishments: The Fish and Wildlife Committee (FWC) implemented a pilot program reducing the number of FWC meetings from 12 to 6 annually. They met five times to discuss matters related to fish and wildlife issues in Contra Costa County (CCC). The Committee ran a grant program that expends the Fish and Wildlife Propagation Funds (funds that are collected by the CA Department of Fish and Wildlife for code violations). The Committee also hosted an annual Fall Forum to raise awareness among people working in law enforcement, environmental restoration, education and outreach about fish and wildlife issues.

Grant Program: The Committee received 10 proposals requesting Fish and Wildlife Propagation Fund grant funds during the regular grant cycle and one out-of-cycle grant request. The Committee reviewed the proposals, interviewed applicants and selected all eleven proposals for full or partial funding totaling \$109,167 to recommend to the Board of Supervisors. Grant awards ranged from \$1,030 to \$23,135.00. The Committee reviewed progress and final reports from previous grant cycles and extended invitations to grantees to give presentations.

Outreach: 1) The Committee hosted the annual Fall Forum on September 13th, which was open to the public and encouraged people involved in fish and wildlife law enforcement issues in CCC to attend. Invited attendees included representatives of the California Department of Fish and Wildlife, Sheriff's Department, District Attorney's Office, Superior Court, Public Defender's Office, the East Bay Regional Park District Police, the Board of Supervisors and members of the public. Participants have indicated that the Fall Forums have been helpful in raising awareness and fostering cooperation on fish and wildlife issues and law enforcement. Approximately 100 people attended the event. 2) Distributed Wildlife in Your Backyard brochure. 3) Updated website.

Volunteer Activities: Several members volunteered in the community with other organizations that are interested in fish and wildlife issues. Rhonda Gehlke – California Water Environment Association - San Francisco Bay Section Communications Committee, Aquarium in the Classroom Program and Director of the Delta Science Center; Susan Heckly - Lindsay Wildlife Experience, CCC Master Gardener, International Wildlife Rehabilitation Council and the FWC representative on the CCC Integrated Pest Management Advisory Committee; Kathleen Jennings - Co-chair of the Peyton Slough Wetlands Advisory Committee; Danny Pellegrini - Contra Costa Mosquito and Vector Control District Board of Trustees - Secretary, Sheriff's Posse of CCC (Barbeque Captain) and the Martinez Sportsmen's Club; Heather Rosmarin – Friends of Pleasant Hill Creeks.

Committee members were regularly updated on activities related to fish and wildlife in CCC which included four presentations and updates by guest speakers and grant recipients. The presentations and updates are listed below:

- Update on the California Waterfix project. (Ryan Hernandez, CCC Department of Conservation and Development)
- Update on the activities of the Contra Costa County Integrated Pest Management Advisory Committee. (Tanya Drlik, CCC Health Services Department)
- Presentation on the Point Isabel/Hoffman Marsh Restoration project. (Jane and Tom Kelly, Greens at Work)
- Presentation on the impacts of introducing high quality native bee habitat in Brentwood farms. (Professor Gordon Frankie, University of California, Berkeley)

2. Attendance/Representation The FWC is composed of ten members. Each Supervisor appoints a member and the Internal Operations Committee appoints four At-large members and one At-large Alternate. As of the writing of this annual report, the FWC met five times at which a quorum was always present. The members were: Judy Bendix (D-I), Susan Heckly (D-II), Clark Dawson (D-III), Brett Morris (D-IV), Daniel Pellegrini (D-V), Rhonda Gehlke (At-large), Kathleen Jennings (At-large), Jeff Skinner (At-large), Heather Rosmarin (At-large), and Dawn Manley (At-large Alternate). Dawn Manley resigned in July 2018 and Nicole Kozicki was appointed to the At-large Alternate seat on October 16, 2018.

3. Training/Certification Committee members were regularly updated on activities related to fish and wildlife in CCC which included four presentations/updates from guest speakers and grant applicants (see Activities/ Accomplishments). All members have viewed the required videos: "The Brown Act and Better Government Ordinance – What You Need to Know as a Commission, Board or Committee Member" and "Ethics Orientation for County Officials." Certifications are on file for all of the members.

4. Proposed Work Plan/Objectives for Next Year

(1) FWC Operations:

- Develop and refine Work Plan (working document).
- Maintain FWC membership by advertising vacancies and forwarding applications to the Internal Operations Committee.
- Seek to coordinate with other Fish and Wildlife Committees on regional matters.
- Coordinate with the Contra Costa Watershed Forum.

(2) Make recommendations to the Board of Supervisors via the Internal Operations Committee for the appropriation of funds from the Fish and Wildlife Propagation Fund to support fish and wildlife projects in the community:

- Conduct grant program to solicit proposals, evaluate their relative merits, and recommend funding for projects which will contribute most to the fish and wildlife resources of the County.
- Develop and advertise FWC grant program by: 1) Reviewing past Request for Proposals (RFP), funding applications; and 2) Developing new RFP, funding application deadline, and funding priorities; and 3) posting to the County website, distributing these materials to the media, the FWC mailing list and RFP mailing list, and to anyone who requests them.
- Work with agencies, organizations, and individuals to help them plan and develop projects suitable for support from the Fish and Wildlife Propagation Fund.
- Monitor the efficiency and effectiveness of the grant disbursement process.
- Review funding applications received. Make recommendations to the Board of Supervisors via the Internal Operations Committee for the awarding of grants.
- Follow-up on projects that receive funding to assure that projects proceed as proposed. One way the FWC will do this is to extend invitations to prior Fish and Wildlife Propagation Fund Grant recipients to future meetings to give status reports, outcomes and presentations regarding their projects.
- Send out a letter to grant recipients requesting project status reports.

(3) FWC priorities for 2018/2019:

- Make recommendations to the Board to approve Fish and Wildlife Propagation Fund grant applications for projects that increase collaboration with law enforcement agencies, the court, and community cultural organizations on enforcement issues and increase education focusing on communities that may be unaware of local fish and game laws.
- Provide public forum opportunities for open discussion on wildlife issues that affect CCC residents and impact natural resources in our County, increase outreach efforts and provide advisory updates to Board of Supervisors as needed.
- Disseminate “Wildlife in Your Backyard” booklet and develop other projects for involvement of the FWC and the community in CCC.
- Update website with information on invasive species and a list of awarded Fish and Wildlife Propagation Fund grants.

(4) FWC projects (develop and prioritize a list of projects for potential FWC involvement; select projects for FWC involvement and provided appropriate support, including: initiation, planning, consultation, and/or funding):

- Make recommendations to the Board on awarding Certificates of Appreciation for significant contributions to the fish and wildlife resources of the County.
- Consider hosting a forum about wildlife.
- Consider supporting the Sixth Quadrennial Contra Costa County Creek and Watershed Symposium

(5) Improve enforcement of fish and game laws and regulations; increase flow of money into the Fish and Wildlife Propagation Fund:

- Review status reports on Fish and Game Code enforcement in the County. Consider advising the Board on trends.
- Help assure that, when appropriate, a portion of fines from violations of laws designed to protect fish and wildlife resources is deposited in the Fish and Wildlife Propagation Fund. Promote awareness of the harm caused by violation of fish and wildlife regulations and the value of enforcement.
- Host a Fall Forum with law enforcement officials (CA Dept. of Fish and Wildlife, Sheriff’s Dept., District Attorney’s Office, Superior Court, Public Defender’s Office, the East Bay Regional Park District Police) to discuss fish and wildlife issues and enforcement.

(6) Monitor and advise the Board on projects that may affect fish and wildlife resources in the County:

- Attend field trips to see major restoration projects and prior Fish and Wildlife Propagation Fund Grant recipients’ projects in the County.
- Consider tours of East CCC Habitat Conservancy properties, Marsh Creek Fish Ladder, Walnut Creek Drop Structure, Dow Wetlands and Chelsea Wetlands at Pinole.

(7) Develop policy recommendations (“white papers”) on fish and wildlife issues:

- Discuss impacts of invasive species.
- Discuss wildlife and human interaction / interface.
- Discuss public education on reducing the impact of free-roaming cats on wildlife.
- Discuss the California WaterFix and proposal for water conveyance tunnels.



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: February 12, 2019

Subject: Resolution in Support of a Statewide Commission on Recycling Markets

RECOMMENDATION(S):

ADOPT Resolution No. 2019/34 in support of establishing a statewide commission on recycling markets.

FISCAL IMPACT:

Approval of the recommended resolution will not have a direct impact on County funds.

BACKGROUND:

Under the Integrated Waste Management Act of 1989 (AB 939), cities and counties were required to divert 50 percent of all solid waste out of the landfill by January 1, 2000 through source reduction, recycling, and composting activities. AB 341 was later passed establishing a statewide goal that not less than 75 percent of solid waste generated be source-reduced, recycled, or composted by the year 2020.

Local governments have helped California make significant progress towards these goals over recent years. However, recent changes in China's trade import policies have significantly disrupted California's recycling industry by restricting foreign imports of recyclable materials and requiring reduced contamination levels in recycling streams. These policy changes, collectively referred to as "National Sword", will ultimately close off Chinese and Asian markets to importation of California's recyclables completely by 2020. These markets have served as the foundation for California's recycling system as the

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Deidra Dingman
(925)674-7825

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

export of recyclable materials is a key component of California's recycling infrastructure. Significant market disruptions for recyclable materials have a direct impact on California's local governments and our ability to meet state-mandated recycling goals. Since the change in China's policy, materials are piling up in local waste facilities across the state with no place to go. This has caused slowdowns in waste processing of other materials, an increased risk to public health, and an increase in the likelihood of State fines and penalties.

In addition to these challenging goals, local governments across California will soon have to comply with new state regulations for organic waste processing and diversion. SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. Infrastructure required to implement these regulations is expected to cost billions of dollars. As a result, local government resource recovery and waste management operations are facing several significant infrastructure challenges over the next several years.

In order to help address this issue, the California State Association of Counties (CSAC) is urging counties to adopt a resolution supporting the creation of a statewide commission to address these significant recycling market challenges. The resolution calls for including representatives from local governments on the commission to help recommend solutions to our declining markets for recyclable materials. If approved, this resolution would be submitted to the Governor's Office to help bring attention to this critical issue and support CSAC's letter requesting the formation of this commission.

CONSEQUENCE OF NEGATIVE ACTION:

If the resolution is not approved, the County would not join with other counties and the California State Association of Counties to support the establishment of a statewide commission on recycling markets.

ATTACHMENTS

Resolution 2019/34

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

Adopted this Resolution on 02/12/2019 by the following vote:

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



Resolution No. 2019/34

SUPPORT THE ESTABLISHMENT OF A STATEWIDE COMMISSION ON RECYCLING MARKETS

WHEREAS, counties are leaders and critical partners in California's leading sustainability efforts; and

WHEREAS, China recently enacted strict mixed paper and plastic contamination limits and import bans, which are collectively referred to as "National Sword"; and

WHEREAS, China has declared its intent to ban all recyclable material imports by 2020; and

WHEREAS, exporting recyclable materials to foreign markets is a key component of California's recycling infrastructure; and

WHEREAS, "National Sword" policy changes in China has led to the decline of other international markets for recyclables, and subsequent stockpiles of unsold materials at California solid waste and recycling facilities; and

WHEREAS, California recycling policy relies on robust international markets to purchase and process the millions of tons of recyclable waste it produces each year; and

WHEREAS, stockpiled paper and plastic materials in California's solid waste and recycling facilities is causing slowdowns in processing of other waste materials and is creating significant public health risks; and

WHEREAS, local governments across California will soon have to comply with additional state regulations for organic waste diversion and processing. SB 1383 (Chapters 395, 2016) establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. Infrastructure required to implement these regulations is expected to cost billions of dollars; and

WHEREAS, these increased diversion requirements added to recent changes to international policies and a declining global market value for recyclables, has resulted in an issue of statewide concern for the resource recovery industry, local governments, and Californians;

NOW, THEREFORE, BE IT RESOLVED that the County of Contra Costa calls for the Governor to establish a statewide Commission to address these significant challenges to our recycling markets; and

BE IT FURTHER RESOLVED that the Commission should comprise State, local and industry representatives with the task of making recommendations for solutions to our declining markets for recyclable materials, while continuing to emphasize the need to divert materials from our landfills; and

BE IT FURTHER RESOLVED that the Commission should examine potential solutions including, but not limited to, the development of international and domestic markets, updated compliance standards in this new economic environment, ways to increase source reduction, and any other means that will alleviate the growing public health and environmental crisis while still allowing California to meet its goals for a sustainable future.

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

ATTESTED: February 12, 2019

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

Contact: Deidra Dingman (925)674-7825

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Clarification of Board Order Item #C.80 with Regents of the University of California, UCSF

RECOMMENDATION(S):

APPROVE clarification of Board action of January 15, 2019, (C.80) which authorized the Health Services Director to execute Amendment Agreement #26-758-5 with the Regents of the University of California, on behalf of the University of California San Francisco (UCSF), to correct the amendment effective date from December 31, 2018, to reflect the intent of the parties in which the effective date should be December 1, 2018.

FISCAL IMPACT:

This contract is funded 100% by Hospital Enterprise Fund I.

BACKGROUND:

On January 15, 2019, the Board of Supervisors approved Amendment Agreement #26-758-5 with UCSF to allow additional physicians to provide remote neurology and consultation services for Contra Costa Regional Medical Center and Health Centers with no change in the Payment Limit of \$480,000 or term of January 1, 2018 through December 31, 2020.

The purpose of this Board Order is to correct the amendment effective date to reflect the intent of the parties in which the effective date should be December 1, 2018 instead of December 31, 2018.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Samir Shah, M.D.
925-370-5525

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

By: , Deputy

cc: Marcy Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this correction is not approved, the effective date of additional physicians would providing remote neurology and consultation services would be incorrect.



Contra
Costa
County

To: Board of Supervisors
From: Sharon L. Anderson, County Counsel
Date: February 12, 2019

Subject: Conflict of Interest Code Amendment for the Public Works Department

RECOMMENDATION(S):

APPROVE amended Conflict of Interest Code for the Public Works Department, including the list of designated positions.

FISCAL IMPACT:

None.

BACKGROUND:

The Public Works Department has amended its Conflict of Interest Code and submitted the revised code, attached as Exhibit A, to the Board of Supervisors for approval pursuant to Government Code sections 87306 and 87306.5.

The changes include an updated list of positions designated to file conflict of interest statements.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Cynthia Schwerin, Deputy County Counsel, (925) 335-1800

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

By: , Deputy

cc: David Twa, Clerk of the Board of Supervisors, Cynthia Schwerin, Deputy County Counsel, Brian Balbas, Public Works Director

BACKGROUND: (CONT'D)

These changes will ensure that the Conflict of Interest Code accurately reflects the current positions and organizational structure in use by the Public Works Department. A strike-out version of the list of designated positions for the Conflict of Interest Code is attached as Exhibit B.

CONSEQUENCE OF NEGATIVE ACTION:

Code will not be accurate.

ATTACHMENTS

Exhibit A - Public Works Department COI Code

Exhibit B - Public Works Department COI Code REDLINED

Adopted by Comptroller
on 12/21/18

Incorporation Page

Public Works Department

CONFLICT OF INTEREST CODE

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices A & B designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the Public Works Department (Department).

Individuals holding designated positions shall file their statements of economic interests with the Department, which will make the statements available for public inspection and reproduction (Gov. Code Sec. 81008). All statements will be retained by the Department.

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.)

§ 18730. Provisions of Conflict of Interest Codes.

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Section 87300 or the amendment of a conflict of interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Sections 87200, et seq.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

(C) The filing officer is the same for both agencies.¹

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories

are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.²

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1. If a person reports for military service as defined in the Servicemember's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following his or her return to office, provided the person, or someone authorized to represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that he or she is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of his or her military status.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

1. A statement of the nature of the investment or interest;

2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;

3. The address or other precise location of the real property;

4. A statement whether the fair market value of the investment or interest in real property equals or exceeds \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

(B) Personal Income Disclosure. When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating \$500 or more in value, or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was \$1,000 or less, greater than \$1,000, greater than \$10,000, or greater than \$100,000;

3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

(D) This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$470.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$470 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected

officer has been elected or over which that elected officer's agency has direction and control.

This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.

2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans from a person which, in the aggregate, do not exceed \$500 at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of \$500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.

2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

a. The date the loan was made.

b. The date the last payment of \$100 or more was made on the loan.

c. The date upon which the debtor has made payments on the loan aggregating to less than \$250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.

2. A loan that would otherwise not be a gift as defined in this title.

3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.

4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth \$2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth \$2,000 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating \$500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$470 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be

made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value \$1,000 or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

¹ Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Section 81004.

² See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

³ For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

⁴ Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

⁵ A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

⁶ Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.

HISTORY

1. New section filed 4-2-80 as an emergency; effective upon filing (Register 80, No. 14).
Certificate of Compliance included.
2. Editorial correction (Register 80, No. 29).
3. Amendment of subsection (b) filed 1-9-81; effective thirtieth day thereafter (Register 81, No. 2).
4. Amendment of subsection (b)(7)(B)1. filed 1-26-83; effective thirtieth day thereafter (Register 83, No. 5).
5. Amendment of subsection (b)(7)(A) filed 11-10-83; effective thirtieth day thereafter (Register 83, No. 46).
6. Amendment filed 4-13-87; operative 5-13-87 (Register 87, No. 16).
7. Amendment of subsection (b) filed 10-21-88; operative 11-20-88 (Register 88, No. 46).
8. Amendment of subsections (b)(8)(A) and (b)(8)(B) and numerous editorial changes filed 8-28-90; operative 9-27-90 (Reg. 90, No. 42).

9. Amendment of subsections (b)(3), (b)(8) and renumbering of following subsections and amendment of Note filed 8-7-92; operative 9-7-92 (Register 92, No. 32).
10. Amendment of subsection (b)(5.5) and new subsections (b)(5.5)(A)-(A)(2) filed 2-4-93; operative 2-4-93 (Register 93, No. 6).
11. Change without regulatory effect adopting Conflict of Interest Code for California Mental Health Planning Council filed 11-22-93 pursuant to title 1, section 100, California Code of Regulations (Register 93, No. 48). Approved by Fair Political Practices Commission 9-21-93.
12. Change without regulatory effect redesignating Conflict of Interest Code for California Mental Health Planning Council as chapter 62, section 55100 filed 1-4-94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No. 1).
13. Editorial correction adding History 11 and 12 and deleting duplicate section number (Register 94, No. 17).
14. Amendment of subsection (b)(8), designation of subsection (b)(8)(A), new subsection (b)(8)(B), and amendment of subsections (b)(8.1)-(b)(8.1)(B), (b)(9)(E) and Note filed 3-14-95; operative 3-14-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 11).
15. Editorial correction inserting inadvertently omitted language in footnote 4 (Register 96, No. 13).
16. Amendment of subsections (b)(8)(A)-(B) and (b)(8.1)(A), repealer of subsection (b)(8.1)(B), and amendment of subsection (b)(12) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).
17. Amendment of subsections (b)(8.1) and (9)(E) filed 4-9-97; operative 4-9-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 15).

18. Amendment of subsections (b)(7)(B)5., new subsections (b)(8.2)-(b)(8.4)(C) and amendment of Note filed 8-24-98; operative 8-24-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 35).

19. Editorial correction of subsection (a) (Register 98, No. 47).

20. Amendment of subsections (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 5-11-99; operative 5-11-99 pursuant to Government Code section 11343.4(d) (Register 99, No. 20).

21. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-6-2000; operative 1-1-2001 pursuant to the 1974 version of Government Code section 11380.2 and Title 2, California Code of Regulations, section 18312(d) and (e) (Register 2000, No. 49).

22. Amendment of subsections (b)(3) and (b)(10) filed 1-10-2001; operative 2-1-2001.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 2).

23. Amendment of subsections (b)(7)(A)4., (b)(7)(B)1.-2., (b)(8.2)(E)3., (b)(9)(A)-(C) and footnote 4. filed 2-13-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 7).

24. Amendment of subsections (b)(8.1)-(b)(8.1)(A) filed 1-16-2003; operative 1-1-2003.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District,

nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2003, No. 3).

25. Editorial correction of History 24 (Register 2003, No. 12).

26. Editorial correction removing extraneous phrase in subsection (b)(9.5)(B) (Register 2004, No. 33).

27. Amendment of subsections (b)(2)-(3), (b)(3)(C), (b)(6)(C), (b)(8.1)-(b)(8.1)(A), (b)(9)(E) and (b)(11)-(12) filed 1-4-2005; operative 1-1-2005 pursuant to Government Code section 11343.4 (Register 2005, No. 1).

28. Amendment of subsection (b)(7)(A)4. filed 10-11-2005; operative 11-10-2005 (Register 2005, No. 41).

29. Amendment of subsections (a), (b)(1), (b)(3), (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 12-18-2006; operative 1-1-2007. Submitted to OAL pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2006, No. 51).

30. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 10-31-2008; operative 11-30-2008. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2008, No. 44).

31. Amendment of section heading and section filed 11-15-2010; operative 12-15-2010. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of*

Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2010, No. 47).

32. Amendment of section heading and subsections (a)-(b)(1), (b)(3)-(4), (b)(5)(C), (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) and amendment of footnote 1 filed 1-8-2013; operative 2-7-2013.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2013, No. 2).

33. Amendment of subsections (b)(8.1)-(b)(8.1)(A), (b)(8.2)(E)3. and (b)(9)(E) filed 12-15-2014; operative 1-1-2015 pursuant to section 18312(e)(1)(A), title 2, California Code of Regulations.

Submitted to OAL for filing and printing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2014, No. 51).

34. Redesignation of portions of subsection (b)(8)(A) as new subsections (b)(8)(B)-(D), amendment of subsections (b)(8.1)-(b)(8.1)(A), redesignation of portions of subsection (b)(8.1)(A) as new subsections (b)(8.1)(B)-(C) and amendment of subsection (b)(9)(E) filed 12-1-2016; operative 12-31-2016 pursuant to Cal. Code Regs. tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision,

April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2016, No. 49).

EXHIBIT A

CONFLICT OF INTEREST – DESIGNATED POSITIONS

Public Works:

Disclosure Category:

Accountant III	All
Administrative Services Assistant II	All
Administrative Services Assistant III.....	All
Airport Business and Development Manager	All
Assistant County Surveyor	All
Assistant Director of Airports	All
Assistant Facilities Maintenance Manager	All
Assistant Real Property Agent	All
Associate Capital Facilities Project Manager	All
Associate Civil Engineer.....	All
Associate Real Property Agent	All
Buyer I.....	All
Buyer II	All
Chief Deputy Public Works Director.....	All
County Surveyor.....	All
Custodial & Recycle Services Manager.....	All
Custodial Services Manager	All
Departmental HR Analyst I.....	All
Departmental HR Analyst II	All
Departmental Personnel Officer.....	All
Deputy Public Works Director.....	All
Director of Airports.....	All
Energy Manager	All
Engineer (Journey and Project).....	All
Engineering Technician (Journey Level and above).....	All
Engineering Technician Supervisor – Construction	All
Engineering Technician Supervisor – Land Surveyor	All
Environmental Analyst I	All
Environmental Analyst II.....	All
Environmental Analyst III.....	All
Facilities Maintenance Manager	All
Facilities Supervisor.....	All
Fleet Equipment Specialist	All
Fleet Manager	All
Fleet Service Center Supervisor.....	All
Grounds Maintenance Supervisor.....	All
Information Systems Programmer/Analyst II	All
Information Systems Programmer/Analyst III	All
Information Systems Project Manager	All
Lead Carpenter.....	All
Lead Electrician	All
Lead Electronic Systems Specialist	All
Lead Fleet Technician.....	All

Lead Materials Technician.....	All
Lead Painter	All
Lead Stationary Engineer.....	All
Lead Steamfitter.....	All
Materiel Manager.....	All
Network Manager	All
Print and Mail Services Manager.....	All
Principal Environmental Analyst.....	All
Principal Real Property Agent	All
Public Works Chief of Fiscal Services	All
Public Works Director	All
Public Works Field Operations Manager.....	All
Public Works Maintenance Supervisor.....	All
Purchasing Services Manager	All
Senior Buyer	All
Senior Capital Facilities Project Manager	All
Senior Civil Engineer.....	All
Senior Hydrologist	All
Senior Land Surveyor.....	All
Senior Real Property Agent	All
Senior Watershed Management Planning Specialist	All
Stormwater Program Manager	All
Supervising Accountant	All
Supervising Capital Facilities Project Manager.....	All
Supervising Civil Engineer	All
Supervising Real Property Agent.....	All
Vegetation Management Supervisor	All
Watershed Management Planning Specialist.....	All
*Consultants.....	All

*The Department Head may determine that a particular consultant is hired to perform a range that is limited in scope and thus is not required to fully comply with the disclosure requirements in this code. The Department Head may make a determination on a case-by-case basis what disclosure, if any, is required for any particular consultant.

EXHIBIT B

Disclosure Category

General Rule

An investment, interest in real property, or income is reportable if the business entity in which the investment is held, the interest in real property, or the income or source of income may foreseeably be affected materially by a decision made or participated in by the designated employee by virtue of the employee's position.

(a) All investments, interests in real property, income and any business entity in which the person is a director, officer, partner, trustee, employee, or holds any position of management. Financial interests are reportable only if located within Contra Costa County, or if the business entity is doing business or planning to do business in the County (and such plans are known by the designated employee) or has done business within the County at any time during the two years prior to the filing of the Statement.

(b) Investments in any business entity, and income from any source and status as a director, officer, partner, trustee, employee, or holder of a position of management in any business entity which has within the last two years contracted, or foreseeably may contract, with Contra Costa County or the Public Works Department or any associated special district to provide services, supplies, materials, machinery, or equipment to the County or Public Works Department or any of the associated special districts.

EXHIBIT A

CONFLICT OF INTEREST – DESIGNATED POSITIONS

Public Works:

Disclosure Category:

*Accountant III	All
Administrative Services Officer.....	1 & 2
Administrative Services Assistant II.....	All
Administrative Services Assistant III.....	All
*Airport Business and Development Manager	All
Assistant County Surveyor	All
Assistant Director of Airports	All
*Assistant Facilities Maintenance Manager	All
Assistant Real Property Agent	All
*Associate Capital Facilities Project Manager	All
Associate Civil Engineer.....	All
*Associate Real Property Agent	All
*Buyer I.....	All
*Buyer II	All
*Chief Deputy Public Works Director	All
County Surveyor.....	All
*Custodial & Recycle Services Manager.....	All
*Custodial Services Manager	All
*Departmental HR Analyst I.....	All
*Departmental HR Analyst II	All
*Departmental Personnel Officer.....	All
Deputy Public Works Director.....	All
Director of Airports.....	All
*Energy Manager	All
Engineer (Journey and Project).....	All
Engineering Technician (Journey Level and above).....	All
Engineering Technician Supervisor – Construction	All
Engineering Technician Supervisor – Land Surveyor	All
Engineering Technician Supervisor – M & T Lab.....	All
Environmental Planner.....	All
*Environmental Analyst I	All
*Environmental Analyst II.....	All
*Environmental Analyst III.....	All
*Facilities Maintenance Manager	All
*Facilities Supervisor.....	All
*Fleet Equipment Specialist	All
*Fleet Manager	All
*Fleet Service Center Supervisor.....	All
*Grounds Maintenance Supervisor.....	All
*Information Systems Programmer/Analyst II	All
*Information Systems Programmer/Analyst III	All
*Information Systems Project Manager.....	All
*Lead Carpenter.....	All

*Lead Electrician	All
*Lead Electronic Systems Specialist	All
*Lead Fleet Technician	All
*Lead Materials Technician	All
*Lead Painter	All
*Lead Stationary Engineer	All
*Lead Steamfitter	All
*Materiel Manager	All
*Network Manager	All
*Print and Mail Services Manager	All
*Principal Environmental Analyst	All
Principal Real Property Agent	All
Public Works Chief of Administrative Services	All
*Public Works Chief of Fiscal Services	All
Public Works Director	All
Public Works Field Operations Manager	All
Public Works Maintenance Coordinator	All
Public Works Maintenance Superintendent	All
Public Works Maintenance Supervisor	All
*Purchasing Services Manager	All
*Senior Buyer	All
*Senior Capital Facilities Project Manager	All
Senior Civil Engineer	All
Senior Hydrologist	All
Senior Land Surveyor	All
Senior Real Property Agent	All
*Senior Watershed Management Planning Specialist	All
*Stormwater Program Manager	All
Stormwater Pollution Control Manager	All
Stormwater Pollution Control Planning Specialist	All
*Supervising Accountant	All
*Supervising Capital Facilities Project Manager	All
Supervising Civil Engineer	All
Supervising Real Property Agent	All
Vegetation Management Supervisor	All
*Watershed Management Planning Specialist	All
*Consultants	All

*The Department Head may determine that a particular consultant is hired to perform a range that is limited in scope and thus is not required to fully comply with the disclosure requirements in this code. The Department Head may make a determination on a case-by-case basis what disclosure, if any, is required for any particular consultant.

***Added positions**

CR:kh

G:\Admin\Confidential\Conflict of Interest (Form 700)\2019\Exhibit A revised 2018 redlined version.doc

Revised: December 2018



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: February 12, 2019

Subject: In-Home Supportive Services Public Authority Advisory Committee Report

RECOMMENDATION(S):

ACCEPT the 2018 In-Home Supportive Services Public Authority Advisory Committee Annual Report as recommended by the Employment and Human Services Department Director.

FISCAL IMPACT:

There is no fiscal impact.

BACKGROUND:

On June 18, 2002, the Contra Costa County Board of Supervisors adopted Resolution No. 2002/377 requiring each regular ongoing board, commission, and committee shall annually report to the Board of Supervisors on its activities, accomplishments, membership, attendance, required training and certification programs, and proposed work activities for the following year. The requirement is addressed by the In-Home Supportive Services Public Authority Committee in the attached report.

CONSEQUENCE OF NEGATIVE ACTION:

The annual report will not be accepted.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Elaine Burres,
608-4960

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

By: , Deputy

cc: Jami Napier, Chief Assistant Clerk of the Board

ATTACHMENTS

IHSS Public Authority Advisory Committee Report
2018

Annual Report to the Contra Costa County Board of Supervisors

Name: Contra Costa County In-Home Supportive Services Public Authority
Advisory Committee

Meeting: 1:00 to 3:00 on the third Tuesday of every month (except August & December)
500 Ellinwood Way, Pleasant Hill

Chair: Sydney Anderson

Staff: Elizabeth Dondi – Executive Director
Lorena Orellana – Program Manager
Beatriz Salgado, Secretary – Advanced Level

Report Period: January 2018 – December 2018

Prepared by: Sydney Anderson, Chair
Elizabeth Dondi, Executive Director

I. ACTIVITIES

Provider and Consumer Training

Through collaboration with the Health, Safety and Education Sub-Committee, consumer and provider educational and training sessions were conducted by Public Authority Registry/Training Specialists throughout the year in East, Central and West County.

Topics presented included:

- Alzheimer's and Dementia
- Grief and Mental Health
- CPR/First Aid

Rapid Response Program

This program refers providers to IHSS consumers who are unexpectedly without their regular provider. The Rapid Response Sub-Committee has continued to monitor this program. The Program, which provides services through a contracted home care agency, has allowed the most in need and eligible consumers to obtain the assistance they need and remain safely in their homes. This program was started in July 2017. In 2017 the number of calls received was 127. 78 calls were eligible for service and were filled. For calendar year 2018, 405 calls were received and 259 calls were eligible for service and were filled. When a call does not meet the criteria for this program, Registry staff works with the consumer or consumer's family to assist them to access the care they need through referral from the Registry.

II. ACCOMPLISHMENTS

Communication and Networking/Community Involvement

The Advisory Committee Chair Sydney Anderson facilitates the East County Resource and Networking Group where speakers present program information and various topics regarding older adults. She also is an active member of the East County Senior Coalition which holds events to inform and educate older adults. Ms. Anderson attended the Senior Injury Prevention Conference and a Mental Health for Seniors training in March 2018 and September 2018 respectively. She also attended an IHSS New Provider

Orientation so as to have a better understanding of the information IHSS providers receive at these orientations. Pertinent information from these events was shared with the committee.

Member John Roe attended a training on Community Emergency Response conducted by San Ramon Fire Department.

Advisory Committee members alternated in attending the CICA (California In-Home Supportive Service Consumer Alliance) monthly call meetings in order to keep abreast of IHSS issues. Summaries of the meetings were shared with the committee.

The Advisory Committee, through the Nominating Sub-Committee, interviewed and recommended for appointment to the Board of Supervisors one candidate for a vacancy on the Public Authority Advisory Committee. The candidate was approved and appointed.

III. ATTENDANCE/REPRESENTATION

State Law, regulations and County Ordinance specify an eleven-member Advisory Committee appointed by the Board of Supervisors. No fewer than fifty percent of the members shall be individuals who are current or past users of personal assistance services paid for through public or private funds or are consumers of In-Home Supportive Services. As of December 2018 four of the members meet these criteria.

Attendance at general meetings and sub-committees has been good. Currently there are two vacancies on the Advisory Committee: consumer 60 years or older seat 1 and 2. We are actively recruiting to fill these vacancies. The vacancies are posted on the Public Authority web page; the Registry staff are involved in recruiting as they interact with consumers; recruitment flyers are available at Public Authority front desk and individual members are passing the word around.

IV. TRAINING/CERTIFICATION

This year Advisory Committee members received training or attended presentations on the following topics:

- Ethics
- AB 1234 Mandatory Advisory Body Requirement (every two years)
- Caregiving Support
- Dementia
- CPR/First Aid

V. PROPOSED WORK PLAN

- Recruit for and fill the vacancies on the Advisory Committee
- Continue to work with staff on trainings for providers and consumers
- Participate in monthly CICA meetings
- Reach out to other IHSS Public Authority advisory committees for best practices
- Continue to monitor East Bay transit agencies and advocate when necessary for improvement to ridership experience for persons with disabilities
- Continue to monitor state and federal legislation and grants which impact IHSS
- Explore additional training opportunities for Advisory Committee members



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: February 12, 2019

Subject: Area Agency on Aging 2018-19 Area Plan Update

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to submit the Contra Costa County Area Agency on Aging 2018-2019 Area Plan Update to the California Department on Aging and AUTHORIZE the Chair, Board of Supervisors to sign the Transmittal Letter.

FISCAL IMPACT:

There is no fiscal impact.

BACKGROUND:

Contra Costa County Area Agency on Aging (AAA) provides services to older residents of the County. AAA continues to provide through contracts, congregate meals, legal assistance, in-home supportive services registry, adult day care, errand and escort services, transportation, Alzheimer's day care, resource center services, respite registry, Brown Bag food services, and senior companion programs. In addition, AAA directly provides information and assistance, disease prevention and health promotion information services, and delivers the Health Insurance Counseling and Advocacy Program (HICAP).

Under California Code of Regulations, Title 22 section 7304, the Plan Update reports on expenditures

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Elaine Burres
608-4960

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

under: Title IIID for Disease Prevention and Health Promotion programs; Title(s) IIIB and VIIA for Long Term Care/Ombudsman programs; and, Title VII for Elder Abuse Prevention programs.

CONSEQUENCE OF NEGATIVE ACTION:

Without submission of the Area Agency on Aging 2018-19 Area Plan Update, County would be out of compliance with the California Department of Aging funding requirements.

ATTACHMENTS

Area Plan Update 2018-2019

Area Plan Update Transmittal Letter 2018-2019

Contra Costa County



Area Agency on Aging 2018-2019 Area Plan Update

PSA #07

Submitted by

Laura Cepoi

Program Manager, Area Agency on Aging
Employment and Human Services Department
Contra Costa County

Table of Contents

Overview	3
Area Plan Update (APU) Checklist: <i>Submit with APUs due 5/1/17, 5/1/18, 5/1/19</i>	5
Section 2: Description of the Planning and Service Area (PSA)	6
Section 7: Public Hearings	11
Section 9: Area Plan Narrative Goals and Objectives	13
• Title IIID Disease Prevention and Health Promotion	
• Title IIIB/IIIA Long-Term Care (LTC) Ombudsman	
• Title VII Elder Abuse Prevention	
Section 10: Service Unit Plan (SUP) Objectives	24
Section 16: Governing Board	45
Section 17: Advisory Council	46
Section 18: Legal Assistance	49
Section 21: Organization Chart	53

Overview

The mission of the Contra Costa County Area Agency on Aging is specified in the Older Americans Act of 1965, renewed in 2016, as well as the Older Californians Act. These Acts were established with the intent to insure the delivery of adequate levels of support social, health, and nutrition services to older adults with particular attention to targeting those who are most vulnerable and in danger of losing their independence.

This Annual Plan Update reflects the second update to the master strategic plan 2016-2020. As we work through the plan, we also review the responsiveness of the Area Plan to emerging community need. As an example, after the North Bay fires exposed the vulnerability of older adults in the community, our Advisory Council on Aging (ACOA) Transportation work groups took the lead to work with first responders in Contra Costa to develop a forum on emergency preparedness.

Not only do we seek to inform our legislators and communities but we seek to inform ourselves to stay up-to-date on those issues which have the most impact on our community. It is a privilege to work with volunteers and community based organizations who are truly committed to making a difference in how we can plan socially just and age inclusive services in Contra Costa County and the State.

All planned programs and services are contingent upon the availability of funds from all sources. They are also contingent upon need, this year we have discontinued funding for the registry program as it is met by private providers and there was no response to the RFP for this service. At the time of preparation of this document for review and approval the planning estimates for FY 2018-2019 have not been released by California Department of Aging.

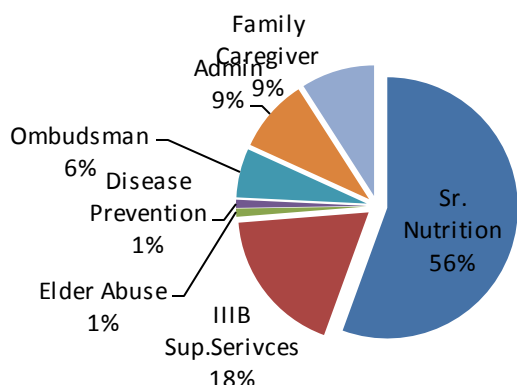
Mission Statement

• • •

To provide leadership in addressing issues that relate to Older Californians, to develop community based systems of care that provide services which support independence within California's interdependent society, and which protect the quality of life of older adults and persons with functional impairments, and to promote citizen involvement in the planning and delivery of services.

Contracted Services

2018 OAA Budget Expenditures



IIB Support Services

Legal Services
Adult Day Health Care
Friendly Visiting
Home Chore Registry
Disease Prevention

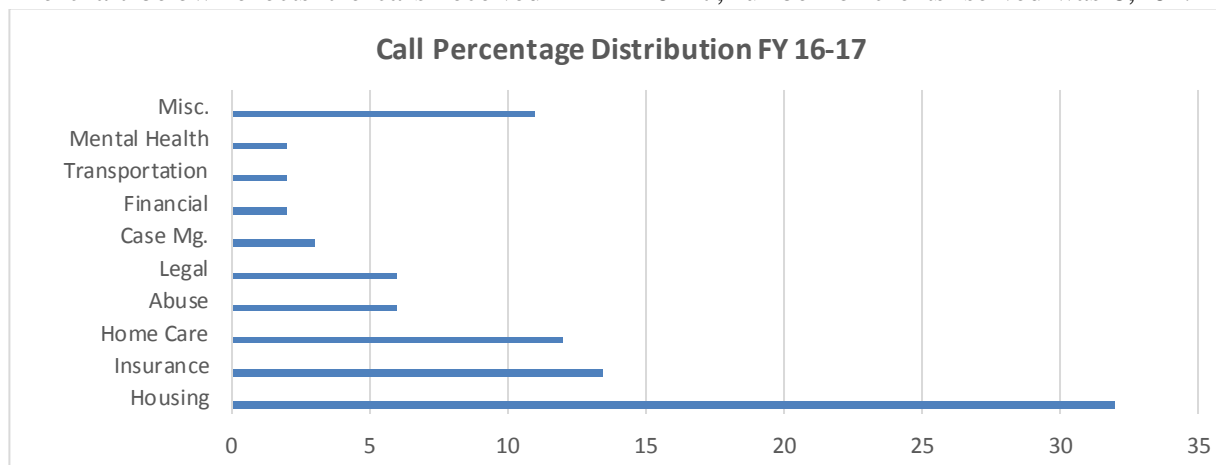
Fall Prevention
SNAP

Direct Services

Information and Assistance Program (I&A):

Social workers provide information, referrals to resources, follow-up calls, and support in problem solving to seniors age 60 and older, for adults with disabilities, caregivers and concerned family members. This year the program expanded into an integrated call center and is now able to take IHSS applications and provide initial screening for APS calls. A Senior Resource Directory was published and distributed, demand exhausted the 10,000 copies within a few weeks. At times comprehensive assessments are conducted when multiple services may be required. Staff also participate in community events to disseminate information and help seniors, disabled adults, and caregivers access a wide range of community based services (with an emphasis on housing).

The chart below reflects the calls received in FY 16-17, number of clients served was 8,164.



Health Insurance Counseling and Advocacy Program (HICAP)

Counseling and advocacy are provided to Medicare beneficiaries regarding Medicare problems through the efforts of highly skilled volunteers and professional staff. Services include assistance in choosing appropriate health insurance and prescription drug coverage, including Medicare Supplemental Insurance (also known as Medigap policies), Medicare Advantage plans (in Contra Costa County these are HMO networks), long-term care insurance, and help with medical billings, claims and Medicare appeals. This program faced a 25% budget reduction in December 2017.

Senior Community Service Employment Program (SCSEP)

A Title V funded program administered by the Department of Labor, federally funded through a grant from the National Asian Pacific Center on Aging, the county received the grant from new contractor in 2017. The program has 50 training slots in various non-profit and governmental host agencies in clerical, administrative, landscaping, food service and custodial job sectors. Program serves individuals 55+ who are veterans, homeless, disabled or facing extreme poverty. Currently there is a waitlist of over 100 people for this program.

AREA PLAN UPDATE (APU) CHECKLISTPSA 7 **Check one:** ☐ FY 17-18 ☒ FY 18-19 ☐ FY 19-20

Use for APUs only

AP Guidance Section	APU Components (To be attached to the APU)	Check if Included
	➤ Update/Submit A) through I) ANNUALLY:	
<u>n/a</u>	A) Transmittal Letter- <i>(requires hard copy with original ink signatures or official signature stamp-no photocopies)will be mailed separately upon receipt of Board approval.</i>	<input type="checkbox"/>
<u>n/a</u>	B) APU- <i>(submit entire APU electronically only)</i>	<input checked="" type="checkbox"/>
<u>2, 3, or 4</u>	C) Estimate- of the number of lower income minority older individuals in the PSA for the coming year	<input checked="" type="checkbox"/>
<u>7</u>	D) Public Hearings- that will be conducted	<input checked="" type="checkbox"/>
<u>n/a</u>	E) Annual Budget	<input type="checkbox"/>
<u>9</u>	F) Title IIIB/VIIA Long-Term Care Ombudsman Objectives	<input checked="" type="checkbox"/>
<u>9</u>	G) Title VIIA Elder Abuse Prevention Objectives	<input checked="" type="checkbox"/>
<u>10</u>	H) Service Unit Plan (SUP) Objectives and LTC Ombudsman Program Outcomes	<input checked="" type="checkbox"/>
<u>18</u>	I) Legal Assistance	<input checked="" type="checkbox"/>
	➤ Update/Submit the following only if there has been a CHANGE or the section was not included in the 2016-2020 Area Plan:	<div> Mark Changed/Not Changed (C or N/C) </div> <div> <input type="checkbox"/> C <input type="checkbox"/> N/C </div>
<u>5</u>	<u>Minimum Percentage/Adequate Proportion</u>	<input type="checkbox"/> <input checked="" type="checkbox"/>
<u>5</u>	<u>Needs Assessment</u>	<input type="checkbox"/> <input checked="" type="checkbox"/>
<u>9</u>	<u>AP Narrative Objectives:</u>	
<u>9</u>	• <u>System-Building and Administration</u>	<input type="checkbox"/> <input checked="" type="checkbox"/>
<u>9</u>	• <u>Title IIIB-Funded Programs</u>	<input checked="" type="checkbox"/> <input type="checkbox"/>
<u>9</u>	• <u>Title IIIB-Transportation</u>	<input type="checkbox"/> <input checked="" type="checkbox"/>
<u>9</u>	• <u>Title IIIB-Funded Program Development/Coordination (PD or C)</u>	<input checked="" type="checkbox"/> <input type="checkbox"/>
<u>9</u>	• <u>Title IIIC-1</u>	<input type="checkbox"/> <input checked="" type="checkbox"/>
<u>9</u>	• <u>Title IIIC-2</u>	<input type="checkbox"/> <input checked="" type="checkbox"/>
<u>9</u>	• <u>Title IIID</u>	<input type="checkbox"/> <input checked="" type="checkbox"/>
<u>20</u>	• <u>Title IIIE-Family Caregiver Support Program</u>	<input type="checkbox"/> <input checked="" type="checkbox"/>
<u>9</u>	• <u>Title V-SCSEP Program</u>	<input type="checkbox"/> <input checked="" type="checkbox"/>
<u>9</u>	• <u>HICAP Program</u>	<input type="checkbox"/> <input checked="" type="checkbox"/>
<u>12</u>	<u>Disaster Preparedness</u>	<input type="checkbox"/> <input checked="" type="checkbox"/>
<u>14</u>	<u>Notice of Intent-to Provide Direct Services</u>	<input type="checkbox"/> <input checked="" type="checkbox"/>
<u>15</u>	<u>Request for Approval-to Provide Direct Services</u>	<input type="checkbox"/> <input checked="" type="checkbox"/>
<u>16</u>	<u>Governing Board</u>	<input checked="" type="checkbox"/> <input type="checkbox"/>
<u>17</u>	<u>Advisory Council</u>	<input checked="" type="checkbox"/> <input type="checkbox"/>
<u>21</u>	<u>Organizational Chart(s)</u>	<input type="checkbox"/> <input checked="" type="checkbox"/>

SECTION 2. DESCRIPTION OF THE PLANNING AND SERVICE AREA (PSA)

Planning and Service Area (PSA) 7 is comprised of Contra Costa County (CCC) in its entirety. Contra Costa County is considered to be one of the nine San Francisco Bay Area counties, and ranks as the third most populous in the region, behind Santa Clara and Alameda Counties.

Physical setting

Contra Costa County has 19 incorporated cities. It is spread over 750 square miles, bordered by San Francisco Bay to the West, San Pablo Bay and the Sacramento River Delta to the North, San Joaquin County to the East and Alameda County to the South. Hills effectively divide the county into three distinct regions, which mirror how social, health, and other services are predominantly structured: East, West, and Central County. Central County is sometimes further delineated by “South County” to cover the communities of Danville, San Ramon and Alamo. Central County is the most affluent region of the county.

The portions of the county bordering water are where the heaviest industries are located, including several oil refineries and chemical plants along the Bay and Delta areas. The most inland areas are where the most rural portions of the county remain, although these areas have been greatly reduced. Areas along major freeways, particularly in Central County, make up the areas where major business parks and commercial centers are located.

Eastern Contra Costa County has been the part of the county with the most growth in housing. Open farmland and orchards have been replaced with new housing tracts. Cities have grown tremendously over the last decade in East Contra Costa County. East County cities include: Pittsburg, Antioch, Oakley, Brentwood and the unincorporated areas of Bethel Island in the Delta, Knightsen, Byron, and Discovery Bay. Only Knightsen continues to be classified as a rural community. Oakley, a city with 35,000 residents, was incorporated only 17 years ago on July 1, 1999.

Central Contra Costa County is a predominantly suburban area with a mixture of housing, commercial and financial centers.

Central County cities include: Lafayette, Orinda, Moraga, Walnut Creek, Concord, Clayton, Pleasant Hill, Martinez, Danville, San Ramon, Alamo and the unincorporated areas of Canyon, Clyde, and Rheem. Central County rests in a valley between hills and service organizations sometimes refer to Central County or as the Diablo Valley area. This is because Mt. Diablo is the major feature of the natural environment in Central County.

Located in Central County, Concord is the most populous city in the county with 127,522 residents (2014). It was recently named one of the 10 best places in the world to retire by Conde Nast Traveler magazine. The magazine touted Concord’s excellent health care facilities, free community activities throughout the year, access to the Bay Area Rapid Transit (BART) system, and proximity to San Francisco.

West County is the most urbanized section of the county with the City of Richmond as its largest city. It is not unusual for West County residents to seek services in the Northern Alameda County cities of Berkeley and Oakland. West County cities include: El Cerrito, Richmond, San Pablo, Pinole, Hercules and the unincorporated areas of El Sobrante, Rodeo, Crockett, Port Costa and Kensington.

Concord Reuse Project Plan

The Concord Naval Weapons Station closed in 2005, which led to a drawn-out process to convert the 5,000 acres of land to civilian use. In 2012, the Concord Reuse Project Plan was adopted that calls for building 12,272 housing units and 6.1 million square feet of commercial space on the former military base. About 25% of the new homes will be affordable housing for low-income families, seniors, veterans, people with disabilities, and homeless. About 3,500 acres of land will be preserved as open space or parkland. This plan promises to create a new vibrant and pedestrian-friendly community clustered around the North Concord BART station with a mix of townhomes, apartments, shops, schools, and other amenities. At time of this writing, the City of Concord has plans underway to select “master developers” for the first phase of development.

Demographic Characteristics

According to recent estimates, Contra Costa County's population was 1,135,127 residents. There were 215,999 residents aged 60 or older, which was 19% of the total population of the County. (US Census Bureau ;, 2011-2015)

Race/Ethnicity

Overall only 45% of Contra Costa County is White (non-Hispanic/Latino). African Americans represent 9.6%, Asian represents 16.8% and Hispanic/Latino 25.3% of the population. However, residents aged 65 and older are more likely to be White; 65% of the senior population. Contra Costa County has 433,433 residents of color, and 50,857 seniors of color.

In the overall population, the county is 45% White, 25% Hispanic/Latino, 15% Asian American, 3% "other," 2% two or more races, and less than 1% are Native American/Hawaiian. In the aged 65 and older population, the county is 65% White, 11% Hispanic/Latino, 15% Asian American, 7% Black, 3% "other", 2% two or more races, and less than 1% are Native American/Hawaiian.

Gender

Women outnumbered men in the senior population. Women comprised 57% of the senior population, as opposed to 51% in the County as a whole.

Marital Status

For Contra Costa County residents aged 65 and older, 58% are married, 21% are widowed, 15% are divorced, 5% are never married, and 1% are separated.

Disability

11% of Contra Costa County residents have at least one disability, or 121,675 residents. 51,596 residents aged 65 and older are disabled, representing 33% of all seniors.

Veterans

25,857 Contra Costa County residents aged 65 and older are military veterans, 18% of all seniors in the county.

Education

Contra Costa residents aged 65 and older are well educated. 39% have a bachelor's degree or higher, 30% have some college or an associate's degree, 21% have a high school degree/GED, and 11% have no high school degree.

Immigration and Language

74% (839,494) of Contra Costa residents aged 65 and older were born in the US, while 26% (41,558) were born outside of the US. 8,852 seniors are not US citizens, representing 6% of all Contra Costa seniors.

74% of Contra Costa seniors speak English only, while 26% speak a language other than English. 23,375 seniors speak English less than "very well," which is 15% of all seniors.

Living with Grandkids

13,267 Contra Costa residents aged 65 and older live with grandchildren, representing 8% of all seniors. 2,211 seniors are responsible for at least 1 grandchild, representing almost 2% of all seniors.

Employment

27,482 seniors are employed and another 1,737 were unemployed but looking for work. This represents 18% of all seniors. Seniors represented 6% of civilian labor force in the county. 82% of seniors were not in the labor force.

Rising Cost of Housing

Despite attention focused on a real estate boom and bust cycle in Contra Costa, the county has one of the lowest residential vacancy rates in Bay Area.

The average monthly rent in Contra Costa County has risen from just over \$1,100 per month in 2005 up to almost \$1,400 in 2013.

Some of the biggest increases in housing costs in the Bay Area are in Contra Costa. From 2010 to 2014, home prices in the City of Richmond saw a 96% increase (from \$151,500 to \$308,500), unincorporated Contra Costa (from \$182,000 to \$547,000) and Pittsburg (from \$120,000 to \$305,000).

Data Source: Association of Bay Area Government (ABAG) San Francisco Bay Area State of the Region: Economy, Population, Housing 2015

Income

41% of senior households reported earnings, with a mean of \$78,059 earned per year. 86% of senior households received Social Security income, averaging \$20,869 per year. 6% of senior households received Supplemental Security Income, averaging \$8,624 per year. 1% of seniors received cash public assistance income, averaging \$4,276 per year. 51% of seniors had retirement income, averaging \$38,580 per year. 4% received CalFresh benefits.

Poverty

9,325 Contra Costa County residents aged 65 and older were in poverty, representing 6% of all seniors, defined by being below 100% of the Federal Poverty Level (FPL). An additional 13,054 seniors were between 100% and 150% of the Federal Poverty Level, which is 8% of all seniors. In total, 14% of Contra Costa seniors were below 150% of the Federal Poverty Level.

Housing

Contra Costa seniors have relatively stable housing. 94% live in the same house/domicile as they did 1 year previous.

80% of Contra Costa seniors were in owner occupied housing, while 20% were in rental housing. The average household size was about 2 residents.

Housing costs were high for Contra Costa seniors. In owner-occupied households, 30% of households had housing costs totaling 30% or more of their monthly income. Rental costs were even higher relative to

income. 64% of seniors who lived in rentals spent more than 30% of their income on housing.

The median housing costs for owners with no mortgage was \$528 per month, for owners with a mortgage was \$1,910 per month, and for renters was \$1,140 per month.

Homelessness

Nearly 6,000 individuals experienced at least one episode of homelessness in 2014-2015 Fiscal Year (Contra Costa Council on Homelessness 2014-2015 Fiscal Year Annual Report). While the Point in Time (PIT) Count conducted by Contra Costa Council on Homelessness identified 3,715 individuals were homeless on January 28, 2016. Of these individuals, 20% are aged 55 or older and 7% are 62 and older.

Medicare and MediCal

Latest data showed that 181,880 Contra Costa residents are enrolled in Medicare and Medicare Advantage and other health plans (Centers for Medicare & Medicaid Services, Feb. 2016).

31,038 Contra Costa residents aged 60 and older are Medi-Cal eligible (California Department on Aging Demographic Projections, 2016).

Economic Security

Public assistance programs such as Supplemental Security Income (SSI) and those that provide low-cost or free housing, health care, and food are commonly “means tested,” meaning that only residents who are below certain income and wealth thresholds are eligible. However, these programs use the same threshold – 100% of the

Federal Poverty Level—around the entire United States despite widely varying costs of living. In areas with a high cost of living, like Contra Costa County, this can leave many seniors economically insecure, with not enough resources to meet basic needs, but ineligible for additional aid.

The UCLA Center for Health Policy Research and the Insight Center for Community Economic Development established the Elder Index to provide an evidence-based indicator of the actual basic costs faced by older adults. The Elder Index takes into account the local costs of basic expenses, including housing, food, medical care, and transportation at the county level. The Elder Index is not a single number, but created for singles and couples, and for homeowners with a mortgage, without a mortgage, and renters.

Regional Population Forecast

San Francisco Bay Area's population is expected to grow from 7.1 million in 2010 to 7.6 million residents in 2015 to a projected 9.5 million residents in 2040.

The senior population in the Bay Area is expected to grow from 885,000 residents in 2010 to 2.1 million residents in 2040. Seniors represented 12% of the Bay Area's population in 2010, but are expected to reach 22% of the population in 2040.

More than half of the growth of the Bay Area's population is due to increases in the number of residents aged 65 years and older. The population of residents aged 65 years and older is expected to more than double, increasing 140 percent.

The Bay Area will become even more ethnically diverse in 2040. The senior population will also be more diverse by 2040. However, in 2040, residents aged 65 years and older will be the only age group in which non-Hispanic Whites make up over 50% of the age group population.

Data Source: Association of Bay Area Government (ABAG) Regional Forecast for Plan Bay Area 2040

In 2011, for a single renter living alone in Contra Costa County, the Federal Poverty Guideline is only \$10,890 per year. However, the Elder Index for meeting basic needs is more than twice that level, \$26,249 per year.

Using the Elder Index, it was determined that 48,000 seniors in Contra Costa do not have enough income to meet their basic needs, representing 42% of all seniors in the county. However, only 5% were below the Federal Poverty Level, leaving 36% of seniors who are struggling to meet basic needs but ineligible for many assistance programs.

Women living alone are the most likely to be economically insecure. More than half of women living alone in Contra Costa County are economically insecure according to the Elder Index. More than twice as many women living alone are economically insecure than the other seniors: men living alone, men in 2 person households, or even women in 2 person households.

Economic insecurity in Contra Costa County is also related to race. While almost 40% of White households are economically insecure, 75% of African American and 99% of Hispanic/Latino households are economically insecure. According to the data collected in the Get Care report, of those who used registered services and reported on their race, 799 users were white/non-Hispanic and low income; Minority low income users numbered 1,714. It should be noted that participants have the choice to decline to state race on application for services and we are finding that up to 50% of respondents exercise their right to "refuse to respond" on questions of income and race.

Senior Population Growth

The senior population in Contra Costa County will grow significantly over the next two decades and become more racially and ethnically diverse. The California Department of Finance projects that the population will grow from 1,051,553 residents in 2010 to 1,400,999 residents in 2040, an increase of 33%. By 2060, Contra Costa County is projected to have 1,620,604 residents, an increase of 54% from 2010.

In 2010, seniors aged 65 and older represented 13% of the County population. That will rise to 23% of the county's population in 2040. The number of seniors aged 65 and older will grow from 131,689 in 2010 to 317,592

in 2040. More than half of the growth in population of Contra Costa County in the coming decades will be due to the growth in the senior population. (53% of growth from 2010 to 2040, also 53% of growth from 2015 to 2040)

The sub-population aged 75 and older will grow from 6% in 2010 to 13% of the County population in 2040. This is a rise from 60,104 residents in 2010 to 173,178 in 2040.

Resources and Constraints

In previous sections, we've established that Contra Costa County's senior population is growing rapidly due to the aging of Baby Boomers, 42% of the county's seniors do not have enough income to meet their basic needs (Elder Index, 2011), and 64% of seniors who lived in rentals spent more than 30% of their income on housing costs (American Community Survey, 2014). Taken all together, the needs of seniors are great in Contra Costa County and the demand for services to help them age with dignity and in their homes will continue to grow.

Despite the growing need, funding levels for aging services such as nutrition, support services, and caregiver supports have not kept pace with demand or with inflation.

Currently, the primary funding the AAA has to address the needs of seniors comes from the federal government through the Older Americans Act, with State and local County match. The latest reauthorization of the Older Americans Act keeps core programs such as home delivered and congregate meals, family caregiver supports, health promotion, and support services intact. It will also aim to address elder abuse--calling for improved training on elder abuse prevention and screening for those working in the aging field.

While funding is expected to increase slightly with the latest reauthorization of the Older Americans Act, the resources available to serve Contra Costa seniors remain limited. In the meantime, the Older Californians Act continues to exist largely as an unfunded statute. Recent efforts to restore state funding to the support programs such as nutrition, Alzheimer's day care centers, and caregiver supports have been unsuccessful.

To develop additional revenue and enhance services, the AAA is currently assessing plans to leverage funding from the Older Americans Act with existing funding sources within our umbrella organization, Employment and Human Services Department (EHSD). In particular, we will be working more closely with the Adult Protective Services (APS) and In-Home Supportive Services (IHSS) programs to coordinate and streamline services to better prevent and protect seniors from abuse, and ensure that low-income and disabled seniors have reliable care to live safely and independently in their homes. Together, we also aim to strengthen our Information and Assistance (I&A) service, a telephonic program that serves as Contra Costa County's main point of entry for access to information on aging and disability services.

In addition, the AAA was awarded a grant to continue administration of the Senior Community Service Employment Program (SCSEP). Authorized by Title V of the Older Americans Act, SCSEP provides subsidized, service-based training for low-income persons 55 or older who are unemployed. The program is supported by a grant from National Asian Pacific Center on Aging with funding originating from the Department of Labor. The AAA is partnering with America's Job Centers of California (AJCC) to ensure that SCSEP is an integral part of their "one-stop" employment and training services system. With in-kind support from the AJCCs, SCSEP have offices in three AJCC sites throughout the county. Maintaining SCSEP gives the AAA another resource to help seniors obtain employment and improve their economic outcomes.

Contra Costa County is fortunate to have a large citizenry willing to donate their time and skills to help serve seniors in the community. With limited funding, many AAA programs rely heavily on volunteers to deliver services. Last year, over 2,100 volunteers contributed their time in support of aging services under the Older Americans Act. Among many things, volunteers provide rides, deliver meals, run errands, visit long-term facilities to investigate complaints, provide companionship, serve meals at congregate nutrition sites, and provide

counseling services. Volunteers are a vital resource and the AAA will continue to work with our community partners to support and recruit volunteers to help seniors meet essential needs.

SECTION 7. PUBLIC HEARINGS

PSA 7

At least one public hearing must be held each year of the four-year planning cycle.
CCR Title 22, Article 3, Section 7302(a)(10) and Section 7308, OAA 2006 306(a)

Fiscal Year	Date	Location	Number of Attendees	Presented in languages other than English? ¹ Yes or No	Was hearing held at a Long-Term Care Facility? ² Yes or No
2016-17	March 16, 2016	500 Ellinwood Way, Pleasant Hill, CA 94523		no	no
2017-18	March 15, 2017	500 Ellinwood Way, Pleasant Hill, CA 94523	47	no	no
2018-19	March 21, 2018	500 Ellinwood Way, Pleasant Hill, CA 94523	41	no	no
2019-20					

The following must be discussed at each Public Hearing conducted during the planning cycle:

- Summarize the outreach efforts used in seeking input into the Area Plan from institutionalized, homebound, and/or disabled older individuals.
Meeting was publicly noticed in the newspapers in East, West and Central county distribution. Hearing was also noticed on the website, e-mailed notices were distributed.
- Were proposed expenditures for Program Development (PD) or Coordination (C) discussed?

☒ Yes. Go to question #3

¹ A translator is not required unless the AAA determines a significant number of attendees require translation services.

² AAAs are encouraged to include individuals in LTC facilities in the planning process, but hearings are not required to be held in LTC facilities.

☐ Not applicable, PD and/or C funds are not used. Go to question #4

3. Summarize the comments received concerning proposed expenditures for PD and/or C
The only comment received was gratitude for innovation in program expansion, no comments were received pertaining to the proposed expenditures under PD and/or C.

4. Attendees were provided the opportunity to testify regarding setting minimum percentages of Title III B program funds to meet the adequate proportion of funding for Priority Services

☒ Yes. Go to question #5

☐ No, Explain:

5. Summarize the comments received concerning minimum percentages of Title IIIB funds to meet the adequate proportion of funding for priority services. ***No Comments were received concerning minimum percentages of Title III B funds to meet adequate proportion.***

6. List any other issues discussed or raised at the public hearing.
A participant stated that there should be more emphasis on housing for seniors in the Area Plan. One participant asked about getting an increase in funding.

AAA Program Manager discussed and reviewed the shift of funds from Registry to Friendly Visiting services this past year, the Advisory Council's Planning Committee had endorsed the shift in funds as the RFP for the services did not attract bidders due to the insurance liability costs as being cost prohibitive. As this service is offered by private companies and negotiated rates are in place with two private registry services it was concluded that the loss of this service will not be impactful. However, the need of isolated seniors who are homebound and lonely is identified as a need.

7. Note any changes to the Area Plan which were a result of input by attendees. ***None noted.***

SECTION 9: AREA PLAN NARRATIVE GOALS AND OBJECTIVES

GOAL # 1

The AAA is committed to assisting older individuals (who may be in danger of losing their independence) so they can lead meaningful, dignified, and independent lives in their own homes and communities as long as possible. AAA will accomplish this through an accessible range of options including but not limited to, collaborative efforts, decision making among public, private, voluntary, fraternal organizations, and coalitions, for continuing the development and enhancement of a comprehensive and coordinated community and home based system of care.

RATIONALE

The AAA conducted needs assessments and analysis of the results of completed surveys which directed the AAA to provide program development, coordination, and technical assistance.

OBJECTIVES	Projected Start & End Dates	Title III B Funded PD or C	Status
<p>1. Aging and Adult Services Staff Assistant, and Senior Staff Assistants will actively participate in the Senior Coalitions to identify and prioritize senior needs by providing technical assistance in working with Coalition members on needs identified, including fraud prevention, health and intergenerational issues.</p> <p>Events include: Senior Rally Day, Living Well after 50, Social Security Town Halls</p>	<p>7/1/16-6/30/17</p> <p>7/1/17-6/30/18</p> <p>7/1/18-6/20/19</p>	C	Continued
<p>2. The AAA Program Manager, Aging and Adult Services Senior Staff Assistants, and the Advisory Council Planning Committee Members will work collaboratively with AAA contractors to develop and plan special programs/events/services with the use of One-Time Only funds in order to establish a new service, expand or integrate existing services.</p>	<p>7/1/16-6/30/17</p> <p>7/1/18-6/30/19</p> <p>7/1/18-6/30/19</p>	PD	Continued

<p>3. The AAA Program Manager, Aging and Adult Services Senior Staff Assistants, and the Advisory Council Planning Committee Members will work collaboratively with CBO's to develop and plan special programs/events/services to help address the needs of older adults with particular attention to LGBT seniors.</p>	<p>7/1/16-6/30/17 7/1/17-6/30/18 7/1/18-6/30/19</p>	<p>C</p>	<p>Continued</p>
<p>3. The AAA Program Manager, Aging and Adult Services Senior Staff Assistants, and the Advisory Council Planning Committee Members will work collaboratively with CBOs to develop and plan special programs/events/services to help address the needs of older adults with particular attention to seniors with limited-English speaking capability.</p>	<p>7/1/16-6/30/17 7/1/17-6/30/18 7/1/18-6/30/19</p>	<p>C</p>	<p>Continued</p>
<p>4. The AAA Program Manager, Aging and Adult Services Senior Staff Assistants, and the Advisory Council Planning Committee Health Work Group Members will work collaboratively with County Health Department and AAA contractors to develop and plan special programs/events/services to help address the needs of older adults with particular attention to disease prevention and health promotion of seniors.</p> <ul style="list-style-type: none"> ACOA Health Work Group has developed a Pilot Project to alleviate nutritional barriers to healing and to assist in the management of chronic conditions of Older Adults. They are seeking support to provide 30 days of meals to select Medicare patients upon physician's order at discharge. "Meals on Discharge" would provide nutrition to those older adults who live alone and are isolated. Project components: provide meals to reduce re-admissions, MOW to provide trained volunteer to observe patient 5 times per week, MOW to can provide data of healthcare use that would assist in post discharge recovery of future patients. 	<p>7/1/16-6/30/17 7/1/17-6/30/18 7/1/18-6/30/19</p>	<p>PD</p>	<p>Revised</p>
<p>5. The AAA Program Manager, Aging and Adult Services Senior Staff Assistants, and the Advisory Council Planning Committee Members will work collaboratively with CBO's to develop and plan special programs/events/services to help address pressing or emergent needs identified by AAA staff or its contracted providers.</p>	<p>7/1/16-6/30/17 7/1/17-6/30/18 7/1/18-6/30/19</p>	<p>C</p>	<p>Continued</p>

<p>6. Aging and Adult Services Senior Staff Assistants and AAA Program Manager will organize and hold an annual “Partners in Planning” event that brings together volunteers, community based organizations, and organizations in the county’s aging network to meet each other, exchange ideas, learn from each other’s successes and challenges, foster partnerships, and develop strategies to develop, expand, and enhance services for the elderly in CCC.</p>	<p>7/1/16-6/30/20 7/1/17-6/30/18 7/1/18-6/30/19</p>	<p>C</p>	<p>Continued</p>
<p>7. AAA Staff and AAA direct services will partner with AAA Advisory Council and its committees as appropriate, contractors and CBOs to address service delivery issues County wide.</p>	<p>7/1/16-6/30/20 7/1/17-6/30/18 7/1/18-6/30/19</p>	<p>C</p>	<p>Continued</p>
<p>9. Senior Staff Assistant/ I&A Supervisor will plan quarterly “Professional Exchange Roundtable” meetings. The purpose of the meetings is to bring County personnel together to meet and exchange ideas, and to learn about community resources to better serve clients.</p>	<p>7/1/16-6/30/20 7/1/17-6/30/18 7/1/18-6/30/19</p>	<p>C</p>	<p>Continued</p>
<p>10. The AAA Program Manager, Aging and Adult Services Senior Staff Assistant, and Advisory Council on Aging members will participate in a countywide collaborative planning process to develop a Contra Costa Senior Policy Platform. Seniors, caregivers, service providers, and other stakeholders will be engaged in the planning process. Through collaboration and partnership, the goal is to develop and endorse a strategic plan that outlines strategies and steps to improve service access, service quality, and the overall quality of life for seniors in Contra Costa County.</p>	<p>7/1/16-6/30/17</p>	<p>C</p>	<p>Completed</p>

GOAL # 2

AAA will provide services to older individuals with the greatest economic and social needs, including low income diverse population groups through continued service expansion, development, and collaboration with community groups, service providers, and elected officials, in order to provide health, social, nutrition and legal services for older individuals who may be at risk of abuse or neglect.

RATIONALE

Mandated by the Older Americans Act and this AAA is committed to providing services to the population groups specified above.

OBJECTIVES	Projected Start & End Dates	Title III B Funded PD or C	Status
1. The Aging & Adult Services Director, AAA Program Manager, Aging and Adult Services Senior Staff Assistants, and Planning Committee to the Advisory Council will actively work through membership on the Mental Health Department's <u>Consolidated Planning Advisory Workgroup</u> and CPAW's Aging and Older Adult Committee, to plan outreach strategies to reach underserved seniors, particularly with respect to: isolation; low-income; mental illness; language barriers; and LGBT.	7/1/16-6/30/17 7/1/17-6/30/18 7/1/18-6/30/19	C	Continued
2. Aging and Adult Services Senior Staff Assistants, Program Manager, Aging & Adult Services Director, and Advisory Council on Aging (ACOA) members will focus on education and promotion of "age friendly" initiatives to ensure that access to housing, transportation and civic life are planned in local municipalities policy decisions to address the needs of seniors. <ul style="list-style-type: none"> ACOA city representatives and MAL will educate and promote "age friendly" platforms to their respective city council ensuring that the needs of Older Adults are considered in all aspects of city planning. AAS Director and AAA Program Manager will seek out "Age Friendly" designation status for Contra Costa County. AAS Director and AAA Program Manager will collaborate with other County departments and bureaus to ensure that Older Adults are represented in all policy and program considerations. 	7/1/16-6/30/20 7/1/17-6/30/18 7/1/18-6/30/19	C	Continued

<p>3. AAA Program Manager, Senior Staff Assistants and the Advisory Council will work with various legal services providers and other interested stakeholders to coordinate elder abuse prevention activities for seniors vulnerable to or at risk of exploitation.</p> <ul style="list-style-type: none"> • An Elder Abuse Prevention Workgroup of the Advisory Council was established to increase awareness of prevention of elder abuse, neglect & exploitation. Trainings and dissemination of elder abuse prevention materials and other related presentations to the public. Seven trainings per year will be scheduled. • AAA/APS staff members in coordination with Ombudsman will assist with hosting seminars, fairs, or other educational events related to elder abuse and Elder Abuse Month. 	<p>7/1/16-6/30/20 7/1/17-6/30/18 7/1/18-6/30/19</p>	<p>C</p>	<p>Revised</p>
<p>4. AAA Senior Staff Assistant will partner with Todos Unidos, local hospitals, and community organizations to coordinate an annual “Senior Appreciation Day – Health and Resource Fair” in recognition of Older Americans Month in May. At the event seniors will receive free health screenings for diabetes, high blood pressure, osteoporosis, dental problems, and other health issues. The event will also feature exercise demonstrations, nutrition information, and information about community resources presented in both Spanish and English.</p>	<p>7/1/16-6/30/17</p>	<p>C</p>	<p>Completed</p>
<p>5. AAA Senior Staff Assistant will work with the Food Bank of Contra Costa and Solano County to coordinate the distribution of free USDA Farmers Market Coupons to qualified low-income seniors. The coupons will be available to seniors at 16 food distribution sites throughout Contra Costa County.</p>	<p>7/1/16-6/30/17 7/1/17-6/30/18 7/1/18-6/30/19</p>	<p>C</p>	<p>Continued</p>
<p>6. The AAA Senior Staff Assistant will continue to serve on the Fall Prevention Program Steering Committee and the Fall Prevention Coalition to help develop, coordinate, and sustain programs and activities that prevent falls such as fall risk assessments, fall prevention education, physical activity and exercise, home safety modifications, and medication management.</p>	<p>7/1/16-6/30/17 7/1/17-6/30/18</p>	<p>C</p>	<p>Completed</p>

<p>7. The AAA Program Manager and Senior Staff Assistants will partner with appropriate local CBOs to plan and coordinate a forum that will provide educational resource information to seniors and their families, as well as promote visibility for older adult mental health issues in the community.</p> <ul style="list-style-type: none"> • CA MH older Adult System of Care Project- UCLA Center for Health Policy Research - planning stages 	<p>7/1/16-6/30/17</p> <p>7/1/17-6/30/18</p> <p>7/1/18-6/30/19</p>	<p>C</p>	<p>Continued</p>
<p>8. Through the Advisory Council on Aging (ACOA) Housing Workgroup, the AAA Senior Staff Assistant is working in concert with ACOA members, housing service providers, County Housing Authority, affordable housing developers, homeless programs, and other stakeholders to identify and develop advocacy strategies and solutions to help seniors struggling to find affordable housing. The Workgroup will be assessing plans to develop a shared housing program in Contra Costa County. (completed)</p>	<p>7/1/16-6/30/17</p> <p>7/1/17-6/30/18</p> <p>7/1/18-6/30/19</p>	<p>PD</p>	<p>Continued</p>
<p>9. AAA Program Manager and Senior Staff Assistants will be creating an integrated call center with Adult Protective Services (APS) and In-Home Supportive Services (IHSS) programs to coordinate and streamline services to better prevent and protect seniors from abuse, and ensure that low-income and disabled seniors have reliable care to live safely and independently in their homes.</p>	<p>7/1/16-6/30/17</p> <p>7/1/17-6/30/18</p>	<p>C</p>	<p>Completed</p>

<p>10. Ombudsman Services will provide a Long Term Care Ombudsman Program for adults, utilizing Title IIIB and VIIA funding of the Older Americans Act. Services will include the following:</p> <ul style="list-style-type: none"> • Conduct activities relating to receiving, analyzing, researching, observing, interviewing or verifying complaints and activities related to intervention in complaints on behalf of a client with a target resolution rate of 91%. • Provide mediation and conciliation services in the resolution of inquiries and complaints from older long term care residents and patients. Target of 1,494 Consultations provided to individuals. • Investigate reports of physical abuse of all dependent adult and elder residents of long term facilities in accordance with the mandates established. • Conduct activities related to the education of groups of older adults, their families, community organizations, and facility staff about senior's rights, benefits, and entitlements. Target of 376 consultations to facilities. • Recruit, train, and certify Ombudsman volunteers. Assign volunteers and staff to the 31 nursing homes and staff caseworkers to intermediate care facilities for the developmentally disabled adults in Contra Costa County. Target of maintaining at least 45 trained and certified volunteers. • Establish family councils to include family members of older patients in skilled nursing facilities to advocate for and respond to the needs of the patients within the facilities. Target of having 22 resident council meetings. 	<p>7/1/16-6/30/17 7/1/17-6/30/18 7/1/18-6/30/19</p>		<p>Continued</p>
<p>11. In order to expand and make information and referral services more accessible to the community, the AAA Senior Staff Assistant will work collaboratively with senior and community centers to recruit and train volunteers to provide information and referral services in the community.</p>	<p>7/1/16-6/30/17 7/1/17-6/30/18</p>		<p>Completed</p>

12. In order to provide better customer service, the AAA Senior Staff Assistant will recruit and train volunteers to support the work of Social Workers in the Information & Assistance (I&A) program. I&A volunteers will help do follow-ups on routine calls to see if clients' needs are addressed or if further assistance is required. This will help to free up time for the Social Workers to assist vulnerable seniors, adults with disabilities, and caregivers with complex needs.	7/1/16-6/30/17	PD	Completed
--	---------------------------	----	-----------

GOAL # 3

AAA will provide public information to agencies and community persons aged 60+ and their families regarding resource availability, educational opportunities, demographics, health care insurance counseling, and funding opportunities.

RATIONALE

Various survey responses, Advisory Council, Board of Supervisors, Coalitions, stakeholders and other groups have identified the need for the AAA to communicate with and provide information to the general public at all levels.

OBJECTIVES	Projected Start & End Dates	Title III B Funded PD or C	Status
1. AAA Program Manager and Aging and Adult Services Senior Staff Assistants will work with senior coalitions, community based organizations, the County's aging network, offices of County Supervisors, and other groups to identify and address senior needs by providing technical assistance including, assistance with needs assessments, focus groups, quality assurance surveys, program development, and fundraising.	7/1/16-6/30/17 7/1/17-6/30/18 7/1/18-6/30/19	C	Continued
2.. An Aging and Adult Senior Staff Assistant will make the results of the Senior Survey available to interested community organizations and members of the public. The purpose of the survey is to ascertain the needs of our senior population, directly, by surveying them county wide and to use the results as a tool in the planning for the PSA's Area Plan as well as possible program development given budget limitations.	7/1/16-6/30/20 7/1/17-6/30/18 7/1/18-6/30/19		Continued

GOAL # 4

AAA will actively promote the health and well-being of the older population of Contra Costa County through various community outreach and evidence-based activities.

RATIONALE

As specified by the Older Americans Act, including Title III D.

OBJECTIVES	Projected Start & End Dates	Title III B Funded PD or C	Status
1. AAA Program Manager/ Senior Staff Assistant will work with Dept. of Public Health and CBO's to expand services in Far East Contra Costa to provide additional social supports to at-risk seniors through meal delivery and other services. Wraparound services will be identified for those seniors who are homebound and isolated from services.	7/1/18-6/30/19	PD	New
2. The Fall Prevention Program (FPP) will offer an in-home "Otago Exercise Program". It is recognized by the Centers for Disease Control and Prevention as an evidence-based program. Nursing students will provide in-home exercises to homebound seniors. Pre and post evaluations will be conducted to determine if the exercise program helped reduce fall risks. The Otago program is a recognized evidence-based program listed on the NCOA Title IIID Highest Tier Evidence-Based Health Promotion/Disease Prevention Program. An Otago-trained Physical Therapist will conduct the evaluations for this approved evidence-based Title IIID program. Additionally, the PT will train and supervise university nursing students to conduct the exercise program in seniors' homes to achieve 1,800 hours of service.	7/1/16-6/30/20 7/1/17-6/30/18 7/1/18-6/30/19	PD	Continued
3. Utilizing SNAP-Ed funds, a Senior Nutrition Assistance Program has been implemented that will serve seniors at the lowest income congregate meal sites in Contra Costa County. Tai Chi for Better Balance classes will be complemented by nutrition education sessions that will demonstrate, for example, how to cook nutritious foods. The SNAP-Ed program is operated in conjunction with collaborative partners from the Health Department's Prevention and Wellness Program.	7/1/16-6/30/20 7/1/17-6/30/18		Completed

GOAL # 5

The AAA is committed to planning for and implementing community services for the Baby Boomer population; recognizing and addressing their unique needs related to housing, transportation, financial security, health and well-being, employment and community involvement. While there is no current funding for this effort, the AAA will seek to accomplish this through advocacy, and creative collaboration with current and new community partners.

RATIONALE

To address the needs of the influx of Baby Boomers expected to retire in the near future.

OBJECTIVES	Projected Start & End Dates	Title III B Funded PD or C	Status
1. AAA Program Manager, Senior Staff Assistants, and members of the Advisory Council on Aging will provide outreach and education to encourage participation of older adults in policy making positions on local boards, city councils and planning commissions.	7/1/16-6/30/20 7/1/17-6/30/18 7/1/18-6/30/19	C	Continued
2. Senior Community Service Employment Program (SCSEP) provides subsidized, service-based training for low-income persons 55 or older who are unemployed. The program is supported by a grant from National Asian Pacific Council on Aging (NAPCA), with funding originating from the Department of Labor. SCSEP is partnering with America's Job Centers of California (AJCC) to ensure that Baby Boomers and their cohorts have access to employment and training resources to help them secure gainful employment.	7/1/16-6/30/20 7/1/17-6/30/18 7/1/18-6/30/19		Continued
3. AAA Program Manager and Sr. Staff Assistant will support Volunteer recruitment activities among 55+ retirees that fit with their talent, interest and skills to serve the community and improve lives in the elder population in Contra Costa County. <ul style="list-style-type: none"> Seeking grant funding to establish Senior Volunteer Center for Contra Costa County. 	7/1/17-6/30/18 7/1/18-6/30/19	C	Continued

GOAL # 6

The AAA will work to prevent isolation, poverty, homelessness, and premature institutionalization of Lesbian, Gay, Bisexual, and Transgender (LGBT) seniors. This is due to recent studies showing LGBT seniors to be at a higher risk as a result of life-long experiences causing marginalization.

RATIONALE

Mandated by the California Department of Aging.

OBJECTIVES	Projected Start & End Dates	Title III B Funded PD or C	Status
<p>1. AAA Program Manager and Aging and Adult Services Senior Staff Assistants will collaborate with local agencies which serve LGBT seniors in order to maintain the most current demographic information on LGBT Seniors, particularly regarding those of low-income and minority status in order to adequately plan for services.</p> <ul style="list-style-type: none">• All local agencies serving Older Adults will be trained via Webinar hosted by SageCare on the topics of: Supporting LGBT Older Adults; Asking Inclusive Intake Questions.• AAA Staff to provide support to local agencies to assist with integration of new intake procedures which reflect diversity in sexual orientation and gender identity.	<p>7/1/16-6/30/20</p> <p>7/1/17-6/30/18</p> <p>7/1/18-6/30/19</p>	<p>C</p>	<p>Revised</p>
<p>2. AAA Program Manager and Aging and Adult Services Senior Staff Assistants will collaborate with local agencies which serve LGBT seniors in order to maintain the most current resource information on culturally competent services for LGBT Seniors in order for the Aging Network to provide appropriate referrals and <u>identify resource needs</u>.</p>	<p>7/1/16-6/30/20</p> <p>7/1/17-6/30/18</p> <p>7/1/18-6/30/19</p>	<p>C</p>	<p>Revised</p>

GOAL # 7

The AAA will work in partnership with transportation service providers, local agencies and grass root groups to combat isolation, to increase access and transportation options for older adults, and promote a collaborative effort to advocate for more countywide transportation resources.

RATIONALE

Mandated by the California Department of Aging.

OBJECTIVES	Projected Start & End Dates	Title III B Funded PD or C	Status
1. ACOA Senior Mobility Action Council (SMAC) , AAA Program Manager and Aging and Adult Services Senior Staff Assistants will collaborate with local agencies which serve seniors as well as transit providers to plan and coordinate educational forums throughout the county on both public safety issues for older drivers as well as options for transportation. <ul style="list-style-type: none">Emergency Preparedness Event to be scheduled to highlight emergency evacuation and the distribution of Emergency Preparedness Kits.	7/1/16-6/30/17 7/1/17-6/30/18 7/1/18-6/30/19	C	Revised
2. AAA Program Manager and Area Agency on Aging Senior Staff Assistants will promote public information on safety issues for older drivers as well as options for transportation. <ul style="list-style-type: none">Published "Way to Go Contra Costa" Transportation Resource Guide in Spanish, Chinese and EnglishACOA Presentation on Safe Driving for older drivers	7/1/16-6/30/20 7/1/17-6/30/18	C	Completed
3. The AAA Program Manager and Aging and Adult Services Senior Staff Assistants will work with community based organizations, interested citizens, and the Advisory Council on Aging's Transportation and Housing Workgroups to facilitate new strategies and recommendations for land use planning/transit villages to meet the needs of seniors.	7/1/16-6/30/20 7/1/17-6/30/18	C	Deleted

SECTION 10 - SERVICE UNIT PLAN (SUP) OBJECTIVES**PSA 7****TITLE III/VIIA SERVICE UNIT PLAN OBJECTIVES**
CCR Article 3, Section 7300(d)

The Service Unit Plan (SUP) uses the National Aging Program Information System (NAPIS) Categories and units of service. They are defined in the [NAPIS State Program Report \(SPR\)](#)

For services not defined in NAPIS, refer to the [Service Categories and Data Dictionary and the National Ombudsman Reporting System \(NORS\) Instructions](#).

Report the units of service to be provided with **ALL funding sources**. Related funding is reported in the annual Area Plan Budget (CDA 122) for Titles IIIB, IIIC-1, IIIC-2, IIID, and VIIA.

1. Personal Care (In-Home) **Service Not Provided**

2. Homemaker (In-Home) **Service Not Provided**

3. Chore (In-Home) **Service Not Provided**

4. Home-Delivered Meal **Unit of Service = 1 meal**

Fiscal Year	Proposed Units of Service	Goal Numbers	Objective Numbers (if applicable)
2016-2017	365,000	2	
2017-2018	410,000	2	
2018-2019	415,000	2	
2019-2020			

5. Adult Day/ Health Care (In-Home) **Unit of Service = 1 hour**

Fiscal Year	Proposed Units of Service	Goal Numbers	Objective Numbers (if applicable)
2016-2017	7.208	4	
2017-2018	6,700	4	
2018-2019	6,200	4	
2019-2020			

6. Case Management (Access) **Service not Provided**

7. Assisted Transportation (Access) **Unit of Service = 1 one-way trip**

Fiscal Year	Proposed Units of Service	Goal Numbers	Objective Numbers (if applicable)
2016-2017	1,100	7	

2017-2018	1,100	7	
2018-2019	2,000	7	
2019-2020			

8. Congregate Meals**Unit of Service = 1 meal**

Fiscal Year	Proposed Units of Service	Goal Numbers	Objective Numbers (if applicable)
2016-2017	165,000	2	
2017-2018	155,000	2	
2018-2019	157,000	2	
2019-2020			

9. Nutrition Counseling**Service Not Provided****10. Transportation (Access)****Unit of Service = 1 one-way trip**

Fiscal Year	Proposed Units of Service	Goal Numbers	Objective Numbers (if applicable)
2016-2017	36,500	2, 5	
2017-2018	36,500	2, 5	
2018-2019	35,000	2,5	
2019-2020			

11. Legal Assistance**Unit of Service = 1 hour**

Fiscal Year	Proposed Units of Service	Goal Numbers	Objective Numbers (if applicable)
2016-2017	5,671	2	
2017-2018	5,200	2	
2018-2019	5,700	2	
2019-2020			

12. Nutrition Education**Unit of Service = 1 session per participant**

Fiscal Year	Proposed Units of Service	Goal Numbers	Objective Numbers (if applicable)
2016-2017	5,000	2	
2017-2018	5,500	2	
2018-2019	5,000	2	
2019-2020			

13. Information and Assistance (Access)**Unit of Service = 1 contact**

Fiscal Year	Proposed Units of Service	Goal Numbers	Objective Numbers (if applicable)
2016-2017	12,000	1, 2, 4	
2017-2018	9,000	1,2, 4	
2018-2019	9,000	1,2,4	
2019-2020			

14. Outreach (Access)**Unit of Service = 1 contact**

Fiscal Year	Proposed Units of Service	Goal Numbers	Objective Numbers (if applicable)
2016-2017	9	4	
2017-2018	9	4	
2018-2019	9	4	
2019-2020			

15. NAPIS Service Category – “Other” Title III Services**Other Supportive Service Category****15. Community Education****Unit of Service = 1 activity**

Fiscal Year	Proposed Units of Service	Goal Numbers	Objective Numbers
2016-2017	9	4	

2017-2018	9	4	
2018-2019	9	4, 7	
2019-2020			

14. Visiting

Unit of Service = 1 hour

Fiscal Year	Proposed Units of Service	Goal Numbers	Objective Numbers (if applicable)
2016-2017	26,500	1	
2017-2018	26,500	1	
2018-2019	35,000	1	
2019-2020			

18. Registry **No longer funding this service – Visiting identified as a priority area of service, funds have transferred to that service. Unit of Service = 1 hour**

Fiscal Year	Proposed Units of Service	Goal Numbers	Objective Numbers (if applicable)
2016-2017	11,700	1	
2017-2018	11,700	1	
2018-2019	0		
2019-2020			

Other Priority Title IIIB Services: Telephone Reassurance

Unit of Service: Contact

Fiscal Year	Proposed Units of Service	Goal Numbers	Objective Numbers
2016-2017			
2017-2018			
2018-2019	2,000	4	4.1,
2019-2020			

Other Supportive Service Category: Disaster Preparedness Materials

Unit of Service: Product

Fiscal Year	Proposed Units of Service	Goal Numbers	Objective Numbers

2016-2017			
2017-2018			
2018-2019	200	7	1
2019-2020			

16. Title IIID/ Disease Prevention and Health Promotion

Instructions for Title IIID Disease Prevention and Health Promotion: Enter the name of the proposed program to be implemented, proposed units of service and the Program Goal and Objective number(s) that provide a narrative description of the program, and explain how the service activity meets the criteria for evidence-based programs described in PM 15-10.

Unit of Service = 1 contact

Service Activities: Provides evidence based, in-home “Otago Exercise Program” to home bound seniors.

- **Title IIID/ Disease Prevention and Health Promotion:** Enter required program goal and objective numbers in the Title III D Service Plan Objective Table below:

Fiscal Year	Proposed Units of Service	Goal Numbers	Objective Numbers (Required)
2016-2017	60	4	
2017-2018	1,800	4	
2018-2019	1,800	4	OBJ. 2; goal #4
2019-2020			

The Fall Prevention Program (FPP) will offer an in-home “Otago Exercise Program”. It is recognized by the Centers for Disease Control and Prevention as an evidence-based program. Nursing students will provide in-home exercises to homebound seniors. Pre and post evaluations will be conducted to determine if the exercise program helped reduce fall risks.

The Otago program is a recognized evidence-based program listed on the NCOA Title IIIID Highest Tier Evidence-Based Health Promotion/Disease Prevention Program. An Otago-trained Physical Therapist will conduct the evaluations for this approved evidence-based Title IIIID program. Additionally, the PT will train and supervise university nursing students to conduct the exercise program in seniors' homes

TITLE IIIB and Title VIIA:**LONG-TERM CARE (LTC) OMBUDSMAN PROGRAM OUTCOMES****2016–2020 Four-Year Planning Cycle**

As mandated by the Older Americans Act, the mission of the LTC Ombudsman Program is to seek resolution of problems and advocate for the rights of residents of LTC facilities with the goal of enhancing the quality of life and care of residents.

Each year during the four-year cycle, analysts from the Office of the State Long-Term Care Ombudsman (OSLTCO) will forward baseline numbers to the AAA from the prior fiscal year National Ombudsman Reporting System (NORS) data as entered into the Statewide Ombudsman Program database by the local LTC Ombudsman Program and reported by the OSTLCO in the State Annual Report to the Administration on Aging (AoA).

The AAA will establish targets each year in consultation with the local LTC Ombudsman Program Coordinator. Use the yearly baseline data as the benchmark for determining yearly targets. Refer to your local LTC Ombudsman Program's last three years of AoA data for historical trends. Targets should be reasonable and attainable based on current program resources.

Complete all Measures and Targets for Outcomes 1-3.

Outcome 1. The problems and concerns of long-term care residents are solved through complaint resolution and other services of the Ombudsman Program. [OAA Section 712(a)(3),(5)]

Measures and Targets:**A. Complaint Resolution Rate** (AoA Report, Part I.E, Actions on Complaints)

The average California complaint resolution rate for FY 2013-2014 was 73%.

1. FY 2014-2015 Baseline Resolution Rate: Number of complaints resolved <u>333</u> + Number of partially resolved complaints <u>219</u> divided by the Total Number of Complaints Received <u>720</u> = Baseline Resolution Rate <u>77%</u> FY 2016-17 Target Resolution Rate <u>80%</u>
2. FY 2015-2016 Baseline Resolution Rate: Number of complaints resolved <u>778</u> + Number of partially resolved complaints <u>309</u> divided by the Total Number of Complaints Received <u>1,177</u> = Baseline Resolution Rate <u>92%</u> FY 2017-18 Target Resolution Rate <u>92%</u>
3. FY 2016-2017 Baseline Resolution Rate: Number of complaints resolved <u>1,271</u> + Number of partially resolved complaints <u>710</u> divided by the Total Number of Complaints Received <u>2,184</u> = Baseline Resolution Rate <u>91%</u> FY 2018-19 Target Resolution Rate <u>92%</u>

4. FY 2017-2018 Baseline Resolution Rate: Number of complaints resolved _____ + Number of partially resolved complaints _____ divided by the Total Number of Complaints Received _____ = Baseline Resolution Rate _____ % FY 2019-20 Target Resolution Rate _____ %
Program Goals and Objective Numbers: <u>2</u>

B. Work with Resident Councils (AoA Report, Part III.D.8)

1. FY 2014-2015 Baseline: number of Resident Council meetings attended <u>17</u> FY 2016-2017 Target: <u>40</u>
2. FY 2015-2016 Baseline: number of Resident Council meetings attended <u>46</u> FY 2017-2018 Target: <u>46</u>
3. FY 2016-2017 Baseline: number of Resident Council meetings attended <u>80</u> FY 2018-2019 Target: <u>80</u>
4. FY 2017-2018 Baseline: number of Resident Council meetings attended _____ FY 2019-2020 Target: _____
Program Goals and Objective Numbers: <u>2</u>

C. Work with Family Councils (AoA Report, Part III.D.9)

1. FY 2014-2015 Baseline number of Family Council meetings attended <u>0</u> FY 2016-2017 Target: <u>5</u>
2. FY 2015-2016 Baseline number of Family Council meetings attended <u>6</u> FY 2017-2018 Target: <u>6</u>
3. FY 2016-2017 Baseline number of Family Council meetings attended <u>20</u> FY 2018-2019 Target: <u>20</u>
4. FY 2017-2018 Baseline number of Family Council meetings attended _____ FY 2019-2020 Target: _____
Program Goals and Objective Numbers: <u>2</u>

D. Consultation to Facilities (AoA Report, Part III.D.4) Count of instances of ombudsman representatives' interactions with facility staff for the purpose of providing general information and assistance unrelated to a complaint. Consultation may be accomplished by telephone, letter, email, fax, or in person.

1. FY 2014-2015 Baseline: number of consultations <u>357</u> FY 2016-2017 Target: <u>300</u>
2. FY 2015-2016 Baseline: number of consultations <u>347</u> FY 2017-2018 Target: <u>340</u>
3. FY 2016-2017 Baseline: number of consultations <u>995</u> FY 2018-2019 Target: <u>995</u>
4. FY 2017-2018 Baseline: number of consultations _____ FY 2019-2020 Target: _____
Program Goals and Objective Numbers: <u>2</u>

E. Information and Consultation to Individuals (AoA Report, Part III.D.5) Count of instances of ombudsman representatives' interactions with residents, family members, friends, and others in the community for the purpose of providing general information and assistance

unrelated to a complaint. Consultation may be accomplished by: telephone, letter, email, fax, or in person.

1. FY 2014-2015 Baseline: number of consultations <u>833</u> FY 2016-2017 Target: <u>1,000</u>
2. FY 2015-2016 Baseline: number of consultations <u>715</u> FY 2017-2018 Target: <u>700</u>
3. FY 2016-2017 Baseline: number of consultations 1,494 FY 2018-2019 Target: <u>1,500</u>
4. FY 2017-2018 Baseline: number of consultations _____ FY 2019-2020 Target: _____
Program Goals and Objective Numbers: <u>2</u>

F. Community Education (AoA Report, Part III.D.10) LTC Ombudsman Program participation in public events planned to provide information or instruction to community members about the LTC Ombudsman Program or LTC issues. The number of sessions refers to the number of events, not the number of participants.

1. FY 2014-2015 Baseline: number of sessions <u>13</u> FY 2016-2017 Target: <u>20</u>
2. FY 2015-2016 Baseline: number of sessions <u>22</u> FY 2017-2018 Target: <u>20</u>
3. FY 2016-2017 Baseline: number of sessions <u>18</u> FY 2018-2019 Target: <u>18</u>
1. FY 2017-2018 Baseline: number of sessions _____ FY 2019-2020 Target: _____
Program Goals and Objective Numbers: _____

G. Systems Advocacy

In the box below, in narrative format, provide at least one new priority systemic advocacy effort the local LTC Ombudsman Program will engage in during the fiscal year. If the systemic advocacy effort is a multi-year initiative, provide a systemic advocacy objective that explains progress made in the initiative during the prior fiscal year and identifies specific steps to be taken during the upcoming fiscal year. A new effort or a statement of progress made and goals for the upcoming year must be entered each year of the four-year cycle.

Systems Advocacy can include efforts to improve conditions in one LTC facility or can be county-wide, State-wide, or even national in scope. (Examples: Work with LTC facilities to promote person-centered care and reduce the use of anti-psychotics, work with law enforcement entities to improve response and investigation of abuse complaints, collaboration with other agencies to improve LTC residents' quality of care and quality of life, participation in disaster preparedness planning, participation in legislative advocacy efforts related to LTC issues, etc.

Enter information in the box below.

Systemic Advocacy Effort(s) for the current fiscal year 2018-2019.

Ombudsman Services of Contra Costa will work to increase knowledge, awareness and practices related to appropriate discharge plans for long-term care residents. OSCC will work with the 30 skilled nursing facilities in Contra Costa to implement the new CMS regulations regarding discharge notification and identify opportunities for collaboration and comprehensive care planning to prevent inappropriate discharges to homeless shelters or other non-permanent residences. In addition, the ombudsman program will reengage on issues related to the unnecessary use of antipsychotics in long-term care facilities.

Outcome 2. Residents have regular access to an Ombudsman. [(OAA Section 712(a)(3)(D), (5)(B)(ii))]**Measures and Targets:****A. Facility Coverage (other than in response to a complaint), (AoA Report, Part III.D.6)**

Percentage of nursing facilities within the PSA that were visited by an ombudsman representative at least once each quarter **not** in response to a complaint. The percentage is determined by dividing the number of nursing facilities in the PSA that were visited at least once each quarter not in response to a complaint by the total number of nursing facilities in the PSA. NOTE: This is not a count of *visits* but a count of *facilities*. In determining the number of facilities visited for this measure, no nursing facility can be counted more than once.

1. FY 2014-2015 Baseline: Number of Nursing Facilities visited at least once a quarter not in response to a complaint 28 divided by the total number of Nursing Facilities 32 = Baseline 88%

FY 2016-2017 Target: 100%

2. FY 2015-2016 Baseline: Number of Nursing Facilities visited at least once a quarter not in response to a complaint 31 divided by the total number of Nursing Facilities 32 = Baseline 97%

F7Y 2017-2018 Target: 97%

3. FY 2016-2017 Baseline: Number of Nursing Facilities visited at least once a quarter not in response to a complaint 30 divided by the total number of Nursing Facilities 31 = Baseline 97%

FY 2018-2019 Target: 97%

4. FY 2017-2018 Baseline: Number of Nursing Facilities visited at least once a quarter not in response to a complaint _____ divided by the total number of Nursing Facilities _____ = Baseline _____%

FY 2019-2020 Target: _____%

Program Goals and Objective Numbers: _____

B. Facility Coverage (other than in response to a complaint) (AoA Report, Part III.D.6)

Percentage of RCFEs within the PSA that were visited by an ombudsman representative at least once each quarter during the fiscal year **not** in response to a complaint. The percentage is determined by dividing the number of RCFEs in the PSA that were visited at least once each quarter not in response to a complaint by the total number of RCFEs in the PSA.

NOTE: This is not a count of *visits* but a count of *facilities*. In determining the number of facilities visited for this measure, no RCFE can be counted more than once.

1. FY 2014-2015 Baseline: Number of RCFEs visited at least once a quarter not in response to a complaint <u>51</u> divided by the total number of RCFEs <u>415</u> = Baseline <u>12</u> % FY 2016-2017 Target: 90%
2. FY 2015-2016 Baseline: Number of RCFEs visited at least once a quarter not in response to a complaint <u>160</u> divided by the total number of RCFEs <u>401</u> = Baseline <u>40</u> % FY 2017-2018 Target: <u>40</u> %
3. FY 2016-2017 Baseline: Number of RCFEs visited at least once a quarter not in response to a complaint <u>196</u> divided by the total number of RCFEs <u>398</u> = Baseline <u>49</u> % FY 2018-2019 Target: <u>49</u> %
4. FY 2017-2018 Baseline: Number of RCFEs visited at least once a quarter not in response to a complaint _____ divided by the total number of RCFEs _____ = Baseline _____ % FY 2019-2020 Target: _____ %
Program Goals and Objective Numbers: _____

C. Number of Full-Time Equivalent (FTE) Staff (AoA Report Part III. B.2. - Staff and Volunteers)

This number may only include staff time legitimately charged to the LTC Ombudsman Program. Time spent working for or in other programs may not be included in this number. For example, in a local LTC Ombudsman Program that considers full-time employment to be 40 hour per week, the FTE for a staff member who works in the Ombudsman Program 20 hours a week should be 0.5, even if the staff member works an additional 20 hours in another program.

1. FY 2014-2015 Baseline: <u>4.75</u> FTEs FY 2016-2017 Target: <u>5</u> FTEs
2. FY 2015-2016 Baseline: <u>3.63</u> FTEs FY 2017-2018 Target: <u>4</u> FTEs
3. FY 2016-2017 Baseline: <u>6.38</u> FTEs FY 2018-2019 Target: <u>6</u> FTEs
4. FY 2017-2018 Baseline: _____ FTEs FY 2019-2020 Target: _____ FTEs

Program Goals and Objective Numbers: 2

D. Number of Certified LTC Ombudsman Volunteers (AoA Report Part III. B.2. – Staff and Volunteers)

1. FY 2014-2015 Baseline: Number of certified LTC Ombudsman volunteers <u>34</u> FY 2016-2017 Projected Number of certified LTC Ombudsman volunteers <u>40</u>
2. FY 2015-2016 Baseline: Number of certified LTC Ombudsman volunteers <u>34</u> FY 2017-2018 Projected Number of certified LTC Ombudsman volunteers <u>35</u>
3. FY 2016-2017 Baseline: Number of certified LTC Ombudsman volunteers <u>34</u> FY 2018-2019 Projected Number of certified LTC Ombudsman volunteers <u>34</u>
4. FY 2017-2018 Baseline: Number of certified LTC Ombudsman volunteers _____ FY 2019-2020 Projected Number of certified LTC Ombudsman volunteers _____
Program Goals and Objective Numbers: <u>2</u>

Outcome 3. Ombudsman representatives accurately and consistently report data about their complaints and other program activities in a timely manner. [OAA Section 712(c)]

Measures and Targets:

In the box below, in narrative format, describe one or more specific efforts your program will undertake in the upcoming year to increase the accuracy, consistency, and timeliness of your National Ombudsman Reporting System (NORS) data reporting.

Some examples could include:

- Having Ombudsman Program staff and volunteers regularly attend NORS Consistency Training provided by the OSLTCO
- Hiring additional staff to enter data
- Updating computer equipment to make data entry easier
- Initiating a case review process to ensure case entry is completed in a timely manner

The Executive Director will hold monthly program review/case management meeting with staff members to ensure case consistency and investigation practices. In addition, the ED will review 10 randomly selected cases from the ODIN database. Cases will be review consistency, compliance with state and national standards for LTC OMB and positive outcome for residents

TITLE VIIA ELDER ABUSE PREVENTION
SERVICE UNIT PLAN OBJECTIVES

TITLE VIIA ELDER ABUSE PREVENTION SERVICE UNIT PLAN OBJECTIVES

The agency receiving Title VIIA Elder Abuse Prevention funding is: **Contra Costa County Senior Legal Services**

Fiscal Year	Total # of Public Education Sessions
2016-2017	10
2017-2018	8
2018-2019	8
2019-2020	

Fiscal Year	Total # of Training Sessions for Professionals
2016-2017	10
2017-2018	2
2018-2019	3
2019-2020	

Fiscal Year	Total # of Training Sessions for Caregivers served by Title III E
2016-2017	N/A
2017-2018	N/A
2018-2019	
2019-2020	

Fiscal Year	Total # of Hours Spent Developing a Coordinated System
2016-2017	N/A
2017-2018	N/A
2018-2019	
2019-2020	

Fiscal Year	Total # of Copies of Educational Materials to be Distributed	Description of Educational Materials
2016-2017	1,400	Identity theft and account fraud; Elder Court/Senior Self-Help Clinic; What Should I Know About Elder Abuse; Consumer Fraud
2017-2018	500	Identity theft and account fraud; Elder Court/Senior Self-Help Clinic; What Should I Know About Elder Abuse; Consumer Fraud
Fiscal Year	Total # of Copies of	Description of Educational Materials

	Educational Materials to be Distributed	
2019-2020		

Fiscal Year	Total Number of Individuals Served
2016-2017	900
2017-2018	900
2018-2019	1,000
2019-2020	

TITLE III E SERVICE UNIT PLAN OBJECTIVES**CCR Article 3, Section 7300(d)****2012–2016 Four-Year Planning Period**

This Service Unit Plan (SUP) uses the five broad federally-mandated service categories defined in PM 11-11. Refer to the CDA Service Categories and Data Dictionary Revisions Effective July 1, 2011 for eligible activities and service unit measures. Specify proposed audience size or units of service for ALL budgeted funds.

Direct and/or Contracted III E Services

CATEGORIES	1	2	3
Family Caregiver Services Caring for Elderly	<i>Proposed</i> Units of Service	<i>Required</i> Goal #(s)	<i>Optional</i> Objective #(s)
Information Services	# of activities and Total est. audience for above		
2016-2017	# of activities: 22 Total est. audience for above: 624	1	
2017-2018	# of activities: 65 Total est. audience for above: 5,000	1	
2018-2019	# of activities: 65 Total est. audience for above: 5,500		
2019-2020	# of activities: Total est. audience for above:		
Access Assistance	Total contacts		
2016-2017	1,529	1,2	
2017-2018	2,000	1,2	
2018-2019	2,000	1,2	
2019-2020			

Access Assistance		Total contacts	
Support Services	Total hours		
2016-2017	2173	1,2	
2017-2018	2,200	1,2	
2018-2019	2,200	1,2	
2019-2020			
Respite Care	Total hours		
2016-2017	3,238	1,2	
2017-2018	3,400	1,2	
2018-2019	3,500	1,2	
2019-2020			
Supplemental Services	Total occurrences		
2016-2017	610	1,2	
2017-2018	150	1,2	
2018-2019	150	1,2	
2019-2020			

Direct and/or Contracted IIIE Services

Grandparent Services Caring for Children	<i>Proposed</i> Units of Service	<i>Required</i> Goal #(s)	<i>Optional</i> Objective #(s)
Information Services	# of activities and Total est. audience for above		
2016-2017	# of activities: 30 Total est. audience for above: 140	1	
2017-2018	# of activities: 6 Total est. audience for above: 30	1	
2018-2019	# of activities: 6 Total est. audience for above: 30		
2019-2020	# of activities: Total est. audience for above:		

Grandparent Services Caring for Children	<i>Proposed</i> Units of Service	<i>Required</i> Goal #(s)	<i>Optional</i> Objective #(s)
Access Assistance	Total contacts		
2016-2017	105	1	
2017-2018	120	1	
2018-2019	120	1	
2019-2020			
Support Services	Total hours		
2016-2017	1,300	1	
2017-2018	2,000	1	
2018-2019	1,500	1	
2019-2020			
Respite Care	Total hours		
2016-2017	750	1	
2017-2018	3,000	1	
2018-2019	5,000	1	
2019-2020			
Supplemental Services	Total occurrences		
2016-2017	475	1	
2017-2018	120	1	
2018-2019	275	1	
2019-2020			

**HEALTH INSURANCE COUNSELING AND ADVOCACY PROGRAM (HICAP)
SERVICE UNIT PLAN
CCR Article 3, Section 7300(d)**

MULTIPLE PSA HICAPs: If you are a part of a multiple-PSA HICAP where two or more AAAs enter into an agreement with one “Managing AAA,” to deliver HICAP services on their behalf to eligible persons in their AAA, then each AAA must enter State and federal performance target numbers in each AAA’s respective SUP. Please do this in cooperation with the Managing AAA. The Managing AAA is responsible for providing HICAP services in the covered PSAs in a way that is agreed upon and equitable among the participating parties.

HICAP PAID LEGAL SERVICES: Complete Section 3 if your Master Contract contains a provision for using HICAP funds to provide HICAP Legal Services.

STATE & FEDERAL PERFORMANCE TARGETS: The Administration for Community Living (ACL) establishes targets for the State Health Insurance Assistance Program (SHIP)/HICAP performance measures (PMs). ACL introduced revisions to the SHIP PMs in late 2016 in conjunction with the original funding announcement (ref HHS-2017-ACL-CIP-SAPG-0184) for implementation with the release of the Notice of Award (Grant No. 90SAPG0052-01-01 issued July 2017).

The new five federal PMs generally reflect the former seven PMs (PM 2.1 through PM 2.7), except for PM 2.7, (Total Counseling Hours), which was removed because it is already being captured under the *SHIP Annual Resource Report*. As a part of these changes, ACL eliminated the performance-based funding scoring methodology and replaced it with a Likert scale comparison model for setting National Performance Measure Targets that define the proportional penetration rates needed for improvements. Using ACL’s approach, CDA HICAP provides State and Federal Performance Measures with goal-oriented targets for each AAA’s Planning and Service Area (PSA). One change to all PMs is the shift to county-level data. In general, the State and Federal Performance Measures include the following:

- PM 1.1 Clients Counseled ~ Number of finalized Intakes for clients/ beneficiaries that received HICAP services
- PM 1.2 Public and Media Events (PAM) ~ Number of completed PAM forms categorized as “interactive” events
- PM 2.1 Client Contacts ~ Percentage of one-on-one interactions with any Medicare beneficiaries
- PM 2.2 PAM Outreach Contacts ~ Percentage of persons reached through events categorized as “interactive”
- PM 2.3 Medicare Beneficiaries Under 65 ~ Percentage of one-on-one interactions with Medicare beneficiaries under the age of 65
- PM 2.4 Hard-to-Reach Contacts ~ Percentage of one-on-one interactions with “hard-to-reach” Medicare beneficiaries designated as:
 - PM 2.4a Low-income (LIS)
 - PM 2.4b Rural
 - PM 2.4c English Second Language (ESL)
- PM 2.5 Enrollment Contacts ~ Percentage of contacts with one or more qualifying enrollment topics discussed

AAA's should demonstrate progress toward meeting or improving on the Performance requirements established by CDA and ACL as is displayed annually on the *HICAP State and Federal Performance Measures* tool located online at: <https://www.aging.ca.gov/ProgramsProviders/AAA/Planning/>. For current and future planning, CDA requires each AAA ensure that HICAP service units and related federal *Annual Resource Report* data are documented and verified complete/ finalized in CDA's Statewide HICAP Automated Reporting Program (SHARP) system per the existing contractual reporting requirements. HICAP Service Units do not need to be input in the Area Plan (with the exception of HICAP Paid Legal Services, where applicable).

HICAP Legal Services Units of Service (if applicable)

Fiscal Year (FY)	3.1 Estimated Number of Clients Represented Per FY (Unit of Service)	Goal Numbers
2016-2017	20	2,3
2017-2018	20	2,3
2018-2019	6	2,3
2019-2020		

Fiscal Year (FY)	3.2 Estimated Number of Legal Representation Hours Per FY (Unit of Service)	Goal Numbers
2016-2017	620	2,3
2017-2018	620	2,3
2018-2019	550	2,3
2019-2020		

Fiscal Year (FY)	3.3 Estimated Number of Program Consultation Hours Per FY (Unit of Service)	Goal Numbers
2016-2017	6	2
2017-2018	6	2
2018-2019	9	2
2019-2020		

SECTION 16 - GOVERNING BOARD**PSA #7****GOVERNING BOARD MEMBERSHIP
2016-2020 Four-Year Area Plan Cycle**

CCR Article 3, Section 7302(a)(11)

Total Number of Board Members: 5**Name and Title of Officers:****Office Term Expires:**

Karen Mitchoff, Chair, District IV	December 2018
Federal Glover, District V	December 2020
<i>Term for elected officials of the Contra Costa County Board of Supervisors is 4 years. Elections are held in June; Supervisors are sworn in the first meeting of the new year and terms end at last meeting of the year in December.</i>	

Names and Titles of All Members:**Board Term Expires:**

John Gioia, District 1	December 2018
Candace Andersen, Chair, District II	December 2018
Diane Burgis, District III	December 2020
<i>Term for elected officials of the Contra Costa County Board of Supervisors is 4 years. Elections are held in June; Supervisors are sworn in the first meeting of the new year and terms end at last meeting of the year in December.</i>	

SECTION 17 - ADVISORY COUNCIL**PSA 7****ADVISORY COUNCIL MEMBERSHIP
2016-2020 Four-Year Planning Cycle**

OAA 2006 306(a)(6)(D)
45 CFR, Section 1321.57
CCR Article 3, Section 7302(a)(12)

Total Council Membership (include vacancies) 40Number of Council Members over age 60 35 /97%

	% of PSA's	
	<u>60+Population</u>	<u>% on Advisory Council</u>
Race/Ethnic Composition		
White	<u>45%</u>	<u>71%</u>
Hispanic	<u>25.3%</u>	<u>16%</u>
Black	<u>9.6%</u>	<u>3%</u>
Asian/Pacific Islander	<u>11.8%</u>	<u>10%</u>
Native American/Alaskan Native	<u>1%</u>	<u>0%</u>
Other	<u>7%</u>	<u>0%</u>

Name and Title of Officers:**Office Term Expires:**

Shirley Krohn, President/Chair Executive Committee Chair, Legislative Work Group Chair	December 19, 2018
Susan Frederick, Vice President Health Work Group Chair	December 19, 2018
Rita Xavier, Second Vice President	December 19, 2018
Patsy Welty, Treasurer	December 19, 2018
Gail Garrett, Secretary	December 19, 2018

Name and Title of other members:**Office Term Expires:**

Fred Adams, At Large #1	September 30, 2019
Kathryn Adams, At Large #17	September 30, 2018
Mary Bruns, At Large #15	September 30, 2019
Deborah Card, At Large #5	September 30, 2018
Nina Clark, Representing City of Orinda	September 30, 2019
Joseph Doherty, Representing City of Walnut Creek	September 30, 2019
James Donnelly, Representing City of Danville / Alamo	September 30, 2019
Jennifer Doran, Representing City of Hercules	September 30, 2018

Mary Rose, At Large #13	September 30, 2018
Rudy Fernandez, Representing City of Antioch	September 30, 2018
Susan Frederick, At Large #20	September 30, 2019
Dorothy Gantt, Representing City of San Pablo	September 30, 2018
Gail Garrett, Nutrition Project Council	September 30, 2018
Kristin Haegeland, Representing City of Pinole	September 30, 2018
Ella Jones, At Large #14	September 30, 2017
David Joslin, Representing City of Martinez	September 30, 2018
Keith Katzman, Representing City of Moraga	September 30, 2019
Arthur Kee, Representing City of Brentwood	September 30, 2019
Joanna Kim-Selby, Representing City of El Cerrito	September 30, 2018
Shirley Krohn, At Large #2	September 30, 2018
Robert Leasure, At Large #16	September 30, 2017
Richard Nahm, At Large #18	September 30, 2018
Nuru Neemuchwalla, At Large #12	September 30, 2018
Sheri Richards, At Large #8	September 30, 2017
Summer Selleck, At Large #7	September 30, 2017
Grayce Smith, Representing City of Oakley	September 30, 2018
Ron Tervelt, Representing City of Clayton	September 30, 2019
Lorna Van Akern, Representing City of Pleasant Hill	September 30, 2019
Patricia Welty, At Large #4	September 30, 2018
Janelle Williams, Representing City of Richmond	September 30, 2018
Rita Xavier, At Large #9	September 30, 2019

Indicate which member(s) represent each of the “Other Representation” categories listed below.

	Yes	No
Low Income Representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disabled Representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Supportive Services Provider Representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Health Care Provider Representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Family Caregiver Representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Local Elected Officials	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Individuals with Leadership Experience in
Private and Voluntary Sectors

☒ ☐

Explain any **"No"** answer(s):

Briefly describe the local governing board's process to appoint Advisory Council members:

Each new vacancy occurring on the Council is declared by Board Order. The Clerk of the Board's Office is then instructed to advertise each vacancy for a period of 20 days prior to the filling of each seat to encourage and permit interested members of the public to apply. Vacancies are identified on the County's website. Member at Large applicants are interviewed by the Council's Membership Committee; Local Committee Seats are selected by the cities (usually the City Councils). All new appointments to the Council are made by Board Order. New members are given an orientation and advised of their duty to file FORM 700 and to complete ethics training for public officials as required by the Fair Political Practices Commission. Members are also provided video training on the Brown Act and the County's own Better Governance Ordinance. Expired terms are renewed by mutual agreement.

2016-2020 Four-Year Area Planning Cycle

This section must be completed and submitted annually. The Older Americans Act of 1965, as amended (OAA), designates legal assistance as a priority service under Title III B [42 USC §3026(a)(2)]³ CDA developed *California Statewide Guidelines for Legal Assistance* (Guidelines), which are to be used as best practices by CDA, AAAs and LSPs in the contracting and monitoring processes for legal services (PM 05-19)

1. Specific to Legal Services, what is your AAA's Mission Statement or Purpose Statement? Statement must include Title IIIB requirements:
–
– For the provision of Legal Services, the AAA contracts with Contra Costa Senior Legal Services (CCSLs). The mission is to provide free legal advice, representation and education to elderly residents of Contra Costa County, with an emphasis on seniors who are in the greatest social and economic need. The most urgent objective is to resolve legal problems that are adversely affecting basic needs of the elderly such as food, shelter, health care, and freedom from physical, psychological or economic abuse.
2. Based on your local needs assessment, what percentage of Title IIIB funding is allocated to Legal Services?
– 11% of adequate proportion of unallocated Title III B funding is directed to Legal Services.
3. Specific to Legal Services, has there been a change in your local needs in the past four years? If so, please identify the change (include whether the change affected the level of funding and the difference in funding levels in the past four years).

Due to the rising cost of housing in Contra Costa County, the need for legal services involving housing issues has increased. Approximately 27% of cases are housing related, primarily landlord/tenant disputes and eviction defense. In the past four years, when available, the AAA has allocated One-Time-Only funding to support Legal Services. However the baseline budget allocation has, for the most part, remained the same.
4. Specific to Legal Services, does the AAA's contract/agreement with the Legal Services Provider(s) (LSPs) specify that the LSPs are expected to use the California Statewide Guidelines in the provision of OAA legal services?

Yes, the agreement does include expectations to use the California Statewide Guidelines in the provision of OAA legal services.

- 5 Does the AAA collaborate with the Legal Services Provider(s) to jointly establish specific priorities issues for legal services? If so what are the top four (4) priority legal issues in your PSA?
Yes, the AAA collaborates with CCSLS to establish priority issues for legal services. The top four priority legal

³ For Information related to Legal Services, contact Chisorom Okw uosa at 916 419-7500 or chisorom.okw uosa@aging.ca.gov

issues in Contra Costa County are housing preservation (e.g. eviction defense), consumer debt, incapacity planning (Advance Health Care Directives/Powers of Attorney) and elder abuse.

6. Specific to Legal Services, does the AAA collaborate with the Legal Services Provider(s) to jointly identify the target population? If so, what is the targeted senior population in your PSA **AND** what mechanism is used for reaching the target population?

Yes, the AAA collaborates with our legal service provider, CCSLS, to identify our target population. The target population is seniors with the greatest social and economic need. The mechanism for reaching them is through outreach and education at senior centers, nutrition sites, senior housing complexes, community events, and gathering places with diverse racial/ethnic populations, such as San Pablo and Bay Point. CCSLS distributes brochures about its services in English, Spanish, and several Asian languages. CCSLS also works with other organizations that serve the target population to promote awareness of its services.

7. Specific to Legal Services, what is the targeted senior population and mechanism for reaching targeted groups in your PSA? **Discuss:** As noted above, the target population is seniors with the greatest social and economic need. The mechanism for reaching them is through outreach and education at senior centers, nutrition sites, senior housing complexes, community events, and gathering places with diverse racial/ethnic populations. The legal service provider, CCSLS, distributes brochures about its services in English, Spanish and Asian languages. CCSLS also works with other organizations that serve the same target population to promote awareness of its services.

–
– 8. How many legal assistance service providers are in your PSA? **Complete table below.**

Fiscal Year	# of Legal Assistance Services Providers
2016-2017	3
2017-2018	3
2018-2019	3
2019-2020	<i>Leave Blank until 2019</i>

9. Does your PSA have a hotline for legal services? **No, Discuss:** Contra Costa County does not have a dedicated hotline for legal services. The Information and Assistance (I&A) and 211 helplines serve as referral sources. Adult Protective Services, Ombudsman program, legal service providers, and other community service providers also help link clients with CCSLS. Additionally, the Family Justice Centers serve as “one-stops” for victims of abuse and exploitation. Seniors who are victims of abuse can also access legal services through the Family Justice Centers.

– 10. What methods of outreach are Legal Services providers using? **Discuss:** CCSLS presents educational workshops on substantive areas of the law, makes presentations regarding its services and how to access those services, and participates at senior and health fairs throughout the county. It distributes

brochures, fliers and other materials regarding the law in several different languages. The agency also has a website at www.ccsls.org that can be accessed by clients or their families.

11. What geographic regions are covered by each provider? **Complete table below:**

Fiscal Year	Name of Provider	Geographic Region covered
2016-2017	a. CCC Senior Legal Services b. Bay Area Legal Aid c. Rubicon	countywide for all
2017-2018	a. CCC Senior Legal Services b. Bay Area Legal Aid c. Rubicon	countywide for all
2018-2019	a. CCC Senior Legal Services b. Bay Area Legal Aid c. Rubicon	countywide for all
2019-2020	a. <i>Leave Blank until 2019</i> b. <i>Leave Blank until 2019</i> c. <i>Leave Blank until 2019</i>	a. <i>Leave Blank until 2019</i> b. <i>Leave Blank until 2019</i> c. <i>Leave Blank until 2019</i>

12. Discuss how older adults access Legal Services in your PSA: Most frequently seniors access legal services by phone or by visiting CCSLS' office. They are given the option of phone or in-person appointments. Seniors can also make appointments at one of the several senior centers that participate in the Consult-an-Attorney program.

13. Identify the major types of legal issues that are handled by the Title IIIB legal provider(s) in your PSA. Discuss (please include new trends of legal problems in your area): **Discuss:**

Major legal issues handled by CCSLS are housing preservation (27% of cases), consumer debt (18% of cases), incapacity planning (13% of cases), and elder abuse (5% of cases).

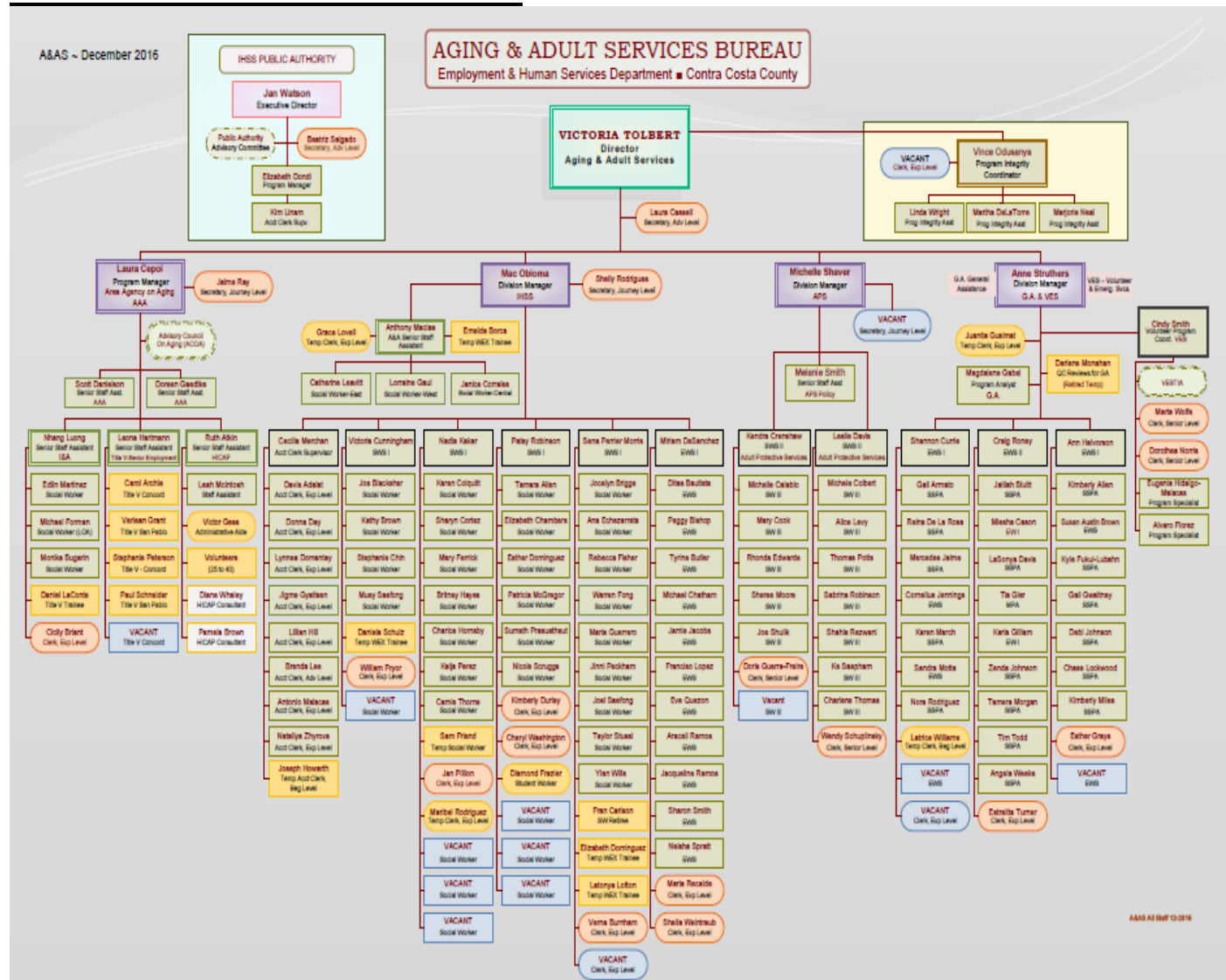
14. In the past four years, has there been a change in the types of legal issues handled by the Title IIIB legal provider(s) in your PSA? CCSLS is focusing more resources on elder abuse, which is under-reported and wide-spread. Another focus is on incapacity planning to help seniors who need to have the tools in place to take care of themselves in the case of cognitive decline or illness.

15. What are the barriers to accessing legal assistance in your PSA? Include proposed strategies for overcoming such barriers. **Discuss:** CCSLS moved its' main office to the city of Concord, a more centralized location that provides better access to services. The office is across the street from a Bay Area Rapid Transit (BART) station, making it easily accessible via public transportation. CCSLS has also developed a Consult-an-Attorney program at senior centers throughout the county so that clients do not have to travel outside their region to have a face-to-face consultation with an attorney. The program also offers legal advice and representation at the Elder Court, which was created in 2008 by the Superior Court of Contra Costa County in concert with community organizations to provide legal remedies and social services to seniors, particularly in cases that involve elder abuse.

The lack of resources is another barrier to accessing legal services. To address this issue, CCSLS has a panel of private and retired attorneys who provide pro-bono services for the Consult-an-Attorney Program and at Wills Clinics throughout the county.

16. What other organizations or groups does your legal service provider coordinate services with? **Discuss:** CCSLS coordinates its services with Contra Costa County Ombudsman, Bay Area Legal Aid, Meals on Wheels and Senior Outreach Services, the Superior Court, and many senior centers. In addition, they work very closely with many county programs such as Adult Protective Services (APS), Information and Assistance (I&A), and Health Insurance Counseling and Advocacy Program (HICAP). In the past they have co-sponsored educational events with some of the above-mentioned agencies and have co-counseled with other agencies on cases. They have also provided in-service education to the staff and volunteers of some of these providers.

SECTION 21 - ORGANIZATION CHART



TRANSMITTAL LETTER**2016-2020 Four Year Area Plan/ Annual Update****Check one:** ☐ FY 16-20 ☐ FY 17-18 ☒ FY 18-19 ☐ FY 19-20**AAA Name: PSA 7 Contra Costa County Area Agency on Aging**

This amendment to the 2018-2019 Area Plan is hereby submitted to the California Department of Aging for approval. The Governing Board and the Advisory Council have each had the opportunity to participate in the planning process and to review and comment on the Area Plan this amendment is to reflect two new service categories- disaster preparedness materials and telephone reassurance . The Governing Board, Advisory Council, and Area Agency Director actively support the planning and development of community-based systems of care and will ensure compliance with the assurances set forth in this Area Plan. The undersigned recognize the responsibility within each community to establish systems in order to address the care needs of older individuals and their family caregivers in this planning and service area.

Sincerely,

1. Supervisor John Gioia

Signature: Governing Board Chair 1

Date

2. Susan Fredericks

Signature: Advisory Council Chair

Date

3. Victoria Tolbert

Signature: Area Agency Director

Date

1 Original signatures or official signature stamps are required



Contra
Costa
County

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: February 12, 2019

Subject: Sustainability Commission 2018 Annual Report and 2019 Work Plan

RECOMMENDATION(S):

ACCEPT the 2018 Contra Costa County Sustainability Commission Annual Report and 2019 Work Plan, as recommended by the Sustainability Commission.

FISCAL IMPACT:

None.

BACKGROUND:

On June 18, 2002, the Board of Supervisors adopted Resolution No. 2002/377, which requires that each regular and ongoing board, commission, or committee report annually to the Board of Supervisors. The attached report presented for Board consideration was approved by the Sustainability Commission on December 10, 2018.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to adopt the Annual Report and Work Plan of the Sustainability Commission means the annual reporting requirement to the Board of Supervisors would not be fulfilled.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Jody London,
925-674-7871

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

By: , Deputy

cc:

ATTACHMENTS

Sustainability Commission 2018 Annual Report

2018 Climate Action Plan Narrative

2018 Climate Action Plan Implementation
Report



CONTRA COSTA COUNTY SUSTAINABILITY COMMISSION 2018 ANNUAL REPORT AND 2019 WORK PLAN

PURPOSE

The Contra Costa County Sustainability Commission was created to:

- A. Advise the Board of Supervisors and staff on successful implementation of the *Climate Action Plan*, including suggestions on how that work can be performed more efficiently and effectively.
- B. Advise the Board of Supervisors on opportunities to realize equity and fairness across the diverse communities of Contra Costa County in sustainability programs that support the *Climate Action Plan*.
- C. Advise the Board of Supervisors and staff on how to better engage Contra Costa County residents and businesses on sustainability issues and implementation of the *Climate Action Plan*.

2018 ANNUAL REPORT

The current members of the Sustainability Commission are:

Victoria Smith, Member, District 2, Chair
Howdy Goudey, At-Large, Community Group, Vice Chair
Nick Despota, Member, District 1
Shoshana Wechsler, Alternate, District 1
Ryan Buckley, Alternate, District 2
John Sierra, Member, District 3
Gretchen Logue, Alternate, District 3
Wes Sullens, Member, District 4

Travis Curran, Alternate, District 4
Charles Davidson, Member, District 5
Mark Thomson, Alternate, District 5
Harry Thurston, At-Large, Community Group
Kathy Cutting, At-Large, Business
Nicholas Snyder, At-Large, Business
Doria Robinson, At-Large, Environmental Justice
Kim Hazard, At-Large, Education

The Commission meets the fourth Monday in February, April, June, August, October, and December, at 5:00 p.m., at 30 Muir Road, Martinez, unless a different location has been determined. The December meeting is earlier in the month. Jody London, Sustainability Coordinator, is lead staff. All members have completed the mandatory training. The Sustainability Commission has been asked to provide a representative to the County's Integrated Pest Management Advisory Committee; Gretchen Logue is filling that role.

The Chair and other members of the Commission participate in meetings of the Board of Supervisors' Ad Hoc Committee on Sustainability. The Commission receives briefings from County staff and representatives of other agencies and groups on a range of issues related to the Climate Action Plan. In August, the Commission held a retreat to discuss how to more effectively achieve its goals. The notes and outcomes from the retreat are attached. Following the retreat, the Commission developed and adopted a template it asks presenters to use when addressing the Commission.

Below is a summary of the Commission's 2018 accomplishments.

Topic	Accomplishments
Polystyrene Ban	In April, Commission members met with Public Works staff to learn about the proposed ban and provide input. Public Works provided an update at the August 2018 Commission meeting. The Board of Supervisors on December 9 directed staff to develop a polystyrene ban that includes restaurants and other food service businesses, private care facilities, and private service providers and bans the sale of polystyrene food containers.
Carbon Fee and Dividend	The Commission asked the Board of Supervisors to incorporate into the County's federal legislative platform support for a carbon fee and dividend. The Board on October 9 indicated its support for a carbon fee to be added to the federal legislative platform.
Celebrating Success	The Sustainability nominated two groups for Sustainable Contra Costa Leadership awards: the North Richmond Watershed Connections Project, and the Public Health Academy at Alhambra High School. Both won and were recognized in September.
Realizing Equity and Fairness	The Commission discussed how it could better achieve this purpose at its retreat. In October, the Commission met with the Asian Pacific Environmental Network to learn more about environmental justice and climate planning. This work is ongoing.
Communication and Engagement	Members of the Commission are working with staff on how to better engage County residents and businesses. Commission members participated in a Countywide workshop in November with ecoAmerica on Let's Talk Climate!
Fix-It Clinics	One member of the Commission partnered with staff from the County Library to host a Fix-It Clinic at the El Cerrito Library, and to plan additional clinics at other libraries.
Adapting to Rising Tides	A member of the Commission researched sea level rise. She reached out to the Bay Conservation and Development Commission regarding the ART study. BCDC presented to the Commission in June. Members of the Commission participated in the August kickoff meeting for the ART-Eastern Contra Costa project.

2019 WORK PLAN

The Commission will continue to report to the Ad Hoc Committee on Sustainability, as well as to the full Board. Projects and initiatives related to the *Climate Action Plan* on which the Commission anticipates it will advise the Board of Supervisors and staff include:

- General Plan Update
- *Climate Action Plan* update
- Integrating equity and environmental justice into the *Climate Action Plan* and related documents and projects
- Identifying and pursuing opportunities to develop green benefits districts throughout the County
- Electric Vehicle Readiness Blueprint
- Advocacy on issues related to the *Climate Action Plan*
- Potential health impacts of climate change
- Outreach and education on sustainability to Contra Costa County residents and businesses
- Resiliency, including the Adapting to Rising Tides studies for Eastern Contra Costa County and the Bay Area region
- Issues related to water conservation and drought

- Land use and public transportation, including pedestrian and bicycle access
- Energy Efficiency & Renewable Energy
- Recycling, particularly the lack of facilities to process recycled materials

ATTACHMENT 1

NOTES: Sustainability Commission Retreat August 18, 2018

These notes were compiled by the facilitator, Marti Roach, from flip chart notes. Page 1 is the agenda for the Meeting. Page 2 shares a few comments captured by the opening activity and review of last year's work. Key documents for moving forward, including goals, are found starting on page 3.

It is recommended that the Commission review the Goals and actions going forward to affirm correct wording and intent as transcriptions/ reorganization of ideas from the flip charts may have gotten something awry.

Participant Agenda for Meeting

Desired Meeting Outcomes

- Appreciate and learn from our past work
- Clarify our responsibilities and what they mean for what we do and the impact we want
- Confirm ideas for our focus and operations that will support our effectiveness

9:00 am **Welcome, Agenda Review, Opening Conversation**

Reflecting on our work, what we have learned and implications for going forward (whole group review and discussion.)

Clarifying our mandate and our roles to maximize our impact. (small group carousel discussions)

BREAK (estimated time: 10:50)

Report outs on Carousel small group discussions.

Discussion on what substantive work we want to prioritize as a Commission

Public Comment

12:45 **Closing and next steps**

Some of the comments that came out when reflecting on the opening introductions:

- We need to focus on deliverables of the Commission.
- Most are on the Commission for networking.
- Need to address redundancies across communities and County.
- Still learning.

Some of the learnings mentioned after review of the first year work of the Commission:

- We need to track suggestions and our advice
- Polystyrene model of work: a few Commissioners research a topic and bring back to Commission a recommendation, which is discussed and acted on. Jody commented that this work had the effect of getting attention of the responsible Department and they did more work on this issue.
- Role in Carbon tax as educators at Ad Hoc Committee
- How can we initiate things?
- Focusing on MCE promises for clean energy –an idea for action. Jody commented there is a place for engagement on this and she will send out.
- Focus on guidance to Ad Hoc Committee
- Attend Ad Hoc Committee meetings with preparation.

At the end of the retreat, with time short, a couple of comments on what we did not get to:

1. A more technical level look at what we will focus on
2. No chance to discuss and prioritize the efforts that are underway

Small Group “Carousel” Discussion on Commission Mandate and Role

	ADVICE TO STAFF AND BOS ON SUCCESSFUL IMPLEMENTATION OF THE CAP	ADVISE THE BOS ON OPPORTUNITIES TO REALIZE EQUITY AND FAIRNESS ACROSS THE DIVERSE COMMUNITIES OF CCC IN SUS. PROGRAMS	• PROVIDE SUGGESTIONS TO STAFF & THE BOS ON HOW TO BETTER ENGAGE CONTRA COSTA COUNTY RESIDENTS & BUSINESSES ON SUSTAINABILITY ISSUES. INCLUDING IMPLEMENTATION OF THE CAP
What do we need to do and/or find out	<ul style="list-style-type: none"> • What is/is not being done to implement CAP. • Want pres. from County staff to clearly tie their actions to specific CAP measure and how we can provide input. (2) • Arrange small group follow-up with staff to determine how we can support their work. (2) Commission be included in early input/ development of CAP update /General Plan (1) • We need regional information for larger picture (MTC, BAAQMD, Agencies, State) • Request to adjacent Cities to present their CAP plans to help understand existing indicators and overlap. 	<ul style="list-style-type: none"> • More diverse commission (2) • Allied with low-income communities (2) • Look at other city action plans (?) • Bring diverse community members to Mtg. • Invite community groups to be part of our meetings and activities • Implement practice of examining issues using Sustainability Pillars • Invite Climate Justice Alliance to present their equity frame and solution suggestions to Commission. • Be participants of Northern Waterfront project • When receiving presentations, ask about each group's equity plan and offer support, if needed. 	<ul style="list-style-type: none"> • What are the current resources available: \$, people, initiatives, etc. in County and in Commissioners. (2) • What is currently in place to reach the res. /bus. /city/county? (2) • How are bus. Categorized (size, type, industry, etc.?) • Find out if there are any limitations of what we can say/how much we can advocate. • Limitations on political endorsements for Commission? • Find out if there are other CBOs, Chamber, Biz groups doing outreach that we can collaborate with. (2) • ID touchpoints, key communities to engage (i.e. schools, city councils) • We have not established engagement strategies with stakeholders
What is in place already to support this work	<ul style="list-style-type: none"> • Implementation Matrix. (1) • Attending the Ad Hoc Committee-tracking their activities. (2) • After each presentation, a lot of discussion time amongst commission members on what /How? If we could advise on that initiative/issue. (2) 		<ul style="list-style-type: none"> • County input at meetings to further understand existing programs. • Have reps at Ad Hoc Committee
What questions arise	<ul style="list-style-type: none"> • Reframing understanding of our role as advisory rather than hands on implementation. 	<ul style="list-style-type: none"> • While focusing on where to make the largest impact, how do we ensure also being inclusive of all communities? • How can we be more aggressive/pro-active in creating equity and not just following whatever the state says? 	<ul style="list-style-type: none"> • Clarity on our roles w/ business (do we reach out to them?) • How do we get involved in the process-or do we? • Do we have staff/ paid communications staff to support this responsibility? • How do we interface with communications from Depts.? • CIO engagement; more direct line of communication w/ us.

DISCUSSION ON THE CAROUSEL WORK LED TO A NUMBER OF ACTION RECOMMENDATIONS. *These are formatted, slightly adjusted from wall transcription, in an effort to best capture the recommendations. Review of them to finalize and affirm is encouraged. The idea of seeing these actions as pointing to work on specific goals of the Commission emerged in the Discussion and is captured here. If this framework is kept, some further clarity and better GOAL statements might help define the work.*

I. GOAL: Support Update of CAP

I. A. Convene municipalities to review, together, their CAPS, sharing common concerns and partnership to find solutions together.

This will be done with attention to equity (use equity frame) and community engagement and include a public health perspective. Consideration will be given to inviting the Climate Justice Alliance to speak at this event.

Lead Commissioners: Kathy Cutting, Wes Sullens, Howdy Goudey.

Supporting action: Doria will send the example of Richmond's plan for how to integrate attention to health throughout the plan.

II. GOAL: Improve structure and operations of the Commission

II. A. Create a template for presentations. (and post presentation discussion and next steps identification).

It will include questions the Commission wants answered, addressing topics like CAP measure, explain fit with CAP and experience in implementing the CAP, equity, public engagement, possible roadblocks (what can get in your way?) and what presenter needs from Commission, in line with Commission role.

Lead Commissioners: Nick Despota, Doria Robinson, Nick Snyder. Jody a resource.

II. B. Beyond Q&A, ensure internal discussion among Commissioners on the topic and next steps. Identify a point person to follow up with the Dept., as appropriate. Formulate clear "next steps" in line with Commission role.

This discussion directed the template mentioned in A to also include the generic questions that are used in this discussion to meet its purpose.

II. C. To support follow up and follow through on agenda actions and topics, Staff will make an agenda item for follow up in Commission meetings. A tracking sheet of action items and topics will be created by staff in Excel.

Lead Commissioner to help staff: Nick Snyder

II. D. Clarify communications and work with Ad Hoc Committee. Staff will provide agenda item at each meeting to determine topics of discussion to share at Ad Hoc Committee. The report will include a summary of what Commission as done and issues that arose. The Ad Hoc Committee will be asked if there are areas where we might align on specific topics/issues to advance common work.

(this latter action was agreed upon after a lot of discussion that pointed to the wish to work with the BOS through the Ad Hoc Committee but at the same time to be sure that the Commission maintains independence of its work.)

Lead Commissioner: Sustainability Commission Chair

III. GOAL: Activate Commission role in Community Engagement.

III. A. Gather information on current status of engagement plans in the CAP in Depts.

Lead Commissioners: Ryan Buckley, Travis Curran, Harry Thurston, Gretchen Logue

Discussion occurred around a query about Commissioners' role in visiting groups such as Chambers of Commerce to educate about county and Commission work and elicit views from these groups. Discussion reaffirmed the primary role of the Commission to provide suggestions on stakeholder engagement to staff and recognized that Commission members can also do outreach to groups if they wish. In review, it was also suggested that this outreach could show up in written or web based communications as well.

It was noted that the Commission's role on business and resident engagement is addressed in Goals I and II by including queries on this topic, and raising it as an area of action within a CAP and providing opportunity for the Commission to follow up on these issues with Departments implementing the CAP.

IV. GOAL: Develop/ adopt an equity frame for the Commission's work

IV. A. Invite the Climate Justice Alliance to a meeting as soon as is possible to learn of their work and their equity frame. Invite staff from other County departments to attend as well.

Lead Commissioner: Doria Robinson

V. Participate in the General Plan Update.

Contra Costa County Sustainability Commission
2018 Climate Action Plan Progress Report

The Contra Costa County Sustainability Commission’s purpose includes advising the Board of Supervisors and staff on successful implementation of the *Climate Action Plan (CAP)*, including suggestions on how that work can be performed more efficiently and effectively. The Commission is interested in reporting on progress in meeting the numeric targets in the 2015 *Climate Action Plan*. This report provides updates on progress in meeting the numeric targets. The attached spreadsheet includes detailed information on progress in meeting the action items identified in the *Climate Action Plan*.

There are several areas where the County has made significant progress in meeting the quantitative *Climate Action Plan* targets. A number of the measures do not have targets and are considered “supportive.”

As the County updates the CAP in 2019, the Sustainability Commission encourages the County to identify strategies and measures that will better allow the County to demonstrate progress in meeting greenhouse gas (GHG) reduction goals. The Commission also encourages the County to look for approaches that solve for multiple measures, for example reducing Styrofoam and/or plastics and increasing composting, reducing vehicle miles traveled and increasing use of public transportation and alternative transportation such as bicycling or walking.

Energy Efficiency (Measures EE1, EE2, EE3)

GHG Emissions Reductions Target for All EE Measures	GHG Emissions Reductions Expected by 2020 for All EE Measures	Total % Expected to be Completed
7200	7528	105%

	Measure	Percent of Completed Projects (Total to date through 2017)	Projected Percent of Completed Projects up to 2020
EE1	Provide opportunities for residential buildings to become more energy efficient.	22%	44%
EE2	Provide opportunities for nonresidential buildings to become more energy efficient.	4%	8%
EE3	Provide education and outreach highlighting the benefits of energy conservation.	589%	1178%

Cool Roofs and Shade Trees (Measure EE4)

The CAP calls for 1,790 existing homes and 9 businesses to complete cool roof retrofits by 2020. In 2017, staff reported steady increases of cool roofs on homes, but not at a rate to meet the target.

Residential Cool Roof installations

Year	# Cool Roofs Installed
2010	54
2011	46
2012	31
2013	10
2014	44
2015	73
2016	226
2017	335
Total	819

Commercial Cool Roof installations

Year	# Cool Roofs Installed
2014	2
2016	3
2017	2

The CAP calls for 500 new shade trees to be planted in the unincorporated County by 2020. The County typically processes 50-60 tree permits per year. To meet the goal of 500 trees by 2020, the number of trees planted annually would have to be closer to 100. The County issues permits for trees associated with projects that require County approval. It is possible that people are planting trees that the County does not track.

Rooftop Solar (Measure RE 1)

The CAP calls for 50 new homes and 2,500 existing homes to have solar arrays by 2020. The County has far exceeded this goal, issuing on average 1,500 permits for rooftop solar since 2014. Since the County implemented online applications in 2015, about 25% of applications have been issued using that channel. In 2020, the State will require all new residential buildings to install solar.

Summary of Roof Mount PV Permits Issued			
Year	# of Roof Mount Solar	# of Epermits	Notes
2008	315	NA	

Summary of Roof Mount PV Permits Issued			
Year	# of Roof Mount Solar	# of Epermits	Notes
2012	525	NA	
2014	1,343	NA	
2015	1,630	28	PVR ePermits implemented September 2015
2016	1,436	333	
2017	1,630	358	
2018	1,337	385	Permit data from 1/1/2018-11/30/2018
TOTAL	8,216	1,104	

Solar on County Buildings (Measure RE 2)

The County has installed nearly 5 MW of solar photovoltaics (PV) on County facilities to date. The performance target is 1 MW by 2020. The County is working to install solar PV at 11 more sites, many of which are also being considered for energy storage. This next wave of solar PV would result in a doubling of capacity and may include 3 MW of storage capacity. The new County Administration Building includes solar canopies on the parking lot, as well as 14 electric vehicle chargers. The new Emergency Operations Center will continue to take energy from the solar panels that were at the site previously and is being evaluated for the possibility of upgrade to Zero Net Energy with the addition of more solar capacity, as is the new Administration building.

MCE Enrollment (Measure RE 3)

Measure RE 3 is supportive and does not have numeric target. However, this is an area of significant progress. The CAP identifies community choice aggregation as a strategy for increasing the amount of renewable energy consumed in the County. The County and nine cities opted to join MCE in May 2017, joining the five cities that had previously joined MCE. Customer accounts transitioned to MCE in April 2018. As can be seen below, across the County nearly 89% of customers are choosing MCE. In the unincorporated County, the largest population, over 90% of customers are choosing MCE. The number of customers enrolling in MCE's Deep Green, 100 % renewable product, is significantly less.

MCE Enrollment as of November 6, 2018						
Jurisdiction	Total Accounts	MCE Accounts	MCE Partic. %	OPT OUT %	Deep Green Accounts	Deep Green % of MCE
Concord	51,292	47,068	91.76%	8.10%	338	0.72%
Contra Costa Co.	69,110	62,367	90.24%	9.63%	691	1.11%
Danville	17,686	15,942	90.14%	9.73%	185	1.16%
El Cerrito	11,752	10,619	90.36%	9.45%	740	6.97%
Lafayette	11,060	9,845	89.01%	10.86%	500	5.08%
Martinez	16,673	15,257	91.51%	8.25%	163	1.07%
Moraga	6,416	5,741	89.48%	10.36%	75	1.31%

MCE Enrollment as of November 6, 2018						
Jurisdiction	Total Accounts	MCE Accounts	MCE Partic. %	OPT OUT %	Deep Green Accounts	Deep Green % of MCE
Oakley	13,907	11,394	81.93%	18.02%	43	0.38%
Pinole	7,883	7,301	92.62%	7.10%	62	0.85%
Pittsburg	24,717	22,900	92.65%	7.23%	77	0.34%
Richmond	43,146	34,941	80.98%	18.91%	822	2.35%
San Pablo	10,552	9,238	87.55%	12.31%	43	0.47%
San Ramon	31,339	28,564	91.15%	8.73%	166	0.58%
Walnut Creek	37,124	32,660	87.98%	11.87%	716	2.19%
TOTAL	352,657	313,837	88.99%	11.01%	4621	1.47%

Financing Opportunities (Measure RE 3)

The CAP calls for improving participation in programs that help finance investments in energy efficiency and renewable energy. Property Assessed Clean Energy (PACE) programs allow property owners to voluntarily join an assessment district and borrow money for the purpose of making energy or water efficiency improvements to their property. In 2018, the County authorized a third PACE provider for property owners in the unincorporated County.

Countywide Bike Trips Per Weekday (Measure LUT 1)

The CAP sets a target of 33,630 average countywide bike trips per day. This is not a metric that staff has been tracking due to cost of data collection and the inherent limitations of this data in a discontinuous municipality/geography such as the unincorporated area. Staff has provided data on the action items in the CAP for this measure, including infrastructure to support bicyclists and pedestrians, pervious pavement, and grants. Absent bike trip counts, the County tracks data on the development of infrastructure that supports bicycles and pedestrians. Due to the well-established, strong correlation between the installation of new, high quality infrastructure and increases in bike use, the quantity of new infrastructure is used as a proxy bike trips. In 2018, the County added 18,025 feet of bike lanes, 1,360 feet of path/sidewalk, 24 curb ramps, and 2,655 square feet of pervious pavement in the unincorporated County. Improvements to this metric would include tracking the quantity of superior bicycle facilities installed (Class I or Class IV) and advocating for the Metropolitan Transportation Commission or Contra Costa Transportation Authority to track mode split on a countywide basis.

Alternative Fuel Vehicles (Measure LUT 2)

The CAP sets various targets related to electric vehicles (EV), including annual vehicle miles traveled (VMT) per public charging station, VMT per EV, electricity use per EV, and households with an EV. These are not metrics that staff tracks currently. The County has an aggressive plan to increase the number of EVs across the County by focusing on charging infrastructure. The County is working with the Contra Costa Transportation Authority to develop an EV Readiness Blueprint that will identify locations for shared mobility charging hubs, best practices for local governments to follow in deploying EV charging

infrastructure, and workforce training in the EV sector. The County is also exploring policy changes to electrify the County's fleet.

Lawnmowers Traded In (Measure LUT 3)

To reduce emissions from off-road vehicles and equipment, the *CAP* sets a target for lawnmowers traded in. This is not a metric that staff tracks, nor is it clear how one would track that data.

Reduce Vehicle Miles Travelled (Measure LUT 4)

This measure establishes targets for BART and bus trips taken by residents of the unincorporated County, and decreases in vehicle miles travelled in high occupancy vehicle lanes. For reasons similar to bike trip data, this is not something staff has been tracking to date. Such an effort would require significant coordination with BART, bus operators, and other agencies to measure. The County is in regular communication with all these agencies through regional coordinating councils and is regularly working with them to increase funding and ridership.

Reduce Water Demand (Measure WE 1)

The *CAP* sets a goal of reducing water demand by 20% by 2020. The County does not have direct governing authority over water use, which falls to water purveyors. The State has set goals for reducing water use.

Reduce Waste (Measure W1)

In the area of reducing solid waste, we have reduced tons by 80,189 which means we have not yet achieved the 2020 Performance Target of 90,850.

Reduce Methane and Other Emissions (Measure W2)

Staff is finding that this goal is a difficult one for which to assess progress because there is no way to measure the goal of tons of reduced GHG emissions being captured, which is the metric specified for this measure. Making certain assumptions about the data and the measurement tools, staff reports the County likely achieved this goal for 2015, but did not achieve this goal for 2016 and 2017.

Streetlights and Traffic Signals (GO 1)

The *CAP* sets a goal of replacing 7,210 lightbulbs in County facilities. All of the streetlights in the County, both those owned by the County (1,800) and those owned by PG&E (5,800), have been converted to LED, as have all traffic signals in the unincorporated County. The County has a regular program to upgrade lighting in County buildings.

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		Responsible Department	Time Frame	Action Items Identified in CAP	Progress to Date
EE 3	Provide education and outreach highlighting the benefits of energy conservation.	430	2,900	Participating homes	Conservation & Development	Near-Term (by 2018)	<ul style="list-style-type: none"> Engage with PG&E to provide multilingual and culturally relevant educational material to residents and business Work with the Bay Area Green Business Program to highlight examples of energy-efficient local business 	<ul style="list-style-type: none"> Worked with PG&E implementer to target specific areas regarding Energy Efficiency Programs for Commercial Businesses through East Bay Energy Watch. Coordinated with Green Business Program on program leads. As of November 2017, there are 279 certified green businesses in Contra Costa Green Business Program (CCGBP). As of January 2018, all businesses, regardless of business or facility size, pursuing certification/recertification are referred to PG&E.
			60	Participating businesses	Health Services			
EE 4	Reduce urban heat islands through vegetation management and cool surfaces.	20	1,790	Existing homes completing cool roof retrofits	Public Works	Near-Term (by 2018)	<ul style="list-style-type: none"> To increase use of higher-albedo materials Encourage developments with parking lot areas to shade these with vegetation or solar panels Promote the use of low-impact development (LID) strategy and reduction in impervious surface area of new development Increase use of cool roof materials on new and existing buildings Support programs to plant and maintain trees. 	<ul style="list-style-type: none"> All applications for building permits must meet current building code requirements. County Off-Street Parking Ordinance includes requirements for the design a location of electric vehicle parking spaces, short- and long-term bicycle parking, and required landscaping (see attached). Current Planning Division typically processes 50-60 tree permits per year; so far in 2018, Current Planning has approved 47 tree permits. Most approvals require tree restitution, which typically exceeds the number of trees approved for removal.
			9	Existing businesses completing cool roof retrofits				
			500	New shade trees	Conservation & Development			
RE 2	Promote installation of alternative energy facilities on public land.	270	1	MW of solar installed at public facilities in the unincorporated area	Conservation & Development Public Works	Near-Term (by 2018)	<ul style="list-style-type: none"> Continue to install alternative energy facilities on public buildings and land in unincorporated county Continue to participate in Regional Renewable Energy Procurement Project or similar bulk purchasing programs Work with East Bay Municipal Utilities District and other wastewater processors to install cogeneration infrastructure treatment facilities 	<ul style="list-style-type: none"> Current installed capacity on County facilities is 4.38 MW. Some wastewater processors and solid waste haulers are pursuing cogeneration projects.

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		Responsible Department	Time Frame	Action Items Identified in CAP	Progress to Date
LUT 3	Reduce emissions from off-road vehicles and equipment.	10	50	Lawnmowers traded in	Agriculture Conservation & Development	Near-Term (by 2018)	<ul style="list-style-type: none"> • Work with BAAQMD to incentivize use of battery-powered lawn and garden equipment • Provide support for the BAAQMD's voluntary exchange program for lawn mowers • Work with BAAQMD to increase the use of alternatively fueled equipment in agricultural operations • Consider an amendment to County Building Code to prohibit unnecessary idling of off-road and heavy equipment 	<ul style="list-style-type: none"> • The Agriculture Department has authority only over the use of pesticides, not the equipment in use. • Prohibiting idling of off-road and heavy equipment right now occurs on a case-by-case basis.
GO 1	Save energy used for public lighting.	580	7,210	Number of lightbulbs replaced with LED bulbs	Public Works	Near-Term (by 2018)	Complete LED upgrade of traffic signals, street lighting, and other public lighting located in the unincorporated area of the County.	<ul style="list-style-type: none"> • The County owns 1,800 streetlights, all of which have been converted to LED. PG&E owns 5,800 street lights in the unincorporated County, all of which have been converted to LED. • All traffic signals in the unincorporated County have been converted to LED.
GO 3	Conserve water.	Supportive of Overall GHG Reductions	Supportive	n/a	Public Works	Near-Term (by 2018)	Continue to install water-efficient landscaping on County properties and where possible, remove turf from County-owned facilities.	The County installed drought tolerant landscaping at the Pittsburg health clinic around 2015. Based on the success of that project, the County is replacing turf with drought-tolerant landscapes in more County facilities.
EE 1	Provide opportunities for residential buildings to become more energy efficient.	2,140	3000	Single-family homes receiving basic retrofits	Conservation & Development	Mid-Term (by 2020)	<ul style="list-style-type: none"> • Continue to expand participation in energy efficiency and energy efficiency rebate programs • Collaborate with local organizations and PG&E • Increase participation in low-income weatherization program • Identify disadvantaged individuals to increase participation • Work with PG&E to promote appliance rebate program; participate in Property Assessed Clean Energy (PACE) programs. 	<ul style="list-style-type: none"> • Coordinated and implemented an annual Single-Family homeowner workshop with 47 homeowners in attendance to provide information regarding home energy efficiency rebate program. Distributed quarterly mailers to multi-family property owners regarding available energy efficiency rebate programs.
			210	Single-family homes receiving advanced retrofits				
			700	Multi-family homes receiving retrofits				
			150	Single-family homes receiving pool pump upgrades				
			2,010	Homes receiving appliance upgrades				

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		Responsible Department	Time Frame	Action Items Identified in CAP	Progress to Date
EE 2	Provide opportunities for nonresidential buildings to become more energy efficient.	4,630	240	Businesses receiving retrocommissioning	Conservation & Development	Mid-Term (by 2020)	<ul style="list-style-type: none"> • Continue to expand participation in energy efficiency and financing programs • Provide focused outreach to local business • Develop outreach materials explaining financing opportunities • Identify staffing and revenue stream to develop shared landlord-tenant program • Inform nonresidential business owners about savings potential from retrocommissioning, retrofits and deep retrofits • Inform business community of monetary benefits with energy efficient appliances; collaborate with 4CL and PG&E to develop and implement outreach. 	Coordinated with East Bay Energy Watch Program lead to support their marketing campaign in specific areas requested by PG&E throughout the County.
			120	Businesses receiving standard retrofits				
			30	Businesses receiving deep retrofits				
			300	Businesses receiving appliance upgrades				

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		Responsible Department	Time Frame	Action Items Identified in CAP	Progress to Date
EE 5	Increase Contra Costa County's capacity for energy efficiency through financing opportunities and workforce training.	Supportive of Overall GHG Reductions	Supportive	n/a	Conservation & Development Health Services Public Works	Mid-Term (by 2020)	<ul style="list-style-type: none"> • Monitor grants from cap-and-trade and other sources • Create a framework for revenues from cap-and-trade offsets or allocations to fund energy efficiency and resource conservation programs • Work with Contra Costa Community College District and Contra Costa Workforce Development Board to develop workforce training programs for green jobs 	<ul style="list-style-type: none"> • In 2017, the Department of Conservation and Development received a \$49,000 grant from the California Strategic Growth Council to develop a Renewable Resource Potential Study. In 2018, DCD helped the Contra Costa Transportation Authority win a \$200,000 grant from the CA Energy Commission to develop an Electric Vehicle Readiness Blueprint. DCD also won a \$200,000 Climate Protection from the Bay Area Air Quality Management District for the Cleaner Contra Costa online platform to engage residents in climate protection activities. • Staff has not commenced developing a framework for revenues from Cap and Trade or other sources. • The EV Readiness Blueprint includes a workforce development component in which staff expects both the Workforce Development Board and the community colleges will be engaged.
EE 6	Support the statewide transition to net zero energy construction for new residential buildings by 2020 and new nonresidential buildings by 2030.	290	30	New ZNE homes	Conservation & Development Public Works	Mid-Term (by 2020)	<ul style="list-style-type: none"> • Identify and remove barriers to zero net energy • Work with developers, property owners, and financial donors to construct and publicize example zero net energy home prior to adoption • Provide information about zero net energy buildings at public events, on County website and in development review process, including cost effectiveness • Explore making new and significantly retrofitted County buildings zero net energy 	<ul style="list-style-type: none"> • The Board of Supervisors declined to adopt in advance of the 2019 update to State building code an ordinance that would require solar to be installed on most new residential construction.
			3	New ZNE businesses				
			12	Retrofitted ZNE homes				
			1	Retrofitted ZNE businesses				

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		Responsible Department	Time Frame	Action Items Identified in CAP	Progress to Date
RE 1	Promote installation of alternative energy facilities on homes and businesses.	8,820	50	New homes with solar arrays	Conservation & Development	Mid-Term (by 2020)	<ul style="list-style-type: none"> Amend the County Zoning Code to designate areas and development standards to support small and medium sized alternative energy and energy storage installations not covered by AB2188 Train planning staff to provide guidance and information on the streamlined process and available incentives Develop standards for ministerial approval of rooftop energy systems on commercial buildings and warehouses Encourage participation in PG&E's green tariff program 	<ul style="list-style-type: none"> The new County Administration Building and Emergency Operations Center are both likely to achieve LEED Gold. The Board's approval of community choice energy and decision to join MCE provides added incentive for property owners to install solar, resulting from MCE's more attractive net metering program. DCD continues to issue large numbers of building permits for rooftop solar, on the order of 1,500 per year, well exceeding the target established in the CAP. The Board in December 2017 amended the General Plan to allow solar on commercial and industrial rooftops in the unincorporated County, within the urban limit line. Utility green tariff programs are not well subscribed in California, irrespective of County actions.
			2,500	Existing homes with solar arrays				
			10	New businesses with solar arrays				
			60	Existing businesses with solar arrays				
			3,740	kW supplied by PG&E Green Tariff program				
RE 3	Lower barriers to entry for the installation of alternative energy systems.	Supportive of Overall GHG Reductions	Supportive	n/a	Conservation & Development	Term (by 2020)	<ul style="list-style-type: none"> Improve participation in existing financing mechanisms Connect low-income homeowners with renewable energy rebate and financing programs Work with local government and neighboring areas to participate in solar bulk-buying program Connect business owners to finance and rebate programs Work with PG&E to identify insufficient grid capacity areas Continue exploring options for implementing Community Choice Aggregation within the unincorporated area of the County 	<ul style="list-style-type: none"> The County has authorized three PACE providers since the Climate Action Plan was adopted: HERO, CaliforniaFirst, and Ygrene. The County will complete in November 2018 a study of renewable resource potential, and recommended changes to zoning that would facilitate installation of more renewable energy. The County and nine cities in 2017 joined the five Contra Costa cities that had already become members of MCE.

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		Responsible Department	Time Frame	Action Items Identified in CAP	Progress to Date
LUT 1	Maintain and expand access to goods, services, and other destinations through increased transportation alternatives (mobility improvements) and improved proximity (land use improvements).	910	33,630	Average countywide bike trips per weekday	Conservation & Development Health Services Public Works	Mid-Term (by 2020)	<ul style="list-style-type: none"> • Collaborate with local transportation, land use agencies, nonprofits and other stakeholders to expand bicycle, pedestrian and existing public transportation • Assist with Safe Routes to School implementation • Work with local agencies to encourage bicycle safety classes in all schools • Update County road standards to accommodate all modes of transportation • Identify periodic updates through the Contra Costa Transportation Authority's Countywide Bicycle and Pedestrian Plan (CBPP) and work with adjoining jurisdictions to update and implement • Revise the County CEQA guidelines to reflect implementation of Senate Bill 743 • Establish a 2020 mode share goal for bicycling by Board of Supervisors resolution, identify actions to reach goal, integrate into future General Plan updates and appeal other agencies to adopt same goal • Identify funding sources to support increased walking and bicycling activity 	<ul style="list-style-type: none"> • The County continues to add sustainable infrastructure to the County-maintained road system. Public Works added to County-maintained roads in 2018: Bike Lanes – 18,025 linear feet (3.4 miles) Path/Sidewalks – 1,360 linear feet (.25 miles) Curb Ramps – 24 Pervious Pavement – 2,655 square feet • Participated in CCTA's update to the Countywide Bike/Ped Plan • Sought and won several grants for bicycle/pedestrian plans • Currently preparing a Sustainable Transportation Planning grant application to develop expedited procedures to implement bike/ped/complete streets projects.
			4700	Annual VMT per public charging station	Conservation & Development Public Works additional departments, depending on grant resources		<ul style="list-style-type: none"> • As possible, include alternative-fuel use goals in franchise agreements for waste hauling and contracts with other vehicle fleets. • Support development of alternative-fuel and electric vehicle (EV) charging stations, including amending parking design and layout section (82-16-404) of the County Zoning Code • Pursue grant funding opportunities to install public EV chargers or other alternative fuel charging stations 	<ul style="list-style-type: none"> • As of 2017, one waste hauler has voluntarily converted fleet to compressed natural gas. Other franchise agreements will be up for renegotiation in about five years, at which time requirements for alternative fuel vehicles can be explored if haulers have not made that change already. • EV provisions are located in County Code Sections 74-4.006(j) and 82-16-404(e). • The County is working with the Contra Costa Transportation Authority to develop an EV Readiness Blueprint under a \$200,000 grant from the CEC. The Blueprint will identify locations for shared mobility hubs for charging many types of vehicles, as well as best practices and policies. CCTA will be able to...

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		<u>Responsible Department</u>	Time Frame	Action Items Identified in CAP	Progress to Date
LUT 2	Expand the use of alternative fuels in vehicle travel.	7,630	14,220	VMT per EV		Mid-Term (by 2020)		practices and policies. CCTA will be eligible to compete for Phase 2 implementation grants in 2019. lders. <ul style="list-style-type: none">Public Works is pursuing grant funding related to installing public EV chargers as follows:<ol style="list-style-type: none">Initiated discussions with PG&E pertaining to the EV Charge Network program. The program requires an easement and a ten year agreement.Public Works has identified California Air Resources Board Low Carbon Fuel Standard Program (LCFS) as a potential source of continuing cash flow for EV chargers.
			4,830	Electricity use per EV				
			1,790	Households with an EV				

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		Responsible Department	Time Frame	Action Items Identified in CAP	Progress to Date
LUT 5	Provide opportunities to grow, sell, and purchase local food.	Supportive of Overall GHG Reductions	Supportive	n/a	Agriculture Conservation & Development County Administrator's Office	Mid-Term (by 2020)	<ul style="list-style-type: none"> Continue to support local farmers markets, community gardens, school gardens and urban agricultural practices Amend Zoning Code to allow urban agriculture in appropriate areas Amend General Plan to add policy to encourage community gardens in new residential developments Encourage partnerships between local food growers and local food retailers Encourage partnerships between local food growers and local schools, hospitals, colleges and correctional facilities Continue to discourage schools being sited in agricultural areas 	<ul style="list-style-type: none"> Amend Zoning Code - Completed. The current County Code allows "crop and tree farming" as a permitted use in all residential districts. The County is currently reviewing agricultural land uses that would further promote and incentivize agricultural sustainability and economic vitality. Targeting Summer 2019 for BoS to consider Draft Ordinance. Continue to support local farmers markets, community gardens, school gardens and urban agricultural practices. We continue to register and issue certificates, check for problems, assist Farmers and Market Managers with getting established, and any problems they may have. Encourage partnerships between local food growers and local food retailers. Working with DCD through changes in policy to help facilitate growers to have the ability to have their own retail outlets or other value added businesses. Encourage partnerships between local food growers and local schools, hospitals, colleges and correctional facilities. Laws have been enacted to require a certain percentage of foods at some of these facilities to be from California sources. Liberty Union High School District put up for sale the parcels intended to be expansion high schools #4 and #5.

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		Responsible Department	Time Frame	Action Items Identified in CAP	Progress to Date
W 1	Develop a waste reduction strategy to increase recycling and reuse of materials.	25,780	90,850	Tons of waste reduced	Conservation & Development	Mid-Term (by 2020)	<ul style="list-style-type: none">• Achieve a local 75% waste diversion rate as identified in AB 341• Establish new and enhanced programs to collect organic material from business and residents• Increase public outreach to promote participation in existing waste diversion and prevention programs: backyard composting, grass-cycling, low-maintenance gardening programs, Bay Area Regional Outreach Campaign, Environmental Action Program for Schools• Work with owners and operators of solid waste transfer stations and landfills to establish anaerobic digesters• Update County's Source Reduction and Recycling Element, Household Hazardous Waste Element and other components to support CAP• Identify best practices to reduce waste water sludge (biosolids).	<p>1. Based upon County's most recent Annual Report submitted to CalRecycle to demonstrate compliance with the diversion requirements in the Integrated Waste Management Act, the amount of unincorporated area waste reported to have been disposed of in landfills in 2017 equates to a diversion rate of 69% (annual disposal rate of 2.4 pounds per person per day).</p> <p>2. Organic waste collection services are offered to residents in all four County franchise areas (one of which includes acceptance of food waste). Organic waste collection services are offered to businesses in three of the four County franchise areas (not yet offered in Crockett, Port Costa & Tormey area).</p> <p>3. Ongoing.</p> <p>4. The waste hauling company providing services to most of the unincorporated areas of East County is seeking to develop preprocessing capacity necessary at the East County transfer station so that targeted organic waste stream could be processed in existing anaerobic digester located at nearby wastewater treatment facility. The company has applied for a cap and trade funded grant to help support this effort.</p> <p>5. DCD updates waste diversion programs initially established in the County's Integrated Waste Management Plan (namely the Source Reduction and Recycling Element and Household Hazardous Waste Element) as circumstances warrant using the state's</p>
							1. Annually verify compliance with California Air Resource	1. Unfortunately, emissions levels were detected

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		Responsible Department	Time Frame	Action Items Identified in CAP	Progress to Date
W 2	Reduce fugitive methane emissions and other greenhouse gas emissions from solid waste landfills.	29,500	29,500	Increase in captured landfilled gas (MTCO ₂ e)	Conservation & Development Health Services	Mid-Term (by 2020)	<p>Board's landfill methane control measures</p> <p>2. Request landfill operators consider additional reduction actions: reduce materials with high methane-generation potential, reduce idling time for diesel equipment, encourage adequate maintenance of rolling stock, establish standards beyond the required for landfill gas collection system leak detection and prevention, and excluding the use of green waste as a material for alternative daily cover (ADC), consistent with AB 1594</p> <p>3. Amend General Plan and Zoning Code to allow renewable energy generation, such as solar and wind, on closed landfill areas</p>	<p>during quarterly monitoring in 2017 which exceeded the LMR so therefore the assumed methane capture rate was 75% rather than our 85% CAP goal.</p> <p>2. Provisions requiring that source-separated organics waste collected by haulers providing services pursuant to two of the County's franchises be composted and no longer used as ADC have been added by way of amendments approved in 2015 and 2017. Additionally, the Board approved changes to one of the Conditions of Approval in the County issued LUP governing the Keller Canyon Landfill that requires the operator to proactively seek to ensure adequate composting capacity is available by 2020 to manage green waste currently used as ADC.</p> <p>3. DCD has executed contract with the consultant selected to assist with a comprehensive update to the County's General Plan.</p>
WE 1	Reduce water demand.	1,210	20%	Reduction from 2013 water use	Conservation & Development	Mid-Term (by 2020)	<ul style="list-style-type: none"> Continue to reduce potable water use by at least 20% through conservation efforts in new and existing development Continue to enforce water conservation requirements in new developments per the State Model Water Efficient Landscape Ordinance. 	<p>(1) The County does not provide potable water service and has an indirect role (no governing authority) to reduce potable water use by 20% in existing development. The County could consider establishing new development criteria that may allow a 20% reduction in future development. The County could encourage the existing water purveyors (EBMUD, CCWD, Diablo, Town of Discovery Bay and various cities) to continue programs like turf replacement and limiting outdoor water use to specified days of the week. We could also consider how to support the State's "water conservation is a way of life" campaign.</p> <p>(2) New development (i.e. from single family homes to subdivisions) are subject to the updated State Model Water Efficient Landscape Ordinance. The County administers this Ordinance on new development through our Planning and Building divisions.</p>

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		Responsible Department	Time Frame	Action Items Identified in CAP	Progress to Date
WE 2	Provide alternative water resources for irrigation in residential and nonresidential areas.	Supportive of Measure WE 1	Supportive	n/a	Conservation & Development	Mid-Term (by 2020)	<ul style="list-style-type: none"> Promote rainwater collection for irrigation purposes Update the Dual Water Systems Ordinance to allow the use of recycled water for irrigation in residential and nonresidential areas 	<p>(1) The County continues to seek cost effective ways to promote rainwater collection for irrigation purposes but has not identified a clear path forward. It seems the scope of this measure may be better suited for collection and irrigation of rainwater in residential land uses and may not make a good business case to apply to larger agriculture uses.</p> <p>(2) The County's Dual Water Systems Ordinance, Chapter 82-30, allows for the use of recycled water in designated dual water system areas.</p>
GO 2	Promote energy-saving tools and practices.	Supportive of Overall GHG Reductions	Supportive	n/a	County Administrator's Office Public Works	Mid-Term (by 2020)	<ul style="list-style-type: none"> Continue to conduct audits of existing and recently acquired facilities, prioritize improvements, and upgrade facilities to save energy Increase solar electricity use for County and agency operations Develop policies related to powering off lights and appliances after hours Site facilities that have more than 50 personnel in close proximity to infrastructure and services that support alternative commute modes 	<ul style="list-style-type: none"> The Board has adopted a Distributed Energy Resources Plan that calls for better integration of energy projects in County facilities. Sun Power through a competitive bid process is assisting the County in siting solar panels on up to 11 County facilities.

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		Responsible Department	Time Frame	Action Items Identified in CAP	Progress to Date
GO 5	Establish budgeting and administration practices to support the Climate Action Plan.	Supportive of Overall GHG Reductions	Supportive	n/a	County Administrator's Office Public Works	Mid-Term (by 2020)	<ul style="list-style-type: none"> • Ensure the Environmental Purchasing Policy includes: green office supplies and green fleet and equipment • Reduce County fleet use of traditional fuels 20% by 2020 • Evaluate progress of Measure 13 from 2007 Municipal Climate Action Plan (30% of employees telecommuting two days a week) • Develop a process for sharing government operations' energy and water use and efficiency and conservation measures with public as an educational tool • Advocate for regional, state, and federal activities that support GHG emissions in the County, including: work with the BAAQMD to support reductions in process emissions from industrial entities, adopt language in the County's State and Federal legislative platforms that directs support and lobbying for local GHG reduction, advocate for additional transit funding sources concurrently with the development of priority development areas 	<ul style="list-style-type: none"> • The County has Environmentally Preferable Purchasing specifications updated in 2010 that address source reduction, recycled content, energy and water savings, green buildings, landscaping, toxics and pollutants, forest conservation, and bio-based products. • Staff is developing updated information on County fleet, which will be available in early November 2018. • Through the East Bay Energy Watch the County engages with PG&E on educational materials. The County also has initiated collaboration with MCE on outreach materials. • The County regularly advocates for policies, programs, and funding that will reduce GHG emissions in the County.
LUT 4	Reduce vehicle miles traveled.	4,080	54,400	BART extension trips taken by unincorporated County residents	Conservation & Development	Long-Term (by 2035)	<ul style="list-style-type: none"> • Collaborate with BART and other transits to increase ridership • Partner with waste haulers and other fleets to reduce frequency of routes • Support and increase the use of carpooling services • Continue to promote voluntary trip reduction programs • Work to increase densities within half a mile of BART and Amtrak stations and a quarter mile of stops for express bus routes • Prioritize alternative mode access to BART and other transit stations • Continue to explore funding transit with development applications and other finance methods • Continue to encourage establishment of Priority Economic Development Areas in residential communities 	<ul style="list-style-type: none"> • Collaborated with County Connection to promote a new bus route serving County offices • Added policy to our Federal Platform seeking funding for the next phase eBART extension.
			32,740,820	New bus ridership miles taken by unincorporated county residents				
			1,202,980	New BART ridership miles taken by unincorporated county residents				
			1,170,070	Estimated decrease in VMT from HOV lanes				

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		<u>Responsible Department</u>	Time Frame	Action Items Identified in CAP	Progress to Date
GO 4	Reduce waste.	Supportive of Overall GHG Reductions	Supportive	n/a	Public Works	Long-Term (by 2035)	<ul style="list-style-type: none">• Develop a recycling and composting program for County facilities• Educate and train staff to recycle and compost• Develop interim waste diversion/reduction goals• Achieve zero-waste operations by 2035	<ul style="list-style-type: none">• The County has expanded recycling to all County offices as of October 2018.

Contra Costa County Sustainability Commission
2018 Climate Action Plan Progress Report

The Contra Costa County Sustainability Commission’s purpose includes advising the Board of Supervisors and staff on successful implementation of the *Climate Action Plan (CAP)*, including suggestions on how that work can be performed more efficiently and effectively. The Commission is interested in reporting on progress in meeting the numeric targets in the 2015 *Climate Action Plan*. This report provides updates on progress in meeting the numeric targets. The attached spreadsheet includes detailed information on progress in meeting the action items identified in the *Climate Action Plan*.

There are several areas where the County has made significant progress in meeting the quantitative *Climate Action Plan* targets. A number of the measures do not have targets and are considered “supportive.”

As the County updates the CAP in 2019, the Sustainability Commission encourages the County to identify strategies and measures that will better allow the County to demonstrate progress in meeting greenhouse gas (GHG) reduction goals. The Commission also encourages the County to look for approaches that solve for multiple measures, for example reducing Styrofoam and/or plastics and increasing composting, reducing vehicle miles traveled and increasing use of public transportation and alternative transportation such as bicycling or walking.

Energy Efficiency (Measures EE1, EE2, EE3)

GHG Emissions Reductions Target for All EE Measures	GHG Emissions Reductions Expected by 2020 for All EE Measures	Total % Expected to be Completed
7200	7528	105%

	Measure	Percent of Completed Projects (Total to date through 2017)	Projected Percent of Completed Projects up to 2020
EE1	Provide opportunities for residential buildings to become more energy efficient.	22%	44%
EE2	Provide opportunities for nonresidential buildings to become more energy efficient.	4%	8%
EE3	Provide education and outreach highlighting the benefits of energy conservation.	589%	1178%

Cool Roofs and Shade Trees (Measure EE4)

The CAP calls for 1,790 existing homes and 9 businesses to complete cool roof retrofits by 2020. In 2017, staff reported steady increases of cool roofs on homes, but not at a rate to meet the target.

Residential Cool Roof installations

Year	# Cool Roofs Installed
2010	54
2011	46
2012	31
2013	10
2014	44
2015	73
2016	226
2017	335
Total	819

Commercial Cool Roof installations

Year	# Cool Roofs Installed
2014	2
2016	3
2017	2

The CAP calls for 500 new shade trees to be planted in the unincorporated County by 2020. The County typically processes 50-60 tree permits per year. To meet the goal of 500 trees by 2020, the number of trees planted annually would have to be closer to 100. The County issues permits for trees associated with projects that require County approval. It is possible that people are planting trees that the County does not track.

Rooftop Solar (Measure RE 1)

The CAP calls for 50 new homes and 2,500 existing homes to have solar arrays by 2020. The County has far exceeded this goal, issuing on average 1,500 permits for rooftop solar since 2014. Since the County implemented online applications in 2015, about 25% of applications have been issued using that channel. In 2020, the State will require all new residential buildings to install solar.

Summary of Roof Mount PV Permits Issued			
Year	# of Roof Mount Solar	# of Epermits	Notes
2008	315	NA	

Summary of Roof Mount PV Permits Issued			
Year	# of Roof Mount Solar	# of Epermits	Notes
2012	525	NA	
2014	1,343	NA	
2015	1,630	28	PVR ePermits implemented September 2015
2016	1,436	333	
2017	1,630	358	
2018	1,337	385	Permit data from 1/1/2018-11/30/2018
TOTAL	8,216	1,104	

Solar on County Buildings (Measure RE 2)

The County has installed nearly 5 MW of solar photovoltaics (PV) on County facilities to date. The performance target is 1 MW by 2020. The County is working to install solar PV at 11 more sites, many of which are also being considered for energy storage. This next wave of solar PV would result in a doubling of capacity and may include 3 MW of storage capacity. The new County Administration Building includes solar canopies on the parking lot, as well as 14 electric vehicle chargers. The new Emergency Operations Center will continue to take energy from the solar panels that were at the site previously and is being evaluated for the possibility of upgrade to Zero Net Energy with the addition of more solar capacity, as is the new Administration building.

MCE Enrollment (Measure RE 3)

Measure RE 3 is supportive and does not have numeric target. However, this is an area of significant progress. The CAP identifies community choice aggregation as a strategy for increasing the amount of renewable energy consumed in the County. The County and nine cities opted to join MCE in May 2017, joining the five cities that had previously joined MCE. Customer accounts transitioned to MCE in April 2018. As can be seen below, across the County nearly 89% of customers are choosing MCE. In the unincorporated County, the largest population, over 90% of customers are choosing MCE. The number of customers enrolling in MCE's Deep Green, 100 % renewable product, is significantly less.

MCE Enrollment as of November 6, 2018						
Jurisdiction	Total Accounts	MCE Accounts	MCE Partic. %	OPT OUT %	Deep Green Accounts	Deep Green % of MCE
Concord	51,292	47,068	91.76%	8.10%	338	0.72%
Contra Costa Co.	69,110	62,367	90.24%	9.63%	691	1.11%
Danville	17,686	15,942	90.14%	9.73%	185	1.16%
El Cerrito	11,752	10,619	90.36%	9.45%	740	6.97%
Lafayette	11,060	9,845	89.01%	10.86%	500	5.08%
Martinez	16,673	15,257	91.51%	8.25%	163	1.07%
Moraga	6,416	5,741	89.48%	10.36%	75	1.31%

MCE Enrollment as of November 6, 2018						
Jurisdiction	Total Accounts	MCE Accounts	MCE Partic. %	OPT OUT %	Deep Green Accounts	Deep Green % of MCE
Oakley	13,907	11,394	81.93%	18.02%	43	0.38%
Pinole	7,883	7,301	92.62%	7.10%	62	0.85%
Pittsburg	24,717	22,900	92.65%	7.23%	77	0.34%
Richmond	43,146	34,941	80.98%	18.91%	822	2.35%
San Pablo	10,552	9,238	87.55%	12.31%	43	0.47%
San Ramon	31,339	28,564	91.15%	8.73%	166	0.58%
Walnut Creek	37,124	32,660	87.98%	11.87%	716	2.19%
TOTAL	352,657	313,837	88.99%	11.01%	4621	1.47%

Financing Opportunities (Measure RE 3)

The CAP calls for improving participation in programs that help finance investments in energy efficiency and renewable energy. Property Assessed Clean Energy (PACE) programs allow property owners to voluntarily join an assessment district and borrow money for the purpose of making energy or water efficiency improvements to their property. In 2018, the County authorized a third PACE provider for property owners in the unincorporated County.

Countywide Bike Trips Per Weekday (Measure LUT 1)

The CAP sets a target of 33,630 average countywide bike trips per day. This is not a metric that staff has been tracking due to cost of data collection and the inherent limitations of this data in a discontinuous municipality/geography such as the unincorporated area. Staff has provided data on the action items in the CAP for this measure, including infrastructure to support bicyclists and pedestrians, pervious pavement, and grants. Absent bike trip counts, the County tracks data on the development of infrastructure that supports bicycles and pedestrians. Due to the well-established, strong correlation between the installation of new, high quality infrastructure and increases in bike use, the quantity of new infrastructure is used as a proxy bike trips. In 2018, the County added 18,025 feet of bike lanes, 1,360 feet of path/sidewalk, 24 curb ramps, and 2,655 square feet of pervious pavement in the unincorporated County. Improvements to this metric would include tracking the quantity of superior bicycle facilities installed (Class I or Class IV) and advocating for the Metropolitan Transportation Commission or Contra Costa Transportation Authority to track mode split on a countywide basis.

Alternative Fuel Vehicles (Measure LUT 2)

The CAP sets various targets related to electric vehicles (EV), including annual vehicle miles traveled (VMT) per public charging station, VMT per EV, electricity use per EV, and households with an EV. These are not metrics that staff tracks currently. The County has an aggressive plan to increase the number of EVs across the County by focusing on charging infrastructure. The County is working with the Contra Costa Transportation Authority to develop an EV Readiness Blueprint that will identify locations for shared mobility charging hubs, best practices for local governments to follow in deploying EV charging

infrastructure, and workforce training in the EV sector. The County is also exploring policy changes to electrify the County's fleet.

Lawnmowers Traded In (Measure LUT 3)

To reduce emissions from off-road vehicles and equipment, the *CAP* sets a target for lawnmowers traded in. This is not a metric that staff tracks, nor is it clear how one would track that data.

Reduce Vehicle Miles Travelled (Measure LUT 4)

This measure establishes targets for BART and bus trips taken by residents of the unincorporated County, and decreases in vehicle miles travelled in high occupancy vehicle lanes. For reasons similar to bike trip data, this is not something staff has been tracking to date. Such an effort would require significant coordination with BART, bus operators, and other agencies to measure. The County is in regular communication with all these agencies through regional coordinating councils and is regularly working with them to increase funding and ridership.

Reduce Water Demand (Measure WE 1)

The *CAP* sets a goal of reducing water demand by 20% by 2020. The County does not have direct governing authority over water use, which falls to water purveyors. The State has set goals for reducing water use.

Reduce Waste (Measure W1)

In the area of reducing solid waste, we have reduced tons by 80,189 which means we have not yet achieved the 2020 Performance Target of 90,850.

Reduce Methane and Other Emissions (Measure W2)

Staff is finding that this goal is a difficult one for which to assess progress because there is no way to measure the goal of tons of reduced GHG emissions being captured, which is the metric specified for this measure. Making certain assumptions about the data and the measurement tools, staff reports the County likely achieved this goal for 2015, but did not achieve this goal for 2016 and 2017.

Streetlights and Traffic Signals (GO 1)

The *CAP* sets a goal of replacing 7,210 lightbulbs in County facilities. All of the streetlights in the County, both those owned by the County (1,800) and those owned by PG&E (5,800), have been converted to LED, as have all traffic signals in the unincorporated County. The County has a regular program to upgrade lighting in County buildings.

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		Responsible Department	Time Frame	Action Items Identified in CAP	Progress to Date
EE 3	Provide education and outreach highlighting the benefits of energy conservation.	430	2,900	Participating homes	Conservation & Development	Near-Term (by 2018)	<ul style="list-style-type: none"> Engage with PG&E to provide multilingual and culturally relevant educational material to residents and business Work with the Bay Area Green Business Program to highlight examples of energy-efficient local business 	<ul style="list-style-type: none"> Worked with PG&E implementer to target specific areas regarding Energy Efficiency Programs for Commercial Businesses through East Bay Energy Watch. Coordinated with Green Business Program on program leads. As of November 2017, there are 279 certified green businesses in Contra Costa Green Business Program (CCGBP). As of January 2018, all businesses, regardless of business or facility size, pursuing certification/recertification are referred to PG&E.
			60	Participating businesses	Health Services			
EE 4	Reduce urban heat islands through vegetation management and cool surfaces.	20	1,790	Existing homes completing cool roof retrofits	Public Works	Near-Term (by 2018)	<ul style="list-style-type: none"> To increase use of higher-albedo materials Encourage developments with parking lot areas to shade these with vegetation or solar panels Promote the use of low-impact development (LID) strategy and reduction in impervious surface area of new development Increase use of cool roof materials on new and existing buildings Support programs to plant and maintain trees. 	<ul style="list-style-type: none"> All applications for building permits must meet current building code requirements. County Off-Street Parking Ordinance includes requirements for the design a location of electric vehicle parking spaces, short- and long-term bicycle parking, and required landscaping (see attached). Current Planning Division typically processes 50-60 tree permits per year; so far in 2018, Current Planning has approved 47 tree permits. Most approvals require tree restitution, which typically exceeds the number of trees approved for removal.
			9	Existing businesses completing cool roof retrofits				
			500	New shade trees	Conservation & Development			
RE 2	Promote installation of alternative energy facilities on public land.	270	1	MW of solar installed at public facilities in the unincorporated area	Conservation & Development Public Works	Near-Term (by 2018)	<ul style="list-style-type: none"> Continue to install alternative energy facilities on public buildings and land in unincorporated county Continue to participate in Regional Renewable Energy Procurement Project or similar bulk purchasing programs Work with East Bay Municipal Utilities District and other wastewater processors to install cogeneration infrastructure treatment facilities 	<ul style="list-style-type: none"> Current installed capacity on County facilities is 4.38 MW. Some wastewater processors and solid waste haulers are pursuing cogeneration projects.

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		Responsible Department	Time Frame	Action Items Identified in CAP	Progress to Date
LUT 3	Reduce emissions from off-road vehicles and equipment.	10	50	Lawnmowers traded in	Agriculture Conservation & Development	Near-Term (by 2018)	<ul style="list-style-type: none"> • Work with BAAQMD to incentivize use of battery-powered lawn and garden equipment • Provide support for the BAAQMD's voluntary exchange program for lawn mowers • Work with BAAQMD to increase the use of alternatively fueled equipment in agricultural operations • Consider an amendment to County Building Code to prohibit unnecessary idling of off-road and heavy equipment 	<ul style="list-style-type: none"> • The Agriculture Department has authority only over the use of pesticides, not the equipment in use. • Prohibiting idling of off-road and heavy equipment right now occurs on a case-by-case basis.
GO 1	Save energy used for public lighting.	580	7,210	Number of lightbulbs replaced with LED bulbs	Public Works	Near-Term (by 2018)	Complete LED upgrade of traffic signals, street lighting, and other public lighting located in the unincorporated area of the County.	<ul style="list-style-type: none"> • The County owns 1,800 streetlights, all of which have been converted to LED. PG&E owns 5,800 street lights in the unincorporated County, all of which have been converted to LED. • All traffic signals in the unincorporated County have been converted to LED.
GO 3	Conserve water.	Supportive of Overall GHG Reductions	Supportive	n/a	Public Works	Near-Term (by 2018)	Continue to install water-efficient landscaping on County properties and where possible, remove turf from County-owned facilities.	The County installed drought tolerant landscaping at the Pittsburg health clinic around 2015. Based on the success of that project, the County is replacing turf with drought-tolerant landscapes in more County facilities.
EE 1	Provide opportunities for residential buildings to become more energy efficient.	2,140	3000	Single-family homes receiving basic retrofits	Conservation & Development	Mid-Term (by 2020)	<ul style="list-style-type: none"> • Continue to expand participation in energy efficiency and energy efficiency rebate programs • Collaborate with local organizations and PG&E • Increase participation in low-income weatherization program • Identify disadvantaged individuals to increase participation • Work with PG&E to promote appliance rebate program; participate in Property Assessed Clean Energy (PACE) programs. 	<ul style="list-style-type: none"> • Coordinated and implemented an annual Single-Family homeowner workshop with 47 homeowners in attendance to provide information regarding home energy efficiency rebate program. Distributed quarterly mailers to multi-family property owners regarding available energy efficiency rebate programs.
			210	Single-family homes receiving advanced retrofits				
			700	Multi-family homes receiving retrofits				
			150	Single-family homes receiving pool pump upgrades				
			2,010	Homes receiving appliance upgrades				

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		Responsible Department	Time Frame	Action Items Identified in CAP	Progress to Date
EE 2	Provide opportunities for nonresidential buildings to become more energy efficient.	4,630	240	Businesses receiving retrocommissioning	Conservation & Development	Mid-Term (by 2020)	<ul style="list-style-type: none"> • Continue to expand participation in energy efficiency and financing programs • Provide focused outreach to local business • Develop outreach materials explaining financing opportunities • Identify staffing and revenue stream to develop shared landlord-tenant program • Inform nonresidential business owners about savings potential from retrocommissioning, retrofits and deep retrofits • Inform business community of monetary benefits with energy efficient appliances; collaborate with 4CL and PG&E to develop and implement outreach. 	Coordinated with East Bay Energy Watch Program lead to support their marketing campaign in specific areas requested by PG&E throughout the County.
			120	Businesses receiving standard retrofits				
			30	Businesses receiving deep retrofits				
			300	Businesses receiving appliance upgrades				

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		Responsible Department	Time Frame	Action Items Identified in CAP	Progress to Date
EE 5	Increase Contra Costa County's capacity for energy efficiency through financing opportunities and workforce training.	Supportive of Overall GHG Reductions	Supportive	n/a	Conservation & Development Health Services Public Works	Mid-Term (by 2020)	<ul style="list-style-type: none"> • Monitor grants from cap-and-trade and other sources • Create a framework for revenues from cap-and-trade offsets or allocations to fund energy efficiency and resource conservation programs • Work with Contra Costa Community College District and Contra Costa Workforce Development Board to develop workforce training programs for green jobs 	<ul style="list-style-type: none"> • In 2017, the Department of Conservation and Development received a \$49,000 grant from the California Strategic Growth Council to develop a Renewable Resource Potential Study. In 2018, DCD helped the Contra Costa Transportation Authority win a \$200,000 grant from the CA Energy Commission to develop an Electric Vehicle Readiness Blueprint. DCD also won a \$200,000 Climate Protection from the Bay Area Air Quality Management District for the Cleaner Contra Costa online platform to engage residents in climate protection activities. • Staff has not commenced developing a framework for revenues from Cap and Trade or other sources. • The EV Readiness Blueprint includes a workforce development component in which staff expects both the Workforce Development Board and the community colleges will be engaged.
EE 6	Support the statewide transition to net zero energy construction for new residential buildings by 2020 and new nonresidential buildings by 2030.	290	30	New ZNE homes	Conservation & Development Public Works	Mid-Term (by 2020)	<ul style="list-style-type: none"> • Identify and remove barriers to zero net energy • Work with developers, property owners, and financial donors to construct and publicize example zero net energy home prior to adoption • Provide information about zero net energy buildings at public events, on County website and in development review process, including cost effectiveness • Explore making new and significantly retrofitted County buildings zero net energy 	<ul style="list-style-type: none"> • The Board of Supervisors declined to adopt in advance of the 2019 update to State building code an ordinance that would require solar to be installed on most new residential construction.
			3	New ZNE businesses				
			12	Retrofitted ZNE homes				
			1	Retrofitted ZNE businesses				

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		Responsible Department	Time Frame	Action Items Identified in CAP	Progress to Date
RE 1	Promote installation of alternative energy facilities on homes and businesses.	8,820	50	New homes with solar arrays	Conservation & Development	Mid-Term (by 2020)	<ul style="list-style-type: none"> Amend the County Zoning Code to designate areas and development standards to support small and medium sized alternative energy and energy storage installations not covered by AB2188 Train planning staff to provide guidance and information on the streamlined process and available incentives Develop standards for ministerial approval of rooftop energy systems on commercial buildings and warehouses Encourage participation in PG&E's green tariff program 	<ul style="list-style-type: none"> The new County Administration Building and Emergency Operations Center are both likely to achieve LEED Gold. The Board's approval of community choice energy and decision to join MCE provides added incentive for property owners to install solar, resulting from MCE's more attractive net metering program. DCD continues to issue large numbers of building permits for rooftop solar, on the order of 1,500 per year, well exceeding the target established in the CAP. The Board in December 2017 amended the General Plan to allow solar on commercial and industrial rooftops in the unincorporated County, within the urban limit line. Utility green tariff programs are not well subscribed in California, irrespective of County actions.
			2,500	Existing homes with solar arrays				
			10	New businesses with solar arrays				
			60	Existing businesses with solar arrays				
			3,740	kW supplied by PG&E Green Tariff program				
RE 3	Lower barriers to entry for the installation of alternative energy systems.	Supportive of Overall GHG Reductions	Supportive	n/a	Conservation & Development	Term (by 2020)	<ul style="list-style-type: none"> Improve participation in existing financing mechanisms Connect low-income homeowners with renewable energy rebate and financing programs Work with local government and neighboring areas to participate in solar bulk-buying program Connect business owners to finance and rebate programs Work with PG&E to identify insufficient grid capacity areas Continue exploring options for implementing Community Choice Aggregation within the unincorporated area of the County 	<ul style="list-style-type: none"> The County has authorized three PACE providers since the Climate Action Plan was adopted: HERO, CaliforniaFirst, and Ygrene. The County will complete in November 2018 a study of renewable resource potential, and recommended changes to zoning that would facilitate installation of more renewable energy. The County and nine cities in 2017 joined the five Contra Costa cities that had already become members of MCE.

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		Responsible Department	Time Frame	Action Items Identified in CAP	Progress to Date
LUT 1	Maintain and expand access to goods, services, and other destinations through increased transportation alternatives (mobility improvements) and improved proximity (land use improvements).	910	33,630	Average countywide bike trips per weekday	Conservation & Development Health Services Public Works	Mid-Term (by 2020)	<ul style="list-style-type: none"> • Collaborate with local transportation, land use agencies, nonprofits and other stakeholders to expand bicycle, pedestrian and existing public transportation • Assist with Safe Routes to School implementation • Work with local agencies to encourage bicycle safety classes in all schools • Update County road standards to accommodate all modes of transportation • Identify periodic updates through the Contra Costa Transportation Authority's Countywide Bicycle and Pedestrian Plan (CBPP) and work with adjoining jurisdictions to update and implement • Revise the County CEQA guidelines to reflect implementation of Senate Bill 743 • Establish a 2020 mode share goal for bicycling by Board of Supervisors resolution, identify actions to reach goal, integrate into future General Plan updates and appeal other agencies to adopt same goal • Identify funding sources to support increased walking and bicycling activity 	<ul style="list-style-type: none"> • The County continues to add sustainable infrastructure to the County-maintained road system. Public Works added to County-maintained roads in 2018: Bike Lanes – 18,025 linear feet (3.4 miles) Path/Sidewalks – 1,360 linear feet (.25 miles) Curb Ramps – 24 Pervious Pavement – 2,655 square feet • Participated in CCTA's update to the Countywide Bike/Ped Plan • Sought and won several grants for bicycle/pedestrian plans • Currently preparing a Sustainable Transportation Planning grant application to develop expedited procedures to implement bike/ped/complete streets projects.
			4700	Annual VMT per public charging station	Conservation & Development Public Works additional departments, depending on grant resources		<ul style="list-style-type: none"> • As possible, include alternative-fuel use goals in franchise agreements for waste hauling and contracts with other vehicle fleets. • Support development of alternative-fuel and electric vehicle (EV) charging stations, including amending parking design and layout section (82-16-404) of the County Zoning Code • Pursue grant funding opportunities to install public EV chargers or other alternative fuel charging stations 	<ul style="list-style-type: none"> • As of 2017, one waste hauler has voluntarily converted fleet to compressed natural gas. Other franchise agreements will be up for renegotiation in about five years, at which time requirements for alternative fuel vehicles can be explored if haulers have not made that change already. • EV provisions are located in County Code Sections 74-4.006(j) and 82-16-404(e). • The County is working with the Contra Costa Transportation Authority to develop an EV Readiness Blueprint under a \$200,000 grant from the CEC. The Blueprint will identify locations for shared mobility hubs for charging many types of vehicles, as well as best practices and policies. CCTA will be able to...

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		<u>Responsible Department</u>	Time Frame	Action Items Identified in CAP	Progress to Date
LUT 2	Expand the use of alternative fuels in vehicle travel.	7,630	14,220	VMT per EV		Mid-Term (by 2020)		<p>practices and policies. CCTA will be eligible to compete for Phase 2 implementation grants in 2019. lders.</p> <ul style="list-style-type: none">Public Works is pursuing grant funding related to installing public EV chargers as follows: 1. Initiated discussions with PG&E pertaining to the EV Charge Network program. The program requires an easement and a ten year agreement. 2. Public Works has identified California Air Resources Board Low Carbon Fuel Standard Program (LCFS) as a potential source of continuing cash flow for EV chargers.
			4,830	Electricity use per EV				
			1,790	Households with an EV				

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		Responsible Department	Time Frame	Action Items Identified in CAP	Progress to Date
LUT 5	Provide opportunities to grow, sell, and purchase local food.	Supportive of Overall GHG Reductions	Supportive	n/a	Agriculture Conservation & Development County Administrator's Office	Mid-Term (by 2020)	<ul style="list-style-type: none"> • Continue to support local farmers markets, community gardens, school gardens and urban agricultural practices • Amend Zoning Code to allow urban agriculture in appropriate areas • Amend General Plan to add policy to encourage community gardens in new residential developments • Encourage partnerships between local food growers and local food retailers • Encourage partnerships between local food growers and local schools, hospitals, colleges and correctional facilities • Continue to discourage schools being sited in agricultural areas 	<ul style="list-style-type: none"> • Amend Zoning Code - Completed. • The current County Code allows "crop and tree farming" as a permitted use in all residential districts. • The County is currently reviewing agricultural land uses that would further promote and incentivize agricultural sustainability and economic vitality. Targeting Summer 2019 for BoS to consider Draft Ordinance. • Continue to support local farmers markets, community gardens, school gardens and urban agricultural practices. • We continue to register and issue certificates, check for problems, assist Farmers and Market Managers with getting established, and any problems they may have. • Encourage partnerships between local food growers and local food retailers. • Working with DCD through changes in policy to help facilitate growers to have the ability to have their own retail outlets or other value added businesses. • Encourage partnerships between local food growers and local schools, hospitals, colleges and correctional facilities. • Laws have been enacted to require a certain percentage of foods at some of these facilities to be from California sources. • Liberty Union High School District put up for sale the parcels intended to be expansion high schools #4 and #5.

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		Responsible Department	Time Frame	Action Items Identified in CAP	Progress to Date
W 1	Develop a waste reduction strategy to increase recycling and reuse of materials.	25,780	90,850	Tons of waste reduced	Conservation & Development	Mid-Term (by 2020)	<ul style="list-style-type: none"> • Achieve a local 75% waste diversion rate as identified in AB 341 • Establish new and enhanced programs to collect organic material from business and residents • Increase public outreach to promote participation in existing waste diversion and prevention programs: backyard composting, grass-cycling, low-maintenance gardening programs, Bay Area Regional Outreach Campaign, Environmental Action Program for Schools • Work with owners and operators of solid waste transfer stations and landfills to establish anaerobic digesters • Update County's Source Reduction and Recycling Element, Household Hazardous Waste Element and other components to support CAP • Identify best practices to reduce waste water sludge (biosolids). 	<p>1. Based upon County's most recent Annual Report submitted to CalRecycle to demonstrate compliance with the diversion requirements in the Integrated Waste Management Act, the amount of unincorporated area waste reported to have been disposed of in landfills in 2017 equates to a diversion rate of 69% (annual disposal rate of 2.4 pounds per person per day).</p> <p>2. Organic waste collection services are offered to residents in all four County franchise areas (one of which includes acceptance of food waste). Organic waste collection services are offered to businesses in three of the four County franchise areas (not yet offered in Crockett, Port Costa & Tormey area).</p> <p>3. Ongoing.</p> <p>4. The waste hauling company providing services to most of the unincorporated areas of East County is seeking to develop preprocessing capacity necessary at the East County transfer station so that targeted organic waste stream could be processed in existing anaerobic digester located at nearby wastewater treatment facility. The company has applied for a cap and trade funded grant to help support this effort.</p> <p>5. DCD updates waste diversion programs initially established in the County's Integrated Waste Management Plan (namely the Source Reduction and Recycling Element and Household Hazardous Waste Element) as circumstances warrant using the state's</p>
							1. Annually verify compliance with California Air Resource	1. Unfortunately, emissions levels were detected

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		Responsible Department	Time Frame	Action Items Identified in CAP	Progress to Date
W 2	Reduce fugitive methane emissions and other greenhouse gas emissions from solid waste landfills.	29,500	29,500	Increase in captured landfilled gas (MTCO ₂ e)	Conservation & Development Health Services	Mid-Term (by 2020)	<p>Board's landfill methane control measures</p> <p>2. Request landfill operators consider additional reduction actions: reduce materials with high methane-generation potential, reduce idling time for diesel equipment, encourage adequate maintenance of rolling stock, establish standards beyond the required for landfill gas collection system leak detection and prevention, and excluding the use of green waste as a material for alternative daily cover (ADC), consistent with AB 1594</p> <p>3. Amend General Plan and Zoning Code to allow renewable energy generation, such as solar and wind, on closed landfill areas</p>	<p>during quarterly monitoring in 2017 which exceeded the LMR so therefore the assumed methane capture rate was 75% rather than our 85% CAP goal.</p> <p>2. Provisions requiring that source-separated organics waste collected by haulers providing services pursuant to two of the County's franchises be composted and no longer used as ADC have been added by way of amendments approved in 2015 and 2017. Additionally, the Board approved changes to one of the Conditions of Approval in the County issued LUP governing the Keller Canyon Landfill that requires the operator to proactively seek to ensure adequate composting capacity is available by 2020 to manage green waste currently used as ADC.</p> <p>3. DCD has executed contract with the consultant selected to assist with a comprehensive update to the County's General Plan.</p>
WE 1	Reduce water demand.	1,210	20%	Reduction from 2013 water use	Conservation & Development	Mid-Term (by 2020)	<ul style="list-style-type: none"> Continue to reduce potable water use by at least 20% through conservation efforts in new and existing development Continue to enforce water conservation requirements in new developments per the State Model Water Efficient Landscape Ordinance. 	<p>(1) The County does not provide potable water service and has an indirect role (no governing authority) to reduce potable water use by 20% in existing development. The County could consider establishing new development criteria that may allow a 20% reduction in future development. The County could encourage the existing water purveyors (EBMUD, CCWD, Diablo, Town of Discovery Bay and various cities) to continue programs like turf replacement and limiting outdoor water use to specified days of the week. We could also consider how to support the State's "water conservation is a way of life" campaign.</p> <p>(2) New development (i.e. from single family homes to subdivisions) are subject to the updated State Model Water Efficient Landscape Ordinance. The County administers this Ordinance on new development through our Planning and Building divisions.</p>

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		Responsible Department	Time Frame	Action Items Identified in CAP	Progress to Date
WE 2	Provide alternative water resources for irrigation in residential and nonresidential areas.	Supportive of Measure WE 1	Supportive	n/a	Conservation & Development	Mid-Term (by 2020)	<ul style="list-style-type: none"> Promote rainwater collection for irrigation purposes Update the Dual Water Systems Ordinance to allow the use of recycled water for irrigation in residential and nonresidential areas 	<p>(1) The County continues to seek cost effective ways to promote rainwater collection for irrigation purposes but has not identified a clear path forward. It seems the scope of this measure may be better suited for collection and irrigation of rainwater in residential land uses and may not make a good business case to apply to larger agriculture uses.</p> <p>(2) The County's Dual Water Systems Ordinance, Chapter 82-30, allows for the use of recycled water in designated dual water system areas.</p>
GO 2	Promote energy-saving tools and practices.	Supportive of Overall GHG Reductions	Supportive	n/a	County Administrator's Office Public Works	Mid-Term (by 2020)	<ul style="list-style-type: none"> Continue to conduct audits of existing and recently acquired facilities, prioritize improvements, and upgrade facilities to save energy Increase solar electricity use for County and agency operations Develop policies related to powering off lights and appliances after hours Site facilities that have more than 50 personnel in close proximity to infrastructure and services that support alternative commute modes 	<ul style="list-style-type: none"> The Board has adopted a Distributed Energy Resources Plan that calls for better integration of energy projects in County facilities. Sun Power through a competitive bid process is assisting the County in siting solar panels on up to 11 County facilities.

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		Responsible Department	Time Frame	Action Items Identified in CAP	Progress to Date
GO 5	Establish budgeting and administration practices to support the Climate Action Plan.	Supportive of Overall GHG Reductions	Supportive	n/a	County Administrator's Office Public Works	Mid-Term (by 2020)	<ul style="list-style-type: none"> • Ensure the Environmental Purchasing Policy includes: green office supplies and green fleet and equipment • Reduce County fleet use of traditional fuels 20% by 2020 • Evaluate progress of Measure 13 from 2007 Municipal Climate Action Plan (30% of employees telecommuting two days a week) • Develop a process for sharing government operations' energy and water use and efficiency and conservation measures with public as an educational tool • Advocate for regional, state, and federal activities that support GHG emissions in the County, including: work with the BAAQMD to support reductions in process emissions from industrial entities, adopt language in the County's State and Federal legislative platforms that directs support and lobbying for local GHG reduction, advocate for additional transit funding sources concurrently with the development of priority development areas 	<ul style="list-style-type: none"> • The County has Environmentally Preferable Purchasing specifications updated in 2010 that address source reduction, recycled content, energy and water savings, green buildings, landscaping, toxics and pollutants, forest conservation, and bio-based products. • Staff is developing updated information on County fleet, which will be available in early November 2018. • Through the East Bay Energy Watch the County engages with PG&E on educational materials. The County also has initiated collaboration with MCE on outreach materials. • The County regularly advocates for policies, programs, and funding that will reduce GHG emissions in the County.
LUT 4	Reduce vehicle miles traveled.	4,080	54,400	BART extension trips taken by unincorporated County residents	Conservation & Development	Long-Term (by 2035)	<ul style="list-style-type: none"> • Collaborate with BART and other transits to increase ridership • Partner with waste haulers and other fleets to reduce frequency of routes • Support and increase the use of carpooling services • Continue to promote voluntary trip reduction programs • Work to increase densities within half a mile of BART and Amtrak stations and a quarter mile of stops for express bus routes • Prioritize alternative mode access to BART and other transit stations • Continue to explore funding transit with development applications and other finance methods • Continue to encourage establishment of Priority Economic Development Areas in residential communities 	<ul style="list-style-type: none"> • Collaborated with County Connection to promote a new bus route serving County offices • Added policy to our Federal Platform seeking funding for the next phase eBART extension.
			32,740,820	New bus ridership miles taken by unincorporated county residents				
			1,202,980	New BART ridership miles taken by unincorporated county residents				
			1,170,070	Estimated decrease in VMT from HOV lanes				

CONTRA COSTA COUNTY CLIMATE ACTION PLAN IMPLEMENTATION GOALS 2018 - Action Item Progress

Measures	Policy Language	2020 GHG Reductions (MTCO ₂ e)	2020 Performance Targets		<u>Responsible Department</u>	Time Frame	Action Items Identified in CAP	Progress to Date
GO 4	Reduce waste.	Supportive of Overall GHG Reductions	Supportive	n/a	Public Works	Long-Term (by 2035)	<ul style="list-style-type: none">• Develop a recycling and composting program for County facilities• Educate and train staff to recycle and compost• Develop interim waste diversion/reduction goals• Achieve zero-waste operations by 2035	<ul style="list-style-type: none">• The County has expanded recycling to all County offices as of October 2018.



Contra
Costa
County

To: Board of Supervisors
From: Sharon L. Anderson, County Counsel
Date: February 12, 2019

Subject: Conflict of Interest Code for the West County Wastewater District

RECOMMENDATION(S):

APPROVE amended Conflict of Interest Code for the West County Wastewater District ("District"), including the list of designated positions.

FISCAL IMPACT:

None.

BACKGROUND:

The District has amended its Conflict of Interest Code and submitted the revised code, attached as Exhibit A, to the Board for approval pursuant to Government Code section 87306 and 87306.5.

The changes include an updated list of positions designated to file conflict of interest statements.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Cynthia Schwerin, Deputy County Counsel, (925) 335-1800

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

By: , Deputy

cc: David Twa, Clerk of the Board of Supervisors, Cynthia Schwerin, Deputy County Counsel, Lisa Malek-Zadeh, Gen. Manager, WCWD

BACKGROUND: (CONT'D)

These changes will ensure that the Conflict of Interest Code accurately reflects the current positions and organizational structure in use by the District. A strike-out version of the Conflict of Interest Code is attached as Exhibit B.

CONSEQUENCE OF NEGATIVE ACTION:

Code will not be accurate.

ATTACHMENTS

Exhibit A - COI Code for the West County Wastewater District

Exhibit B - COI Code for the West County Wastewater District REDLINED

**RESOLUTION OF THE BOARD OF DIRECTORS OF WEST COUNTY
WASTEWATER DISTRICT, COUNTY OF CONTRA COSTA, CALIFORNIA**

RESOLUTION NO. 18-065

**ADOPTING AN AMENDED CONFLICT OF INTEREST CODE TO INCORPORATE NEWLY
CREATED POSITIONS**


The Board of Directors finds that:

1. The District is required by law to adopt a Conflict of Interest Code.
2. The Political Reform Act requires every agency to review its Conflict of Interest Code biennially and to notify the Contra Costa County Board of Supervisors if the District's current code is accurate, or if it needs to be amended.
3. The Code was last amended on November 16, 2016.
4. A biennial review of the code revealed that the following positions, newly created since 2016 be added to the Code: Capital Program Manager, Project Manager, Senior Project Manager, and Deputy General Manager.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the West County Wastewater District, Contra Costa County, California approves and adopts the amended Conflict of Interest Code attached to this Resolution, effective December 19, 2018.

I HEREBY CERTIFY that the foregoing resolution was duly and regularly adopted by the Board of Directors of the West County Wastewater District, Contra Costa County, California, at a the regular meeting thereof held on the 19th day of December, 2018, by the following vote:

AYES: Stanley, McNeil, Alvarado, Sudduth, Wiener
NOES: None
ABSENT: None




Vice President of the Board of Directors
West County Wastewater District
Contra Costa County, California

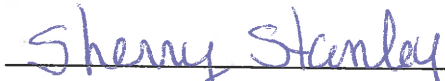
CONFLICT OF INTEREST CODE
OF THE
WEST COUNTY WASTEWATER DISTRICT
OF CONTRA COSTA COUNTY

The agency designated above hereby submits the following Conflict of Interest Code to the code reviewing body, Contra Costa County Board of Supervisors, for approval.

Dated: December 19, 2018



HARRY WIENER, President
West County Wastewater District



SHERRY STANLEY, Vice President
West County Wastewater District

Received on behalf of the code reviewing body, Contra Costa County Board of Supervisors:

Dated: _____

Clerk of the Board of Supervisors
County of Contra Costa

The following Conflict of Interest Code, having been submitted by the agency designated above, was approved by order of the code reviewing body on

CONFLICT OF INTEREST CODE
OF THE
WEST COUNTY WASTEWATER DISTRICT
OF CONTRA COSTA COUNTY

The Political Reform Act of 1974, California Government Code Section 81000, et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs., Section 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs., Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendix in which members and employees are designated and disclosure categories are set forth, constitute the conflict of interest code of the West County Wastewater District of Contra Costa County.

Designated employees shall file statements of economic interest with the agency which will make the statements available to public inspection and reproduction. (Government Code Section 81008). Upon receipt of the statements of the West County Wastewater District Directors, General Manager, District Counsel (Board Attorney) and Business Services Manager, the District shall make and retain a copy and forward the original of these statements to the code reviewing body. Original statements for all other designated employees will be retained by the Agency.

APPENDIX A

Positions¹

Disclosure Categories

• Directors	Section 87200
• General Manager	Section 87200
• District Counsel (Board Attorney)	Section 87200
• Business Services Manager	Section 87200

Designated Employees

Engineering Services Manager	2 and 3
Senior Engineer	3
Associate Engineer	3
District Inspector	1 and 2
Capital Projects Manager	2
Capital Program Manager	1 and 2
Engineer I/II/III	3
Collection System Operations Supervisor	2
Water Quality Manager	2
Environmental Compliance Supervisor	2
Environmental Compliance Inspector	3
Plant Operations Supervisor	2
Plant Maintenance Supervisor	2
Finance Supervisor	1 and 2
Procurement Specialist	2
Administration Supervisor	2
Deputy General Manager	2 and 3
Senior Project Manager	1 and 2
Project Manager	1 and 2
Consultants ^{*2}	

*1 It has been determined that these positions manage public investments and will file a statement of economic interests pursuant to Government Code Section 87200.

*2. Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation. The General Manager may determine in writing that a particular consultant is hired to perform a range of duties that are limited in scope and thus is not required to comply or fully comply with the disclosure requirements described in this Appendix. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

Disclosure Categories for Designated Employees

General Rule for Designated Employees

An investment, interest in real property, source of income or income is reportable if the business entity in which the investment is held, the interest in real property, the income or source of income may foreseeably be affected materially by any decision made or participated in by the Designated Employee by virtue of the Designated Employee's position.

Designated Employees in Category "1" Must Report:

Investments, interests in real property and income, including gifts, loans and travel payments, and any business entity in which the Designated Employee is a director, officer, partner, trustee, employee, or holds a position of management. Financial interests are reportable only if located within the West County Wastewater District or if the business entity is doing business or planning to do business in the District (and such plans are known by the Designated Employee) or has done business within the District at any time during the two years prior to the filing of the statement.

Designated Employees in Category "2" Must Report:

Investments in any business entity, and income from any source, including gifts, loans and travel payments, and status as a director, officer, partner, trustee, employee, or holder of a management position in any business entity, which has within the last two years contracted, or foreseeably may contract, with the West County Wastewater District to provide goods, services, supplies, materials, machinery, facilities, vehicles or equipment to the District.

Designated Employees in Category "3" Must Report:

All investments, business positions and income, including gifts, loans and travel payments, from sources that are subject to the regulatory, permit or licensing authority of, or have an application for a license or permit pending before the District.

**RESOLUTION OF THE BOARD OF DIRECTORS OF WEST COUNTY
WASTEWATER DISTRICT, COUNTY OF CONTRA COSTA, CALIFORNIA**

RESOLUTION NO. 18-065

**ADOPTING AN AMENDED CONFLICT OF INTEREST CODE TO INCORPORATE NEWLY
CREATED POSITIONS**

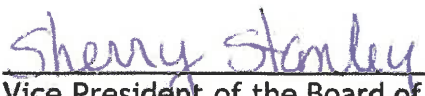
The Board of Directors finds that:

1. The District is required by law to adopt a Conflict of Interest Code.
2. The Political Reform Act requires every agency to review its Conflict of Interest Code biennially and to notify the Contra Costa County Board of Supervisors if the District's current code is accurate, or if it needs to be amended.
3. The Code was last amended on November 16, 2016.
4. A biennial review of the code revealed that the following positions, newly created since 2016 be added to the Code: Capital Program Manager, Project Manager, Senior Project Manager, and Deputy General Manager.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the West County Wastewater District, Contra Costa County, California approves and adopts the amended Conflict of Interest Code attached to this Resolution, effective December 19, 2018.

I HEREBY CERTIFY that the foregoing resolution was duly and regularly adopted by the Board of Directors of the West County Wastewater District, Contra Costa County, California, at a the regular meeting thereof held on the 19th day of December, 2018, by the following vote:

AYES: Stanley, McNeil, Alvarado, Sudduth, Wiener
NOES: None
ABSENT: None

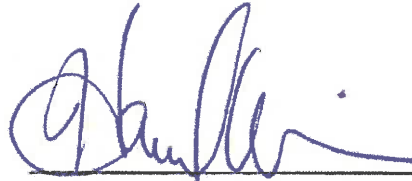


Vice President of the Board of Directors
West County Wastewater District
Contra Costa County, California

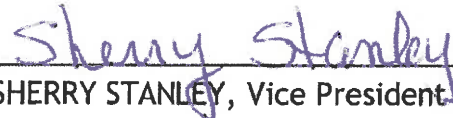
CONFLICT OF INTEREST CODE
OF THE
WEST COUNTY WASTEWATER DISTRICT
OF CONTRA COSTA COUNTY

The agency designated above hereby submits the following Conflict of Interest Code to the code reviewing body, Contra Costa County Board of Supervisors, for approval.

Dated: December 19, 2018



HARRY WIENER, President
West County Wastewater District



SHERRY STANLEY, Vice President
West County Wastewater District

Received on behalf of the code reviewing body, Contra Costa County Board of Supervisors:

Dated: _____

Clerk of the Board of Supervisors
County of Contra Costa

The following Conflict of Interest Code, having been submitted by the agency designated above, was approved by order of the code reviewing body on

CONFLICT OF INTEREST CODE
OF THE
WEST COUNTY WASTEWATER DISTRICT
OF CONTRA COSTA COUNTY

The Political Reform Act of 1974, California Government Code Section 81000, et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs., Section 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs., Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendix in which members and employees are designated and disclosure categories are set forth, constitute the conflict of interest code of the West County Wastewater District of Contra Costa County.

Designated employees shall file statements of economic interest with the agency which will make the statements available to public inspection and reproduction. (Government Code Section 81008). Upon receipt of the statements of the West County Wastewater District Directors, General Manager, District Counsel (Board Attorney) and Business Services Manager, the District shall make and retain a copy and forward the original of these statements to the code reviewing body. Original statements for all other designated employees will be retained by the Agency.

APPENDIX A

<u>Positions</u> ¹	<u>Disclosure Categories</u>
<ul style="list-style-type: none">• Directors	Section 87200
<ul style="list-style-type: none">• General Manager	Section 87200
<ul style="list-style-type: none">• District Counsel (Board Attorney)	Section 87200
<ul style="list-style-type: none">• Business Services Manager	Section 87200
<u>Designated Employees</u>	
Engineering Services Manager	2 and 3
Senior Engineer	3
Associate Engineer	3
District Inspector	1 and 2
Capital Projects Manager	2
Capital Program Manager	1 and 2
Engineer I/II/III	3
Collection System Operations Supervisor	2
Water Quality Manager	2
Environmental Compliance Supervisor	2
Environmental Compliance Inspector	3
Plant Operations Supervisor	2
Plant Maintenance Supervisor	2
Finance Supervisor	1 and 2
Procurement Specialist	2
Administration Supervisor	2
Deputy General Manager	2 and 3
Senior Project Manager	1 and 2
Project Manager	1 and 2
Consultants ^{*2}	

^{*1} It has been determined that these positions manage public investments and will file a statement of economic interests pursuant to Government Code Section 87200.

*2. Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation. The General Manager may determine in writing that a particular consultant is hired to perform a range of duties that are limited in scope and thus is not required to comply or fully comply with the disclosure requirements described in this Appendix. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

Disclosure Categories for Designated Employees

General Rule for Designated Employees

An investment, interest in real property, source of income or income is reportable if the business entity in which the investment is held, the interest in real property, the income or source of income may foreseeably be affected materially by any decision made or participated in by the Designated Employee by virtue of the Designated Employee's position.

Designated Employees in Category "1" Must Report:

Investments, interests in real property and income, including gifts, loans and travel payments, and any business entity in which the Designated Employee is a director, officer, partner, trustee, employee, or holds a position of management. Financial interests are reportable only if located within the West County Wastewater District or if the business entity is doing business or planning to do business in the District (and such plans are known by the Designated Employee) or has done business within the District at any time during the two years prior to the filing of the statement.

Designated Employees in Category "2" Must Report:

Investments in any business entity, and income from any source, including gifts, loans and travel payments, and status as a director, officer, partner, trustee, employee, or holder of a management position in any business entity, which has within the last two years contracted, or foreseeably may contract, with the West County Wastewater District to provide goods, services, supplies, materials, machinery, facilities, vehicles or equipment to the District.

Designated Employees in Category "3" Must Report:

All investments, business positions and income, including gifts, loans and travel payments, from sources that are subject to the regulatory, permit or licensing authority of, or have an application for a license or permit pending before the District.



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 12, 2019

Subject: APPROVE the Remodeling for the Public Defender Juvenile Unit (2020 North Broadway) Project and take related actions under CEQA.

RECOMMENDATION(S):

APPROVE the Remodeling for the Public Defender Juvenile Unit, 2020 North Broadway Project (Project), Walnut Creek area. [County Project No. 280-1801, DCD-CP#18-20, WH218D] (District IV).

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

DIRECT the Director of Department of Conservation and Development to file a Notice of Exemption with the County Clerk, and

AUTHORIZE the Public Works Director, or designee, to arrange for payment of a \$25 fee to the Department of Conservation and Development for processing, and a \$50 fee to the County Clerk for filing the Notice of Exemption.

FISCAL IMPACT:

Estimated Project cost: \$1,091,000. 100% General Fund.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Matt Kawashima
925-313-2161

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

By: , Deputy

cc: Ave Brown - Environmental Division Manager

BACKGROUND:

The purpose of this Project is to reconfigure and remodel the 2nd floor of the building located at 2020 North Broadway in Walnut Creek to relocate the County's Juvenile Unit. The project would remove existing walls within suites 204, 204A, and 207A on the 2nd floor of the building in order to provide the necessary number of offices for attorney and support staff. The project would also add an ADA-accessible restroom and drinking fountain to the 2nd floor. The office space is currently vacant and the County Administrator's Office previously approved the relocation of the Juvenile Unit. The project will not impact emergency access onto the site and no real property transactions, including right-of-way acquisition will be necessary in support of this project.

On November 13, 2018, the Board of Supervisors awarded a job order contract (JOC) for repair, remodeling, and other repetitive work to be performed pursuant to the Construction Task Catalog to each of Mark Scott Construction, Inc., Aztec Consultants, and Staples Construction Company, Inc., each in the amount of \$2,500,000. This project is expected to be performed by one of the three JOC contractors. A task order catalogue has been prepared for the JOC contractor to complete this Project. In the event that the Project is not performed by the JOC contractor, the Public Works Department will return to the Board for approval of plans and specifications and authorization to advertise and solicit bids.

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: 280-1801
CP# 18-20

PROJECT NAME: Remodeling for the Defender Juvenile Unit (2020 North Broadway)

PREPARED BY: Matt Kawashima *pkb*

DATE: June 13, 2018

APPROVED BY: Leon B. Moore

DATE: 6/18/2018

RECOMMENDATIONS:

☒ Categorical Exemption: 15301 [Class 1(a)]

☐ Negative Declaration

☐ Environmental Impact Report Required

☐ Conditional Negative Declaration

The project will not have a significant effect on the environment. The recommendation is based on the following: The project consists of the minor alteration of existing public structures, facilities, mechanical equipment, or topographic features, involving no expansion of use beyond that at the time of the lead agency's determination, pursuant to section 15301(a) of the CEQA guidelines.

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

USGS Quad Sheet: <u>Walnut Creek</u>	Base Map Sheet #: <u>N-14</u>	Parcel #: <u>173-142-016</u>
--------------------------------------	-------------------------------	------------------------------

GENERAL CONSIDERATIONS:

- Location:** The project is located at 2020 North Broadway in the City of Walnut Creek [Figures 1-3].
- Project Description:** The purpose of this Project is to reconfigure and remodel the 2nd floor of the building located at 2020 North Broadway in Walnut Creek to relocate the County's Juvenile Unit. The project would remove existing walls within suites 204, 204A, and 207A on the 2nd floor of the building in order to provide the necessary number of offices for attorney and support staff. The project would also add an ADA-accessible restroom and drinking fountain to the 2nd floor. The office space is currently vacant and the County Administrator's Office previously approved the relocation of the Juvenile Unit. The project will not impact emergency access onto the site and no real property transactions, including right-of-way acquisition will be necessary in support of this project.
- Does it appear that any feature of the project will generate significant public concern?**
☐ Yes ☒ No ☐ maybe (Nature of concern):
- Will the project require approval or permits by other than a County agency?**
☐ Yes ☒ No
- Is the project within the Sphere of Influence of any city?** Yes, Walnut Creek.

CONTRA COSTA COUNTY CALIFORNIA

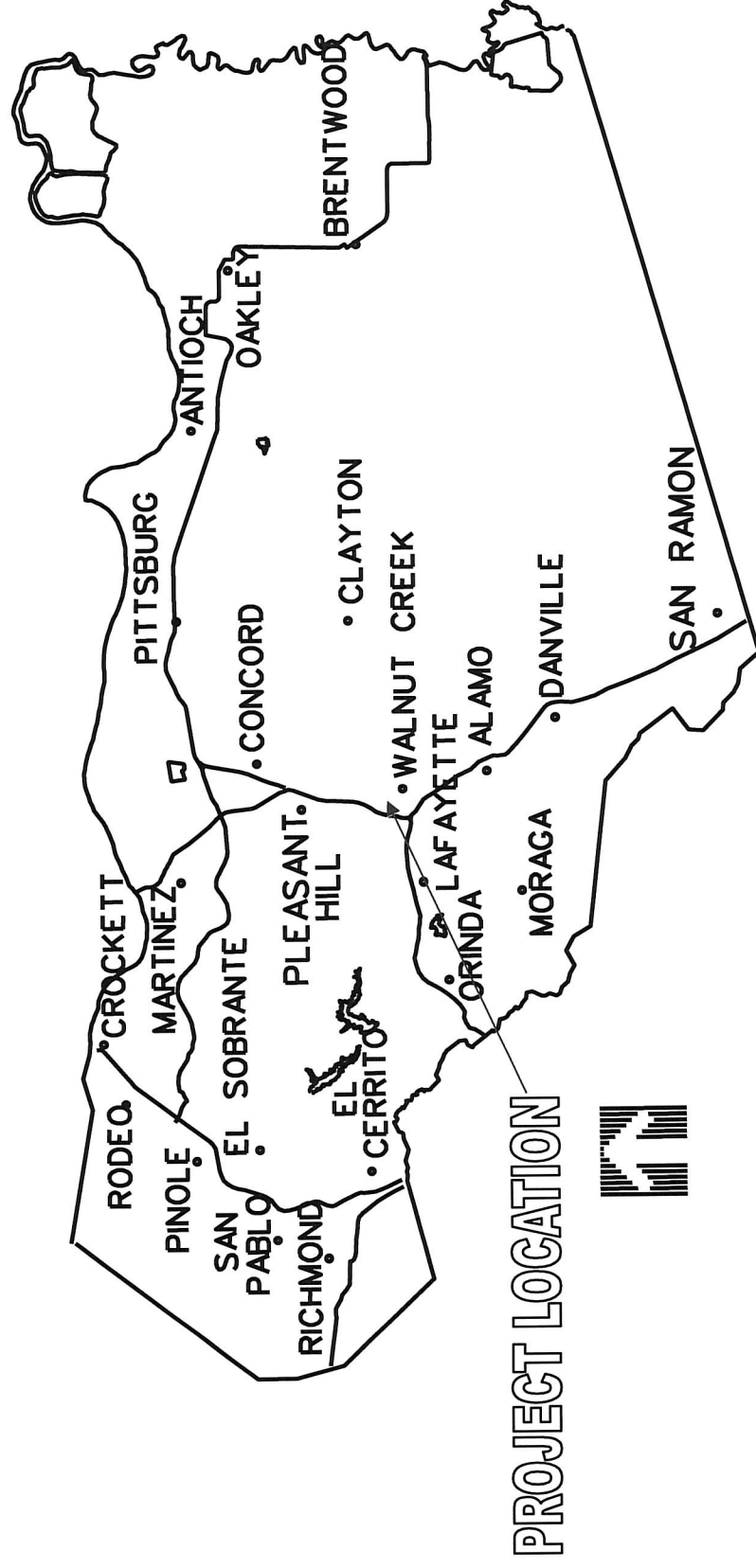


FIGURE 1

Regional Location Map

Categorical Exemption (CE)
June 2018

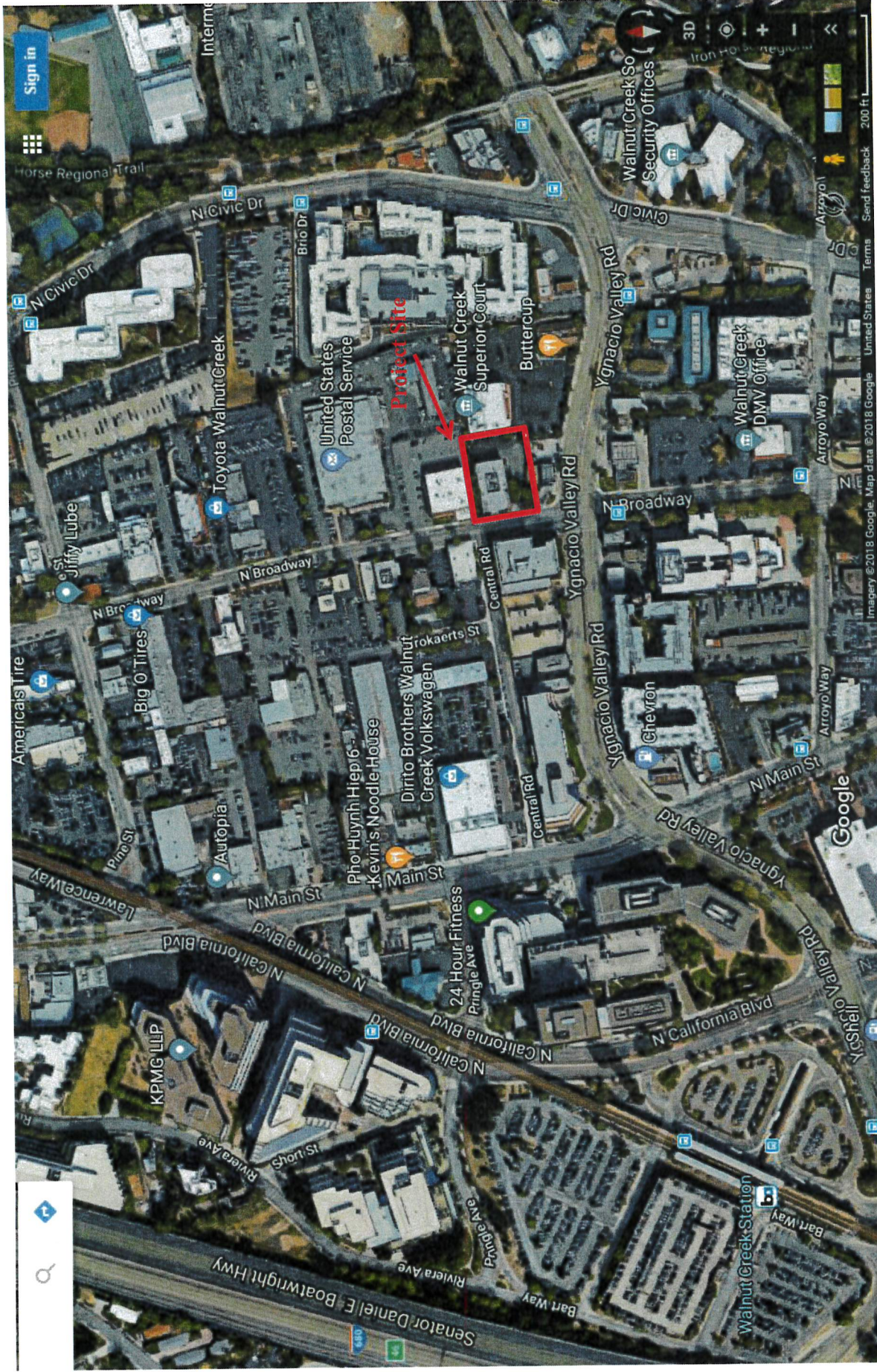


FIGURE 2

Project Vicinity Map

Categorical Exemption (CE)
June 2018

Remodeling for the Public Defender Juvenile Unit (2020 North Broadway) Project
Contra Costa County Public Works Department

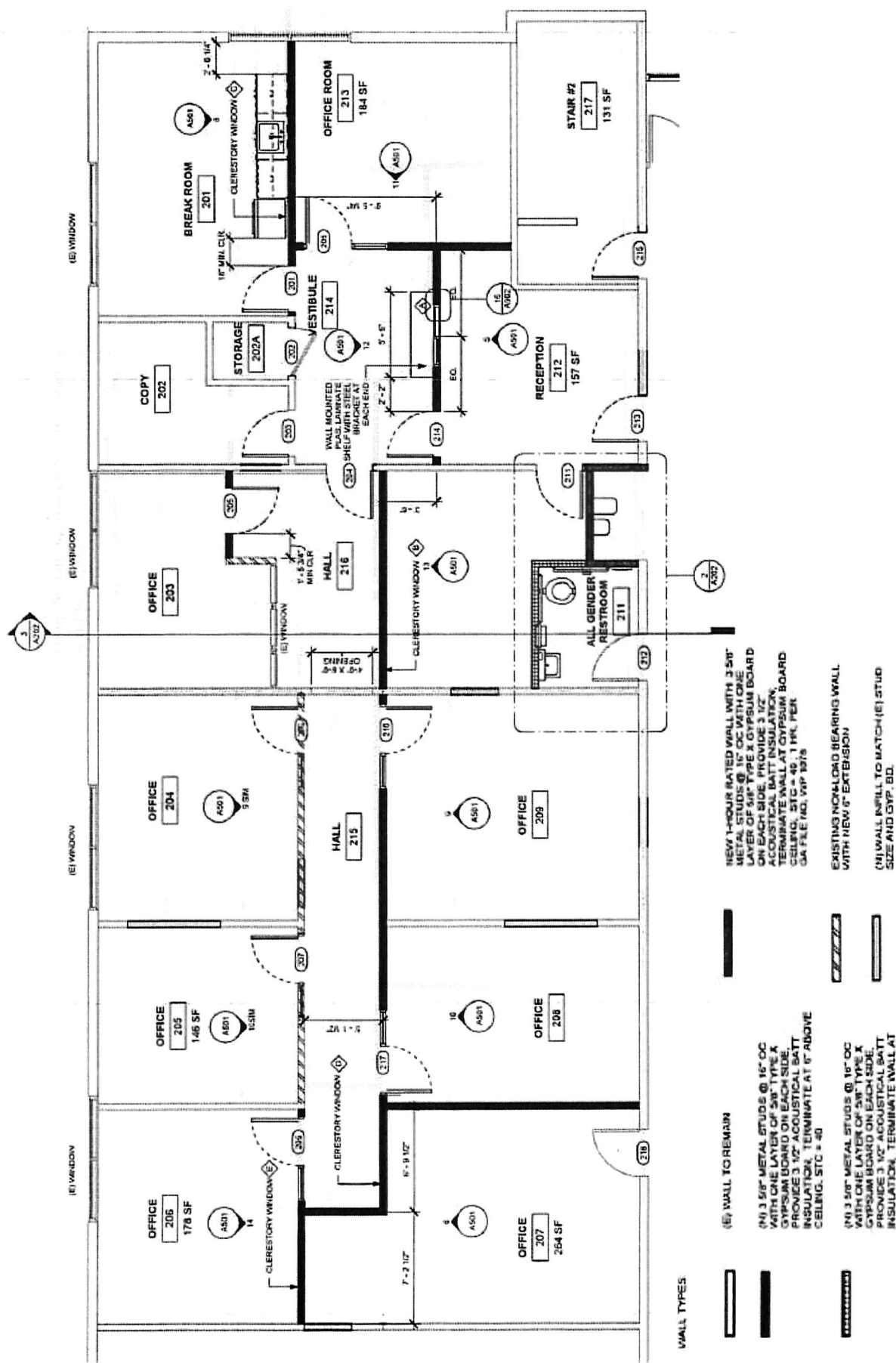


FIGURE 3
Floor Plan

Notice of Exemption

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

☒ County Clerk
County of: Contra Costa

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

Project Title: Remodeling for the Defender Juvenile Unit (2020 North Broadway)
Proj. No. 280-1801 **CP#**18-20

Project Applicant: Contra Costa County Public Works Department
Project Location – **Specific:** 2020 North Broadway, Walnut Creek

Project Location: Walnut Creek area

Project Location – County: Central Contra Costa

Description of Nature, Purpose and Beneficiaries of Project:

The purpose of this Project is to reconfigure and remodel the 2nd floor of the building located at 2020 North Broadway in Walnut Creek to relocate the County's Juvenile Unit. The project would remove existing walls within suites 204, 204A, and 207A on the 2nd floor of the building in order to provide the necessary number of offices for attorney and support staff. The project would also add an ADA-accessible restroom and drinking fountain to the 2nd floor. The office space is currently vacant and the County Administrator's Office previously approved the relocation of the Juvenile Unit. The project will not impact emergency access onto the site and no real property transactions, including right-of-way acquisition will be necessary in support of this project.

Name of Public Agency Approving Project:	Contra Costa County
Name of Person or Agency Carrying Out Project:	Contra Costa County Public Works Department

Exempt Status:

- ☐ Ministerial Project (Sec. 21080(b) (1); 15268;
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption: Class 1(a)
☐ Other Statutory Exemption, Code No.: _____
☐ General Rule of Applicability [Article 5, Section 15061 (b)(3)]

Reasons why project is exempt: The project consists of the minor alteration of existing public structures, facilities, mechanical equipment, or topographic features, involving no expansion of use beyond that at the time of the lead agency's determination, pursuant to Section 15301(a) of the CEQA guidelines.

Lead Agency Contact Person: [Matt Kawashima](#) - Public Works Dept. Area Code/Telephone/Extension: (925) 313-2161

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: Teresa B. Herrera Date: 11/10/2019 Title: PRINCIPAL PLANNER

☒ Signed by Lead Agency ☐ Signed by Applicant

AFFIDAVIT OF FILING AND POSTING

I declare that on _____ I received and posted this notice as required by California Public Resources Code Section 21152(c). Said notice will remain posted for 30 days from the filing date.

Signature _____ Title _____

Applicant:

Department of Fish and Game Fees Due

Public Works Department
255 Glacier Drive
Martinez, CA 94553

☐ EIR - \$3,271.00
☐ Neg. Dec. - \$2,354.75
☐ DeMinimis Findings - \$0

Total Due: \$75.⁰⁰
Total Paid \$

☐ Neg. Dec. - \$2,354.75☐ DeMinimis Findings - \$0☒ County Clerk - \$50

Receipt #: _____

Environmental Services Division

☒ Conservation & Development - \$25

Phone: (925) 313-2161



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: February 12, 2019

Subject: Acknowledgement of Emergency Closure of Childcare Sites During Fiscal Year 2018-19

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to seek reimbursement from the California Department of Education in an amount not to exceed \$68,352.70 to maintain Child Days of Enrollment during emergency closures at 22 childcare centers during FY 2018-19.

FISCAL IMPACT:

Approval of this action will allow the County to maintain Child Days of Enrollment for FY 2018-19, preserving revenue of \$68,352.70 from the California Department of Education. No County match is required.

BACKGROUND:

During FY 2018-19, emergency closures occurred at 22 county-operated and partner-operated childcare sites as noted below. The closures affected 1,346 children in total.

- November 16, 2018 - Directly operated sites that could not operate due to poor air quality from the wildfires in Butte County: Ambrose, Balboa, Bayo Vista, Crescent Park, Las Deltas, George Miller Concord, George Miller III Richmond, Lavonia Allen, Los Arboles, Los Nogales, Riverview.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: CSB (925)
681-6334

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

By: , Deputy

cc: Nelly Ige, Ressie Dayco

BACKGROUND: (CONT'D)

>

- November 16, 2018 - Partner sites that could not operate due to poor air quality from the wildfires in Butte County: First Baptist - East Leland, First Baptist - Fairgrounds, First Baptist - Kids' Castle, First Baptist - Lone Tree, Little Angels, Live Oaks, Walt Disney, We Care Services for Children, Richmond College Prep.
- November 9, 15 and 16, 2018 - Richmond College Prep Children's Center (partner-operated) could not operate due to poor air quality from the wild fires in Butte County.
- November 16, 19, 20 and 21, 2018 - Contra Costa College Children's Center could not operate due to poor air quality from the wildfires in Butte County.
- November 21, 2018 - Las Deltas Children's Center (directly operated) could not operate due to a water main break.

In order to prevent a loss of funds during this period, the County has the option to submit a Board Order to the State in order to maintain childcare fund reimbursement for the impacted days of closure. This option is allowable per California Department of Education, Child Development Management Bulletin 10-09 "Reduce Days of Operation or Attendance Due to Emergency Conditions."

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, the County will forego \$68,352.70 in potential revenue.

CHILDREN'S IMPACT STATEMENT:

The Employment and Human Services Department, Community Services Bureau supports three of Contra Costa County's community outcomes - Outcome 1: Children Ready for and Succeeding in School, Outcome 3: Families that are Economically Self-sufficient, and Outcome 4: Families that are Safe, Stable, and Nurturing. These outcomes are achieved by offering comprehensive services, including high quality early childhood education, nutrition, and health services to low-income children throughout Contra Costa County.

ATTACHMENTS

Management Bulletin



Home / Specialized Programs / Child Development / Contractor Information

Management Bulletin 10-09

Early Education and Support Division

Subject: Reduced Days of Operation or Attendance Due to Emergency Conditions

Number: 10-09

Date: October 2010

Expires: Until Rescinded

Authority: California *Education Code* Section 8271

Attention: Executive Officers and Program Directors of all Child Care and Development Programs

Purpose

The purpose of this Management Bulletin, which supersedes Management Bulletin 09–16, is to remind agencies that California *Education Code (EC)* Section 8271 provides against loss of funds due to circumstances that are beyond control of the contractor.

Background

This Management Bulletin, which supersedes Management Bulletin 09–16, is to remind agencies that *EC* Section 8271 provides against loss of funds due to circumstances that are beyond control of the contractor. It states:

In the event that operating agencies are unable to operate due to incomplete renovations authorized by administering state agencies, or due to circumstances beyond the control of the operating agency, including earthquakes, floods, or fires, such programs shall not be penalized for incurred program expenses nor in subsequent annual budget allocations.

Circumstances beyond the control of operating contractors include, but are not necessarily limited to:

1. Earthquakes
2. Floods
3. Fires
4. Epidemics

5. Impassable roads
6. The imminence of a major health or safety hazard, as determined by the local health department or law enforcement agency
7. A strike affecting transportation services for children provided by a non-agency entity
8. Incomplete facility renovations authorized by the California Department of Education, pursuant to California *Education Code* sections 8277.1 and 8277.2
9. State of California budget impasse

Policy

Whenever a contractor's days of operation are reduced for any of the above reasons, and the reduction in days of operation did not require the contractor to reduce staff through layoffs or unpaid furloughs, the contractor's governing board, or the executive office for contractors not having a governing board, must adopt a resolution that clearly and fully describes the nature of the emergency condition as well as the specific effect on program operations. The resolution should include:

- Dates program operation was necessarily suspended or substantially reduced
- Daily attendance for both certified and non-certified children for the week prior to the date operation was suspended or reduced

Whenever the contractor's days of operation are reduced because of a state budget impasse and this reduction requires the contractor to reduce staff through layoffs or unpaid furloughs, the contractor may request reimbursement for ongoing administrative and operational expenses that occurred during the emergency closure. The contractor's governing board, or the executive office for contractors not having a governing board, must adopt a resolution that clearly and fully describes the nature of the emergency condition as well as the specific effect on program operation. The resolution should include:

- Dates program operation was suspended
- A detailed list of actual program expenses incurred during the period of closure

Application Submission Requirements

The resolution should be faxed, e-mailed, or mailed to the appropriate Field Services Office Consultant in the Early Education and Support Division (EESD). Upon receiving the resolution, the EESD will jointly review the information with Child Development Fiscal Services to determine the amount of reimbursement for actual program expense incurred during the period of closure or reduced operation. Funding in subsequent fiscal years will not be affected by the above, contingent upon the availability of funds appropriated in the Annual Budget Act.

If you have any questions, please contact your assigned EESD Field Services Consultant at <http://www.cde.ca.gov/sp/cd/ci/assignments.asp> or by phone at 916-322-6233.

This Management Bulletin is mandatory only to the extent that it cites a specific statutory and/or regulatory requirement. Any portion of this Management Bulletin that is not supported by a specific statutory and/or regulatory requirement is not prescriptive pursuant to California Education Code Section 33308.5.

Questions: Early Education and Support Division | 916-322-6233

Last Reviewed: Thursday, April 20, 2017



Contra Costa County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Acknowledge Termination of Contract #27-839-4 with Mark N. Isaacs, M.D., Inc. (dba Vein Specialists of Northern California)

RECOMMENDATION(S):

ACKNOWLEDGE receipt of notice from Mark N. Isaacs, M.D., Inc., (dba Vein Specialists of Northern California), a professional corporation, requesting termination of Contract #27-839-4, effective at the end of business on February 8, 2019.

FISCAL IMPACT:

This contract is funded by 100% Contra Costa Health Plan (CCHP) Enterprise Fund II.

BACKGROUND:

On March 14, 2017, the Board of Supervisors approved Contract #27-839-3 with Mark N. Isaacs, M.D., Inc., (dba Vein Specialists of Northern California) for the provision of phlebology services for CCHP members and County recipients, for the period from May 1, 2017 through April 30, 2019.

The Department received a letter from the Contractor, requesting termination of this contract. In accordance with General Conditions, paragraph 5 (Termination), the Contractor served the Department 30 days written notice of cancellation of this contract.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

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

Contact: Sharron Mackey,
925-313-6104

By: , Deputy

cc: noel garcia, Marcy Wilhelm



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Approve New and Recredentialing Providers in Contra Costa Health Plan's Community Provider Network

RECOMMENDATION(S):

APPROVE the list of providers recommended by Contra Costa Health Plan's Peer Review and Credentialing Committee on January 8, 2019, and by the Health Services Director, as required by the State Departments of Health Care Services and Managed Health Care, and the Centers for Medicare and Medicaid Services.

FISCAL IMPACT:

There is no fiscal impact.

BACKGROUND:

The National Committee on Quality Assurance (NCQA) requires that evidence of Board Approval must be contained within each CCHP provider's credentials file. Approval of this list of providers as recommended by the CCHP Peer Review and Credentialing Committee will enable the Contra Costa Health Plan to comply with this requirement.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, Contra Costa Health Plan's Providers would not be appropriately credentialed and not be in compliance with the NCQA.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/12/2019 ☐ 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: February 12, 2019

Contact: Sharron Mackey,
925-313-6104

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

By: , Deputy

cc: Marcy Wilhelm, Heather Wong

ATTACHMENTS

List

Contra Costa Health Plan
Providers Approved by Peer Review and Credentialing Committee
January 8, 2019

CREDENTIALING PROVIDERS JANUARY 2019	
Name	Specialty
Bapat, Manasi, MD	Nephrology
Bavishi, Payal, OD	Optometry
Belo, Daniela, BA, RBT	Qualified Autism Professional
Blanton, Crystal, LCSW	Mental Health Services
Cardenas, Maria, OD	Optometry
de la Cruz-Garcia, Marilyn, ASW	Mental Health Services
Diaz Flores, Rafael, MD	Surgery – General
Florente, Richard, PTA	Physical Therapy Assistant
Fox, Jennifer, NP	Mid-Level Family Planning
Golden, Bethany, CNM	Midwife
Gray, Andrea, MD	Primary Care Pediatrician
Hatch, Dennis, DC	Chiropractic Medicine
Heal, Heidi, PA	Mid-Level Allergy & Immunology
Hooks, Barbara, PsyD	Qualified Autism Provider/ Neuro Psych Testing
Kim, Hyun, DPT	Physical Therapy
Klinger, Cindy, RD	Dietitian
Kumar, Praveena, RD	Dietitian
Lipschultz, Erica, NP	Primary Care Family Medicine
Morris, Kenneth, LAc	Acupuncture
Natan, Christine, NP	Mid-Level Family Planning
Nelson, Britta, PA	Primary Care Internal Medicine
Panoringan, Genessa, NP	Mid-Level Allergy & Immunology
Peterson, Wendy, NP	Primary Care Family Medicine
Plambeck, Katherine, PsyD	Qualified Autism Provider/ Neuro Psych Testing
Quintero, Kathy, BS, RBT	Qualified Autism Professional
Richman, Kristin, CNM	Midwife
Rouche, Lynde, PA	Mid-Level Nephrology
Rubin, Hope, PA	Mid-Level OB/GYN
Sata, Nicole, CNM	Midwife
Shuer, Mery, LCSW	Mental Health Services/ Bariatric Evaluations
Smith-Heimer, Alana, PA	Mid-Level Family Planning
Spahr, Madeline, CNM	Midwife
Thomas, Arleen, PT	Physical Therapy
Tilghman, Edward, NP	Primary Care Family Medicine
Viscomi, Courtney, BCBA	Qualified Autism Provider

RECREREDENTIALING PROVIDERS JANUARY 2019	
Name	Specialty
Arora, Ravinder, MD	Hematology/Oncology
Bautista, Marjorie, PT	Physical Therapy
Beatts, Samantha, BCBA	Qualified Autism Provider
Chichili, Sudhathi, MD	Hematology/Oncology
Fershtman, Sandra, MFT	Mental Health Services
Caney, John, MD	Hematology/Oncology
Goetsch, Debra, PA	Mid-Level Urgent Care
Gordon, Brynn, BCBA	Qualified Autism Provider
Grant, Douglas, MD	Pain Medicine
He, Wanyi, L.Ac	Acupuncture
Heller, Bruce, MD	Family Planning
Hopkins, James, DO	Pediatric Urgent Care
Jones, Sharon, MD	Primary Care Internal Medicine
Kamlot, Andreas, MD	Surgery – Cardiothoracic
Kankipati, Shoba, MD	Hematology/Oncology
Ketcham, Adryon, BCBA	Qualified Autism Provider
Majid, Abid, MD	Pulmonary Disease/Sleep Medicine
Mazolewski, Peter, MD	Surgery – General
Melnyk, Ostap, MD	Hematology/Oncology
Morales, Milciades, LCSW	Mental Health Services
Patel, Bimal, MD	Hematology/Oncology
Raees, Muhammad, MD	Pulmonary Disease/Sleep Medicine
Rao, Deepak, MD	Psychiatry
Rassai, Hamid, MD	Surgery – General
Sapien, Robert, MD	Pediatric Urgent Care
Sieu, Katherine, NP	Mid-Level Hematology/Oncology
Straznicka, Michaela, MD	Surgery – Cardiothoracic
Symmes, Zachary, PA	Mid-Level – Orthopaedic Surgery Assistant
Unger, Richard, MD	Psychiatry
Wallach, Andrew, MD	Primary Care Family Medicine
Weil, Lawrence, MD	Pain Medicine
Welborn, John, MD	Surgery – Orthopaedic
Ye, Liyun, L.Ac	Acupuncture

Contra Costa Health Plan

Providers Approved by Peer Review and Credentialing Committee

January 8, 2019

Page 3 of 3

RECREDENTIALING ORGANIZATIONAL PROVIDERS JANUARY 2019		
Provider Name	Provide the Following Services	Location
Comprehensive Care of Oakland, LP dba Bay Area Healthcare Center	Skilled Nursing Facility	Oakland
Continuum Care Hospice, LLC, dba: Continuum Care Hospice, LLC	Hospice	Concord
Manor Care of Walnut Creek CA, LLC dba: Manorcare Health Services – Walnut Creek	Skilled Nursing Facility	Walnut Creek

bopl-January 8, 2019



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Cancellation Agreement#26-872-3 with S/T Health Group Consulting, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Cancellation Agreement #26-872-3 with S/T Health Group Consulting, Inc., a corporation, effective at the close of business on February 1, 2019.

FISCAL IMPACT:

This Contract is funded by 100% Hospital Enterprise Fund I.

BACKGROUND:

On April 25, 2017, the Board of Supervisors approved Contract #26-872-1 (as amended by Amendment Agreement #26-872-2) with S/T Health Group Consulting, Inc. for the provision of Price Verification Recovery Audit - 340 B Compliance Audit, for the period from April 1, 2017 through March 31, 2020.

In accordance with General Conditions Paragraph 5 (Termination), of the Contract, the Department and Contractor have agreed to a mutual cancellation of this Contract. Approval of Cancellation Agreement #26-872-3 will accomplish this termination.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Jaspreet Benepal,
925-370-5101

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

By: , Deputy

cc: Marcy Wilhelm



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Fire Funding for Emergency Medical Services (EMS) Enhancements from Measure H Funds

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Auditor-Controller, or designee, to pay the San Ramon Valley Fire Protection District \$33,000 for EMS Fire First Responder medical equipment, medical supplies and EMS training to the San Ramon Valley Fire Protection District, upon approval of EMS Director for Fiscal Year 2018-19. (100% Measure H Funds, CSA EM-1, Zone A)

FISCAL IMPACT:

Funding for this expenditure has been budgeted under CSA EM-1, Zone A (Measure H). There is no General Fund impact.

BACKGROUND:

These funds are allocated to partially offset fire services' added costs for medical supplies, equipment, and training through participation in an enhanced Emergency Medical Services system established through CSA EM-1.

CONSEQUENCE OF NEGATIVE ACTION:

Fire services would need to fund medical supplies, equipment and training out of their existing funds.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

Contact: Patricia Frost,
925-608-5454

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

By: , Deputy

cc: Patricia Weisinger, Marcy Wilhelm



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Clarification of Purchase Order with Sam Clar Office Furniture, Inc.

RECOMMENDATION(S):

APPROVE clarification of Board action of December 4, 2018 (Item C.89), which authorized the Purchasing Agent to execute a Purchase Order with Sam Clar Office Furniture, Inc., in the amount of \$161,598 for the purchase of new ergonomic furniture for the Pharmacy at Contra Costa Regional Medical Center, to reflect the correct payment limit of \$161,735.

FISCAL IMPACT:

100% funding is included in the Hospital Enterprise Fund I budget.

BACKGROUND:

On December 4, 2018, the Board of Supervisors approved the Purchase Order with Sam Clar Office Furniture, Inc. in the amount of \$161,598 for the purchase of new ergonomic furniture. The purpose of this board order is to correct an administrative error in the total payment.

CONSEQUENCE OF NEGATIVE ACTION:

If the correction to the purchase order is not approved, then the CCRMC will not be able to purchase new ergonomic furniture for the Pharmacy.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/12/2019 ☐ 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: February 12, 2019

Contact: Jaspreet Benepal,
925-370-5101

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

By: , Deputy

cc: Marcy Wilhelm, Margaret Harris



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Unpaid Student Training Agreement #76-636 with San Francisco State University

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #76-636 the Unpaid Student Training Agreement with San Francisco State University, an educational institution, to provide supervised field instruction at Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers for nursing students, for the period from April 1, 2019 through March 31, 2023.

FISCAL IMPACT:

This is a non-financial agreement.

BACKGROUND:

The purpose of this agreement is to provide San Francisco State University nursing students with the opportunity to integrate academic knowledge with applied skills at progressively higher levels of performance and responsibility. Supervised fieldwork experience for students is considered to be an integral part of both educational and professional preparation. The Health Services Department can provide the requisite field education, while at the same time, benefitting from the students' services to patients.

Under Unpaid Student Training Agreement #76-636, San Francisco State University nursing students will receive supervised fieldwork instruction experience at CCRMC and Contra Costa Health Centers through March 31, 2023.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/12/2019 ☐ 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: February 12, 2019

Contact: Japreet Benepal,
925-370-5101

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, the students will not receive supervised fieldwork instruction experience at CCRMC and Contra Costa Health Centers.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Unpaid Student Training Agreement #22-552-7 with Samuel Merritt University

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #22-552-7 an Unpaid Student Training Agreement with Samuel Merritt University, an educational institution, to provide supervised field instruction in County's Public Health Division to nursing, occupational or physical therapy students, for the period from April 1, 2019 through March 31, 2022.

FISCAL IMPACT:

This is a non-financial agreement.

BACKGROUND:

The purpose of this agreement is to provide Samuel Merritt University nursing, occupational or physical therapy students with the opportunity to integrate academic knowledge with applied skills at progressively higher levels of performance and responsibility. Supervised fieldwork experience for students is considered to be an integral part of both educational and professional preparation. The Health Services Department can provide the requisite field education, while at the same time, benefitting from the students' services to patients.

On March 29, 2016, the Board of Supervisors approved Contract

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

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)

#22-552-6 with Samuel Merritt University to provide supervised fieldwork instruction experience with Health Services, for the period from April 1, 2016 through March 31, 2019.

Approval of Unpaid Student Training Agreement #22-552-7, will allow Samuel Merritt University students to receive supervised fieldwork instruction experience, in County's Public Health Division, through March 31, 2022.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the students will not receive supervised fieldwork instruction experience in County's Public Health Division.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 12, 2019

Subject: Purchase Order with Sysco San Francisco, Inc.

RECOMMENDATION(S):

APPROVE clarification of Board action of October 23, 2018 (Item C.71), which authorized the Purchasing Agent to execute a purchase order with Sysco San Francisco, Inc. in the amount of \$950,000 for the purchase of food and paper supplies for the period November 1, 2018 through October 31, 2019, to reflect other purchasable items, such as unclassified kitchen supplies and hardware for Contra Costa Regional Medical Center.

FISCAL IMPACT:

Funded 100% by the Hospital Enterprise Fund I.

BACKGROUND:

On October 23, 2018, the Board of Supervisors approved the Purchase Order with Sysco San Francisco, Inc. in the amount of \$950,000 for the purchase of food and paper products. The purpose of this board order is to correct an administrative error in the description of allowable purchases which should read "food, paper products, unclassified kitchen supplies, and hardware".

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/12/2019** ☐ 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: February 12, 2019

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

Contact: Jaspreet Benepal,
925-370-5101

By: , Deputy

cc: Marcy Wilhelm, Margaret Harris