

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 MITCHOFF**, 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](http://www.co.contra-costa.ca.us).

**AGENDA**  
**March 19, 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. *Carlos Francies (Deceased) v. Contra Costa County*, WCAB Nos. ADJ10317690;  
ADJ10375942

**C. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to Gov. Code, § 54956.9(d)(2): one potential case.

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

Inspirational Thought- *"Each time a woman stands up for herself, without knowing it possibly, without claiming it, she stands up for all women."* ~ Maya Angelou

**CONSIDER CONSENT ITEMS** (Items listed as C.1 through C.61 on the following agenda) – Items are subject to removal from Consent Calendar by request of any Supervisor or on request for discussion by a member of the public. **Items removed from the Consent Calendar will be considered with the Discussion Items.**

**PRESENTATIONS (5 Minutes Each)**

- PR.1** PRESENTATION recognizing March 2019 as Prescription Drug Awareness Month in Contra Costa County. (Supervisor Andersen)
- PR.2** PRESENTATION congratulating 2017-2018 Contra Costa County Food Safety Excellence Award Recipients. (Marilyn Underwood, Director of Environmental Health)
- PR.3** PRESENTATION declaring March 2019 American Red Cross Month. (Supervisor Gioia)

**DISCUSSION ITEMS**

**D. 1** CONSIDER Consent Items previously removed.

**D. 2** PUBLIC COMMENT (2 Minutes/Speaker)

- D.3** CONSIDER approving and authorizing the Chair of the Board to execute a Joint Exercise of Powers Agreement, making the County a member of the CalSAWS Consortium formed to coordinate the administration of a new statewide public assistance case management system; APPOINT the Employment and Human Services Director as the County representative to the CalSAWS Consortium; AUTHORIZE the Director to execute a memorandum of understanding regarding implementation and administration of the system, subject to approval of both agreements by the County Administrator and approval as to form by County Counsel. (Kathy Gallagher, Employment and Human Services Director)
- D.4** HEARING on the Appeal of the Notice and Order to Abate for property located at 4049 Camino Vinedo, Martinez, California. (Jason Crapo, Conservation and Development Department)

**D. 5** CONSIDER reports of Board members.



***ADJOURN***

**CONSENT ITEMS**

**Road and Transportation**

- C. 1** ADOPT Resolution No. 2019/78 accepting as complete the contracted work performed by Gruendl, Inc. (dba Ray's Electric), for the Tice Valley Linear Park Project, as recommended by the Public Works Director, Walnut Creek area. (57% Measure WW Park Bond Funds, 22% Local Road Funds, and 21% South Walnut Creek Area of Benefit Funds)
- C. 2** RESCIND Board Order C.6 approved on August 7, 2018, and APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with TRC Engineers, Inc., in an amount not to exceed \$350,000 to provide on-call construction management services for the period March 19, 2019 through July 31, 2021, Countywide. (100% Developer Fees and Local Road, Flood Control, and Airport Enterprise Funds)
- C. 3** APPROVE the Marsh Creek Road Bridge Replacement Project contingency fund increase of \$10,000 for a new contingency fund total of \$516,041 and a new payment limit of \$5,076,451, effective March 19, 2019, as recommended by the Public Works Director; Clayton area. (89% Federal Highway Bridge Program Funds and 11% Local Road Funds)

**Special Districts & County Airports**

- C. 4** APPROVE and AUTHORIZE the Chief Engineer, Contra Costa County Flood Control and Water Conservation District, or designee, to execute an on-call contract with West Consultants, Inc., in an amount not to exceed \$200,000 to provide on-call professional engineering services relating to fluvial geomorphology, for the period March 19, 2019 through March 19, 2022, Countywide. (100% Flood Control District Funds)
- C. 5** APPROVE and AUTHORIZE the Chief Engineer, Contra Costa County Flood Control and Water Conservation District, or designee, to execute an on-call contract with AECOM Technical Services, Inc., in an amount not to exceed \$400,000 to provide on-call professional engineering services relating to facility conditions assessment, for the period March 19, 2019 through March 19, 2022, Countywide. (100% Flood Control District Funds)

- C. 6** APPROVE and AUTHORIZE the Chief Engineer, Contra Costa County Flood Control and Water Conservation District, or designee, to execute an on-call contract with GEI Consultants, Inc., in an amount not to exceed \$1,000,000 to provide on-call professional engineering services relating to facility conditions assessment, for the period March 19, 2019 through March 19, 2022, Countywide. (100% Flood Control District Funds)
- C. 7** APPROVE and AUTHORIZE the Chief Engineer, Contra Costa County Flood Control and Water Conservation District, or designee, to execute an on-call contract with Moffatt and Nichol in an amount not to exceed \$400,000 to provide on-call professional engineering services relating to facility conditions assessment, for the period March 19, 2019 through March 19, 2022, Countywide. (100% Flood Control District Funds)
- C. 8** APPROVE and AUTHORIZE the Chief Engineer, Contra Costa County Flood Control and Water Conservation District, or designee, to execute an on-call contract with Wood Rodgers, Inc., in an amount not to exceed \$500,000 to provide on-call professional engineering services relating to facility conditions assessment, for the period March 19, 2019 through March 19, 2022, Countywide. (100% Flood Control District Funds)

### **Claims, Collections & Litigation**

- C. 9** DENY claims filed by Randall Archuleta, Jennifer Ebert, Brian Hofer, Johnathan Hofer, and Kathleen Martinez. DENY amended claim filed by Ellen Langlois.

### **Statutory Actions**

- C. 10** ACCEPT Board members meeting reports for February 2019.

### **Honors & Proclamations**

- C. 11** ADOPT Resolution No. 2019/55 recognizing March as Prescription Drug Awareness Month in Contra Costa County, as recommended by Supervisor Andersen.
- C. 12** ADOPT Resolution No. 2019/80 recognizing Barb Smaker on the occasion of her retirement after 20 years of service with Contra Costa County, as recommended by the Public Works Director. (No fiscal impact)
- C. 13** ADOPT Resolution No 2019/82 congratulating the 2017-18 Contra Costa County Food Safety Excellence Award Recipients, as recommended by the Health Services Director.

- C. 14 ADOPT Resolution No. 2019/86 honoring Robert Sewell on the occasion of his retirement after nearly 40 years with Plumbers and Steamfitters Local 159, as recommended by Supervisor Gioia.
- C. 15 ADOPT Resolution No. 2019/88 declaring March 2019 American Red Cross Month, as recommended by Supervisor Gioia.
- C. 16 ADOPT Resolution No. 2019/89 recognizing Darien Louie upon her retirement from the East Bay Economic Development Alliance, as recommended by Supervisor Andersen.
- C. 17 ADOPT Resolution No. 2019/90 recognizing Tanya Drlik upon her retirement from Integrated Pest Management, as recommended by Supervisor Andersen.

### **Ordinances**

- C. 18 INTRODUCE Ordinance No. 2019-05 amending the County Ordinance Code to exclude from the Merit System the classification of District Attorney Assistant Chief of Inspectors-Exempt, Waive the reading, and FIX March 26, 2019 for adoption.

### **Appointments & Resignations**

- C. 19 APPOINT Frank Napoli to the Walnut Creek Local Committee seat on the Advisory Council on Aging, as recommended by the Employment and Human Services Director.
- C. 20 APPOINT Wendy Mailer to the Member-at-Large #3 seat, Jeffrey Kalin to the Member-at-Large #5 seat, Ella Jones to the Medicate Subscriber seat, and Joan Lautenberger to the Other Provider seat on the Managed Care Commission, as recommended by the County Administrator.
- C. 21 APPOINT Peter Dahling to the Business #2 Alternate seat on the Hazardous Materials Commission, as recommended by the Internal Operations Committee.
- C. 22 APPOINT Kimberly McCarl to the Private/Non-Profit Sector 2 seat on the Economic Opportunity Council, as recommended by the Employment and Human Services Director.

### **Appropriation Adjustments**

- C. 23** Sheriff's Office Field Operations Bureau (0255): APPROVE Appropriations and Revenue Adjustment No. 5058 authorizing new revenue in the Sheriff's Office (0255) in the amount of \$331,000 from the P-6 Centralized Administrative Base (CAB) for the purchase and installation of ALPR (Automated License Plate Reader) cameras in the Discovery Bay area.

**Personnel Actions**

- C. 24** ADOPT Position Adjustment Resolution No. 22383 to establish the classification of District Attorney Assistant Chief of Inspectors-Exempt (unrepresented), allocate it on the Salary Schedule, and add one District Attorney Assistant Chief of Inspectors-Exempt (unrepresented) position; add one District Attorney Office Manager (unrepresented) position; cancel one District Attorney Director of Forensic and Technical Services (unrepresented) position, and cancel one Clerk-Experienced Level (represented) position in the District Attorney's Office. (Cost Savings)
- C. 25** ADOPT Position Adjustment Resolution No. 22401 to increase the hours of one Librarian (represented), one Library Assistant-Journey Level (represented), and one Clerk-Experienced Level, each from part time (20/40) to full time, and cancel one part time (20/40) Clerk-Experienced Level position in the Library Department. (100% City of Pinole)

**Grants & Contracts**

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

- C. 26** APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute a contract containing modified indemnification language with East Bay Regional Park District, to pay the County an amount not to exceed \$9,900 to provide ground squirrel control services in various East Bay parks, for the period January 1 through December 31, 2019.
- C. 27** APPROVE and AUTHORIZE the County Librarian, or designee, to apply for and accept a Collection Preservation Assessment Project grant from the California Preservation Program and California State Library to provide services for the purpose of planning appropriate care of the library local history collection pertaining to the county, its cities, and localities. (No County match)
- C. 28** ADOPT Resolution No. 2019/72 approving and authorizing the Sheriff-Coroner, or designee, to enter into Memorandum of Agreement with the County of Butte for cost recovery associated with the emergency mutual aid response to the November 2018 California Wildfires, Federal Emergency Disaster Funds, FEMA-4407-DR. (100% Federal)

- C. 29** ADOPT Resolution No. 2019/71 approving and authorizing the Sheriff-Coroner or designee, to apply for and accept the Commission on Peace Officer Standards and Training Innovative Grant Program in an initial amount of \$200,000 for training purposes for the period April 1, 2019 through the end of available funding. (No County match)

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

- C. 30** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Anthony Lopresti, O.D. (dba MDI Wellness Center), in an amount not to exceed \$325,000 to provide primary care physician services to Contra Costa Health Plan members for the period April 1, 2019 through March 31, 2021. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 31** APPROVE and AUTHORIZE the Purchasing Agent or designee to execute, on behalf of the Public Works Director, a purchase order with Air Products Group in an amount not to exceed \$400,000 for heating, ventilation and air conditioning filtration components for the period March 1, 2019 through February 28, 2022, Countywide. (100% General Fund)
- C. 32** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Arrowhead Towing, Inc., in an amount not to exceed \$180,000 for vehicle towing services for the period February 1, 2019 through January 31, 2022, Countywide. (100% Fleet Internal Service Funds)
- C. 33** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Freeman's Tow Service, Inc., in an amount not to exceed \$180,000 for vehicle towing services for the period February 1, 2019 through January 31, 2022, Countywide. (100% Fleet Internal Service Fund)
- C. 34** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract deleting indemnification language with Bay Area Therapeutic Radiology & Oncology Associates Medical Group, Inc. (dba BATROA), in an amount not to exceed \$500,000 to provide radiology and oncology services to Contra Costa Health Plan members for the period April 1, 2019 through March 31, 2021. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 35** APPROVE clarification of Board action of April 24, 2018 (C.44), which authorized the Health Services Director to execute a contract with The Leland Stanford Junior University, for participation in a collaborative to improve perinatal care in California, to reflect the correct payment limit of \$20,000 instead of \$10,000. (100% Hospital Enterprise Fund I)

- C. 36** APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute a contract in the amount of \$246,000 with Urban Tilth, a nonprofit corporation, to complete the Design Phase and begin Phase I Construction at the North Richmond Urban Farm, for the period January 1 through December 31, 2019. (100% Park Dedication/Park Impact Fees)
- C. 37** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to issue Request for Proposals #1167 for Family Caregiver Support Program Services in an amount not to exceed \$550,000 for the period July 1, 2019 through June 30, 2020. (100% Federal)
- C. 38** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order with GE Medical Systems, Ultrasound & Primary Diagnostics, LLC, in an amount not to exceed \$164,094 for the purchase of an ultrasound system at Contra Costa Regional Medical Center. (100% Hospital Enterprise Fund I)
- C. 39** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment effective March 1, 2019 with NAMI Contra Costa, to increase the payment limit by \$63,000 to a new payment limit of \$663,000 to provide additional support services for families effected by mental illness for the Family Volunteer Network Program for the period July 1, 2018 through June 30, 2019, with no change to the six-month automatic extension payment limit of \$300,000 through December 31, 2019. (100% Mental Health Services Act)
- C. 40** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order amendment with Avella of Deer Valley, Inc., to extend the term through May 31, 2019 and increase the payment limit by \$1,500,000 to a new payment limit of \$3,500,000 for the compounding of chemotherapy regimens for the Contra Costa Regional Medical Center. (100% Hospital Enterprise Fund I)
- C. 41** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Ride Roundtrip, Inc., in an amount not to exceed \$800,000 for hosted software portal services for transportation coordination, scheduling, and dispatch of Medi-Cal patients for the period January 1, 2019 through December 31, 2020. (100% State)
- C. 42** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment effective March 1, 2019 with United Family Care, LLC (dba Family Courtyard), to decrease the payment limit by \$116,224 to a new payment limit of \$351,232 to provide augmented board and care services to a reduced number of clients for the period December 1, 2018 through November 30, 2019. (100% Mental Health Realignment)

- C. 43** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment effective March 15, 2019 with Meals on Wheels and Senior Outreach Services, to increase the payment limit by \$28,277 to a new payment limit of \$493,239 for additional home delivered meal services for the period July 1, 2018 through June 30, 2019; and to increase the automatic extension payment limit by \$7,070 to a new payment limit of \$123,310 through September 30, 2019. (100% Title III-C2 of the Older Americans Act of 1965 funding)
- C. 44** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order amendment with Central Ad Mixture Pharmacy Services, Inc., to increase the payment limit by \$150,000 to a new payment limit of \$650,000 for additional compounding of nutrition intravenous solutions, with no change to the termination date of March 31, 2020. (100% Hospital Enterprise Fund I)
- C. 45** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Chief Information Officer, Department of Information Technology, a purchase order with Presidio Networked Solutions Group, LLC., in an amount not to exceed \$107,000 for the acquisition of Cisco Network Appliances and associated technical support; Countywide. (100% Department user fees)
- C. 46** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the on behalf of the Chief Information Officer, Department of Information Technology, a purchase order with Insight in an amount not to exceed \$1,840,705 for a Microsoft volume licensing enterprise enrollment renewal for the period May 1, 2019 through April 30, 2022. (100% Department user fees)
- C. 47** APPROVE and AUTHORIZE the County Administrator, or designee, to execute a contract with Milliman, Inc. in an amount not to exceed \$400,000 for actuarial services for the period March 20, 2019 through June 30, 2022, as recommended by the County Administrator. (100% Benefits Administration Charges)
- C. 48** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Chief Information Officer, Department of Information Technology, a purchase order with CA, Inc., in an amount not to exceed \$398,760 and an order form for the renewal of software licenses and maintenance for the County Property Tax, Finance, and Law and Justice Information systems for the period March 31, 2019 through March 30, 2022. (100% User Fees)

### **Other Actions**

- C. 49** Acting as the Governing Board of the WCCHD (West Contra Costa Healthcare District) Financing Corporation II, ADOPT Resolution No. 2019/15 approving amended Bylaws and Articles of Incorporation for the WCCHD Financing Corporation II. (No fiscal impact)

- C. 50** APPROVE the 2019 list of referrals to the Transportation, Water and Infrastructure Committee, as recommended by the Transportation, Water and Infrastructure Committee.
- C. 51** ACCEPT the 2018 Annual Report from the Transportation, Water and Infrastructure Committee, as recommended by the Transportation, Water and Infrastructure Committee.
- C. 52** APPROVE and AUTHORIZE a substantial amendment to the County's FY 2017/18 Community Development Block Grant Action Plan, to award \$382,500 to RYSE, Inc., for the acquisition of real property located at 4006 Macdonald and an adjacent parcel in the City of Richmond, to expand an existing youth community center, as recommended by the Finance Committee. (100% Federal)
- C. 53** APPROVE a substantial amendment to the County's FY 2017/18 Community Development Block Grant Action Plan, to award up to \$115,000 of additional CDBG funds to Pogo Park for the construction of a mini playfield and associated amenities at Harbour-8 Park located in the City of Richmond, as recommended by the Finance Committee. (100% Federal)
- C. 54** DECLARE as surplus and AUTHORIZE the Purchasing Agent, or designee, to dispose of fully depreciated vehicles and equipment no longer needed for public use, as recommended by the Public Works Director, Countywide. (No fiscal impact)
- C. 55** ADOPT the updated advisory body application form and proposed timeline and activities for implementation, as recommended by the Internal Operations Committee.
- C. 56** ACCEPT report on the Auditor-Controller's audit activities for 2018 and APPROVE the proposed schedule of financial audits for 2019, as recommended by the Internal Operations Committee.
- C. 57** ACCEPT 2017/18 annual report from the Public Works Director on the Internal Services Fund and status of the County's Vehicle Fleet, as recommended by the Internal Operations Committee.
- C. 58** ACCEPT status report on the Small Business Enterprise, Outreach and Local Bid Preference Programs, reflecting departmental program data for the period July 1 through December 31, 2018, as recommended by the Internal Operations Committee.
- C. 59** ADOPT Resolution No. 2019/87, approving a side letter between Contra Costa County and the Deputy Sheriffs' Association, Probation Unit and Probation Supervisors Unit, to modify the Certification Rule to allow band list certification for deputy probation officers, as recommended by the County Administrator.



- C. 60** APPROVE and AUTHORIZE the expenditure of up to \$2,160 for costs associated with employee David Hartman's attendance at the Federal Bureau of Investigation National Academy from April 1 through June 7, 2019. (100% General Fund)
- C. 61** APPROVE modified administrative bulletin regarding public access to County records under the Public Records Act, as recommended by the County Administrator.

### **GENERAL INFORMATION**

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

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

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

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

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

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

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

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Page, where agendas and supporting information may also be viewed:

[www.co.contra-costa.ca.us](http://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	May 8, 2019	11:00 a.m.	See above
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Family & Human Services Committee	March 25, 2019 Canceled April 22, 2019	10:30 a.m.	See above
Finance Committee	March 25, 2019 Canceled Special Meeting June 10, 2019	1:00 p.m.	Room 108
Hiring Outreach Oversight Committee	April 1, 2019	1:00 p.m.	See above
Internal Operations Committee	April 8, 2019	1:00 p.m.	See above
Legislation Committee	April 8, 2019	10:30 a.m.	See above
Public Protection Committee	April 1, 2019	10:30 a.m.	See above
Sustainability Committee	March 25, 2019	12:30 p.m.	See above
Transportation, Water & Infrastructure Committee	April 8, 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  
**CCCFPD (ConFire)** Contra Costa County Fire Protection District  
**CCHP** Contra Costa Health Plan  
**CCTA** Contra Costa Transportation Authority  
**CCRMC** Contra Costa Regional Medical Center  
**CCWD** Contra Costa Water District  
**CDBG** Community Development Block Grant  
**CFDA** Catalog of Federal Domestic Assistance  
**CEQA** California Environmental Quality Act  
**CIO** Chief Information Officer  
**COLA** Cost of living adjustment  
**ConFire (CCCFPD)** Contra Costa County Fire Protection District  
**CPA** Certified Public Accountant  
**CPI** Consumer Price Index  
**CSA** County Service Area  
**CSAC** California State Association of Counties  
**CTC** California Transportation Commission  
**dba** doing business as  
**DSRIP** Delivery System Reform Incentive Program  
**EBMUD** East Bay Municipal Utility District  
**ECCFPD** East Contra Costa Fire Protection District  
**EIR** Environmental Impact Report  
**EIS** Environmental Impact Statement  
**EMCC** Emergency Medical Care Committee  
**EMS** Emergency Medical Services  
**EPSDT** Early State Periodic Screening, Diagnosis and Treatment Program (Mental Health)  
**et al.** et alii (and others)  
**FAA** Federal Aviation Administration  
**FEMA** Federal Emergency Management Agency  
**F&HS** Family and Human Services Committee  
**First 5** First Five Children and Families Commission (Proposition 10)  
**FTE** Full Time Equivalent  
**FY** Fiscal Year  
**GHAD** Geologic Hazard Abatement District  
**GIS** Geographic Information System  
**HCD** (State Dept of) Housing & Community Development  
**HHS** (State Dept of ) Health and Human Services  
**HIPAA** Health Insurance Portability and Accountability Act  
**HIV** Human Immunodeficiency Virus  
**HOME** Federal block grant to State and local governments designed exclusively to create affordable housing for low-income households  
**HOPWA** Housing Opportunities for Persons with AIDS Program

**HOV** High Occupancy Vehicle  
**HR** Human Resources  
**HUD** United States Department of Housing and Urban Development  
**IHSS** In-Home Supportive Services  
**Inc.** Incorporated  
**IOC** Internal Operations Committee  
**ISO** Industrial Safety Ordinance  
**JPA** Joint (exercise of) Powers Authority or Agreement  
**Lamorinda** Lafayette-Moraga-Orinda Area  
**LAFCo** Local Agency Formation Commission  
**LLC** Limited Liability Company  
**LLP** Limited Liability Partnership  
**Local 1** Public Employees Union Local 1  
**LVN** Licensed Vocational Nurse  
**MAC** Municipal Advisory Council  
**MBE** Minority Business Enterprise  
**M.D.** Medical Doctor  
**M.F.T.** Marriage and Family Therapist  
**MIS** Management Information System  
**MOE** Maintenance of Effort  
**MOU** Memorandum of Understanding  
**MTC** Metropolitan Transportation Commission  
**NACo** National Association of Counties  
**NEPA** National Environmental Policy Act  
**OB-GYN** Obstetrics and Gynecology  
**O.D.** Doctor of Optometry  
**OES-EOC** Office of Emergency Services-Emergency Operations Center  
**OPEB** Other Post Employment Benefits  
**OSHA** Occupational Safety and Health Administration  
**PACE** Property Assessed Clean Energy  
**PARS** Public Agencies Retirement Services  
**PEPRA** Public Employees Pension Reform Act  
**Psy.D.** Doctor of Psychology  
**RDA** Redevelopment Agency  
**RFI** Request For Information  
**RFP** Request For Proposal  
**RFQ** Request For Qualifications  
**RN** Registered Nurse  
**SB** Senate Bill  
**SBE** Small Business Enterprise  
**SEIU** Service Employees International Union  
**SUASI** Super Urban Area Security Initiative  
**SWAT** Southwest Area Transportation Committee  
**TRANSPAC** Transportation Partnership & Cooperation (Central)  
**TRANSPLAN** Transportation Planning Committee (East County)  
**TRE** or **TTE** Trustee  
**TWIC** Transportation, Water and Infrastructure Committee  
**UASI** Urban Area Security Initiative

**VA** Department of Veterans Affairs

**vs.** versus (against)

**WAN** Wide Area Network

**WBE** Women Business Enterprise

**WCCHD** West Contra Costa Healthcare District

**WCCTAC** West Contra Costa Transportation Advisory Committee



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: March 19, 2019

Subject: Approve and Adopt CalSAWS Joint Exercise of Powers Agreement

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**RECOMMENDATION(S):**

APPROVE County membership in a Joint Powers Authority, the CalSAWS Consortium, to be comprised of the 58 California counties.

APPROVE and AUTHORIZE the Chair, Board of Supervisors, to execute the Second Amended and Restated Joint Exercise of Powers Agreement for the CalSAWS Consortium, for the purpose of establishing a single statewide case management system for the administration of California's public assistance programs, subject to review as to form by County Counsel and approval of the terms by the County Administrator, in a form substantially similar to the attached Agreement;

APPOINT Kathy Gallagher, Employment and Human Services Director, as the County's representative to the CalSAWS Consortium.

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a Memorandum of Understanding (MOU) with the CalSAWS Consortium regarding the administration and implementation of the single statewide automated welfare system, subject to review as to form by County Counsel and approval of the terms by the County Administrator, in a form substantially similar to the attached MOU.

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APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Kathy Gallagher,  
608-4801

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

By: , Deputy

cc:

## FISCAL IMPACT:

The estimated increased County cost in FY 19/20 for California's Statewide Automated Welfare Systems (CalSAWS) planning activities is \$12,000. This cost has been included in the Employment and Human Services Department's (EHSD) recommended budget.

Costs for the County's current welfare case management system, CalWIN, are included annually in EHSD's budget and represent a 4% share of the total Federal/State/County system costs. Total County costs for CalSAWS Design, Development and Implementation, and for the Maintenance and Operations over the course of the project are still being estimated at the State and Federal level. Costs for the new system will be partially, or entirely, offset by current investments in the CalWIN system.

## BACKGROUND:

The Statewide Automated Welfare Systems (SAWS) are the case management systems that are currently managed and operated by two consortia representing the 58 California counties. The SAWS support the delivery of services to applicants and beneficiaries of the State of California's public assistance programs and other County programs. These systems automate program enrollment, eligibility determination, benefits payroll, reporting, and other case management functionality.

The SAWS provide support for the administration of programs including Medi-Cal, California Work Opportunity & Responsibility to Kids/Temporary Aid to Needy Families (CalWORKs/TANF), CalFresh/Supplemental Nutrition Assistance Program (SNAP), Cash Assistance Program for Immigrants (CAPI), Foster Care, Refugee Cash Assistance (RCA), Kinship Guardianship Assistance Program (KinGAP), California Food Assistance Program (CFAP), General Assistance/General Relief (GA/GR), Adoption Assistance, and other health and human services programs or subprograms.

Currently, there are three separate SAWS in California, managed by two separate consortia of counties, as follows:

- Welfare Client Data Systems (WCDS Consortium) maintains and operates the California Work Opportunity and Responsibility to Kids Information Network (CalWIN) system supporting 18 counties, including Contra Costa County.
- California Automated Consortium Eligibility System (CalACES Consortium), established in 2017, maintains and operates the Los Angeles Eligibility, Automated Determination, Evaluation and Reporting (LEADER) Replacement System (LRS) supporting Los Angeles County, and the Consortium IV (C-IV) system supporting the other 39 counties.

For the State to continue to receive Federal Financial Participation for the SAWS, and to comply with State and Federal technology architecture standards, the Centers for Medicare and Medicaid Services and the United States Department of Agriculture (USDA) Food and Nutrition Services require that California implement a single SAWS system by the end of 2023. To comply with these obligations, the 40 county members of the CalACES Consortium and the 18 county members of the WCDS Consortium will join together to create a single statewide system managed by a CalSAWS Joint Powers Authority, known as the CalSAWS Consortium.

## **Establishment, Purpose, and Structure of the Joint Powers Authority**

To transition to the CalSAWS single system by 2023, California requested and received funding to conduct planning to determine the level of effort and cost to move to a single system. As part of that planning effort, the California counties formed the CalSAWS Leadership Team to finalize a formal



CalSAWS Consortium governance structure. The Contra Costa County EHSD Director is a member of this team. This Leadership Team, in conjunction with California Welfare Directors Association, California Department of Social Services, Department of Health Care Services, and Office of Systems Integration, provided guidance and oversight to the CalACES and WCDS Consortia Executive Directors in their preparation of the CalSAWS Consortium governing documents. A work group of several County Counsels assisted in the development of the governance documents, which include the Joint Exercise of Powers Agreement, and the Memorandum of Understanding to be executed between the Consortium and each individual county. The CalSAWS Leadership Team worked with County Counsel representatives in the preparation of the governing documents and the County Counsel offices of all 58 counties reviewed and provided input for these documents. It is anticipated that all 58 County Counsels will approve these documents as to form.

The Joint Exercise of Powers Agreement defines the purpose, powers and general provisions governing the CalSAWS Consortium. The CalSAWS Consortium (“Consortium”) is formed in accordance with the provisions of the California Government Code, commencing with Section 6500. The purpose of the Consortium is to design, develop, and implement the CalSAWS single statewide system, and conduct the ongoing operation and maintenance of the current SAWS systems until they are phased out.

The Consortium is organized into a governance structure of six (6) regions comprised of one or more counties. Each County will have one Consortium Member Representative with the exception of Los Angeles, which has three representatives to reflect its proportion of the state population. This board order requests the Employment and Human Services Department Director be appointed as Contra Costa County’s Member Representative. Should the current EHSD Director vacate their County position, the member seat will automatically be deemed vacant and automatically filled by the interim or permanent individual assuming this Director position.

The CalSAWS Consortium will be governed and administered by a 12 voting member Board of Directors, with twelve (12) county Welfare Directors appointed by Member Representatives from their region. The number of Directors from each region is based upon aided person counts in public assistance programs in each region. Regions 1 and 4 will have two Directors each, Regions 2 and 3 will have one Director each, and Regions 5 and 6 will have three Directors each. Each Director on the 12-member board has one vote. Contra Costa County will be a member of Region 1, which includes a total of 12 Bay Area and Coastal counties (8 from the WCDS Consortium and 4 from the CalACES Consortium).

The San Bernardino County Treasurer will be the Treasurer of the Consortium.

### **Indemnification Obligations**

The Joint Exercise of Powers Agreement requires the CalSAWS Consortium to indemnify and defend each of its County members, including Contra Costa County, from all claims, losses, damages, and/or liability arising from the Consortium’s acts, errors, or omissions. The Agreement also requires each of the member counties to defend and indemnify each of the other member Counties from any liability, claim, or judgement for injury or damages caused by any negligent or wrongful act or omission of the indemnifying member related to the performance of the Agreement.

### **MOU Between Contra Costa County and the CalSAWS Consortium**

The CalSAWS Consortium will operate pursuant to a Memorandum of Understanding (MOU) with each member county. The MOU establishes the obligations of each county regarding SAWS vendor agreements, equipment, personnel, and other resources in fulfillment of the CalSAWS Consortium’s mission and objectives. The MOU defines what expenses each contracting party will be responsible for in the course of developing, implementing and maintaining the system. This includes commitment that the Consortium will reimburse personnel expenses.

## **Federal Approvals and Timeline**

Final Federal approval from the USDA Food and Nutrition Services and the Department of Health and Human Services Centers for Medicare and Medicaid Services has been received approving and accepting the Implementation Advance Planning Document (IAPD) for FFY 2019 through FFY 2020. With this approval and funding authorization, the CalSAWS planning and implementation project officially launched on March 4, 2019 and is currently planned to be completed and receive final federal acceptance no later than June 30, 2023. It is expected that Contra Costa will migrate to the new CalSAWS system in 2022.

Pending approval of the Boards of Supervisors of each of the 58 Counties, the Joint Exercise of Powers Agreement will become effective on June 28, 2019.

### CONSEQUENCE OF NEGATIVE ACTION:

Contra Costa County would still be mandated to migrate to the new CalSAWS system, but would do so without a voice in the process. The County would not become a member of the CalSAWS Consortium and would not be able to access Federal funding for the CalSAWS Planning and Implementation requirements.

### ATTACHMENTS

CalSAWS MOU

CalSAWS MOU Signature Page

CalSAWS Joint Powers Agreement

CalSAWS Joint Powers Agreement Signature Page

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE CALSAWS CONSORTIUM AND THE COUNTY OF \_\_\_\_\_**

This MEMORANDUM OF UNDERSTANDING ("MOU") is made and entered into by and between the CalSAWS Consortium ("Consortium"), a California Joint Powers Authority, and the County of \_\_\_\_\_ ("County"), a member county ("Member" or collectively with other members of the Consortium, "Members") of the Consortium (collectively, "the Parties").

RECITALS

- I. WHEREAS, the Consortium was previously known as the California Statewide Automated Welfare System Consortium IV ("C-IV Consortium") with thirty-nine (39) county members (collectively, "39 Counties"); and
- II. WHEREAS, Los Angeles County joined the 39 Counties pursuant to the Amended and Restated Joint Exercise of Powers Agreement ("JPA Agreement"), with an effective date of September 1, 2017, pursuant to which the name of the Consortium was changed to the California Automated Consortium Eligibility System Consortium ("CalACES Consortium"); and
- III. WHEREAS, the C-IV Consortium previously entered into an agreement with a primary vendor ("C-IV Agreement") to provide the necessary equipment and services for an automated system ("C-IV System") utilized by the 39 Counties; and
- IV. WHEREAS, Los Angeles County previously entered into an agreement with a primary vendor ("LRS Agreement") to provide the necessary equipment and services for an automated system known as the Leader Replacement System ("LRS"); and
- V. WHEREAS, 18 counties ("WCDS Counties") previously entered into an agreement with a primary vendor ("CalWIN Agreement") to provide the necessary equipment and services for an automated system known as the CalWORKS Information Network and related systems ("CalWIN"); and
- VI. WHEREAS, the Centers for Medicare and Medicaid Services and the Food and Nutrition Services agencies of the United States Department of Agriculture directed California to move to a single statewide automated welfare system ("CalSAWS") by 2023. In moving toward that goal, the WCDS Counties and the CalACES Consortium have joined together to form the CalSAWS Consortium, pursuant to the JPA Agreement; and
- VII. WHEREAS, Los Angeles County will continue to use the LRS, the 39 Counties will continue to use the C-IV System, and the WCDS Counties will continue to use CalWIN until the migration of the Members to CalSAWS is complete; and

- VIII. WHEREAS, the purpose of this MOU is to delineate the areas of understanding and agreement among the Consortium and the Members regarding matters related to the administration and fulfillment of the Consortium's purpose; and
- IX. WHEREAS, this MOU is conditioned on the Consortium entering into the same MOU terms and conditions with all other Members, and supersedes all prior MOUs concerning the same subject matter contained herein.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Parties agree as follows:

I. **DEFINITIONS**

As used in this MOU, the following words and terms shall have the meanings described below, unless otherwise defined elsewhere in this MOU:

1.1. **"Advance Planning Document" (APD):** A federally required document that is used by states to inform the federal agencies of their intentions related to federally funded programs, and request approval and funding to accomplish their needs and objectives. The term APD refers to a Planning APD, Implementation APD, or to an Advance Planning Document Update.

1.2. **"Central Equipment":** Is that equipment for which the Consortium is authorized by the State of California to assume responsibility for refresh. The Consortium shall have responsibility to refresh (replace or upgrade) all such equipment. All equipment not designated as "Local Equipment" is Central Equipment. The physical location of the equipment is not relevant to the designation "Central."

1.3. **"Consortium – Auditor-Controller Agreement":** Is any agreement, as may be revised from time to time, between the Consortium and one of its Members to fulfill the fiscal and audit function as Auditor-Controller for the Consortium.

1.4. **"Consortium Staff":** Consists of employees of the Consortium, employees of Members contributed to the Consortium, and contractors and agents designated by the Consortium.

1.5. **"Consortium's Secretary":** The Secretary of the Consortium's Board of Directors in charge of all records of the Consortium.

1.6. **"Consortium's Treasurer":** The treasurer of the Consortium shall be as specified in the JPA Agreement. The Consortium's Treasurer is responsible for the depository, disbursements, and accountability of all the accounts, funds, and money and all records relating thereto.

1.7. **"Cost Allocation Plan":** A methodology for distributing costs to benefiting programs in accordance with federal, state, and county sharing ratios.

**1.8. "County Personnel":** County employees, contractors or agents responsible for task(s) necessary to the Project.

**1.9. "County-Purchased Software":** Licenses to software applications purchased separately by County and installed upon Local Equipment. County-Purchased Software does not include Original Equipment Manufacturing (OEM) operating system software provided by the Consortium for use in the System(s), as defined below. All County-Purchased Software must be configured to be compatible with Consortium-purchased software and shall be approved by Consortium prior to its installation and use on Local Equipment purchased or provided under this MOU. Maintenance of County-Purchased Software and management of its use in a manner consistent with its licensing is the sole responsibility of County.

**1.10. "County Site(s)":** The location(s) in the County for the equipment, software, and Project Staff activities designated as necessary to the Project.

**1.11. "Data":** The Consortium and County records, files, forms, and other information that are currently or will be processed on the System(s).

**1.12. "Deliverables":** Products, including, but not limited to, equipment and software, provided to the Consortium and the County pursuant to agreements with vendors or otherwise necessary to the Project.

**1.13. "Executive Director":** The individual chosen by the Consortium with responsibilities for the management of the Project for the Consortium.

**1.14. "Impaired Device(s)":** Any equipment that is used by a Member on the System(s) and which has become, whether by damage or other reason, incapable of performing its intended purpose.

**1.15. "Local Equipment":** Is that equipment that (a) was obtained for the System's(s)' use, (b) is located on County Sites, and (c) for which the Consortium is not authorized by the State of California to assume responsibility for refresh, replace or upgrade.

**1.16. "Network(s)":** The telecommunications lines, equipment, software, and services for transmitting Data and other information as required by the needs of the System(s).

**1.17. "Original Equipment Manufacturing" or "OEM":** Is that operating system software license that is provided with the workstation and laptop equipment, for which the right to use the license is vested with the owner of the applicable equipment.

**1.18. "Primary Project Vendor":** The vendor who is working or will be working on the System(s) pursuant to the applicable agreement(s), as approved by the Consortium.

1.19. **"Primary Project Vendor Staff"**: Employees, contractors, and agents of the Primary Project Vendor dedicated to the Project who are working on the System(s).

1.20. **"Project"**: Work related to the design, development, implementation, operation, maintenance of the System(s), and migration of the Members to CalSAWS, and the related activities of the Parties thereto.

1.21. **"Project Staff"**: The Consortium Staff, County Personnel, and vendor staff performing task(s) necessary to the Project.

1.22. **"Quality Assurance and Other Agreements"**: Those agreements between the Consortium and its quality assurance vendor(s) or other Project vendors to provide quality assurance, Project management, planning, support, verification, and validation services for the System(s).

1.23. **"Region"**: County or Counties grouped together for purposes of representation as defined in the Consortium's Bylaws.

1.24. **"Regional Manager(s)"**: The person(s) responsible for the day-to-day oversight of the Project in a particular Region.

1.25. **"Separate Services"**: Services which are related to the System(s), obtained by Counties from the Primary Project Vendor, or other Project vendors.

1.26. **"Software"**: Software and software licenses purchased by the Consortium for the System's(s') use, and software and software licenses procured under Section 4.2 (County Hardware and Software License Purchases). The Consortium retains possession of and title for, and responsibility for refresh of, all Software licensing agreements purchased by the Consortium but may grant use permission to Member in a manner consistent with this MOU.

1.27. **"System(s)"**: Individually or collectively, the complete collection of equipment, Software, other required software, and Networks for the C-IV System, LRS, CalWIN and/or CalSAWS.

1.28. **"Work Plan(s)"**: The plan and delineation of tasks, subtasks, activities and events to be performed, Deliverables to be produced and associated resource requirements with regard to the Project as accepted and agreed upon between the Primary Project Vendor and the Consortium, subject to modification from time to time.

## II. COUNTY

2.1. **Dedication of Personnel**. The County, within its sole discretion, agrees to undertake best efforts to provide County Personnel to the Project as required by the Project's needs, applicable Work Plan(s) or as otherwise necessary to fulfill the Consortium's purpose. County Personnel provided to the Project or the Consortium under this provision will be provided subject to the following terms and conditions:

**2.1.1.** The rendition of the services performed by County Personnel, the standards of performance, the discipline of its employees, and other matters incident to the performance of such services and the control of County Personnel so engaged in these services shall remain with the County. The County and the Consortium shall agree to the scope of services to be performed by each County Personnel.

**2.1.2.** The County will be responsible for all payroll, personnel, and other administrative functions for its employees assigned to perform services for the Consortium hereunder.

**2.1.3.** At the start of the Consortium assignment, the County, or the Consortium, with consent from the County, will provide functional supervision of County Personnel assigned, specify their duties, establish working hours, and other matters incidental to the supervision of the County Personnel.

**2.1.4.** In the event of a dispute between the County and the Consortium as to the extent of the duties and functions to be rendered hereunder, or the minimum level or manner of performance of such service, the Consortium shall be consulted and a mutual determination thereof shall be made by both the County and the Consortium. However, the County, in an unresolved dispute, shall have final and conclusive determination as between the Parties hereto.

**2.1.5.** For and in consideration of the services to be performed by the County Personnel for the Consortium under this MOU, the Consortium shall pay the County for said services according to the hourly prevailing direct salary and employee benefit costs as determined by the County for the current applicable fiscal year. Annual rate adjustments shall be made pursuant to methods employed according to the policies and procedures established by the County.

**2.1.6.** The County shall render to the Consortium a summarized monthly invoice which details all services performed under this MOU, and the Consortium shall pay the County within sixty (60) days after date of said invoice.

**2.1.7.** Payment for said services shall be made by check or money order payable as directed on the monthly invoice, or other method as determined by the County.

**2.1.8.** If such payment is not delivered to the County office that is described on said invoice within sixty (60) days after the date of the invoice, the invoice will be deemed uncollectible and may be forwarded for appropriate action.

**2.1.9.** Both Parties hereto in the performance of this Agreement shall act as independent contractors and not as agents, employees, partners, joint venturers, or associates of one another.

**2.1.10.** The Consortium shall not assume any liability for the direct payment of any salaries, wages, retirement benefits, workers' compensation insurance, or other compensation to any County Personnel performing services hereunder.

2.1.11. County and Consortium agree to be liable for the negligence and willful misconduct of its employees, agents, and contractors as set forth in Section 6.03. (Member's Liability for Negligence of its Employees and Contractors) of the JPA Agreement.

2.1.12. Notwithstanding any provision hereof to the contrary, the County or the Consortium may return County Personnel back to County for any reason upon notice in writing to the other party of not less than sixty (60) days prior thereto, unless the Parties agree otherwise.

2.2. **Access to County Site(s) and Facilities.** County agrees to make available and provide access to County Sites and facilities to Project Staff as necessary for the operation and administration of the System(s) in accordance with the County's administrative and security rules and regulations. County reserves the right to refuse the Consortium Staff or Project Staff member access to County Site(s) or facilities where, in its sole discretion, the County determines that access should be refused or terminated for reasons of public health, welfare, and safety or to avoid disruptions to County operations.

2.3. **Release of Information to Auditor/Controller.** The County acknowledges that the Consortium - Auditor/Controller Agreement sets forth certain procedures for the disclosure of records of the County to the Auditor/Controller and the Executive Director as the Auditor/Controller deems necessary to resolve any funding, invoice, records, accounting or audit-related issues, to the extent allowed by law. Therefore, the County agrees to use commercially reasonable efforts to comply with these procedures and, further, shall cooperate with the Consortium and Auditor/Controller in complying with any changes or modifications of these procedures, as may be necessary from time to time.

### III. **CONSORTIUM**

3.1. **Compliance with County Rules.** The Consortium agrees that all Project or other Consortium activities occurring at County Site(s) or facilities will occur in a manner consistent with the County's rules and regulations.

3.2. **Risk of Loss for Deliverables.** Until accepted by County under the procedures established by the Parties pursuant to Section 4.4 (Development of Procedures for Acceptance/Rejection of Deliverables) herein, Consortium agrees that any risk of loss or damage for the Deliverables shall be borne solely by the Consortium.

3.3. **Liability to County.** The Consortium agrees to be liable for any loss, destruction, or damage caused by the Consortium to County operation or property by Consortium. Upon such loss, destruction of, or damage, the County shall notify the Executive Director and shall take all reasonable steps to protect against further loss, destruction, or damage caused by Consortium.



**3.4. Minimize Project Impact on County's Operations.** The Consortium agrees to ensure that Project activities at County Site(s) and facilities shall be done in a manner that will minimize interference with the normal activities and operations of the Member and shall keep County Site(s) and facilities safe, clean, and orderly at all times.

**3.5. Right to Use System(s) Information and Data.** The Consortium agrees that the County shall have unlimited rights to use, disclose, duplicate, or publish all System(s) information and Data relating to County that is developed, derived, documented, or furnished by Consortium, upon notification by County to the Executive Director as to the reason for such use of said System(s) information and Data. Such Data shall include all results, technical information, and materials developed for and/or obtained by Consortium and retained to fulfill its purpose, including, but not limited to, all reports, surveys, plans, charts recordings (video and/or sound), pictures, drawings, analysis, source and object code, graphic representations, computer programs and printouts, notes and memoranda, and documents whether finished or unfinished, which result from or are prepared in connection with the Project, but only as it relates to the County or is Data that is meant for distribution to, or for access by, all Members of the Consortium. To the extent that County requires access to System(s) information and Data relating to another Member(s) of the Consortium, County shall seek permission from such Member(s) and shall enter into all appropriate confidentiality and non-disclosure agreements, if required, and comply with all confidentiality and security requirements of such Member(s). The County's use of Consortium information and Data shall not apply, and the County shall have no right, to title and interest in or to any Consortium's vendor's confidential and proprietary information.

**3.6. Cooperation with County Risk Management Assessment.** The Consortium agrees to cooperate and share its records and information with the County as necessary for the County to conduct an adequate risk of liability assessment(s) and develop an appropriate risk of liability management plan(s) as to Project activities occurring at County Sites and facilities or otherwise in connection with the County's participation in the Consortium.

#### **IV. MUTUAL RESPONSIBILITIES**

##### **4.1. Fiscal Responsibilities and Claiming.**

**4.1.1.** The Consortium's Auditor-Controller shall act as the fiscal agent for the Consortium and perform accounts payable functions that relate to vendor billings and overall Project costs, including Separate Services and hardware and/or Software purchased by the County. The Consortium will invoice the County as agreed for the specific costs incurred in accordance herewith. At a minimum, invoicing will be quarterly, except by mutual agreement.

**4.1.2.** Unless otherwise agreed upon by the Consortium Executive Director or designee, the County will be responsible for the costs of hardware, and/or Software and associated maintenance for new County Sites or the expansion of existing County

Sites, changes in County network models, refresh of existing hardware and/or Software (as deemed necessary by the County), Separate Services requested by the County and other changes the County deems necessary. The County will prepare and submit APDs to the State for approval of these items, except as otherwise agreed upon by the Consortium, as above, subject to oversight by the Office of System Integration (OSI) or applicable State APD department.

**4.1.3.** The Consortium will allocate the Project budget to each Member and each of the Counties will be required to pay its applicable share of budget, in accordance with Section 4.1.4 hereof and Section 5.02 (Statewide Automated Welfare System Funding Allocations) of the JPA Agreement, at the time and in the manner specified by the Consortium. Such County Project costs will be paid to the Consortium or State as directed by the Consortium. The Consortium will continue to evaluate total Consortium expenditures and budget variances. The annual budget requests and updates will be prepared by the Consortium along with County Personnel.

**4.1.4.** Administrative Costs (also known as unfunded costs) are costs properly incurred by the Consortium but designated by the State of California as ineligible for reimbursement to the Consortium by the State, including the County's share as determined by the appropriate Cost Allocation Plan to be applied to that cost as approved by the State. On or before April 1 of each year, the Consortium, with the concurrence of the Consortium's Member representatives as defined in Section 2.07 (Quorum; Required Votes; Approvals) of the JPA Agreement, will approve a schedule of Administrative Costs for the upcoming fiscal year (July 1 through June 30). The Consortium will give the County notice of the approved schedule within ten (10) days after such approval.

A. County hereby agrees to contribute to the Consortium its share of Administrative Costs, as determined by the Consortium, in advance pursuant to California Government Code section 6504.

B. County shall also contribute an amount equal to any penalties, fines, finance charges, interest or other costs that may result in the event County's tardy payment(s) result in insufficient funds to pay the Consortium's expenses when due.

**4.1.5.** If, during the term of this MOU, the County is unable to appropriate sufficient funds, or is otherwise unable to meet its financial obligations under this MOU, and there are no other legal procedures or available funds by or with which such obligations can be met, County shall have the right to terminate this MOU and withdraw its membership from the Consortium effective as of the end of that fiscal year by adoption of a resolution of withdrawal by County's Board of Supervisors, provided that a copy of said resolution has been served on all other Members by May 31 of that fiscal year, as provided for in Section 2.11 (Withdrawal of Member) of the JPA Agreement. Withdrawal under this subsection shall not relieve the County of any financial obligations or liabilities arising prior to the effective date of the withdrawal.

4.1.6. Section 17.1.1 of the "Amended and Restated Agreement for a California Statewide Automated Welfare System" between the Consortium and Accenture LLP provides as follows:

17.1.1 Consortium Member Demand for Indemnification

CONTRACTOR's obligation to indemnify CONSORTIUM Members shall only be exercised through the CONSORTIUM and upon written demand by the CONSORTIUM. Any demand for indemnification by a CONSORTIUM Member shall be tendered to the CONSORTIUM, which shall have the authority to make the demand for indemnification to CONTRACTOR. The obligation on CONSORTIUM Members to submit demands for indemnification to the CONSORTIUM rather than directly to the CONTRACTOR shall not apply to L A COUNTY so long as L A COUNTY remains the sole county utilizing the LRS System in actual production. Once a second county migrates into the LRS System and from that point forward, all indemnification claims must go through the CONSORTIUM.

County claims covered by this provision shall be referred to the Consortium's Executive Director for action in accordance with this provision. The Consortium will be entering into other vendor contracts on behalf of the Member counties and anticipates including comparable language in some or all of those contracts. County claims arising under those other contracts shall also be referred to the Consortium's Executive Director for action in accordance with the requirements set forth in those contracts.

**4.2. County Hardware and Software License Purchases.**

4.2.1. This section pertains to County hardware and software purchases initiated by the County, that enable the County to acquire Local Equipment and/or Software through the Consortium and to contribute to the cost of Central Equipment needed for County use. Any applicable terms, conditions, and limitations of any agreements that provide for such purchases shall remain applicable.

4.2.2. Unless otherwise agreed by the Executive Director or designee, the County will prepare and submit to the Consortium a change order to request a cost estimate for hardware and/or Software licenses and associated maintenance. This request will identify the number of units of hardware and/or Software licenses anticipated for each County Site. The request will specify any special needs or considerations for the items requested. These special needs may include, but are not limited to, monitor sizes, configurations, ergonomics, specialized software, or color printers. The request will also identify whether the County will install all, some, or none of the items requested and whether the County will provide any ongoing technical support that may be necessary.

4.2.3. Upon receiving a change order request from the County for hardware and/or Software licenses, the Consortium will forward the change order to the Primary Project Vendor for a cost estimate that will be provided in accordance with the procedures in the Consortium agreements with the Primary Project Vendor, including estimates with all appropriate costs for the items specified in the request as well as all other hardware and/or Software licenses and hardware maintenance that is necessary

to ensure compliance with Consortium specifications. Such other hardware may include, but is not limited to, network and Central Equipment, such as switches, routers, and servers. The Consortium Staff will forward the estimate to the appropriate County Staff following receipt of the estimate from the Primary Project Vendor Staff.

**4.2.4.** Once the applicable APD is approved, the County will be responsible for providing written approval, from the State, of the cost estimate to the Consortium. The Consortium will not take any steps to authorize the procurement of the hardware and/or Software licenses until such written authorization is provided. Any increases in the cost estimate must also be approved in writing by the County.

**4.2.5.** The Consortium Staff will authorize the purchase of the hardware and/or Software licenses after approval of the cost estimate from the Member. The Project Staff will ensure that the requested items are ordered in a timely manner and in compliance with the approved cost estimate.

**4.2.6.** All Local Equipment and hardware procured under this MOU will become County property unless otherwise agreed to by the Executive Director or designee and County. All software licenses which are purchased by Consortium for use with the System(s) shall be retained by the Consortium and County will be granted permission to use the software pursuant to such licenses, unless otherwise agreed to by the Executive Director or designee and County. County shall be responsible to Consortium for costs associated with acquisition of Software licenses required for County use which are purchased through the Consortium. The County will track and manage property in accordance with mutually agreed upon inventory and accounting practices and procedures identified in the System Operations and Support Plan ("SOSP"). If County and Consortium are unable to agree upon inventory and accounting practices and procedures, County shall track and manage property in accordance with its inventory and accounting practices and procedures. The Consortium shall provide operational support of all hardware in accordance with Consortium procedures and the County network model, unless otherwise agreed to by the Executive Director or designee and Member.

**4.2.7.** The County will be responsible for the installation of all electrical and Data cabling to support any necessary additional hardware at the County Site(s) unless otherwise agreed to by the Executive Director or designee. Electrical cabling will be installed in compliance with the County's current practices for such installations. Data cabling will be installed and tested per the standards identified in the SOSP. Data cabling test results will be provided to the Consortium for its review.

**4.2.8.** The County will be responsible for the costs associated with the ordering and installation of Data circuits between the local County Site(s) and the applicable Data centers, unless otherwise agreed to by the Executive Director or designee. The County will work with Primary Project Vendor Staff to ensure that the Data circuit is of appropriate bandwidth in accordance with Consortium specifications.

4.2.9. Following the receipt, installation, and acceptance of the hardware and/or Software licenses, the County will transfer to the Consortium an amount sufficient to satisfy the Consortium's actual expenditures for the hardware and/or Software licenses based on invoice documentation provided by the Consortium.

**4.3. Separate Services.**

4.3.1. The County may, at its sole discretion, prepare and submit to the Consortium a change order to request Separate Services to be performed by the Primary Project Vendor or other Project vendors. This request will identify the type(s) of Separate Services sought for each County Site and specify any special needs or considerations for the requested Separate Services. The Consortium, upon receiving a change order request, will forward the change order to the Primary Project Vendor or other Project vendors for a cost estimate, including estimates with all appropriate costs for the services specified in the request. The Consortium will also ensure that such services are appropriately related to the System(s). Any applicable terms, conditions, and limitations of any agreements that provide for such services shall remain applicable.

4.3.2. The County and the Consortium will ensure that such Separate Services are performed in a timely manner and in compliance with the cost estimate provided by the Primary Project Vendor or other Project vendors. The County will communicate with the Consortium regarding the progress of the Separate Services and any issues that may affect the Consortium or the System(s).

4.4. **Development of Procedures for Acceptance/Rejection of Deliverables.** The Parties agree to develop and implement procedures for the timely acceptance or rejection of Deliverables that may need to be reviewed by Member as necessary for the Project.

4.5. **Ownership of Accepted Deliverables.** The Parties agree that all rights, titles, and interests to Deliverables accepted by County pursuant to the procedures developed as called for under Section 4.4 (Development of Procedures for Acceptance/Rejection of Deliverables) shall not pass to County except as defined by this MOU or further agreed to in writing.

4.6. **Sharing of Business Records.** Notwithstanding Section 4.1 (Fiscal Responsibilities and Claiming), to ensure financial accountability of the Consortium and County the Parties agree to cooperate in the disclosure to the other Members of all business records (including, but not limited to, certified copies of records of all accounts, funds, and monies for the Project) except to the extent limited, restricted, or prohibited by law or applicable privilege.

4.7. **Access to Books and Records by Regulatory Agencies.** The Parties agree to maintain and make available for inspection sufficient records, files, and documentation that are not otherwise limited/restricted/prohibited by law or applicable

privilege, necessary in the case of audit by the State or federal agency, or other regulatory agency.

**4.8. Dispute Resolution.** The Parties agree that the resolution of any dispute between them related to Consortium business, whatsoever, shall be sought through the following procedures:

**4.8.1.** The Parties shall use their reasonable best efforts to resolve disputes arising in the normal course of business at the lowest organizational level between the Party's staff with appropriate authority to resolve the disputes. When a dispute arises between the Consortium and the County that cannot be resolved in the normal course of business, the Executive Director and County Director will work in good faith to resolve the dispute. If the Executive Director and the County Director cannot resolve the disputed issue(s) within five (5) business days, the matter shall be escalated to the Board of Directors of the Consortium for resolution.

**4.9. No Alteration of JPA Agreement.** The Parties agree that entering into this MOU or performing as provided hereunder shall not in any way change the obligations, rights or authority of the Parties as set forth in the JPA Agreement establishing the Consortium between the counties. Should any provision of this MOU conflict with any provision of the JPA Agreement, the provision of the JPA Agreement shall prevail.

**4.10. Transfer of Impaired Devices.**

**4.10.1. Transfer of Impaired Devices.**

A. Transfer of Impaired Devices. County conveys, assigns, and transfers to Consortium, and Consortium hereby accepts from County, all rights, titles, and interests of County in and to all of the Impaired Devices on the terms and conditions set forth herein. County is responsible for removing all County-Purchased Software and Data prior to the transfer of an Impaired Device to the Consortium, to the extent possible. County hereby authorizes Consortium to remove any and all County-Purchased Software and Data if County is unable to remove prior to transfer.

B. Liability for Impaired Devices. Consortium shall be responsible for any liabilities or obligations associated with or related to the Impaired Devices that occur after the Impaired Device transfer date.

**4.10.2. Transfer Events.**

A. County to Consortium. The transfer of each Impaired Device from County to Consortium shall be effective on an ongoing basis, when Consortium and County execute an equipment transfer.

**4.10.3. Disclaimers of Representations and Warranties.**

A. County. COUNTY IS TRANSFERRING, ASSIGNING, AND CONVEYING THE IMPAIRED DEVICES ON AN "AS IS" BASIS TO CONSORTIUM. COUNTY MAKES NO REPRESENTATIONS OR WARRANTIES, EITHER EXPRESS OR IMPLIED, REGARDING THE IMPAIRED DEVICES AND EXPRESSLY DISCLAIMS THE IMPLIED WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, NON-INFRINGEMENT AND TITLE FOR THE IMPAIRED DEVICES, AS WELL AS ANY IMPLIED WARRANTIES ARISING FROM STATUTE, COURSE OF DEALING, COURSE OF PERFORMANCE, USAGE OR TRADE. COUNTY DOES NOT REPRESENT OR WARRANT THAT THE IMPAIRED DEVICES WILL MEET CONSORTIUM'S REQUIREMENTS, OR THAT THE IMPAIRED DEVICES WILL BE FREE FROM DEFECTS, DEFICIENCIES, PROBLEMS OR ERRORS.

THIS DISCLAIMER IS NOT INTENDED TO VOID ANY WARRANTIES THAT MAY BE AVAILABLE FROM THE MANUFACTURER OR SELLER OF THE IMPAIRED DEVICES, WHICH SHALL PASS TO THE CONSORTIUM AS APPROPRIATE.

B. Manufacturers' Warranties. The disclaimers in Section 4.10.3, above, notwithstanding each party assigns to the other party all of the manufacturer's warranties and indemnities relating to the Impaired Devices transferred pursuant to the provisions set forth herein. Such assignment shall take effect upon the applicable transfer date and is subject to all of the terms and conditions imposed by the manufacturers.

**4.10.4. Limitations of Liability and Exclusive Remedies.**

A. Limitations and Disclaimers of Liability. In no event shall County, Consortium, the Members comprising Consortium, or their contractors, agents, officers, directors, or employees be liable for any losses, expenses, claims or damages of any kind or nature including, but not limited to, direct, indirect, consequential, special or incidental damages whatsoever (including, without limitation, damages for loss of business profits, business interruption, loss of business opportunity, loss of business information, or other pecuniary loss) arising out of the use or inability to use the Impaired Devices, any breach of this property transfer by either party, or any other matter hereunder, even if a party has been advised of the possibility of such damages.

The waiver stated above only relates to matters covered by Section 10.4 (Transfer of Impaired Devices) and extends to any rights such person or entity may have under California Civil Code section 1542 (and other similar statutes and regulations). Section 1542 states:

A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR.

B. Exclusive Remedy of Consortium. Consortium acknowledges that County is providing the Impaired Devices as required under applicable state policy and Consortium agrees that Consortium's sole and exclusive remedy for any inability to use an Impaired Device or any other matter under this property transfer shall be that Consortium shall pursue any remedy that has been transferred or assigned by County from the Impaired Device's manufacturer.

**4.10.5. Responsibility for Software Licenses.**

A. County. County is responsible for removing all County-Purchased Software prior to the transfer of an Impaired Device to the Consortium, to the extent possible. County hereby appoints Consortium as County's agent for the sole purpose of removing any County-Purchased Software contained on any and all Impaired Devices County transfers to Consortium, if County is unable to remove prior to transfer.

Subject to the provisions of Section 4.2.6 herein, County shall retain all rights and obligations associated with any license to County-Purchased Software contained on any and all Impaired Devices that County transfers to Consortium.

B. Consortium. Consortium shall, acting as agent of the County, remove any and all County-Purchased Software from Impaired Devices that Consortium receives from County, if County is unable to remove prior to transfer. Consortium shall not acquire any rights or obligations associated with any license to County-Purchased Software contained on any and all Impaired Devices that Consortium receives from County.

**4.10.6. Expenses.** Each party shall pay its own expenses and fees incidental to the preparation and execution of this property transfer and the obtaining of necessary approvals thereof, including fees and expenses of its counsel, accountants, and other experts.

**V. TERM/TERMINATION/MODIFICATIONS**

**5.1 Term.** This MOU shall commence on June 28, 2019 ("Effective Date") and shall remain in effect so long as the Member is a member of the Consortium, unless terminated as specified herein.

**5.2 Condition Precedent--State and Federal Funding.** The Parties agree that their respective obligations under this MOU are contingent upon state and federal financial participation in the Project and the Consortium. In the event that such funds are not forthcoming for any reason, either Party shall notify the other and shall have the right to terminate this MOU.

**5.3 Termination of Consortium or County's Consortium Membership.** This MOU shall immediately terminate upon the termination of the Consortium's Joint Powers Authority or County's membership in the Consortium's Joint Powers Authority.



**5.4 Debts and Liabilities Upon Termination.** Should this MOU terminate as provided herein, the debts, liabilities, and/or obligations of the Consortium shall remain those of the Consortium.

**5.5 Entire Agreement/Amendments.** This MOU constitutes the entire MOU between the Parties hereto with respect to the subject matter hereof and all prior or contemporaneous MOUs or other agreements of any kind or nature relating to the same shall be deemed merged herein. Except as provided herein, any modifications to, or termination of, this MOU must be in writing and signed by the Parties.

## **VI. MISCELLANEOUS PROVISIONS**

**6.1 Notices.** Written notices provided hereunder shall be sufficiently addressed to the offices listed below and shall be deemed given upon deposit in the U.S. mail, first class, postage prepaid.

***SIGNATURES ON FOLLOWING PAGES***

IN WITNESS WHEREOF, the Parties hereto have caused this Memorandum of Understanding (MOU) to be executed and attested by their proper officers thereunto duly authorized, and their official seal to be affixed, as of the day and year written.

Dated: \_\_\_\_\_

**Consortium:**

CalSAWS Consortium

By:

\_\_\_\_\_

\_\_\_\_\_, Chair  
Board of Directors

Dated: \_\_\_\_\_

**County:**

County of Contra Costa

By:

\_\_\_\_\_

\_\_\_\_\_, Chair  
Board of Supervisors

Approved As to Form  
Contra Costa County Counsel

By:

\_\_\_\_\_

Hannah Shafsky

\_\_\_\_\_

(Title)

Attest:

\_\_\_\_\_

# CALSAWS CONSORTIUM

## SECOND AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT

Originally Adopted:	December 1998
First Amended:	June 2007
Second Amended:	June 2010
Amended and Restated:	September 2017
Amended and Restated:	June 2019

**CALSAWS CONSORTIUM**  
**SECOND AMENDED AND RESTATED**  
**JOINT EXERCISE OF POWERS AGREEMENT**

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## SECOND AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT

THIS SECOND AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT ("Agreement") is made by and among the fifty-eight (58) California counties of Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Imperial, Inyo, Kern, Kings, Lake, Lassen, Los Angeles, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Napa, Nevada, Orange, Placer, Plumas, Riverside, Sacramento, San Benito, San Bernardino, San Diego, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Ventura, Yolo, and Yuba. This joint powers authority shall be referred to as the CalSAWS Consortium ("Consortium"). This Agreement shall serve to amend and restate the Joint Exercise of Powers Agreement dated December 1998, and any and all amendments thereto, which created the California Statewide Automated Welfare System Consortium IV ("C-IV"), subsequently changed to California Automated Consortium Eligibility System ("CalACES Consortium"), to change the name, and to make other revisions as contained herein.

### RECITALS:

WHEREAS, Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the California Government Code ("Government Code"), permits two or more public agencies to enter into an agreement for the joint exercise of powers; and

WHEREAS, Chapter 4 (commencing with Section 10800) of Division 9 of Part 2 of the California Welfare and Institutions Code ("Welfare and Institutions Code"), declares the administration of public social services in each of the several counties of the state to be a county function and responsibility; and

WHEREAS, the Welfare Client Data Systems ("WCDS") Consortium counties of Alameda, Contra Costa, Fresno, Orange, Placer, Sacramento, San Diego, San Francisco, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Solano, Sonoma, Tulare, Ventura, and Yolo (referred to collectively as "WCDS Counties") were organized for the purpose of managing and maintaining the CalWORKS Information Network and related systems (collectively referred to as "CalWIN"), used by the WCDS Counties in support of their social services programs; and

WHEREAS, the County of Los Angeles ("Los Angeles County") formed the Los Angeles Eligibility, Automated Determination, Evaluation and Reporting ("LEADER") consortium, with the LEADER consortium consisting of one (1) of the four (4) county consortia, and Los Angeles County's Department of Public Social Services locally managing the LEADER consortium; and

WHEREAS, the four (4) counties of Merced, Riverside, San Bernardino, and Stanislaus contractually joined together in December 1998 to create C-IV, a joint powers authority for the purpose of the design, development, implementation, and on-going operation and maintenance of an automated welfare system to be used by each of the four counties, which may include an interface to other county consortia and state automated welfare systems as provided in the Welfare and Institutions Code; and

WHEREAS, the thirty-five (35) counties of Alpine, Amador, Butte, Calaveras, Colusa, Del Norte, El Dorado, Glenn, Humboldt, Imperial, Inyo, Kern, Kings, Lake, Lassen, Madera, Marin, Mariposa, Mendocino, Modoc, Mono, Monterey, Napa, Nevada, Plumas, San Benito, San Joaquin, Shasta, Sierra, Siskiyou, Sutter, Tehama, Trinity, Tuolumne, and Yuba joined C-IV in June 2007 for the purpose of implementation of the automated welfare system in each of the thirty-five (35) counties, and on-going operation and maintenance of the automated welfare system ("C-IV System"); and

WHEREAS, in November 2012, Los Angeles County entered into an agreement with Accenture, LLP to implement the LEADER Replacement System ("LRS"), which replaces and integrates the functionality of multiple, disparate legacy systems of Los Angeles County while also streamlining case management of public assistance programs; and

WHEREAS, California Assembly Bill ABX1 16 (2011), as codified in Welfare and Institutions Code section 10823, required that the prior thirty-nine (39) C-IV counties migrate to a system jointly designed by the thirty-nine (39) C-IV counties and Los Angeles County, and that the migration result in a new consortium composed of the forty (40) counties; and

WHEREAS, the forty (40) counties of Alpine, Amador, Butte, Calaveras, Colusa, Del Norte, El Dorado, Glenn, Humboldt, Imperial, Inyo, Kern, Kings, Lake, Lassen, Los Angeles, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Napa, Nevada, Plumas, Riverside, San Benito, San Bernardino, San Joaquin, Shasta, Sierra, Siskiyou, Stanislaus, Sutter, Tehama, Trinity, Tuolumne, and Yuba joined together in September 2017 and formed the California Automated Consortium Eligibility System Consortium ("CalACES Consortium") in compliance with California Assembly Bill ABX1 16 (2011); and

WHEREAS, the Centers for Medicare and Medicaid Services and the Food and Nutrition Services agencies of the United States Department of Agriculture directed California to move to a single statewide automated welfare system ("CalSAWS") by 2023. In moving toward that goal, the WCDS Counties and the CalACES Consortium have joined together to form the CalSAWS Consortium, pursuant to this Agreement.

NOW, THEREFORE, in consideration of the above premises and of the mutual promises and agreements herein contained, the counties of Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Imperial, Inyo, Kern, Kings, Lake, Lassen, Los Angeles, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Napa, Nevada, Orange, Placer, Plumas, Riverside, Sacramento, San Benito, San Bernardino, San Diego, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Ventura, Yolo, and Yuba do hereby agree as follows:

## ARTICLE I

### DEFINITIONS

**Section 1.01. Definitions.** Unless the context otherwise requires, the words and terms defined in this Article I shall, for the purpose hereof, have the meanings herein specified.

"Act" means Articles 1 through 4 (commencing with Section 6500) of Chapter 5, Division 7, Title 1 of the Government Code.

"Alternate Board Director" means a Member Representative who is designated to serve as an alternate Director as set forth in Section 2.04(c).

"Agreement" means this Second Amended and Restated Joint Exercise of Powers Agreement.

"Board" means the Board of Directors of the Consortium referred to in Section 2.04 (Member Representative; State Representative; Board of Directors; Appointing Authorities), which shall be the governing body of the Consortium.

"Bylaws" shall mean those Bylaws adopted by the Consortium, that are in effect on June 28 , 2019, and as they may be amended in accordance with Section 2.08 of this Agreement.

"CalSAWS" means the complete collection of equipment, software, and network(s) for the automated welfare system to be used by all Members upon completion of the migration of the Members from the C-IV System, the LRS, and CalWIN.

"CalSAWS Consortium" or "Consortium" means the public entity established pursuant to Article II of this Agreement.

"Director(s)" means the Member Representative(s) appointed to the Board pursuant to Section 2.04 (Member Representative; State Representative; Board of Directors; Appointing Authorities), which may include Alternate Board Director(s) acting in their Director's absence.

"Fiscal Year" means the period from July 1 to and including the following June 30.

"Implementation" means the rollout of CalSAWS to all Members.

"Member" means one of the individual counties of Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Imperial, Inyo, Kern, Kings, Lake, Lassen, Los Angeles, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Napa, Nevada, Orange, Placer, Plumas, Riverside, Sacramento, San Benito, San Bernardino, San Diego, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Ventura, Yola, and Yuba. The State of California is not a Member of this JPA.

"Members" means Member Counties, collectively.

"Member Representative" means the person(s) representing each Member pursuant to Section 2.04 (Member Representative; State Representative; Board of Directors; Appointing Authorities).



"Project" means the work related to the design, development, implementation, operation, maintenance of the C-IV System, the LRS, and CalWIN, and the migration of the Members to CalSAWS, and all related activities.

"Region" means one (1) of the six (6) regions as defined in Section III (Regions) of the Bylaws.

"Secretary" means the Secretary to the Board of Directors of the Consortium appointed pursuant to Section 3.02 (Secretary).

"State" means the State of California.

"State Representative" means the person representing the State pursuant to Section 2.04 (Member Representative; State Representative; Board of Directors; Appointing Authorities).

"Treasurer" means the Treasurer of the Consortium appointed pursuant to Section 3.03 (Treasurer).

## ARTICLE II

### GENERAL PROVISIONS REGARDING PURPOSE, CREATION, AND OPERATION OF CONSORTIUM

**Section 2.01. Purpose.** This Agreement is made pursuant to the provisions of Article 1, Chapter 5, Division 7 of Title 1 of the Government Code, commencing with Section 6500, relating to the joint exercise of powers common to the public agencies, in this case the counties of Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Imperial, Inyo, Kern, Kings, Lake, Lassen, Los Angeles, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Napa, Nevada, Orange, Placer, Plumas, Riverside, Sacramento, San Benito, San Bernardino, San Diego, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Ventura, Yolo, and Yuba. The fifty-eight (58) counties each possess the powers referred to in the recitals hereof. The purpose of this Agreement is to exercise such powers for the design, development, implementation, migration, and on-going operation and maintenance of the C-IV System, the LRS, CalWIN, and CalSAWS, which is the automated welfare system to be used by each of the fifty-eight (58) counties, which may include an interface to the state automated welfare system as provided in the Welfare and Institutions Code.

**Section 2.02. Term.** This Agreement first became effective on December 1998. The first amendment became effective on June 1, 2007, the second amendment became effective on June 1, 2010, the third amendment (the Amended and Restated Joint Exercise of Powers Agreement) became effective on September 1, 2017, and this fourth amendment (the Second Amended and Restated Joint Exercise of Powers Agreement) shall become effective on June 28, 2019 ("Effective Date"). This Agreement shall continue in full force and effect until terminated by mutual consent of the Boards of Supervisors of the Members. The withdrawal of some, but not all, of the Members pursuant to Section 2.12 (Withdrawal of Member) shall not be deemed a termination of this Agreement.

**Section 2.03. Creation of Consortium.** Pursuant to the Act, there is hereby created a public entity to be known as the "CalSAWS Consortium," hereinafter referred to as "Consortium." The Consortium shall be a public entity separate and apart from the Members, consisting of six (6) Regions as defined in Section III (Regions) of the Bylaws of the Consortium, and shall administer this Agreement.

**Section 2.04. Member Representative; State Representative; Board of Directors; Appointing Authorities.**

(a) Member Representative:

- (i) With the exception of Los Angeles County, each Member shall be represented by its county Welfare Director, or person holding the equivalent position within that county, unless the Board of Supervisors of the Member appoints one of its board members to serve as the representative (either shall be referred to as "Member Representative"). With respect to Los Angeles County, this Member shall be represented by three (3) Member Representatives, which shall include its county Welfare Director, or person holding the equivalent position within the county, its Children and Family Services Director, or person holding the equivalent position within the county, and one (1) other person who holds an upper executive management position in the social services department.
- (ii) Individuals serving as Member Representatives shall serve while they retain their county offices or positions, and shall be deemed to have automatically resigned upon leaving that county office or position. The individual who succeeds in that county office or position on a regular or interim basis shall be automatically deemed the Member Representative. Upon change of title or reclassification of any Member Representative's county office or position, the successor to the county Welfare Director position, or the Children and Family Services Director, if applicable, its equivalent position within the Member county, shall be deemed a replacement for the Member Representative.
- (iii) Subject to the provisions of this Agreement, each Member Representative shall have a right to:
  - Receive nomination for appointment to the Board.
  - Serve on workgroups and committees or appoint designees to serve in their place.
  - Recommend items for inclusion for consideration on the Board meeting agenda.
  - Receive notice of Board meetings.
  - Attend Board meetings.
  - Vote on items.

(b) State Representative:

- (i) The State shall have the right to select one person from among the following to serve on the Board as the representative of the State: the Director of the Office of Systems Integration or his/her designee, the Director of the Department of Social Services or his/her designee, or the Director of the Department of Health Care Services or his/her designee. This person shall be identified as the "State Representative." The two other

State departments not selected as the State Representative shall retain the right to attend all public sessions of the Board meetings.

- (ii) The State Representative shall retain his or her State position while acting as State Representative.
  - (iii) The State Representative shall have a right to:
    - Serve as an Ex Officio member of the Board.
    - Receive notice of Board meetings.
    - Attend Board meetings, excluding closed sessions.
  - (iv) The State Representative shall not have a right to vote on items put before the Member Representatives or the Board.
- (c) Board of Directors: The Consortium shall be governed and administered by a Board of Directors ("Board") consisting of twelve (12) Directors and one (1) State Representative. The Directors from Regions 1 through 5 shall be selected from the Member Representatives from their respective Regions. Regions 1 and 4 shall each select two (2) Directors, Regions 2, and 3 shall each select one (1) Director, and Region 5 shall select three (3) Directors. Region 6, represented by Los Angeles County, shall have three (3) Directors, who shall be the three (3) Member Representatives from Region 6. For Regions comprised of more than one (1) county, each Director may designate a second Member Representative from within the Region to serve as an alternate Director ("Alternate Board Director"). For Region 6, each Director may designate a county employee who holds an upper management position immediately below the county Welfare Director, or Children and Family Services Director, if applicable, within that Region to serve as an Alternate Board Director. Alternate Board Directors may only act in their Director's absence and shall exercise all rights and privileges of a Director.

Any recommended changes to the Board structure are subject to Section 7.03 (Amendments).

(d) Appointments to the Board of Directors:

- (i) No person shall hold the position of more than one (1) Director. Each Director and the State Representative shall serve for a term of one (1) year with terms running concurrent with the Fiscal Year.
- (ii) Regions 1 and 4 will each appoint two (2) Directors to serve on the Board, Regions 2 and 3 will each appoint one (1) Director to serve on the Board, and Region 5 will appoint three (3) Directors to serve on the Board. For Regions comprised of more than one county, these regions will nominate one or more candidates to serve on the Board. The Director(s) from each Region will be elected by a majority vote of the Member Representatives for that Region who are present at a meeting of the Member Representatives held pursuant to Section 2.07 (Quorum; Required Votes; Approvals). No Member Representative shall be elected to hold the Director position unless he or

she accepts the nomination from his or her Region. Region 6 will appoint its three (3) Member Representatives as Directors to serve on the Board.

- (iii) Each Region shall notify the Secretary of its appointed Director(s) at least fourteen (14) days before the start of the next Fiscal Year. The Secretary will notify the Board of each Region's Director(s) at the first Board meeting of each Fiscal Year.
- (iv) The State shall notify the Secretary of the person it has selected to be the State Representative before the start of the next Fiscal Year. The Secretary will notify the Board of the State's selection for the State Representative at the first Board meeting of each Fiscal Year.

### **Section 2.05. Meetings of the Board; the Member Representatives.**

#### **(a) Regular Meetings:**

- (i) **Board.** The Board shall hold regular meetings. It shall hold at least one (1) regular meeting each quarter of every Fiscal Year. The procedure for the setting of regular meetings shall be fixed by action of the Board and contained in the Bylaws.
- (ii) **Member Representatives.** The Member Representatives shall hold regular meetings. They shall hold at least two (2) regular meetings each Fiscal Year. The procedure for the setting of regular meetings shall be fixed by action of the Member Representatives and contained in the Bylaws.

(b) Special Meetings: Special meetings of the Board, and of the Member Representatives, shall be called in accordance with the provisions of the Ralph M. Brown Act ("Brown Act"), Section 54956 of the Government Code.

(c) Call, Notice, Held, and Conduct of Meetings: All meetings of the Board, and of the Member Representatives, including, without limitation, regular, adjourned regular, and special meetings, shall be called, noticed, held, and conducted in accordance with the provisions of the Brown Act (Section 54950 et seq. of the Government Code).

**Section 2.06. Minutes.** The Secretary shall cause to be kept minutes of the meetings of the Board, and of the Member Representatives, and shall, as soon as possible after each meeting, cause a copy of the preliminary minutes to be forwarded to each Member Representative. The preliminary minutes will then be included at the next meeting of the Board or the Member Representatives, for approval by the respective bodies.

### **Section 2.07. Quorum; Required Votes; Approvals.**

(a) Board: At least seven (7) of the Directors or Alternate Board Directors from five (5) Regions shall constitute a quorum for the transaction of business, except that less than a quorum may adjourn. The State Representative's attendance or non-attendance at any meeting shall have no effect on quorum. The affirmative votes of at least seven (7) of the seated Directors from five (5) Regions shall be required to take any action by the Board, except as provided in (iii) below.

Notwithstanding the preceding paragraph, the following provisions shall apply:

- (i) **Member Representatives Concurrence.** Recommended changes to this Agreement, the Bylaws, or to Memorandums of Understandings between the Consortium and the Members require the concurrence of the Member Representatives and are not subject to Appeal to the Full Board as provided below. Concurrence is obtained by the affirmative vote of the Member Representatives pursuant to paragraph (b) of this section.
  - (ii) **Appeal to the Full Board.** At any Board meeting with less than all twelve (12) Directors ("Full Board") present, any two (2) Directors, or Alternate Board Directors, from two (2) Regions may appeal any action taken or not taken by the Board, by requesting the continuance of the item(s) under appeal to a meeting of the "Full Board," at which all the Directors or Alternate Board Directors must be present. The Full Board meeting shall be held within 30 days, at either the next regular Board meeting, or a special meeting at which the Full Board is available to attend. Any Director'(s) or Alternate Board Director'(s) failure to attend a meeting of the Full Board shall result in a forfeit of the Director'(s) or Alternate Board Director'(s) vote. At the meeting of the Full Board, the affirmative votes of at least seven (7) Directors or Alternate Board Directors from four (4) Regions shall be sufficient to take action by the Board only on the item(s) under appeal. The action(s) taken by the Full Board shall be final.
  - (iii) **Migration Period to CalSAWS.** During the migration period while the Consortium is operating more than one (1) automated welfare system, the Board shall take affirmative action as approved by those Members who are the users of their respective systems, as provided in Section VIII.B (System Subcommittees) of the Bylaws; provided, however, that the Board retains discretion concerning any such action if the Board determines the decision could materially adversely impact the design, development or implementation of the single statewide automated system. This provision shall automatically sunset when the Consortium is operating a single automated welfare system.
- (b) Member Representatives: The presence of forty percent (40%) of the Member Representatives shall constitute a quorum for the transaction of business except that less than a quorum may adjourn. The State Representative's attendance or non-attendance shall have no effect on quorum. The affirmative votes of at least a majority of the Member Representatives present at any meeting at which a quorum is present shall be required to take any action by the Members.

**Section 2.08. Bylaws.** The Board, by a two-thirds (2/3) affirmative vote of the Directors from Regions 1 through 6 (including the affirmative vote of at least one Director from each Region), and with the concurrence of the Member Representatives as set forth in the voting provisions of Section 2.07 (Quorum; Required Votes; Approvals), shall adopt or amend Bylaws for the conduct of business, and as are necessary for the purposes hereof. The Board may also adopt additional resolutions, rules, regulations, and policies for the conduct of its business, and as are necessary for the purposes hereof in a manner consistent with this Agreement and the Bylaws.

**Section 2.09. Annual Budget.** The Board shall adopt an annual budget for each Fiscal Year. The Bylaws shall further provide for the presentation and content of the budget.

**Section 2.10. Annual Operational and Fiscal Reports.** The Board shall cause an annual operational report and annual fiscal report to be prepared and provided to each Member Representative.

**Section 2.11. Addition of New Members.** Any county in the State that is not a Member and desires to become a Member shall submit a written request to the Board. The Board may approve the request in accordance with the voting provisions of Section 2.07 (Quorum; Required Votes; Approvals). All new Members are subject to the approval of two-thirds (2/3) of the Boards of Supervisors of the Members, which approval may be granted by adoption of a resolution. Upon approval by the Board and two-thirds (2/3) of the Boards of Supervisors of the Members, the county desiring to be a Member shall execute an amendment to this Agreement adding it as a new Member. The Agreement shall be deemed amended to reflect the addition of the new Member upon execution of the amendment by the new Member.

**Section 2.12. Withdrawal of Member.** Any Member may withdraw from the Consortium and terminate its participation in this Agreement at the end of any Fiscal Year by adoption of a resolution of withdrawal by the Board of Supervisors of the withdrawing Member, provided that a copy of said resolution has been served on all Members by May 31 of that Fiscal Year. Upon the effective date of withdrawal, this Agreement shall be deemed automatically amended to reflect the deletion of the withdrawing Member. Withdrawal shall not relieve the withdrawing Member of any financial obligations or liability arising prior to withdrawal.

### ARTICLE III

#### OFFICERS AND EMPLOYEES

**Section 3.01. Chair and Vice-Chair.** The Board shall elect from among its Directors Chair and Vice-Chair positions. Each officer shall serve for a term of one (1) year. The Chair shall preside over Board and Member Representatives' meetings, sign all contracts on behalf of the Consortium, except as otherwise set forth in this Agreement, and shall perform such other duties as may be imposed on the Board in the Bylaws. The Vice-Chair shall sign contracts and perform all of the Chair's duties in the absence of the Chair, unless the Bylaws provide otherwise. Elections for such officers shall be held each year with terms running concurrent with the Fiscal Year.

**Section 3.02. Secretary.** The Board shall appoint a Secretary to the Board. The Secretary shall serve at the pleasure of the Board. The Secretary shall countersign all contracts signed by the Chair or Vice-Chair on behalf of the Consortium, unless the Bylaws of the Consortium provide otherwise. The Secretary shall cause a notice of this Agreement to be filed with the California Secretary of State pursuant to section 6503.5 of the Joint Exercise of Powers Act ("Act") and Section 53051 of the Government Code. The Secretary shall be responsible for the call, noticing, holding, and conduct of the meetings of the Board and any Brown Act body created by the Bylaws or Board action pursuant to the Brown Act. The Board shall further provide for the duties and responsibilities of the Secretary in the Bylaws.

**Section 3.03. Treasurer.** Pursuant to section 6505.5 of the Act, the San Bernardino County Treasurer is hereby designated as the Treasurer of the Consortium. The Treasurer shall be the depository, shall have custody of all of the money of the Consortium from whatever source, and shall have the duties and obligations of Treasurer as set forth in sections 6505 and 6505.5 of the Act. As provided in section 6505.5 of the Act, given the appointment of the Treasurer, the officer performing the functions of auditor or controller shall be the San Bernardino County Auditor/Controller, who shall have the duties assigned to the auditor or controller in sections 6505 and 6505.5 of the Act, including the duty to "contract with a certified public accountant or public accountant to make an annual audit of the accounts and records of the Consortium". As further provided in section 6505.5 of the Act, the San Bernardino County Board of Supervisors shall determine charges to be made against the Consortium for the services of the treasurer and auditor or controller.

**Section 3.04. Officers in Charge of Accounts, Funds, Money, and Records.** Pursuant to section 6505.1 of the Act, the Treasurer shall have charge of, handle and have access to all accounts, funds, and money of the Consortium and all records of the Consortium relating thereto. The Secretary shall have charge of, handle and have access to all other records of the Consortium.

**Section 3.05. Legal Advisor.** The Board shall select the legal advisor and counsel to the Consortium, as provided for in Section VII (Questions of Law) in the Bylaws.

**Section 3.06. Other Employees.** The Board shall have the power by adoption of Bylaws to appoint and employ such other employees, consultants, and independent contractors as may be necessary for the purpose of this Agreement.

**Section 3.07. Officers and Employees of the Consortium.** As provided in section 6513 of the Act, all of the privileges and immunities from liability, exemption from laws, ordinances, and rules, all pension, relief, disability, workers' compensation, and other benefits which apply to the activities of officers, agents, or employees of a public agency when performing their respective functions shall apply to the officers, agents, or employees of the Consortium to the same degree and extent while engaged in the performance of any of the functions and other duties of such officers, agents, or employees under this Agreement.

None of the officers, agents, or employees directly employed by the Board shall be deemed, by reason of their employment by the Board to be employed by any of the Members or, by reason of their employment by the Board, to be subject to any of the requirements of the Members. The State Representative may not hold any office or position within Consortium.

## **ARTICLE IV**

### **POWERS**

**Section 4.01. General Powers.** The Consortium shall exercise, in the manner herein provided, the powers which are common to each of the Members, or as otherwise permitted under the Act, and, necessary to the accomplishment of the purpose, as provided in Section 2.01 (Purpose) of

this Agreement. As provided in the Act, the Consortium shall be a public entity separate from the Members.

**Section 4.02. Specific Powers.** The Consortium is hereby authorized, in its own name, to do all acts necessary for the exercise of the foregoing general powers, including, but not limited to, any or all of the following:

- (a) to make and enter into contracts;
- (b) to employ agents or employees;
- (c) to sue and be sued in its own name;
- (d) to incur debts, liabilities, or obligations, provided that no such debt, liability, or obligation shall constitute a debt, liability, or obligation of the Members;
- (e) to apply for, accept, receive, and disburse grants, loans, and other aids from any agency of the United States of America or of the State;
- (f) to invest any money in the treasury pursuant to section 6509.5 of the Act which is not required for the immediate necessities of the Consortium, as the Consortium determines is advisable, in the same manner and upon the same conditions as local agencies, pursuant to Section 53601 of the Government Code; and
- (g) to carry out and enforce all the provisions of this Agreement.

**Section 4.03. Restrictions on Powers.** Pursuant to section 6509 of the Act, the above powers shall be subject to the restrictions upon the manner of exercising the power of one of the Members, which shall be designated as San Bernardino County.

**Section 4.04. Obligations of Consortium.** Except as otherwise agreed to in Section 6.03 (Member's Liability for Negligence of its Employees and Contractors), the debts, liabilities, and obligations of the Consortium shall not be the debts, liabilities, and obligations of the Members.

## ARTICLE V

### CONTRIBUTIONS, ASSETS, AND DISTRIBUTION UPON TERMINATION

**Section 5.01. Contributions.** The Members may make contributions from their treasuries for the purpose set forth in Section 2.01 (Purpose), make payments of public funds to defray the cost of such purpose, make advances of public funds for such purpose, and/or use its personnel, equipment or property in lieu of other contributions or advances. The provisions of section 6504 of the Act are hereby incorporated into this Agreement by reference.

**Section 5.02. Statewide Automated Welfare System Funding Allocations.** Each Member hereby agrees to contribute to the Consortium its funding allocation as defined in Welfare and Institutions Code section 10824 for the purposes stated in Section 2.01 (Purpose) herein and



hereby agrees to further contribute to the Consortium any county matches as required in Section 10824, or any successor statute.

**Section 5.03. Distribution of Assets upon Termination.** Upon termination of this Agreement and after resolution of all debts, liabilities, and obligations, all property, both real and personal, of the Consortium shall be divided among the Members proportional to that Member's overall welfare caseload as provided in Welfare and Institutions Code section 10824, and any successor statute and new welfare programs, except that any Member contributions provided under Section 5.01 (Contributions) herein shall be returned to the contributing Member. The State Representative is not eligible for such distributions.

## ARTICLE VI

### INDEMNIFICATION AND INSURANCE

**Section 6.01. Consortium Indemnification of Members.** The Consortium shall indemnify, defend, and hold harmless each of the Members, and their authorized officers, employees, agents, and volunteers from any and all claims, actions, losses, damages, and/or liability arising from the Consortium's acts, errors or omissions and for any costs or expenses incurred by the Member(s) on account of any claim therefore, except where such indemnification is prohibited by law.

**Section 6.02. Member Indemnification.** Pursuant to the provisions of Government Code section 895 et seq., and except as provided in Section 6.01 (Consortium Indemnification of Members) herein, each Member agrees to defend, indemnify, and hold harmless each other Member from any liability, claim, or judgment for injury or damages caused by any negligent or wrongful act or omission of any agent, officer, and/or employee of the indemnifying Member which occurs or arises out of the performance of this Agreement.

**Section 6.03. Member's Liability for Negligence of its Employees and Contractors.** Except as to Member county personnel dedicated to the Consortium on a "full-time basis," as this term may be defined by further agreement between the Member and the Consortium, Member agrees to be individually liable for the negligence and willful misconduct of its employees, agents, and contractors, including Member county personnel contributed to the Consortium on a part-time or ad hoc basis. As to Member county personnel contributed to the Consortium on a full-time basis, Member county agrees to be jointly liable in the same proportion as the Member county's proportional share of the overall caseload of the Member county as provided in Welfare and Institutions Code section 10824 or any other successor statute. Except as expressed by this provision, the Member accepts no further liability either individually or collectively for the acts or omissions of the Consortium.

**Section 6.04. Insurance.** The Board shall provide for insurance covering liability exposure in an amount as the Board determines necessary to cover risks of activities of the Consortium. The Consortium's liability insurance shall name each Member County as an additional insured.

**Section 6.05. Third-Party Beneficiaries.** This Agreement and the obligations thereto are not intended to benefit any party other than its Members, except as expressly provided otherwise therein. No entity not a signatory to this Agreement shall have any rights or causes of action

against any party to this Agreement as a result of that party's performance or non-performance under this Agreement, except as expressly stated in this Agreement.

**Section 6.06. Debts, Liabilities and Obligations.**

- (a) All debts, liabilities, and obligations of the CalACES Consortium incurred prior to the Effective Date of this Agreement shall remain the sole responsibility of the forty (40) CalACES Consortium counties and shall be allocated and paid in accordance with the agreed terms in effect prior to the Effective Date of this Agreement. The debts, liabilities, and obligations of the CalACES Consortium and each of the forty (40) CalACES Consortium counties incurred prior to the Effective Date of this Agreement shall not be allocated to the WCDS Counties, unless otherwise expressly agreed to.
- (b) All debts, liabilities, and obligations of the WCDS Counties shall remain the sole responsibility of the WCDS Counties. The debts, liabilities, and obligations of the WCDS Counties shall not be allocated to the forty (40) CalACES Consortium counties, unless otherwise expressly agreed to.
- (c) All debts, liabilities, and obligations of each Member shall remain the individual responsibility of the Member, unless otherwise expressly agreed to.

**ARTICLE VII**

**MISCELLANEOUS PROVISIONS**

**Section 7.01. Notices.** Notices hereunder shall be in writing, and shall be sufficient if addressed to the offices listed below and shall be deemed given upon deposit into the U.S. mail, first class, postage prepaid.

Alameda	Director Alameda County Social Services Agency 2000 San Pablo Avenue, 4th Floor Oakland, CA 94612
Alpine	Director Department of Health & Human Services County of Alpine 75-A Diamond Valley Road Markleeville, CA 96120
Amador	Director Department of Social Services County of Amador 10877 Conductor Boulevard Sutter Creek, CA 95685
Butte	Director Department of Employment and Social Services County of Butte P.O. Box 1649 Oroville, CA 95965

Calaveras	Director Health & Human Services Agency County of Calaveras 509 E. St. Charles Street San Andreas, CA 95249-9701
Colusa	Director Department of Health & Human Services County of Colusa 251 E. Webster Street Colusa, Ca 95932
Contra Costa	Director Employment & Human Services County of Contra Costa 40 Douglas Drive Martinez, CA 94553
Del Norte	Director Department of Health & Human Services County of Del Norte 880 Northcrest Drive Crescent City, CA 95531
El Dorado	Director Health and Human Services Agency County of El Dorado 3057 Briw Road, Suite B Placerville, CA 95667
Fresno	Director Department of Social Services County of Fresno P.O. Box 1912 Fresno, CA 93718-1912
Glenn	Director Health and Human Services Agency County of Glenn P.O. Box 611 Willows, CA 95988
Humboldt	Director Department of Health & Human Services County of Humboldt 929 Koster Street Eureka, CA 95501
Imperial	Director Department of Social Services County of Imperial 2995 S. 4th Street, Suite 105 El Centro, CA 92243

Inyo	Director Department of Health & Human Services County of Inyo 163 May Street Bishop, CA 93514
Kern	Director Department of Human Services County of Kern P.O. Box 511 Bakersfield, CA 93302
Kings	Director Human Services Agency County of Kings Kings County Government Center 1400 W. Lacey Boulevard, #8 Hanford, CA 93230
Lake	Director Department of Social Services County of Lake P.O. Box 9000 Lower Lake, CA 95457
Lassen	Director Community Social Services Department County of Lassen P.O. Box 1359 Susanville, CA 96130
Los Angeles	Director Department of Public Social Services County of Los Angeles 12860 Crossroads Parkway South City of Industry, CA 91746-3411
Madera	Director Department of Social Services County of Madera P.O. Box 569 Madera, CA 93639
Marin	Director Health & Human Services Department County of Marin 20 N. San Pedro Road, Suite 2002 San Rafael, Ca 94903
Mariposa	Director Human Services Department County of Mariposa P.O. Box 99 Mariposa, CA 95339

Mendocino	Director Department of Social Services County of Mendocino 747 S. State Street Ukiah, CA 95482
Merced	Director Human Services Agency County of Merced P.O. Box 112 Merced, CA 95341-0112
Modoc	Director Department of Social Services County of Modoc 120 North Main Street Alturas, CA 96101
Mono	Director Department of Social Services County of Mono P.O. Box 2969 Mammoth Lakes, CA 93546
Monterey	Director Department of Social and Employment Services County of Monterey 1000 S. Main Street, Suite 301 Salinas, CA 93901
Napa	Director Health & Human Services Agency County of Napa 2751 Napa Valley Corporate Drive, Building B Napa, CA 94558
Nevada	Director Health & Human Services Agency County of Nevada P.O. Box 1210 Nevada City, CA 95959
Orange	Director Orange County Social Services Agency 500 N. State College Boulevard Orange, CA 92868
Placer	Director, Health & Human Services Placer County Health & Human Services 3091 County Center Drive, #290 Auburn, CA 95603
Plumas	Director Department of Social Services & Public Guardian County of Plumas 270 County Hospital Road, Suite 207 Quincy, CA 95971

Riverside	Director Department of Public Social Services County of Riverside 4060 County Circle Drive Riverside, CA 92503
Sacramento	Director County of Sacramento, Department of Human Assistance 1825 Bell Street, Suite 200 Sacramento, CA 95825
San Benito	Director Health & Human Services Agency County of San Benito 1111 San Felipe Road, #206 Hollister, CA 95203
San Bernardino	Director Human Services Agency County of San Bernardino 385 N. Arrowhead Avenue, 5th Floor San Bernardino, CA 92415-0128
San Diego	Director Eligibility Operations County of San Diego, Health & Human Services Agency 1255 Imperial Avenue, Suite 446, MS: W-414 San Diego, CA 92101
San Francisco	Executive Director San Francisco Human Services Agency P.O. Box 7988 San Francisco, CA 94210
San Joaquin	Director Human Services Agency County of San Joaquin P.O. Box 201056 Stockton, CA 95201-3006
San Luis Obispo	Director Department of Social Services County of San Luis Obispo 3433 So. Higuera Street San Luis Obispo, CA 93403
San Mateo	Director, Human Services County of San Mateo 1 Davis Drive Belmont, CA 94002
Santa Barbara	Director Department of Social Services County of Santa Barbara 2125 S. Centerpointe Parkway Santa Maria, CA 93455

Santa Clara	Director Social Services Agency County of Santa Clara 333 West Julian Street, 5th Floor San Jose, CA 95110-2335
Santa Cruz	Director Human Services Department County of Santa Cruz 1000 Emeline Avenue Santa Cruz, CA 95060
Shasta	Director Health & Human Services Agency County of Shasta 2650 Breslauer Way Redding, CA 96001
Sierra	Director Department of Human Services County of Sierra P.O. Box 1019 Loyalton, CA 96118
Siskiyou	Director Health & Human Services Agency County of Siskiyou 2060 Campus Drive Yreka, CA 96097
Solano	Deputy Director Health and Social Services County of Solano 275 Beck Avenue Fairfield, CA 94533
Sonoma	Director Human Services Department County of Sonoma 3600 Westwind Boulevard Santa Rosa, CA 95403
Stanislaus	Director Community Services Agency County of Stanislaus P.O. Box 42 Modesto, CA 95353-0042
Sutter	Director Human Services Department County of Sutter P.O. Box 1535 Yuba City, CA 95992

Tehama	Director Department of Social Services County of Tehama P.O. Box 1515 Red Bluff, CA 96080
Trinity	Director Health & Human Services Department County of Trinity P.O. Box 1470 Weaverville, CA 96093-1470
Tulare	Director Health & Human Services Agency County of Tulare 5957 S. Mooney Boulevard Visalia, CA 93277
Tuolumne	Director Department of Social Services County of Tuolumne 20075 Cedar Road North Sonora, CA 95370
Ventura	Director Human Services Agency County of Ventura 855 Partridge Drive Ventura, CA 93003
Yolo	Branch Director Service Centers Health & Human Services Agency County of Yolo 25 N. Cottonwood Street Woodland, CA 95695
Yuba	Director Health & Human Services Department County of Yuba P.O. Box 2320 Marysville, CA 95901
Consortium	Two Notices Required:  Consortium's Legal Advisor as identified in the Bylaws  AND  Consortium's Secretary.

The Members and Consortium may change the above addresses for notice purposes by written notification as provided above to each of the other Members and the Consortium. Meeting notices and general correspondence may be served electronically.



**Section 7.02. Law Governing.** This Agreement is made in the State of California under the Constitution and laws of the State, and is to be so construed. In the event of any dispute under this Agreement venue shall be in Sacramento, unless the dispute involves the Consortium and one or more Members exclusively from Regions 4-6, in which case venue shall be in San Bernardino.

**Section 7.03. Amendments.** This Agreement may be amended at any time by one or more supplemental agreements executed by mutual agreement of two-thirds (2/3) of the Boards of Supervisors of the Members.

**Section 7.04. Severability.** Should any part, term or provision of this Agreement be decided by any court of competent jurisdiction to be illegal or in conflict with any law of the State, or otherwise be rendered unenforceable or ineffectual, the validity of the remaining portions or provisions shall not be affected thereby.

**Section 7.05. Successors.** This Agreement shall be binding upon and shall inure to the benefit of the successors of the Members, respectively. None of the Members may assign any right or obligation hereunder without the written consent of the others.

**Section 7.06. Section Headings.** All article and section headings in this Agreement are for convenience of reference only and are not to be construed as modifying or governing the language in the section referred to or to define or limit the scope of any provision of this Agreement.

**Section 7.07. Multiple Counterparts.** This Agreement is executed in multiple counterparts, any one of which shall be deemed an original for any purpose.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed and attested by their proper officers thereunto duly authorized, and their official seal to be hereto affixed, as of the day and year written.

COUNTY OF CONTRA COSTA

Approved As to Form  
CONTRA COSTA COUNTY COUNSEL

By:

By:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Chair, Board of Supervisors

Hannah Shafsky  
Deputy County Counsel

Date:

\_\_\_\_\_

Date:

\_\_\_\_\_

Attest:

By:

\_\_\_\_\_



Contra  
Costa  
County

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: March 19, 2019

Subject: Appeal of Abatement Action at 4049 Camino Vinedo, Martinez, CA

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**RECOMMENDATION(S):**

1. OPEN the hearing on the appeal of the Notice and Order to Abate a public nuisance on the real property located at 4049 Camino Vinedo, Martinez, California in the unincorporated area of Contra Costa County; (APN: 380-191-011) owned by H.O. and Gloria J. Royal.
2. RECEIVE and CONSIDER oral and written testimony and other evidence from the County Abatement Officer, the property owner, and other persons; and CLOSE the hearing. FIND that the facts set forth below are true.
3. AFFIRM the County Abatement Officer's determination in the Notice and Order to Abate by finding that the fire damaged structure is a substandard building under construction with expired building permits, which is substandard due to inadequate sanitation, nonconforming wiring, plumbing and mechanical equipment, and faulty weather protection, and which is presently occupied without a final inspection or certificate of occupancy issued by the building official, on the above-referenced real property is a public nuisance in violation of Contra Costa County Ordinance Code sections 72-6.202, 74.2002, and 712-4.014; California Health and Safety Code section 17920.3; and California Residential Code sections R109.1.6 and R110.1.

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APPROVE
  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR
  RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Jason Crapo  
925-674-7722

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

By: , Deputy

cc:

RECOMMENDATION(S): (CONTD)

4. ORDER the property owner to abate the public nuisance by doing all of the following within thirty (30) days of the mailing of the Board's decision:

- a. Vacate the substandard building; and
- b. Remove the junk, debris, garbage, rodent harborages, and combustible material from the exterior of the substandard building and premises; and
- c. Either obtain the appropriate building permits for the substandard building and an approved final inspection or;
- d. Vacate and demolish the building and remove all debris from property. A permit is required to be obtained from this Department prior to the demolition of the structure.

5. DIRECT the County Abatement Officer to vacate and demolish the sub-standard structure and remove all debris from the property and charge the cost of the work and all administrative costs to the property owner, if the property owner does not comply with the Board's order to abate the public nuisance.

6. DIRECT the County Abatement Officer to send the Board's decision by first-class mail to the property owner and to each party appearing at this hearing, and to file the Board's decision with the Clerk of the Board of Supervisor.

FISCAL IMPACT:

Staff estimates the cost of demolishing the substandard building and clearing the lot of all debris to be approximately \$25,000. If the County Abatement Officer performs the work of abatement and the property owner does not pay, the actual cost of the work and all administrative costs will be imposed as a lien on the property after notice and a hearing, and may be collected as an assessment against the property.

BACKGROUND:

The single family residence located at 4049 Camino Vinedo in unincorporated Martinez was severely damaged by a fire in 2008. Since that time, the property has been partially reconstructed, but the work remains incomplete. The structure is in substandard condition and represents a public nuisance. The property has been the subject of numerous code enforcement complaints from neighbors in the surrounding community and from parents and staff from the adjacent Las Juntas Elementary School since shortly after the 2008 fire.

The County Department of Conservation and Development (DCD) has responded to these community complaints by notifying the property owners and the occupant, Mr. Doug Royal, of the violations on the property. Mr. Royal has made some efforts over the ensuing years to bring the property into compliance, and has twice obtained building permits for the reconstruction of the damaged home: once in 2009 and again in 2013. However, in both cases, these building permits expired due to lack of progress in construction.

The current code enforcement case began in the fall of 2015, when DCD staff once again responded to complaints from the community concerning the property. Beginning in the fall of 2015, and continuing

to the fall of 2017, County staff observed the substandard conditions on the property and the unpermitted occupancy of the residence by Mr. Royal.

In September 2017, DCD staff served the property owners and Doug Royal with a Notice and Order to Abate concerning the violations on the property. Mr. Royal appealed this Notice, and an appeal hearing was held before the Board of Supervisors on December 19, 2017. At the conclusion of the hearing, the Board directed staff to allow Mr. Royal 60 days to correct the violations on the property, and to proceed with involuntary abatement of the violations if not removed by Mr. Royal after 60 days.

Mr. Royal proceeded to make some progress in removing violations from the property in early 2018. However, on July 28, 2018 another fire significantly damaged a large portion of the partially reconstructed residence. Since this time, Mr. Royal has been unable to make progress towards bringing the property into compliance. The current conditions on the property are more hazardous, and represent a greater risk to public safety, since any time following the initial fire in 2008. Therefore, staff recommends that the Board direct staff to order Mr. Royal to bring the property into compliance within 30 days or to proceed with abatement action.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board does not approve the recommended actions, unsafe conditions representing a public nuisance will continue to exist on the subject property.

ATTACHMENTS

Appeal of Notice and Order to Abate

Attachment A Chronology of Events

Exhibit A - Photos



**CONTRA COSTA COUNTY**  
 Department of Conservation & Development  
 Building Inspection Division  
 30 Muir Rd.  
 Martinez, CA 94553 1229  
 Telephone: (925) 674-7210 Fax: (925) 674-7250

**APPEAL OF NOTICE AND ORDER TO ABATE**

*IF YOU INTEND TO APPEAL A NOTICE AND ORDER TO ABATE, THIS FORM MUST BE FILED WITH THE CLERK OF THE BOARD WITHIN THE PERIOD SPECIFIED IN THE NOTICE AND ORDER TO ABATE.  
 A \$125.00 APPEAL FEE OR AN APPLICATION FOR A FEE WAIVER MUST BE FILED WITH THIS FORM.*

NAME OF PERSON APPEALING: (PLEASE PRINT) Douglas Royal

NAME OF PROPERTY OWNER: Gloria Royal

ADDRESS OF PROPERTY: 4049 Camino Vinedo MTZ, 94553

PARCEL NUMBER: 2801

DATE OF ISSUANCE OF NOTICE AND ORDER TO ABATE: Feb - 8 - 19

REASON(S) FOR

APPEAL: I had another fire and have been waiting for the insurance to settle my claim and they just now finally settled.

**ADDRESS OF WHERE YOU WANT APPEAL HEARING NOTIFICATION MAILED:**

ADDRESS: 8 Barber Ln

CITY: Martinez STATE: Ca ZIP CODE: 94553

PHONE NUMBER: 925-228-6240 925-243-5251 925-812-0038

SIGNATURE: Douglas Royal DATE: Feb - 7 - 19



REQUEST FOR WAIVER OF THE \$125 FILING FEE

Individuals requesting a waiver of the \$125 filing fee for appealing the decision of the County Abatement officer before the Board of Supervisors must satisfy one or more of the following conditions to demonstrate economic hardship:

1. Appellant is legally indigent;
2. Appellant is receiving benefits pursuant to the Supplemental Security Income (SSI) and State Supplemental Payments (SSP) programs, the Aid to Families with Dependent Children (AFDC) program, or the Food Stamp program (Section 17000 Welfare and Institutions Code);
3. Appellant has a monthly income of \$125<sup>+</sup> or less of the current monthly poverty line annually established by the U. S. Secretary of Health and Human Services pursuant to the Omnibus Budget Reconciliation Act of 1981, as amended; or
4. Appellant is unable to proceed without using money which is necessary for the use of the appellant or appellant's family to provide for the common necessities of life.

(CCC Ord. Code Sec. 14-6.416; Gov. Code Sec. 68511.3)

Following acknowledgement that I have read the conditions noted above and believe I satisfy one or more of the conditions, I am therefore requesting the Clerk of the Board to waive the filing fee of \$125 for appealing the decision of the County Abatement Officer as stated in the Order to Abate a Public Nuisance dated

3rd -7-19  
*one month prior*

I declare under penalty of perjury that the foregoing statement, including any accompanying statement(s) or document(s) in support of this request, is true and correct.

*Dany Ruy*  
 (Signature of Appellant)  
 on Feb -7-19  
 (date)  
 at Martinez, Cal  
 (City, State)

# Chronology of Events for 4049 Camino Vinedo

Owner: H.O. and Gloria J. Royal  
Site address: 4049 Camino Vinedo, Martinez, CA 94553  
APN: 380-191-011

The follow chronology of events documents the code violations observed by County staff culminating in the Notice and Order to Abate.

December 8, 2008: Demolition to fire damaged house without required building permits.

August 19, 2009: Building permit BI423969 issued for the repair of fire damaged house and 891 sq. ft. addition. First approved inspection August 9, 2011.

May 16, 2013: Building permit BI423969 expired.

November 14, 2013: New building permit BIAD13-009765 issued to replace the original expired permit.

September 30, 2014: Building permit BIAD13-009765 expired.

October 27, 2015: Photos taken of site after receiving complaint from Contra Costa County Sheriff's department. On November 23, 2015, the current code enforcement case BIRF15-00930 was opened and a Notice to Comply letter was posted and served for violations including, but not limited to, an occupied substandard structure, expired building permits and excessive debris on site constituting a residential property nuisance. See photos dated October 27, 2015 in Exhibit A.

January 21, 2016: Subsequent site visit to follow up on the Notice to Comply. All violations observed on October 27, 2015 still present. No building permits obtained. Substandard structure occupied. See photo dated January 21, 2016 in Exhibit A.

March 11, 2016: Site visit found violations still present with minimal progress towards compliance. No building permits obtained. Substandard structure occupied. See photos dated March 11, 2016 in Exhibit A.

March 28, 2016: Posted and served the Notice of Intent to Record a Notice of Pending Nuisance Abatement.

May 17, 2016: Follow up site visit. Violations still present. No permits. Substandard structure occupied. See photo dated May 17, 2016 in Exhibit A.

June 1, 2016: Notice of Pending Nuisance Abatement Proceeding (recorded) posted and served. See photo dated June 1, 2016 in Exhibit A.

August 31, 2016: Some progress observed towards cleaning the site, but still no building permits or certificate of occupancy. Substandard structure occupied. See photo dated August 31, 2016 in Exhibit A.

October 19, 2016: Violations still present. No certificate of occupancy. Substandard structure occupied. See photo dated October 19, 2016 in Exhibit A.

December 5, 2016: Posted and served Notice of Violation.



April 13, 2017: Site visit following complaint received. Continuing violation observed on the site .

August 29, 2017: Site inspection showed no progress. Previous violations still observed on site. No active permits issued. Prepared Notice and Order to Abate.

September 1, 2017: Site visit confirmed with neighbors that structure is occupied. Structure has no power and expired permits. Unfit for occupancy. Notice and Order to Abate posted and served.

October 24, 2017: No permits obtained. Substandard structure still occupied. Excessive debris on site representing residential property nuisance. See photos dated October 24, 2017 in Exhibit A.

July 28, 2018: Fire reoccurred at the property.

October 25, 2018: Fire damage. See photos dated October 25, 2018 in Exhibit A.

October 30, 2018: New Notice to Comply was issue for fire damaged substandard building.

December 13, 2018: Notice of Pending Nuisance Abatement Proceeding (recorded) posted and served

January 2, 2019: Fire damage. See photos dated January 2, 2019 in Exhibit A.

January 8, 2019: Notice and Order to Abate posted and served.

Attached: Exhibit A – photos

# Exhibit A - Photos

October 27, 2015





## Exhibit A - Photos



January 21, 2016



## Exhibit A - Photos





## Exhibit A - Photos





## Exhibit A - Photos





## Exhibit A - Photos



# Exhibit A - Photos





# Exhibit A - Photos



October 24, 2017



# Exhibit A - Photos



December 5, 2017



## Exhibit A - Photos

October 25, 2018



## Exhibit A - Photos



October 25, 2018



## Exhibit A - Photos





## Exhibit A - Photos



January 2, 2019



Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: March 19, 2019

Subject: Notice of Completion of Construction Contract for the Tice Valley Linear Park Project, Walnut Creek area.

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2019/78 accepting as complete the contracted work performed by Gruendl, Inc., d/b/a Ray's Electric, for the Tice Valley Linear Park Project, as recommended by the Public Works Director, Walnut Creek area. County Project No. 0662-6R4016 (District II)

**FISCAL IMPACT:**

The Project was funded by 57% Measure WW Park Bond Funds, 22% Local Road Funds, and 21% South Walnut Creek Area of Benefit Funds.

**BACKGROUND:**

The Public Works Director reports that said work has been inspected and complies with the approved plans, special provisions and standard specifications and recommends its acceptance as complete as of February 25, 2019.

**CONSEQUENCE OF NEGATIVE ACTION:**

The contractor will not be paid and acceptance notification will not be recorded.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Kevin Emigh,  
925-313-2233

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

By: , Deputy

cc:

ATTACHMENTS

Resolution No.

2019/78



Recorded at the request of: Clerk of the Board

Return To: Public Works Department, Design/Construction Division

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

**Adopted this Resolution on 03/19/2019 by the following vote:**

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:

Resolution No. 2019/78

In the Matter of Accepting and Giving Notice of Completion of Contract for the Tice Valley Linear Park Project, Walnut Creek area. County Project No. 0662-6R4016 (District II)

WHEREAS the Board of Supervisors RESOLVES that on June 5, 2018, the County contracted with Gruendl, Inc., d/b/a Ray's Electric, for the work generally consisting of providing an asphalt concrete and concrete pedestrian path, providing a bus turnout, roadway construction and realignment, flashing beacon pedestrian crossing, landscaping, and street furniture including bus shelter, signing and striping in the Walnut Creek area, with Endurance Assurance Corporation as surety, for work performed on the grounds of the County; and

The Public Works Director reports that said work has been inspected and complies with the approved plans, special provisions and standard specifications and recommends its acceptance as complete as of February 25, 2019.

NOW THEREFORE, BE IT RESOLVED said work is ACCEPTED as complete on said date, and the Clerk shall file with the County Recorder a copy of this resolution and Notice as a Notice of Completion for said contract.

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

**ATTESTED: March 19, 2019**

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

Contact: Kevin Emigh, 925-313-2233

By: , Deputy

cc:



Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: March 19, 2019

Subject: Contract with TRC Engineers, Inc., Countywide.

---

**RECOMMENDATION(S):**

RESCIND Board Order C.6 approved on August 7, 2018 and APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a consulting services agreement (contract) with TRC Engineers, Inc., in an amount not to exceed \$350,000 to provide on-call construction management services for the period March 19, 2019 through July 31, 2021, Countywide. (100% Developer Fees and Local Road, Flood Control, and Airport Enterprise Funds)(Project No. Various) (All Districts)

**FISCAL IMPACT:**

Work performed under this on-call contract is funded by developer fees, local, state and federal funds for local road, flood control, and airport projects.

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

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Kevin Emigh,  
925-313-2233

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

By: , Deputy

cc:

**BACKGROUND:**

On August 7, 2018, the Board of Supervisors approved Board Order C.6, awarding TRC Engineers, Inc. (TRC) a contract to provide construction management services in an amount not to exceed \$350,000 for the period July 24, 2018 through July 31, 2021.

Vali Cooper & Associates, Inc. (VCA) was also selected as one of the seven consultants to be awarded on-call construction management contracts with the Public Works Department. TRC acquired VCA and the contract needed to be revised to include VCA staff and financial documents.

**CONSEQUENCE OF NEGATIVE ACTION:**

Without approval from the Board of Supervisors, there is a possible delay in completing projects requiring materials testing and inspection services. Executing this contract will facilitate the process of design and construction for various Public Works projects requiring construction management services.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: March 19, 2019

Subject: Approve the contingency fund increase for the Marsh Creek Road Bridge Replacement Project, Clayton area.

---

**RECOMMENDATION(S):**

APPROVE the Marsh Creek Road Bridge Replacement Project contingency fund increase of \$10,000 for a new contingency fund total of \$516,041, and a new payment limit of \$5,076,451, effective March 19, 2019, as recommended by the Public Works Director, Clayton area. (Federal Project No. BRLS-5928(107); County Project No. 0662-6R4079) (District III)

**FISCAL IMPACT:**

The project is being funded by 88.53% Federal Highway Bridge Program Funds and 11.47% Local Road Funds.

**BACKGROUND:**

The contingency fund increase is necessary to compensate the contractor for unforeseen extra work required to complete the project. This is the second contingency fund increase. The first contingency fund increase was for \$50,000 approved by this Board at the February 26, 2019 board meeting.

**CONSEQUENCE OF NEGATIVE ACTION:**

The lack of approval would prevent successful completion of this contract and prevent payment for the additional work performed by the contractor.

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

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Kevin Emigh,  
925-313-2233

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

By: , Deputy

cc:





Contra  
Costa  
County

To: Contra Costa County Flood Control District Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: March 19, 2019

Subject: On-Call Contract with West Consultants, Inc., Countywide. Project No.: Various

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Chief Engineer, Contra Costa County Flood Control and Water Conservation District (FC District), or designee, to execute an on-call Consulting Services Agreement (Contract) with West Consultants, Inc. (Consultant), subject to approval by the County Administrator and approval as to form by the Office of County Counsel, in an amount not to exceed \$200,000 to provide on-call professional engineering services relating to fluvial geomorphology, for the period March 19, 2019 through March 19, 2022, Countywide.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Michelle Cordis, (925)  
313-2381

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

By: , Deputy

cc: Mike Carlson, Deputy Chief Engineer, Tim Jensen, Flood Control, Mark Boucher, Flood Control, Michelle Cordis, Flood Control, Teri E. Rie, Flood Control, Beth Balita, Finance, Patrick Melgar, Flood Control, Catherine Windham, Flood Control

**FISCAL IMPACT:**

All costs associated with this Contract will not exceed \$200,000 and will be funded 100% by FC District Funds or Road Funds under various project specific activities.

**BACKGROUND:**

The FC District provides regional flood protection, technical information, hydrology data and education to cities and residents, and environmental stewardship for over 70 miles of streams and several detention basins as part of the County's flood protection system. The FC District prepares and reviews designs prepared by others that modify the existing flood protection system and require fluvial geomorphology professional services in these efforts. In many cases, the flood protection facility proposed for modification was constructed by the U.S. Army Corps of Engineers or the U.S. Department of Agriculture Natural Resources Conservation Service, which means following their standards, policies, and procedures. In executing modifications to the flood control system, the FC District, at times, requires additional temporary services from persons specially trained, experienced, expert, and competent to perform professional engineering services. For that reason, the FC District is entering into this Contract with Consultant. Under this Contract, Consultant will provide professional engineering services relating to fluvial geomorphology on an on-call basis for a variety of FC District projects, whether proposed by the FC District or outside agencies, throughout Contra Costa County.

The Contract limits the Consultant's liability for damages arising out of its errors or omissions in providing professional services under the Contract to \$5,000,000, the amount stated in the Consultant's professional liability insurance policy provided. This is for professional liability and does not limit the Consultant's responsibility with regard to general liability claims.

**CONSEQUENCE OF NEGATIVE ACTION:**

Without the approval of the Board of Supervisors, the FC District will be unable to obtain on-call services for professional engineering and technical services relating to fluvial geomorphology.



Contra  
Costa  
County

To: Contra Costa County Flood Control District Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: March 19, 2019

Subject: On-Call Contract with AECOM Technical Services, Inc., Countywide. Project No.: Various

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Chief Engineer, Contra Costa County Flood Control and Water Conservation District (FC District), or designee, to execute an on-call Consulting Services Agreement (Contract) with AECOM Technical Services, Inc. (Consultant), subject to approval by the County Administrator and approval as to form by the Office of County Counsel, in an amount not to exceed \$400,000 to provide on-call professional engineering services relating to facility conditions assessment, for the period March 19, 2019 through March 19, 2022, Countywide.

**FISCAL IMPACT:**

All costs associated with this Contract will not exceed \$400,000 and will be funded 100% by FC District Funds.

**BACKGROUND:**

The FC District provides regional flood protection, technical information, hydrology data and education to cities and residents, and environmental stewardship for over 70 miles of streams and several detention basins as part of the County’s flood protection system.

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

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Michelle Cordis, (925)  
313-2381

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

By: , Deputy

cc: Mike Carlson, Deputy Chief Engineer, Tim Jensen, Flood Control, Michelle Cordis, Flood Control, Paul Detjens, Flood Control, Shai Ehrmann, Flood Control, Beth Balita, Finance, Patrick Melgar, Flood Control, Catherine Windham, Flood Control



BACKGROUND: (CONT'D)

The FC District is initiating a facility conditions assessment program for its flood control facilities, which includes, among other facilities, concrete channels, earthen channels, steel structures, drop structures, levees, detention basins, and other hydraulic structures (each referred to as "Facility"). The FC District, at times, requires additional temporary services from persons specially trained, experienced, expert, and competent to perform professional engineering and technical services required for Facility conditions assessment. For that reason, the FC District is entering into this Contract with Consultant. Under this Contract, Consultant will provide professional engineering and technical services relating to Facility conditions assessment on an on-call basis for a variety of FC District projects throughout Contra Costa County.

The Contract limits the Consultant's liability for damages arising out of its errors or omissions in providing professional services under the Contract to \$5,000,000, the amount stated in the Consultant's professional liability insurance policy provided. This is for professional liability and does not limit the Consultant's responsibility with regard to general liability claims.

CONSEQUENCE OF NEGATIVE ACTION:

Without the approval of the Board of Supervisors, the FC District will be unable to obtain on-call services for professional engineering and technical services relating to facility conditions assessment.



Contra  
Costa  
County

To: Contra Costa County Flood Control District Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: March 19, 2019

Subject: On-Call Contract with GEI Consultants, Inc., Countywide. Project No.: Various

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Chief Engineer, Contra Costa County Flood Control and Water Conservation District (FC District), or designee, to execute an on-call Consulting Services Agreement (Contract) with GEI Consultants, Inc. (Consultant), subject to approval by the County Administrator and approval as to form by the Office of County Counsel, in an amount not to exceed \$1,000,000 to provide on-call professional engineering services relating to facility conditions assessment, for the period March 19, 2019 through March 19, 2022, Countywide.

**FISCAL IMPACT:**

All costs associated with this Contract will not exceed \$1,000,000 and will be funded 100% by FC District Funds.

**BACKGROUND:**

The FC District provides regional flood protection, technical information, hydrology data and education to cities and residents, and environmental stewardship for over 70 miles of streams and several detention basins as part of the County’s flood protection system. The FC District is initiating a facility conditions assessment program for its flood control facilities,

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

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Michelle Cordis, (925)  
313-2381

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

By: , Deputy

cc: Mike Carlson, Deputy Chief Engineer, Tim Jensen, Flood Control, Michelle Cordis, Flood Control, Paul Detjens, Flood Control, Shai Ehrmann, Flood Control, Beth Balita, Finance, Patrick Melgar, Flood Control, Catherine Windham, Flood Control

BACKGROUND: (CONT'D)

which includes, among other facilities, concrete channels, earthen channels, steel structures, drop structures, levees, detention basins, and other hydraulic structures (each referred to as "Facility"). The FC District, at times, requires additional temporary services from persons specially trained, experienced, expert, and competent to perform professional engineering and technical services required for Facility conditions assessment. For that reason, the FC District is entering into this Contract with Consultant. Under this Contract, Consultant will provide professional engineering and technical services relating to Facility conditions assessment on an on-call basis for a variety of FC District projects throughout Contra Costa County.

The Contract limits the Consultant's liability for damages arising out of its errors or omissions in providing professional services under the Contract to \$5,000,000, the amount stated in the Consultant's professional liability insurance policy provided. This is for professional liability and does not limit the Consultant's responsibility with regard to general liability claims.

CONSEQUENCE OF NEGATIVE ACTION:

Without the approval of the Board of Supervisors, the FC District will be unable to obtain on-call services for professional engineering and technical services relating to facility conditions assessment.



Contra  
Costa  
County

To: Contra Costa County Flood Control District Board of Supervisors

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

Date: March 19, 2019

Subject: On-Call Contract with Moffatt and Nichol, Countywide. Project No.: Various

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Chief Engineer, Contra Costa County Flood Control and Water Conservation District (FC District), or designee, to execute an on-call Consulting Services Agreement (Contract) with Moffatt and Nichol (Consultant), subject to approval by the County Administrator and approval as to form by the Office of County Counsel, in an amount not to exceed \$400,000 to provide on-call professional engineering services relating to facility conditions assessment, for the period March 19, 2019 through March 19, 2022, Countywide.

**FISCAL IMPACT:**

All costs associated with this Contract will not exceed \$400,000 and will be funded 100% by FC District Funds.

**BACKGROUND:**

The FC District provides regional flood protection, technical information, hydrology data and education to cities and residents, and environmental stewardship for over 70 miles of streams and several detention basins as part of the County's flood protection system. The FC District is initiating a facility conditions assessment program for its flood control facilities,

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Michelle Cordis, (925)  
313-2381

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

By: , Deputy

cc: Mike Carlson, Deputy Chief Engineer, Tim Jensen, Flood Control, Michelle Cordis, Flood Control, Paul Detjens, Flood Control, Shai Ehrmann, Flood Control, Beth Balita, Finance, Patrick Melgar, Flood Control, Catherine Windham, Flood Control

BACKGROUND: (CONT'D)

which includes, among other facilities, concrete channels, earthen channels, steel structures, drop structures, levees, detention basins, and other hydraulic structures (each referred to as "Facility"). The FC District, at times, requires additional temporary services from persons specially trained, experienced, expert, and competent to perform professional engineering and technical services required for Facility conditions assessment. For that reason, the FC District is entering into this Contract with Consultant. Under this Contract, Consultant will provide professional engineering and technical services relating to Facility conditions assessment on an on-call basis for a variety of FC District projects throughout Contra Costa County.

The Contract limits the Consultant's liability for damages arising out of its errors or omissions in providing professional services under the Contract to \$5,000,000, the amount stated in the Consultant's professional liability insurance policy provided. This is for professional liability and does not limit the Consultant's responsibility with regard to general liability claims.

CONSEQUENCE OF NEGATIVE ACTION:

Without the approval of the Board of Supervisors, the FC District will be unable to obtain on-call services for professional engineering and technical services relating to facility conditions assessment.



Contra  
Costa  
County

To: Contra Costa County Flood Control District Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: March 19, 2019

Subject: On-Call Contract with Wood Rodgers, Inc., Countywide. Project No.: Various

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Chief Engineer, Contra Costa County Flood Control and Water Conservation District (FC District), or designee, to execute an on-call Consulting Services Agreement (Contract) with Wood Rodgers, Inc. (Consultant), subject to approval by the County Administrator and approval as to form by the Office of County Counsel, in an amount not to exceed \$500,000 to provide on-call professional engineering services relating to facility conditions assessment, for the period March 19, 2019 through March 19, 2022, Countywide.

**FISCAL IMPACT:**

All costs associated with this Contract will not exceed \$500,000 and will be funded 100% by FC District Funds or Road Funds under various project specific activities.

**BACKGROUND:**

The FC District provides regional flood protection, technical information, hydrology data and education to cities and residents, and environmental stewardship for over 70 miles of streams and several detention basins as part of the County’s flood protection system.

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

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Michelle Cordis, (925)  
313-2381

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

By: , Deputy

cc: Mike Carlson, Deputy Chief Engineer, Tim Jensen, Flood Control, Michelle Cordis, Flood Control, Paul Detjens, Flood Control, Shai Ehrmann, Flood Control, Beth Balita, Finance, Patrick Melgar, Flood Control, Catherine Windham, Flood Control

BACKGROUND: (CONT'D)

The FC District is initiating a facility conditions assessment program for its flood control facilities, which includes, among other facilities, concrete channels, earthen channels, steel structures, drop structures, levees, detention basins, and other hydraulic structures (each referred to as "Facility"). The FC District, at times, requires additional temporary services from persons specially trained, experienced, expert, and competent to perform professional engineering and technical services required for Facility conditions assessment. For that reason, the FC District is entering into this Contract with Consultant. Under this Contract, Consultant will provide professional engineering and technical services relating to Facility conditions assessment on an on-call basis for a variety of FC District projects throughout Contra Costa County.

The Contract limits the Consultant's liability for damages arising out of its errors or omissions in providing professional services under the Contract to \$5,000,000, the amount stated in the Consultant's professional liability insurance policy provided. This is for professional liability and does not limit the Consultant's responsibility with regard to general liability claims.

CONSEQUENCE OF NEGATIVE ACTION:

Without the approval of the Board of Supervisors, the FC District will be unable to obtain on-call services for professional engineering and technical services relating to facility conditions assessment.



Contra  
Costa  
County

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: March 19, 2019

Subject: Claims

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**RECOMMENDATION(S):**

DENY claims filed by Randall Archuleta, Jennifer Ebert, Brian Hofer, Johnathan Hofer, and Kathleen Martinez. DENY amended claim filed by Ellen Langlois.

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

Randall Archuleta: Property claim for damage to vehicle caused by roadway hazard in the amount of \$3,002.98

Jennifer Ebert: Personal injury claim for a trip and fall in an amount to be determined.

Brian Hofer: Personal injury claim for damages arising out of an alleged unlawful detention in an amount to exceed \$25,000.

Jonathan Hofer: Personal injury claim for damages arising out of an alleged unlawful detention in an amount to exceed \$25,000.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Scott Selby  
925.335.1400

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

By: , Deputy

cc:



BACKGROUND: (CONT'D)

Kathleen Martinez: Property claim for damage to vehicle caused by roadway hazard in the amount of \$504.

Ellen Langlois: Amended property claim for lost personal property at CCRMC in the amount of \$58.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: March 19, 2019

Subject: ACCEPT Board members meeting reports for February 2019

---

**RECOMMENDATION(S):**

ACCEPT Board members meeting reports for February 2019.

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

Government Code section 53232.3(d) requires that members of legislative bodies report on meetings attended for which there has been expense reimbursement (mileage, meals, lodging ex cetera). The attached reports were submitted by the Board of Supervisors members in satisfaction of this requirement. District V has nothing to report.

**CONSEQUENCE OF NEGATIVE ACTION:**

The Board of Supervisors will not be in compliance with Government Code 53232.3(d).

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Joellen Bergamini  
925.335.1906

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

By: , Deputy

cc:

ATTACHMENTS

District III February 2019 Report

District I February 2019 Report

District II February 2019 Report

District IV February 2019 Report

**Supervisor Diane Burgis - February 2019 AB**  
 (Government Code Section 53232.3(d) requires that public bodies report on meetings attended for which there is reimbursement (mileage, meals, lodging, etc.))

<b>Date</b>	<b>Meeting Name</b>	<b>Location</b>
1-Feb	PIT Homeless Training and Count	Antioch
1-Feb	Phone Meeting with Fire Chief Carman	Brentwood
4-Feb	Delta 6 Meeting	Antioch
6-Feb	Meeting with P-2A Chair, Ron Banducci	Brentwood
6-Feb	Marsh Creek Bridge Replacement Celebration	Brentwood
6-Feb	Constituent Meeting	Brentwood
6-Feb	Mental Health Commission Meeting	Pleasant Hill
7-Feb	Phone Meeting with Meals on Wheels Diablo Region	Brentwood
7-Feb	Meeting with Claire Alaura, City of Oakley	Brentwood
7-Feb	Meeting with Dan Geiger, Contra Costa Budget Coalition	Brentwood
7-Feb	Meeting with Maliha Noamani, SEIU 2015	Brentwood
9-Feb	Choice in Aging 70th Annual Crab Feed Event	Pleasant Hill
11-Feb	Meeting with Mt. Diablo Pilots Association, Maurice Gunderson	Martinez
11-Feb	Internal Operations Committee Meeting	Martinez
11-Feb	Meeting with Greenbelt Alliance, Hayley Currie	Martinez
11-Feb	FIRST 5 Commission Meeting	Concord
12-Feb	Board of Supervisors Meeting	Martinez
12-Feb	Housing Authority Meeting	Martinez
12-Feb	Meeting	Martinez
12-Feb	Meeting with County staff	Martinez
13-Feb	Airport Committee Meeting	Concord
13-Feb	LAFCO Meeting	Martinez
14-Feb	Constituent Meeting	Brentwood
14-Feb	Meeting with Supervisor Mitchoff and Contra Costa Water District	Brentwood
14-Feb	Meeting with Supervisor Mitchoff and Contra Costa Water Agency	Brentwood
14-Feb	East Contra Costa Regional Fee & Finance Authority Meeting	Antioch
14-Feb	State Route 4 Bypass Authority	Antioch
14-Feb	Transplan Meeting	Antioch
19-Feb	Meeting with AAA, Stephen Linaweaver	Martinez
19-Feb	Census First Complete County Meeting	Martinez
19-Feb	Meeting with Chief Broschard, Con Fire	Concord
20-Feb	Meeting with Family Justice Center, Susun Kim and Elizabeth Premazzi	Concord

21-Feb	Meeting with Meals on Wheels	Brentwood
21-Feb	Meeting with Discovery Bay Community Services Directors, Bill Meyer and Bob Leete	Brentwood
21-Feb	East Contra Costa Fire Protection District Stakeholders Meeting with Assemblyman Grayson	Concord
22-Feb	Phone Meeting with Delta Counties Coalition	Brentwood

\* Reimbursement may come from an agency other than Contra Costa County

**1234 Report**

members legislative  
e has been expense  
, etc).

**Purpose**

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Business Meeting

Community Outreach

Business Meeting

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## **Supervisor John Gioia**

### February – 2019 Monthly Meeting Statement

Government Code section 53232.3(d) requires that members of legislative bodies report on meetings attended for which there has been expense reimbursement (mileage, meals, lodging, etc.).

1. Meeting Date: February 7, 2019

Meeting: BCDC

Location: San Francisco, CA

2. Meeting Date: February 13, 2019

Meeting: CSAC Legislative Reception

Location: Sacramento, CA

3. Meeting Date: February 14, 2019

Meeting: CSAC Board of Directors

Location: Sacramento, CA

4. Meeting Date: February 15, 2019

Meeting: BARC Governing Board

Meeting Location: San Francisco, CA

5. Meeting Date: February 22, 2019

Meeting: SF Bay Restoration Authority

Location: San Francisco, CA

Supervisor Gioia sought reimbursement from the County only for certain meetings that he attended in his capacity as a County Supervisor during the month of February 2019. This is not a complete list of all meetings attended by Supervisor Gioia.



## Supervisor Candace Andersen - Monthly Meeting Report *February 2019*

Date	Meeting	Location
2/11	TWIC	Martinez
2/11	Internal Operations	Martinez
2/11	TVTC	San Ramon
2/12	Board of Supervisors	Martinez
2/13	CCCERA	Concord
2/13	LAFCO	Martinez
2/17	Danville Community Event	Danville
2/19	JPA Meeting	Walnut Creek
2/19	State of the City	Walnut Creek
2/19	Moraga Chamber Event	Moraga
2/20	RecycleSmart	Walnut Creek
2/21	CCCTA	Pleasant Hill
2/22	Mental Health Advisory	San Ramon
2/25	Alamo MAC	Danville
2/25	Family & Human Services	Martinez
2/26	Board of Supervisors	Martinez
2/27	CCCERA	Concord
2/27	East Bay EDA	Oakland
2/27	Tri Valley Cities Council	Pleasanton
2/28	CCCSWA	Walnut Creek

**Supervisor Karen Mitchoff  
February 2019**

<b>DATE</b>	<b>MEETING NAME</b>	<b>LOCATION</b>	<b>PURPOSE</b>
02/05/19	CCCSWA Personnel Committee Meeting	Walnut Creek	Decisions on agenda items
02/06/19	BAAQMD Ad Hoc Building Oversight	San Francisco	Decisions on agenda items
02/06/19	BAAQMD Board Meeting	San Francisco	Decisions on agenda items
02/06/19	ABAG Regional Planning Committee	San Francisco	Decisions on agenda items
02/07/19	East County Today Interview	Antioch	Community Outreach
02/08/19	ABAG Administrative Committee	San Francisco	Decisions on agenda items
02/08/19	ABAG Legislation Committee	San Francisco	Decisions on agenda items
02/14/19	Meeting w/Contra Costa Water District	Brentwood	Water Advocacy
02/22/19	DCC In-Person Meeting	Sacramento	Water Advocacy
02/25/19	Finance Committee	Martinez	Decisions on agenda items
02/27/19	BAAQMD Budget and Finance Committee	San Francisco	Decisions on agenda items
02/28/19	BAAQMD Legislative Committee	San Francisco	Decisions on agenda items



Contra  
Costa  
County

To: Board of Supervisors  
From: Candace Andersen, District II Supervisor  
Date: March 19, 2019

Subject: Resolution recognizing March as Prescription Drug Abuse Awareness Month.

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

Action of Board On: **03/19/2019**  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: March 19, 2019

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

Contact: 9259578860

By: , Deputy

cc:

ATTACHMENTS

Resolution  
2019/55

*The Board of Supervisors of  
Contra Costa County, California*

In the matter of:  
recognizing March as Prescription Drug Abuse Awareness Month.

**Resolution No. 2019/55**

**WHEREAS:** Anyone who takes prescription opioids can become addicted to them. In fact, as many as one in four patients receiving long-term opioid therapy in a primary care setting struggles with opioid addiction. Once addicted, it can be hard to stop; and

**WHEREAS:** Most teenagers who abuse prescription opioid drugs get them for free from a friend or relative – but those at highest risk of overdose are as likely to get them from a doctor’s prescription; and

**WHEREAS:** In 2017 in Contra Costa County there were 704,647 prescriptions given to patients for opioids, which is an age-adjusted rate of 538.8 prescriptions per 1,000 residents, which is higher than the state rate of 508.65; and

**WHEREAS:** Among the more than 70,200 drug overdose deaths estimated nationally in 2017, the sharpest increase was related to fentanyl and fentanyl analogs (other synthetic narcotics) with over 28,400 overdose deaths; and

**WHEREAS:** In 2017, 47,600 Americans died from opioid overdoses, more than 130 people every day and 52 of those overdose deaths occurred in Contra Costa County; and

**WHEREAS:** From July 2016 through September 2017, a total of 142,557 emergency department visits (15.7 per 10,000 visits) from 52 jurisdictions in 45 states were suspected opioid-involved overdoses; and

**WHEREAS:** It is estimated that the “economic burden” of prescription opioid misuse alone in the United States is \$78.5 billion a year, including the costs of healthcare, lost productivity, addiction treatment, and criminal justice involvement; and

**WHEREAS:** Americans that have participated in DEA’s Sixteen National Prescription Drug Take-Back Days have turned in more than 5,439.5 tons of medication since the Fall of 2010 at take-back sites available in all 50 states and U.S. territories, and in Contra Costa County, during the October 2018 DEA sponsored Take-Back Day, 1,855.3 pounds of unwanted or unused prescription medication were removed; and

**WHEREAS,** the Contra Costa County Board of Supervisors supports April 27, 2019 as “National Prescription Drug Take Back Day” as declared by the DEA and encourages residents to locate their local collection site and safely dispose of their accumulated unwanted, unused prescription drugs; and

**WHEREAS,** the Contra Costa County Medication Education and Disposal Safety (MEDS) Coalition engages youth and adult stakeholders from across the county to participate in Prescription Drug Abuse Awareness Month activities to raise awareness

about prescription drug dangers, promote safe medication storage and disposal and ensure naloxone is available for those at high risk of overdose; and

the Contra Costa County Board of Supervisors does hereby declare March, 2019 as Prescription Drug Abuse Awareness Month, and encourages all citizens to participate in prescription drug related prevention programs and activities; Be it also resolved that the County Board of Supervisors encourages all community members to pledge, “Spread the Word... One Pill Can Kill”.

\_\_\_\_\_  
**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: March 19, 2019

David J. Twa,

By: \_\_\_\_\_, Deputy



Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: March 19, 2019

Subject: Recognizing Barb Smaker on the occasion of her retirement from Contra Costa County

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Carrie Ricci (925)  
313-2235

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

By: , Deputy

cc:

ATTACHMENTS

Resolution No.

2019/80



*The Board of Supervisors of  
Contra Costa County, California*

In the matter of:

**Resolution No. 2019/80**

**Recognizing the contributions of Barb Smaker on the occasion of her Retirement from Contra Costa County**

**WHEREAS** Barb Smaker began her career with Contra Costa County as a temporary employee in 1995 at the District Attorney's office and became a permanent employee in 1998 for the Building Inspection Department; and

**Whereas** Barb transferred to the Public Works Department in 2002 as an Administrative Analyst and was promoted to an Administrative Services Assistant II in 2004 and then promoted again to an Administrative Services Assistant III in 2007, and in 2018 her classification was retitled to Human Resources Analyst II; and

**WHEREAS** in 2003 Barb received a Certificate of Appreciation from the Office of the Sheriff for participation in Phoenix 03 emergency exercise; and

**WHEREAS** in 2004 Barb received an Award of Excellence for making sure the Departments Safety Program was well documented for the Department's re-accreditation; and

**WHEREAS** Barb was recognized and received the Award of Excellence in 2006 for her efforts coordinating the Annual Safety Day Celebration; and

**WHEREAS** in 2006 Barb was also recognized and received the J. Michael Walford Employee of the Year Award for her coordination of an overall comprehensive Return to Work Program for the Department; and

**Whereas** in 2008 Barb received an Award of Excellence for conducting the NIMS Training in addition to being the Safety Coordinator for the Department; and

**WHEREAS** in 2011 Barb received her Bachelor of Arts degree from the California State University, East Bay; and

**WHEREAS** in 2014 Barb received her Masters Degree of Public Administration – Management of Human Resources and Change; and

**WHEREAS** in 2014 Barb received commendation for her work with the Human Resources Department to make sure our high volume of recruitment needs were being met; and

**WHEREAS** in 2014 Barb received a Certificate from the Contra Costa County Board of Supervisors, Supervisor Federal Glover, for her successful participation and completion in Grant Research, Writing and Administration Seminar; and

**WHEREAS** in 2017 the Airports Division of Public Works gave Barb an Employee Recognition for developing the new Airport Safety Officer I, II, III and IV classifications; and

**Whereas** Barb has made many contributions to various training and orientation programs within the Public Works Department.

**NOW, THEREFORE, IT IS BY THE BOARD RESOLVED**, that Barb Smaker be recognized upon her retirement for 20 years of dedicated service to Contra Costa County and for the high quality of work performed by her during her career.

\_\_\_\_\_  
**JOHN GIOIA**

Chair, District I Supervisor

\_\_\_\_\_  
**CANDACE ANDERSEN**

\_\_\_\_\_  
**DIANE BURGIS**

District II Supervisor

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: March 19, 2019

David J. Twa,

By: \_\_\_\_\_, Deputy



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: March 19, 2019

Subject: Contra Costa County Food Safety Excellence Award Recipients

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**RECOMMENDATION(S):**

ADOPT Resolution No 2019/82 congratulating 2017-2018 Contra Costa County Food Safety Excellence Award Recipients, as recommended by the Health Services Director.

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

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Marilyn Underwood,  
925-692-2521

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

By: , Deputy

cc: Marilyn Underwood

ATTACHMENTS

Resolution

2019/82

*The Board of Supervisors of  
Contra Costa County, California*

In the matter of:

**Resolution No. 2019/82**

**Congratulating the 2017-2018 Contra Costa County Food Safety Excellence Award Recipients**

WHEREAS, the Contra Costa Board of Supervisors believes it is important to recognize the dedication of food operators and owners in Contra Costa County, who strive for meritorious food safety practices and standards; and  
WHEREAS, Contra Costa Health Services, Environmental Health Division, conducts food safety inspections of all retail food establishments in Contra Costa County, including those serving at-risk or vulnerable populations such as hospitals, licensed healthcare facilities and school cafeterias; and  
WHEREAS, in 2016, the Environmental Health Division began the “Green, Yellow, Red” placard system, and at its implementation, proposed an award system for food establishments with exemplary food safety practices shown through health inspections; and  
WHEREAS, to promote and encourage the health and well-being of its residents and visitors dining in the County, starting in 2019 and each year hereafter the Environmental Health Division shall recognize food business operators and owners with a Food Safety Excellence Award; and  
WHEREAS, the Contra Costa County Board of Supervisors, together with the Contra Costa Health Services, Environmental Health Division, wishes to commend those food establishments which have demonstrated food safety excellence for the past two calendar years (2017/2018); and  
NOW THEREFORE, BE IT RESOLVED that the Board of Supervisors of Contra Costa County does hereby congratulate Contra Costa County’s 2017-2018 FOOD SAFETY EXCELLENCE AWARD RECIPIENTS; and further, acknowledges those recognized businesses invited here today: De Anza High School; China Palace; Panda Express #950; Safeway #1541; and Alhambra Convalescent Hospital; all of which have exhibited outstanding principles of food safety in Contra Costa County.

\_\_\_\_\_  
**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: March 19, 2019

David J. Twa,

By: \_\_\_\_\_, Deputy



Contra  
Costa  
County

To: Board of Supervisors  
From: John Gioia, District I Supervisor  
Date: March 19, 2019

Subject: Honoring Robert Sewell on his retirement after nearly 40 years with Plumbers and Steamfitters Local 159

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

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Sonia Bustamante  
510-231-8689

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

By: , Deputy

cc:

ATTACHMENTS

Resolution

2019/86



*The Board of Supervisors of  
Contra Costa County, California*

In the matter of:

**Resolution No. 2019/86**

**HONORING ROBERT SEWELL ON THE OCCASION OF HIS RETIREMENT**

Whereas, Robert (Bob) Sewell has been a member of Plumbers and Steamfitters Local 159 for nearly 40 years and has served as an officer of the Local for much of that time; and

Whereas, Bob is a second generation plumber, starting his apprenticeship with Local 159 in 1979 following in his father's footsteps as a union member; and

Whereas, Bob was elected to the position of Financial Secretary Treasurer for Local 159 in 2002 and has served as the Local's Business Manager since 2016; and

Whereas, Under Bob's leadership, the Local partnered with other local unions, participating in the negotiation of project labor agreements including the construction of thousands of residential units in Contra Costa County, with the work performed by local journeymen and apprentices paid a living wage with health and pension benefits; and

Whereas, Bob Sewell helped lead the way in collaborating with community organizations to encourage reasonable development and the mitigation of project impacts; and

Whereas, He has also concentrated his efforts in workforce training, first as a Local 159 apprentice instructor and more recently, chairing the Local's Joint Apprenticeship Training Committee

Whereas, After a devoted, long career of representing working people and helping younger generations achieve the living wages, job security and dignity of union careers, Robert Sewell is retiring.

That Contra Costa County honors and appreciates the lifelong work of Bobby Sewell in improving the lives of working men and women in our county and wishes him a healthy and enjoyable retirement.

\_\_\_\_\_  
**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

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ATTESTED: March 19, 2019

David J. Twa,

By: \_\_\_\_\_, Deputy



Contra  
Costa  
County

To: Board of Supervisors  
From: John Gioia, District I Supervisor  
Date: March 19, 2019

Subject: Declaring March 2019 American Red Cross Month

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

Action of Board On: **03/19/2019**  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: March 19, 2019

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

Contact: James Lyons,  
510-231-8692

By: , Deputy

cc:

ATTACHMENTS

Resolution 2019/88

Red\_Cross\_Proclamation2019

*The Board of Supervisors of  
Contra Costa County, California*

In the matter of:

**Resolution No. 2019/88**

Declaring March 2019, as American Red Cross Month

WHEREAS; every year, the American Red Cross, the largest humanitarian organization in the world, responds to an average of more than 62,000 disasters across the country, from small home fires to massive disasters; and

WHEREAS; last year's large crises included overwhelming mudslides in California, an earth-shattering volcano eruption in Hawaii, ravaging wildfires in California and Colorado, destructive hurricanes in Florida and the Carolinas, and a devastating typhoon in U.S. territories; and

WHEREAS; thousands of American Red Cross volunteers provided emotional support and around-the-clock shelter for disaster victims, served millions of meals and snacks with community partners, collected 40 percent of the nation's blood, taught skills that save lives; provided international humanitarian aid, and supported military members and their families; and

WHEREAS; through its Home Fire Campaign that began in October 2014, the American Red Cross has worked with fire departments and community partners across the country to install at no-cost to the residents more than 1.5 million smoke alarms, made more than 648,000 households safer and saved 511 lives. During the past year, the American Red Cross Bay Area responded to 838 home fires, installed 10,605 free smoke alarms, made 3,403 households safer and helped save lives; and

WHEREAS; last year in Contra Costa County, besides responding to 109 local disasters, the American Red Cross has a long history of helping our neighbors by teaching First Aid, CPR & AED to 6,595 enrollees and Aquatic & Water Safety to another 2,173. We also assisted 1,393 military families and collected 16,025 units of blood from our generous blood donors; and

WHEREAS; March is American Red Cross Month, a special time to recognize and thank the American Red Cross volunteers, partners and donors who give of their time and resources to deliver help and hope to members of the community; and

WHEREAS; the American Red Cross applaud our heroes here in Contra Costa County who gave 43,495 hours to assist our neighbors when they needed a helping hand; and

WHEREAS; we dedicate the month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies. Our community depends on the American Red Cross, which relies on volunteers and the generosity of the public to perform its mission.

I, John Gioia, Chair of the Board of Supervisors, by virtue of the authority vested in me by the Constitution and laws of Contra Costa County and California, do hereby proclaim March 2019 as Red Cross Month. I encourage all Americans to support this organization and its noble humanitarian mission.

\_\_\_\_\_  
**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: March 19, 2019

David J. Twa,

By: \_\_\_\_\_, Deputy

American Red Cross  
Red Cross Month  
Mayoral Proclamation  
January 2019

**Declaring March 2019, as American Red Cross Month**

**WHEREAS;** every year, the American Red Cross, the largest humanitarian organization in the world, responds to an average of more than 62,000 disasters across the country, from small home fires to massive disasters; and

**WHEREAS;** last year's large crises included overwhelming mudslides in California, an earth-shattering volcano eruption in Hawaii, ravaging wildfires in California and Colorado, destructive hurricanes in Florida and the Carolinas, and a devastating typhoon in U.S. territories; and

**WHEREAS;** thousands of American Red Cross volunteers provided emotional support and around-the-clock shelter for disaster victims, served millions of meals and snacks with community partners, collected 40 percent of the nation's blood, taught skills that save lives; provided international humanitarian aid, and supported military members and their families; and

**WHEREAS;** through its Home Fire Campaign that began in October 2014, the American Red Cross has worked with fire departments and community partners across the country to install at no-cost to the residents more than 1.5 million smoke alarms, made more than 648,000 households safer and saved 511 lives. During the past year, the American Red Cross Bay Area responded to 838 home fires, installed 10,605 free smoke alarms, made 3,403 households safer and helped save lives; and

**WHEREAS;** last year in Contra Costa County, besides responding to 109 local disasters, the American Red Cross has a long history of helping our neighbors by teaching First Aid, CPR & AED to 6,595 enrollees and Aquatic & Water Safety to another 2,173. We also assisted 1,393 military families and collected 16,025 units of blood from our generous blood donors; and

**WHEREAS;** March is American Red Cross Month, a special time to recognize and thank the American Red Cross volunteers, partners and donors who give of their time and resources to deliver help and hope to members of the community; and

**WHEREAS;** the American Red Cross applaud our heroes here in Contra Costa County who gave 43,495 hours to assist our neighbors when they needed a helping hand; and

**WHEREAS;** we dedicate the month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies. Our community depends on the American Red Cross, which relies on volunteers and the generosity of the public to perform its mission.

**NOW, THEREFORE,** I, [MAYOR NAME], Mayor of [CITY], by virtue of the authority vested in me by the Constitution and laws of [CITY] and [STATE], do hereby proclaim March 2019 as Red Cross Month. I encourage all Americans to support this organization and its noble humanitarian mission.

**IN WITNESS WHEREOF,** I have hereunto set my hand this [XXXX] day of March, in the year of our Lord two thousand nineteen, and of the [CITY] [WRITE OUT THE NAME OF THE STATE].



Contra  
Costa  
County

To: Board of Supervisors  
From: Candace Andersen, District II Supervisor  
Date: March 19, 2019

Subject: Resolution recognizing Darien Louie upon her retirement from East Bay Economic Development Alliance

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

Action of Board On: **03/19/2019**  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: March 19, 2019

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

Contact: 9259578860

By: , Deputy

cc:



ATTACHMENTS

Resolution

2019/89

*The Board of Supervisors of  
Contra Costa County, California*

In the matter of:

**Resolution No. 2019/89**

recognizing Darien Louie upon her retirement from the East Bay Economic Development Alliance.

Whereas, Darien Louie has over 39 years of experience in program development, fund development, economic development and community investment. Her background includes work in community non-profit, public sector and corporate partnership settings, and also experience as an entrepreneur; and

Whereas, Darien began her professional career as a secondary public school teacher and an educator specializing in the development of Vocational English as a Second Language (VESL) programs; she created the first accredited curriculum in bilingual VESL programs for adults for the Oakland Unified School District; and

Whereas, In April 2008, Darien joined the East Bay Community Foundation (EBCF) as their Director of Public & Private Partnerships, a new division she created, focused on engagement with business donors to help them with strategic philanthropy, introductions to community needs and resources, and opportunities for partnerships with public and nonprofit organizations. She leveraged millions of dollars in corporate and foundation monies to support East Bay communities, and she also created and managed the Foundation's Oakland Education Fund and provided fund development services for the Oakland Unified School District. At EBCF, Darien led regional workforce development research efforts and developed a nationally recognized sustainable homeownership program for low-to-moderate families; and

Whereas, In May 2013, Darien was "loaned" by the Foundation to the East Bay Economic Development Alliance to serve as its Interim Executive Director. In October 2013, Darien was offered the position on a permanent basis and managed the cross-sector organization with over 105-member organizations from the private, public and nonprofit sectors, representing over 800 individual regional leaders; and

Whereas, Darien's awards and recognitions are numerous; they include Alameda County's Woman of the Year for Assembly District 16, Certificate of Special Congressional Recognition from Congresswoman Barbara Lee, City of Oakland Proclamation for "Darien Louie Day" from Mayor Jerry Brown, East Bay Asian Local Development Corporation Community Award, Oakland Chinese Community Council Kenneth Hoh Award for Community Service, Oakland Mayor's Summer Jobs Program Volunteer Leadership Award from Mayor Jerry Brown, Inner City Leadership Award from Inner City Advisors, Oakland Chinatown Chamber of Commerce Community Recognition Award, and several more including numerous recognition awards from Wells Fargo; and

Whereas, Darien has been an outstanding leader for East Bay EDA and has led the organization to a new level with increased membership, sponsorships, and events such as the East Bay Innovation Awards. Those affiliated with East Bay EDA question whether she ever sleeps, as her exceptional attention to detail results in emails sent at

all hours of the night.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Contra Costa County does hereby honor and thank Darien Louie For her dedicated commitment to the betterment of the community and the Bay Area.

\_\_\_\_\_  
**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: March 19, 2019

David J. Twa,

By: \_\_\_\_\_, Deputy



Contra  
Costa  
County

To: Board of Supervisors  
From: Candace Andersen, District II Supervisor  
Date: March 19, 2019

Subject: Resolution recognizing Tanya Drlik upon her retirement from Integrated Pest Management.

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APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **03/19/2019**  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: March 19, 2019

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

Contact: 9259578860

By: , Deputy

cc:

ATTACHMENTS

Resolution

2019/90

*The Board of Supervisors of  
Contra Costa County, California*

In the matter of:

**Resolution No. 2019/90**

recognizing Tanya Drlik upon her retirement from Integrated Pest Management.

Whereas, Tanya Drlik is known for her extensive work in Integrated Pest Management, an environmentally friendly strategy that focuses on long-term prevention of pests and their damage while minimizing risk to people and the environment; and

Whereas, During her tenure as coordinator of IPM, Tanya has been instrumental in reducing the use of pesticide by 79% and reducing the use of rodenticide by 83%; and

Whereas, Tanya revived the Bay Area's IPM Coordinator networking group to share information with colleagues, she created a Bed Bug Task Force and developed a bed bug website with many resources for a variety of different audiences; and

Whereas, Tanya became the County's "Bed Bug Lady" and provided solutions to many hundreds of frightened and desperate citizens who call with bed bug problems, she also created a bed bug prevention protocol for the County homeless shelters and trained staff in its use; and

Whereas, Tanya created prevention protocols for County clinics and offices and trained staff in their use, she developed a model IPM Policy and Program for Contra Costa County municipalities in cooperation with the County Clean Water Program and the City of El Cerrito.

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Supervisors of Contra Costa County does hereby honor and thank Tanya Drlik For her dedication to Contra Costa County 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: March 19, 2019

David J. Twa,

By: \_\_\_\_\_, Deputy



Contra  
Costa  
County

To: Board of Supervisors  
From: Dianne Dinsmore, Human Resources Director  
Date: March 19, 2019

Subject: Introduce Ordinance Number 2019-05 exclude from the Merit System the DA Chief of Inspectors-Exempt classification

---

**RECOMMENDATION(S):**

INTRODUCE Ordinance No. 2019-05 amending the County Ordinance Code to exclude from the Merit System the classification of District Attorney Assistant Chief of Inspectors-Exempt (6KD2), Waive the reading, and FIX March 26, 2019 for adoption.

**FISCAL IMPACT:**

There is no cost associated with this action.

**BACKGROUND:**

The District Attorney recognizes the need for a senior law enforcement manager to assist on many of the office's most sensitive investigations, and to develop a county-wide strategy to address violent crime. The District Attorney has requested to expand the current Director position's duties to address this need. The new duties include assisting the District Attorney and the office on the management and oversight of investigations into Officer Involved Shootings and deaths involving law enforcement, wiretaps on homicides and other serious felonies, and assistance to the county's FBI Safe Streets Task Force. The duties of the position will include the provision of assistance and the coordination of resources to local law enforcement agencies on "Cold Case" investigations; the management of the county's Sexual Assault Kit Grant and coordination

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Dianne Dinsmore (925)  
335-1766

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

By: , Deputy

cc: Paul Mulligan



BACKGROUND: (CONT'D)

of DNA "Hits"; the management of the three lieutenants within the office, and to fill in for them during their absences; and to act as the Chief of Inspectors during his/her absence. The position will also be responsible for the development, coordination, and implementation of the policies of the District Attorney's Office on recordings captured by local law enforcement's Body and Police Car Cameras, and to act as a liaison for the District Attorney and her office within the community and within law enforcement.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to create the new position will result in a void in the ability of the District Attorney's Office to develop a county-wide strategy to address violent crime, particularly homicides and sexual assaults in Contra Costa County. Also, if this action is not approved this would result in the loss of management oversight of several essential functions of the Investigative Unit.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Ordinance Code 2019-05

**ORDINANCE NO. 2019-05**

**(Exclude from the Merit System the new classification of District Attorney Assistant Chief of Inspectors-Exempt)**

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

**SECTION I:** Section 33-5.311 of the County Ordinance Code is amended to exclude from the merit system the new classification of District Attorney Assistant Chief of Inspectors-Exempt:

**33-5.311 - District attorney and sheriff.**

a) Investigators, detectives, and others, paid from the special funds furnished to the district attorney and sheriff under Government Code Sections 29400 ff. and 29430 ff., are excluded.

(b) In the district attorney's office, the district attorney program assistant-exempt class, senior deputy district attorneys-exempt, district attorney chief of inspectors-exempt, special counsel, special detectives, chief assistant district attorney-exempt, assistant district attorney-exempt, and district attorney assistant chief of inspectors-exempt are excluded and are appointed by the district attorney.

(c) In the sheriff's department, the undersheriff and three commanders are excluded and are appointed by the sheriff-coroner.

(d) The secretary to the undersheriff is excluded and is appointed by the sheriff-coroner.

(e) The sheriff's executive assistant is excluded and is appointed by the sheriff-coroner.

(f) In the sheriff's department, the class of chief of police-contract agency-exempt is excluded and is appointed by the sheriff-coroner.

(Ord. Nos. 2019-05 §1, 03-26-19; 2010-07 § 1, 5-18-10; 2004-6 § 1; 99-19; 96-3 § 1; 95-34 § 1; 87-16; 85-55 § 2; 85-29 § 2; 81-70 § 2; 81-32 § I[4]; 81-29; 80-70; 74-72 § 2; 73-9 § 9; former §§ 32-2.610, .602 (5, 6); prior code § 2413 (e, t); Ords. 7047, 1032, 939, 325 § 4)

**SECTION II: EFFECTIVE DATE.** This ordinance becomes effective 30 days after passage, and within 15 days of passage shall be published once with the names of the supervisors voting for and against it in the \_\_\_\_\_, a newspaper published in this County.

PASSED ON \_\_\_\_\_ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: DAVID J. TWA, Clerk of the  
Board of Supervisors and County Administrator

By: \_\_\_\_\_  
Deputy

\_\_\_\_\_  
Board Chair

[SEAL]



Contra  
Costa  
County

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: March 19, 2019

Subject: Appointment to the Advisory Council on Aging

---

**RECOMMENDATION(S):**

APPOINT Frank Napoli to the Walnut Creek Local Committee Seat on the Advisory Council on Aging, as recommended by the Employment and Human Services Department Director.

**FISCAL IMPACT:**

There is no Fiscal Impact.

**BACKGROUND:**

Mr. Frank Napoli will occupy the currently vacant Walnut Creek Local Committee Seat. Mr. Napoli resides in Walnut Creek. The seat term will end September 30, 2019.

The Advisory Council on Aging provides a means for countywide planning, cooperation, and coordination for individuals and groups interested in improving and developing services and opportunities for the older residents of the County. The Council provides leadership and advocacy on behalf of older persons 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.

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **03/19/2019**  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: March 19, 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: David Twa, County Administrator  
Date: March 19, 2019

Subject: Appointments to the Managed Care Commission

---

**RECOMMENDATION(S):**

APPOINT Jeffrey Kalin, Ella Jones, Joan Lautenberger, and Wendy Mailer to the Managed Care Commission, with terms ending on August 31, 2021.

**FISCAL IMPACT:**

None

**BACKGROUND:**

The Managed Care Commission recommended the appointment of the following individuals the Commission, with terms ending August 31, 2021:

- Wendy Mailer to the Member-at-Large #3 seat
- Jeffrey Kalin to the Member-at-Large #5 seat
- Ella Jones to the Medicate Subscriber seat
- Joan Lautenberger to the Other Provider seat

The applicants and recommendations for appointments were discussed on the Commission's agenda at their July 18, 2018 meeting. While these appointments are, in practice, reviewed by the Family & Human Services Committee, Resolution No. 2011/497 gives the Managed Care Commission the authority to

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Emlyn Struthers,  
925-335-1919

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

interview applicants for appointment without further approval of a board committee. With Family & Human Services not scheduled to meet again until April, the County Administrator recommends that the Managed Care Commission's recommendations for appointment be conveyed directly to the Board of Supervisors in this instance.

ATTACHMENTS

Application - Mailer, Wendy

Application - Kalin, Jeffrey

Application - Jones, Ella

Application - Lautenberger, Joan



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:

Managed Care Commission	Member-at-Large #3
PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION	PRINT EXACT SEAT NAME (if applicable)

1. **Name:** Mailer Wendy (Last Name) (First Name) (Middle Name)

2. **Address:** Pinole, CA 94564 (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: Junior Semester in College

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) Brooklyn College/NYC College	Psychology	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	3rd	6	BS	
B) Juilliard School of Drama	Drama	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	1st	2	BFA	
C) San Francisco Art Institute	Photography	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	1st	2		
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.

A) Dates (Month, Day, Year)	Title	Duties Performed
From <u>          </u> To <u>          </u> 12/10/2003 6/30/2018 Total: Yrs. <u>          </u> Mos. <u>          </u> 14 6 Hrs. per week <u>40</u> . Volunteer <input type="checkbox"/>	Health Plan Sales /Outreach Manager Employer's Name and Address CCHP 595 Center Avenue, Ste. 100 Martinez, CA 94553	Responsible for managing the sales efforts of Contra Costa Health Plan and supervising Outreach, Sales and Sales support staff; developing new product opportunities, training staff in successful sales and closing techniques. Established protocols and procedures for field sales representatives. Developed training materials for sales and support staff.
B) Dates (Month, Day, Year) From <u>          </u> To <u>          </u> 7/7/1991 12/9/2003 Total: Yrs. <u>          </u> Mos. <u>          </u> 12 5 Hrs. per week <u>40</u> . Volunteer <input type="checkbox"/>	Health Plan Sales Representative Employer's Name and Address CCHP 595 Center Avenue Ste.100 Martinez, Ca 94553	Duties Performed Responsible for developing senior and adult markets, new group accounts, contract negotiations, public speaking, in-person sales presentations. Developed targeted telemarketing program, led senior seminars, initiated new product markets. Worked closely with community-based organizations, senior centers and HICAP. Trained staff on product lines.
C) Dates (Month, Day, Year) From <u>          </u> To <u>          </u> 1/2/1990 6/30/1991 Total: Yrs. <u>          </u> Mos. <u>          </u> 1 6 Hrs. per week <u>40+</u> . Volunteer <input type="checkbox"/>	Field Industrial Sales Employer's Name and Address Mechanic's Choice, div AVNET Inc 2211 S. 47 St. Phoenix, Arizona 85034	Duties Performed Responsible for new accounts, telemarketing and in-person sales presentations. Designed direct mailing pieces and created competitive price lists. Directed seminars and training demonstrations.
D) Dates (Month, Day, Year) From <u>          </u> To <u>          </u> 12/1988 12/31/1989 Total: Yrs. <u>          </u> Mos. <u>          </u> 1 11 Hrs. per week <u>40+</u> . Volunteer <input type="checkbox"/>	Insurance Agent Employer's Name and Address D.W.White Associates 3150 Crow Canyon Place, San Ramon, Ca94583	Duties Performed Responsible for new markets, estate planning, telemarketing and in-person sales presentations. Sold health insurance to Individuals, small and large businesses. Brokered insurance and investment instruments. Territory Northern Marin and East Bay. Provided customer support.



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: 7/25/18

**Important Information**

1. This application is a public document and is subject to the California Public Records Act (CA Gov. Code §6250-6270).
2. Send the completed paper application to the Office of the Clerk of the Board at: **651 Pine Street, Room 106, Martinez, CA 94553.**
3. A résumé or other relevant information may be submitted with this application.
4. All members are required to take the following training: 1) The Brown Act, 2) The Better Government Ordinance, and 3) Ethics Training.
5. Members of boards, commissions, and committees may be required to: 1) file a Statement of Economic Interest Form also known as a Form 700, and 2) complete the State Ethics Training Course as required by AB 1234.
6. Advisory body meetings may be held in various locations and some locations may not be accessible by public transportation.
7. Meeting dates and times are subject to change and may occur up to two days per month.
8. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA and for  
Special Districts, Agencies and Authorities Governed by the Board Adopted Resolution  
no. 2011/55 on 2/08/2011 as follows:**

IN THE MATTER OF ADOPTING A POLICY MAKING FAMILY MEMBERS OF THE BOARD OF SUPERVISORS INELIGIBLE FOR APPOINTMENT TO BOARDS, COMMITTEES OR COMMISSIONS FOR WHICH THE BOARD OF SUPERVISORS IS THE APPOINTING AUTHORITY

WHEREAS the Board of Supervisors wishes to avoid the reality or appearance of improper influence or favoritism;  
NOW, THEREFORE, BE IT RESOLVED THAT the following policy is hereby adopted:

- I. SCOPE: This policy applies to appointments to any seats on boards, committees or commissions for which the Contra Costa County Board of Supervisors is the appointing authority.
- II. POLICY: A person will not be eligible for appointment if he/she is related to a Board of Supervisors' Member in any of the following relationships:
  1. Mother, father, son, and daughter;
  2. Brother, sister, grandmother, grandfather, grandson, and granddaughter;
  3. Great-grandfather, great-grandmother, aunt, uncle, nephew, niece, great-grandson, and great-granddaughter;
  4. First cousin;
  5. Husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepson, and stepdaughter;
  6. Sister-in-law (brother's spouse or spouse's sister), brother-in-law (sister's spouse or spouse's brother), spouse's grandmother, spouse's grandfather, spouse's granddaughter, and spouse's grandson;
  7. Registered domestic partner, pursuant to California Family Code section 297.
  8. The relatives, as defined in 5 and 6 above, for a registered domestic partner.
  9. Any person with whom a Board Member shares a financial interest as defined in the Political Reform Act (Gov't Code §87103, Financial Interest), such as a business partner or business associate.



Contra  
Costa  
County

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:

Managed Care Commission

Reappointment - Member-at-Large 5

PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

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:

	Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
				Semester	Quarter		
A)	CLAREMONT Univ	FINANCE	Yes No <input checked="" type="checkbox"/>	<input type="text"/>	<input type="text"/>	Master	1988
B)	WAYNE ST.	PACKSERV Admin	Yes No <input checked="" type="checkbox"/>	<input type="text"/>	<input type="text"/>	Bachelor	1980
C)	MACOMB College	GEN studies	Yes No <input checked="" type="checkbox"/>	<input type="text"/>	<input type="text"/>	Assoc	1978
D)	Other schools / training completed:	Course Studied	Hours Completed	Certificate Awarded: Yes No <input type="checkbox"/> <input type="checkbox"/>			
	<input type="text"/>	<input type="text"/>	<input type="text"/>				

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)            From <u>1996</u> To <u>PRESENT</u>            Total: Yrs. <u>21</u> Mos. <u>8</u>            Hrs. per week <u>40+</u> Volunteer <input type="checkbox"/></p>	<p>Title  <u>DIRECTOR</u>            Employer's Name and Address  <u>UNIVERSITY OF CA</u>  <u>SAN FRANCISCO, CA</u></p>	<p>Duties Performed</p>
<p>B) Dates (Month, Day, Year)            From <u>1991</u> To <u>1996</u>            Total: Yrs. <u>5</u> Mos. <u></u>            Hrs. per week <u>40+</u> Volunteer <input type="checkbox"/></p>	<p>Title  <u>MANAGER</u>            Employer's Name and Address  <u>STANFORD MED CTR</u>  <u>STANFORD, CA</u></p>	<p>Duties Performed</p>
<p>C) Dates (Month, Day, Year)            From <u>1990</u> To <u>1991</u>            Total: Yrs. <u>1</u> Mos. <u></u>            Hrs. per week <u>40+</u> Volunteer <input type="checkbox"/></p>	<p>Title  <u>EXEC DIRECTOR</u>            Employer's Name and Address  <u>NEUROCARE INC.</u>  <u>CONCORD, CA</u></p>	<p>Duties Performed</p>
<p>D) Dates (Month, Day, Year)            From <u>1988</u> To <u>1990</u>            Total: Yrs. <u>2</u> Mos. <u></u>            Hrs. per week <u>40+</u> Volunteer <input type="checkbox"/></p>	<p>Title  <u>DIRECTOR</u>            Employer's Name and Address  <u>ST. MARY'S HOSP</u>  <u>SAN FRANCISCO, CA</u></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: 7/18/18

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**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA and for  
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  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:

Managed Care Commission

Reappointment - Medicare Subscriber

PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

PRINT EXACT SEAT NAME (if applicable)

1. Name: Jones, Ella  
(Last Name) (First Name) (Middle Name)

2. Address: [Redacted] San Pablo, CA 94806  
(No.) (Street) (Apt.) (City) (State) (Zip Code)

3. Phones: [Redacted] [Redacted]  
(Home No.) (Work No.) (Cell No.)

4. Email Address: jonesellac@yahoo.com

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 ONE YEAR OF COLLEGE

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) MORGAN STATE UNIVERSITY BALTIMORE, MD	BUSINESS ADMINISTRATION	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	15			N/A
B)		Yes No <input type="checkbox"/> <input type="checkbox"/>				
C)		Yes No <input type="checkbox"/> <input type="checkbox"/>				
D) Other schools / training completed: UPSALA COLLEGE	COURSE STUDIED PARALEGAL STUDIES	Hours Completed 175	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)            From <u>          </u> To <u>          </u>  <input type="text" value="05/2013"/> <input type="text" value="05/2017"/>            Total: Yrs. <input type="text"/> Mos. <input type="text"/>            Hrs. per week <input type="text"/> . Volunteer <input type="checkbox"/></p>	<p>Title  <input type="text" value="ADVOCATE/VOLUNTEER"/>            Employer's Name and Address  <input type="text"/></p>	<p>Duties Performed            CEC ADVISORY COUNCIL ON AGING (CACOA) CHAIR OF PLANNING COMMITTEE, OVERSIGHT MONTHLY FISCAL YEAR REPORTS BY CONTRACTORS, SECRETARY TO COUNCIL CONTINUALLY ATTENDS SENIOR ADVOCACY EVENTS.</p>
<p>B) Dates (Month, Day, Year)            From <u>          </u> To <u>          </u>  <input type="text"/> <input type="text"/>            Total: Yrs. <input type="text"/> Mos. <input type="text"/>            Hrs. per week <input type="text"/> . Volunteer <input type="checkbox"/></p>	<p>Title  <input type="text"/>            Employer's Name and Address  <input type="text"/></p>	<p>Duties Performed  <input type="text"/></p>
<p>C) Dates (Month, Day, Year)            From <u>          </u> To <u>          </u>  <input type="text"/> <input type="text"/>            Total: Yrs. <input type="text"/> Mos. <input type="text"/>            Hrs. per week <input type="text"/> . Volunteer <input type="checkbox"/></p>	<p>Title  <input type="text"/>            Employer's Name and Address  <input type="text"/></p>	<p>Duties Performed  <input type="text"/></p>
<p>D) Dates (Month, Day, Year)            From <u>          </u> To <u>          </u>  <input type="text"/> <input type="text"/>            Total: Yrs. <input type="text"/> Mos. <input type="text"/>            Hrs. per week <input type="text"/> . Volunteer <input type="checkbox"/></p>	<p>Title  <input type="text"/>            Employer's Name and Address  <input type="text"/></p>	<p>Duties Performed  <input type="text"/></p>



7. How did you learn about this vacancy?

CCC Homepage  Walk-In  Newspaper Advertisement  District Supervisor  Other INVITATION FROM  
CC + P CEA

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:

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Sign Name: [REDACTED]

Date: August 21, 2018

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  4. First cousin;
  5. Husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepson, and stepdaughter;
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**Contra  
Costa  
County**

**For Office Use Only**  
Date Received:

**For Reviewers Use Only:**  
Accepted Rejected

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651 Pine Street, Rm. 106  
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PLEASE TYPE OR PRINT IN INK  
(Each Position Requires a Separate Application)

BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:

Managed Care Commission

Reappointment - Other Provider

PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

PRINT EXACT SEAT NAME (if applicable)

1. **Name:** Lautenberger (Last Name) Joan (First Name) (Middle Name)

2. **Address:** [Redacted] Lafayette, CA 94549 (No.) (Street) (Apt.) (City) (State) (Zip Code)

3. **Phones:** [Redacted] (Home No.) (Work No.) (Cell No.)

4. **Email Address:** [Redacted]

5. **EDUCATION:** Check appropriate box if you possess one of the following:

High School Diploma  G.E.D. Certificate  California High School Proficiency Certificate

Give Highest Grade or Educational Level Achieved BSN

Names of colleges / universities attended	Course of Study / Major	Degree Awarded Yes No <input type="checkbox"/> <input type="checkbox"/>	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) <u>Cornell U.</u>	<u>Zoology</u>	<input checked="" type="checkbox"/> <input type="checkbox"/>			<u>BA</u>	<u>1953</u>
B) <u>Holy Names U</u>	<u>BSN</u>	<input type="checkbox"/> <input type="checkbox"/>			<u>BSN</u>	<u>1979</u>
C) [Redacted]	[Redacted]	<input type="checkbox"/> <input type="checkbox"/>				
D) Other schools / training completed: <u>Contra Costa Community College</u>	Course Studied <u>RN</u>		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.

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<p>B) Dates (Month, Day, Year)          From <input type="text"/> To <input type="text"/> '80's          Total: Yrs. <input type="text"/> Mos. <input type="text"/>          Hrs. per week <input type="text"/> . Volunteer <input type="checkbox"/></p>	<p>Title          Members, Pres. &amp; other offices          Employer's Name and Address          CNA, Region 9          Napa</p>	<p>Duties Performed</p>
<p>C) Dates (Month, Day, Year)          From <input type="text"/> To <input type="text"/>          1979 1988          Total: Yrs. <input type="text"/> Mos. <input type="text"/>          Hrs. per week <input type="text"/> . Volunteer <input checked="" type="checkbox"/></p>	<p>Title          Volunteer          Employer's Name and Address          CC County          Hospice</p>	<p>Duties Performed</p>
<p>D) Dates (Month, Day, Year)          From <input type="text"/> To <input type="text"/>          1998 1999 Nongoing          Total: Yrs. <input type="text"/> Mos. <input type="text"/>          Hrs. per week <input type="text"/> . Volunteer <input checked="" type="checkbox"/></p>	<p>Title          Pres. &amp; other offices <sup>member</sup>          Employer's Name and Address          League of Women          Voters, Livermore          Lafayette Valley</p>	<p>Duties Performed</p>

7. How did you learn about this vacancy?

CCC Homepage  Walk-In  Newspaper Advertisement  District Supervisor  Other Worked on formation

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

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Sign Name: \_\_\_\_\_



Date: \_\_\_\_\_

7/18/18

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Contra  
Costa  
County

To: Board of Supervisors  
From: INTERNAL OPERATIONS COMMITTEE  
Date: March 19, 2019

Subject: RECOMMENDATION FOR APPOINTMENT TO THE HAZARDOUS MATERIALS COMMISSION

---

**RECOMMENDATION(S):**

APPOINT Peter Dahling to the Business #2 Alternate seat on the Hazardous Materials Commission to complete the unexpired term ending on December 31, 2021.

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

In 2013, IOC reviewed Board Resolution Nos. 2011/497 and 2011/498, which stipulate that applicants for At Large/Non Agency-Specific seats on specified bodies are to be interviewed by a Board Committee. The IOC made a determination that it would delegate the screening and nomination of Hazardous Materials Commission candidates to the Commission, for review by the IOC.

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 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

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Michael Kent (925)  
313-6712

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

inventory program, and analyzing and developing recommendations regarding hazards materials issues with consideration to broad public input, and reporting back to the Board on Board referrals.

The term for Business #2 Alternate seat expired on December 31, 2017 and has been vacant ever since. The bylaws of the Commission provide that Business #2 Alternate seat be nominated by the Industrial Association, screened by the Internal Operation Committee and appointed by the Board of Supervisors. The Industrial Association has nominated Peter Dahling, Senior Manager of Regulatory Affairs at Marathon Oil, for this seat. His letter of support and application are attached. The term for this seat expires on December 31, 2021.

The Internal Operations Committee, with Supervisor Andersen present, reviewed and approved this nomination on March 11, 2019.

ATTACHMENTS

Attachments IACCC Letter of Nomination for HazMat Commission

Candidate Application\_Peter Dahling\_HazMat Comm





THE INDUSTRIAL ASSOCIATION  
OF CONTRA COSTA COUNTY

Mr. Michael Kent  
Hazardous Materials Ombudsman  
Contra Costa Health Services  
597 Center Avenue, Suite 110  
Martinez, CA 94553

Dear Mr. Kent,

The Industrial Association would like to recommend Peter Dahling from Marathon Petroleum for the Alternate seat on the Hazardous Materials Commission.

Please feel free to contact either Peter or me, if you require additional information.

Best regards,

George B. Smith, Board Member  
Industrial Association of Contra Costa County.

56 Sandview Drive \* Bay Point, CA 94565

Tel: 925-324-0538

Email: [IACCC.Bookkeeper@gmail.com](mailto:IACCC.Bookkeeper@gmail.com)

[www.IACCC.org](http://www.IACCC.org)





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:

Hazardous Materials Commission

Business Seat #2

PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

PRINT EXACT SEAT NAME (if applicable)

1. Name: Dahling Peter Wallace  
(Last Name) (First Name) (Middle Name)

2. Address: Martinez, CA 94553  
(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 Graduate School - Masters Degree

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) Williams College	Political Science	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>			B.A.	06/04/1989
B) Duke University - Sanford Institute of Public Policy	Public Policy	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>			M.P.P.	05/08/1994
C) Duke University - Nicholas School of the Environment	Environmental Management	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>			M.E.M.	05/08/1994
D) Other schools / training completed:	Course Studied	Hours Completed	Certificate Awarded: Yes No <input type="checkbox"/> <input type="checkbox"/>			

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<p>A) Dates (Month, Day, Year)</p> <p>From                      To</p> <p>06/12/2017              Current</p> <p>Total: Yrs.              Mos.</p> <p>1                              0</p> <p>Hrs. per week 40 . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p>Senior Manager Regulatory Affairs</p> <p>Employer's Name and Address</p> <p>Andeavor Martinez Refinery 150 Solano Way Martinez, CA 94553</p>	<p>Duties Performed</p> <p>- Manage regulatory advocacy issues related to air quality and dredging for the Andeavor Martinez refinery. - Manage regulatory advocacy issues related to waste management and water quality for the refinery and at the state level as they affect other Andeavor facilities in California.</p>
<p>B) Dates (Month, Day, Year)</p> <p>From                      To</p> <p>03/01/2013              10/29/2015</p> <p>Total: Yrs.              Mos.</p> <p>2                              8</p> <p>Hrs. per week 40 . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p>Advisor/State Govt. Affairs Rep.</p> <p>Employer's Name and Address</p> <p>Chevron 6001 Bollinger Canyon Rd San Ramon, CA 94583</p>	<p>Duties Performed</p> <p>- Special project managing government and public affairs issues for oil and gas development project in Lithuania. - State government affairs representative for Alaska, Arizona, Nevada, Oregon, and Washington.</p>
<p>C) Dates (Month, Day, Year)</p> <p>From                      To</p> <p>04/01/2005              02/28/2013</p> <p>Total: Yrs.              Mos.</p> <p>7                              11</p> <p>Hrs. per week 40 . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p>Senior Policy Analyst/Coordinator</p> <p>Employer's Name and Address</p> <p>Chevron 6001 Bollinger Canyon Rd San Ramon, CA 94583</p>	<p>Duties Performed</p> <p>Analyzed and later managed a team analyzing legislative and regulatory issues related to water quality, endangered species, transportation fuels and climate change. - Developed policy/technical issue papers and position statements - Managed a process to develop company positions</p>
<p>D) Dates (Month, Day, Year)</p> <p>From                      To</p> <p>04/01/2001              03/31/2005</p> <p>Total: Yrs.              Mos.</p> <p>4                              0</p> <p>Hrs. per week 40 . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p>Environmental Mgmt. Consultant</p> <p>Employer's Name and Address</p> <p>Delta Environmental Consultants for Chevron Environmental Mgmt. Co. 5910 Rice Creek Parkway 100 Saint Paul, MN 55126</p>	<p>Duties Performed</p> <p>Special project consulting to Chevron Environmental Management Company (EMC) for information technology and program management to support EMC's environmental cleanup projects for service stations, pipelines, terminals and refineries.</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:

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Sign Name: \_\_\_\_\_

Date: 06/07/18

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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



**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA and for  
Special Districts, Agencies and Authorities Governed by the Board Adopted Resolution  
no. 2011/55 on 2/08/2011 as follows:**

IN THE MATTER OF ADOPTING A POLICY MAKING FAMILY MEMBERS OF THE BOARD OF SUPERVISORS INELIGIBLE FOR APPOINTMENT TO BOARDS, COMMITTEES OR COMMISSIONS FOR WHICH THE BOARD OF SUPERVISORS IS THE APPOINTING AUTHORITY

WHEREAS the Board of Supervisors wishes to avoid the reality or appearance of improper influence or favoritism;  
NOW, THEREFORE, BE IT RESOLVED THAT the following policy is hereby adopted:

- I. SCOPE: This policy applies to appointments to any seats on boards, committees or commissions for which the Contra Costa County Board of Supervisors is the appointing authority.
- II. POLICY: A person will not be eligible for appointment if he/she is related to a Board of Supervisors' Member in any of the following relationships:
1. Mother, father, son, and daughter;
  2. Brother, sister, grandmother, grandfather, grandson, and granddaughter;
  3. Great-grandfather, great-grandmother, aunt, uncle, nephew, niece, great-grandson, and great-granddaughter;
  4. First cousin;
  5. Husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepson, and stepdaughter;
  6. Sister-in-law (brother's spouse or spouse's sister), brother-in-law (sister's spouse or spouse's brother), spouse's grandmother, spouse's grandfather, spouse's granddaughter, and spouse's grandson;
  7. Registered domestic partner, pursuant to California Family Code section 297.
  8. The relatives, as defined in 5 and 6 above, for a registered domestic partner.
  9. Any person with whom a Board Member shares a financial interest as defined in the Political Reform Act (Gov't Code §87103, Financial Interest), such as a business partner or business associate.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: March 19, 2019

Subject: APPOINT Kim McCarl to Private/Non-Profit Sector Seat No. 2 of the Economic Opportunity Council

---

**RECOMMENDATION(S):**

APPOINT Kimberly McCarl to the Private/Non-Profit Sector 2 seat on the Economic Opportunity Council, with term end date of June 30, 2019, as recommended by the Employment and Human Services Director.

**FISCAL IMPACT:**

There is no fiscal impact.

**BACKGROUND:**

The Department requests to appoint Kim McCarl to the vacant Private/Non-Profit Sector 2 seat on the Economic Opportunity Council (EOC) for the remainder of the current term, which ends June 30, 2019. The seat was vacated on July 24, 2018 (agenda item C.32) upon the resignation of Marjorie Hanson. The EOC approved McCarl's appointment at its meeting on February 21, 2019. McCarl lives in Concord, California 94519.

**CONSEQUENCE OF NEGATIVE ACTION:**

If not approved, the Economic Opportunity Council's ability to conduct routine business will be impaired.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: CSB (925)  
681-6308

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

By: , Deputy

cc:

ATTACHMENTS

McCarl  
application

## Application Form

### Profile

#### Which Boards would you like to apply for?

Economic Opportunity Council: Submitted

Private/Non Profit

Seat Name (if applicable)

#### Describe why you are interested in serving on this advisory board/commission (please limit your response to one paragraph).

Early in my career, I worked at a non-profit that received CDBG funds to support out programs. I saw firsthand the positive impacts this funding can have. I would love to be involved with setting the strategy for how this program realized the best impacts in the community where I now live.

#### This application is used for all boards and commissions

Kimberly

First Name

McCarl

Middle Initial

Last Name

kim.mccarl@johnmuirhealth.com

Email Address

Home Address

Suite or Apt

Concord

City

CA

State

94519

Postal Code

Primary Phone

John Muir Health

Employer

Public Affairs Manager

Job Title

Public Relations

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 or Science

If "Other" was Selected Give Highest Grade or Educational Level Achieved

---

**College/ University A**

Northern Arizona University

Name of College Attended

Public Relations

Course of Study / Major

Units Completed

**Type of Units Completed**

None Selected

**Degree Awarded?**

Yes  No

Bachelor of Science

Degree Type

1993

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)

\_\_\_\_\_  
9/18 - Present

Dates (Month, Day, Year) From - To

\_\_\_\_\_  
40

Hours per Week Worked?

**Volunteer Work?**

---

Yes  No

**Public Affairs Manager**

Position Title

**Employer's Name and Address**

---

1400 Treat Blvd. Walnut Creek, CA 94597

**Duties Performed**

---

Plan and manage public affairs programs to maintain and improve the reputation of John Muir Health in the community and with various external constituencies.

---

**2nd**

6/15-11/17

Dates (Month, Day, Year) From - To

40

Hours per Week Worked?

**Volunteer Work?**

---

Yes  No

**Communications Manager**

Position Title

**Employer's Name and Address**

---

AC Transit 1600 Franklin St Oakland, CA

**Duties Performed**

---

Planned and managed all communications efforts with 180,000 daily transit riders.

---

**3rd**

11/12-9/18

Dates (Month, Day, Year) From - To

40

Hours per Week Worked?

**Volunteer Work?**

---

Yes  No

**Managing Director**

Position Title

## Employer's Name and Address

---

Key Message Public Relations, LLC 1802 Brevard Rd Asheville, NC

## Duties Performed

---

Managed public and media relations strategy and implementation for clients in the development, travel and tourism, and economic development sectors.

[McCarl\\_Resume.docx](#)

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: David O. Livingston, Sheriff-Coroner  
Date: March 19, 2019

Subject: Appropriation Adjustment - Discovery Bay Automated License Plate Readers

---

**RECOMMENDATION(S):**

APPROVE Appropriations and Revenue Adjustment No. 5058 authorizing new revenue in the Sheriff's Office (0255) in the amount of \$331,000 from the P-6 Centralized Administrative Base (CAB) for the purchase and installation of ALPR (Automated License Plate Reader) cameras in the Discovery Bay area.

**FISCAL IMPACT:**

\$331,000; P-6 CAB funds (262900). Zero Net County Cost.

**BACKGROUND:**

The Discovery Bay P-6 Citizen Advisory Committee voted unanimously to request funds be allocated for installation and maintenance of fixed ALPR cameras in the greater Discovery Bay area as a crime prevention and investigative tool.

The ALPR camera capabilities are not only for the detection of stolen vehicles but also as an investigative tool for persons and property crimes, missing persons, runaways and other crimes or circumstances where vehicles are used by suspects or persons of interest. The area of Discovery Bay has been the backdrop for a few very serious crimes recently involving vehicles

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Liz Arbuckle  
925-335-1529

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

By: , Deputy

cc: Liz Arbuckle, Heike Anderson, Paul Reyes

BACKGROUND: (CONT'D)

and the belief was had there been ALPR cameras in place their use may have resulted in swifter arrests or identifying of suspects. In addition, the relative isolation of Discovery Bay coupled with it being along a major road from the I-5 corridor to east Contra Costa County, the Discovery Bay P-6 Citizen Advisory Committee thought ALPR to be an appropriate tool for identifying suspect vehicles coming and going in their town. With its location along Hwy 4 and other country roads, criminals can easily escape from Discovery Bay in a matter of minutes after committing their crimes.

The hope is that fixed ALPR cameras placed in strategic locations would provide virtually 100% coverage of the entrances and egresses of the Discovery Bay area and would prove to be an invaluable tool for law enforcement.

Vigilant Solutions ALPR camera systems provide both the preventative and investigative value needed in the Alamo area. The cameras are the same type as utilized in the vehicular mobile application already employed in the Sheriff's Patrol environment.

CONSEQUENCE OF NEGATIVE ACTION:

ALPR cameras will not be purchased and there will be no additional measures in place to deter and solve crime.

ATTACHMENTS

TC24/27 5058

CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT

T/C 27

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:

BOARD OF SUPERVISORS

COUNTY ADMINISTRATOR

ACCOUNT CODING		BUDGET UNIT: Sheriff's Office (0255)			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
2505	4948	MISCELLANEOUS EQUIPMENT			190,000 00
2505	2479	OTHER SPECIAL DPMTAL EXP			93,000 00
2505	2284	REQUESTED MAINTENANCE			48,000 00
TOTALS			0	00	331,000 00

AUDITOR-CONTROLLER  
2019 MAR -5 P 2:02

APPROVED

AUDITOR-CONTROLLER:

BY: [Signature] DATE 3/6/19

COUNTY ADMINISTRATOR:

BY: [Signature] DATE 3/14/19

BOARD OF SUPERVISORS:

YES:

NO:

EXPLANATION OF REQUEST

To adjust appropriations for Discovery Bay ALPR purchase and installation.

[Signature]

SIGNATURE

Fiscal Officer

TITLE

3/4/2019

DATE

APPROPRIATION

APOO

5058

ADJ. JOURNAL NO.

BY: \_\_\_\_\_ DATE \_\_\_\_\_



# 37082

CONTRA COSTA COUNTY  
ESTIMATED REVENUE ADJUSTMENT  
T/C 24

AUDITOR-CONTROLLER

2019 MAR -5 P 2:02

ACCOUNT CODING		BUDGET UNIT: Sheriff's Office (0255)			
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE		<DECREASE>
2505	9956	TRANSFERS - GOV/GOV	331,000	00	
TOTALS			331,000	00	0 00

APPROVED

EXPLANATION OF REQUEST

AUDITOR-CONTROLLER:

To adjust appropriations for Discovery Bay ALPR

BY: [Signature] DATE 3/6/19

purchase and installation.

COUNTY ADMINISTRATOR:

BY: [Signature] DATE 3/14/19

BOARD OF SUPERVISORS:

YES:

NO:

[Signature]

SIGNATURE TITLE DATE

Fiscal Officer

3/4/2019

REVENUE ADJ.  
JOURNAL NO.

RA00 5058

BY: \_\_\_\_\_ DATE \_\_\_\_\_



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Dianne Dinsmore, Human Resources Director  
Date: March 19, 2019

Subject: Add one DA Asst Chief of Inspectors classification, add one DA Office Mgr pos, delete one DA Dir. of Fornsc & Tech Svcs and delete one Clerk-Exp pos

---

**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 22383 to establish the classification of District Attorney Assistant Chief of Inspectors-Exempt (6KD2) (unrepresented) at salary plan and grade B1Y 1001 (\$10,003 - \$12,463) and add one (1) District Attorney Assistant Chief of Inspectors-Exempt (6KD2) positon; add one (1) District Attorney Office Manager (JJHG) (unrepresented) position at salary plan and grade B8X 1396 (\$4,881 - \$6,234); cancel one (1) District Attorney Director of Forensic and Technology Services (6KDC) (unrepresented) position #15883 at salary plan and grade B1X 2238 (\$11,443 - \$14,257), and cancel one (1) Clerk-Experienced Level (JWXB) (represented) position #17498 at salary plan and grade 3RH 0750 (\$3,082 - \$3,824) in the District Attorney's Office.

**FISCAL IMPACT:**

The requested position adjustments will result in a savings of approximately \$42,786 per year.

**BACKGROUND:**

For District Attorney Assistant Chief of Investigative Services:  
The District Attorney

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

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Elizabeth Molera, (925) 957-2205

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

By: , Deputy

cc: Beth Molera, Paul Mulligan

## BACKGROUND: (CONT'D)

recognizes the need for a senior law enforcement manager to assist on many of the office's most sensitive investigations, and to develop a county-wide strategy to address violent crime. The District Attorney suggests expanding the current Director position's duties to address this need. The new duties would include assisting the District Attorney and the office on the management and oversight of investigations into Officer Involved Shootings and deaths involving law enforcement, wiretaps on homicides and other serious felonies, and assistance to the county's FBI Safe Streets Task Force. The duties of the position would include the provision of assistance and the coordination of resources to local law enforcement agencies on "Cold Case" investigations; the management of the county's Sexual Assault Kit Grant and coordination of DNA "Hits"; the management of the three lieutenants within the office, and to fill in for them during their absences; and to act as the Chief of Inspectors during his/her absence. The position would also be responsible for the development, coordination, and implementation of the policies of the District Attorney's Office on recordings captured by local law enforcement's Body and Police Car Cameras, and to act as a liaison for the District Attorney and her office within the community and within law enforcement.

For District Attorney Office Manager:

The District Attorney implemented a new case management system in September 2015, Prosecutor By Karpel (PBK). The system requires a full time District Attorney's Office employee to manage the day to day operation of the system and liaison with DoIT on a continuous basis. Since June 2017, an office manager has performed all duties with regard to PBK, and she was relieved of her routine office manager responsibilities. Other DA's Office employees were temporarily upgraded to cover the office manager duties. Based on the ongoing responsibilities of PBK and the need to have five office managers, the District Attorney's Office requests an additional office manager position.

## CONSEQUENCE OF NEGATIVE ACTION:

Failure to create the new position will result in a void in the ability of the District Attorney's Office to develop a county-wide strategy to address violent crime, particularly homicides and sexual assaults in Contra Costa County. Also, if this action is not approved this would result in the loss of management oversight of several essential functions of the Investigative Unit.

Failure to add a District Attorney Office Manager position will result in either: no one covering the new case management system, where there are daily demands of matters that need to be addressed immediately for cases and documents that need to be filed with the courts, which could cause some cases either not being filed prior to suspect being released from jail or cases being dismissed; or an office not having an Office Manager to deal with the essential functions of that office including work orders, clerical coverage, dealing with law and justice partners, and any other issues that arise. Either of these options is not acceptable and would cause many problems.

## ATTACHMENTS

P300 22383

**POSITION ADJUSTMENT REQUEST**

NO. 22383  
DATE 11/15/2018

Department District Attorney Department No./  
Budget Unit No. 0242 Org No. belw Agency No. 042

Action Requested: Establish/Add one (1) DA Asst Chief of Investigative Services position to Org 2820; Add one DA Office Manager (JJHG) position to Org 2805; delete DA Dir of Forensic & Tech Svcs (6KDC) pos #15883; delete Clerk-Experienced Level (JWXB) pos # 17498 in the District Attorney'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: \$0.00

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost (\$ 42,786) Net County Cost \$0.00  
Total this FY (\$21,393.00) N.C.C. this FY 0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Savings of \$ 42,786 from two deleted positions

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Diana Becton

\_\_\_\_\_  
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Paul Reyes

11/19/2018

\_\_\_\_\_  
Deputy County Administrator

\_\_\_\_\_  
Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 2/1/2019

Establish the classification of District Attorney Assistant Chief of Inspectors-Exempt (6KD2) (unrepresented) and add one (1) District Attorney Assistant Chief of Inspectors-Exempt (6KD2) position, add one District Attorney Office Manager (JJHG) (unrepresented) position, cancel one District Attorney Director of Forensic and Technology Services (6KDC) position #15883, and cancel one Clerk Experienced Level (JWXB) position #17498

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective:  Day following Board Action.

\_\_\_\_\_(Date)

Gladys Scott Reid

2/1/2019

\_\_\_\_\_  
(for) Director of Human Resources

\_\_\_\_\_  
Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

3/14/2019

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 3/14/2019

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: Melinda Cervantes, County Librarian  
Date: March 19, 2019

Subject: Increase hours of three positions and cancel one position in the Library

---

**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 22401 to increase the hours of one (1) Librarian (3AWA) (represented) vacant position # 16681 from 20/40 hours to 40/40 hours at salary plan and grade QXX 1341 (\$4,620-\$5,900); increase the hours of one (1) Library Assistant-Journey Level (3KVB) (represented) vacant position # 6217 from 20/40 hours to 40/40 hours at salary plan and grade QXX 1030 (\$3,395-\$4,336); increase the hours of one (1) Clerk-Experienced Level (JWXB) (represented) vacant position # 11853 from 20/40 hours to 40/40 hours at salary plan and grade 3RH 0750 (\$3,082-\$3,824); and cancel one (1) part-time 20/40 Clerk-Experienced Level (JWXB) (represented) vacant position # 17170 at salary plan and grade 3RH 0750 (\$3,082-\$3,824) in the Library Department.

**FISCAL IMPACT:**

Upon approval, this action will result in an annual cost to the Library Fund of approximately \$52,192. No fiscal impact to the County general fund. These positions are funded in the Library Budget and the increase will be funded by the City of Pinole.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Samuel Treanor at (925)  
608-7702

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

By: , Deputy

cc: Beth Kilian

BACKGROUND:

On December 18, 2018, the Pinole City Council voted to approve funding of Pinole Library facility costs. The Library provides 35 base hours of service when the city pays the facility costs. Approval will allow an increase from 24 to 35 hours each week. These position changes meet library staffing needs to ensure sufficient coverage when the library is open.

Recruitment for the Librarian and Clerk-Experienced Level positions has also been difficult because of the limited 20-hour shifts available. Increasing the hours for these positions, as well as the newly vacated Library Assistant-Journey Level position will make it easier to fill these positions.

CONSEQUENCE OF NEGATIVE ACTION:

If these position changes are not approved, the Pinole Community Library will be unable to ensure sufficient coverage when the library is open. The Library will also not realize a cost savings in benefits costs for its Clerk-Experienced Level position and will be competitively disadvantaged in filling its vacant positions.

ATTACHMENTS

P300 22401\_Increase Lib, Clerk, LA-J and Cancel Clerk.doc



**POSITION ADJUSTMENT REQUEST**

NO. 22401  
DATE 1/2/2019

Department No./  
Budget Unit No. 0621 Org No. 3796 Agency No. 85

Department County Library

Action Requested: Increase one (1) 20/40 Librarian Position number 16681 to 40/40 Librarian. Increase one (1) 20/40 Library Assistant-Journey Level position number 6217 to 40/40 Library Assistant-Journey Level. Increase one (1) 20/40 Clerk-Experienced Level position number 11853 to 40/40 Clerk-Experienced Level. Cancel one (1) 20/40 Clerk-Experienced Level position number 17170.

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 \$52,192.00 Net County Cost \$0.00  
Total this FY \$17,397.00 N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT City of Pinole/Library Fund

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Melinda S. Cervantes

\_\_\_\_\_  
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

BR for JE

1/1/2019

\_\_\_\_\_  
Deputy County Administrator

\_\_\_\_\_  
Date

**HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS**

DATE 1/24/2019

Increase the hours of one (1) Librarian (3AWA position # 16681 from 20/40 hours to 40/40 hours; increase the hours of one (1) Library Assistant-Journey Level (3KVB) position # 6217 from 20/40 hours to 40/40; increase the hours of one (1) Clerk-Experienced Level (JWXB) position # 11853 from 20/40 hours to 40/40 hours; and cancel one (1) part-time 20/40 Clerk-Experienced Level (JWXB) vacant position # 17170 in the Library 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

1/24/2019

\_\_\_\_\_  
(for) Director of Human Resources

\_\_\_\_\_  
Date

**COUNTY ADMINISTRATOR RECOMMENDATION:**

DATE

3/11/2019

- Approve Recommendation of Director of Human Resources
- Disapprove Recommendation of Director of Human Resources
- Other: \_\_\_\_\_

/s/ Julie DiMaggio Enea

\_\_\_\_\_  
(for) County Administrator

**BOARD OF SUPERVISORS ACTION:**

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

Adjustment is APPROVED  DISAPPROVED

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 1/2/19

No. xxxxxx

1. Project Positions Requested:
  
2. Explain Specific Duties of Position(s)
  
3. Name / Purpose of Project and Funding Source (do not use acronyms i.e. SB40 Project or SDSS Funds)
  
4. Duration of the Project: Start Date \_\_\_\_\_ End Date \_\_\_\_\_  
Is funding for a specified period of time (i.e. 2 years) or on a year-to-year basis? Please explain.
  
5. Project Annual Cost
  - a. Salary & Benefits Costs: \_\_\_\_\_
  - b. Support Costs: \_\_\_\_\_  
(services, supplies, equipment, etc.)
  - c. Less revenue or expenditure: \_\_\_\_\_
  - d. Net cost to General or other fund: \_\_\_\_\_
  
6. Briefly explain the consequences of not filling the project position(s) in terms of:
  - a. potential future costs
  - b. legal implications
  - c. financial implications
  - d. political implications
  - e. organizational implications
  
7. Briefly describe the alternative approaches to delivering the services which you have considered. Indicate why these alternatives were not chosen.
  
8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted
  
9. How will the project position(s) be filled?
  - a. Competitive examination(s)
  - b. Existing employment list(s) Which one(s)? \_\_\_\_\_
  - c. Direct appointment of:
    1. Merit System employee who will be placed on leave from current job
    2. Non-County employee

Provide a justification if filling position(s) by C1 or C2

USE ADDITIONAL PAPER IF NECESSARY



Contra  
Costa  
County

To: Board of Supervisors  
From: Matt Slattengren  
Date: March 19, 2019

Subject: EBRPD Special Service Agreement - Ground Squirrel Control 2019

---

**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 the County to provide Ground Squirrel Control Services in an amount not to exceed \$9,900, for the period January 1, 2019 through December 31, 2019.

**FISCAL IMPACT:**

Approval of this agreement will reimburse the Agriculture Department in an amount not to exceed \$9,900 for Ground Squirrel services in various East Bay Regional Parks. There is no County match.

**BACKGROUND:**

The Department shall supply products and labor to provide Ground Squirrel control services that have been approved by East Bay Regional Park District's Integrated Pest Management department. Products will be distributed either in bait stations or spread by all-terrain vehicles at East Bay Regional Parks within the jurisdiction and operation of the Department. Ground Squirrel control service will be limited to those locations where Ground Squirrels have been located, identified, and pose a public, economic, environmental or recreational nuisance. Ground Squirrel control services will be performed within normal

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **03/19/2019**  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: March 19, 2019

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

Contact: 608-6600

By: , Deputy

cc:

BACKGROUND: (CONT'D)

business hours. The Department will ensure product is in compliance with all Federal and State laws and regulations. This agreement has a modified, mutual indemnification provision. Services will be provided at District parks and associated land bank areas.

CONSEQUENCE OF NEGATIVE ACTION:

A negative action would cause loss of revenue to the Department and an increase in the number of ground squirrels causing detrimental destruction In East Bay Regional Parks, and eventually into adjacent properties.



Contra  
Costa  
County

To: Board of Supervisors  
From: Melinda Cervantes, County Librarian  
Date: March 19, 2019

Subject: Grant from the California Preservation Program and California State Library Assessment Program

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the County Librarian, or designee, to apply for and accept a Collection Preservation Assessment Project award from the California Preservation Program and California State Library to provide services for the purpose of planning appropriate care of the library local history collection pertaining to history of the county, its cities, and localities.

**FISCAL IMPACT:**

No Library Fund match.

**BACKGROUND:**

The Collection Preservation Assessment Project, if awarded, will provide California Preservation Program expert services to assist with preservation planning (no cash award). The award will allow assessment of the Contra Costa County Library local history collection which consists of 3,050 items pertaining to the history of the county and its cities and localities. The collection is an invaluable and unique research resource. Many of the items are rare and irreplaceable. Although there is controlled access to the material, most of the materials, due to age and fragile condition, need more extensive preservation. The collection consists of two areas, the Vault Collection,

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: W. Beveridge  
925-608-7730

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

which contains items relating to Contra Costa County history, including towns and cities, people, and events, with an emphasis on uniqueness. And the Baldwin Collection, a smaller, secondary collection consisting of Californiana and a limited selection of materials focusing on Northern California. The collection is currently located at the Pleasant Hill Library and consists of books, pamphlets, newspapers, clipping files, maps, photographs and other items. The preservation assessment will include scope and scale of preservation needed as well as recommendations for care of the collection.

CONSEQUENCE OF NEGATIVE ACTION:

If the grant is not accepted then the Library will not have the benefit of the California Preservation Assessment Program experts in preserving a collection of items unique to Contra Costa County.



Contra  
Costa  
County

To: Board of Supervisors  
From: David O. Livingston, Sheriff-Coroner  
Date: March 19, 2019

Subject: California Wildfires Cost Recovery

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2019/72 approving and authorizing the Sheriff-Coroner, or designee, to enter into Memorandum of Agreement (MOA) with the County of Butte for cost recovery associated with the emergency mutual aid and law enforcement mutual aid response to the November 2018 California Wildfires, Federal Emergency Disaster Funds, FEMA-4407-DR.

**FISCAL IMPACT:**

Cost Recovery. (100% Federal)

**BACKGROUND:**

On November 8, 2018, an emergency event consisting of fires in Butte County was declared. On November 12, 2018, a Presidential Declaration of Emergency was issued by President Donald J. Trump. Contra Costa County Office of the Sheriff provided law enforcement mutual aid and other Contra Costa County departments provided support through emergency management mutual aid to the County of Butte. Federal and State funds are now available for reimbursement of actual costs associated with providing mutual aid services. In order for the Office of the Sheriff and other county departments to participate in the cost recovery program, the Federal Emergency Management Agency requires all affected counties to enter into a Memorandum of Agreement with those entities that provided mutual aid during the disaster. Approval of the MOA will enable the Office of the Sheriff and other county departments to participate in the cost recovery program.

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Mary Jane Robb (925)  
335-1557

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

By: , Deputy

cc:





CONSEQUENCE OF NEGATIVE ACTION:

The Office of the Sheriff and other county departments will be unable to apply for reimbursement of costs associated with the mutual aid response.

ATTACHMENTS

Resolution 2019/72

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

Adopted this Resolution on 03/19/2019 by the following vote:

**AYE:**   
**NO:**   
**ABSENT:**   
**ABSTAIN:**   
**RECUSE:**



**Resolution No. 2019/72**

In The Matter Of: Entering into a Memorandum of Understanding (MOA) with the County of Butte for cost recovery associated with the emergency management mutual aid and law enforcement mutual aid response to the November 2018 California Wildfires, Federal Emergency Disaster Funds, FEMA-4407-DR.

Whereas, the County of Contra Costa will be seeking cost recovery with the County of Butte associated with the emergency management mutual aid and law enforcement mutual aid response due to the November 2018 California Wildfires.

Now, Therefore, Be It Resolved that the Board of Supervisors: Authorizes the Sheriff-Coroner, Undersheriff or the Sheriff's Chief of Management Services, to request for and on behalf of the County of Contra Costa, a public entity established under the laws of the State of California, any action necessary for the purpose of obtaining cost recovery associated with the emergency mutual aid response to the November 2018 California Wildfires, Federal Emergency Disaster Funds, FEMA-4407-DR

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

**ATTESTED: March 19, 2019**

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

**Contact: Mary Jane Robb (925) 335-1557**

By: , Deputy

**cc:**



Contra  
Costa  
County

To: Board of Supervisors  
From: David O. Livingston, Sheriff-Coroner  
Date: March 19, 2019

Subject: Peace Officer Standards and Training Innovative Grant Program

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2019/71 approving and authorizing the Sheriff-Coroner or designee, to apply for and accept the Commission on Peace Officer Standards and Training (POST) Innovative Grant Program (IGP) in an initial amount of \$200,000 for training purposes for the period of April 1, 2019 through the end of available funding.

**FISCAL IMPACT:**

Initial Revenue of up to \$200,000, 100% State funds. No County match.

**BACKGROUND:**

The Commission on Peace Officer Standards and Training Innovative Grant Program (IGP) is a new training reimbursement grant dedicated to law enforcement agencies. The grant provides agencies up to \$200,000.00 to design, certify, and present training courses with the intent to lower the number of officer-involved shootings. The authorized training course chosen for this grant program is Use of Force and De-Escalation.

**CONSEQUENCE OF NEGATIVE ACTION:**

The Office of the Sheriff will be unable to apply for and accept the grant from the Commission on Peace Officer Standards and Training.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Mary Jane Robb, (925)  
335-1557

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

By: , Deputy

cc:

ATTACHMENTS

Resolution

2019/71

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

Adopted this Resolution on 03/19/2019 by the following vote:

**AYE:**   
**NO:**   
**ABSENT:**   
**ABSTAIN:**   
**RECUSE:**



**Resolution No. 2019/71**

IN THE MATTER OF: Applying for and Accepting the Commission on Peace Officer Standards and Training (POST) Innovative Grant Program (IGP).

WHEREAS, the County of Contra Costa is seeking funds available through the Commission on Peace Officer Standards and Training;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisor's: Authorizes the Sheriff-Coroner, Undersheriff or the Sheriff's Chief of Management Services, to execute for and on behalf of the County of Contra Costa, a public entity established under the laws of the State of California, any action necessary for the purpose of obtaining financial assistance provided by the Commission on Peace Officer Standards and Training.

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

**ATTESTED: March 19, 2019**

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

**Contact: Mary Jane Robb, (925) 335-1557**

By: , Deputy

**cc:**



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: March 19, 2019

Subject: Contract #77-066-1 with Anthony Lopresti, O.D. (dba MDI Wellness Center)

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #77-066-1 with Anthony Lopresti, D.O. (dba MDI Wellness Center), a sole proprietor, in an amount not to exceed \$325,000, to provide primary care physician services to Contra Costa Health Plan (CCHP) members for the period from April 1, 2019 through March 31, 2021.

**FISCAL IMPACT:**

This contract is funded 100% by CCHP Enterprise Fund II. (No rate increase)

**BACKGROUND:**

In March 2017, the County Administrator approved and the Purchasing Services Manager executed Contract #77-066 with Anthony Lopresti, O.D.(dba MDI Wellness Center), to provide primary care physician services to CCHP members for the period from April 1, 2017 through March 31, 2019.

Approval of Contract #77-066-1 will allow Contractor to continue providing primary care physician services for CCHP members through March 31, 2021.

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APPROVE
  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR
  RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **03/19/2019**  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: March 19, 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: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: March 19, 2019

Subject: APPROVE a purchase order with Air Products Group

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Public Works Director, a purchase order with Air Products Group in an amount not to exceed \$400,000 for heating, ventilation and air conditioning filtration components for the period of March 1, 2019 through February 28, 2022, Countywide.

**FISCAL IMPACT:**

This cost is to be funded through Public Works building maintenance budget. (100% General Fund)

**BACKGROUND:**

Facilities Services maintains all County buildings. Heating, ventilation and air conditioning filtration is part of this maintenance. Each building maintained by Facilities uses several types and sizes of air filters, each designed for specific purposes (e.g., pollen removal, bio hazard, prevention, etc.). Solicitation of air filtration components was completed on Bidsync #1901-316. This request is for a three-year purchase order.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this purchase order is not approved, then purchasing through Air Products Group for heating, ventilation and air conditioning filtration will discontinue.

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

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Ted Lavelle  
925-313-7077

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

By: , Deputy

cc:



Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: March 19, 2019

Subject: APPROVE a contract with Arrowhead Towing, Inc.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Arrowhead Towing, Inc. in an amount not to exceed \$180,000 for vehicle towing services for the period February 1, 2019 through January 31, 2022, Countywide.

**FISCAL IMPACT:**

This cost is to be funded through Fleet Services maintenance budget. (100% Fleet Internal Service Funds)

**BACKGROUND:**

Public Works Fleet Services maintains all County vehicles. As such, vehicle towing is an important part in getting damaged or broken units from one point to another. As bid in house through Materials Management, Arrowhead Towing, Inc. is one of three vendors awarded this commodity. Fleet Services is requesting this contract be approved for a period covering the next three years.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, vehicle towing services will be discontinued.

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

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Ted Lavelle  
925-313-7077

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

By: , Deputy

cc:



Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: March 19, 2019

Subject: APPROVE a contract with Freeman’s Tow Service, Inc.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Freeman’s Tow Service, Inc. in an amount not to exceed \$180,000 for vehicle towing services for the period February 1, 2019 through January 31, 2022, Countywide.

**FISCAL IMPACT:**

This cost is to be funded through Fleet Services maintenance budget. (100% Fleet Internal Service Fund)

**BACKGROUND:**

Public Works Fleet Services maintains all County vehicles. As such, vehicle towing is an important part in getting damaged or broken units from one point to another. As bid in house through Materials Management, Freeman’s Tow Service, Inc. is one of three vendors awarded this commodity. Fleet is requesting this contract be approved for a period covering the next three years.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, vehicle towing services will be discontinued.

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

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Ted Lavelle  
925-313-7077

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

By: , Deputy

cc:



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: March 19, 2019

Subject: Contract #27-579-6 with Bay Area Therapeutic Radiology & Oncology Associates Medical Group, Inc. (dba BATROA)

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #27-579-6 with Bay Area Therapeutic Radiology & Oncology Associates Medical Group, Inc. (dba BATROA), a corporation, in an amount not to exceed \$500,000, including deleting the County Standard Indemnification clause, to provide radiology and oncology services for Contra Costa Health Plan (CCHP) members, for the period from April 1, 2019 through March 31, 2021.

**FISCAL IMPACT:**

This contract is funded 100% by CCHP Enterprise Fund II. (Rate increase)

**BACKGROUND:**

On April 18, 2017, the Board of Supervisors approved Contract #27-579-5 with Bay Area Therapeutic Radiology & Oncology Associates Medical Group, Inc. to provide radiation and oncology services to CCHP members for the period from April 1, 2017 through March 31, 2019.

Approval of Contract #27-579-6 will allow Contractor to continue providing radiology and oncology services to CCHP members through March 31, 2021, including deleting the County General Conditions Paragraph 18 (Indemnification).

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

Action of Board On: **03/19/2019**  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: March 19, 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: March 19, 2019

Subject: Clarification of Board Item C.44 with The Leland Stanford Junior University

---

**RECOMMENDATION(S):**

APPROVE clarification of Board action on April 24, 2018 (C.44) which authorized the Health Services Director to execute Participation Agreement #26-796-1 with The Leland Stanford Junior University, an education institution, to correct the payment limit from an amount not to exceed \$10,000, to reflect the intent of the parties in which the payment limit should reflect an amount not to exceed \$20,000.

**FISCAL IMPACT:**

This contract is funded 100% Hospital Enterprise Fund I.

**BACKGROUND:**

On April 24, 2018 the Board of Supervisors approved Contract #26-796-1 with The Leland Stanford Junior University to allow County to participate in a collaborative to improve perinatal health care in California for the period March 1, 2018 through February 28, 2021. The contract was negotiated in the amount of \$20,000; however, staff inadvertently stated \$10,000 in the Board Order.

The purpose of this Board Order is to correct the payment limit to reflect the intent of the parties in which the payment limit should be \$20,000 instead of \$10,000.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: JASPREET BENEPAI,  
925-370-5101

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 correction is not approved, County will not be able to pay the membership fee and take advantage of statewide data systems improving the accuracy of perinatal health care at Contra Costa Regional Medical Center.



Contra  
Costa  
County

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: March 19, 2019

Subject: Urban Tilth Contract and Park Fee Allocation

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute a contract in the amount of \$246,000 with Urban Tilth, a 501(c)(3) nonprofit corporation, to complete the Design Phase and begin Phase I Construction at the North Richmond Urban Farm for the period January 1, 2019 through December 31, 2019.

**FISCAL IMPACT:**

No Impact to the County's General Fund. Funds are from the Park Dedication/Park Impact Trust Fund.

**BACKGROUND:**

**Urban Tilth's Urban Farm Project**

The North Richmond Farm is a 3.1-acre Agricultural Park and Riparian Restoration Learning Center providing rich outdoor experiences for children, youth and adults. The Farm will offer "You Pick It" learning gardens, a community kitchen, a cooperative youth-run cafe, a simple outdoor amphitheater, multipurpose gathering space, garden and creek classrooms, and a working farm providing fresh produce and eggs. The North Richmond Farm will also provide an outdoor hub to provide education, training, employment, locally produced food, and daily, hands-on, beneficial outdoor experience in a neighborhood that offers few opportunities for engagement with safe green spaces.

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

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Kristine Solseng (925)  
674-7809

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

By: , Deputy

cc:



BACKGROUND: (CONT'D)

Contra Costa County has been a fiscal supporter to the North Richmond Farm since 2013 and championed by Supervisor Gioia after his visit to Zenger Farm, an urban farm partnership with the City of Portland. The County has provided \$256,307 of Park Dedication fees towards site acquisition and \$457,000 of Park Impact/Park Dedication fees towards project development. In addition, \$623,187 of the County’s Measure WW funds have been allocated to the North Richmond Farm for utility installation.

**Proposed Contract**

The contract amount is for \$246,000, which includes \$46,000 from a previous contract with Urban Tilth plus an additional \$200,000 in Park Dedication and Park Impact Fees. The contract will help fund the final design phase and Phase I Construction of the North Richmond Farm. Phase I Construction will include the construction of all production areas of the North Richmond Farm. The Park Fees will be used for the following tasks: (i) additional geotechnical and site surveys, (ii) architect and engineering design, (iii) project management/coordination, (iv) removal of diseased and non-native trees, (v) construction of farm buildings, greenhouses, hoop houses, washing pack area, and other approved improvements as needed, and (vi) additional permitting fees.

The table below shows the estimated use of these funds:

Task 1: Environmental and Site Analysis/Studies	\$ 30,000
Task 2: Architect and Engineering Design	\$ 44,880
Task 3: Project Management/Coordination	\$ 31,120
Task 4: Tree Removal	\$ 5,000
Task 5: Construction of Approved Improvements	\$ 100,000
Task 6: Permitting	\$ 35,000
<b>Total</b>	<b>\$ 246,000</b>

**Project Timeline**

The project is anticipated to be completed by the end of 2021.

**California Environmental Quality Act (CEQA)**

A Mitigated Negative Declaration was adopted as part of the land use entitlements on November 13, 2018.

**Park Fund Background**

The County imposes fees on residential development to fund park and recreational facilities under both the County's Park Dedication Ordinance and the County's Park Impact Fee Ordinance. Funds from these fees are deposited into accounts associated with the census tract where the residential development occurs to ensure the funds are directed to park and recreational facilities which serve the residents of the development. The following table outlines the North Richmond Dedication and Park Impact fee accounts that will be used for the project. Use of the park fees identified are reasonably related to the development of the North Richmond Urban Farm park, consistent with Government Code section 66001(a)(3). There is a reasonable relationship between the increase in housing units and the need for additional park improvements, consistent with Government Code section 66001(a)(4).

<b>Account</b>	<b>Amount</b>
PI1336502	\$ 135,790.64
421335602	\$ 110,209.36
<b>Total</b>	<b>\$ 246,000.00</b>

**Applicable General Plan Goals and Policies**

The proposed project implements the following General Plan Park and Recreation Facilities Goals:

- To develop a sufficient amount of conveniently located, properly designed park and recreational facilities to serve the needs to all residents. (9-36)
- To promote active and passive recreational enjoyment of the County's physical amenities for the continued health, safety and welfare of the citizens of the County. (9-38)
- To achieve a level of park facilities of four acres per 1,000 population (9-39)

The proposed project implements the following General Plan Park and Recreation Facilities Policies:

- A well-balanced distribution of local parks, based on character and density present and planned residential development and future recreational needs, shall be preserved. (9-41)
- Park design shall be appropriate to the recreational needs and access capabilities of all residents in each locality. (9-42)

The proposed project also implements section 3-194 of the Land User Element which outlines policies "to promote and support the development of urban agricultural in North Richmond including an Urban Agricultural Demonstration/Educational Garden. The Urban Tilth North Richmond Garden provides a demonstration and educational urban farm in North Richmond.

**Park Capital Improvement Plan Consistency**

The proposed project supports the development of a Park in the North Richmond Community, identified in the Capital Improvement Program.

CONSEQUENCE OF NEGATIVE ACTION:

Not approving the additional tasks will negatively impact the ability of Urban Tilth to proceed with the proposed Farm project and will jeopardize the security of their site.

CHILDREN'S IMPACT STATEMENT:

The proposed project will support the following community outcomes established in the Children's Report Card: 1) Children and youth are healthy and preparing for a productive adulthood; 2) Families are safe, stable and nurturing; 3) Communities are safe and provide a high quality of life for children and families.



Contra  
Costa  
County

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: March 19, 2019

Subject: Issuance of Request for Proposals, Family Caregiver Support Program Services

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to issue Request for Proposals (RFP) #1167 for Family Caregiver Support Program Services in an amount not to exceed \$550,000 for the period July 1, 2019 through June 30, 2020.

**FISCAL IMPACT:**

Issue Request for Proposals in an amount not to exceed \$550,000. Contract will be entirely federally funded.

**BACKGROUND:**

The Family Caregiver Support Program (FCSP) provides supportive services to family caregivers or grandparents (or older individuals who are relative caregivers). The support services include: 1) information to caregivers, potential caregivers, and those who may assist caregivers about available services; 2) assistance to caregivers in gaining access to the services; 3) individual counseling, organization or support groups, and caregiver training to assist the caregivers in the areas of health, nutrition, and financial literacy, and decision making and problem solving related to caregiver roles; 4) respite care to enable caregivers to be temporarily relieved from their caregiving responsibilities; and, 5) supplemental services, on a limited basis, to complement the care provided by caregivers.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Elaine Burres  
608-4960

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Without issuance of the Request for Proposals, open bid process, Employment and Human Services, Area Agency on Aging would be out of compliance with Older American Act funding requirements.



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: March 19, 2019

Subject: Purchase Order with GE Medical Systems, Ultrasound & Primary Care Diagnostics, LLC

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order with GE Medical Systems, Ultrasound & Primary Diagnostics, LLC, in the amount not to exceed \$164,094 for the purchase of the LOGIQ E10 Ultrasound system to replace a unit that is at “end of life” at Contra Costa Regional Medical Center (CCRMC).

**FISCAL IMPACT:**

100% funded by the Hospital Enterprise Fund I.

**BACKGROUND:**

This new ultrasound unit/system will replace an existing unit that the manufacturer has indicated/deemed “End of Life”. As equipment ages and technology advances, many parts and components contained in older systems are no longer available or difficult to obtain timely. Ultrasound services are an important part of the overall Diagnostic Imaging Services. The purchase of this new LOGIQ E 10 system will put CCRMC into a higher level platform for ultrasound exams/procedures.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this purchase order is not approved, the Diagnostic Imaging Unit at CCRMC would be unable to provide optimum services for its patients and would have to contend with frequent breakdowns and waits for repairs and parts.

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APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Japreet 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: March 19, 2019

Subject: Amendment #74-554-2 with NAMI Contra Costa

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #74-554-2 with NAMI Contra Costa, a non-profit corporation, effective March 1, 2019, to amend Contract #74-554-1, to increase the payment limit by \$63,000, from \$600,000 to a new payment limit of \$663,000 with no change in the original term of July 1, 2018 through June 30, 2019, and no change in the six-month automatic extension amount of \$300,000 through December 31, 2019.

**FISCAL IMPACT:**

This Contract is funded 100% by Mental Health Services Act (MHSA).

**BACKGROUND:**

On September 11, 2018, the Board of Supervisors approved Novation Contract #74-554-1 with NAMI Contra Costa for the period from July 1, 2018 through June 30, 2019, which included a six-month automatic extension through December 31, 2019 for the provision of support to the

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

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Matthew White, M.D.,  
925-957-5201

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

By: , Deputy

cc: L Walker, M Wilhelm

BACKGROUND: (CONT'D)

County's Family Volunteer Network Program.

Approval of Contract Amendment Agreement #74-554-2 will allow contractor to provide additional support services for families, significant others, and loved ones of consumers experience mental health issues, through June 30, 2019.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, families will not receive the support they need from this vendor to support loves ones with mental illness.





Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: March 19, 2019

Subject: Amendment to Purchase Order with Avella of Deer Valley, Inc.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Health Services Department, to execute an amendment to purchase order #F02871 with Avella of Deer Valley Inc., to increase the payment limit by \$1,500,000.00 for a new payment limit of \$3,500,000.00 for the compounding of Chemotherapy regimens for the Contra Costa Regional Medical Center (CCRMC) and to extend the term through May 31, 2019.

**FISCAL IMPACT:**

100% funding is included in the Hospital Enterprise Fund I budget.

**BACKGROUND:**

Avella of Deer Valley, Inc. is the only Compounding Pharmacy that can provide CCRMC and Clinic patients with certain compounded medications at this time. Due to State and Federal requirements already in place, the Martinez Infusion Pharmacy is currently under construction to assure compliance with these regulatory requirements. To continue providing services to our cancer patients during this construction work, we need to extend the services provided by Avella of Deer Valley, Inc. until the anticipated construction completion date of May 31, 2019.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Japreet 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 Purchase Order amendment is not approved, we will not be able to take care of our most vulnerable patient population at the Contra Costa Regional Medical Center.



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: March 19, 2019

Subject: Contract #72-124 with Ride Roundtrip, Inc.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute Contract #72-124 with Ride Roundtrip, Inc., in an amount not to exceed \$800,000 for hosted software portal services for transportation coordination, scheduling, and dispatch for Medi-Cal patients, for the period January 1, 2019 through December 31, 2020.

**FISCAL IMPACT:**

100% funded by the State Department of Health Care Services.

**BACKGROUND:**

The Health Services Department's Public Health Division provides social service case management to Medi-Cal patients who are identified as high utilizers, and who need additional services in order to improve their health outcomes. Transportation is one of the biggest needs for these Medi-Cal patients.

Under Contract #72-124, the Contractor will provide the electronic services to schedule and provide transportation to patients including interfacing with the County's Electronic Health Record System. This contract includes the County's obligation to defend the vendor from losses arising out of County's negligence or willful misconduct in performing services under the agreement.

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APPROVE
  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR
  RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Dan Peddycord,  
925-313-6712

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: March 19, 2019

Subject: Amendment #24-681-84(17) with United Family Care, LLC (dba Family Courtyard)

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #24-681-84(17) with United Family Care, LLC (dba Family Courtyard), a limited liability company, effective March 1, 2019, to amend Contract #24-681-84(16), to decrease the payment limit by \$116,224, from \$467,456 to a new payment limit of \$351,232, with no change in the original term of December 1, 2018 through November 30, 2019.

**FISCAL IMPACT:**

This amendment is funded 100% by Mental Health Realignment funds. (No rate increase)

**BACKGROUND:**

This Contract meets the social needs of the County's population in that it provides augmentation of room and board, and twenty-four hour emergency residential care and supervision to eligible mentally disordered clients, who are specifically referred by the Mental Health Program Staff and who are served by County Mental Health Services.

On October 23, 2018, the Board of Supervisors approved Contract

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

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Matthew White, M.D.,  
925-957-5201

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

By: , Deputy

BACKGROUND: (CONT'D)

#24-681-84(16) with United Family Care, LLC (dba Family Courtyard), to provide augmented board and care services for County-referred mentally disordered clients, for the period December 1, 2018 through November 30, 2019.

Approval of Contract Amendment Agreement #24-681-84(17) will allow the Contractor to provide augmented board and care services to a reduced number of clients through November 30, 2019.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved clients will not be placed and services will not be provided by this Contractor.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: March 19, 2019

Subject: Amendment #22-137-54 with Meals on Wheels and Senior Outreach Services

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #22-137-54 with Meals on Wheels and Senior Outreach Services, a non-profit corporation, effective March 15, 2019, to amend Contract #22-137-52 to increase the payment limit by \$28,277, from \$464,962 to a new payment limit of \$493,239, with no change in the original term of July 1, 2018 through June 30, 2019, and to increase the automatic extension amount by \$7,070 from \$116,240 to \$123,310, with no change in the term of the automatic extension, through September 30, 2019.

**FISCAL IMPACT:**

This amendment is funded by 100% by Title III-C2 of the Older Americans Act of 1965. (Rate increase)

**BACKGROUND:**

On September 11, 2018, the Board of Supervisors approved Contract #22-137-52 (as amended by Contract Amendment Agreement #22-137-53), with Meals on Wheels and Senior Outreach Services to provide home-delivered meals for the Senior Nutrition Program, including modifications to County's standard indemnification clause and General Conditions for the period from July

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APPROVE
  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR
  RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **03/19/2019**  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: March 19, 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)

1, 2018 through June 30, 2019, which included a three-month automatic extension through September 30, 2019.

Approval of Contract Amendment Agreement #22-137-54 will allow the Contractor to provide additional services through June 30, 2019.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, County's homebound senior citizens will not receive Senior Nutrition Program meals, which provide at least one third of their daily nutrition.



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: March 19, 2019

Subject: Amendment to Purchase Order with Central Ad Mixture Pharmacy Services, Inc.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Health Services Director, to execute an amendment to Purchase Order #07197 with Central Ad Mixture Pharmacy Services, Inc., to increase the payment limit by \$150,000 for a new payment limit of \$650,000 for the compounding of total parenteral nutrition and peripheral parenteral nutrition intravenous solutions with no change to the termination date of March 31, 2020.

**FISCAL IMPACT:**

100% funding is included in the Hospital Enterprise Fund I budget.

**BACKGROUND:**

Contra Costa Regional Medical Center (CCRMC) Pharmacy Unit has been using Central Admixture Pharmacy Services, Inc., for intravenous services since May 2005. Total Parenteral Nutrition (TPN) and Peripheral Parenteral Nutrition (PPN), as well as certain intravenous medications are outsourced to Central Ad Mixture Pharmacy Services, Inc.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, the lack of products such as TPN's and PPN's as well as various intravenous solution compounds, needed for treating patients at CCRMC will be unavailable, causing a negative impact in the health of our patients at CCRMC.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Japreet Benepal,  
925-370-5101

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

By: , Deputy

cc: Marcy Wilhelm, Irene Segovia







Contra  
Costa  
County

To: Board of Supervisors  
From: Marc Shorr, Chief Information Officer  
Date: March 19, 2019

Subject: Authorize a Purchase Order with Presidio Networked Solutions Group, LLC.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Chief Information Officer, Department of Information Technology, a purchase order Presidio Networked Solutions Group, LLC, in an amount not to exceed \$107,000 for the acquisition of Cisco Network Appliances and associated technical support; Countywide.

**FISCAL IMPACT:**

The cost of \$107,000 is budgeted under Org #1055 FY 18/19 and recovered through the Department of Information Technology's billing process.

**BACKGROUND:**

The Department of Information Technology is purchasing Cisco equipment and SmartNet Solution support for the maintenance of the County's network . The Cisco Digital Network Architecture (DNA) Center is a network management automation appliance. This management platform is utilized in maintaining wireless network connectivity in facilities, Countywide. The Appliance:

- Helps resolve access problems across wired and wireless networks to get users back online faster
- Facilitates visibility of user attributes, posture, and profile through integration with the Cisco Identity Services Engine

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Joanne Buenger (925)  
313-1202

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

- Allows wireless lifecycle management so that IT staff may design and maintain optimal radio frequency environments
- Offers an intuitive user experience to eliminate complexity, improve IT productivity, and minimize staffing requirements
- Delivers physical or virtual appliance deployment for flexibility without sacrificing functionality

In accordance with Administrative Bulletin No. 611.0, Departments are required to obtain Board approval contracts exceeding \$100,000. The County Administrator's Office has reviewed this request and recommends approval.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to maintain the County's wireless network may result in reduced capacity, system failure, and interrupted business and emergency operations.



Contra  
Costa  
County

To: Board of Supervisors  
From: Marc Shorr, Chief Information Officer  
Date: March 19, 2019

Subject: Microsoft Volume Licensing Enterprise Enrollment Renewal

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Department of Information Technology, a purchase order with Insight for a Microsoft volume licensing enterprise enrollment renewal, in an amount not to exceed \$1,840,705 for the period May 1, 2019 through April 30, 2022.

**FISCAL IMPACT:**

\$1,840,704.48 (100% User Fees); the whole cost is billed in three annual installments, and charged out to user departments on a per license basis.

**BACKGROUND:**

The Department of Information Technology initiates, on behalf of various County Departments, the purchase and renewal of the Microsoft Enterprise desktop licensing agreement. Each participating department is charged for its percentage of the licenses and fees, as applicable.

In accordance with Administrative Bulletin No 611.0, County Departments are required to obtain Board approval for single item purchases over \$100,000. The County Administrator's Office has reviewed this request and recommends approval.

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APPROVE
  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR
  RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Marc Shorr (925)  
608-4071

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Renewal of enrollment is required by the Microsoft to continue use and remain compliant with the licensing agreement.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: March 19, 2019

Subject: Contract with Milliman, Inc. for Actuarial and Consulting Services

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the County Administrator, or designee, to execute a contract with Milliman, Inc. in an amount not to exceed \$400,000 for actuarial services for the period March 20, 2019 through June 30, 2022, subject to approval as to form by County Counsel.

**FISCAL IMPACT:**

Up to \$400,000. The costs of the contract will be recovered through the Benefits Administration charges assessed to all County Departments.

**BACKGROUND:**

On January 18, 2019, the County Administrator's Office issued a request for proposals from actuarial consultants to advise the County on strategies for managing its other post-employment benefit ("OPEB") liabilities and complying with the requirements of GASB 74, Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans, and GASB 75, Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions, and Government Code Section 7507.

The County received six responses to the issuance and a interview panel composed of the Treasurer-Tax

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Timothy M. Ewell,  
(925)335-1036

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

By: , Deputy

cc: Hon. Russell V. Watts, Treasurer-Tax Collector, Hon. Robert R. Campbell, Auditor-Controller, Lisa Driscoll, County Finance Director, Ann Elliott, Human Resources Manager

BACKGROUND: (CONT'D)

Collector, County Finance Director and Employee Benefits Manager interviewed the top three respondents. Based on those interviews, the panel recommended that Milliman, Inc. be awarded the contract to continue assisting the County with meeting the actuarial and accounting requirements of GASB 74/75, Government Code 7507, and with actuarial advice on developing strategies for the ongoing management of its OPEB liabilities.

The County's OPEB liability issue remains complex and has grown over a period of almost fifty years. The Board of Supervisors has developed a sound strategy to address the obligation and the Board's goals are being achieved. The County Administrator recommends the continued practice of engaging an OPEB consultant to assist with managing the County's OPEB liability and reporting on its status.

CONSEQUENCE OF NEGATIVE ACTION:

The County will not be able to meet its legal responsibilities regarding actuarial reporting of other post employment benefits.

CHILDREN'S IMPACT STATEMENT:

No impact.



Contra  
Costa  
County

To: Board of Supervisors  
From: Marc Shorr, Chief Information Officer  
Date: March 19, 2019

Subject: Computer Associates (CA) Software License and Maintenance Renewal

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Chief Information Officer, (1) a purchase order with CA, Inc., in an amount not to exceed \$398,759.13 and (2) an order form for the renewal of software licenses and maintenance for the County Property Tax, Finance, and Law and Justice Information systems for the period March 31, 2019 through March 30, 2022.

**FISCAL IMPACT:**

\$398,759.13; \$132,919.71 annually for three years. Funded by departmental user fees.

**BACKGROUND:**

The County is party to an agreement with CA, Inc., for the license and support of software used by the County Property Tax, Finance, and Law and Justice Information Systems. Renewal of the licenses and support for the next three years will occur by execution of the order form and issuance of the purchase order to make payment for amounts due under the purchase order.

In accordance with Administrative Bulletin No 611.0, County Departments are required to obtain Board approval for single item purchases over \$100,000. The County Administrator's office has reviewed this request and recommends approval.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Marc Shorr, (925)  
608-4071

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

By: , Deputy

cc:



CONSEQUENCE OF NEGATIVE ACTION:

Without the renewal of these licenses and support, the County will be unable to operate its property tax, finance and law and justice information systems. This will directly impact the County's ability to operate and perform mandated functions.



Contra  
Costa  
County

To: WCCHD Financing Corporation II  
From: David Twa, County Administrator  
Date: March 19, 2019

Subject: WCCHD FINANCING CORPORATION II ADOPTION OF AMENDED ARTICLES OF INCORPORATION AND BYLAWS

---

**RECOMMENDATION(S):**

Acting as the Governing Board of the WCCHD Financing Corporation II, ADOPT Resolution No. 2019/15 approving amended Bylaws and Articles of Incorporation for the WCCHD Financing Corporation II.

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

**West Contra Costa Healthcare District History and Governance**

The West Contra Costa Healthcare District (the “District”) struggled financially for decades, experiencing increasing costs, declining reimbursements, and growing service demand from uninsured and underinsured populations. After emerging from bankruptcy in 2006, the District fell deeper into debt. In 2015, it closed its hospital, Doctors Medical Center, which was a full-service acute care facility with 124 general acute care beds.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Timothy M. Ewell, (925)  
335-1036

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

By: , Deputy

cc: Anna Roth, HSD Director

## BACKGROUND: (CONT'D)

>

On October 20, 2016, the District again filed for bankruptcy under chapter 9 of the Bankruptcy Code. Through the bankruptcy, the District sought the bankruptcy court's approval of a plan that allowed the District to modify its debts and on-going costs, emerge from bankruptcy, and begin the process of repaying creditors. The bankruptcy court approved the District's Plan of Adjustment on January 2, 2018, allowing the District to repay certain creditors over a series of years.

The District was governed by an elected board of directors, pursuant to Health and Safety Code sections 32100 et seq. Effective January 1, 2019, the Board of Supervisors became the appointed Board of Directors for the District. (Agenda Item D.3 on September 11, 2018 agenda.)

## Financing Corporations

The District issued municipal securities over time to facilitate capital improvements to its facilities, specifically the former Doctor's Medical Center. During that period, the WCCHD Financing Corporation and WCCHD Financing Corporation II (collectively the "Financing Corporations") were formed to assist with the issuance of those securities. The Financing Corporations are nonprofit public benefit corporations organized under California Corporations Code section 5100 et seq. Pursuant to these corporations' respective bylaws, the District Board of Directors also serves as the Board of Directors for each corporation.

Since the Board of Supervisors elected to become the District Board of Directors, effective January 1, 2019, the Board, by operation of law, also became the Board of Directors of each corporation at that time.

On December 4, 2018, the Board of Supervisors formally acknowledged that they would become the Board of Directors of WCCHD Financing Corporation and the Board of Directors of WCCHD Financing Corporation II. In accordance with the Board's responsibilities in these new roles, it also directed staff to make necessary filings with state and federal agencies that may require a change in governance as a reportable event on or after January 1, 2019.

Today's action will approve amended Bylaws and Articles of Incorporation of the WCCHD Financing Corporation II to recognize: 1) change in governance of the corporation, 2) establish meeting schedules concurrent with the Board of Supervisors' meeting schedule; 3) appoint officers of the corporation consistent with the officers of the District.

Once the amended Bylaws and Articles of Incorporation are approved, staff will make the requisite filings with the California Secretary of State (i.e. filing of Statement of Information (CA Form SI-100)) to update business addresses, corporate officers, and contact information for service of process. Similarly, the corporation's responsible party and address information will be updated with the California Franchise Tax Board (FTB) and the Internal Revenue Service (IRS).

## CONSEQUENCE OF NEGATIVE ACTION:

The existing Bylaws and Articles of Incorporation will remain in place. These documents will continue to reflect the prior governance and leadership structure of the Corporation, which is no longer in place due to the District now being operated by the Board of Supervisors. Additionally, the regular meeting schedule will not be updated to reflect the District's meeting schedule.

## ATTACHMENTS

Resolution 2019/15

Resolution No. 2019/15 - Exhibit A - Amended Bylaws - WCCHD Financing Corporation II

Resolution No. 2019/15 - Exhibit B - Amended and Restated Articles of Incorporation - WCCHD Financing Corporation II

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

Adopted this Resolution on 03/19/2019 by the following vote:

**AYE:**

**NO:**

**ABSENT:**

**ABSTAIN:**

**RECUSE:**



**Resolution No. 2019/15**

**IN THE MATTER OF: APPROVING AMENDED BYLAWS AND ARTICLES OF INCORPORATION FOR THE  
WCCHD FINANCING CORPORATION II**

**WHEREAS**, the West Contra Costa Healthcare District (the "District") struggled financially for decades, experiencing increasing costs, declining reimbursements, and growing service demand from uninsured and underinsured populations;

**WHEREAS**, the District emerged from bankruptcy in 2006, but soon fell deeper into debt and ultimately closed its hospital, Doctors Medical Center, in 2015;

**WHEREAS**, on October 20, 2016 the District again filed for bankruptcy under chapter 9 of the Bankruptcy Code, which ultimately resulted in the federal bankruptcy court approving the District's Plan of Adjustment on January 2, 2018, allowing the District to repay certain creditors over a series of years;

**WHEREAS**, Senate Bill 522 was introduced by Senator Steve Glazer and proposed the dissolution of the existing elected board of directors of the District, effective January 1, 2019, and required that the Board of Supervisors of the County, at its election, either serve as the District's governing board or appoint a governing board for the District, as specified. Governor Brown signed the bill into law on July 18, 2018;

**WHEREAS**, on September 11, 2018, the Contra Costa County Board of Supervisors voted unanimously to become the Board of Directors of the District; and,

**WHEREAS**, on December 4, 2018, the Board of Supervisors acknowledged that, by operation of law, once the Board became the Governing Board of the West Contra Costa Healthcare District, it would also become the Board of Directors for the WCCHD Financing Corporation and the WCCHD Financing Corporation II.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the WCCHD Financing Corporation II that:

1. The Amended Bylaws of the WCCHD Financing Corporation II, included as Exhibit A to this Resolution, is approved and adopted; and
2. The Amended Articles of Incorporation of the WCCHD Financing Corporation II, included as Exhibit B to this Resolution, is approved and adopted.
3. Staff is directed to make any and all filings with federal, state or other entities to reflect the amended Bylaws and Articles of Incorporation and remit fees necessary to effectuate the filing.
4. This Resolution shall take effect immediately upon 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: March 19, 2019**

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

**Contact: Timothy M. Ewell, (925) 335-1036**

By: , Deputy

**cc:** Anna Roth, HSD Director

**BYLAWS  
of  
WCCHD FINANCING CORPORATION II**

**ARTICLE I  
NAME, ORGANIZATION AND PURPOSE, PRINCIPAL OFFICE**

**Section 1.01. Name.** The name of this corporation is WCCHD Financing Corporation II (hereinafter referred to as the "Corporation").

**Section 1.02. Organization, Purpose and Use of Funds.** The Corporation is a nonprofit public benefit corporation organized under the Nonprofit Public Benefit Corporation Law (commencing at section 5110 of the California Corporations Code) (the "Law") to provide financial assistance to the West Contra Costa Healthcare District (the "District"), by financing, refinancing, acquiring, constructing, improving, leasing and selling buildings, building improvements, equipment, and any other real or personal property (collectively, the "Facilities"), for the use, benefit and enjoyment of the public served by the District and any other purpose incidental thereto. The activities of the Corporation shall be limited to the activities described in its articles of incorporation ("Articles of Incorporation"), as amended from time-to-time. No gains, profits or dividends shall be distributed to any of the Directors or officers of the Corporation; and no part of the net earnings, if any, of the Corporation, either during its existence or upon its dissolution, shall ever inure to the benefit of any Director or any member, private shareholder, individual, person, firm or corporation excepting only the District.

**Section 1.03. Principal Office.** The principal office of the Corporation is hereby fixed and located at the offices of the District, Attention: Clerk of the Board of Supervisors for Contra Costa County, 651 Pine Street – 1st Floor, Martinez, CA 94553. The Board of Directors is hereby granted full power and authority to change said principal office from one location to another. Any such change shall be noted by the Secretary opposite this section, but shall not be considered an amendment to these Bylaws.

**ARTICLE II  
NO MEMBERS**

**Section 2.01. No Members.** Pursuant to section 5310 of the Law, the bylaws of a nonprofit corporation may provide that the corporation shall have no members. The Corporation shall have no members.

**ARTICLE III  
DIRECTORS**

**Section 3.01. Powers.** Subject to the limitations of the Articles of Incorporation, as may be amended from time-to-time, these bylaws ("Bylaws") and the Law, and subject to the duties of Directors as prescribed by the Bylaws, all powers of the Corporation shall be exercised by or under the authority of, and the business and affairs of the Corporation

shall be controlled by, the Board of Directors. No Director shall be responsible for any error in judgment or for anything that he or she may do or refrain from doing in good faith. Without prejudice to such general powers, but subject to the same limitations, it is hereby expressly declared that the Directors shall have the following powers, to wit:

**First:** To select and remove all the other officers, agents and employees of the Corporation, prescribe such powers and duties for them as may not be inconsistent with law or the Articles of Incorporation or Bylaws, fix their compensation and require from them security for faithful service;

**Second:** To conduct, manage and control the affairs and business of the Corporation and to make such rules and regulations therefor not inconsistent with law or the Articles of Incorporation, as may be amended from time-to-time, or Bylaws, as they may deem best; and

**Third:** To borrow money and incur indebtedness for the purposes of the Corporation, and to cause to be executed and delivered therefor, in the name of the Corporation, promissory notes, bonds, certificates of participation, debentures, deeds of trust, mortgages, pledges, hypothecations or other evidences of debt and securities therefor.

**Section 3.02. Number of Directors.** The authorized number of Directors shall be the same as the number of members of the Board of Directors of the District (currently five (5)) until changed by amendment of these Bylaws.

**Section 3.03. Selection and Term of Office.** The Board of Directors shall be constituted of the same persons serving as members of the Board of Directors of the District, and no person shall be eligible to serve as a Director except a person serving as a member of the Board of Directors of the District. The Chairperson of the Board of Directors of the Corporation shall be the Chairperson of the Board of Directors of the District. The Vice Chairperson of the Board of Directors of the Corporation shall be the Vice Chairperson of the Board of Directors of the District.

**Section 3.04. Vacancies.** Subject to the provisions of section 5226 of the Law, any Director may resign effective upon giving written notice to the President (defined in Section 4.01, below), the Secretary or the Chairperson or Vice-Chairperson of the Board of Directors, unless the notice specifies a later time for the effectiveness of such resignation. A vacancy or vacancies in the Board of Directors shall be deemed to exist in case of the death, resignation or removal of any Director, or if the authorized number of Directors is increased. Vacancies in the Board shall be filled in the same manner as the Director whose office is vacant was selected. Each Director so selected shall hold office until the expiration of the term of the replaced Director and until a successor has been selected and has accepted the office.

**Section 3.05. Organization and Annual Meetings.** The Board of Directors shall hold an annual meeting for the purpose of organization, selection of officers, as needed, and the

transaction of other business. Annual meetings of the Board shall be held at the same time as the annual reorganization meeting of the Board of Supervisors in January of each year.

**Section 3.06. Regular Meetings.** The Corporation’s regular meeting schedule shall be the same as the District meeting schedule and will be held at the principal offices of the District.

**Section 3.07. Special Meetings; Notice.** Special and emergency meetings of the Board of Directors for any purpose may be called by the President or by a majority of the Directors, and shall be called, noticed, and held in compliance with the provisions of the Brown Act.

**Section 3.08. Adjournment.** A majority of the Directors present, whether or not a quorum is present, may adjourn any meeting to another time and place.

**Section 3.09. Quorum.** A majority of the Directors then in office shall be necessary to constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the Directors present at a meeting duly held at which a quorum is present shall be regarded as the act of the Board of Directors unless a greater number is required by Law or by the Articles of Incorporation, as may be amended from time-to-time.

**Section 3.10. Fees and Compensation.** Directors shall receive no compensation or expenses for their services as Directors.

**Section 3.11. Conduct of Meetings.** The Chairperson or, in his or her absence, the Vice Chairperson of the Board of Directors, shall preside.

**Section 3.12. Meetings and Actions of Committees.** Meetings and actions of committees of the Board of Directors shall be governed by, held, and taken under the provisions of these bylaws concerning meetings, other Board of Directors’ actions, and the Brown Act. Minutes of each meeting shall be kept and shall be filed with the corporate records. The Board of Directors may adopt rules for the governance of any committee as long as the rules are consistent with these bylaws. If the Board of Directors has not adopted rules, the committee may do so.

#### ARTICLE IV OFFICERS

**Section 4.01. Officers.** The officers of the Corporation shall be a President, a Treasurer and a Secretary. The Corporation may also have, at the discretion of the Board of Directors, one or more Vice Presidents, one or more Assistant Secretaries, one or more Assistant Treasurers, and such other officers as may be appointed by the Board of Directors. One person may hold two or more offices, provided, that a person serving as the Chairperson, Vice Chairperson or President may not simultaneously serve as the Treasurer or Secretary.



**Section 4.02. Selection.** The acting officers of the District shall be the respective officers of the Corporation.

**Section 4.03. Removal and Resignation.** Any officer may resign, or may be removed, with or without cause, by the Board of Directors at any time. Vacancies caused by death, resignation or removal of any officer may be filled by appointment by the Board of Directors, or by the President until such appointment by the Board of Directors.

**Section 4.04. President.** The President shall be the chief executive officer of the Corporation and, subject to the control of the Board of Directors, shall have general supervision, direction and control of the affairs of the Corporation. The President shall be the Executive Director of the District.

**Section 4.05. Secretary.** The Secretary shall keep at the principal office of the Corporation a book of minutes of all meetings of Directors, with the time and place of holding, how called or authorized, the notice thereof given and the names of those present at Directors' meetings. The Secretary of the Corporation shall be the Secretary of the District.

**Section 4.06. Treasurer.** The Treasurer shall be the chief financial officer and shall keep and maintain adequate and correct books of account showing the receipts and disbursements of the Corporation, and an account of its cash and other assets, if any. Such books of account shall at all reasonable times be open to inspection by any Director. The Treasurer shall deposit all moneys of the Corporation with such depositories as are designated by the Board of Directors, and shall disburse the funds of the Corporation as may be ordered by the Board of Directors, and shall render to the President or the Board of Directors, upon request, statements of the financial condition of the Corporation. The Treasurer of the Corporation shall be the Treasurer of the District.

**Section 4.07. Subordinate Officers.** Subordinate officers shall perform such duties as shall be prescribed from time to time by the Board of Directors or the President.

## ARTICLE V MISCELLANEOUS

**Section 5.01. Execution of Documents.** The Board of Directors may authorize any officer or officers as agent or agents, to enter into any contract or execute any instrument in the name of and on behalf of the Corporation and such authority may be general or confined to specific instances; and unless so authorized by the Board of Directors, no officer, agent or other person shall have any power or authority to bind the Corporation by any contract or engagement or to pledge its credit or to render it liable for any purpose or to any amount.

**Section 5.02. Inspection of Bylaws.** The Corporation shall keep in its principal office the original or a copy of these Bylaws, as amended or otherwise altered to date, certified by the Secretary, which shall be open to inspection by the Directors at all reasonable times during office hours.

**Section 5.03. Annual Report.** The annual report referred to in section 632 1 (a) of the Law is expressly dispensed with in accordance with section 632 1 (c) of the Law.

**Section 5.04. Fiscal Year.** The fiscal year of the Corporation shall begin July 1 of each year and end June 30 of the following year, except the first fiscal year, which shall run from the date of incorporation to June 30, 2004.

**Section 5.05. Dissolution.** Upon the dissolution, liquidation or winding up of the Corporation, or upon abandonment or the impossibility of performance by the Corporation of its specific organizational purposes set forth in Article II of the Articles of Incorporation, as may be amended from time-to-time, the assets of the Corporation remaining after payment of all or provision for all debts or liabilities of the Corporation and after compliance with Chapters 15, 16 and 17 of the Law shall be distributed to the District for public purposes.

**Section 5.06. Construction and Definitions.** Unless the context otherwise requires, the general provisions, rules of construction and definitions contained in the Law of the State of California shall govern the construction of these Bylaws. If any section, subsection, sentence, clause or phrase of these Bylaws, or the application thereof, is contrary to the Law of the State of California, the provisions of that law shall prevail. Without limiting the generality of the foregoing the masculine gender includes the feminine and neuter, the singular number includes the plural and the plural number includes the singular, and the term "person" includes a corporation as well as a natural person.

**Section 5.07. Modification of Bylaws.** New Bylaws may be adopted or these Bylaws may be amended or repealed by the vote of the Board of Directors. No amendment to these Bylaws shall be effective until approved by the Board of Directors.

#### CERTIFICATE OF SECRETARY

I, the undersigned, do hereby certify:

1. That I am the Secretary of WCCHD FINANCING CORPORATION II, a California nonprofit public benefit corporation.
2. That the foregoing Bylaws, consisting of five articles, constitute the Bylaws of the Corporation as duly approved and adopted by vote of the board of directors of the Corporation, at a meeting on March 19, 2019.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of the corporation this 19th day of March 2019.

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Secretary  
WCCHD Financing Corporation II

**AMENDED AND RESTATED ARTICLES OF INCORPORATION  
WCCHD FINANCING CORPORATION II**

**ARTICLE I**

The name of this corporation is WCCHD FINANCING CORPORATION II.

**ARTICLE II**

A. This corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for charitable and public purposes.

B. The purposes for which this corporation is formed are:

(1) The specific and primary purposes for which this corporation is formed are:

(a) To render financial assistance to the West Contra Costa Healthcare District (the "District"), by financing, refinancing, acquiring, constructing, improving, leasing and selling buildings, building improvements, equipment, and any other real or personal property.

(b) To acquire by lease, purchase or otherwise, real or personal property or any interest therein; to construct, reconstruct, modify, add to, improve or otherwise acquire or equip buildings, structures or improvements, and (by sale, lease, sublease, leaseback, gift or otherwise) make any part or all of any such real or personal property available to or for the benefit of the residents of the District.

(c) To promote the common good and general welfare of the residents of the District, and the governmental enterprises in the District and surrounding areas by the acquisition of the real and personal property as hereinabove described.

(d) To borrow the necessary funds to pay the cost of financing, refinancing, acquiring, constructing, replacing, establishing, improving, maintaining, equipping and operating such properties and facilities for the herein described purposes, the indebtedness for which borrowed money may, but need not, be evidenced by securities of this corporation of any kind or character issued at any one or more times, which may be either unsecured or secured by any mortgage, trust deed, pledge, encumbrance or other lien upon any part or all of the properties and assets at any time then or thereafter owned or acquired by this corporation.

(e) To receive limited or conditional gifts or grants in trust, *inter vivos*, or by way of testamentary devises, bequests or grants in trust, or otherwise, funds of all kinds including property, both real, personal and mixed, whether principal or income, tangible or intangible, present or future, vested or contingent, in order to carry on the purposes of this corporation.

(2) The general purposes and powers are to have and exercise all rights and powers now

EXHIBIT B – Resolution No. 2019/15

or hereafter conferred on nonprofit corporations under the laws of the State of California; provided, however, that this corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the specific and primary purposes of this corporation; provided, further, that this corporation shall not have the power to, and shall not, do any act or conduct any activity, plan, scheme, design or course of conduct which in any way conflicts with sections 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1986 and regulations promulgated pursuant to such sections as they now exist or as they may hereafter be amended.

**ARTICLE III**

The property of this corporation is irrevocably dedicated to charitable purposes and no part of the net income or assets of this corporation shall ever inure to the benefit of any director, officer or member thereof or to the benefit of any private person.

**ARTICLE V**

A. This corporation is organized and operated for charitable and public purposes within the meaning of section 501(c)(4) of the Internal Revenue Code of 1986.

B. Notwithstanding any other provision of these Articles, this corporation shall not carry on any other activities not permitted to be carried on by a corporation exempt from federal income tax under section 501(c)(4) of the Internal Revenue Code of 1986, as amended.

C. No substantial part of the activities of this corporation shall consist of carrying on propaganda, or otherwise attempting to influence legislation, and this corporation shall not participate or intervene in any political campaign (including the publishing or distribution of statements) on behalf of any candidate for political office.

**ARTICLE VI**

A. During the continuance of this corporation, it may distribute any of its assets to the United States of America, the State of California, or any political subdivision thereof, to a nonprofit fund, foundation or corporation which is organized and operated exclusively for charitable or social welfare purposes and which has established its tax-exempt status under section 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1986.

B. Upon the dissolution or winding up of this corporation, its assets remaining after payment of, or provision made for the payment of, all debts and liabilities of this corporation, shall be distributed to the United States of America, the State of California, or any political subdivision thereof, or to a nonprofit fund, foundation or corporation which is organized and operated exclusively for charitable or social welfare purposes and which has established its tax-exempt status under section 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1986.



Contra  
Costa  
County

To: Board of Supervisors  
From: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE  
Date: March 19, 2019

Subject: Referrals to Transportation, Water, and Infrastructure Committee for 2019

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**RECOMMENDATION(S):**

APPROVE the attached list of 2019 referrals to the Transportation, Water, and Infrastructure Committee for 2019.

**FISCAL IMPACT:**

There is no fiscal impact.

**BACKGROUND:**

This is an annual Administrative Item of the Transportation, Water, and Infrastructure Committee (TWIC). See the attached, recommended referrals to TWIC for 2019. TWIC approved the list at their February 2019 meeting.

Discussion of recommended addition:

***#25: Monitor the County's conversion to solar/distributed energy systems.***

Conversations between Public Works (PWD) and TWIC staff resulted in the recommendation that new referral #25 be included in the TWIC standing list of referrals. As PWD accelerates their installation of solar and distributed energy infrastructure, the need to have a structured process to oversee the implementation has become apparent.

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: John Cunningham (925)  
674-7884

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

By: , Deputy

cc: John Cunningham

CONSEQUENCE OF NEGATIVE ACTION:

If the 2019 list is not approved, matters currently under the purview of TWIC will be considered at the full Board of Supervisors meetings.

ATTACHMENTS

2019 TWIC Referrals DRAFT

# DRAFT 2019 Referrals to the Transportation, Water and Infrastructure Committee

(Approved by TWIC at their February 11, 2019 Meeting.)

1. Review legislative matters on transportation, water, and infrastructure.
2. Review applications for transportation, water and infrastructure grants to be prepared by the Public Works and Conservation and Development Departments.
3. Monitor the Contra Costa Transportation Authority including efforts to implement Measure J.
4. Monitor EBMUD and Contra Costa Water District projects and activities.
5. Review projects, plans and legislative matters that may affect the health of the San Francisco Bay and Delta, including but not limited to conveyance, flood control, dredging, climate change, habitat conservation, governance, water storage, development of an ordinance regarding polystyrene foam food containers, water quality, supply and reliability, consistent with the Board of Supervisors adopted *Delta Water Platform*.
6. Review and monitor the establishment of Groundwater Sustainability Agencies and Groundwater Sustainability Plans for the three medium priority groundwater basins within Contra Costa County as required by the Sustainable Groundwater Management Act.
7. Review issues associated with County flood control facilities.
8. Monitor creek and watershed issues and seek funding for improvement projects related to these issues.
9. Monitor the implementation of the Integrated Pest Management policy.
10. Monitor the status of county park maintenance issues including, but not limited to, transfer of some County park maintenance responsibilities to other agencies and implementation of Measure WW grants and expenditure plan.
11. Monitor and report on the East Contra Costa County Habitat Conservation Plan.
12. Monitor the implementation of the County Complete Streets Policy.
13. Monitor and report on the Underground Utilities Program.
14. Monitor implementation of the Letter of Understanding with PG&E for the maintenance of PG&E streetlights in Contra Costa.
15. Freight transportation issues, including but not limited to potential increases in rail traffic such as that proposed by the Port of Oakland and other possible service increases, safety of freight trains, rail corridors, and trucks that transport hazardous materials, the planned truck route for North Richmond; freight issues related to the Northern Waterfront (and coordinate with the Northern Waterfront Ad Hoc Committee as needed), and the deepening of the San Francisco-to-Stockton Ship Channel.
16. Monitor the Iron Horse Corridor Management Program.
17. Monitor and report on the eBART Project.
18. Review transportation plans and services for specific populations, including but not limited to County Low Income Transportation Action Plan, Coordinated Human Services Transportation Plan for the Bay Area, Priorities for Senior Mobility, Bay Point Community Based Transportation Plan, and the Contra Costa County Accessible Transportation Strategic Plan.
19. Monitor issues of interest in the provision and enhancement of general transportation services, including but not limited to public transportation, taxicab/transportation network companies, and navigation apps.
20. Monitor the statewide infrastructure bond programs.
21. Monitor implementation and ensure compliance with the single-use carryout bag ban consistent with Public Resources Code, Chapter 5.3 (resulting from Senate Bill 270 [Padilla – 2014]).
22. Monitor efforts at the State to revise school siting guidelines and statutes.
23. Monitor issues related to docked and dockless bike share programs.
24. Monitor efforts related to water conservation including but not limited to turf conversion, graywater, and other related landscaping issues.
- 24.25. Monitor the County's conversion to solar/distributed energy systems.



Contra  
Costa  
County

To: Board of Supervisors  
From: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE  
Date: March 19, 2019

Subject: 2018 Annual Report from the Transportation, Water and Infrastructure Committee

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**RECOMMENDATION(S):**

ACCEPT the 2018 annual report from the Transportation, Water and Infrastructure Committee.

**FISCAL IMPACT:**

None.

**BACKGROUND:**

The Transportation, Water, and Infrastructure Committee approved the 2018 report on referrals at the February 11, 2019 meeting and directed staff to bring the report to the full Board of Supervisors for consideration with a support recommendation.

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: John Cunningham (925)  
674-7833

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

By: , Deputy

cc: John Cunningham



ATTACHMENTS  
2019 TWIC Referral  
Report

## Status Report: Referrals to the Transportation, Water, and Infrastructure Committee - 2018

Submitted and Approved: February 11, 2019 TWIC Meeting

Referral	Status
1. Review legislative matters on transportation, water, and infrastructure.	<ul style="list-style-type: none"> <li>• Recommended the Board of Supervisors (BOS) ADOPT positions of various state transportation bills as follows (<b>Various Dates</b>):                             <ul style="list-style-type: none"> <li>• Greenhouse Gas Reduction Fund: Senior &amp; Disabled Transportation.</li> <li>• SB 914 – Construction Manager at Risk: Support</li> <li>• Coalition Against Bigger Trucks: Weight/Length Limitations (Federal): support</li> </ul> </li> <li>• Received reports regarding the status of the Iron Horse Corridor relative to legacy obligations to the State. <b>Various Dates. Related: Referral #s 12 &amp; 15(b).</b></li> <li>• Monitored SB 1/RMRA activities in compliance with new requirements. <b>April</b></li> <li>• Recommended that the Board of Supervisors approve the County’s legislative proposal, “Seniors/Persons with Disabilities Transportation Funding Program” <b>September</b></li> <li>• The Committee provided recommendations to the full BOS for revisions to the County’s state and federal legislative platforms. <b>September, October, November</b></li> <li>• The Committee forwarded a recommendation to the full BOS to transmit a letter to MTC regarding the CASA housing initiative. <b>September</b></li> </ul>
2. Review applications for transportation, water and infrastructure grants to be prepared by the Public Works and Conservation and Development Departments.	<ul style="list-style-type: none"> <li>• The Committee reviewed and approved (for distribution to the BOS) Active Transportation Grants to MTC and Caltrans. <b>July</b></li> <li>• The Committee reviewed and approved (for distribution to the BOS) a Caltrans Sustainable Transportation Planning Grants for the Marsh Creek MultiModal Corridor Project. <b>October</b></li> </ul>
3. Monitor the Contra Costa Transportation Authority (CCTA) including efforts to implement Measure J.	
4. Monitor EBMUD and Contra Costa Water District projects and activities.	

Referral	Status
<p>5. Review projects, plans and legislative matters that may affect the health of the San Francisco Bay and Delta, including but not limited to conveyance, flood control, dredging, climate change, habitat conservation, governance, water storage, development of an ordinance regarding polystyrene foam food containers, water quality, supply and reliability, consistent with the Board of Supervisors adopted <i>Delta Water Platform</i>.</p>	<ul style="list-style-type: none"> <li>• The Committee received several reports on the Flood Control Capital Improvement Plan for fiscal years 2017/2018 to 2023/2024. <b>September</b></li> <li>• Received a report on the MRP 2.0 Implementation Plan, sent the item to the full BOS. <b>October</b></li> </ul>
<p>6. Review and monitor the establishment of Groundwater Sustainability Agencies and Groundwater Sustainability Plans for the three medium priority groundwater basins within Contra Costa County as required by the Sustainable Groundwater Management Act.</p>	<ul style="list-style-type: none"> <li>• Received a report on implementation of the Sustainable Groundwater Management Act of 2014 (SGMA) <b>November</b></li> </ul>
<p>7. Review issues associated with County flood control facilities.</p>	<ul style="list-style-type: none"> <li>• The Committee received several reports on the Flood Control Capital Improvement Plan for fiscal years 2017/2018 to 2023/2024. <b>September</b></li> </ul>
<p>8. Monitor creek and watershed issues and seek funding for improvement projects related to these issues.</p>	<ul style="list-style-type: none"> <li>• Related items in #5</li> </ul>
<p>9. Monitor the implementation of the Integrated Pest Management (IPM) policy.</p>	<p><i>TWIC staff requested that the 2018 annual report be brought to the Committee in 2019</i></p>
<p>10. Monitor the status of county park maintenance issues including, but not limited to, transfer of some County park maintenance responsibilities to other agencies and implementation of Measure WW grants and expenditure plan.</p>	<ul style="list-style-type: none"> <li>• Received a report on Measure WW implementation. <b>November</b></li> </ul>

Referral	Status
12. Monitor the implementation of the County Complete Streets Policy.	<ul style="list-style-type: none"> <li>• The Committee received an update from staff on the implementation of Complete Streets policies and the related Vision Zero effort. <b>July</b></li> <li>• The Committee reviewed and approved bringing the Contra Costa Centre I-680/Treat Boulevard Bicycle and Pedestrian Plan to the full Board of Supervisors for approval and authorized staff to seek implementation funding. <b>April</b></li> <li>• Accepted the <i>2018-19 - 2024/25 CRIPP Report</i>, referred the item to the full BOS for public hearing and approval. <b>October</b></li> </ul>
11. Monitor and report on the East Contra Costa County Habitat Conservation Plan (HCP).	<ul style="list-style-type: none"> <li>• Received the ECCCHCP's "Year in Review Report" <b>September</b></li> </ul>
13. Monitor and report on the Underground Utilities Program.	<ul style="list-style-type: none"> <li>• <b>Activities also relate to Referral #15b</b></li> </ul>
14. Monitor implementation of the Letter of Understanding (LOU) with PG&E for the maintenance of PG&E streetlights in Contra Costa.	<ul style="list-style-type: none"> <li>• Received a status report on street light service coordination effort between PG&amp;E and the County Public Works Department. <b>October</b></li> </ul>
15a. Freight transportation issues, including but not limited to potential increases in rail traffic such as that proposed by the Port of Oakland and other possible service increases, safety of freight trains, rail corridors, and trucks that transport hazardous materials, the planned truck route for North Richmond; and the deepening of the San Francisco-to-Stockton Ship Channel.	
15b. Monitor the Iron Horse Corridor Management Program.	<b>See referral #1 for related activities.</b>
16. Monitor and report on the eBART Project.	

Referral	Status
17. Review transportation plans and services for specific populations, including but not limited to County Low Income Transportation Action Plan, Coordinated Human Services Transportation Plan for the Bay Area, Priorities for Senior Mobility, Bay Point Community Based Transportation Plan, Contra Costa County Mobility Management Plan, and the work of Contra Costans for Every Generation.	<ul style="list-style-type: none"> <li>• See Referrals #2, 3 for related actions.</li> <li>• The Committee received a report on the Accessible Transportation Strategic Plan. <b>November</b></li> <li>• Received a report from Mobility Matters on their Rides 4 Veterans Program. <b>September</b></li> </ul>
18. Monitor issues of interest in the provision of general transportation services, including but not limited to public transportation and taxicab, transportation network companies.	<ul style="list-style-type: none"> <li>• Received a report and provided direction on the status of the effort to establish a taxicab ordinance for the unincorporated areas. <b>February</b></li> </ul>
19. Monitor the statewide infrastructure bond programs.	
20. Monitor implementation and ensure compliance with the single-use carryout bag ban consistent with Public Resources Code, Chapter 5.3 (resulting from Senate Bill 270 [Padilla – 2014]).	
21. Monitor efforts at the State to revise school siting guidelines and statutes.	<ul style="list-style-type: none"> <li>• Received a joint report from CCHS, the Hazardous Materials Commission, and DCD that included recommendations to the State relative to the Title 5 (School Siting) update process. TWIC recommended that a letter to the State including the comments be brought to the full BOS. The letter was transmitted in May. <b>March/May</b></li> </ul> <p><i>(Related: In January 2019 CSAC staff reached out to County staff requesting a copy of our school siting reform proposals.)</i></p>
22. Monitor issues related to docked and dockless bike share programs.	<ul style="list-style-type: none"> <li>• Received a report on dockless bikeshare and directed staff to develop policies and agreements in a collaborative manner with interested parties. <b>March</b></li> <li>• Provided further direction to staff relative to the adoption of an ordinance. <b>July</b></li> </ul>
23. Monitor efforts related to water conservation including but not limited to turf conversion, graywater, and other related landscaping issues.	The Committee received a report on the status of the Contra Costa County Green Infrastructure Plan Update. <b>July</b>



Contra  
Costa  
County

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: March 19, 2019

Subject: Substantial Amendment to the County's FY 2018/19 CDBG Action Plan - Allocation of CDBG Funds to RYSE, Inc.

---

**RECOMMENDATION(S):**

1. APPROVE a substantial amendment to the County's FY 2018/19 Community Development Block Grant (CDBG) Action Plan, to award \$382,500 to RYSE, Inc., for the acquisition of real property located at 4006 Macdonald Avenue, (APN: 517-320-025) and an adjacent vacant parcel (APN: 517-320-005) in the City of Richmond, to expand an existing youth community center, as recommended by the Finance Committee.

2. AUTHORIZE the DCD Director, or designee, to execute the CDBG Project Agreement for the \$382,500 award to RYSE, Inc.

**FISCAL IMPACT:**

There is no fiscal impact to the County General Fund. Community Development Block Grant (CDBG) funds are federal funds provided to the County on a formula allocation basis through the U.S. Department of Housing and Urban Development.

Catalog of Federal Domestic Assistance #14.218

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APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Gabriel Lemus,  
925-674-7882

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

By: , Deputy

cc: County Finance Director

## BACKGROUND:

On December 12, 2018, CDBG staff received an application for CDBG funds from RYSE, Inc. (RYSE) for the acquisition of two parcels that are adjacent to its current property and youth/community center facility located at 205 41<sup>st</sup> Street, Richmond. The RYSE youth center (Center) serves low-income youth in west Contra Costa County, primarily from the City of Richmond, ages 13 to 21 including youth who are in and out of school, college bound, homeless, Lesbian, Gay, Bisexual and Transgender, and some who have been incarcerated. The two parcels for acquisition are located at 4006 Macdonald Avenue (APN: 517-320-025) and the other parcel is directly adjacent (APN: 517-320-005).

The acquisition of the additional property will allow RYSE to not only continue the full operation of the Center, but also add and/or enhance services provided to the youth by expanding the Center's programming/services, add additional administrative offices, and provide for additional parking. The parcel on 4006 Macdonald has an existing building that is ready to occupy, and RYSE will utilize it for administrative activities and additional programming. The other adjacent property is a vacant parcel that is currently utilized as a parking lot. RYSE will utilize the vacant parcel for additional parking for staff and visitors of the Center, but may also utilize it for outdoor programming.

The negotiated acquisition price for the two parcels is \$425,000, which is the combined market rate for the two parcels. The CDBG funds will pay \$382,500 of the acquisition price, with the difference being paid by another source that RYSE has available.

**Available CDBG Funds:** The \$382,500 of CDBG funds are available due to there being approximately \$1.1 million dollars more in CDBG Program Income received during the current fiscal year. The CDBG Program Income is considered as part of the available CDBG resources for the current fiscal year, but also included in the expenditure requirement for the year, per the U.S. Department of Housing and Urban Development (HUD). Therefore, the CDBG Program Income may be allocated to new eligible and "shovel-ready" projects, or to existing projects that were previously awarded but had experienced a financing gap to start and complete the project. Allocating these available funds to eligible "shovel-ready" projects would also assist the County's CDBG Program in meeting HUD's expenditure requirement for the year.

**Finance Committee Meeting:** The Finance Committee met on February 25, 2019, and recommended to allocate \$382,500 in CDBG funds to RYSE to assist in the acquisition of the two parcels.

## CONSEQUENCE OF NEGATIVE ACTION:

If the Substantial Amendment to award the additional CDBG funds is not approved, RYSE, Inc.'s ability to complete the acquisition would be compromised.

## CHILDREN'S IMPACT STATEMENT:

The RYSE Acquisition project furthers the Children's Report Card outcome of creating "communities that are safe and provide a high quality of life for children and families."



**Contra  
Costa  
County**

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: March 19, 2019

Subject: Substantial Amendment to the County FY 2018/19 CDBG Action Plan - Additional Allocation of CDBG Funds to Pogo Park

---

**RECOMMENDATION(S):**

APPROVE a Substantial Amendment to the County's FY 2018/19 Community Development Block Grant (CDBG) Action Plan to award up to \$115,000 of additional CDBG funds to Pogo Park for the construction of a mini playfield and associated amenities at Harbour-8 Park located in the City of Richmond, as recommended by the Finance Committee.

**FISCAL IMPACT:**

There is no fiscal impact to the County General Fund. Community Development Block Grant (CDBG) funds are federal funds provided to the County on a formula allocation basis through the U.S. Department of Housing and Urban Development.

Catalog of Federal Domestic Assistance #14.218

**BACKGROUND:**

On May 10, 2016, the Board of Supervisors approved the Contra Costa County CDBG Action Plan for the use of FY 2016/17 CDBG funds. Under the Infrastructure/Public Facilities (IPF) category, Pogo Park was allocated \$220,210 of CDBG funds to construct a mini playfield and associated amenities (benches, lighting, landscaping) at Harbour-8 Park located in the Iron Triangle neighborhood within the City of Richmond. Experienced cost estimators using actual construction costs of similar projects during that time

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Gabriel Lemus,  
925-674-7882

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

By: , Deputy

cc: County Finance Director



BACKGROUND: (CONT'D)

put the original budget together. After a couple of years preparing the design and landscape architectural plans, Pogo Park put the project out to bid in early January 2019, with bids due on January 31, 2019. Pogo Park received one bid for the project; however, due to the current high demand for construction, the bid was approximately \$115,000 higher than the original budget for the project. Consequently, Pogo Park is requesting \$115,000 in additional CDBG funds to fill the budget gap. With the additional \$115,000 in CDBG funds, the total amount in CDBG funds awarded to Pogo Park for the mini playfield project at Harbour-8 Park would be \$335,210.

**Available CDBG Funds:** The additional \$115,000 of CDBG funds are available due to there being approximately \$1.1 million dollars more in CDBG Program Income received during the current fiscal year. The CDBG Program Income is considered as part of the available CDBG resources for the current fiscal year, but also included in the expenditure requirement for the year, per the U.S. Department of Housing and Urban Development (HUD). Therefore, the CDBG Program Income may be allocated to new eligible and "shovel-ready" projects, or to existing projects previously awarded but experience a financing gap to start and complete the project. Allocating these available funds to eligible "shovel-ready" projects would also assist the County's CDBG Program in meeting HUD's expenditure requirement for the year.

**Finance Committee Meeting:** The Finance Committee met on February 25, 2019, and recommended to allocate up to \$115,000 of additional CDBG funds to Pogo Park to complete the mini playfield project at Harbour-8 Park.

CONSEQUENCE OF NEGATIVE ACTION:

Not awarding the additional funds to Pogo Park will result in delays in starting and completing the project, which would potentially affect the level of services provided at Harbour-8 Park.

CHILDREN'S IMPACT STATEMENT:

The project at Harbour-8 Park furthers the Children's Report Card outcome of creating "communities that are safe and provide a high quality of life for children and families."



Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: March 19, 2019

Subject: Disposal of Surplus Property

---

**RECOMMENDATION(S):**

DECLARE as surplus and AUTHORIZE the Purchasing Agent, or designee, to dispose of fully depreciated vehicles and equipment no longer needed for public use, as recommended by the Public Works Director, Countywide.

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

Section 1108-2.212 of the County Ordinance Code authorizes the Purchasing Agent to dispose of any personal property belonging to Contra Costa County and found by the Board of Supervisors not to be required for public use. The property for disposal is either obsolete, worn out, beyond economical repair, or damaged beyond repair.

**CONSEQUENCE OF NEGATIVE ACTION:**

Public Works would not be able to dispose of surplus vehicles and equipment.

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

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Nida Rivera, (925)  
313-2124

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

By: , Deputy

cc:

ATTACHMENTS

Surplus Vehicles & Equipment

ATTACHMENT TO BOARD ORDER MARCH 19, 2019

Department	Description/Unit/Make/Model	Serial No.	Condition A. Obsolete B. Worn Out C. Beyond economical repair D. Damaged beyond repair
SHERIFF	2013 FORD INTERCEPTOR #2334 (113934 MILES)	1FAHP2MT9DG201963	B. WORN OUT
SHERIFF	2014 FORD INTERCEPTOR #3400 (86192 MILES)	1FM5K8AR9EGA91954	C. BEYOND ECONOMICAL REPAIR
SHERIFF	2009 FORD CROWN VIC. #2960 (74341 MILES)	2FAHP71VX9X139039	C. BEYOND ECONOMICAL REPAIR
SHERIFF	2011 FORD CROWN VIC. #2035 (116237 MILES)	2FABP7BV9BX120704	B. WORN OUT
SHERIFF	2013 FORD INTERCEPTOR #3721 (108922 MILES)	1FM5K8AR8DGA09131	B. WORN OUT
SHERIFF	1999 CHEVY 3500 TRUCK #5640 (87630 MILES)	1GCHK33R6XF076905	B. WORN OUT
ANIMAL SERVICES	1998 GMC PARCEL TRUCK #5732 (53825 MILES)	1GDJP32R3W3500508	B. WORN OUT
ANIMAL SERVICES	2000 ONAN GENERATOR #5732A ()	J990012552	B. WORN OUT
HEALTH SERVICES	1998 GMC 7500 TRUCK #6832 (70869 MILES)	1GDL7H1C3WJ512432	B. WORN OUT
HEALTH SERVICES	2012 ONAN GENERATOR #6832A ()	J100164116	B. WORN OUT
PROBATION	2002 FORD TAURUS SEDAN #0374 (55111 MILES)	1FAFP52U12G284113	B.WORN OUT
PROBATION	2002 FORD TAURUS SEDAN #0380 (47980 MILES)	1FAFP52U82G284108	B. WORN OUT
PROBATION	2002 FORD TAURUS SEDAN #0377 (48676 MILES)	1FAFP52U72G284116	B. WORN OUT
PROBATION	2002 FORD TAURUS SEDAN #0379 (41139 MILES)	1FAFP52U02G284118	B. WORN OUT
PROBATION	2002 FORD TAURUS SEDAN #0372 (44497 MILES)	1FAFP52U82G284111	B. WORN OUT
PUBLIC WORKS	2002 FORD TAURUS SEDAN #0365 (106055 MILES)	1FAFP52U62G268327	B. WORN OUT
HEALTH SERVICES	2011 FORD E-150 VAN #4693 (189960 MILES)	1FTNE1EW4BDA00332	B. WORN OUT
AGRICULTURE	2002 FORD RANGER TRUCK #5037 (146107 MILES)	1FTYR44EX2PA63994	B. WORN OUT
EHS/COMM SERVICES	2015 FORD TAURUS SEDAN #1302 (23375 MILES)	1FAHP2D92FG154010	D. DAMAGED BEYOND REPAIR
PUBLIC WORKS	1992 INTERNATIONAL 2654 #6701 (40709 MILES)	1HTGMN7R6NH432415	B. WORN OUT
PUBLIC WORKS	2010 FORD E-150 CARGO VAN #4677 (69951 MILES)	1FTNE1EL7ADA22989	C. BEYOND ECONOMICAL REPAIR
AGRICULTURE	2002 FORD RANGER TRUCK #5036 (145321 MILES)	1FTYR44E82PA63993	B. WORN OUT
EHS/COMM SERVICES	2001 FORD E-150 PASSENGER VAN #4581 (216453 MILES)	1FMRE11L31HB12703	B. WORN OUT
EHS/COMM SERVICES	2001 FORD E-150 PASSENGER VAN #4583 (95012 MILES)	1FMRE11LX1HB12701	B. WORN OUT
PUBLIC WORKS	1990 FORD F-700 DUMP TRUCK #6414 (49660 MILES)	1FDWK74PXLVA11823	C. BEYOND ECONOMICAL REPAIR



**Contra  
Costa  
County**

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: March 19, 2019

Subject: Updated Advisory Body Application

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**RECOMMENDATION(S):**

ADOPT the updated Advisory Body application form and proposed timeline and activities for implementation.

**FISCAL IMPACT:**

None

**BACKGROUND:**

Contra Costa County has 77 active advisory boards, committees, and commissions (advisory bodies) that advise the Board of Supervisors on numerous functions. To apply to serve on an advisory board, Contra Costa County provides an application that interested community members can complete and return to the Clerk of the Board or designated County staff. The current application form was approved in 2011 to provide additional detail and professionalism in advisory board and commissions applications.

The current form (Attachment 1) is offered in two formats: as a PDF form and as an online form through Granicus. Applications can be submitted digitally either online through Granicus or by email to the Clerk of the Board or staff. Applications can also be submitted in paper format to the Clerk of the Board's office in-person or by mail. The current application appears as four (4) pages in PDF form. Informal feedback

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

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Jami Napier, (925)  
335-1908

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

By: , Deputy

cc: IOC Staff

## BACKGROUND: (CONT'D)

from members of the public, County staff, and Supervisors indicate that the current application seems like a job application and is off-putting to prospective applicants.

The application is unnecessarily lengthy and is missing information that the Supervisors and County staff would like to know when reviewing applications. The current application includes detailed job history and education information that is not relevant to the role of an advisory board commissioner. Additionally, the current application is missing information that is helpful in evaluating applicants — such as their motivation for serving, and whether or not applicants have attended meetings in the past.

Clerk of the Board (COB) staff reviewed applications from the nine Bay Area counties, as well as Contra Costa County's pre-2011 application. Based on public feedback and comments, as well as the review of neighboring counties, a draft mock-up of an application was created for discussion purposes at the Internal Operations Committee meeting.

Beginning in March of 2017, Clerk of the Board has allowed for online applications to be submitted through Granicus as a link on the Boards and Commissions webpage. The online form is intended to have the same fields as the paper copy; however, demand from supervisors has led to the addition of an optional field, requesting that applicants describe why they are interested in serving on the advisory board or commission. Clerk of the Board would like to ensure that the online format and the PDF format should match in order and content.

Contra Costa County is not unique in offering an online form: four (4) of the other nine (9) Bay Area counties offer an online application method as well. However, these counties do not offer a PDF format, and reserve the format for in-person applicants. The remaining four (4) Bay Area counties only offer a PDF (and paper) application format, and do not offer an online method. Contra Costa is the only one that allows and promotes both application methods equally, and sees significant number of applications in both formats. Each format has a different set of advantages and disadvantages, and Clerk of the Board plans to continue to offer both methods. The Clerk of the Board will harmonize the content and order of the questions presented in both formats, based on the timeline suggested below.

At the December 10, 2018 Internal Operations Committee meeting, Supervisors Burgis and Andersen approved the new application form and directed the Chief Assistant Clerk of the Board to bring the item to the full board. Two minor changes were requested: an expansion of the education section and an added checkbox indicating that the applicant would like to be considered for service on other advisory bodies for which he/she may be qualified. The Clerk of the Board made the requested changes and the resulting application is included as Attachment 2.

In order to properly communicate the retirement of the current application and adoption of the new application, the Clerk of the Board requests the following timeline, should the item be approved.

### **March 20-April 15:**

- Clerk of the Board staff will contact all Advisory Body staff to inform them of the new adopted application and retirement of the prior application.
- The Granicus web-based application will be edited to concur with substance, questions, and order of the newly adopted form (to be deployed April 15, 2019).
- The Clerk of the Board website will be updated to include the new application materials (to be deployed April 15, 2019).
- A press release will be drafted announcing the new application, and will be posted as a news flash on the County's webpage.

- Clerk of the Board staff will search web results and the County's webpage to identify links or postings of the County's former application, and will make attempts to retire or update the links, where possible.

**April 15:**

The new Advisory Body application will replace the old application effective April 15, 2019, and the old application will be retired effective the same date. Beginning Monday, April 15, 2019, the new application will appear both online and in PDF.

**CONSEQUENCE OF NEGATIVE ACTION:**

The current application does not provide the Supervisors with all of the needed information to evaluate the applicants.

**ATTACHMENTS**

2011 Advisory Body application

Proposed Application Form



**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:

\_\_\_\_\_  
PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

\_\_\_\_\_  
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 \_\_\_\_\_

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A)		Yes No <input type="checkbox"/> <input type="checkbox"/>				
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: \_\_\_\_\_

### 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**

**Please return completed applications to:**

Clerk of the Board of Supervisors  
651 Pine St., Room 106  
Martinez, CA 94553  
or email to: ClerkofTheBoard@cob.cccounty.us

**BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION - DRAFT**

First Name  Last Name   
 Home Address - Street  City  Zip Code   
 Phone (best number to reach you)  Email   
 Resident of Supervisorial District:

**Education** *Check appropriate box if you possess one of the following:*  
 High School Diploma     CA High School Proficiency Certificate     G.E.D. Certificate

Colleges or Universities Attended	Course of Study/Major	Degree Awarded	
<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Other Training Completed:

**Board, Committee or Commission Name**  **Seat Name**

**Have you ever attended a meeting of the advisory board for which you are applying?**  
 No     Yes    If yes, how many?

**Please explain why you would like to serve on this particular board, committee, or commission.**

**Describe your qualifications for this appointment.** (NOTE: you may also include a copy of your resume with this application)

**I am including my resume with this application:**

Please check one:     Yes     No

**I would like to be considered for appointment to other advisory bodies for which I may be qualified.**

Please check one:     Yes     No

**Are you currently or have you ever been appointed to a Contra Costa County advisory board?**

Please check one:       Yes       No

**List any volunteer and community experience, including any advisory boards on which you have served.**

**Do you have a familial relationship with a member of the Board of Supervisors?** (Please refer to the relationships listed below or Resolution no. 2011/55)

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 relationships?**

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 publicly accessible. I understand and agree that misstatements and/or omissions of material fact may cause forfeiture of my rights to serve on a board, committee, or commission in Contra Costa County.

**Signed:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Submit this application to:** Clerk of the Board of Supervisors  
651 Pine St., Room 106  
Martinez, CA 94553

*Questions about this application? Contact the Clerk of the Board at (925) 335-1900 or by email at [ClerkofTheBoard@cob.cccounty.us](mailto:ClerkofTheBoard@cob.cccounty.us)*

**Important Information**

1. This application and any attachments you provide to it is a public document and is subject to the California Public Records Act (CA Government Code §6250-6270).
2. All members of appointed bodies are required to take the advisory body training provided by Contra Costa County.
3. Members of certain 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.
4. Meetings may be held in various locations and some locations may not be accessible by public transportation.
5. Meeting dates and times are subject to change and may occur up to two (2) days per month.
6. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.
7. As indicated in Board Resolution 2011/55, 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: mother, father, son, daughter, brother, sister, grandmother, grandfather, grandson, granddaughter, great-grandfather, great-grandmother, aunt, uncle, nephew, niece, great-grandson, great-granddaughter, first-cousin, husband, wife, father-in-law, mother-in-law, daughter-in-law, stepson, stepdaughter, sister-in-law, brother-in-law, spouse's grandmother, spouse's grandfather, spouse's granddaughter, and spouses's grandson, registered domestic partner, relatives of a registered domestic partner as listed above.
8. A person will not be eligible to serve if the person shares a financial interest as defined in Government Code §87103 with a Board of Supervisors Member.



Contra  
Costa  
County

To: Board of Supervisors  
From: INTERNAL OPERATIONS COMMITTEE  
Date: March 19, 2019

Subject: REPORT FROM THE AUDITOR-CONTROLLER'S OFFICE ON THE SCHEDULE OF FINANCIAL AUDITS FOR 2019

---

**RECOMMENDATION(S):**

ACCEPT report on the Auditor-Controller's audit activities for 2018 and APPROVE the proposed schedule of financial audits for 2019.

**FISCAL IMPACT:**

There is no fiscal impact related to providing input into the annual audit schedule. The financial auditing process may result in positive and negative fiscal impacts, depending on the audit findings.

**BACKGROUND:**

The Internal Operations Committee was asked by the Board in 2000 to review the process for establishing the annual schedule of audits, and to establish a mechanism for the Board to have input in the development of the annual audit schedule and request studies of departments, programs or procedures. The IOC recommended a process that was adopted by the Board on June 27, 2000, which called for the IOC to review the schedule of audits proposed by the Auditor-Controller and the County Administrator each December. However, due to the preeminent need during December for the Auditor to complete the Comprehensive Annual Financial Report, the IOC, some years ago, rescheduled consideration of the Auditor's report to February of each year.

---

APPROVE
  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR
  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Julie DiMaggio Enea  
(925) 335-1077

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

By: , Deputy

cc:

## BACKGROUND: (CONT'D)

Attached is a report from the Auditor-Controller reviewing the department's audit activities for 2018 and transmitting the proposed schedule of financial audits for 2019, which are already in progress.

To provide continuity from the prior year report, in 2018, the Auditor's Office found an overall lack of adherence to several of the County's administrative requirements for cash collection; discharge of delinquent accounts; inventories of materials, supplies and capital assets; and petty cash. The Auditor also found noncompliance with procurement card policies, contracting policies and procedures, and MAC fiscal procedures. Supervisor Andersen commented last year that staff compliance with the procurement card policies might be improved if an FAQ (frequently asked questions) document was made available on the Intranet. Purchasing Manager David Gould had clarified that procurement card training is provided once to new card holders.

Joanne Bohren presented the report to the Internal Operations Committee on March 11, 2019, with Supervisor Andersen present, and explained that the department was unable to complete some of the scheduled audits due to a high incidence of staff turnover. She noted that the training curve for new audit staff is two-three years, but that positions are being filled.

## ATTACHMENTS

2019 Internal Audit Report

Office of the Auditor-Controller  
Contra Costa County

Robert R. Campbell  
Auditor-Controller




Harjit S. Nahal  
Assistant Auditor-Controller

625 Court Street  
Martinez, California 94553-1282  
Phone (925) 335-8600  
Fax (925) 646-2649

March 11, 2019

TO: Internal Operations Committee

FROM: Robert R. Campbell, Auditor-Controller  
By: Joanne Bohren, CPA, Auditor-Controller Division Manager 

SUBJECT: Internal Audit – Annual Report

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The Board of Supervisors adopted a policy on June 27, 2000, directing the Auditor-Controller to annually report to the Internal Operations Committee on the proposed schedule of Internal Audit examinations for the following calendar year. The attached “*Schedule of Internal Audit Examinations*” provides the proposed examination schedule for 2019, and the attached “*Schedule of Internal Audit Examinations for 2018*” summarizes the status of the 2018 examinations.

In 2018, the Internal Audit Division completed sixteen (16) of the scheduled examinations. Fieldwork has been completed for eleven (11) scheduled examinations which are in progress and scheduled to be completed by March 31, 2019. The two (2) remaining examinations have been rescheduled for 2019.

The Internal Audit Division of the Office of the Auditor-Controller received multiple resignations in 2018, leaving the division with two (2) Senior Auditors to complete the 2018 scheduled examinations. Staff was able to complete the fieldwork for all but two (2) examinations and is in the process of preparing the examination reports to complete the 2018 scheduled examinations. As of February 2019, three (3) of four (4) vacant positions have been filled.

### **Procurement Card**

The quarterly procurement card reviews continue to reflect compliance issues in the use of the card for recurring payments, gifts, services, memberships, and meal payments. Per the Procurement Card Manual, Section V.G, the use of a procurement card for recurring payments, gifts, services, memberships, printing services, and meals is prohibited. Cardholders are also using procurement cards for purchases prohibited by the County’s Administrative Bulletins. Additionally, the required supporting documentation for payments often is missing or inadequate.



**2019 Scheduled Examinations**

The Auditor-Controller Division Manager of the Internal Audit division and the Auditor-Controller performed a thorough review of existing and recurring examinations and identified potential new examinations that should be incorporated in the 2019 schedule. The emphasis and priority in scheduling examinations is based on the perceived risk to the County. The schedule is composed of legally required examinations, such as the Treasury cash counts, reoccurring examinations, and new examinations. Thirty-three (31) examinations have been scheduled for calendar year 2019.

Legally required examinations have their basis in government code. Reoccurring examinations have a preferred cycle attached to them based on their perceived amount of inherent risk. If a concern comes to the attention of the Auditor-Controller or the Assistant Auditor-Controller, a reoccurring examination may be planned prior to it being due based on the preferred cycle.

The County's financial operations are subject to audit by a firm of independent external auditors, Macias Gini & O'Connell, LLP, Certified Public Accountants (MGO). The external auditors are responsible for performing an annual audit of the general-purpose financial statements of the County and the Public Financing Authority. The external auditors also perform an annual "Single Audit" of the County's federal financial-assistance programs. Other independent auditors perform annual audits of the Contra Costa County Housing Authority, state grant programs, and the FIRST 5 Contra Costa Children and Families Commission.

Attachments

**Schedule of Internal Audit Examinations  
Calendar Year 2018**

Department	Last Done Through	Prefd. Examination Cycle (yrs)	Scheduled For 2018	Estimated Hours 2018	Total Examination Hours
Examination Description					
<b>Completed Examinations-Scheduled</b>					
<b>Board of Supervisors</b>					
District 4 General Department Examination (Including MACs)	3/11	4	X	100	89.5
<b>Auditor-Controller</b>					
Revolving/Cash Diff. Fund & Shortage Report (fiscal year)	6/17	1 (Law)	X	60	55
Misc A-C duties (ie Petty Cash ICQ;Relief of Shortage; Increase/New Petty Cash; Recons)		1	X	60	13
<b>Treasurer-Tax Collector</b>					
Treasury Cash & Investments - 1st qtr (2018)	02/17	1/4 (Law)	X	50	43
Treasury Cash & Investments - 2nd qtr (2018)	05/17	1/4 (Law)	X	50	48
Treasury Cash & Investments - July 1 (2018)	7/3/17	1/4 (Law)	X	50	34
Treasury Cash & Investments - 3rd qtr (Auditor recommendation) (2018)	07/17	1/4 (Law)	X	50	28
Treasury Cash & Investments - 4th qtr (2017)	12/16	1/4 (Law)	X	50	30.5
Tax Collector Cash on Hand - 1st qtr (2018)	2/17		X	20	8
Tax Collector Cash on Hand - 2nd qtr (2018)	05/17		X	20	6
Tax Collector Cash on Hand - July 1 (2018)	7/3/17		X	20	9
Tax Collector Cash on Hand - 3rd qtr (2018)	07/17		X	20	8
Tax Collector Cash on Hand - 4th qtr (2018)	12/16		X	20	7
Treasury Oversight Committee (calendar year) (2017)	12/16	1 (Law)	X	175	238
<b>District Attorney</b>					
General Department Examination	12/16	3	X	225	308
<b>Purchasing</b>					
Procurement Card Program - July - December 2017	06/17	1/4 (CAO)	X	110	180.5
Single Audit wrap-up				80	50
GASB review and implementation				80	16
Special projects				140	7
<b>Examinations carried to 2019</b>					
<b>Department of Information Technology</b>					
Communications equipment inventory	6/12	3	X	100	118
<b>Child Support Services</b>					
General Department Examination	3/10	3	X	200	291.5
<b>Clerk-Recorder</b>					
General Department Examination	5/15	2	X	420	252.5

**Schedule of Internal Audit Examinations  
Calendar Year 2018**

Department	Last Done	Prefd.	Scheduled	Estimated	Total
Examination Description	Through	Examination Cycle (yrs)	For 2018	Hours 2018	Examination Hours
<b>Probation</b>					
General Department Examination	12/15	2(Law)	X	240	414
<b>Health Services</b>					
Public Health	12/13	2	X	250	394.5
<b>Employment &amp; Human Services</b>					
Community Services Bureau (EHSD)	5/11	2	X	400	285
<b>Public Works</b>					
Public Works Inventories	6/12	3	X	100	59.5
Fleet Services Inventory	6/11	3	X	120	210
County issued Fastrak passes / County issued Vehicles	special		X	120	167
<b>Purchasing</b>					
Procurement Card Program - January - June 2018	12/17	1/4 (CAO)	X	110	178.5
Procurement Card Program - July - September 2018	06/18	1/4 (CAO)	X	110	82
<b>Postponed Examinations-Rescheduled for 2019</b>					
<b>Auditor-Controller</b>					
General Department Examination	12/10	4	X	250	45
Miscellaneous Trust Funds	1/10	4	X	320	52.5

**Schedule of Internal Audit Examinations  
Calendar Year 2019**

Department	Historical Estimated	Last Done Through	Prefd. Examination Cycle (yrs)	Scheduled For 2019	Exam Hours 2019
Project Description	Hours	Through	Cycle (yrs)	2019	2019
<b>Board of Supervisors</b>					
District 3 General Department Examination (Including MACs)	100	06/16	4	X	100
<i>Note: Staff turnover and reorganization within the Internal Audit Division prevented an examination of District III upon election of Supervisor Burgis. Prior examination was for the exit of Supervisor Piepho.</i>					
<b>Auditor-Controller</b>					
Revolving/Cash Diff. Fund & Shortage Report (fiscal year)	60	6/18	1 (Law)	X	60
General Department Examination	250	12/10	4	X	250
Fund 8109	100	1/10	5	X	100
Miscellaneous Trust Funds	320	1/10	4	X	320
Misc A-C duties (ie Petty Cash ICQ; Relief of Shortage; Increase/New Petty Cash; Recons)	60		1	X	60
<b>Treasurer-Tax Collector</b>					
Treasury Cash & Investments - 1st qtr	50	02/18	1/4 (Law)	X	50
Treasury Cash & Investments - 2nd qtr	50	04/18	1/4 (Law)	X	50
Treasury Cash & Investments - July 1	50	7/2/18	1/4 (Law)	X	50
Treasury Cash & Investments - 3rd qtr (Auditor recommendation)	50	07/18	1/4 (Law)	X	50
Treasury Cash & Investments - 4th qtr	50	12/18	1/4 (Law)	X	50
Tax Collector Cash on Hand - 1st qtr	20	02/18		X	20
Tax Collector Cash on Hand - 2nd qtr	20	04/18		X	20
Tax Collector Cash on Hand - July 1	20	7/2/18		X	20
Tax Collector Cash on Hand - 3rd qtr	20	07/18		X	20
Tax Collector Cash on Hand - 4th qtr	20	12/18		X	20
Treasury Oversight Committee (calendar year)	175	12/17	1 (Law)	X	175
<b>County Counsel</b>					
General Department Examination	120	NEW	5	X	120
<b>Public Defender</b>					
General Department Examination	120	4/09	5	X	120
<b>Sheriff-Coroner</b>					
Revolving Fund	100	5/12	2	X	100
Coroner	120	1/10	5	X	120
<b>Health Services</b>					
Hospital and Clinics (Collections and Petty Cash)	200	06/15	2	X	200
<b>Employment &amp; Human Services</b>					
Workforce Services Bureau	700	1/09	2	X	325
Welfare Accounting	240	7/12	3	X	240
<b>County Libraries</b>					
General Department Examination	275	12/12	4	X	275

**Schedule of Internal Audit Examinations  
Calendar Year 2019**

	<b>Historical</b>		<b>Prefd.</b>	<b>Scheduled</b>	<b>Exam</b>
<b>Department</b>	<b>Estimated</b>	<b>Last Done</b>	<b>Examination</b>	<b>For</b>	<b>Hours</b>
<b>Project Description</b>	<b>Hours</b>	<b>Through</b>	<b>Cycle (yrs)</b>	<b>2019</b>	<b>2019</b>
<b>Public Works</b>					
Capital Leases	240	6/13	3	X	240
<b>Purchasing</b>					
Procurement Card Program - 4th qtr (2018)	40	12/18	1/4 (CAO)	X	110
Procurement Card Program - 1st qtr (2019)	40	03/19	1/4 (CAO)	X	110
Procurement Card Program - 2nd qtr (2019)	40	6/19	1/4 (CAO)	X	110
Procurement Card Program - 3rd qtr (2019)	40	9/19	1/4 (CAO)	X	110
<b>Crockett-Carquinez FPD</b>					
General Department Examination	100	12/09	5	X	100
Special projects					180
Supervisor/Training/Review					100
New CAFR Software/Due To/From					50
GASB Implementation (40 X 2)					80
Single Audit assistance/wrap up					80



Contra  
Costa  
County

To: Board of Supervisors  
From: INTERNAL OPERATIONS COMMITTEE  
Date: March 19, 2019

Subject: RECOMMENDATIONS FOR DISPOSITION OF LOW MILEAGE FLEET VEHICLES

---

**RECOMMENDATION(S):**

ACCEPT 2017/18 annual report from the Public Works Director on the Internal Services Fund and status of the County's Vehicle Fleet.

**FISCAL IMPACT:**

Reassigning underutilized vehicles would increase cost efficiency, but the fiscal impact was not estimated.

**BACKGROUND:**

In FY 2008/09, the Board approved the establishment of an Internal Services Fund (ISF) for the County Fleet, now administered by the Public Works Department. Each year, the Public Works Department Fleet Services Manager analyzes the fleet and annual vehicle usage, and makes recommendations to the IOC on the budget year vehicle replacements and on the intra-County reassignment of underutilized vehicles, in accordance with County policy. The Board requested the IOC to review annually the Public Works Department report on the fleet and on low-mileage vehicles.

To provide context for the 2017/18 annual report, attached, below are some highlights from the 2016/17 annual report:

- In FY 2016-17, 57 new vehicles were purchased, 28% less than FY 2015-2016, and 33% less than were purchased in FY 2014-15.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Julie DiMaggio Enea  
(925) 335-1077

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

By: , Deputy

cc:

## BACKGROUND: (CONT'D)

- Fleet continually reviews vehicle usage in an effort to reduce underutilized vehicles according to Administrative Bulletin 508.5. During the most recent review in February 2017, one unit was identified that required further analysis for possible reclassification or reassignment which is the same as previous year.
- Fleet Services continues to promote building a “Green Fleet” by purchasing 26 hybrid vehicles as replacement vehicles.
- Fleet Services continues to install telematics GPS devices, where appropriate, to help improve fleet utilization, identify vehicle locations in the event of an emergency, reduce costs by identifying and immediately reporting operational issues with the vehicle, and improve accuracy of mileage meter readings. Department users of vehicles equipped with the telematics GPS devices also have access to standard reports which they can use to review incidences of speeding, excessive idling, vehicle utilization, etc., to help reduce departmental fleet cost. Over 681 vehicles in the County fleet are equipped with these devices.
- 429 light vehicles equipped with the telematics GPS device are enrolled in the State Continuous Smog Testing Pilot Program excluding them from the mandatory biennial physical smog test which reduces cost and vehicle downtime. The telematics device continuously monitor emissions performance and will send a notification immediately when a fault is detected so repairs can be made.

The Internal Operations Committee received the attached report covering FY 2017/18 on March 11, 2019, with Supervisor Andersen present. Staff noted that the Public Works Department was working towards its goal of "greening" the County's fleet, purchasing more electric vehicles. He explained some of the reluctance of staff to acclimate to electric vehicles, such as a lack of charging station infrastructure and anxiety about the range that the vehicles could operate on a single charge. He noted that the County uses a web application called Charge Point, which maps out the locations and driving directions to nearby charging stations available to County employees.

## ATTACHMENTS

Public Works FY 2017/18 Fleet Report

Public Works FY 2017/18 Fleet Report\_Attachment A

Public Works FY 2017/18 Fleet Report\_Attachment B

Public Works FY 2017/18 Fleet Report\_Attachment C



## Memo

March 6, 2019

**TO:** Internal Operations Committee  
Supervisor Diane Burgis, District III, Chair  
Supervisor Candace Andersen, District II, Vice Chair

**FROM:** Brian M. Balbas, Public Works Director

**SUBJECT:** FLEET INTERNAL SERVICE FUND FY 2017-18 REPORT

---

### MESSAGE:

#### Recommendation

Accept the Internal Service Fund (ISF) Fleet Services report for FY 2017-18.

#### Background

The Fleet Services Division has operated as an Internal Service Fund since 2008 to ensure stable and long-term vehicle replacement funding.

Fleet Services provides various services to County departments including the acquisition, preventative maintenance, repair, and disposal of fleet vehicles and equipment. The division services the County's fleet of over 1500 vehicles/equipment/trailers, of which, 908 vehicles are included in the ISF program.

#### ISF Rate Structure

There are three components to recover operational costs for vehicles in the ISF Fleet Services program which are charged to the departments. They are:

1. A fixed monthly cost to cover insurance, Fleet Services overhead, and vehicle depreciation / replacement
2. A variable cost based on miles driven to cover maintenance and repair costs
3. Direct costs for fuel

This rate structure enables the ISF to collect monthly payments from customer departments over the life-cycle of the units to fund operations and enable the systematic replacement of units at the end of a vehicle's useful life or when it becomes a cost-effective decision to do so.



The estimated fixed and variable rates are adjusted each year to develop ISF rates as close to actual costs as possible for each class of vehicle. Accordingly, the FY 2017-18 expenses were reviewed to develop new rates for FY 2018-19, which went into effect September 1, 2018. Please refer to Attachment A accompanying this report for the ISF Fleet Rates Schedule.

### **Fleet Services Goals and Objectives**

- Continue to provide cost-effective services that meet or exceed our customers' needs and expectations by evaluating additional services and new technologies to increase efficiencies.
- Continue to evaluate and recommend for replacement all vehicles and fleet equipment that are due for replacement based on a predetermined schedule and/or a time when it is most cost-effective to do so and in accordance with Administrative Bulletin 508.5. This increases vehicle availability through reduced down time associated with an older fleet.
- Continue to maintain a newer fleet focusing on preventative maintenance thus reducing repair costs typically associated with an older fleet.
- Continue to purchase clean air vehicles whenever feasible and to grow the number of electric vehicles in the fleet as existing equipment requires replacement. Fleet Services continues to seek grant funding opportunities to expand the electric vehicle charging station infrastructure to support County and personal vehicles.
- Continue to ensure that all County vehicles are maintained and repaired in a timely, safe, and cost effective manner in order to provide departments with safe, reliable vehicles and equipment.
- Continue to work with departments to identify vehicles and equipment that are underutilized in an effort to maximize fleet utilization, identify departmental actual needs, and reduce fleet costs.

### **Highlights**

- In FY 2017-18, 74 new vehicles were purchased, 16% more than FY 2016-17, and 6% less than were purchased in FY 2015-16.
- Fleet continually reviews vehicle usage in an effort to reduce underutilized vehicles according to Administrative Bulletin 508.5. During the most recent review in February 2019, two units were identified that required further analysis for possible reclassification or reassignment which is one more than the previous year.
- Fleet Services continues to promote building a "Green Fleet" by purchasing 20 hybrid vehicles as replacement vehicles.
- Fleet Services continues to install telematics GPS devices, where appropriate, to help improve fleet utilization, identify vehicle locations in the event of an emergency, reduce

costs by identifying and immediately reporting operational issues with the vehicle, and improve accuracy of mileage meter readings. Department users of vehicles equipped with the telematics GPS devices also have access to standard reports which they can use to review incidences of speeding, excessive idling, vehicle utilization, etc. to help reduce departmental fleet cost. Over 770 vehicles in the County fleet are equipped with these devices.

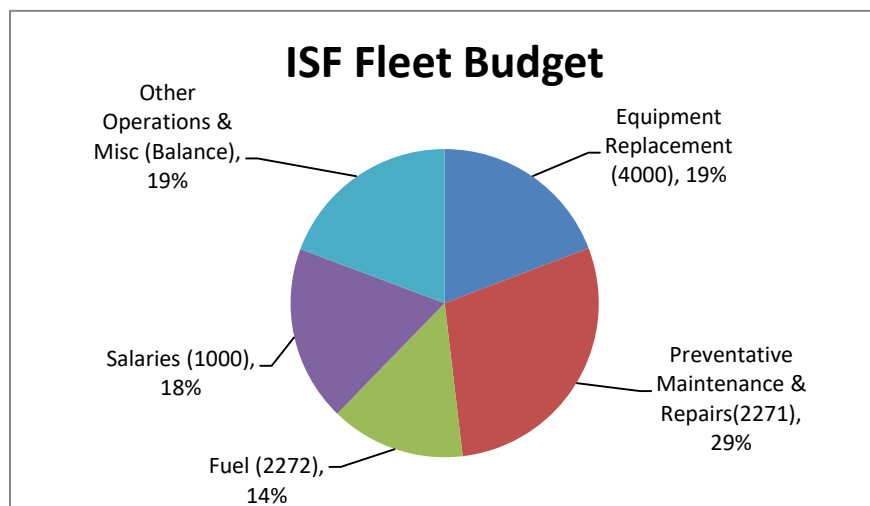
- Light vehicles equipped with the telematics GPS device are enrolled in the State Continuous Smog Testing Pilot Program excluding them from the mandatory biennial physical smog test which reduces cost and vehicle downtime. The telematics device continuously monitor emissions performance and will send a notification immediately when a fault is detected so repairs can be made.

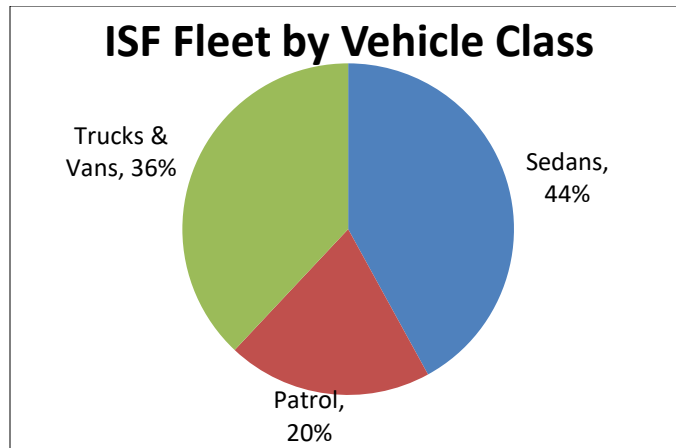
### **Summary**

The Fleet Services Division operates as an Internal Service Fund (ISF), providing services to a variety of County Departments. As an ISF, Fleet is responsible to fully recover the cost of providing services and the cost of capital purchases. Key responsibilities of the Division are vehicle preventative maintenance and repair, fueling, replacement analysis, specification review, acquisition, new vehicle up-fitting, and preparation of surplus vehicles for disposal.

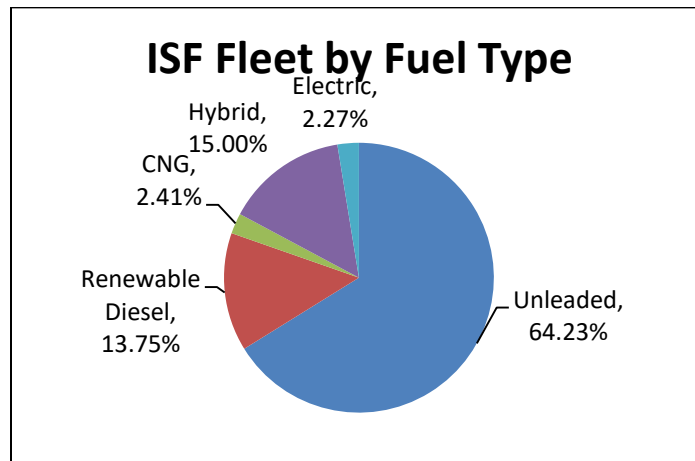
In FY 2017-18, Fleet Services had a staff of 21 Administration and Operations employees. The Administration section consists of one Fleet Manager, one Fleet Service Center Supervisor, one Fleet Equipment Specialist and one Clerk. The Operations section consists of one Lead Fleet Technician, 2 Equipment Services Workers, 12 Equipment Mechanics and 2 Equipment Service Writers.

The FY 2017-18 budget of \$14,528,416 included: \$2,678,183 for salaries; \$4,203,608 for vehicle repairs; \$2,054,476 for fuel; and \$2,789,256 for the replacement of fleet vehicles and equipment. The ending ISF Fund Balance for FY 2017-18 is \$13,959,235.





Fleet Services continues to purchase clean air vehicles whenever feasible and plans to grow the number of electric vehicles in the fleet as existing equipment requires replacement. All diesel vehicles use renewable fuel and all sedans must have a PZEV rating or greater by the California Air Resources Board.



Fleet Services continues to work to achieve the primary goals and objectives of providing County departments with vehicles and equipment that are safe, reliable, economically sustainable, and consistent with departmental needs and requirements at the lowest possible cost. The Division will continue to monitor vehicle use to optimize new vehicle acquisition and better utilize existing vehicle assets.

**Attachments**

- A ISF Rates Schedule
- B ISF Fund Balance
- C ISF Net Assets

**Internal Service Fund - Fleet Services**  
**ISF Fleet Rates Schedule**  
**FY 2017-18**

Category	FY 2015-16		FY 2016-17		FY 2017-18		FY 2018-19		% Change	
	Monthly Rate	Mileage Charge	Monthly Rate	Mileage Charge	Monthly Rate	Mileage Charge	Monthly Rate	Mileage Charge	Monthly Rate	Mileage Charge
ISF-Sedan	\$ 264.33	\$ 0.200	\$ 349.83	\$ 0.220	\$ 372.33	\$ 0.170	\$ 375.75	\$ 0.170	0.9%	0.0%
ISF-Cargo Van	435.33	0.210	434.67	0.306	397.75	0.300	376.17	0.360	-5.4%	20.0%
ISF-Passenger Van	315.33	0.280	356.50	0.262	293.42	0.290	283.17	0.300	-3.5%	3.4%
ISF-Patrol	445.00	0.410	576.92	0.635	770.17	0.470	794.50	0.630	3.2%	34.0%
ISF-Sports Utility Vehicle	374.50	0.200	406.67	0.241	373.75	0.230	415.08	0.210	11.1%	-8.7%
ISF-Truck, Compact	223.50	0.290	254.25	0.217	238.00	0.380	228.25	0.310	-4.1%	-18.4%
ISF-Truck, Fullsize	335.08	0.410	496.33	0.254	482.33	0.360	383.67	0.460	-20.5%	27.8%
ISF-Truck, Utility	316.42	0.550	403.08	0.285	540.75	0.590	618.33	0.240	14.3%	-59.3%

**Internal Service Fund - Fleet Services  
Fund Balance  
For the Year Ended June 30, 2018**

	<b>FY 2016-17</b>	<b>FY 2017-18</b>
<b>Beginning Fund Balance</b>	<b>\$ 12,002,754</b>	<b>\$ 13,280,812</b>
<b>Expenses</b>		
Salaries & Benefits	\$ 2,002,658	\$ 2,226,419
Services and Supplies, Other Charges	7,371,562	8,296,506
Depreciation	2,479,249	2,585,310
<b>Total Expenses</b>	<b>\$ 11,853,469</b>	<b>\$ 13,108,235</b>
<b>Revenues</b>		
Charges for services	\$ 12,261,130	\$ 13,218,453
Transfers In/(Out)	421,731	119,694
Sale of Surplus Vehicles	193,286	248,703
Indemnifying Proceeds (Accidents)	255,380	199,809
<b>Total Revenue</b>	<b>\$ 13,131,527</b>	<b>\$ 13,786,658</b>
<b>Change in Fund Balance</b>	<b>\$ 1,278,058</b>	<b>\$ 678,423</b>
<b>FY Ending Fund Balance</b>	<b>\$ 13,280,812</b>	<b>\$ 13,959,235</b>

**Internal Service Fund - Fleet Services  
Balance Sheet (Fund 150100)  
As of June 30, 2018**

		<u>FY 2016-17</u>	<u>FY 2017-18</u>
<b>Assets</b>			
Current Assets:			
0010	Cash	\$ 3,680,540	\$ 5,356,309
0100	Accounts Receivable	881	(2,696)
0170	Inventories	453,298	370,636
0180	Due From Other Funds	1,831,931	4,667,007 (1)
0250	Prepaid Expense	73,613	(14,242)
	Total Current Assets	<u>\$ 6,040,262</u>	<u>\$ 10,377,014</u>
Noncurrent Assets:			
0340	Equipment	23,435,483	24,142,872
0360	Construction In Progress	822,053	134,914
0370	Reserve For Depreciation	(15,576,586)	(16,464,226)
	Total Noncurrent Assets	<u>\$ 8,680,950</u>	<u>\$ 7,813,560</u>
	<b>Total Assets</b>	<b><u>\$ 14,721,212</u></b>	<b><u>\$ 18,190,575</u></b>
<b>Liabilities</b>			
0500	Accounts Payable	\$ 576,350	\$ 616,070
0540	Due To Other Funds	788,844	3,533,644 (1)
0640	Employee Fringe Benefit Pay	75,206	81,625
	<b>Total Liabilities</b>	<b><u>\$ 1,440,400</u></b>	<b><u>\$ 4,231,339</u></b>
<b>Net Position</b>			
	Net Capital Assets	\$ 8,680,950	\$ 7,813,560
	Working Capital	4,599,862	6,145,675
	<b>Total Net Position</b>	<b><u>\$ 13,280,812</u></b>	<b><u>\$ 13,959,235</u></b>

(1) Year-end journal processed by Auditor to adjust depreciation creating an overstatement in 0180 - Due From Other Funds and 0540 - Due to Other Funds. Net effect on Total Net Position is zero.



Contra  
Costa  
County

To: Board of Supervisors  
From: INTERNAL OPERATIONS COMMITTEE  
Date: March 19, 2019

Subject: Small Business Enterprise & Outreach Program - July-December 2018

---

**RECOMMENDATION(S):**

ACCEPT the Small Business Enterprise, Outreach and Local Bid Preference Programs Report, reflecting departmental program data for the period July 1 through December 31, 2018.

**FISCAL IMPACT:**

None. This is an informational report.

**BACKGROUND:**

The Board of Supervisors has adopted these programs to enable small and local businesses to compete for a share of the County's purchasing transactions.

**SBE and Outreach Programs.** The Board of Supervisors has set a goal of awarding at least 50% of eligible product and service dollars to small businesses. The Small Business Enterprise (SBE) Program applies to: (1) county-funded construction contracts of \$100,000 or less; (2) purchasing transactions of \$100,000 or less; and (3) professional/personal service contracts of \$100,000 or less. The SBE Program's objective is to have at least 50% or more of the total eligible dollar base amounts be awarded to SBEs. A Small Business Enterprise, as defined by the California Government Code, Section 14837, Chapter 3.5 must be:

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APPROVE
  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR
  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/19/2019**  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: March 19, 2019

Contact: Julie DiMaggio Enea  
(925) 335-1077

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

By: , Deputy

cc:

## BACKGROUND: (CONT'D)

- Independently owned and operated business, which is not dominant in its field of operation
- Principal office of which is located in California
- Officers of which are domiciled in California, and which together with affiliates, has 100 or fewer employees
- Average annual gross receipts of fourteen million dollars (\$15,000,000) or less over the previous three tax years, or a manufacturer with 100 or fewer employees.

**Local Bid Preference Program.** On August 10, 2004, the Board of Supervisors referred to the Internal Operations Committee (IOC) the creation of a policy to grant a five percent preference to Contra Costa County vendors on all sealed bids or proposals, except with respect to those contracts which state law requires to be granted to the lowest bidder, and review of an ordinance to be drafted by County Counsel to enact this policy. The 2005 IOC proposed a new ordinance to the Board of Supervisors, and the Board adopted the local bid preference ordinance to support small local business and stimulate the local economy at no additional cost to the County. The ordinance provides that if the low bid in a commodities purchase is not a local vendor, any responsive local vendor who submitted a bid over \$25,000 that was within 5% percent of the lowest bid has the option to submit a new bid. The local vendor will be awarded if the new bid is in an amount less than or equal to the lowest responsive bid, allowing the County to favor the local vendor but not at the expense of obtaining the lowest offered price.

The ordinance defines a local vendor as any business that has its headquarters, distribution point, or locally-owned franchise located within the county for at least six months immediately prior to the issuance of the request for bids, and holds a valid business license by a jurisdiction in Contra Costa County.

### Reporting Requirements

It is the responsibility of each department to track and compile the data on purchasing and outreach activities so that a countywide report can be provided to the Board of Supervisors. It is the responsibility of the Purchasing Services Manager to comply with and report on the Local Bid Preference Program. The Board receives reports for six month increments, and the last report received by the Board was for the period ending June 30, 2018.

Since adoption, the IOC has continued to monitor the effects of these programs through annual reports, currently prepared and presented by the Purchasing Services Manager.

The IOC received the attached report on March 11, with Supervisor Andersen present, noting that performance was trending upward, although cyclical patterns have been noticed. The Purchasing Services Manager has assembled a directory of local, small, minority-owned, women-owned, and disabled-owned business to serve as a reference for departments seeking goods and services. He plans to make this directory available on line and in hard copy, as a visual reminder to departments of their obligations under the County's SBE and Outreach programs.

### ATTACHMENTS

SBE, Outreach and Local Bid Programs Report for July-December 2018

SBE, Outreach and Local Bid Programs Report for July-December 2018\_Attachment A





Contra Costa County  
**Public Works**  
Department

Brian M. Balbas, Director  
Deputy Directors  
Stephen Kowalewski, Chief  
Mike Carlson  
Carrie Ricci  
Joe Yee

March 4, 2019

**TO:** **Internal Operations Committee**  
Supervisor Diane Burgis, District III, Chair  
Supervisor Candace Andersen, District II, Vice Chair

**FROM:** *David Gould*  
David Gould, Procurement Services Manager

**SUBJECT:** **Small Business Enterprise, Outreach, and Local Program Report for July-December 2018**

**RECOMMENDATION:**

**ACCEPT the SBE, Outreach, and Local Programs Report, reflecting departmental program data for the period: July 1 through December 31, 2018.**

**BACKGROUND:**

Contra Costa County values the contributions of small business in the County and has developed programs to assist in the solicitation and awarding of contracts. The Board of Supervisors has adopted these programs to enable small and local businesses to compete for a share of the County's purchasing transactions.

The Board of Supervisors has set a goal of awarding at least 50% of eligible product and service dollars to small businesses. The Small Business Enterprise (SBE) Program applies to: (1) county-funded construction contracts of \$100,000 or less; (2) purchasing transactions of \$100,000 or less; and (3) professional/personal service contracts of \$100,000 or less.

The SBE Programs objective is to have at least 50% or more of the total eligible dollar base amounts be awarded to SBEs. A Small Business Enterprise, as defined by the California Government Code, Section 14837, Chapter 3.5 must be:

- Independently owned and operated business, which is not dominant in its field of operation
- Principal office of which is located in California
- Officers of which are domiciled in California, and which together with affiliates, has 100 or fewer employees
- Average annual gross receipts of fifteen million dollars (\$15,000,000) or less over the previous three tax years, or a manufacturer with 100 or fewer employees.

*"Accredited by the American Public Works Association"*

255 Glacier Drive Martinez, CA 94553-4825  
TEL: (925) 313-2000 • FAX: (925) 313-2333  
www.cccpublicworks.org

Reporting Requirements

It is the responsibility of each department to track and compile the data on these purchasing activities so that a countywide report can be provided to the Board of Supervisors. The Board receives reports for six month increments, and the last report received by the Board was for the period ending June 2018. Attachment A constitutes the report due for the time period of July 1- December 31, 2018.

Summary Findings

The table below summarizes the attached department activity on a countywide basis.

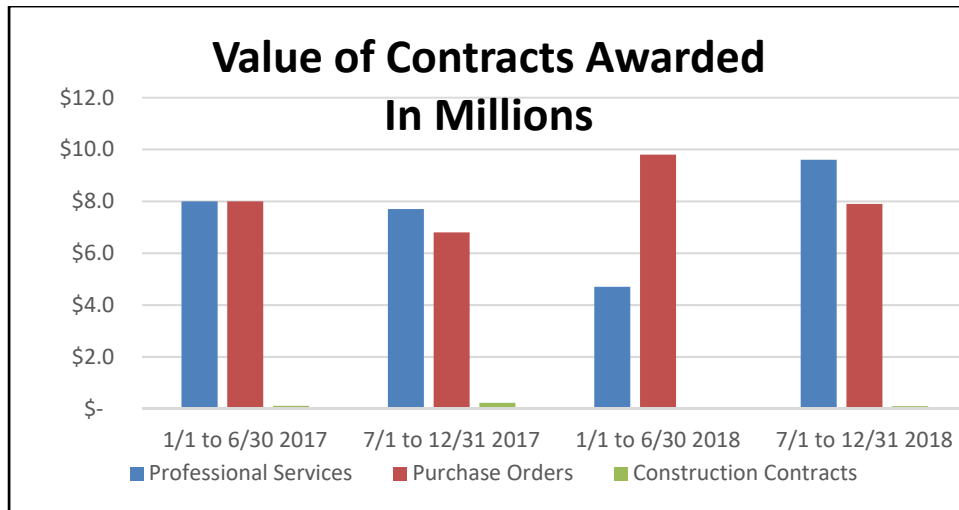
July - December 2018

<b>ACTIVITY TYPE:</b>	<b>Total # of ALL Contracts</b>	<b>Total # of SBE Contracts</b>	<b>SBE Percent of Total</b>	<b>Total Dollar Value of ALL Contracts</b>	<b>Total Dollar Value of SBE Contracts</b>	<b>SBE Percent of Total</b>
Professional/Personal Services	364	190	52.2	\$19,993,502	\$9,573,644	47.9%
Purchasing Transactions	1438	444	30.9%	\$27,797,254	\$7,922,678	28.5%
Construction Contracts	1	1	100%	\$66,741	\$66,741	100%

Overall this information shows the County is directing a large volume of qualifying activity to SBE firms. For professional/personal services contracts, this activity fell short of the 50% goal for the dollar value of contracts. The dollar value of contracts awarded to businesses under the program went up to nearly \$9.6 million for this period compared to \$4.7 million in the previous reporting period. This represents a \$4.8 million increase of eligible dollars awarded to program participants.

For the category of purchasing transactions, it should be noted that while the activity did not achieve the 50% goal, the dollar value of these contracts awarded to SBE businesses was nearly \$8 million for the reporting period. Departments report one construction contract awarded under the program for this period.

It is worth noting that the SBE participation goals of surrounding agencies are more typically in the 20-25% range. By that measure, Contra Costa County's reported activity is above that threshold in every reporting category.



E-Outreach Report

In order to encourage the use of small, local, and disadvantaged businesses, the County's E-Outreach Program requires bids and Request for Proposals of \$10,000 or more to be solicited online. For this period there were 23 bids totaling \$27,344,055 that fell within the County's E-Outreach Program.

In addition, outreach data for all electronic solicitations is maintained and provided through the Purchasing Division of the Public Works Department reflecting outreach to small, women, minority-owned, local, disabled veteran, and disadvantaged business enterprises. During the reporting period, 23 bids were conducted using the BidSync e-outreach site. Notifications were sent to 90,358 businesses of which 47.5% are considered a small, local, or disadvantaged business.

E-Outreach  
July 1, 2018 - December 31, 2018

Number of Solicitations	23
Total Notifications	90,358
Dollar Value	\$ 27,344,056

BUSINESS CATEGORY	Notifications	Percentage of Total
MBE - Minority Business Enterprise	7,603	8.4%
WBE - Women Business Enterprise	5,647	6.2%
SBE - Small Business Enterprise	24,074	26.6%
LBE - Local Business Enterprise	355	0.4%
DVBE - Disabled Veteran Business Enterprise	211	0.2%
DBE - Disadvantaged Business Enterprise	5,073	5.6%
<b>Total</b>	<b>42,963</b>	<b>47.5%</b>

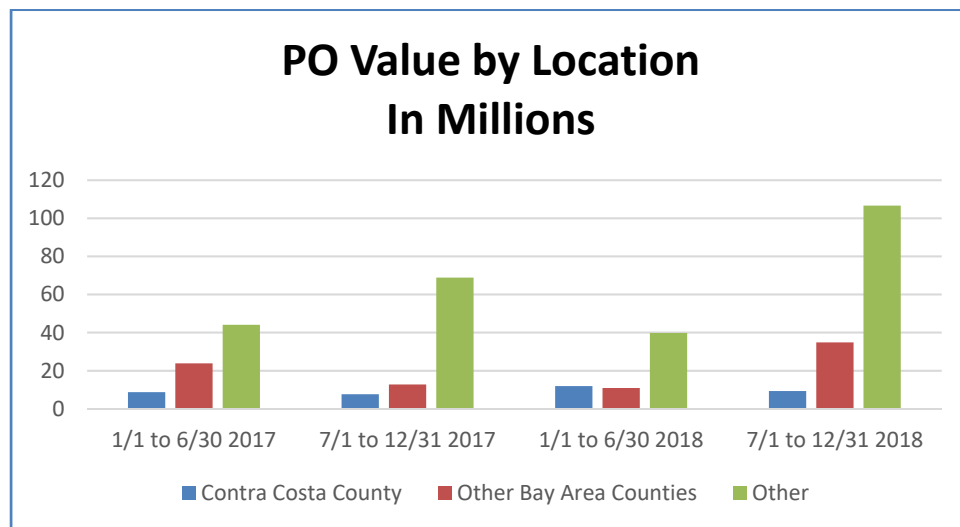
Local Business Preference

The Local Bid Preference Program allows a bidder in a commodity bid exceeding \$25,000, who is a low bidder, to submit a new bid if they are within 5% of the low bidder. There were no instances of the Bid Preference being utilized for this reporting period.

Dollar Value Awarded to Local and Bay Area Businesses

The dollar value of Purchase Orders issued for the period was \$150.7 million. The dollar value awarded to Contra Costa County businesses was \$9.3 million. The value awarded to all Bay Area businesses was 29% or \$44.1 million, a significant increase from the previous reporting period. This represents a significant contribution to the local economy.

Contra Costa County	\$9,296,838	6%
Other Bay Area Counties	\$34,817,845	23%
Other	\$106,607,317	71%
Total	\$150,722,000	100%



Conclusion

The County demonstrates continued commitment to achieving the 50% goal for participation by SBE firms in contract and purchasing activity. While the data for some departments is below this threshold, this is often due to unique business requirements that require sole source purchases or contracts.

**ATTACHMENT A**  
**SMALL BUSINESS ENTERPRISE - Program Activity report**  
**July - December 2018**

Reporting Period:

	<u>Total # of ALL contracts</u>	<u>Total # of SBE contracts</u>	<u>SBE percent of Total # of contracts</u>	<u>Total dollar value of ALL contracts</u>	<u>Total dollar value of SBE contracts</u>	<u>SBE percent of Total contracts value</u>
<b>Agriculture</b>						
Professional/Personal services contracts	1	1	100.0%	\$14,000	\$14,000	100.0%
Purchasing Transactions	0	0	0.0%	\$0	\$0	0.0%
Construction contracts	0	0	0.0%	\$0	\$0	0.0%
<b>Animal Services</b>						
Professional/Personal services contracts	31	24	77.4%	\$1,526,467	\$1,203,740	78.9%
Purchasing Transactions	41	13	31.7%	\$343,949	\$57,293	16.7%
Construction contracts	0	0	0.0%	\$0	\$0	0.0%
<b>Assessor</b>						
Professional/Personal services contracts	0	0	0.00%	\$0	\$0	0.0%
Purchasing Transactions	12	2	83.30%	\$72,968	\$19,576	26.8%
Construction contracts	0	0	0	\$0	\$0	0.0%
<b>Auditor-Controller</b>						
Professional/Personal services contracts	0	0	0.0%	\$0	\$0	0.0%
Purchasing Transactions	2	1	50.0%	\$15,848	\$13,278	83.8%
Construction contracts	0	0	0.0%	\$0	\$0	0.0%
<b>Clerk-Recorder-Elections</b>						
Professional/Personal services contracts	18	4	22.2%	\$203,104	\$45,710	22.5%
Purchasing Transactions	18	3	16.7%	\$90,364	\$16,538	18.3%
Construction contracts	0	0	0.0%	\$0	\$0	0.0%
<b>Conservation and Development</b>						
Professional/Personal services contracts	3	3	100.0%	\$139,940	\$139,940	100.0%
Purchasing Transactions	16	12	75.0%	\$290,323	\$261,679	90.1%
Construction contracts	0	0	0.0%	\$0	\$0	0.0%
<b>County Administrator's Office - Reentry &amp; Justice</b>						
Professional/Personal services contracts	1	1	100.0%	\$75,000	\$75,000	100.0%
Purchasing Transactions	1	0	0.0%	\$14,969	\$0	0.0%
Construction contracts	0	0	0.0%	\$0	\$0	0.0%

**ATTACHMENT A**

**SMALL BUSINESS ENTERPRISE - Program Activity report**

**July - December 2018**

Reporting Period:

	<u>Total # of ALL contracts</u>	<u>Total # of SBE contracts</u>	<u>SBE percent of Total # of contracts</u>	<u>Total dollar value of ALL contracts</u>	<u>Total dollar value of SBE contracts</u>	<u>SBE percent of Total contracts value</u>
<b>County Administrator's Office - Clerk of the Board</b>						
Professional/Personal services contracts	0	0	0.0%	\$0	\$0	0.0%
Purchasing Transactions	2	0	0.0%	\$2,733	\$2,733	100.0%
Construction contracts	0	0	0.0%	\$0	\$0	0.0%
<b>County Administrator's Office - Communications and Media</b>						
Professional/Personal services contracts	1	0	0.0%	\$74,100	\$0	0.0%
Purchasing Transactions	12	6	50.0%	\$116,492	\$65,432	56.2%
Construction contracts	0	0	0.0%	\$0	\$0	0.0%
<b>County Administrator's Office - Dept. of Information Technology (DoIT)</b>						
Professional/Personal services contracts	1	0	0.0%	\$50,000	\$0	0.0%
Purchasing Transactions	67	21	31.3%	\$1,368,864	\$551,818	40.3%
Construction contracts	0	0	0.0%	\$0	\$0	0.0%
<b>Dept. Child Support Services (DCSS)</b>						
Professional/Personal services contracts	0	0	0.0%	\$0	\$0	0.0%
Purchasing Transactions	4	0	0.0%	\$83,832	\$0	0.0%
Construction contracts	0	0	0.0%	\$0	\$0	0.0%
<b>County Counsel</b>						
Professional/Personal services contracts	0	0	0.0%	\$0	\$0	0.0%
Purchasing Transactions	0	0	0.0%	\$0	\$0	0.0%
Construction contracts	0	0	0.0%	\$0	\$0	0.0%
<b>District Attorney</b>						
Professional/Personal services contracts	1	1	100.0%	\$25,000	\$25,000	100.0%
Purchasing Transactions	33	16	48.5%	\$611,250	\$412,555	67.5%
Construction contracts	0	0	0.0%	\$0	\$0	0.0%
<b>Employment and Human Services</b>						
Professional/Personal services contracts	24	14	58.3%	\$1,237,519	\$552,594	44.7%
Purchasing Transactions	108	39	36.1%	\$1,102,917	\$450,694	40.9%
Construction contracts	0	0	0.0%	\$0	\$0	0.0%

**ATTACHMENT A**  
**SMALL BUSINESS ENTERPRISE - Program Activity report**  
**July - December 2018**

Reporting Period:

	<u>Total # of ALL contracts</u>	<u>Total # of SBE contracts</u>	<u>SBE percent of Total # of contracts</u>	<u>Total dollar value of ALL contracts</u>	<u>Total dollar value of SBE contracts</u>	<u>SBE percent of Total contracts value</u>
<b>Fire Protection District</b>						
Professional/Personal services contracts	4	0	0.0%	\$177,480	\$0	0.0%
Purchasing Transactions	11	3	27.3%	\$416,962	\$120,638	28.9%
Construction contracts	0	0	0.0%	\$0	\$0	0.0%
<b>Health Services</b>						
Professional/Personal services contracts	223	116	52.0%	\$12,308,533	\$6,368,437	51.7%
Purchasing Transactions	446	65	14.6%	\$10,242,016	\$1,088,769	10.6%
Construction contracts	0	0	0.0%	\$0	\$0	0.0%
<b>Human Resources</b>						
Professional/Personal services contracts	5	5	100.0%	\$286,900	\$286,900	100.0%
Purchasing Transactions	9	0	0.0%	\$132,340	\$0	0.0%
Construction contracts	0	0	0.0%	\$0	\$0	0.0%
<b>Library</b>						
Professional/Personal services contracts	1	1	100.0%	\$68,000	\$68,000	100.0%
Purchasing Transactions	42	16	38.1%	\$174,198	\$75,541	43.4%
Construction contracts	0	0	0.0%	\$0	\$0	0.0%
<b>Probation</b>						
Professional/Personal services contracts	28	11	39.3%	\$229,675	\$103,323	45.0%
Purchasing Transactions	51	29	56.9%	\$538,786	\$307,812	57.1%
Construction contracts	0	0	0.0%	\$0	\$0	0.0%
<b>Public Defender</b>						
Professional/Personal services contracts	0	0	0.0%	\$0	\$0	0.0%
Purchasing Transactions	11	1	9.1%	\$117,492	\$9,308	7.9%
Construction contracts	0	0	0.0%	\$0	\$0	0.0%
<b>Public Works</b>						
Professional/Personal services contracts	7	6	85.7%	\$483,500	\$432,000	89.3%
Purchasing Transactions	371	156	42.0%	\$6,494,596	\$2,558,458	39.4%
Construction contracts	1	1	100.0%	\$66,741	\$66,741	100.0%

**ATTACHMENT A**  
**SMALL BUSINESS ENTERPRISE - Program Activity report**  
**July - December 2018**

Reporting Period:

	<u>Total # of ALL contracts</u>	<u>Total # of SBE contracts</u>	<u>SBE percent of Total # of contracts</u>	<u>Total dollar value of ALL contracts</u>	<u>Total dollar value of SBE contracts</u>	<u>SBE percent of Total contracts value</u>
<b>Office of the Sheriff</b>						
Professional/Personal services contracts	14	2	14.3%	\$2,994,384	\$160,000	5.3%
Purchasing Transactions	174	57	32.8%	\$5,411,506	\$1,843,386	34.1%
Construction contracts	0	0	0.0%	\$0	\$0	0.0%
<b>Treasurer - Tax Collector</b>						
Professional/Personal services contracts	1	1	100.0%	\$99,900	\$99,000	99.1%
Purchasing Transactions	11	4	36.4%	\$154,849	\$67,170	43.4%
Construction contracts	0	0	0.0%	\$0	\$0	0.0%
<b>Veterans Services Office</b>						
Professional/Personal services contracts	0	0	0.0%	\$0	\$0	0.0%
Purchasing Transactions	0	0	0.0%	\$0	\$0	0.0%
Construction contracts	0	0	0.0%	\$0	\$0	0.0%

**Total Activity Reported**

Professional/Personal services contracts	364	190	<b>52.2%</b>	\$19,993,502	\$9,573,644	<b>47.9%</b>
Purchasing Transactions	1442	444	<b>30.8%</b>	\$27,797,254	\$7,922,678	<b>28.5%</b>
Construction contracts	1	1	<b>100.0%</b>	\$66,741	\$66,741	<b>100.0%</b>





Contra  
Costa  
County

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: March 19, 2019

Subject: Resolution No. 2019/87 - DSA Probation and Probation and Probation Supervisors Unit Side Letter - Certification Rule Update

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2019/87, approving a side letter between Contra Costa County and the Deputy Sheriffs Association, Probation Unit and Probation Supervisors Unit, to modify the Certification Rule to expand the use of band list certification to the classification of Deputy Probation Officer I.

**FISCAL IMPACT:**

Administrative change to certification rule. There is no cost associated with the change.

**BACKGROUND:**

Pursuant to the Personnel Management Regulations, band lists may be used for certain classifications. The Probation Department currently uses the band list certification process for the classification of Juvenile Institution Officer I. This modification expands the use to the classification of Deputy Probation Officer I. An additional modification also expands the number of candidate referrals from five (5) to ten (10) for Deputy Probation Officer II promotional recruitments. The DSA and County agreed to modify Sections 18 and 19 of the MOU to incorporate these changes to the hiring process (Side Letter dated 2/21/19 attached).

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/19/2019**  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: March 19, 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: Robert Campbell, Auditor-Controller, Dianne Dinsmore, Human Resources Director

CONSEQUENCE OF NEGATIVE ACTION:

If the side letter is not approved, the department will be unable to take advantage of band list certification for Deputy Probation Officer I recruitments and an increased number of candidate referrals for Deputy Probation Officer II promotional recruitments, making scheduling and interviewing more difficult and inefficient.

ATTACHMENTS

Resolution 2019/87

DSA Probation Unit and Probation Supervisors Unit Side Letter dated 2-21-19

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

Adopted this Resolution on 03/19/2019 by the following vote:

**AYE:**

**NO:**

**ABSENT:**

**ABSTAIN:**

**RECUSE:**



**Resolution No. 2019/87**

**In The Matter Of:** Approving the Side Letter between Contra Costa County and the Deputy Sheriffs Association (DSA), Probation Unit and Probation Supervisors Unit, to modify the Memorandum of Understanding to expand the use of band certification lists to the classification of Deputy Probation Officer I and to expand the number of candidate referrals from five (5) to ten (10) for Deputy Probation Officer II promotional recruitments.

The Contra Costa County Board of Supervisors acting in its capacity as Governing Board of the County of Contra Costa and all districts of which it is the ex-officio governing Board **RESOLVES THAT:**

Effective after adoption by the Board of Supervisors, the attached Side Letter of Agreement dated February 21, 2019, between Contra Costa County and the Deputy Sheriffs Association, Probation Unit and Probation Supervisors Unit, be **ADOPTED**.

I hereby certify that this 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: Lisa Driscoll, County Finance Director (925)  
335-1023**

**ATTESTED: March 19, 2019**

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

By: , Deputy

**cc:** Robert Campbell, Auditor-Controller, Dianne Dinsmore, Human Resources Director

**SIDE LETTER AGREEMENT**  
**BETWEEN CONTRA COSTA COUNTY & DEPUTY SHERIFFS ASSOCIATION**  
**PROBATION UNIT AND PROBATION SUPERVISORS UNIT**

This Side Letter Agreement is by and between the Deputy Sheriffs Association (“DSA”), on behalf of the Probation Unit and Probation Supervisors Unit, and the County of Contra Costa (“County”) and is effective on \_\_\_\_\_, 2019, following approval of the Board of Supervisors.

Pursuant to the terms of this Side Letter, the County and DSA agree to amend Section 18 – Probationary Period and Section 19 – Promotions of the July 1, 2015 to June 30, 2019, Memorandum of Understanding (MOU) between Contra Costa County and DSA (Probation Unit and Probation Supervisors Unit). The amendments to the MOU are as follows:

**SECTION 18 – CERTIFICATION RULE / PROBATIONARY PERIOD**

**(New subsection added)**

**18.1 Certification Rule** – Pursuant to Personnel Management Regulations (PMR) Sections 605.3(d), 605.4, and 719, band lists may be used for the entry-level classes of Deputy Probation Officer I (Class Code 7AWA) and Juvenile Institution Officer I (Class Code 7KWB). Under the band list certification process, the names of candidates who have qualified on the examination are placed into one, two or three groups designated as Bands A, B and C. All names within each band shall be considered equally qualified and there shall be no additional ranking within the bands. The number of eligible candidates certified from the eligible list established as a result of an open competitive examination shall:

- Include all of the names in Band A; and
- If there are fewer than nine (9) names available in Band A, then all of the names in Band B shall be certified along with the names in Band A; and
- If there are fewer names in Band A than the number of vacancies to be filled, then all of the names in Band B shall be certified along with the names in Band A; and
- If there are fewer than nine (9) names available in Band A and Band B combined, then all of the names in Band C shall be certified along with the names in Band A and Band B; and
- If there are fewer names in Band A and Band B combined than the number of vacancies to be filled, then all of the names in Band C shall be certified along with the names in Band A and Band B.

**Note: All subsequent existing subsections will be renumbered accordingly.**

**SECTION 19 – PROMOTION (New subsection added)**

**19.3 Certification Rule** – The rule of ten (10) will be utilized for the Deputy Probation Officer II (Class Code 7AVA) Promotional List. The rule of five (5) will be utilized for all other promotions.




**Note: All subsequent existing subsections will be renumbered accordingly.**

Except as specifically amended or excluded by this Side Letter, all other terms and conditions of the MOU between Contra Costa County and DSA (Probation Unit and Probation Supervisors Unit) effective July 1, 2015 – June 30, 2019, remain unchanged.

Date: 2/21/19

**Contra Costa County:**  
(Signature/Printed Name)

**Deputy Sheriffs Association**  
(Probation Unit & Probation  
Supervisors Unit):  
(Signature/Printed Name)

	/	Alvan Mangalindan		/	Sharon Webb
	/	Jeff Walters		/	
	/			/	
	/			/	
	/			/	



Contra  
Costa  
County

To: Board of Supervisors  
From: David O. Livingston, Sheriff-Coroner  
Date: March 19, 2019

Subject: Approve costs associated with attendance at the FBI Academy

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Sheriff-Coroner or designee, to expend \$2,160 for costs associated with employee David Hartman's attendance at the Federal Bureau of Investigation National Academy from April 1, 2019 through June 7, 2019. This expense is to be differentiated from an advance on funds or reimbursement. Summary of Expenses: Academy Uniforms - \$550.00 Student Assessment - \$250.00 Miscellaneous Expenses (\$20/day x 68 days) \$1,360.00.

**FISCAL IMPACT:**

100% County General Fund, Budgeted. The total cost to the County for this continuing education program will be borne by the Sheriff's Office operational budget.

**BACKGROUND:**

The Federal Bureau of Investigation National Academy is a prestigious continuing education program recognized internationally for law enforcement personnel. The training program is a comprehensive and balanced 10-week program of advanced professional instruction. Throughout this training, particular emphasis is placed on leadership development. Personnel from the Office of the Sheriff-Coroner attend the National Academy at the personal invitation of the Director of the Federal Bureau of Investigation. All major costs, including transportation, are funded by the Bureau.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/19/2019**  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: March 19, 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:

Negative action could suppress the ability of our county to continue preparing our local law enforcement officials for the unique leadership challenges which we are certain to face in the future.





**Contra  
Costa  
County**

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: March 19, 2019

Subject: Modified Administrative Bulletin regarding Public Access to County Records (Administrative Bulletin 120)

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**RECOMMENDATION(S):**

1. APPROVE modified administrative bulletin regarding public access to County records under the Public Records Act.
2. DIRECT the County Administrator’s Office to disseminate the modified administrative bulletin and encourage departments to send staff whose job it is to receive and respond to PRA requests to semi-annual trainings by the County Counsel’s Office.

**FISCAL IMPACT:**

There are no costs associated with this action.

---

APPROVE
  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR
  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/19/2019**  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: March 19, 2019

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

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

By: , Deputy

cc: All County Departments (via County Administration)



## BACKGROUND:

Because the County places great importance on providing the public with timely and complete information, the County has an administrative bulletin in place to help County staff and board advisory bodies (including Municipal Advisory Councils) respond to requests from the public for records. The administrative bulletin describes the responsibilities of the County and advisory boards under the California Public Records Act and the County's Better Government Ordinance ("BGO"). The County also provides a semi-annual training for County staff and boards to guide them through the requirements of the Public Records Act and BGO, and to prepare them to assist the public with such requests.

Since 2009, when the Board adopted the most recent administrative bulletin concerning public access to County records, there have been developments in the law concerning local agencies obligations under the Public Records Act. The administrative bulletin has been updated to reflect these changes. One of the most significant changes has been the clarification that public records potentially subject to disclosure under the Public Records Act may include records that are contained on private electronic devices or accounts. For this reason, the administrative bulletin has been amended to provide guidance concerning when a search of private electronic devices and accounts is appropriate, procedures for doing so and how to identify a public record on a private electronic device or account.

To ensure that those who are responsible for responding to a request conduct a thorough search, the bulletin has also been changed to describe the increasing array of media on which public records may be found, such as flash drives, cell phones, and tablets. Similarly, recognizing the shift to most records being held in an electronic format, the updated administrative bulletin discusses the format in which a record should be produced and the charge, if any, for producing the record in a certain format.

Additionally, the updated administrative bulletin has a new section that describes how to handle a writing that is sent to or received by a quorum of the Board of Supervisors or other policy body.

## CONSEQUENCE OF NEGATIVE ACTION:

Failure to obtain Board approval will reduce the County's ability to ensure that staff and policy bodies are trained about recent updates to the Public Records Act.

## ATTACHMENTS

Administrative Bulletin 120 - Public Records Act

**CONTRA COSTA COUNTY**  
**Office of the County Administrator**  
**ADMINISTRATIVE BULLETIN**

Number: 120.6  
Date: XXX  
Section: General

**SUBJECT: Public Access to County Records**

- Contents:
- I. DEFINITIONS
  - II. GENERAL GUIDELINES
  - III. GENERAL POLICY AND PROCEDURES REGARDING ACCESS TO PUBLIC RECORDS
  - IV. PUBLIC RECORDS ON PRIVATE DEVICES OR ACCOUNTS
  - V. WHAT IS AND WHAT IS NOT A DISCLOSABLE PUBLIC RECORD
  - VI. HANDLING SENSITIVE WRITINGS
  - VII. DEPARTMENT POLICIES

The purpose of this bulletin is to inform County departments about their legal responsibilities under the California Public Records Act [Gov. Code, §§ 6250 et seq.] and the County’s Better Government Ordinance [Ord. Code, §§ 25-4.2 et seq.] with regard to requests for inspection of or copies of County records.

The California Public Records Act declares that access to information concerning the conduct of the people’s business is a fundamental and necessary right of every person in the State because it gives the public an opportunity to monitor the functioning of their government. In accordance with the California Public Records Act and the Better Government Ordinance, any person is entitled to inspect and to receive copies of the public records of the County. Except with respect to those records described in Parts V, VI and VII below, upon receipt of a request for a copy of records that reasonably describes an identifiable, disclosable record or records, County staff is required make the records promptly available to any person upon payment of applicable fees.

I. DEFINITIONS

Following are definitions for terms as used in this bulletin:

- A. Public Record – Any existing writing containing information relating to the conduct of the public’s business prepared, owned, used, or retained by the County regardless of physical form or characteristics. Writings can include, but are not limited to, papers, books, maps, charts, photographs, audio tapes, videotapes, DVDs, CDs, flash drives, text messages, information stored on a computer, cell phone, tablet, flash drive or other electronic media, and other material.
- B. Disclosable Public Record – Writings that are not, in whole or in part, exempt from disclosure under the Public Records Act and the Better Government Ordinance.

- C. Confidential Legal Writings:
  - 1. Writings to or from the County Counsel's Office or other counsel representing the County concerning matters such as requests for legal advice, opinion or review; communications regarding pending or potential claims or litigation; and responses to legal counsel's request for information; and
  - 2. Writings that were either prepared by or for the County Counsel's Office or other counsel for the County or prepared for litigation, either planned or in progress.
- D. Other Exempt Writings – Writings, other than confidential legal writings, that have been determined to be exempt from disclosure because the writings fall within one of the exceptions to the Public Records Act. California Government Code section 6254 provides a partial list of documents that are potentially, but not necessarily, exempt from disclosure.
- E. Unusual circumstances – Circumstances that may significantly hinder the ready availability of public records, such as:
  - 1. the need to search for and collect the writings from offsite facilities;
  - 2. the need to search for, collect, and examine a voluminous amount of separate and distinct writings that are demanded in a single request;
  - 3. the need to consult with another agency having a substantial interest in the determination of the request or among two or more components of the agency having a substantial subject matter interest therein; or
  - 4. the need to compile data, to write programming language or a computer program, or construct a computer report to extract electronically-stored data.

## II. GENERAL GUIDELINES

The following guidelines should be followed in responding to all Public Record Act requests:

- A. A requester is not to be asked to provide a reason for a request.
- B. A requester is not required to provide his/her identity to inspect or obtain disclosable public records.
- C. Each department should maintain a log or file of Public Records Act requests documenting:
  - 1. the date of the request,
  - 2. the subject matter,
  - 3. any mutual agreement to extend the statutory maximum production deadline,
  - 4. the number of documents and other writings produced,
  - 5. the date of production,

6. any applicable fees collected,
  7. receipts, and
  8. copies of any related correspondence.
- D. In responding to a Public Records Act request, the responding department must determine the disclosability of each responsive writing, regardless of whether a writing has previously been labeled as “Confidential” or “Exempt.”
- E. Subpoenas are different from Public Records Act requests. Consult Administrative Bulletin No. 133: “Subpoena Policy” concerning how to proceed if you receive a subpoena.
- F. Consult County Counsel if you are unsure whether a writing is a disclosable public record.
- G. If a specific writing does not exist that contains the requested information, you do not have to create such a writing, but in some circumstances, if feasible, you may be required to extract the data requested from existing writings.

### III. GENERAL POLICY AND PROCEDURES REGARDING ACCESS TO PUBLIC RECORDS

- A. Locate and Produce Public Records Promptly. The general rule is that disclosable County records (writings that are not exempt, as discussed in Section V below) may be inspected anytime during regular business hours. [Gov. Code, § 6253(a)]. If copies are requested, they should be provided no later than the next business day if it is possible to do so. [Ord. Code, § 25-4.604]. Immediate production generally is possible when:
1. you can readily identify the writings being sought,
  2. you locate the requested writings.
  3. you determine that they are disclosable public records, and
  4. the requester pays any applicable copying fees, or just wants to look at the records without taking copies, or receive the records as an email attachment, in which case there is no fee.
- B. Locating Records. Below are some guidelines to help you find writings that are responsive to the request.
1. Review the Request. The request for inspection or copying of records should reasonably describe an identifiable writing or writings. [Gov. Code, § 6253(b)]. If the request is too vague for you to provide a response, you should ask the requester for clarification. [Gov. Code, § 6253.1].
    - a. Asking for Oral Clarification. You might ask the requester:
      - “Can you narrow the scope of your request to a specific date range?”

- “Can you think of any keywords I could use to search for this?”
  - “Do you know which County departments or officials might have originated the documents?”
- b. Written Clarification. Written requests help clarify what writings are being requested and permit the County to track the request. Although requesters are not required to put their requests in writing, some requesters may choose to make a written request or you can write down their oral request.
2. Search Physical and Electronic Locations for Public Records.
- a. Consult record indexes and filing systems for the department.
  - b. Look in logical places.
  - c. Ask knowledgeable persons about individuals who might have public records concerning the subject of the request.
    - i. If a person in your department may have responsive public records, ask that person to search all of their records, including the following:
      - (a) Physical records, such as papers, files, photos, DVDs, CDs, flash drives, etc.
      - (b) Records on the person’s County-issued electronic devices, including computers, cell phones and tablets.
      - (c) Records on the person’s County accounts, such as email accounts.
      - (d) Public records, including emails and texts, on the person’s **personal** electronic devices, including personal computers, cell phones and tablets.
      - (e) Public records on the person’s **personal** accounts, such as email accounts, social media accounts and cloud storage accounts.
    - ii. Persons who are asked to search their records must turn over all responsive public records to the person coordinating the search. To determine whether the record is a public or personal record, refer to Section IV, below.

- iii. A person who is asked to search his or her personal electronic devices and/or personal accounts may request DOIT to perform the search.
        - iv. If a department or person in another department may likely have responsive records, refer the request that department. (See Section III., G. concerning the referral process.)
      - d. If the department head determines that it is reasonably necessary, request that DOIT perform a search of electronic communications of your department.
  3. Procedures After an Individual Completes a Search of His/Her Records. After completing the search, each person who was asked to search their records should submit to the person responsible for coordinating the PRA response any responsive public records, even if those records might not be disclosable because they are subject to an exemption, such as attorney-client privilege, drafts, etc. Those determinations will be made by the person coordinating the search.
  4. Format of Production: When a requester seeks records in a certain format (for example, an Excel spreadsheet), produce the records in the requested format if they exist in the format. However, you are not required to convert the records into a particular format.
  5. Multi-Department Requests: If a request is sent to more than one department, consult with the County Administrator's Office concerning which department will coordinate the response.
- C. Delayed Response to Request for Production. As a practical matter, County staff may need time to identify and locate the writings. If the department can't immediately produce the requested writings and needs more time to provide a response, staff should do the following:
1. Request Contact Information. You may ask the requester for contact information so you can keep the requester updated about the production status or, if the requester prefers not to provide contact information, give the requester the name and phone number of a person in your department who can be called concerning the status of the request.
  2. Three-Day Notice. Within three business days after receipt of the request, send a letter to the requester, from the department head or their designee, notifying the requester that more time is needed to locate the requested writings. Absent "unusual circumstances," (as defined in Section I above) this letter will notify the requester that a response will be provided within ten calendar days after the date

of receipt of the request. A sample notification letter or email might look like this:

This is to inform you that the \_\_\_\_\_ *[name]* Department has received your Public Records Act request on \_\_\_\_\_ *[date]* \_\_\_\_\_. We anticipate that a response to your request will be provided on or before *[date - no more than 10 days from receipt of original request]*. Please contact \_\_\_\_\_ *[name of staff person]* at \_\_\_\_\_ *[phone number]* if you have any questions.

3. Ten-Day Notice. Within ten calendar days after receipt of the request, tell the requester whether your department was able to find the requested writings and whether any exception to the obligation to disclose the writings exists, or whether your department needs an extension of time to respond to the request. [Gov. Code, § 6253(c)]. The goal is to provide the records within ten calendar days if it is possible to do so. If it is not possible, then provide a good faith estimate as to when the writings can be provided (keeping in mind the general obligation to provide the records promptly). A sample letter is shown under Section III.D. below.
4. Extension Needed - Fourteen-Day Notice. If “unusual circumstances” exist (see the definition in Section I above), the law allows an extension of fourteen (14) calendar days to respond to the requester. [Gov. Code, § 6253(c)]. However, you must provide written notification of the extension to the requester. A sample notification letter or email might look like this:

This is to inform you that Contra Costa County needs to extend its time to respond to your Public Records Act request, which was received on \_\_\_\_\_ *[date]* \_\_\_\_\_. Your request involves searching for and collecting records from facilities separate from the County Administration Building, 651 Pine St., Martinez. Your request also involves examining a voluminous amount of separate and distinct records. Accordingly, due to these circumstances and pursuant to Government Code section 6253(c), the County must extend the time to respond to your request to *[date - no more than 24 calendar days from receipt of original request]*. Please contact me if you have any questions.

5. Negotiation of Extension – Confirmation Letter. If, under extraordinary circumstances, you believe you will be unable to produce requested writings

within the maximum statutory deadline, you may seek to negotiate an extended deadline with the requester. Any mutually agreed upon extension should be confirmed in writing with the requester immediately after you reach agreement to extend the deadline for the County's response. A sample confirmation letter or email might look like this:

This is to confirm our agreement providing Contra Costa County with additional time to respond to your Public Records Act request, which was received on [date]. Pursuant to our agreement, the County will respond to your request by [date]. We appreciate your patience as we assemble the requested information. Please contact me if you have any questions.

- D. Production and Payment of Fees. Once disclosable public records have been located, notify the requester that the documents are available for inspection, that responsive electronic documents (e.g., in a pdf format) are attached to the electronic response, or that copies may be obtained upon payment of any applicable fees. While the notification letter will vary according to the circumstances, a sample notification letter might look like this:

This is the [Name of Department] Department's response to your public records request, dated \_\_\_\_\_, 20\_\_ and received by this office on \_\_\_\_\_, 20\_\_. The [Name of Department] Department will produce records it possesses in response to your request. If you wish to inspect the records, the [Name of Department] Department is open from 8:00 a.m. to 5:00 p.m. (closed for lunch from noon to 1:00 p.m.). You may contact [Name of staff person], at (xxx) xxx-xxxx to schedule a time to inspect the documents.

If you would like copies of these records, the cost of copies will be \$\_\_\_\_\_ (\_\_\_\_\_ pages at \$.10 per page), plus \$\_\_\_\_\_ for postage, for a total of \$\_\_\_\_\_. To receive copies, please send your check for \$\_\_\_\_\_ payable to *Contra Costa County* to: [Name and address of Department]. When your check is received, the [Name of Department] Department will make copies and mail the records to you.

E. Applicable Fees

1. Ten Cent Per Page Fee for Hard Copies. Other than in the circumstances listed below, the County may charge a fee not to exceed ten cents per single-sided page,



- 20 cents for a double-sided page, plus any postage costs. [Ord. Code, § 25-4.610 (d)]. Electronic copies are free.
2. No Fee under Certain Circumstances. The County may not charge a fee for inspection of writings or for a copy of writings routinely produced in multiple copies for distribution, for example, meeting agendas and related materials that are twenty or fewer pages in length per document. [Ord. Code, § 25-4.610(a),(b)].
  3. One Cent Fee Under Certain Circumstances. The County may charge a fee of one cent for a copy of writings routinely produced in multiple copies for distribution, for example, meeting agendas and related materials that contain more than twenty pages per document. [Ord. Code, § 25-4.610(c)].
  4. Electronic Writings.
    - a. The County may charge a person requesting an electronic writing the direct cost of the media on which the information is duplicated. For writings provided electronically on a compact disc, a fee not to exceed \$3.00 may be charged, plus postage cost. [Gov. Code, § 6253.9]. If the electronic writing is provided as an email attachment (e.g., in a pdf format), there is no charge for the record.
    - b. When (1) the electronic writing is one that is produced only at scheduled intervals, or (2) production of the writing would require data compilation extraction, the requester may be charged the cost of producing a copy of the electronic writing, including the cost to construct a writing and the cost of programming and computer services necessary to produce a copy of the writing. [Gov. Code, § 6253.9].
  5. Outside Copy Services. Rather than making copies itself, the County may contract at the market rate to have a commercial copier produce the duplicates. [Ord. Code, § 25-4.610(e)]. Before copies are made by the outside copy service, the department should notify the requester of the cost and make arrangements for payment.
  6. State Law. If state law prescribes other fees, those fees may be charged in compliance with state law.
- F. Exempt Records. If you determine that some or all of the requested writings are exempt, send the requester a letter explaining why those requested writings are exempt. If you need help drafting this letter, you may ask the County Counsel's Office for assistance.
- G. No Responsive Writings. If your department does not have any disclosable documents that are responsive to the request:

1. Forward the Request to Other Departments. Attempt to determine if any other County department has documents that are responsive to the request. If you determine that another department may have responsive documents, send a formal memorandum to the department or departments that may have responsive writings, asking that they respond to the requester, and send a copy of the memo to the requester.
2. Notify the Requester. Notify the requester that your department has no disclosable documents that respond to the request.

#### IV. PUBLIC RECORDS ON PRIVATE DEVICES OR ACCOUNTS

- A. In deciding whether a communication sent or received on a private electronic device or personal account is a public record or a private one, certain factors should be considered:
  1. Content. Does the content of the communication to or from the personal account relate in a substantive way to the conduct of the County's business? "For example, depending on the context, an email to a spouse complaining [about work] would likely not be a public record. Conversely, an email to a superior reporting the coworker's mismanagement of an agency project might well be."<sup>1</sup>
  2. Context/Purpose. Why was the communication written? Was it written to conduct the County's business or further the County's interest?
  3. Audience. To whom was the communication sent? Was it sent to a County employee, official, resident, consultant, etc.? Or was the email or text sent to a friend or family member?
  4. Scope. Was the communication written in the person's capacity as a County official or employee representing the County? Or was the communication written as a private person?
- B. Even if the communication is a public record, it may be exempt from disclosure. The determination of whether the public record is exempt or whether it is disclosable should be made by the department, not by the person whose record it is.

#### V. WHAT IS AND WHAT IS NOT A DISCLOSABLE PUBLIC RECORD

- A. Any person has a right to inspect any existing public record with the exception of the records exempted by the Public Records Act. The types of writings potentially exempt from disclosure under the Public Records Act include, but are not limited to, the following:

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<sup>1</sup> *City of San Jose v. Superior Court* (2017) 2 Cal.5th 608, 614.

1. Preliminary Drafts, Notes and Memoranda

Writings that are (1) notes, drafts or memoranda, and (2) which are not retained in the ordinary course of business, and (3) where the public interest in nondisclosure clearly outweighs the public interest in disclosure can be exempt. [Gov. Code, § 6254(a)]. If a document has resided on someone's computer or in a file for months or years, it may be difficult to claim that it is not retained in the ordinary course of business.

2. Confidential Legal Writings

Writings to or from the County Counsel's Office or other attorneys who represent the County, especially where advice is sought or given, may be exempt from disclosure. Writings that were either prepared by or for the County Counsel's Office or other attorneys who represent the County also may be exempt. [Gov. Code, §§ 6254(k), 6254.2; Evid. Code, § 950 et seq.] Records pertaining to pending and proposed litigation, excepting claims, may be exempt. [Gov. Code, § 6254(b); Ord. Code, § 25-4.404(b)].

Writings concerning advice about an actual or potential conflict of interest; analysis of a proposed legislative action or position; advice interpreting the Brown Act, the Public Records Act or similar laws; terms of the final settlement of litigation; and post-negotiation reports are not exempt. [Ord. Code, § 25-4.404(e)].

See Section I, for a complete description of "Confidential Legal Writings."

3. Personnel, Medical, or Similar Records

This exemption generally pertains to writings concerning intimate or personal information. [Gov. Code, § 6254(c)]. For example, employee performance evaluations, home addresses, and home telephone numbers are all personal information, subject to this exemption.

Certain other public employee information may be released, such as: (1) an employee's gross salary, job classification, and dates of employment; (2) writings submitted in Merit Board and arbitration disciplinary proceedings; (3) information in cases of emergency or need when such disclosure appears reasonable to protect any person's health or welfare; (4) information for authorized criminal law enforcement purposes; (5) information required by subpoena, testimony or other legal process (see Administrative Bulletin No. 133: "Subpoena Policy"); (6) information that is authorized to be released to third parties by the written consent of the affected employee (see Administrative Bulletin No. 431: "Reference Checks and Release of Employee Information"); and (7) other information, only

when reviewed and approved by County Counsel prior to release. [Ord. Code, § 25-4.404(c)].

4. Investigatory Records Compiled for Correctional or Law Enforcement Purposes

Records of complaints, preliminary inquiries to determine if a crime or violation of law has been committed, full investigations, and memoranda “closing” an investigation are generally considered to be exempt from disclosure.

Investigatory reports can include code enforcement activities. There are specific statutory provisions relating to law enforcement agencies and what must be disclosed and what must be withheld, so direct any questions in this regard to the County Counsel’s Office. [Gov. Code, § 6254(f); Ord. Code, § 25-4.404(d)].

5. Examination Data

Test questions, scoring keys, and other examination data used to administer a licensing, employment or academic examination may be exempt from disclosure. [Gov. Code, § 6254(g)].

6. Real Estate Appraisals or Engineering Studies

Real estate appraisals and engineering studies relating to the acquisition of property or to prospective construction contracts, until all of the property has been acquired or all services under the contract have been provided, may be exempt from disclosure. If an appraisal relates to eminent domain litigation, however, check with the County Counsel’s Office regarding whether the writing is disclosable. [Gov. Code, § 6254(h)].

7. Health Services Contracts

Certain Health Services contracts between the County and the State and writings related to those contracts may be exempt, in whole or in part. [Gov. Code, § 6254(q), (t), (v), (w) and (y); Evid. Code, § 1040; and Gov. Code, § 6254.14].

8. Particular Statutory Exemptions

There also are a number of particular exemptions that are related to specific situations, including agricultural information, health facilities, assessment records, etc. Depending on the nature of the request, these exemptions may apply.

*Note: Under the Contra Costa County Better Government Ordinance, no records may be withheld on the basis that the public interest in non-disclosure “clearly outweighs” the public interest in disclosure [Gov. Code, § 6255] unless the County Counsel has reviewed the response and provided written approval to withhold the records on this ground.*

- B. Questions Regarding Disclosability. If you are uncertain about whether a writing may be withheld from disclosure, consult with County Counsel. Do not disclose a writing if you have questions regarding its disclosability until County Counsel renders advice, but make sure to provide the requester with a timely letter concerning the status of the request, as required by the Better Government Ordinance. [Ord. Code, § 25-4.604].

## VI. HANDLING SENSITIVE WRITINGS

This section describes the procedures to be used in handling various types of sensitive writings.

### A. Confidential Legal Writings

1. Security of Confidential Legal Writings. Each County department head is responsible for providing for the security of all confidential legal writings. (See Section I for definition of “Confidential Legal Writings.”)
  - a. Files.
    - i. Separate Files. Confidential legal writings should be kept in files separate from files for other writings, whether these files are in paper or electronic form. No writings other than confidential legal writings are to be placed in files used for storage of confidential legal writings.
    - ii. Files Relating to Litigation. Electronic and paper files for confidential legal writings concerning threatened or pending litigation should be separated from files for other confidential legal writings.
    - iii. Limited Access. Access to electronic and paper files containing confidential legal writings is to be limited to County staff with a need to see the contents of the files.
  - b. Copying/Forwarding. Confidential legal writings should not be copied or forwarded except as authorized by County Counsel. County staff should not keep personal copies of confidential legal writings.
2. Distribution of Confidential Legal Writings. Contact the County Counsel’s Office before distributing a confidential legal writing to anyone other than the designated recipients.
3. Questions Regarding Confidential Legal Writings. If you are uncertain as to whether a particular writing is a confidential legal writing, seek advice from the County Counsel’s Office. The writing in question should be treated as confidential until County Counsel resolves its status.

B. Handling Other Exempt Writings

This subsection sets forth recommended procedures to be used in handling writings that are exempt under the Public Records Act, but that are not confidential legal writings.

1. Storage of Other Exempt Writings. Exempt writings should be kept in electronic or paper files separate from disclosable public records. No writings other than exempt writings are to be placed in files used for storage of exempt writings.
2. Identification of Exempt Writings.
  - a. Documents. Exempt documents, whether in paper, electronic or other formant, should be labeled or marked “EXEMPT” or “CONFIDENTIAL” in bold, large type, so as to be easily distinguished from disclosable public records.
  - b. Email. Exempt electronic communications, such as emails, should be labeled as “EXEMPT” or “CONFIDENTIAL” in the subject and body of the communication and maintained in secure, password protected electronic storage.

C. Writings Sent to a Quorum of the Board of Supervisors or Other Policy Body

The Clerk of the Board of Supervisors should be provided with a copy of any writing that is sent to or received by a quorum of the Board of Supervisors or other policy body. The Clerk of the Board of Supervisors maintains a hard copy of these documents in a file that is accessible to the public. [Ord. Code, § 25-4.402].

VII. DEPARTMENT POLICIES

Departments may, if they so desire, adopt implementing departmental policies on this matter, taking these regulations into account. Such departmental policies are subject to review and approval by the County Administrator’s Office before they are implemented. In preparing departmental policies, be aware of the County’s obligations under Better Government Ordinance [Ord. Code, §§ 25-4.2 et seq.], as well as the Public Records Act [Gov. Code, §§ 6250 et seq.]. If your department has an automatic record destruction policy, writings subject to the Public Records Act should be preserved until a reasonable period after the response is complete.

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David J. Twa  
County Administrator

*Orig. Depts.: County Administrator's Office*

*References: Administrative Bulletin No. 133: "Subpoena Policy"*

*Administrative Bulletin No. 431: "Reference Checks and Release of Employee Information"*

*California Government Code §§ 6250 et seq.*

*County Ordinance Code §§ 25-4.2-2 et seq.*