

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

CANDACE ANDERSEN, *CHAIR*, 2ND DISTRICT

DIANE BURGIS, *VICE CHAIR*, 3RD DISTRICT

JOHN GIOIA, 1ST 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.contracosta.ca.gov

AGENDA
February 25, 2020

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. *National Railroad Passenger Corporation, et al., v. Contra Costa County, et al.*, United States District Court, Northern District of California Case No. 20-cv-00334
2. *Megan Beach, by and through her guardian ad litem, Stacy Beach, v. Sheena M. Glover, et al.*, Contra Costa County Superior Court, Case No. C17-00077
3. *Los Medanos Community Healthcare District v. Contra Costa Local Agency Formation Commission, et al.*, Contra Costa County Superior Court, Case No. C19-00048

4. *County of San Joaquin, et al. v. Department of Water Resources, et al.*, Sacramento County Superior Court Case No. 34-2017-80002677
5. *California Department of Water Resources v. All Persons Interested in the Matter, etc.*, Sacramento County Superior Court Case No. 34-2017-00215965

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

Inspirational Thought- "*Every great dream begins with a dreamer. Always remember, you have within you the strength, the patience and the passion to reach for the stars to change the world.*"
~Harriet Tubman

CONSIDER CONSENT ITEMS (Items listed as C.1 through C.66 on the following agenda) – Items are subject to removal from Consent Calendar by request of any Supervisor or on request for discussion by a member of the public. **Items removed from the Consent Calendar will be considered with the Discussion Items.**

PRESENTATIONS (5 Minutes Each)

- PR.1** PRESENTATION recognizing the participation and generosity of Contra Costa County employees in the 2019 Counties Care Holiday Food Fight. (Stacey Durocher, Human Resources Department)
- PR.2** PRESENTATION recognizing the American Heart Association, John Muir Health Cardiology Department, and Contra Costa Emergency Medical Services Agency during American Heart Month. (Supervisor Burgis)
- PR.3** PRESENTATION recognizing Contra Costa Regional Medical Center, San Ramon Regional Medical Center, John Muir Health, and Sutter Delta Medical Center for their prompt response to the needs of the community during the Public Safety Power Shutoff (PSPS) events. (Supervisor Andersen)
- PR.4** PRESENTATION to recognize the winners of the Contra Costa County Poetry Out Loud 2020 Competition. (Petural Shelton, AC5 Commissioner, Arts and Culture Commission of Contra Costa County)

DISCUSSION ITEMS

D. 1 CONSIDER Consent Items previously removed.

D. 2 PUBLIC COMMENT (2 Minutes/Speaker)

- D.3** HEARING to consider an appeal of the County Planning Commission's approval of a tree permit to allow the removal of 22 trees and work within the driplines of six trees for the purpose of constructing a new single-family residence on West Newell Avenue in the Saranap area. (Tambri Heyden and David Montalbo – Applicants; Patricia McGregor and William Schultz, Bronwyn Shone – Appellants) (Ruben Hernandez, Conservation and Development)

- D.4** HEARING to consider adopting Traffic Resolution No. 2020/4490 for an 18-month temporary closure of a portion of Market Avenue and Silver Avenue, and all of North Jade Street, Harrold Street, and Warren Drive, as recommended by the Public Works Director, North Richmond area. (No fiscal impact) (Monish Sen, Public Works Department)
- D.5** HEARING to consider an appeal of the County Planning Commission's approval of a land use permit to construct and operate a 225,950 square foot warehouse located northwest of Evora Road in the Bay Point area, and to consider adoption of a mitigated negative declaration and related actions. (Ware Malcomb – Applicant; CP Logistics Willow Pass, LLC – Owner; DeNova Homes, Inc.—Appellant) (Stanley Muraoka, Department of Conservation and Development) **(Will be continued and re-noticed)**
- D.6** HEARING to consider adoption of Resolution No. 2020/39, Ordinance No. 2020-07, Ordinance No. 2020-08, and Ordinance No. 2020-09, amending the General Plan and Zoning Code to allow and regulate commercial solar energy facilities in the general commercial, light industrial, heavy industrial, and planned unit zoning districts, and in specified agricultural parcels in Bethel Island, Byron, Discovery Bay, and Jersey Island areas. (Joseph Lawlor, Jr., Conservation and Development Department)
- D.7** HEARING on proposed implementation of the property tax cost recovery provisions of Revenue and Taxation Code 95.3; CONSIDER adopting report from the Auditor-Controller filed on January 21, 2020 of the 2018/19 fiscal year property tax-related costs, including the proposed charges against each local jurisdiction excepting school entities, and CONSIDER adopting Resolution No. 2020/47 regarding implementation of Revenue and Taxation Code 95.3 for fiscal year 2019/20. (Lisa Driscoll, County Administrator's Office and Robert Campbell, County Auditor-Controller)

D. 8 CONSIDER reports of Board members.

Closed Session

ADJOURN in memory of
Meredith Fitzgerald Nunn
Lifetime member of the Brentwood Farming Community
and
Joseph Barratt
Concord High School student

CONSENT ITEMS

Road and Transportation

- C. 1** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute on-call fencing services contract amendments with Alta Fence Co. and Crusader Fence Company, Inc. to extend the term from March 13, 2020 to March 13, 2021 for each contract, with no change to the payment limit, Countywide. (100% Local Road, Flood Control District, Airport Enterprise, and Facilities Funds)
- C. 2** RESCIND Board Action of February 12, 2019 (C.4) and APPROVE a new Notice of Intention to Sell Real Property at Public Auction located at 2710 and 2706 East Tregallas Road, 28, 30, and 34 Drake Street, and 2515 Lindberg Street, Antioch area. (100% Contra Costa Transportation Authority)
- C. 3** APPROVE the 2020 Surface Treatment Project and AUTHORIZE the Public Works Director, or designee, to advertise the Project, Alamo, El Sobrante, and North Richmond areas. (100% Local Road Fund)

Engineering Services

- C. 4** ADOPT Resolution No. 2020/51 approving the Parcel Map for minor subdivision MS18-00011, for project being developed by Ronald & Shirley Nunn, as recommended by the Public Works Director, Brentwood area. (No fiscal impact)
- C. 5** ADOPT Resolution No. 2020/50 accepting Offer of Dedication for Roadway Purposes for minor subdivision MS18-00011, for a project being developed by Ronald & Shirley Nunn, as recommended by the Public Works Director, Brentwood area. (No fiscal impact)

Special Districts & County Airports

- C. 6** ACCEPT the 2019 Annual Report from the Contra Costa County Flood Control and Water Conservation District (Flood Control District); DIRECT the Chief Engineer, or designee, to implement action plans, with a follow-up report to the Board of Supervisors annually; and REFER the Flood Control District's efforts to develop sustainable funding to the Transportation, Water and Infrastructure Committee, Countywide. (100% Flood Control District Funds)
- C. 7** AUTHORIZE the Director of Airports, or designee, to negotiate a long-term ground lease and development terms between the County, as Landlord, and Montecito Development Company, LLC, as the developer, for approximately 9 acres of land on the west side of Buchanan Field Airport. (100% Airport Enterprise Fund)

- C. 8** APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month to month rental agreement between the County and Delux Public Charter, LLC, dba JSX, effective March 1, 2020, to to rent a hanger at Buchanan Field Airport. (100% Airport Enterprise Fund)

Claims, Collections & Litigation

- C. 9** DENY claims filed by The Brose Company by Robert Brose, California Auto Insurance Company, a subrogee of Rachel Grossi, Altantsetseg Chuluunbat (Conservator for Togtokh Oyuntseren), Lawrence Durbin, Terry L. Eidson, Enterprise Rent-a-Car, Gary Arthur Fiske, Derek Hawkins, Steven Jeglum, Joshua Polston, Adam Silverthorne, Bethany Sipes, Steven Thomas, University of California, Davis (2), Vyacheslav Viner and Ilga Viner (3), and Showfan Yee. DENY amended claim filed by Xingtei Luo.

Statutory Actions

- C. 10** ACCEPT Board members meeting reports for January 2020.

Honors & Proclamations

- C. 11** ADOPT Resolution No. 2020/66 recognizing the winners of the Contra Costa Poetry Out Loud 2020 Competition, as recommended by the County Administrator.
- C. 12** ADOPT Resolution No. 2020/30 recognizing John Muir Health's prompt response to the needs of the community during the Public Safety Power Shutoff (PSPS) events, as recommended by Supervisor Andersen.
- C. 13** ADOPT Resolution No. 2020/31 recognizing Sutter Delta Medical Center's prompt response to the needs of the community during the Public Safety Power Shutoff (PSPS) events, as recommended by Supervisor Andersen.
- C. 14** ADOPT Resolution No. 2020/32 recognizing San Ramon Regional Medical Center's prompt response to the needs of the community during the Public Safety Power Shutoff (PSPS) events, as recommended by Supervisor Andersen.
- C. 15** ADOPT Resolution No. 2020/33 recognizing Contra Costa Regional Medical Center's prompt response to the needs of the community during the Public Safety Power Shutoff (PSPS) events, as recommended by Supervisor Andersen.

- C. 16** ADOPT Resolution No. 2020/56 recognizing the participation and generosity of Contra Costa County employees in the 2019 Counties Care Holiday Food Fight, as recommended by the County Administrator.
- C. 17** ADOPT Resolution No. 2020/61 recognizing the American Heart Association, John Muir Health Cardiology Department, and Contra Costa Emergency Medical Services Agency during American Heart Month, as recommended by Supervisor Burgis.

Ordinances

- C. 18** ADOPT Ordinance No. 2020-05, prohibiting the transfer and assignment of cannabis permits, and allowing certain ownership changes in commercial cannabis businesses as recommended by the Conservation and Development Director. (No fiscal impact)
- C. 19** INTRODUCE Ordinance No. 2020-04, revising procedures for designating an animal as potentially dangerous or dangerous; WAIVE reading; and FIX March 10, 2020, as the date for adoption, as recommended by the Animal Services Director. (No fiscal impact)

Appointments & Resignations

- C. 20** APPOINT members to the Community Corrections Partnership and the Community Corrections Partnership - Executive Committee, as recommended by the Public Protection Committee.
- C. 21** APPOINT Ray Brant, Kathy Urbelis, Jeff Eorio, Leonard Becker and Greg Isom to the Diablo Municipal Advisory Council, as recommended by Supervisor Diane Burgis.
- C. 22** REAPPOINT Joseph Selby and Richard Kane to County Service Area, P-6 Discovery Bay Citizen Advisory Committee, as recommended by Supervisor Diane Burgis.
- C. 23** REAPPOINT Wendell Snyder to the District IV Seat on the IHSS Public Authority Advisory Committee, as recommended by Supervisor Karen Mitchoff.
- C. 24** APPOINT Laura Griffin to the Contra Costa County Mental Health Commission, District V - Consumer Seat, as recommended by Supervisor Glover.
- C. 25** APPOINT Audrey Comeaux to the General Public seat and REAPPOINT Tim Bancroft to the General Public Alternate seat on the Hazardous Materials Commission, as recommended by the Internal Operations Committee.

Appropriation Adjustments

- C. 26** Aging and Adult Services (0503): APPROVE Appropriations and Revenue Adjustment No. 005048 authorizing new revenue in the amount of \$205,862 from the California Office of Emergency Services, County Victims grant, and appropriating it for Aging and Adult Services in the Employment and Human Services Department.

Intergovernmental Relations

- C. 27** ADOPT an amendment to the adopted 2020 State Legislative Platform to authorize advocacy activities for a FY 2020-21 State Budget appropriation for the Contra Costa CARES program, as recommended by the Legislation Committee.

Personnel Actions

- C. 28** ADOPT Position Adjustment Resolution No. 25581 to add one County Probation Officer-Exempt (unrepresented) position in the Probation Department. (100% General Fund)
- C. 29** ADOPT Position Adjustment Resolution No. 22572 to add one Supervising Accountant (represented) position and cancel one vacant Accountant III (represented) position in the Public Works Department. (100% Road and Special Districts Funds)

Leases

- C. 30** APPROVE and AUTHORIZE the County Librarian to execute a library lease with the City of Brentwood for the library located at 104 Oak Street, Brentwood, and APPROVE revisions to the County's standard form library lease. (No fiscal impact)

Grants & Contracts

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

- C. 31** APPROVE and AUTHORIZE the Health Services Director, or designee, to submit an application to the State of California, Business, Consumer Services and Housing Agency for the Homeless Housing, Assistance, and Prevention Program, to pay County an amount not to exceed \$5,208,141, for the Health, Housing and Homeless Services Division to provide supportive housing services for homeless individuals and families in Contra Costa County for the period April 1, 2020

through June 30, 2025. (100% State)

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

- C. 32** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with R.E.A.C.H. Project, effective January 1, 2020, to increase the payment limit by \$115,000 to a new payment limit of \$250,000, to provide additional drug abuse prevention and treatment services to Medi-Cal eligible County residents with no change in the term July 1, 2019 through June 30, 2020. (100% CalWORKS Alcohol and Other Drugs Services)
- C. 33** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Cotiviti, Inc., in an amount not to exceed \$236,631 to provide a license to use healthcare encounter data software and consultation services for Contra Costa Health Plan for the period November 1, 2019 through October 31, 2020. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 34** APPROVE the bid documents, including the contract General Conditions, Technical Specifications, and Construction Task Catalog for job order contracts 012, 013, 014, 015 & 016 for future repair and remodeling projects at various County facilities and AUTHORIZE the Public Works Director, or designee, to solicit bids to be received on or about March 26, 2020, Countywide. (100% Various Funds)
- C. 35** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Robert Schick, D.C., in an amount not to exceed \$314,800 to provide chiropractic services at Contra Costa Regional Medical Center and Health Centers for the period January 1, 2020 through December 31, 2022. (100% Hospital Enterprise Fund I)
- C. 36** AWARD and AUTHORIZE the Public Works Director, or designee, to execute, a construction contract in the amount of \$983,900 with Aztec Consultants, for the Bisso Data Center Improvements Project, Concord area. (100% Hospital Enterprise Fund)
- C. 37** APPROVE clarification of Board action on November 19, 2019 (C.36) to reflect the correct payment limit amount of \$472,050 rather than \$403,200 for the contract with Kirsten Schick, D.C., for chiropractic services at Contra Costa Regional Medical and Health Centers. (100% Hospital Enterprise Fund I)

- C. 38** APPROVE and AUTHORIZE the County Clerk-Recorder, or designee, to execute a contract amendment with Dominion Voting Systems, Inc., to increase the payment limit by \$404,973 to a new payment limit of \$5,361,700 for two additional ballot scanners, with no change to the contract term of March 1, 2018 through December 31, 2023. (100% General Fund - Elections Capital Replacement)
- C. 39** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with CocoKids, Inc., effective March 1, 2020 to increase the payment limit by \$491,942 to a new payment limit of \$1,399,220 to provide additional Emergency Child Care Bridge Program for Foster Children services, with no change to term July 1, 2019 through June 30, 2020. (83% State, 17% Federal)
- C. 40** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Choice In Aging, in an amount not to exceed \$2,000,000 to provide Community Based Adult Services to Contra Costa Health Plan Medi-Cal Members for the period February 1, 2020 through January 31, 2021. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 41** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Behavioral Health Works, Inc., in an amount not to exceed \$550,000 to provide applied behavioral analysis services to Contra Costa Health Plan Members for the period March 1, 2020 through February 28, 2022. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 42** APPROVE and AUTHORIZE the Purchasing Agent to execute on behalf of the Chief Information Officer, Department of Information Technology, purchase orders with AT&T and Presidio Networked Solutions Group, LLC, and a third-party lease agreement with Key Government Finance, Inc., in an amount not to exceed \$1,233,362 for the purchase of Cisco computer equipment, switches, software, and support for a five year term, Countywide. (100% User Fees)
- C. 43** APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Public Works Director, an amendment to the purchase order with Lehr Auto Electric, Inc., to extend the term from January 31, 2020, through January 31, 2021, Countywide. (No fiscal impact)
- C. 44** APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Chief Information Officer, Department of Information Technology, purchase orders with AT&T and Presidio Networked Solutions Group, LLC, and a third-party lease agreement with Key Government Finance, Inc., in an amount not to exceed \$399,806, for the purchase of Cisco computer equipment, routers, software, and support for a three year, Countywide. (100% User Fees)

- C. 45** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Sheriff-Coroner, a purchase order with Surtec Inc., in the amount of \$422,500 to supply the County's detention facilities with custodial supplies/specialty products and janitorial equipment repair for the period March 1, 2020 through February 28, 2021. (100% General Fund)
- C. 46** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with TRC Solutions, Inc., in an amount not to exceed \$54,300 to conduct an assessment of potentially hazardous waste in the Keller Canyon Landfill for the period February 1, 2020 through January 31, 2021. (100% Keller Canyon Mitigation Funds)
- C. 47** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Total Renal Care, Inc., in an amount not to exceed \$1,074,500 to provide blood treatment services including dialysis therapies for inmates at the Martinez Adult Detention Facility for the period January 27, 2020 through June 26, 2023. (100% Hospital Enterprise Fund I)
- C. 48** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order with Becton Dickinson and Company, in an amount not to exceed \$271,872 for the purchase of reagents for the BD Totalys SlidePrep products and clinic laboratory supplies for the Contra Costa Regional Medical Center and Contra Costa Health Centers for the period April 1, 2020 through March 31, 2025. (100% Hospital Enterprise Fund I)
- C. 49** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Nazak Mozaffarieh, O.D., dba Eyes & Smiles Optometry, in an amount not to exceed \$250,000 to provide optometry services to Contra Costa Health Plan members for the period April 1, 2020 through March 31, 2022. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 50** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Amara Hospice, LLC (dba Bridge Hospice Bay Area), effective March 1, 2020, to increase the payment limited by \$400,000 to a new payment limit of \$1,200,000, to provide additional hospice services for Contra Costa Health Plan members with no change in the original term January 1, 2020 through December 31, 2020. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 51** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute an amendment with Public Health Foundation Enterprises, Inc., effective January 1, 2020, to increase the payment limit by \$9,613,553 to a new payment limit of \$15,417,938 and extend the termination date from June 30, 2020 to June 30, 2021, to provide additional coordinated entry, outreach, shelter, transitional and permanent supportive housing for homeless youth and adults in Contra Costa County. (28% Federal; 54% State; 15% Local Grants; 3% County General Fund)

Other Actions

- C. 52** ACCEPT the 2019 Annual Report for the Bethel Island Municipal Advisory Council, as recommended by Supervisor Burgis.
- C. 53** ACCEPT the 2019 Annual Report for the Byron Municipal Advisory Council, as recommended by Supervisor Burgis.
- C. 54** ACCEPT the 2019 Annual Report for the Knightsen Town Advisory Council, as recommended by Supervisor Burgis.
- C. 55** RATIFY East Contra Costa Fire Protection District Ordinance No. 2019-02, as modified, implementing the 2019 California Fire Code with local amendments in the unincorporated portion of the District's service area, as recommended by the Conservation and Development Director.
- C. 56** ACCEPT the January 2020 Operations Update of the Community Services Bureau, as recommended by the Employment and Human Services Director.
- C. 57** ACCEPT the Workforce Development Board of Contra Costa County Advisory Body Annual Report for Program Year 2018-2019, as recommended by the Workforce Development Board.
- C. 58** APPROVE and AUTHORIZE the Auditor-Controller to issue a refund of overpayment of documentary transfer tax totaling an amount not to exceed \$2140 to specified parties, as recommended by the County Clerk-Recorder. (100% General Fund)
- C. 59** 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. 60** ACCEPT quarterly report of the Post Retirement Health Benefits Trust Agreement Advisory Body, as recommended by the Post Retirement Health Benefits Trust Agreement Advisory Body.
- C. 61** APPROVE and AUTHORIZE the Health Officer acting as the Medical Health Operational Area Coordinator, or designee, to execute the California Statewide Memorandum of Understanding for Emergency Medical and Health Disaster Response Mutual Aid and Mutual Assistance through June 30, 2029. (No fiscal impact)

- C. 62** ACCEPT the canvass of votes for the February 11, 2020 Special Election showing that the measures for Police Services for County Service Area P-6, Zone 2902, Unincorporated area of Lafayette, County Service Area P-6, Zone 2905, Unincorporated area of Lafayette, and County Service Area P-6, Zone 3113, Unincorporated area of El Sobrante passed, as recommended by the Clerk-Recorder. (No fiscal impact)
- C. 63** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Contra Costa Family Justice Alliance (dba Family Justice Center) to allow the Behavioral Health Services Division to provide services for the Senior Peer Counseling Program at the Family Justice Centers for the period January 1, 2020 through December 31, 2020. (No fiscal impact)
- C. 64** APPROVE and AUTHORIZE the Auditor-Controller, or designee, to pay \$6,097 to Cardionet, LLC for cardiac monitoring services provided during the month of October 2018. (100% Hospital Enterprise Fund I)
- C. 65** ADOPT Resolution No. 2020/63 calling and noticing election of Retirement Board Members 3 (general), 7 (safety), and 7 Alternate, as recommended by the Contra Costa County Employees' Retirement Association Board.
- C. 66** APPROVE and AUTHORIZE the County Counsel, or her designee, to execute on behalf of the County a conflict waiver acknowledging a potential conflict of interest and consenting to Liebert Cassidy Whitmore continuing to represent the County in labor negotiations while, at the same time, representing the Town of Danville in an unrelated matter involving the investigation of the conduct of a County employee. (No fiscal impact)

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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www.co.contra-costa.ca.us

STANDING COMMITTEES

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

The **Finance Committee** (Supervisors John Gioia and Karen Mitchoff) meets on the first 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 John Gioia) meets quarterly on the first Monday of the month at 10:30 a.m.. in Room 101, County Administration Building, 651 Pine Street, Martinez.

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

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

The **Public Protection Committee** (Supervisors Andersen and Federal D. Glover) meets on the

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

The **Sustainability Committee** (Supervisors Federal D. Glover and John Gioia) 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 Candace Andersen and Karen Mitchoff) 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 13, 2020	10:30 a.m.	See above
Family & Human Services Committee	March 23, 2020	9:00 a.m.	See above
Finance Committee	March 2, 2020 Canceled April 6, 2020	9:00 a.m.	See above
Hiring Outreach Oversight Committee	March 9, 2020 Special Meeting	9:30 a.m.	Room 108
Internal Operations Committee	March 9, 2020	10:30 a.m.	See above
Legislation Committee	March 9, 2020	1:30 p.m.	See above
Public Protection Committee	March 23, 2020	10:30 a.m.	See above
Sustainability Committee	April 27, 2020	1:00 p.m.	See above
Transportation, Water & Infrastructure Committee	March 9, 2020	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: John Kopchik, Director, Conservation & Development Department
Date: February 25, 2020

Subject: Tree permit appeal for a new single-family residence on West Newell Avenue in Walnut Creek

RECOMMENDATION(S):

1. OPEN the public hearing on an appeal of the County Planning Commission's approval of a tree permit, RECEIVE testimony, and CLOSE the public hearing.
2. DETERMINE that the proposed project is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15303(a) (new construction of one single-family residence).
3. DENY the appeals of Patricia McGregor, William Schultz, and Bronwyn Shone.
4. APPROVE a tree permit to allow the removal of 22 code-protected trees and work within the driplines of six code-protected trees for the purpose of constructing a new single-family residence on West Newell Avenue in the unincorporated Saranap area, County File #TP19-0036.
5. APPROVE the attached findings and conditions of approval for County File #TP19-0036.
6. DIRECT the Department of Conservation and Development to file a CEQA Notice of Exemption with the County Clerk.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 02/25/2020 ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Susan Johnson,
925-674-7868

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

By: , Deputy

cc:

FISCAL IMPACT:

The applicants are responsible for all of the time and material costs associated with processing the application.

BACKGROUND:

Project Description

This is a hearing for an appeal of the County Planning Commission's decision to deny an appeal and uphold the decision of the County Zoning Administrator to approve a tree permit to allow the removal of 22 code-protected trees and work within the driplines of six (6) code-protected trees for the purpose of constructing a new, two-story, single-family residence and retaining walls on a vacant parcel in the Walnut Creek/Saranap area of unincorporated Contra Costa County. The trees to be removed include thirteen (13) coast live oak trees ranging in size from 7 inches to 43.5 inches in diameter, six (6) valley oak trees ranging in size from 8 inches to 38 inches in diameter, two (2) multi-stemmed California buckeye trees, and one (1) multi-stemmed plum tree. The trees that would be subjected to dripline encroachment include three (3) coast live oak trees ranging in size from 10 inches to 17.5 inches in diameter, including a multi-stemmed coast live oak tree, two (2) coast redwood trees ranging in size from 10 inches to 12 inches in diameter, and one (1) 33-inch valley oak tree. The applicants are also proposing to underground a portion of the overhead utility lines that run north to south on the subject property, necessitating the removal of seven (7) out of the 22 code-protected trees proposed for removal.

Project Background

The subject property is a vacant 2.56-acre parcel located at the end of West Newell Avenue, south of Olympic Boulevard and west of 2776 West Newell Avenue, in the Saranap area of unincorporated Contra Costa County. A small portion of the northwest corner of the subject property is located within the City of Lafayette. The project site is heavily wooded and generally slopes upwards from the northeastern corner (lowest point) of the property towards the southwestern corner of the of the subject parcel (highest point). Overhead utility lines run in an east to west direction along West Newell Avenue towards the middle of the property, and then change to a north to south direction, connecting to a power pole located off Olympic Boulevard. West Newell Avenue provides access to the site and a private easement that is located along the southern portion of the eastern property line provides access to two adjacent properties (2776 West Newell Avenue and a vacant parcel south of the project site). Due to the topography of the parcel, and the location of overhead utility lines and the access easement on the subject property, viable development is limited to the northeastern portion of the lot (where the proposed residence is located).

On July 18, 2019, an application (County File #TP19-0036) was submitted for the removal of 21 code-protected trees and for work within the driplines of four (4) code-protected trees for the purpose of constructing a new, two-story, single-family residence and retaining walls on a vacant parcel.

During the public notification period, one (1) appeal of the Zoning Administrator's decision to tentatively approve the project was received on August 22, 2019. An amendment to the appeal was submitted on August 26, 2019.

After the project was appealed, modifications were made to the project plans to incorporate a widened driveway on the eastern side of the property, adjacent to West Newell Avenue. As a result of the widened driveway, one (1) additional multi-stemmed coast live oak tree is proposed for removal and work will also occur within the driplines of two (2) additional coast live oak trees. Therefore, the project scope was amended to include the removal of 22 code-protected trees and work within the driplines of

six (6) code-protected trees. Accordingly, Condition of Approval #4 of the attached Findings and Conditions of Approval, was amended to require a cash or surety bond sufficient to cover the preparation of a landscaping and irrigation plan (for the planting of up to six (6) 15-gallon-size trees of species appropriate for the subject site), by a licensed landscape architect, arborist, or landscape contractor, in the event that construction activity damages trees that are to be preserved.

At the December 11, 2019 County Planning Commission Meeting, the Commission upheld the County Zoning Administrator's decision and denied the appeal. The motion was passed by the Commission with a 4-3 vote. The Commission's motion included the addition of a condition of approval that required that the trees not be removed until a building permit for construction of the residence is issued (see COA #10 in the attached conditions of approval).

In addition to the condition of approval added by the Planning Commission, staff has also added an indemnification requirement to the attached conditions of approval (COA #11).

Two appeals have been filed on the matter, one by Patricia McGregor and William Schultz and the other by Bronwyn Shone.

Appeal of the County Planning Commission's Decision

On December 20, 2019, Patricia McGregor and William Schultz filed an appeal with the Department of Conservation and Development, Community Development Division, over the decision of the County Planning Commission to deny the appeal and uphold the decision of the County Zoning Administrator to approve County File #TP19-0036. The appeal points have been summarized and addressed below:

Patricia McGregor and William Schultz, 2776 West Newell Avenue, Walnut Creek, CA 94595

Summary of Appeal Point #1: The two oak trees identified as #36 and #37 should be saved because their removal would adversely affect appellants' oak tree #38.

Staff Response: Tree #36 is located within the footprint of the proposed residence, and therefore cannot be saved. Tree #37 cannot be saved because it would be structurally compromised during construction, and not survive construction impacts. Pursuant to an email from the applicant on September 24, 2019, the gas service location for the proposed residence cannot be changed because the service comes from West Newell Avenue, from the east. Additionally, the gas line cannot be located on the south side of the home since PG&E does not permit gas lines next to drainage or wet utilities. Based on this information, the consulting arborist concluded that, if the trench for the gas line is aligned with the side of the residence adjacent to the trunk of tree #37, the trenching depth extends to 3 feet below grade, and the utility must be installed via open trench, then the tree will need to be removed as it will be structurally compromised and is highly likely to fall over. Furthermore, if tree #37 were to remain, major limbs would hang over the proposed residence, and pursuant to a statement from Cyrus Mashhoodi, P.E., tree #37 would be within 5 feet of the new foundation and may affect the integrity of the foundation in the future. Therefore, based on the project arborist's recommendation both trees #36 and #37 are recommended to be approved for removal.

With regard to tree #38, the arborist report prepared by Jennifer Tso, a Certified Arborist with Traverso Tree Service, takes into account that tree #36 and tree #37 are proposed for removal. The arborist report provides pre-construction and construction phase recommendations for the protection of the trees that could be impacted by construction activities, which includes protecting tree #38. Condition of Approval

#5 requires the applicant to implement all measures recommended by the consulting arborist that are intended to mitigate potential construction-related impacts. These recommended measures include (but are not limited to) the following:

- Footings of the proposed retaining wall within 15 feet of tree #38 shall be dug by hand for the top 3 feet of soil. Project arborist shall be consulted for recommendations if roots ≥ 2 inches in diameter are encountered; footings shall be adjusted to save large roots.
- Fill/grading shall be done by hand within 20 feet of tree #38 with minimal compaction. Keep fill at least 12 inches clear of its trunk.

Additionally, prior to the start of construction or any clearing, stockpiling, trenching, grading, compaction, paving or change in ground elevation on site with the trees to be preserved, Condition of Approval #7 requires the applicants to install protective fencing at or beyond the drip lines of the trees to be preserved and along the boundaries of all other protected trees within the vicinity of construction. The fencing shall remain in place for the duration of construction activities and the construction plans shall stipulate on their face where temporary fencing is to be placed. Thus, based on the arborist report prepared by Jennifer Tso, Certified Arborist, with Traverso Tree Service, tree #38 should survive construction impacts, which includes the removal of tree #36 and tree #37, as long as the applicant implements all measures recommended by the consulting arborist that are intended to mitigate potential construction-related impacts.

Summary of Appeal Point #2: The lot is substandard in size for the proposed development. Most of the property is designated as Open Space and the site plan should illustrate this. In addition, the residence would be significantly larger than any other home built on West Newell Avenue. The house can be made smaller or relocated in order to save trees #36 and #37. The removal of large oak trees will cause significant visual impacts.

Staff Response: Pursuant to County Code Section 82-10.002(c), any lot of less area or width than required by Divisions 82 and 84 would be considered a “small lot”. Since the subject property is located within the Single-Family Residential Zoning District (R-20), the minimum lot area required is 20,000 square-feet and the minimum lot width required is 120 feet. The subject property is 2.56 acres in area and has an average width of approximately 285 feet. Thus, the project site is not a “small lot”.

The subject property has a General Plan land use designation of Single-Family Residential – Low Density (SL) and Open Space (OS). Both General Plan land use designations (SL and OS) allow for the construction of one single-family residence on an existing, legal lot. Additionally, the proposed residence would be located on the northeastern portion of the lot, entirely within the SL General Plan land use designation portion of the property. Furthermore, according to Table 3-5 of the Land Use Element of the County’s General Plan, the Single-Family Residential zoning status of the subject parcel is consistent with the corresponding SL General Plan land use designation of the portion of the property to be developed. Since the Open Space General Plan designation is not a scenic easement, the applicant is not required to illustrate the boundaries of the underlying General Plan land use designations on the site plan. Moreover, General Plan and Zoning maps are provided as attachments with this report.

Development is limited to the northeastern portion of the lot due to topography, the location of overhead utility lines, and the location of a 25-foot wide access easement along the southern portion of the eastern property line. Despite these limitations, the new residence would be located at the base of the hillside on the flattest portion of the lot, and meet all of the required development standards pursuant to the R-20 Zoning District. Since the project site is not a “small lot” and the proposed development is not subject to design review, it would be unreasonable to limit the size of the residence based on the size of homes

built on West Newell Avenue in the late 1940s. In general, homes built 70 – 80 years ago tend to be smaller than recently developed and/or remodeled homes. Furthermore, if the applicants were to remove the top story of the proposed two-story residence it would be similar in size to smaller homes located on West Newell Avenue, but the footprint of the proposed residence would remain the same and impacts to existing trees would remain the same. It should also be noted that larger homes do exist off Olympic Boulevard (across the road from the project site). These homes have between 2,730 and 14,605 square feet of living area (per the Assessor's records). The proposed residence will have 3,492.5 square-feet of living area, which is compatible in size with the aforementioned nearby residences.

With regard to the preservation of trees on private property to preserve scenic beauty, it is important to note that only a small portion of the 2.56-acre parcel would be developed, thus minimally compromising the aesthetic beauty of the overall project site. Also, pursuant to Figure 5-4 (Scenic Routes Plan) and Figure 9-1 (Scenic Ridges and Waterways) of the Transportation and Circulation Element of the County's General Plan (2005 - 2020), neither West Newell Avenue nor Olympic Boulevard have been identified as scenic routes and the hillside located on the subject property has not been identified as a County designated scenic ridge. Furthermore, since the subject property is located at the end of West Newell Avenue, and the proposed residence would be located at the base of the hillside on the flattest portion of the lot, the proposed development would not be visible from most nearby residences.

Summary of Appeal Point #3: Trees #36 and #37 provide soil stabilization. Due to a downward slope toward appellants' home, the proposed 2-foot retaining wall would not provide the same support for stabilizing the ground.

Staff Response: A licensed civil engineer has prepared the grading and drainage plans. These plans will be reviewed by the Building Inspection Department during the plan check process, prior to issuance of a building permit. A geotechnical report for the site has been provided by the applicant and reviewed by staff. The geotechnical report did not indicate that any issues with erosion or potential landslides at the site would occur with the removal of the trees. According to the report, the site is suitable for the proposed development provided the recommendations contained within the attached geotechnical report are incorporated into the project designs and adhered to during construction. As further discussed below, Public Works has reviewed drainage issues on site and has not identified significant concerns. Therefore, it is not reasonably likely that tree removal will cause problems with drainage, erosion control, or land stability.

In addition, no documentation has been submitted to support the claim that a 2-foot retaining wall is insufficient. The applicants will be required to submit structural calculations for the proposed retaining walls during the plan check process, prior to issuance of a building permit.

Summary of Appeal Point #4: A geotechnical engineering report is warranted.

Staff Response: It should be noted that submittal of a geotechnical report is not required prior to approval of a tree permit. However, a geotechnical report is required as part of the submittal for a building permit and/or grading permit and such report has been submitted for this project. (please see the attached geotechnical report prepared by Bear Engineering, dated June 18, 2019). As stated above, according to the geotechnical report prepared for the project, the site is suitable for the proposed development provided the recommendations contained within the attached geotechnical report are incorporated into the project designs and adhered to during construction.

Summary of Appeal Point #5: The current gutter and drainage system on West Newell Avenue will be overwhelmed by the increased storm water runoff caused by the construction of the house and

removal of the trees.

Staff Response: Pursuant to the Public Works Department, impacts would be minimal and per the Public Works Maintenance Division, they have received no significant calls over the last 5 years regarding the subject area, other than complaints about issues such as minor debris blocking culverts. In 2003 – 2004, the cause of the complaints regarding an area east of the subject area turned out to be runoff from the hill to the south, not at the end of West Newell Avenue.

All new building permits for homes (at least 1,000 square-feet or larger) are routed to Grading Inspection during the building permit plan check process. Grading Inspection reviews the grading and drainage plans per the grading/drainage ordinance. If necessary, Grading Inspection will forward certain projects to the Public Works Department for a drainage permit. A building permit will not be issued until the drainage and grading plans are approved by Grading Inspection. Condition of Approval #10 prevents the removal of any trees before a building permit is obtained.

Summary of Appeal Point #6: If the applicants are able to underground the power lines on the hillside, despite PG&E being unable to do so given the steepness of the hillside, then the proposed development should not be exempt from the California Environmental Quality Act because the hillside will become unstable.

Staff Response: The applicants are proposing to underground a portion of the overhead utility lines that run north to south on the subject property, necessitating the removal of seven (7) out of the 22 code-protected trees proposed for removal. No documentation has been submitted to support the claim that PG&E has or will deny the applicants' request to underground this portion of the overhead utility lines. Ultimately, this decision is not under the purview of the County and the applicants are responsible for complying with PG&E's rules and regulations regarding the undergrounding of overhead power lines.

The proposed project is exempt under CEQA Guidelines, Section 15303(a), regarding "New Construction", which exempts the construction of one single-family residence in a residential zone (from environmental review). As previously stated, the applicants are responsible for complying with PG&E's rules and regulations regarding the undergrounding of overhead power lines, which includes paying for PG&E engineering, project management, and materials costs (through PG&E). Furthermore, pursuant to Figure 5-4 (Scenic Routes Plan) and Figure 9-1 (Scenic Ridges and Waterways) of the Transportation and Circulation Element of the County's General Plan (2005 - 2020), neither West Newell Avenue nor Olympic Boulevard have been identified as scenic routes and the hillside located on the subject property has not been identified as a County designated scenic ridge.

Summary of Appeal Point #7: The removal of the trees would negatively affect the value of appellants' home and that of the surrounding homes.

Staff Response: Trees proposed for removal are either within the footprint of the proposed residence, would not survive construction impacts, or are proposed for removal in order to underground a portion of the overhead utility lines that run north to south on the subject property, necessitating the removal of seven (7) out of the 22 code-protected trees proposed for removal. Pursuant to an email from the consulting arborist on August 1, 2019, the arborist recommended that no more than three (3) trees be replanted based on the location of remaining trees, the footprint of the residence, and the location of utility easements. Condition of Approval #3 of the attached Findings and Conditions of Approval will require the applicant to plant three (3) native-species trees, minimum 15 gallon in size, or an equivalent planting contribution as determined appropriate by CDD.

New construction will usually increase property value, which in turn adds value to the neighborhood. Furthermore, pursuant to a diagram prepared by the applicant (see attached Existing Tree Count diagram), even after removal of 22 trees, at least 114 trees (6 ½ inches or greater in diameter), would remain.

Summary of Appeal Point #8: The County Planning Commission incorrectly determined that staff can add conditions of approval to the tree permit after the tree permit is approved.

Staff Response: The County Planning Commission raised several questions about documents that would be required as part of the submittal for the building permit (e.g., a geotechnical report). The applicants cannot submit for a building permit until the tree permit is approved and they are not required to provide a geotechnical report with the permit application. However, a geotechnical report is required as part of the submittal for a building permit and/or grading permit and such report has been submitted. Please see the attached geotechnical report prepared by Bear Engineering, dated June 18, 2019. In addition, before approving County File #TP19-0036, the County Planning Commission added the following condition of approval: “Trees approved for removal under this permit may not be removed until a building permit has been obtained.”

Summary of Appeal Point #9: A two-page letter, prepared by Joseph McNeil, Certified Arborist, with McNeil Arboriculture Consultants LLC was attached with the appeal letter. The comments and questions raised in Joseph McNeil’s letter relate to the potential impacts the proposed development will have on tree #38.

Staff Response: The applicant’s arborist, Jennifer Tso, Certified Arborist, with Traverso Tree Service, provided a response to Joseph McNeil’s letter. Please see attached “Response to Recommendations by Neighbor’s Arborist” letter.

In addition, per the applicants’ civil engineer, Comment # 2 (last paragraph on the first page) is incorrect. Per the applicants’ civil engineer, there is no cut at any portion of this wall. It is fill and there is fill within 2 feet of the trunk base. The fill is gradual and non-compacted. The grade/fill is approximately 24 inches higher than existing grade, 17 feet away from the subject tree (tree #38).

On December 23, 2019, Bronwyn Shone filed an appeal with the Department of Conservation and Development, Community Development Division, over the decision of the County Planning Commission to deny the appeal and uphold the decision of the County Zoning Administrator to approve County File #TP19-0036. The appeal points have been summarized and addressed below:

Bronwyn Shone, 2757 West Newell Avenue, Walnut Creek, CA 94595

Summary of Appeal Point #1: Paper copies of the of the Staff Report, Conditions of Approval, and attachments were not received 96 hours before the Planning Commission Meeting on December 11, 2019.

Staff Response: The appellants were emailed a link to the Staff Report, Conditions of Approval, and attachments, which were available on the County’s website, on Thursday, December 5, 2019, more than 96 hours before the hearing date. Per the Better Government Ordinance, “at least 96 hours in advance of a regular scheduled meeting, all staff reports and other materials prepared or forwarded by staff that provide background information and recommendation on agenda items must be made available to the

public and to members of the body” (Ord. § 25-2.206 (a)). Paper copies of the Staff Report, Conditions of Approval, and attachments were mailed to the appellants as a courtesy.

Summary of Appeal Point #2: Lack of transparency - the applicant walked up to the staff table and communicated with staff several times throughout the Planning Commission Meeting. These conversations were not made public.

Staff Response: Questions asked by the Planning Commission as part of the public hearing process were answered directly into the microphone.

Summary of Appeal Point #3: Can a fire truck turn around?

Staff Response: The project site is within the Contra Costa Fire Protection District’s (CCFPD) jurisdiction. The applicants submitted an application (with project plans) to the Fire District on 9-30-2019. Todd Schiess with the CCFPD reviewed and approved the emergency access for the project site on 10/7/2019 (see attached letter from the CCFPD and email from Todd Schiess).

Summary of Appeal Point #4: Was the Department of Fish and Wildlife consulted regarding potential impacts to protected species, such as the whipsnake, at the project site?

Staff Response: The proposed project is exempt under CEQA Guidelines, Section 15303(a), regarding “New Construction”, which exempts the construction of one single-family residence in a residential zone (from environmental review). Additionally, the most important natural areas in the County, including habitats of rare, threatened and endangered species (such as the Alameda whipsnake), and wetland areas, are inventoried and briefly described in Table 8-1 in the Conservation Element of the Contra Costa County General Plan (2005-2020). The generalized locations of each significant ecological area are shown in Figure 8-1. Pursuant to Figure 8-1, the subject site is not located within a significant ecological area.

Summary of Appeal Point #5: Did the Zoning Administrator review the revised plans?

Staff Response: Yes, the Zoning Administrator reviewed the plans that were presented at the December 11, 2019 County Planning Commission Meeting. However, since the plans were revised to incorporate a widened driveway after the project was appealed (as mentioned under the Project Background section of this Board Order), it was at the discretion of the County Planning Commission to approve or deny the initial appeal based on the revised project scope.

Summary of Appeal Point #6: What are the impacts of additional drainage on West Newell Avenue, which is already challenged by an outdated drain system?

Staff Response: Pursuant to a statement from the applicant, and as shown on Sheet C.3.1, the impervious areas are divided into drainage areas. Each drainage area is labeled with its size in square feet and to where it drains on-site. The design incorporates stormwater treatment in the form of bio-treatment planters, vegetated areas and self-retainment areas. In addition, the biotreatment planters are designed to provide volume detention control above the County stormwater requirement so as to control and mitigate the stormwater runoff flow rate exiting the property to West Newell as per County C.3 volume control calculations.

Additionally, pursuant to the Public Works Department, impacts would be minimal and per the Public Works Maintenance Division, they have received no significant calls over the last 5 years regarding the

subject area, other than complaints about issues such as minor debris blocking culverts. Back in 2003 – 2004, the cause of the complaints regarding an area east of the subject area turned out to be runoff from the hill to the south, not at the end of West Newell Avenue.

Summary of Appeal Point #7: Add a Conditional of Approval requiring the applicants to obtain a drainage permit prior to removal of any trees.

Staff Response: All new building permits for homes (at least 1,000 square-feet or larger) are routed to Grading Inspection during the building permit plan check process. Grading Inspection reviews the grading and drainage plans per the grading/drainage ordinance. If necessary, Grading Inspection will forward certain projects to the Public Works Department for a drainage permit. A building permit will not be issued until the drainage and grading plans are approved by Grading Inspection. Condition of Approval #10 prevents the removal of any trees before a building permit is obtained. Therefore, whether or not a drainage permit is required, will be determined during the building permit plan check process.

Summary of Appeal Point #8: The project requires the removal of 22 trees. However, Condition of Approval #3 only requires the applicants to replant three (3) trees. This is unbalanced and conflicts with Measure 8-h of the Conservation Element of the Contra Costa County General Plan (2005-2020). Off-site restitution for tree removal should be considered.

Staff Response: The current County Tree Protection and Preservation ordinance does not provide a restitution formula for tree removal. Instead, the required restitution was based on the recommendation from the consulting arborist. Pursuant to an email received on August 1, 2019, the consulting arborist recommended that no more than three (3) trees be replanted based on the location of remaining trees, the footprint of the residence, and the location of utility easements. Condition of Approval #3 of the attached Findings and Conditions of Approval will require the applicant to plant three (3) native-species trees, minimum 15 gallon in size, or an equivalent planting contribution as determined appropriate by CDD.

The purpose of the Contra Costa County General Plan (2005-2020) is to express the broad goals and policies, and specific implementation measures, which will guide decisions on future growth, development, and the conservation of resources through the year 2020. Although Vegetation and Wildlife Implementation Measure 8-h of the Conservation Element of the Contra Costa County General Plan (2005-2020) states, “Amend the ordinance to require developers to pay mitigation costs according to an adopted schedule, such as requiring, where appropriate, and to the extent legally permissible, that three new trees be planted for every one mature tree removed as part of a development”, the current County Tree Protection and Preservation ordinance has not been amended to incorporate this goal/policy. In addition, no corresponding mitigation bank currently exists. Thus, off-site restitution for tree removal cannot be required until the current County Tree Protection and Preservation ordinance is amended.

Summary of Appeal Point #9: The developable area of the subject parcel is small compared to the developable area of lots in the surrounding neighborhood. Therefore, the subject parcel should be considered a “small lot” and the proposed development should be subject to design review.

Staff Response: Pursuant to County Code Section 82-10.002(c), any lot of less area or width than required by Divisions 82 and 84, that qualifies for occupancy by a single-family dwelling, is subject to design review. Therefore, whether or not a residential development project is subject to “small lot design review” is based on the size and width of the lot proposed for residential development, not the perceived developable area of said lot.

The subject property is located within the Single-Family Residential Zoning District (R 20). The minimum lot area required in the R-20 Zoning District is 20,000 square-feet. The minimum lot width required in the R-20 Zoning District is 120 feet. The subject property is 2.56 acres in area and has an average width of approximately 285 feet. Thus, the proposed development is not subject to design review.

General Plan Consistency

The subject property has a General Plan land use designation of Single-Family Residential – Low Density (SL) and Open Space (OS). The SL General Plan land use designation allows a range of 1.0 and 2.9 single-family units per net acre. Although the most appropriate uses in Open Space areas involve resource management or low-intensity, private recreation for nearby residents, both General Plan land use designations (SL and OS) allow for the construction of one single-family residence on an existing, legal lot. Additionally, the proposed residence would be located on the northeastern portion of the lot, entirely within the SL General Plan land use designation portion of the property. Furthermore, according to Table 3-5 of the Land Use Element of the County's General Plan, the Single-Family Residential zoning status of the subject parcel is consistent with the corresponding SL General Plan land use designation of the portion of the property to be developed.

Located in the Saranap area of Walnut Creek, the project is also subject to specific policies in the Contra Costa County General Plan (2005-2020). The County's General Plan policies for the Saranap area state that the undeveloped hillside south of Olympic Boulevard and west of Tice Valley Boulevard is designated for Single-Family Residential – Medium Density development along the base of the hill along Olympic, with the remainder of the site designated as Agricultural Lands and Open Space, to reflect the steep, unbuildable slopes. Proposed construction takes place at the base of the hillside and no construction is proposed within the area of the parcel with an Open Space (OS) General Plan land use designation. The proposed residence would be located on the northeastern portion of the subject lot at least 140 horizontal feet from the ridgeline along the southwestern property line. Therefore, the project as proposed is consistent with the policies set forth for the Saranap area of Walnut Creek area pursuant to the County's General Plan.

Zoning Compliance

The subject property is located within the Single-Family Residential Zoning District (R-20). A detached single-family dwelling is a use allowed by right within this zoning district. However, pursuant to County Code Section 816-6.6004 of the Tree Protection and Preservation ordinance, all trees measuring twenty inches or larger in circumference (approximately 6.5 inches in diameter), as measured four and one-half feet from ground level, on undeveloped property within any zoning district, are code protected trees. Since the construction of the new, two-story single-family residence and retaining walls would require the removal of 22 code-protected trees and work within the driplines of six (6) code-protected trees, the applicants were required to submit a tree permit application before submitting for building permits.

Development is limited to the northeastern portion of the lot due to topography, the location of overhead utility lines, and the location of a 25-foot wide access easement along the southern portion of the eastern property line. Despite these limitations, the new residence would be located at the base of the hillside on the flattest portion of the lot, and meet all of the required development standards pursuant to the R-20 zoning district. As proposed, the residence would be set back 25 feet from the front property line (property line adjacent to the private road easement), set back 15 feet from the eastern side yard property line, more than 20 feet from the secondary front property line (portion of the property adjacent to Olympic Boulevard), more than 20 feet from the northwestern side yard property line, more than 15 feet from the rear (southwestern) property line, and more than 20 feet from the southeastern side yard property line. Additionally, the new residence will be 24 feet tall, but measure 27 feet tall from existing

grade (due to the proposed grading for the residence), thus complying with the 35-foot height limitation for residences in the R-20 zoning district. Additionally, Condition of Approval #9 ensures that any retaining wall, not meeting the required setbacks (e.g.: the retaining wall located along the northern portion of the eastern property line), shall not exceed 3 feet in height. Condition of Approval #10 prevents the removal of any trees before a building permit is obtained. Since a detached single-family residence is a permitted use and does not conflict with the residential nature of the surrounding neighborhood, it meets the intent and purpose of the R-20 Zoning District and is an appropriate use for the site.

Conclusion

The purpose of the County's Tree Protection and Preservation ordinance is to provide for the protection of trees on private property by controlling tree removal while allowing for the reasonable enjoyment of private property rights and property development. Staff finds that the proposed development is consistent with the Single-Family Residential Low-Density (SL) General Plan land use designation and complies with the intent and purpose of the Single-Family Residential District (R-20). Therefore, staff recommends that the Board of Supervisors deny the appeals and sustain the County Planning Commission's approval of County File #TP19-0036, based on the attached findings and subject to the attached conditions of approval.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board of Supervisors grants the appeal, the County Planning Commission's decision to uphold the County Zoning Administrator's approval of the tree permit, to allow the removal of 22 code-protected trees and work within the driplines of six (6) code-protected trees for the purpose of constructing a new, two-story, single-family residence and retaining walls on a vacant parcel, will be overturned. The applicants, Tambri Heyden and David Montalbo, would be unable to move forward with the project as proposed.

ATTACHMENTS

Findings and Conditions of Approval

McGregor/Schultz Appeal Letter

Bronwyn Shone Appeal Letter

Maps

Tree Protection and Removal Plan (Trees Proposed for Removal are Highlighted in Yellow)

Project Plans

Revised Arborist Report

Arborist Report Addendum

Existing Tree Count

Email Exchange Between Arborist and Applicant, between August 1, 2019 - August 13, 2019

Email Exchange Between Arborist and Applicant, between September 24, 2019 - October 3, 2019

Consulting Arborist's Response to Apellant's Arborist Letter

Letter from Cyrus Mashhoodi, P.E.

CCCFPD Approval Letter

Email from CCCFPD

Geotechnical Report from Bear Engineering Group

PowerPoint Presentation

FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE #TP19-0036, TAMBRI HEYDEN & DAVID MONTALBO (APPLICANT & OWNER):

I. FINDINGS

A. Required Factors for Granting Permit. The Zoning Administrator is satisfied that the following factors as provided by County Code Section 816-6.8010 for granting a tree permit have been satisfied:

- *Reasonable development of the property would require removal and/or work within the dripline of code-protected trees, and this development could not be reasonably accommodated on another area of the lot.*

Development is limited to the northeastern portion of the lot due to topography (the project site generally slopes upwards from the northeastern corner of the property towards the southwestern corner of the of the subject parcel), the location of overhead utility lines, and the location of a 25-foot wide access easement along the southern portion of the eastern property line. The applicant is also proposing to underground a portion of the overhead utility lines that run north to south on the subject property, necessitating the removal of seven (7) out of the 22 code-protected trees proposed for removal.

- *Where the arborist or forester report has been required, the Deputy Director for the Community Development Division is satisfied that the issuance of a permit will not negatively affect the sustainability of the resource.*

The project site is heavily wooded, but only a small portion of the 2.56-acre parcel would be developed. Pursuant to the site area calculations for the project, the proposed residence and other impervious improvements would make up less than 3 percent of the total area of the lot. Therefore, the majority of the property and trees remaining on the property would remain as is, protecting the sustainability of the resource.

B. Required Factors for Denying a Tree Permit. The Zoning Administrator is satisfied that the following factor for denial of a tree permit has not been established:

- *It is reasonably likely that alteration or removal of the tree will cause problems with drainage, erosion control, land stability, windscreen, visual screening, and/or privacy and said problems cannot be mitigated as part of the proposed removal of the tree.*

The June 18, 2019 Geotechnical Study prepared by Bear Engineering Group, Inc., for the project did not identify any potential erosion control or land stability issues for the site related to the removal of the trees.

II. CONDITIONS OF APPROVAL FOR COUNTY FILE #TP19-0036

Project Approval

1. This application for a Tree Permit includes the removal of 22 code-protected trees and work within the driplines of six (6) code-protected trees for the purpose of constructing a new, two-story, single-family residence and retaining walls on a vacant parcel. The trees to be removed include thirteen (13) coast live oak trees ranging in size from 7 inches to 43.5 inches in diameter, six (6) valley oak trees ranging in size from 8 inches to 38 inches in diameter, two (2) multi-stemmed California buckeye trees, and one (1) multi-stemmed plum tree. The trees that would be subjected to dripline encroachment include three (3) coast live oak trees ranging in size from 10 inches to 17.5 inches in diameter, including a multi-stemmed coast live oak tree, two (2) coast redwood trees ranging in size from 10 inches to 12 inches in diameter, and one (1) 33-inch valley oak tree. The subject property is located south of Olympic Boulevard and west of 2776 West Newell Avenue, in the Walnut Creek area of unincorporated Contra Costa County. This project is approved based on the following documents and materials submitted to the Department of Conservation and Development, Community Development Division (CDD):
 - A. Application materials submitted on July 18, 2019;
 - B. Revised Arborist Report prepared by Jennifer Tso, Certified Arborist with Traverso Tree Service, received on November 5, 2019;
 - C. Arborist Report Addendum prepared by Jennifer Tso, Certified Arborist with Traverso Tree Service, received on October 10, 2019;
 - D. As generally shown on the revised project plans received on October 10, 2019;
 - E. As generally shown on the revised tree protection plan sheet received on November 5, 2019.

Except as otherwise specified, development shall be in accord with the recommendations of the arborist report. Code-protected trees that are not included under this permit shall not be removed or altered. All grading, site and development plans shall clearly indicate trees approved for removal, alteration or otherwise affected by construction.

Payment of Fees

2. This application was subject to an initial application deposit of \$500.00, which was paid with the application submittal, plus time and material costs if the application review expenses exceed the initial deposit. **Any additional costs due must be paid within 60 days of the permit effective date or prior to use of the permit, whichever occurs first.** Pursuant to

Contra Costa County Board of Supervisors Resolution Number 2013/340, where a fee payment is over 60 days past due, the application shall be charged interest at a rate of ten percent (10%) from the date of approval. The applicant may obtain current costs by contacting the project planner. A bill will be mailed shortly after permit issuance.

Restitution for Tree Removal

3. The following measures are intended to provide restitution for the removal of code-protected trees.
 - A. Planting and Irrigation Plan: **Prior to issuance of building permits**, the applicant shall submit a tree planting and irrigation plan prepared by a licensed arborist or landscape architect for the review and approval of the Department of Conservation and Development, Community Development Division (CDD). The plan shall provide for the planting of **three (3)** native-species trees, minimum 15 gallon in size, or an equivalent planting contribution as determined appropriate by CDD. The plan shall comply with the State's Model Water Efficient Landscape Ordinance or the County's Water Efficient Landscape Ordinance, if the County's ordinance has been adopted, and verification of such shall accompany the plan. The plan shall also include an estimate prepared by a licensed landscape architect, arborist, or landscape contractor for the materials and labor costs to complete the improvements (accounting for supply, delivery, and installation of trees and irrigation).
 - B. Required Security to Assure Completion of Plan Improvements: A security shall be provided to ensure that the approved planting and irrigation plan is implemented. **Prior to issuance of building permits**, the applicant shall submit a security that is acceptable to the CDD. The security shall be the amount of the approved cost estimate described in Section 3.a above, *plus* a 20% inflation surcharge.
 - C. Initial Deposit for Processing of Security: The County ordinance requires that the applicant pay fees to cover all staff time and material costs for processing the required security. At the time of submittal of the security, the applicant shall pay an initial deposit of \$100.00.
 - D. Duration of Security: When the replacement trees and irrigation have been installed, the applicant shall submit a letter to the CDD, composed by a licensed landscape architect, landscape contractor, or arborist, verifying that the installation has been done in accordance with the approved planting and irrigation plan. The CDD will retain the security for a minimum of 12 months up to 24 months beyond the date of receipt of this letter. As a prerequisite of releasing the bond between 12 and 24 months, following completion of the installation, the applicant shall arrange for the consulting arborist to inspect the replacement trees and to prepare a report on the trees' health. The report shall be submitted for the review of the CDD and shall include any additional measures necessary for preserving the health of the trees. These measures shall be implemented by the applicant. Any replacement tree that dies within the first

year of being planted shall be replaced by another tree of the same species and size. If the CDD determines that the applicant has not been diligent in ensuring the replacement trees' health, then all or part of the security may be used by the County to ensure that the approved restitution plan is successfully implemented.

Security for Possible Damage to Trees Intended for Preservation

4. Pursuant to the requirements of Section 816-6.1204 of the Tree Protection and Preservation Ordinance, to address the possibility that construction activity damages trees that are to be preserved, the applicant shall provide the County with a security to allow for replacement of trees that are significantly damaged or destroyed by construction activity. **Prior to issuance of building permits**, the applicant shall provide a cash or surety bond that is acceptable to the CDD.

A. Amount of Security: The security shall be an amount sufficient to cover:

- i. Preparation of a landscaping and irrigation plan by a licensed landscape architect, arborist, or landscape contractor for the review and approval of the CDD. The plan shall provide for planting of up to **six (6)** 15-gallon-size trees of species appropriate for the subject site. The plan shall comply with the State's Model Water Efficient Landscape Ordinance or the County's Water Efficient Landscape Ordinance, if the County's ordinance has been adopted, and verification of such shall accompany the plan. **If deemed necessary by the CDD, the plan shall be implemented prior to final building inspection.**
- ii. The estimated materials and labor costs to complete the improvements shown on the approved planting and irrigation plan (accounting for supply, delivery, and installation of trees and irrigation).
- iii. An *additional* 20% above the costs described in Sections A.i and A.ii above to account for inflation potential.

B. Initial Deposit for Processing of Security: The County ordinance requires that the applicant pay fees to cover all staff time and material costs for processing the required security. At the time of submittal of the security, the applicant shall pay an initial deposit of \$100.

C. Duration of Security: After the final inspection has been completed, the applicant shall submit a letter to the CDD, composed by a consulting arborist, describing any construction impacts to trees intended for preservation. The security shall be retained by the County for a minimum of 12 months and up to 24 months beyond the date of receipt of this letter. As a prerequisite of releasing the bond between 12 and 24 months, the applicant shall arrange for the consulting arborist to inspect the trees and to prepare a report on the trees' health. The report shall be submitted to the CDD for

review, and it shall include any additional measures necessary for preserving the health of the trees. These measures shall be implemented by the applicant. If the CDD determines that trees intended for preservation have been damaged by development activity, and that the applicant has not been diligent in providing reasonable restitution of the damaged trees, then the CDD may require that all or part of the security be used to provide for mitigation of the trees damaged, including replacement of any trees that have died.

Compliance with Arborist Recommendations

5. The applicant shall implement all measures recommended by the consulting arborist that are intended to mitigate potential construction-related impacts.

Arborist Expense

6. The expenses associated with all required arborist services shall be borne by the developer and/or property owner.

Construction Period Requirements and Restrictions

7. Site Preparation: Prior to the start of construction or any clearing, stockpiling, trenching, grading, compaction, paving or change in ground elevation on site with the trees to be preserved, the Applicant shall install protective fencing at or beyond the drip lines of the trees to be preserved and along the boundaries of all other protected trees within the vicinity of construction. The fencing shall remain in place for the duration of construction activities. Prior to grading or issuance of any permits, the fences may be inspected and the location thereof approved by the Building Inspection Division or Community Development Division staff. *Construction plans shall stipulate on their face where temporary fencing is to be placed. The required fencing shall be installed **prior to the commencement of any construction activity**.*
8. Contractor and/or developer shall comply with the following requirements and restrictions, which shall be stated on the face of all construction drawings for grading or building permits:
 - A. All construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and shall be prohibited on State and federal holidays.

New Year's Day (State and Federal)
Martin Luther King, Jr. Day (State and Federal)
Washington's Birthday/Presidents' Day (State and Federal)
Lincoln's Birthday (State)
Cesar Chavez Day (State)
Memorial Day (State and Federal)
Independence Day (State and Federal)
Labor Day (State and Federal)

Columbus Day (State and Federal)
Veterans Day (State and Federal)
Thanksgiving Day (State and Federal)
Day after Thanksgiving (State)
Christmas Day (State and Federal)

For information on the actual days and dates that these holidays occur, please visit the following websites:

Federal: http://www.opm.gov/Operating_Status_Schedules/fedhol/2020.asp

California: <http://www.ftb.ca.gov/aboutFTB/holidays.shtml>

- B. The applicant shall immediately notify the CDD of any damage that occurs to any tree during construction. Any tree not approved for destruction or removal that dies or is significantly damaged as a result of this project shall be replaced with a tree or trees of equivalent size and of a species as approved by the CDD to be reasonably appropriate for the situation.
- C. No parking or storage of vehicles, equipment, machinery, or construction materials and no dumping of paints, oils, contaminated water, or any chemicals shall be permitted within the drip line of any tree to be preserved.
- D. No grading, compaction, stockpiling, trenching, paving, or change in ground elevation shall be permitted within the drip line of any tree intended for preservation unless such activities are indicated on the improvement plans approved by the County and addressed in the arborist reports. If any of the activities listed above occur within the drip line of a tree to be preserved, an arborist may be required to be present. The arborist shall have the authority to require implementation of measures to protect the trees.
- E. The applicant shall not block access to and from the private road and limit off-site construction vehicle parking.
- F. The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers that are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.
- G. Transporting of heavy equipment and trucks shall be limited to week days between the hours of 9:00 AM and 4:00 PM and prohibited on federal and State holidays.
- H. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.

Retaining Walls

9. Retaining walls within the required setback areas shall not exceed 3 feet in height, as measured from existing or finished grade, whichever is lower.

Tree Removal

10. Trees approved for removal under this permit may not be removed until a building permit for the new residence has been issued.

Indemnification

11. Prior to submitting for building permits, the Applicant(s) shall enter into an Indemnification Agreement with the County, and the Applicant shall indemnify, defend (with counsel reasonably acceptable to the County), and hold harmless the County, its boards, commissions, officers, employees, and agents (collectively "County Parties") from any and all claims, costs, losses, actions, fees, liabilities, expenses, and damages (collectively, "Liabilities") arising from or related to the Project, the Applicant's application for a tree permit, the County's discretionary approvals for the Project, including but not limited to the County's actions pursuant to the California Environmental Quality Act and planning and zoning laws, regardless of whether those Liabilities accrue before or after Project approval.

ADVISORY NOTES

ADVISORY NOTES ARE NOT CONDITIONS OF APPROVAL. ADVISORY NOTES ARE PROVIDED FOR THE PURPOSE OF INFORMING THE APPLICANT OF ADDITIONAL ORDINANCES AND OTHER LEGAL REQUIREMENTS THAT MAY BE APPLICABLE TO THE PROJECT.

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

Pursuant to California Government Code Section 66000, et seq., the applicant has the opportunity to protest fees, dedications, reservations or exactions required as part of this project approval. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and must be delivered to the Community Development Division within a 90-day period that begins on the date that this project is approved. If the 90th day falls on a day that the Community Development Division is closed, then the protest must be submitted by the end of the next business day.

- B. This project may be subject to the requirements of the following agencies:

- Contra Costa County Building Inspection Division
- Contra Costa County Public Works Department
- Contra Costa County Fire Protection District
- Central Contra Costa Sanitary District
- East Bay Municipal Utility District

The applicant is strongly encouraged to review these agencies' requirements prior to continuing with the project.

December 20, 2019

Susan Johnson
Department of Conservation and Development
Community Development Division
30 Muir road
Martinez, CA 94553
Attn: Susan Johnson
County File #TP19-0036

Patricia McGregor
William Schultz
2776 West Newell Ave
Walnut Creek, CA, 94595

Ms. Johnson,

This letter serves as notice that we are appealing to the Contra Costa County Board of Supervisors regarding the December 11, 2019 Planning Commission's approval of a tree permit to remove 22 code-protected trees located at the proposed site of 0 West Newell Avenue, Walnut Creek.

We especially want the two large oak trees identified as #36 and #37, approximately 70 feet in height be saved as they stand next to our large oak tree #38. As stated in the Tree Protection and Preservation Ordinance of Contra Costa County: "The county finds it necessary to preserve trees on private property in the interest of the public health, safety and welfare and to preserve scenic beauty. Trees provide soil stability, improve drainage conditions, provide habitat for wildlife and provide aesthetic beauty and screening for privacy. Trees are a vital part of a visually pleasing, healthy environment for the unincorporated area of this county." Construction around our large oak tree, #38, would negatively impact our tree's health, potentially causing it to fall, due to the trenching around our tree #38. The survivability of our tree #38 is unpredictable and the construction site runs too close to the trunk of our tree.

Construction is proposed on a substandard lot size in relation to the size of the house. As Duane Steele, Chairman on the Planning Commission stated at the hearing on December 11th, "my observation (this) is a very difficult triangular lot" to develop. The two large oak trees, #36 and #37, which are elevated above our home, provide soil stabilization. Even though the lot is zoned R-20, the buildable portion of the lot is limited, considering most of the property is designated as Open Space. We are asking that the County require the architectural plans to include the location of the open space on the site plan. The number of trees being removed is unwarranted and unnecessary. The house can be made smaller or relocated away from removing trees #36 and #37. The removal of the large oak trees will cause significant visual impacts with the construction of the large, two-story house, which is significantly larger than any other home built along the street on West Newell Ave.

Additionally, in providing soil stabilization, the proposed retaining wall section of the staff report, (on page 6 in the Findings section of the staff report) is unclear. It is recorded at the meeting that the owners will deal with the retaining walls, yet nothing is specified. On the architectural plans, it shows a 6-foot retaining wall shall be placed on the hillside, and a 2-foot wall is planned to separate the new construction from our house, where they are removing the two large oak trees. A 2-foot wall does not provide enough support for stabilizing the ground as there is a downward slope toward our home.

A geotechnical engineering report is warranted based on the grading of the hill and removal of so many trees. The plans need to include a geotechnical engineering set of drainage plans, as a reputable engineer from Ned Clyde Construction noted when he visited the site. At the hearing on Dec. 11th, the owners did not provide any evidence of a soil engineering report in their plans, as Richard Clark, Planning Commissioner, noted. The owners said that they are building on the "flat" section, which is not the case,

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APPLICATION & PERMIT CENTER

as they are elevated above our home, on a gradient, and their construction site is dealing with the slope from the hillside.

The removal of the trees and construction of a house will increase storm water runoff. The applicant, David Montalbo, stated at the hearing on Dec 11th, that the storm water flow will be directed down West Newell Avenue. The 78-year-old un-improved gutter and drainage system, which needs repair, will be overwhelmed. We are asking for a drainage permit requirement prior to a building permit being issued.

The undergrounding of the utilities required by PG&E for wildfire prevention cannot be completed due to the steepness and surface slippage of the hill, as stated by a PG & E representative when visiting the site. If the owners feel that they can underground the utilities on the hillside, the California Environmental Quality Act should not be exempt, as there will be a large number of trees removed and intrusion into the hillside making it more unstable.

Based on the testimony from William Schultz, and the documentation provided by the California Oaks Foundation, the removal of so many trees would negatively impact the value of our home and surrounding homes. We've lived in our home for over 18 years. It has been amazing living on a block that feels like one long cul-de-sac. since the road ends at our home. We've enjoyed celebrating our annual West Newell Ave 4th of July Pancake Breakfasts and hosting Oktoberfest parties. We love our neighbors and have a long history with most of them. We are like one big family that cares about our beautiful area.

The findings by the Planning Commission were not supported by evidence. The Planning Commission incorrectly decided that the tree removal permit could be issued because the County Staff could later place conditions on the tree removal permit at the time of the building permit. This was incorrect because Staff cannot place such conditions on a building permit, according to a land use attorney that was present at the hearing. The Planning Commission should have placed limits or conditions on the use permit. As stated, the Planning Commission incorrectly determined that such limits or conditions be imposed at the building permit stage.

The Planning Commission further ignored evidence that it is not necessary to have the new construction be placed over the two large oak trees. As stated by many of my neighbors at the hearing, the house simply needs to be constructed in a different location, or the house needs to be smaller.

The facts that were placed before the Planning Commission from the testimonies by the owners who were opposed to the tree removal were not considered. We had numerous neighbors testify their concerns in opposition to the tree removal permit. We are the citizens who live in this neighborhood. We care about our neighborhood. Duane Steele, as the very end of the hearing announced his retirement and referenced us saying he "hopes that the owners that came, know we represent them."

We did not get fair representation at the December 11, 2019 hearing. The owners, Tambri Heyden and David Montalbo, lied when they said they made multiple attempts to contact us about the tree removal permit. We first heard about it when we received the notice from the County in the mail. The owners could have left a note on our front door with their name and contact information, before it escalated to this level. At the hearing Tambri Heyden was able to turn in documentation for the commissioners, but when William Schultz attempted to turn in documentation, Duane, Chairman, would not accept it, saying it had to be turned in prior to the hearing. Much more time was allotted Tambri and David to speak, as I was not able to state all of my concerns due to the strict time limit. We appreciate the Planning Commissioners who took a vested interest to be open minded and who came out to the site.

In this age of climate change, removing 22 code-protected trees for the construction of one, oversized, flat-roofed house, with no front yard, and no back yard, does not fit in with our neighborhood. As Duane Steele stated that he has never seen such poorly designed architectural plans. The evidence is clear that the number of trees being removed will greatly impact the drainage, the stabilization of the hill, and the surrounding beauty that the trees provide to the area. There are too many unanswered questions. Please let us work together and have the proposed construction amended for a better solution.

Attached is a two-page document from Joe McNeil, a consulting arborist, regarding the significant impact and arising unanswered questions about our tree #38.

Respectfully,

Patricia McGregor and William Schultz

McNEIL ARBORICULTURE CONSULTANTS LLC

December 20, 2019

CONTRA COSTA

asca AMERICAN SOCIETY of
CONSULTING ARBORISTS

Patricia McGregor
2776 West Newell Ave.
Walnut Creek, CA 94596-1514

2019 DEC 20 PM 3:21

APPLICATION & PERMIT CENTER

SUBJECT: Review of tree impact and protection resulting from proposed construction at 0 West Newell Ave, adjacent to your home, Contra Costa County file # TP19-0036, the Montalbo/Heyden residence. I have reviewed a plan set revision dated October 10, 2019, including sheets SP-1, A-1, A-2, A-3, A-4, A-5, A-6, C.4.1, C.1.1, C.1.2, C.1.3, C.1.4, C.2.1, C.2.2, C.2.3, C.2.4, C.2.5, C.3.1, C.3.2, C.4.1, and a topographic survey by Apex civil engineers dated October 3, 2019. I have also reviewed two documents from Traverso Tree service to Tambri Heyden. First, an arborist report addendum dated October 10, 2019 and an October 25, 2019 revision of a July 3, 2019 arborist report. My comments and questions raised here are limited to information provided by these documents regarding potential impacts to a tree of shared ownership, primarily on your property, identified as a 33 inch trunk diameter valley oak, tree #38.

A home, with associated construction disturbance is proposed on the lot immediately southwest of yours. Valley oak tree #38 is primarily on your property, adjacent to the proposed construction zone. I have several comments and questions regarding the impact of proposed construction on your oak tree. These questions are pertinent to preservation of the oak tree and are unanswered by any of the documents referenced above.

1. A 25 foot wide utility easement abuts the tree along the property line. A gas line is identified on the drawings as extending to the house through this easement. Water appears to be provided to the house well away from tree #38. The plans I reviewed were too small to distinguish other utilities, such as electrical, cable/fiber optic, or sanitary sewer. Storm drains appear to be located well away from tree #38, although drainage is not shown along a wall extending NNW along the property line from the tree. Such drainage could affect the tree.

The upper three feet of trenching for any utilities within 20 feet of tree #38 must be conducted by air spade. It is permissible to cut small roots to gain access to soil that must be removed from around larger roots. Deeper than three feet the trench may be excavated by hand. Alternatively, allow no utility trenching within 20 feet of the tree.

2. A proposed retaining wall extends northwest from the tree along the property line. Elevations of the wall and finish grades within the area critical to tree roots are not called out. The existing grade at the tree is shown as 216.7'. The top and bottom of wall there are not indicated. Seventeen feet NNW of the tree along the wall, existing grade is indicated as 217.78', a foot higher. The bottom of the wall there is shown as 215.70', a two foot deep cut that will remove most oak roots at that point. The top of wall there is 218.28' a 2 1/2 foot wall at that point. Further to the NNW the top of the wall is at 217.7', indicating the top of wall is not level. This further emphasizes the

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ISA Board Certified Master Arborist # WE0102B • Calif. Contractors Lic. # 482248 (Tree Care C-61 D-49, Landscaping C-27)

ASCA Registered Consulting Arborist #299 • ISA Certified Arborist WE11635A • ISA Qualified Tree Risk Assessors

joe@oakperson.com • todd@oakperson.com • <http://www.oakperson.com/>

remaining question of the top and bottom of wall at the tree. These elevations must be called out.

On sheet C1.1 a line extends from the end of the wall by the tree for approximately 30 feet to the NNW. This line is not a topo line, as it does not tie into existing grades anywhere. Clearly there will be grade changes here that will affect the tree, but they are not shown on the grading plan, where one would expect them. The report from Traverso references grading up to within a foot of tree #38, but is non-specific about what that grading is.

No grade changes should occur within two feet of the base of the tree, and to 20 feet from the side of the tree no grade alteration should exceed four inches, either cut or fill. This needs to be shown on the grading plan. As the Traverso report indicates, any grade changes within this area must be done by hand.

3. If there will be drainage along this wall it must be shown, and impacts assessed.
4. The wall cannot abut against the trunk of the tree. The tree will continue to grow and will likely displace the wall. There must be at least a foot of distance between the side of the tree and the termination of the wall. Wall displacement is especially a risk if roots are under a footing. See the next item.
5. A spread or "L" footing cannot be within six feet of the side of the tree. It will likely destroy roots. If large roots are under the footing they will likely heave the wall.
6. The footing near the tree must be piers, drilled between supporting roots, as determined by the project arborist. It is almost certain, in my experience that no pier can be drilled within two feet of the side of the tree, and three feet of distance may be required.
7. The wall within at least six feet of the tree must be supported by piers, and will be a suspended grade beam, with the base at existing grade, or no more than four inches below existing grade. As the wall extends past the final pier it must cantilever, suspended.
8. In my experience with walls that terminate into native oak trees it is best to air excavate from the tree out to ten feet from the side of the tree along the proposed wall. The trench should extend the width of any anticipated piers or other footings, to a depth of three feet. This will confirm where footings for the wall can be installed, with minimal risk to the tree or the wall.

I trust this is useful information. Please contact me if you have further questions.

Sincerely,



Joseph McNeil

Board Certified Master Arborist #WC-0102B

Registered Consulting Arborist #299, ASCA

Contractors Lic. #482248 (Tree service C-61 D-49, Landscaping C-27, inactive)

ISA Qualified Tree Risk Assessor

ASCA Qualified Tree and Plant Appraiser

Department of Conservation and Development

30 Muir Road
Martinez, CA 94553-4601

Phone: 855-323-2626

Contra Costa County



John Kopchik
Director

Jason Crapo
Deputy Director

Aruna Bhat
Deputy Director

Maureen Toms
Deputy Director

Kelli Zenn
Business Operations Manager

PAYER: PATRICIA MCGREGOR
2776 W NEWELL AVE
WALNUT CREEK, CA 94595

APPLICATION #: CDTF19-00036

TYPE: Tree Permit Review

Payment Type: Check

Check Nbr: 1644

ACCOUNT ITEM LIST:

Item #	Description	Total Fees	Current Paid	Total Paid
0047	Appeal (\$125)	\$125.00	\$0.00	\$125.00
0047	Appeal (\$125)	\$125.00	\$125.00	\$125.00
052B	Notification Fee (\$30)	\$30.00	\$0.00	\$30.00
TPS051X	Alteration of Protected Tree	\$500.00	\$0.00	\$500.00
Total Fees:		\$780.00	Paid:	\$780.00
			Balance:	\$0.00

ISSUED BY: DRECKMEYER-
WALTON

DATE: 12/20/2019

APPLICATION DESC: Applicant requests approval of a tree permit in order to remove 21 code-protected trees ranging in size from 8" to 43.5" and work within the dripline of 4 code-protected trees ranging in size from 10" to 33" for the construction of a new 4,000 square-foot single-family residence on a vacant lot.

SITE ADDRESS: 0 OLYMPIC BLVD, WALNUT CREEK, CA 94596

PARCEL: 238050007

NOTES:

COPY

December 23, 2019

TP19-0036
CONTRA COSTA

2019 DEC 23 PM 2:52

APPLICATION & PERMIT CENTER

Department of Conservation and Development

30 Muir Rd

Martinez CA 94553

Attn: Susan Johnson, Candace Andersen, John Kopchik

Re: County File TP19-0036, APN: 238-050-007 Appeal to the Planning Commission's vote to deny appeal and uphold zoning administrator's decision.

Dear Ms. Johnson, Ms. Andersen and Mr. Kopchik,

I live at 2757 West Newell Avenue in Walnut Creek, next door to a proposed construction for a two-story, 3,500 sq ft. single-family home and retaining wall. The owners and applicants, Tambri Heyden and David Montalbo sought approval for a tree permit to remove 22 code-protected trees and to work within the driplines of 6 code-protected trees. After a hearing with the planning commission on December 11, 2019, their application was approved against the appeal of my neighbors William Schultz and Patricia McGregor by a vote of 4-3.

I am exercising my right to appeal the vote of the commission.

To begin, I appreciate the commissioners who made site visits and who made sincere efforts to incorporate the information that we, the appellant and supporting neighbors, were not able to provide until just before or during the hearing. The debate amongst the commissioners highlighted several questions that remain about this tree permit. Those commissioners who voted against the application to cut down the 22 trees did so because there were so many unanswered questions.

I wanted to raise a few concerns about the public hearing process and the steps leading up to it.

The staff report was only made available to us on Thursday, December 5th, by email, and only after calling and asking for it. Paper copies, which include the larger and more readable attachments of the building plan, arrived in the mail two days before the hearing--not the 96 hours we were told. Not having earlier access to the staff report, and most importantly, the building plans, tree reports, findings and conditions of approval, makes it nearly impossible for the appellant or interested neighbors to process the information or provide meaningful details to agencies or professionals so they might review the facts and raise questions. Some of the questions that were raised during the hearing could have been answered if we had been given the more complete information earlier. On-site visits to the Planning and Development department necessitate time off work for most people, and such visits don't allow visitors to make or take copies of documents.

At the very beginning of the evening, without even hearing from the appellant or neighbors, Commissioner Van Buskirk mistakenly thought he was commenting on 2a (our agenda item) and voted to "deny appeal and uphold zoning administrator's decision." He needed to be corrected by Commissioner Wright on which matter he was deciding on (5a, not 2a). His automatic denial of the

appeal makes it clear that while some commissioners are very interested in understanding the details before rendering a decision, he had prejudged the matter which raises questions about fairness and the overall purpose of a public hearing.

During the hearing, Applicant Tambri Heyden, several times went to the Staff table to communicate directly with the planner and other staff. This can be seen on the video of the hearing towards the end of 2a, but it happened several other times outside of the camera's view. Those in attendance were not able to hear these comments. Why is this lack of transparency allowed at a public hearing?

Some of the outstanding questions that were raised in the meeting are:

- Can a fire truck turn around?
- What does Fish and Wildlife have to say about protected species in the area (whip snake)?
- Did the zoning administrator see the revised plan?
- What are the impacts of additional drainage on West Newell Ave, which is already challenged by an outdated drain system?

Can these questions and others raised during the hearing be addressed before the applicants remove any trees?

As has been recognized by the applicants and the commissioners, this is a difficult site to develop. This property includes Open Space, is bordered by easements, and slope and terrain restrict actual buildable portion to a small flat area. Others have tried to build on it in the past and have given up. The owner of an adjoining parcel that was sold by the same agent/attorney as this one has apparently given up on his build before even starting. In addition, our neighborhood has an unfortunate history of tree removal followed by houses later deemed uninhabitable due to a lack of proactive planning.

While the application was approved with an additional condition of approval added that the applicants must get a building permit before any trees are destroyed, this does not go far enough to protect the trees and the neighborhood. Given the complications this site presents, please consider the following common-sense additions:

Condition of approval to add drainage permit: We learned in the hearing from Applicant David Montalbo that "drainage will be captured and directed to West Newell." This is unwelcome news for those of us already living here. West Newell Avenue becomes "West Newell River" in the rainy season. The county is well aware of these issues. Commissioner Allen asked during the commissioner vote portion of the hearing if an additional condition of approval could be added for a drainage permit to be approved before any trees were removed, but it was explained to her that it was too late in the hearing process for her to ask.

Better condition of approval for mitigation: Currently If this project is approved and the 22 trees are removed, the applicants are asked to plant 3 trees on the property. This is clearly unbalanced. The attached letter from the California Oaks Foundation sites Section 8-h of the Conservation Element of the Contra Costa General Plan states the county's intention to provide a formula for mitigation plantings:

Amend the ordinance to require developers to pay mitigation costs according to an adopted schedule, such as requiring, where appropriate and to the extent legally permissible, that three new trees be planted for every

.302one mature tree removed as part of a development. Replacement trees should be the same or a similar species as the tree removed, and should be native species or naturalized species which are well-adapted to the site's conditions without posting a threat of invasion into surrounding lands.

While the specific language above is not in the tree ordinance. The California Wildlife Foundation and California Oaks program notes the current mitigation proposal is counter to the Contra Costa General Plan, and the proposed mitigation ratio of three to one aligns with the Contra Costa County's Climate Action Plan. While the site itself may not support more mitigation efforts, there is no reason why trees can't be planted elsewhere in unincorporated Contra Costa County. This could fit well with the proposed CAP (Measure EE4) to increase the number of shade trees planted in unincorporated Contra Costa county.

Small lot/substandard lot design review. As noted on page 3 of the planner's report and several commissioners during the hearing, the size of the house is out of scale with the other houses in the neighborhood by over 1,100 sq feet. While the lot itself is much bigger than others in the neighborhood, after subtracting the areas that are subject to easement, utility lines, and are open space , the resulting buildable area is actually smaller than the flat space the rest of the houses in the neighborhood enjoy. The proposed house is therefore far out of scale not only with the buildable portion of the lot but also with the other houses in the neighborhood. A smaller house design would fit better with the neighborhood and could save a number of trees.

My concerns are not based on a desire to thwart the dreams of the applicants but to raise concerns that this particular build may be ill-fated and it is best for everyone that all challenges be fully understood, addressed and mitigated before so many valuable trees are irrevocably lost. It has taken decades for this oak grove to reach its current state of maturity and its benefits to our neighborhood are immeasurable. It would be a terrible outcome to lose these trees for a large build that either couldn't be completed, or adds further infrastructure complications to our neighborhood.

Respectfully,

Bronwyn Shone

2757 West Newell Ave

Walnut Creek CA 94595

Department of
Conservation and
Development

30 Muir Road
Martinez, CA 94553-4601

Phone: 855-323-2626

Contra
Costa
County



John Kopchik
Director

Jason Crapo
Deputy Director

Aruna Bhat
Deputy Director

Maureen Toms
Deputy Director

Kelli Zenn
Business Operations Manager

PAYER: SCOTT DAWSON
2757 W NEWELL AVE
WALNUT CREEK, CA 94595

APPLICATION #: CDTP19-00036

TYPE: Tree Permit Review

Payment Type: Check

Check Nbr: 407

ACCOUNT ITEM LIST:

Item #	Description	Total Fees	Current Paid	Total Paid
0047	Appeal (\$125)	\$125.00	\$0.00	\$125.00
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0047	Appeal (\$125)	\$125.00	\$0.00	\$125.00
052B	Notification Fee (\$30)	\$30.00	\$0.00	\$30.00
TPS051X	Alteration of Protected Tree	\$500.00	\$0.00	\$500.00
Total Fees:		\$905.00	Paid:	\$905.00
			Balance:	\$0.00

ISSUED BY: DRECKMEYER-
WALTON

DATE: 12/23/2019

APPLICATION DESC: Applicant requests approval of a tree permit in order to remove 21 code-protected trees ranging in size from 8" to 43.5" and work within the dripline of 4 code-protected trees ranging in size from 10" to 33" for the construction of a new 4,000 square-foot single-family residence on a vacant lot.

SITE ADDRESS: 0 OLYMPIC BLVD, WALNUT CREEK, CA 94596

PARCEL: 238050007

NOTES:

RANCHO SAN RAMON POR. SEC. 33 T1N R2W

& POR. SEC. 4 T1S R2W M.D.B.&M.

PLEASANT HILL
ROAD

P.B.
185

Project site



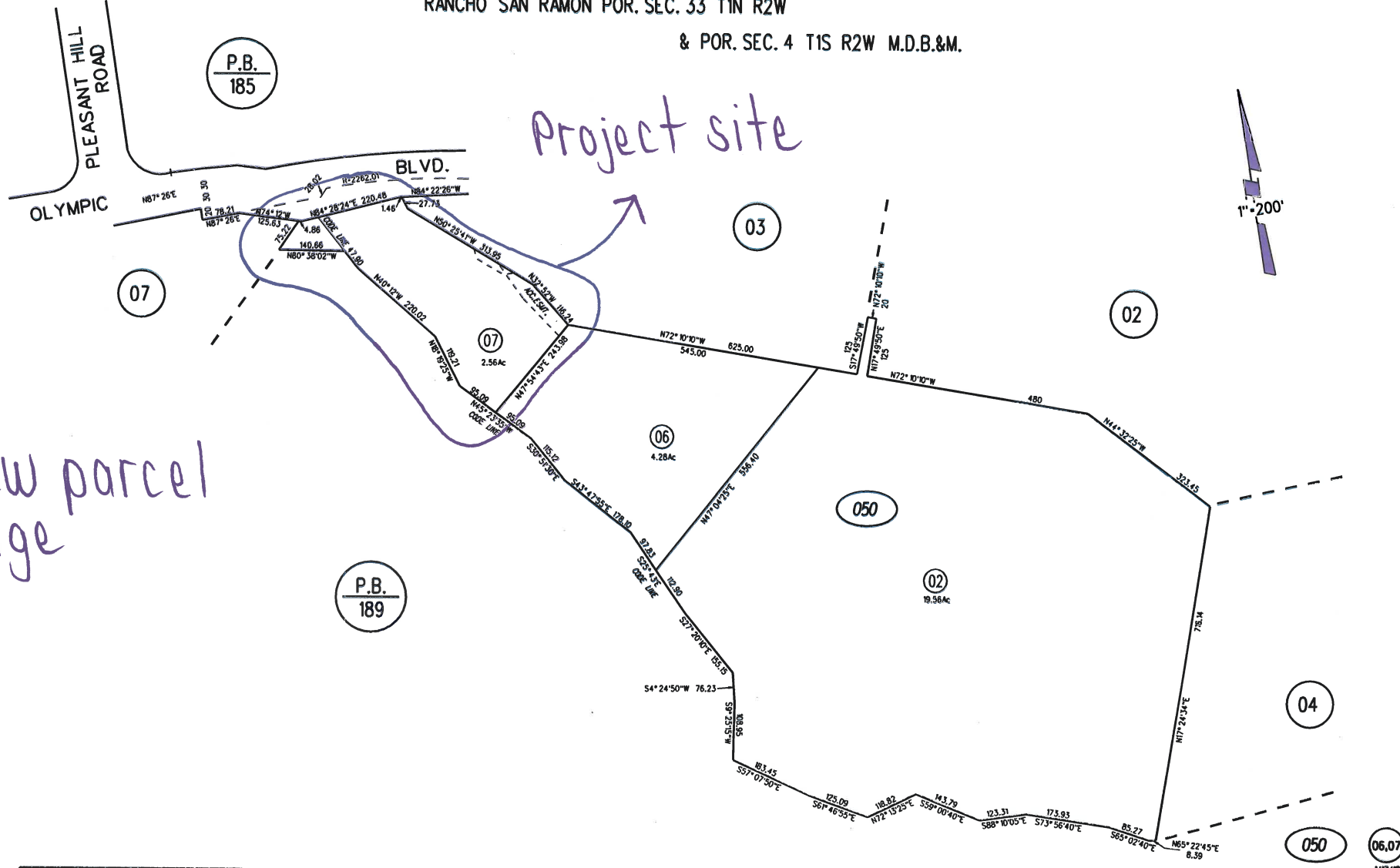
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*new parcel
page

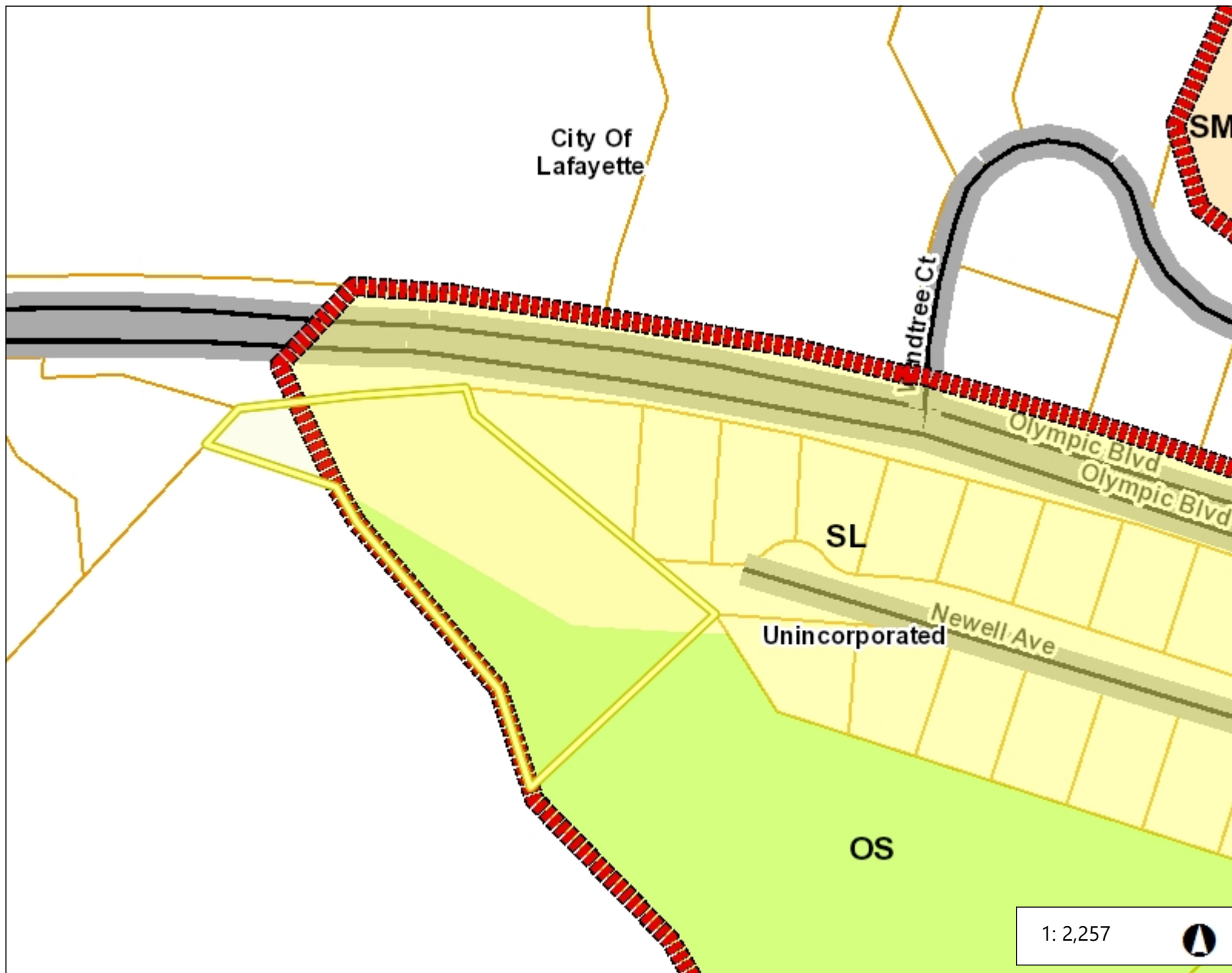
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189

NOTE: THIS MAP WAS PREPARED FOR ASSESSMENT
PURPOSES ONLY. NO LIABILITY IS ASSUMED
FOR THE ACCURACY OF THE INFORMATION
DELINEATED HEREON. ASSESSOR'S PARCELS
MAY NOT COMPLY WITH LOCAL LOT SPLIT
OR BUILDING SITE ORDINANCES.

ASSESSOR'S MAP
BOOK 238 PAGE 05
CONTRA COSTA COUNTY, CALIF.



General Plan: Single-Family Residential – Low Density (SL) and Open Space (OS)



Legend

- City Limits
- Unincorporated
- General Plan
 - SV (Single Family Residential - Ver
 - SL (Single Family Residential - Low
 - SM (Single Family Residential - Me
 - SH (Single Family Residential - Hig
 - ML (Multiple Family Residential - Lc
 - MM (Multiple Family Residential - Iv
 - MH (Multiple Family Residential - H
 - MV (Multiple Family Residential - V
 - MS (Multiple Family Residential - V
 - CC (Congregate Care/Senior Housi
 - MO (Mobile Home)
 - M-1 (Parker Avenue Mixed Use)
 - M-2 (Downtown/Waterfront Rodeo I
 - M-3 (Pleasant Hill BART Mixed Use
 - M-4 (Willow Pass Road Mixed Use)
 - M-5 (Willow Pass Road Commercia
 - M-6 (Bay Point Residential Mixed U
 - M-7 (Pittsburg/Bay Point BART Sta
 - M-8 (Dougherty Valley Village Cent
 - M-9 (Montalvin Manor Mixed Use)
 - M-10 (Willow Pass Business Park M
 - M-11 (Appian Way Mixed Use)
 - M-12 (Triangle Area Mixed Use)

Notes

Contra Costa County -DOIT GIS

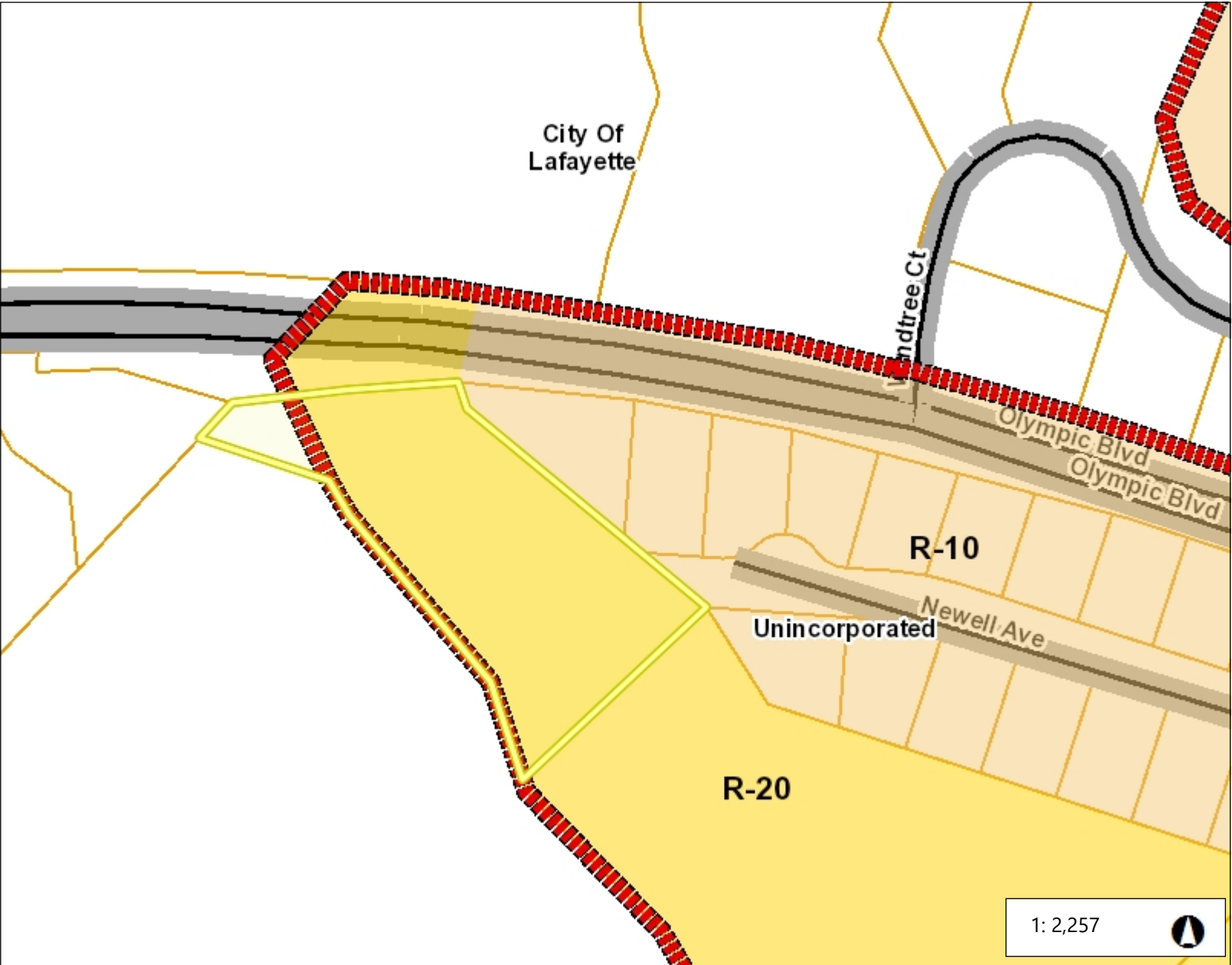
0.1 0 0.04 0.1 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Zoning: Single-Family Residential (R-20)



Legend

- City Limits
- Unincorporated
- Zoning
 - R-6 (Single Family Residential)
 - R-6, -FH -UE (Single Family Resid Urban Farm Animal Exclusion Com
 - R-6 -SD-1 (Single Family Resident Hillside Development Combining Di
 - R-6 -TOV -K (Single Family Reside View Ordinance and Kensington Cc
 - R-6, -UE (Single Family Residential Exclusion Combining District)
 - R-6 -X (Single Family Residential - Combining District)
 - R-7 (Single Family Residential)
 - R-7 -X (Single Family Residential - Combining District)
 - R-10 (Single Family Residential)
 - R-10, -UE (Single Family Residenti Exclusion Combining District)
 - R-12 (Single Family Residential)
 - R-15 (Single Family Residential)
 - R-20 (Single Family Residential)
 - R-20, -UE (Single Family Residenti Exclusion Combining District)
 - R-40 (Single Family Residential)
 - R-40, -FH -UE (Single Family Resic Urban Farm Animal Exclusion Com
 - R-40, -UE (Single Family Residenti Exclusion Combining District)
 - R-65 (Single Family Residential)
 - R-100 (Single Family Residential)

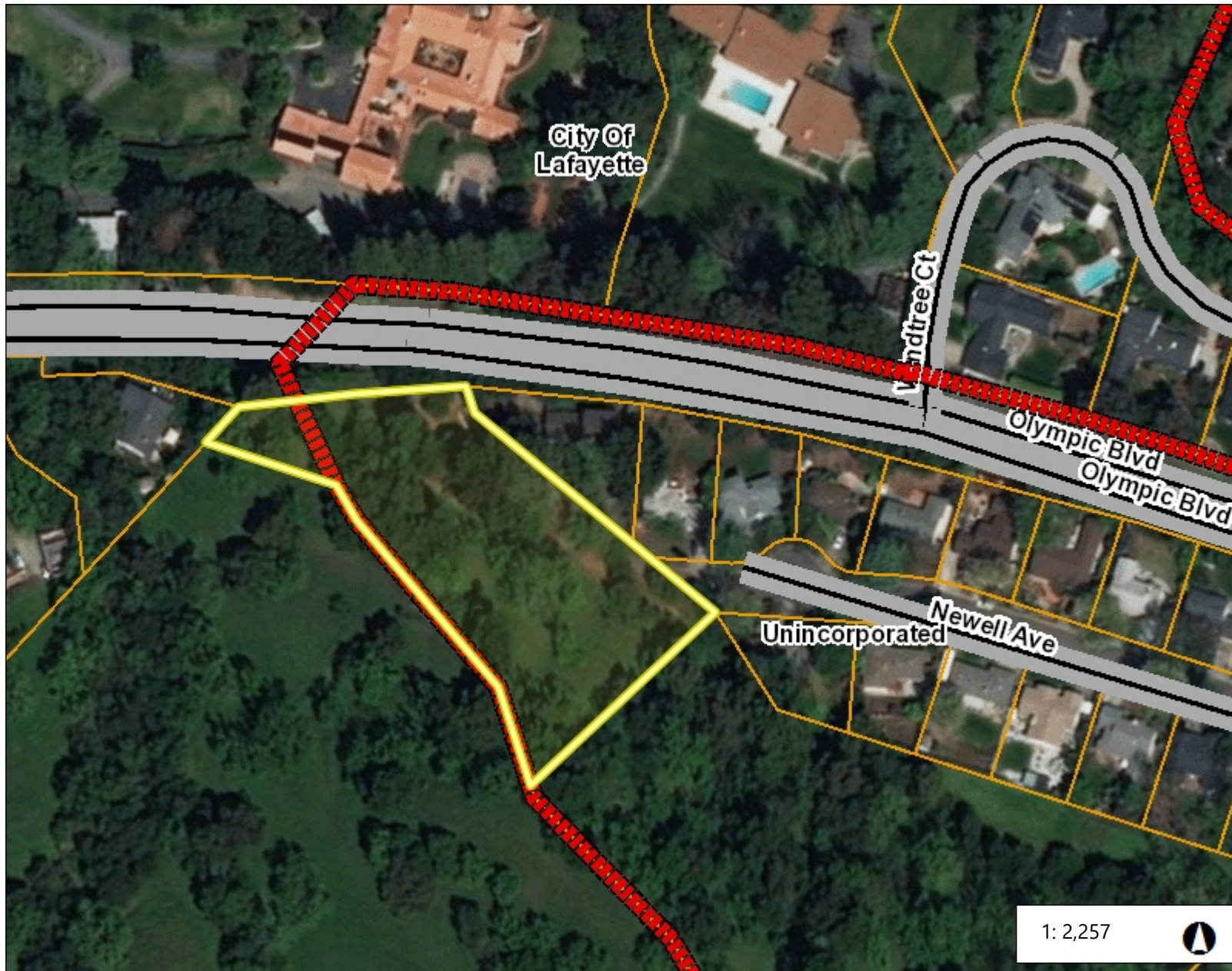
Notes

Contra Costa County -DOIT GIS

0.1 0 0.04 0.1 Miles
WGS_1984_Web_Mercator_Auxiliary_Sphere

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Aerial Photo



Legend

- City Limits
- Unincorporated
- Streets
- Assessment Parcels
- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations

1: 2,257



0.1 0 0.04 0.1 Miles

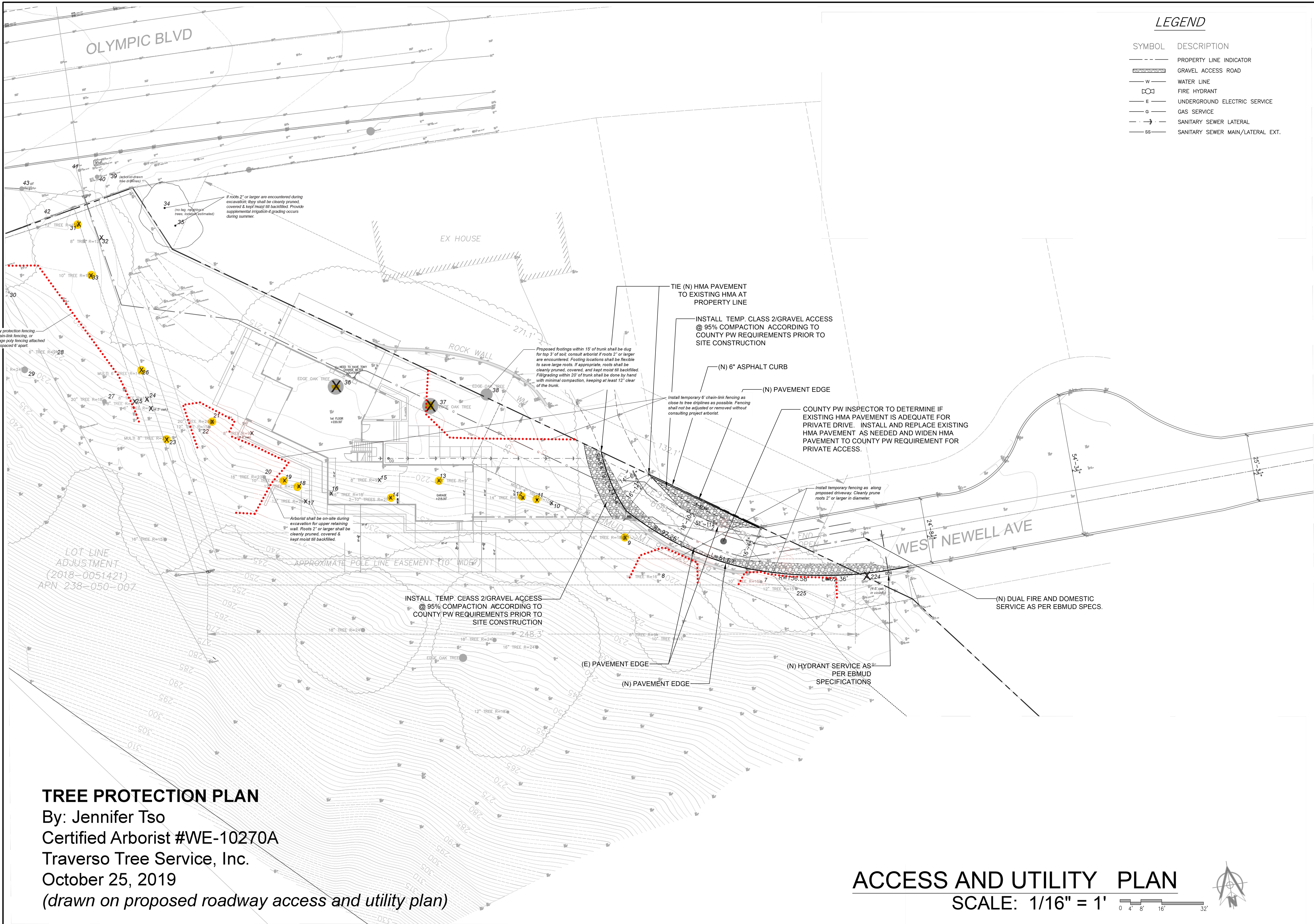
WGS_1984_Web_Mercator_Auxiliary_Sphere

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Contra Costa County -DOIT GIS



TREE PROTECTION PLAN
By: Jennifer Tso
Certified Arborist #WE-10270A
Traverso Tree Service, Inc.
October 25, 2019
(drawn on proposed roadway access and utility plan)

ACCESS AND UTILITY PLAN
SCALE: 1/16" = 1'

LEGEND

SYMBOL	DESCRIPTION
---	PROPERTY LINE INDICATOR
---	GRAVEL ACCESS ROAD
W	WATER LINE
⊕	FIRE HYDRANT
E	UNDERGROUND ELECTRIC SERVICE
G	GAS SERVICE
---	SANITARY SEWER LATERAL
SS	SANITARY SEWER MAIN/LATERAL EXT.



OWNER:
DAVID MONTALBO &
TAMBRI HEYDEN
448 BLUE RIDGE DRIVE
MARTINEZ, CA 94553
(925) 872-5192

PROJECT ADDRESS:
0 W. NEWELL AVE.
WALNUT CREEK, CA 94595
APN: 238-050-007

**ROADWAY ACCESS AND
UTILITY PLAN**
0 WEST NEWELL AVE.

R E V I S I O N		
No.	DESCRIPTION	DATE
△		
△		
△		
△		

PROJECT No.:
DRAWN BY:
CHECKED BY:
DATE: 9/25/19

C.4.1

CONTRACTOR AGREES THAT HE/SHE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL, WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM SOLE NEGLIGENCE OF THE OWNER OR ENGINEER.

Revised
CONTRA COSTA
2019 OCT 10 PM 4:44
TP19-0036

SITE AREA CALCULATIONS

TOTAL SITE AREA:	111,517.0 S.F. = 100% 2.560 AC
PERVIOUS AREA TOTAL:	108,673.6 S.F. = 97.4%
IMPERVIOUS PAVING:	
BUILDING COVERAGE	2,527.4 SF
PATIO DECKS & WALKWAY	316.0 S.F.
IMPERVIOUS AREA TOTAL:	2,843.4 S.F. = 2.6%
PERVIOUS PAVING:	
REAR PATIO DECK	336.0 S.F.
FRONT PATIO DECK	127.0 S.F.
FRONT ENTRY	174.0 S.F.
DRIVEWAY	1,174.0 S.F.
TOTAL PERVIOUS PAVING	1,811.0 S.F..

BUILDING CALCULATIONS

LIVING AREA:	
FIRST FLOOR	1,708.0 SF
SECOND FLOOR	1,784.5 SF
TOTAL LIVING	3,492.5 SF
GARAGE	575.8 SF
PATIOS:	
FIRST FLOOR	747.2 SF
SECOND FLOOR	259.4 SF
TOTAL PATIOS	1,006.6 SF

ANTHONY M. CHIARAVALLITI, III

ALL IDEAS, DESIGNS, ARRANGEMENTS, PLANS AND SPECIFICATIONS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND THE PROPERTY OF THE ARCHITECTURAL COMMUNICATIONS GROUP, INC. AND NOT BE LOANED, REPRODUCED OR COPIED FOR ANY PURPOSE WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECTURAL COMMUNICATIONS GROUP, INC. INCORPORATED. VISUAL CONTACT WITH THESE PLANS OR SPECIFICATIONS SHALL CONSTITUTE CONFESSION OF RECEIPT AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB. THIS OFFICE MUST BE NOTIFIED OF ANY VARIATIONS FROM DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS. WRITTEN DIMENSIONS ON DRAWINGS SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS. CONTINGENT UPON APPROVAL OF THESE PLANS AND SPECIFICATIONS, THE ARCHITECTURAL COMMUNICATIONS GROUP, INC. SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT. ANY VARIATIONS FROM THESE PLANS AND SPECIFICATIONS SHALL BE THE RESPONSIBILITY OF THE CLIENT. THIS DRAWING IS NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECTURAL COMMUNICATIONS GROUP, INC. INCORPORATED.

REVISIONS
△ 8/5/19 planter removed
△ 10/3/19

CONSULTANTS

DAVID MONTALBO
& TAMBRI HEYDEN
RESIDENCE
0 West Newell Ave.
APN: 238050-007

SITE PLAN & CALCULATIONS

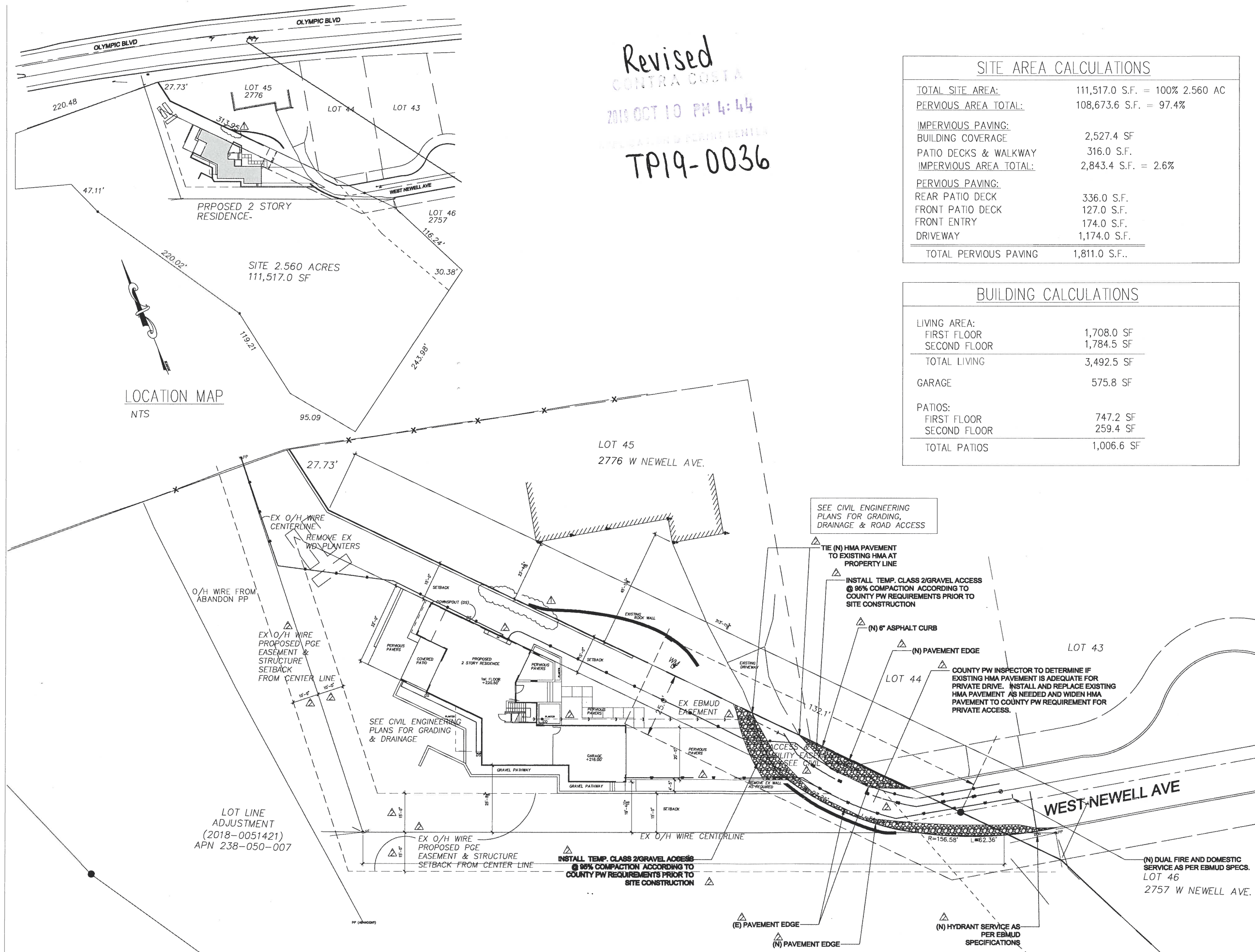
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JOB:

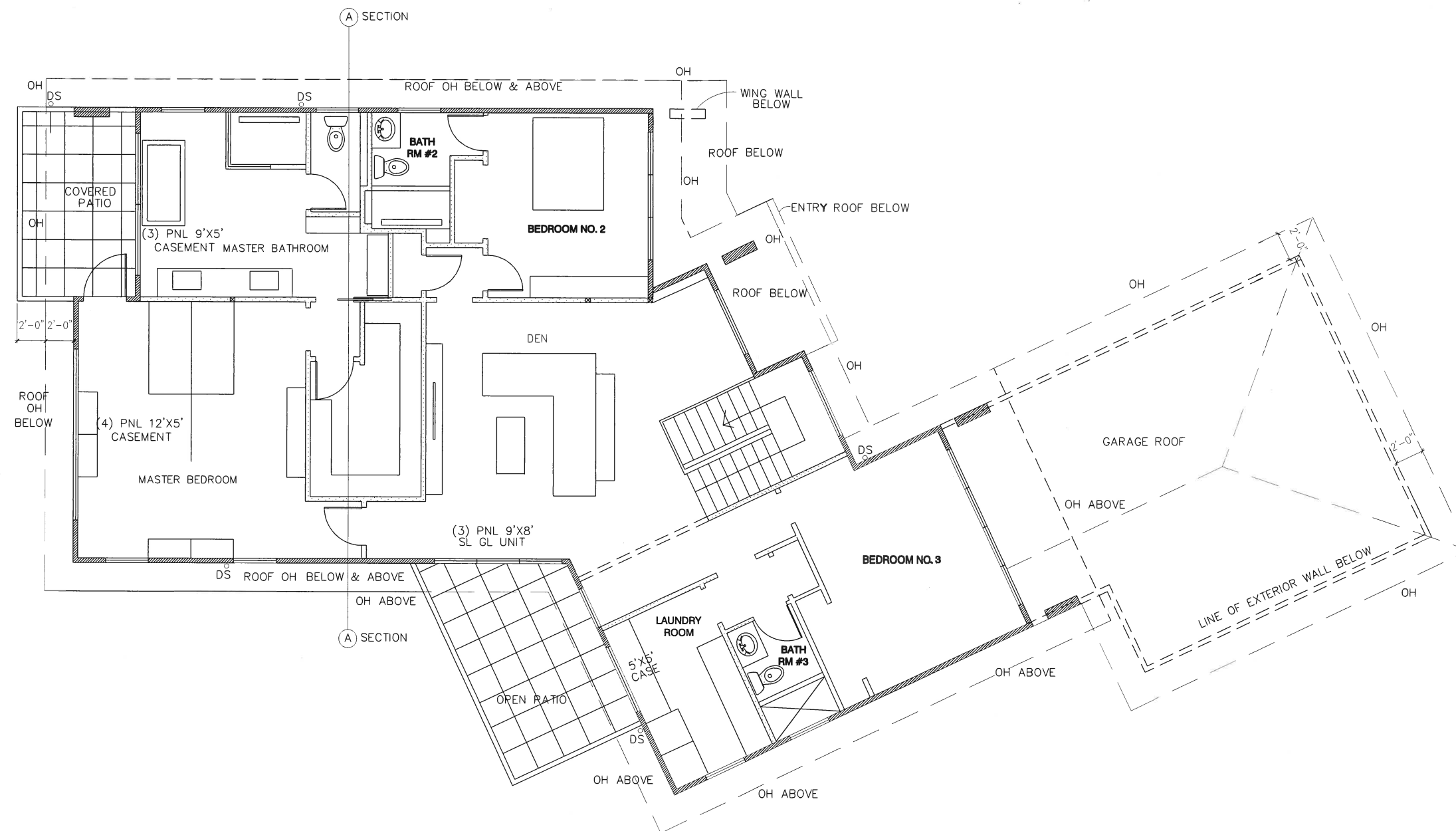
SHEET SP-1



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DAVID MONTALBO
& TAMBRI HEYDEN
RESIDENCE
1731 1ST AVE.
WALNUT CREEK, CA 94597

OF SHEETS



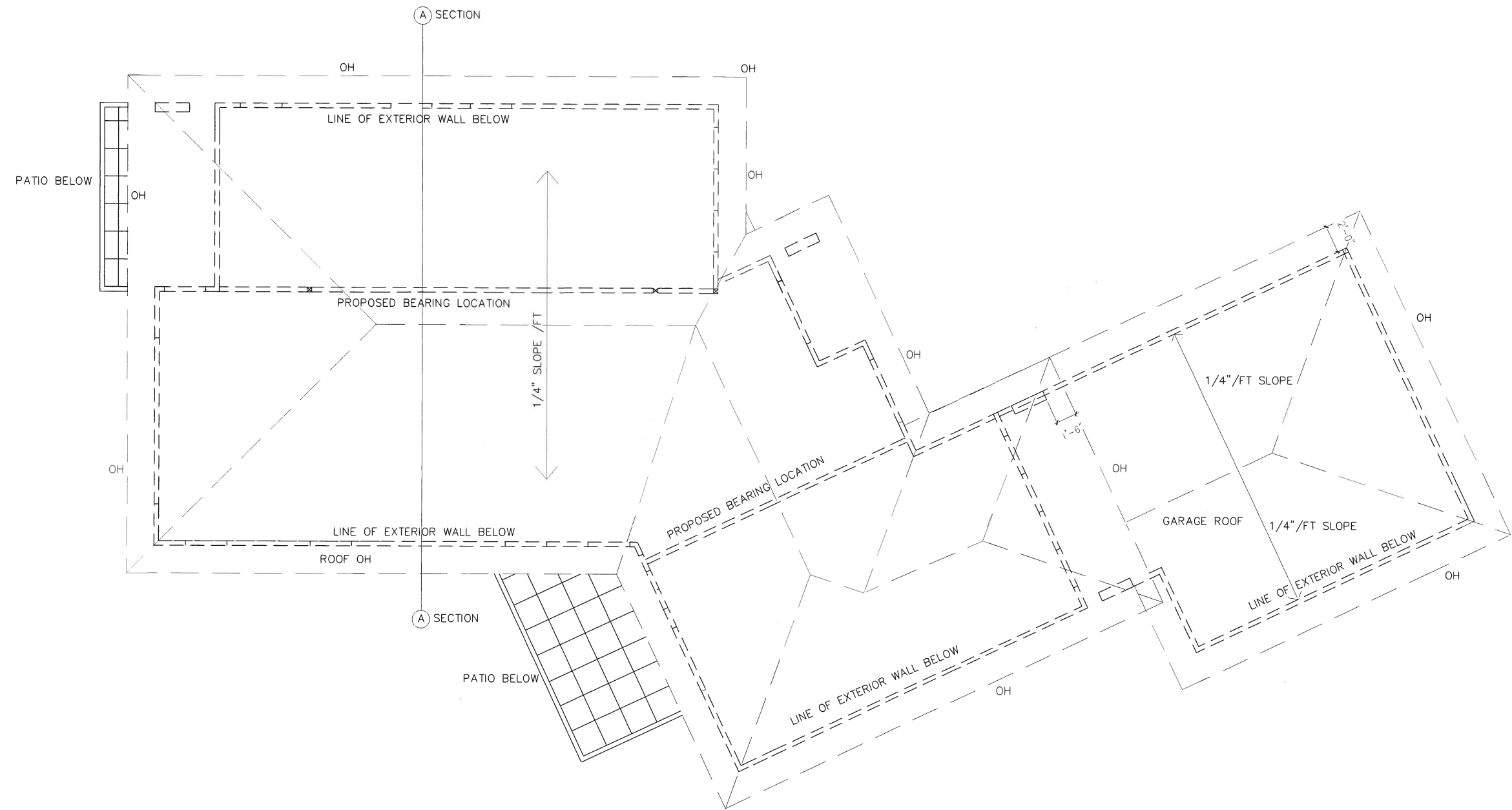
SECOND FLOOR PLAN WITH ROOF & PATIO LOCATIONS

ALL IDEAS, DESIGNS, ARRANGEMENTS, PLANS AND SPECIFICATIONS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY, AND THE PROPERTY OF, THE ARCHITECTURAL CONSULTING COMPANY, AND WERE CREATED, EVOLVED AND DEVELOPED FOR USE ON, AND IN CONNECTION WITH, THE SPECIFIED PROJECT. THESE IDEAS, DESIGNS, ARRANGEMENTS, PLANS, AND SPECIFICATIONS SHALL BE USED BY OR DISCLOSED TO ANY PERSON OR ENTITY OTHER THAN THE ARCHITECTURAL CONSULTING COMPANY FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN APPROVAL OF THE ARCHITECTURAL CONSULTING COMPANY. ANY UNAUTHORIZED USE, REPRODUCTION, COPIES, PLANS OR SPECIFICATIONS IN VIOLATION OF THESE RESTRICTIONS SHALL CONSTITUTE A BREACH OF CONTRACT. ANY REVISIONS OR CHANGES TO THE DRAWINGS WITHOUT THE WRITTEN APPROVAL OF THE ARCHITECTURAL CONSULTING COMPANY SHALL BE RESPONSIBLE FOR, AND THE ARCHITECTURAL CONSULTING COMPANY SHALL NOT BE RESPONSIBLE FOR, ANY ERRORS, OMISSIONS, DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS. ANY REVISIONS, CHANGES, ADDITIONS, DELETIONS, OR OMISSIONS REQUIRED, SHALL BE SUBMITTED TO THIS OFFICE FOR APPROVAL BEFORE BEING SUBMITTED WITH FABRICATION OF ANY WORK.

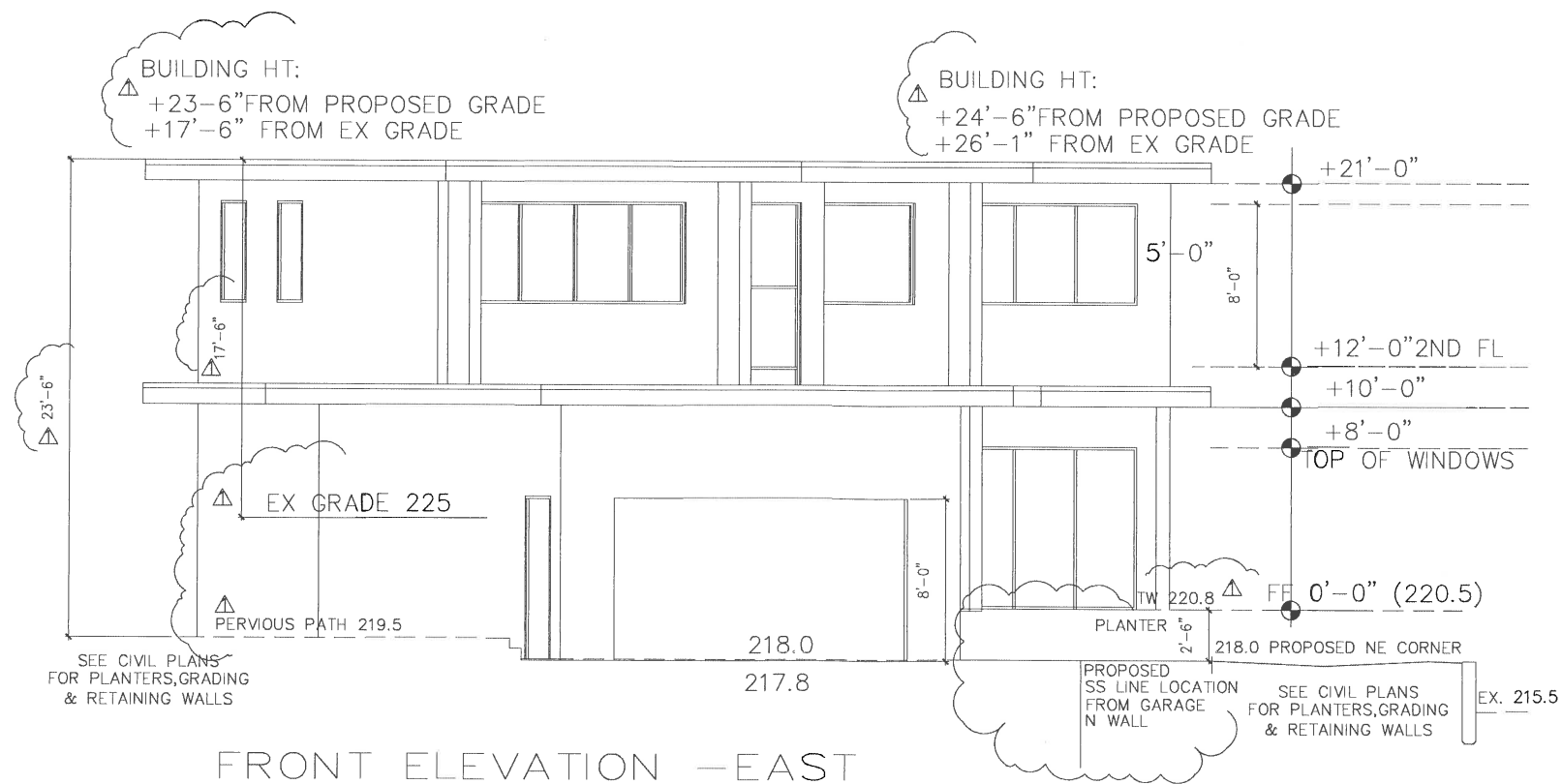
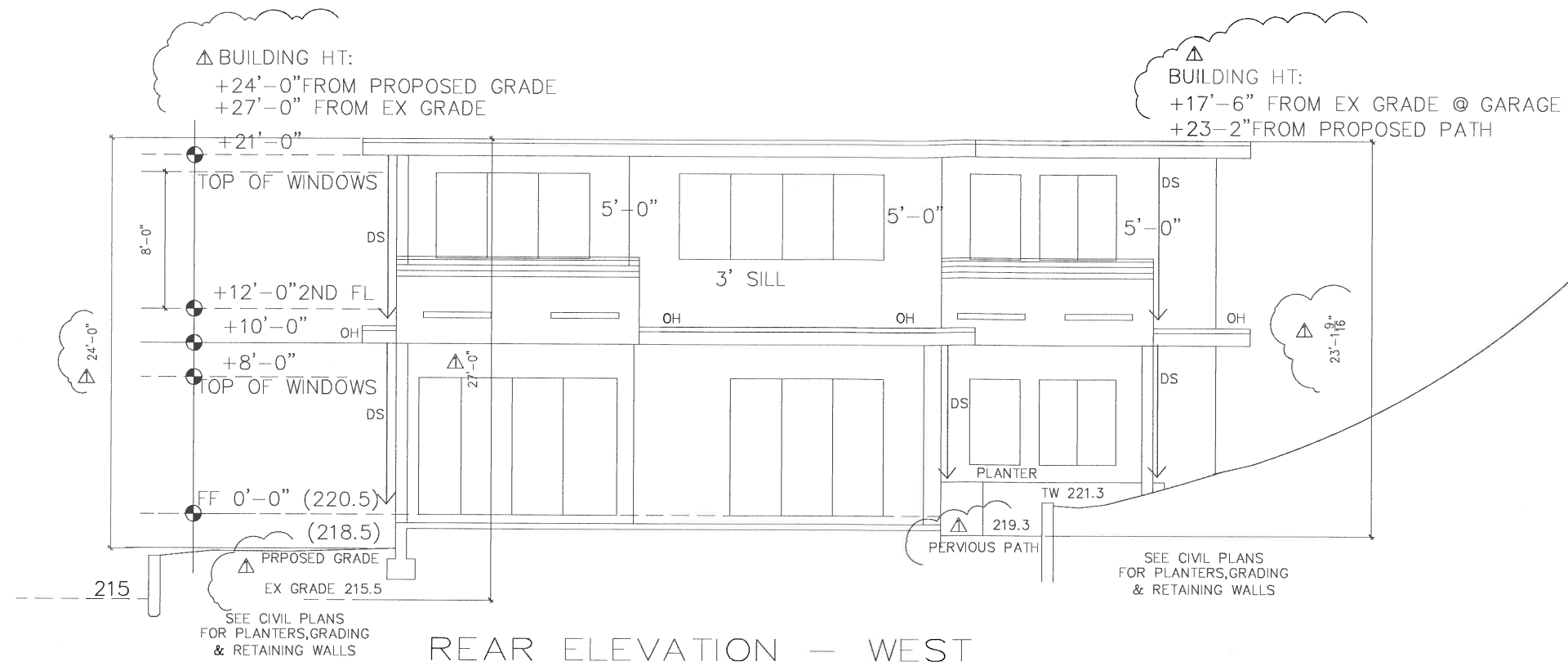
CONSULTANTS

2ND FLOOR
ROOF PLAN

OF SHEETS



SECOND FLOOR ROOF PLAN WITH PATIO LOCATIONS BELOW



arcomgroup@aol.com
ANTHONY M. CHIARAVALLOTI, III

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REVISIONS

10/3/2019

CONSULTANTS

DAVID MONTALBO
& TAMBRI HEYDEN
RESIDENCE
1731 1ST AVE.
WALNUT CREEK, CA 94597

ELEVATIONS & NOTES

DATE: 7/15/2019

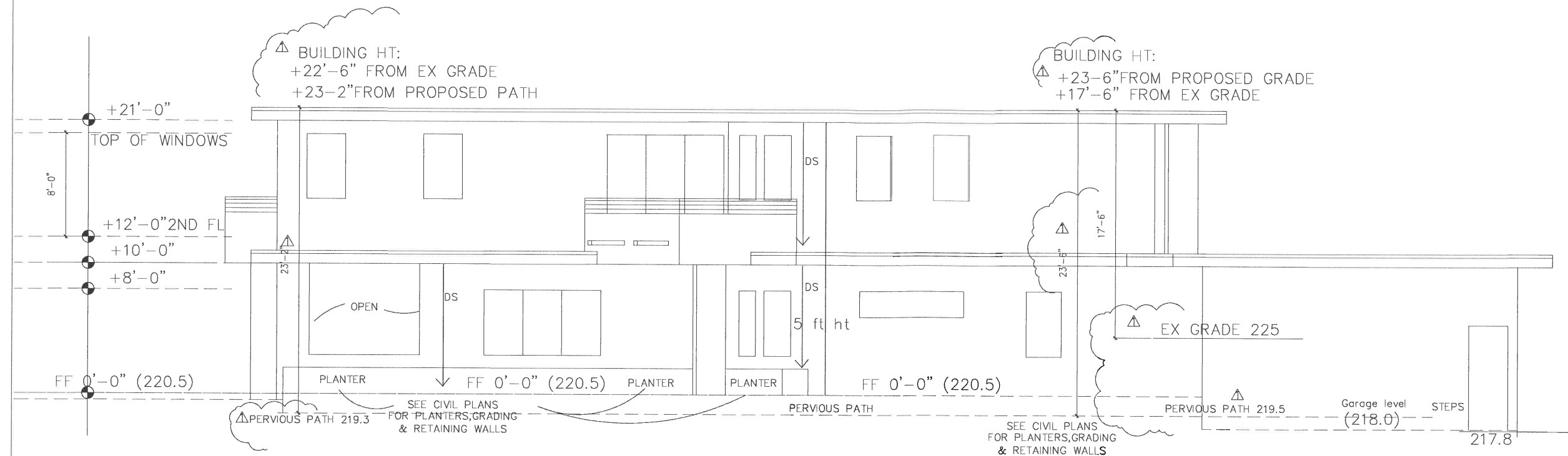
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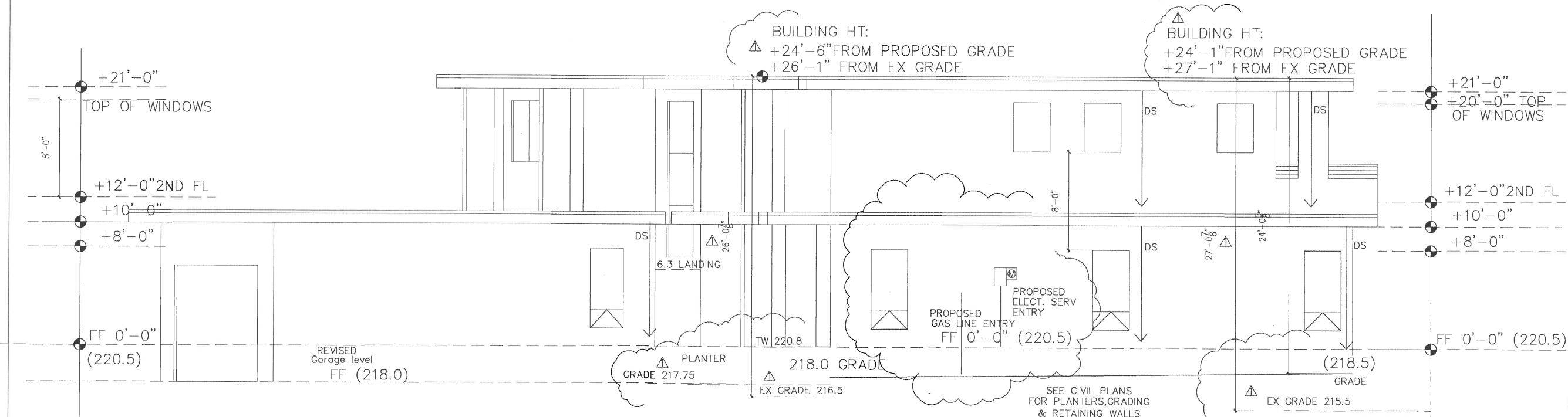
JOB:

SHEET A — 5

OF SHEETS



LEFT SIDE ELEVATION - SOUTH



RIGHT SIDE ELEVATION - NORTH

arcamgroup@aol.com
ANTHONY M. CHIARAVALLI, III

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REVISIONS
10/3/2019

CONSULTANTS

DAVID MONTALBO
& TAMBRI HEYDEN
RESIDENCE
1731 1ST AVE.
WALNUT CREEK, CA 94597

ELEVATIONS & NOTES

DATE: 7/15/2019

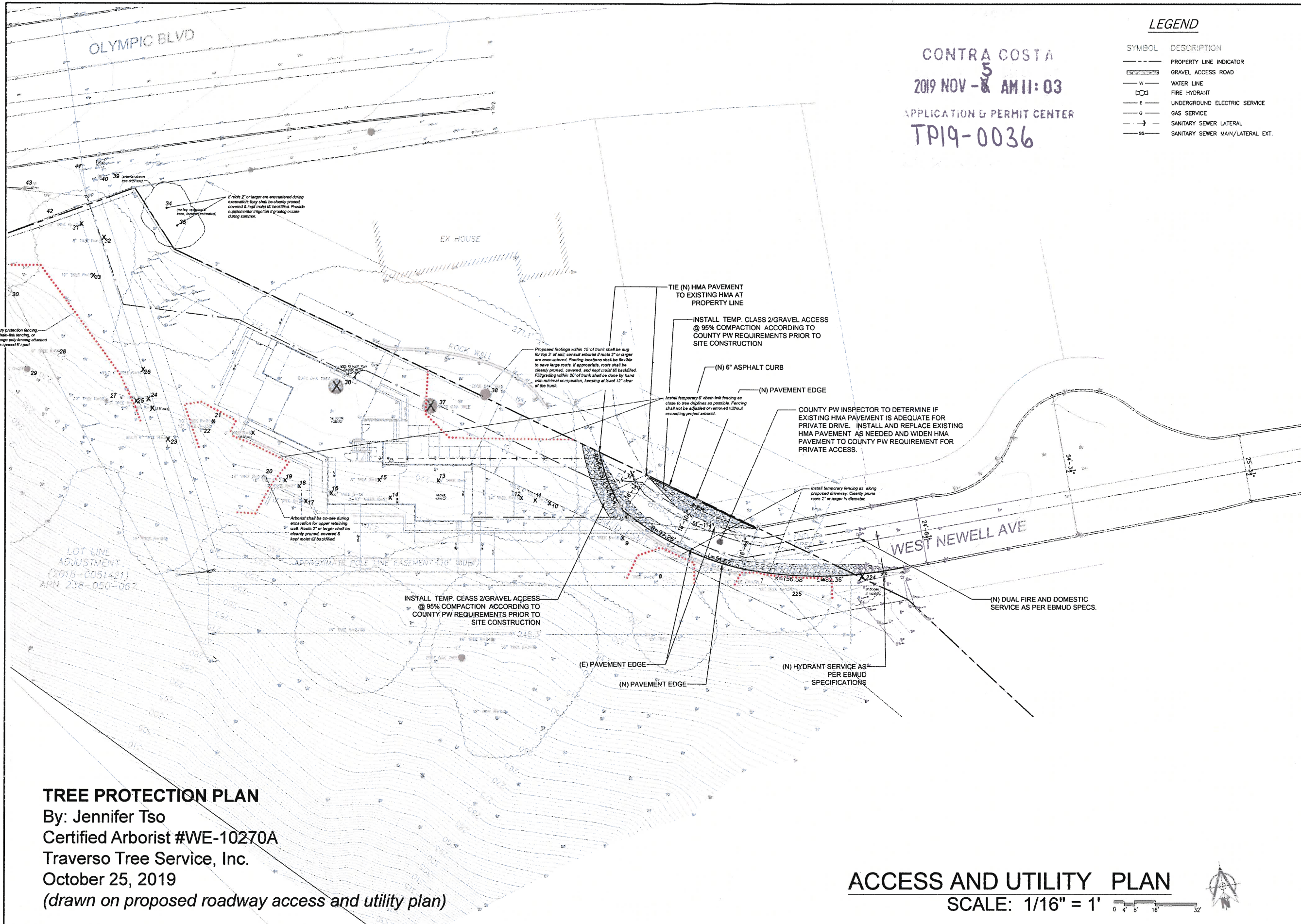
SCALE: 1/4"=1'-0"

DRAWN:

JOB:

SHEET A-6

OF SHEETS



LEGEND

SYMBOL	DESCRIPTION
---	PROPERTY LINE INDICATOR
---	GRAVEL ACCESS ROAD
W	WATER LINE
□	FIRE HYDRANT
E	UNDERGROUND ELECTRIC SERVICE
G	GAS SERVICE
→	SANITARY SEWER LATERAL
SS	SANITARY SEWER MAIN/LATERAL EXT.

OWNER:
DAVID MONTALBO &
TAMARI HEYDEN
448 BLUE RIDGE DRIVE
MARTINEZ, CA 94553
(925) 872-5192

PROJECT ADDRESS:
0 W. NEWELL AVE.
WALNUT CREEK, CA 94595
APN: 238-050-007

ROADWAY ACCESS AND
UTILITY PLAN
0 WEST NEWELL AVE.

REVISION

No.	DESCRIPTION	DATE
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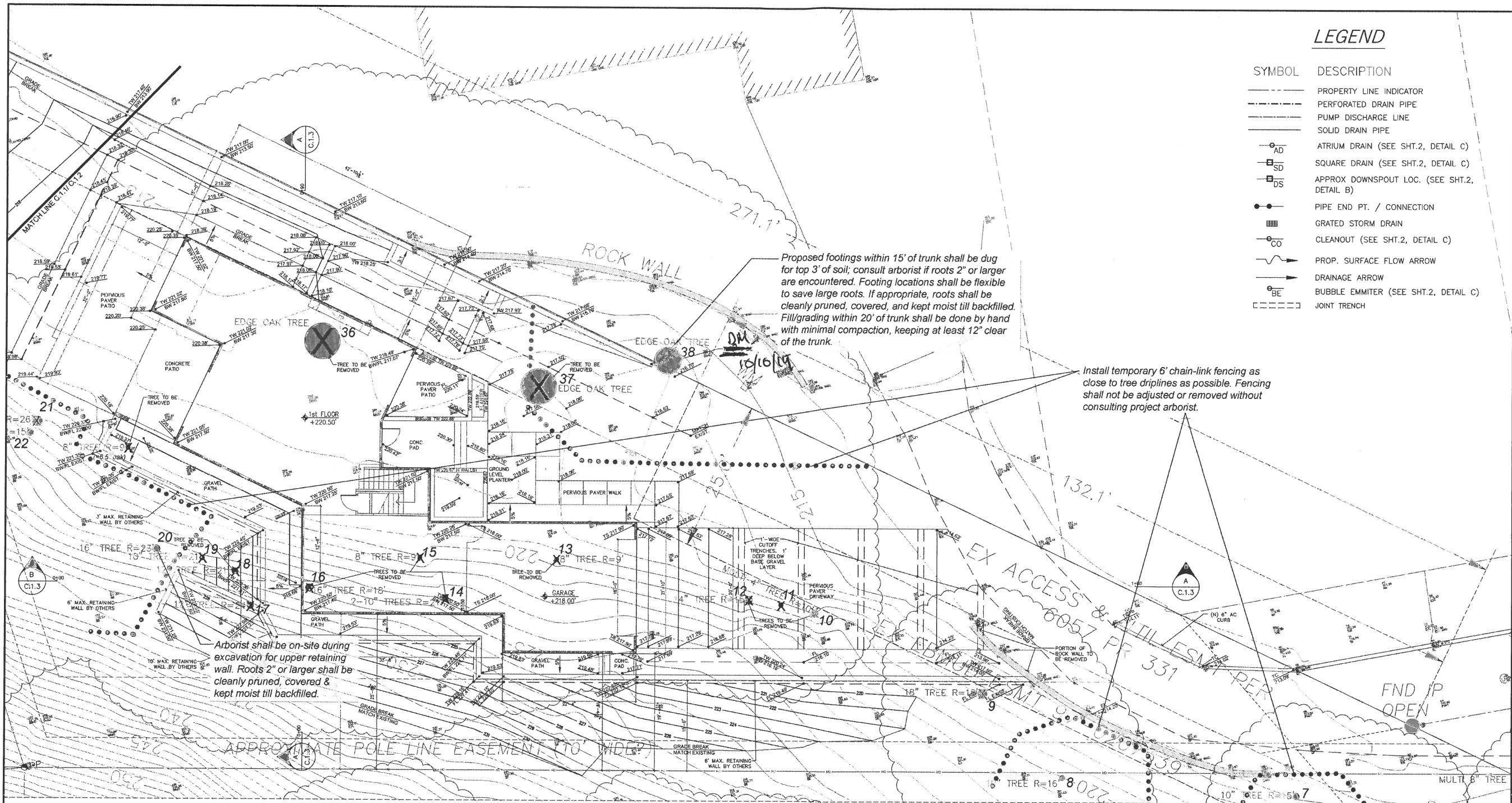
PROJECT No.:
DRAWN BY:
CHECKED BY:
DATE: 9/25/19

C.4.1

TREE PROTECTION PLAN
By: Jennifer Tso
Certified Arborist #WE-10270A
Traverso Tree Service, Inc.
October 25, 2019
(drawn on proposed roadway access and utility plan)

ACCESS AND UTILITY PLAN
SCALE: 1/16" = 1'

CONTRACTOR AGREES THAT HE/SHE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM SOLE NEGLIGENCE OF THE OWNER OR ENGINEER.



LEGEND

SYMBOL	DESCRIPTION
---	PROPERTY LINE INDICATOR
---	PERFORATED DRAIN PIPE
---	PUMP DISCHARGE LINE
---	SOLID DRAIN PIPE
AD	ATRIUM DRAIN (SEE SHT.2, DETAIL C)
SD	SQUARE DRAIN (SEE SHT.2, DETAIL C)
DS	APPROX DOWNSPOUT LOC. (SEE SHT.2, DETAIL B)
●	PIPE END PT. / CONNECTION
■	GRATED STORM DRAIN
CO	CLEANOUT (SEE SHT.2, DETAIL C)
→	PROP. SURFACE FLOW ARROW
→	DRAINAGE ARROW
BE	BUBBLE EMMITER (SEE SHT.2, DETAIL C)
---	JOINT TRENCH



OWNER:
DAVID MONTALBO &
TAMBRI HEYDEN
448 BLUE RIDGE DRIVE
MARTINEZ, CA 94553
(925) 872-5192

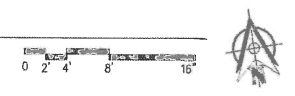
PROJECT ADDRESS:
O.W. NEWELL AVE.
WALNUT CREEK, CA 94595
APN: 238-050-007

PLANNING GRADING PLAN

0 WEST NEWELL AVE.

REVISION		
No.	DESCRIPTION	DATE
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GRADING PLAN
SCALE: 1/8" = 1'

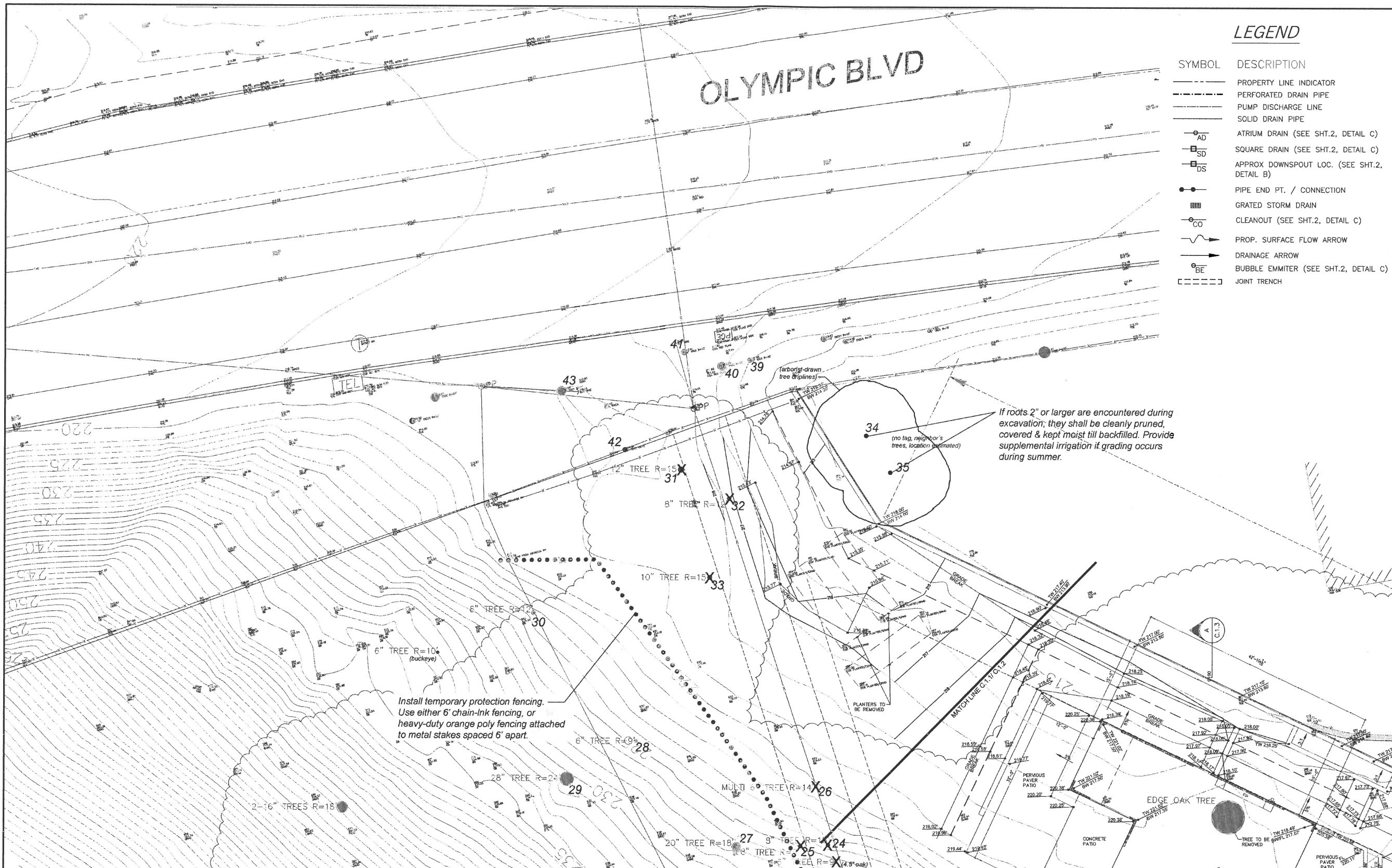


TREE PROTECTION PLAN - 1 of 2
By: Jennifer Tso
Certified Arborist #WE-10270A
Traverso Tree Service, Inc.
July 3, 2019
(drawn on proposed grading plan)

PROJECT No.:
DRAWN BY:
CHECKED BY:
DATE: 6/8/19

C.1.1

CONTRACTOR AGREES THAT HE/SHE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL, WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM SOLE NEGLIGENCE OF THE OWNER OR ENGINEER.



LEGEND

- | SYMBOL | DESCRIPTION |
|-----------|--|
| --- | PROPERTY LINE INDICATOR |
| - - - - | PERFORATED DRAIN PIPE |
| - . - . - | PUMP DISCHARGE LINE |
| --- | SOLID DRAIN PIPE |
| ○ AD | ATRIUM DRAIN (SEE SHT.2, DETAIL C) |
| □ SD | SQUARE DRAIN (SEE SHT.2, DETAIL C) |
| □ DS | APPROX. DOWNSPOUT LOC. (SEE SHT.2, DETAIL B) |
| ● | PIPE END PT. / CONNECTION |
| ■ | GRATED STORM DRAIN |
| ○ CO | CLEANOUT (SEE SHT.2, DETAIL C) |
| → | PROP. SURFACE FLOW ARROW |
| → | DRAINAGE ARROW |
| ○ BE | BUBBLE EMMITER (SEE SHT.2, DETAIL C) |
| --- | JOINT TRENCH |



OWNER:
DAVID MONTALBO &
TAMBRI HEYDEN
448 BLUE RIDGE DRIVE
MARTINEZ, CA 94553
(925) 872-5192

PROJECT ADDRESS:
O W. NEWELL AVE.
WALNUT CREEK, CA 94595
APN: 238-050-007

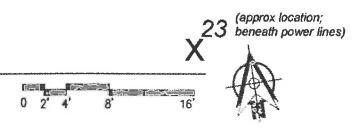
PLANNING GRADING PLAN
O WEST NEWELL AVE.

REVISION		
No.	DESCRIPTION	DATE
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PROJECT No.:
DRAWN BY:
CHECKED BY:
DATE: 6/8/19

C.1.2

GRADING PLAN
SCALE: 1/8" = 1'



TREE PROTECTION PLAN - 2 of 2
By: Jennifer Tso
Certified Arborist #WE-10270A
Traverso Tree Service, Inc.
July 3, 2019
(drawn on proposed grading plan)

CONTRACTOR AGREES THAT HE/SHE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM SOLE NEGLIGENCE OF THE OWNER OR ENGINEER.

RECORD BOUNDARY & TOPOGRAPHIC SURVEY

APN 238-050-007

CITY OF WALNUT CREEK
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA



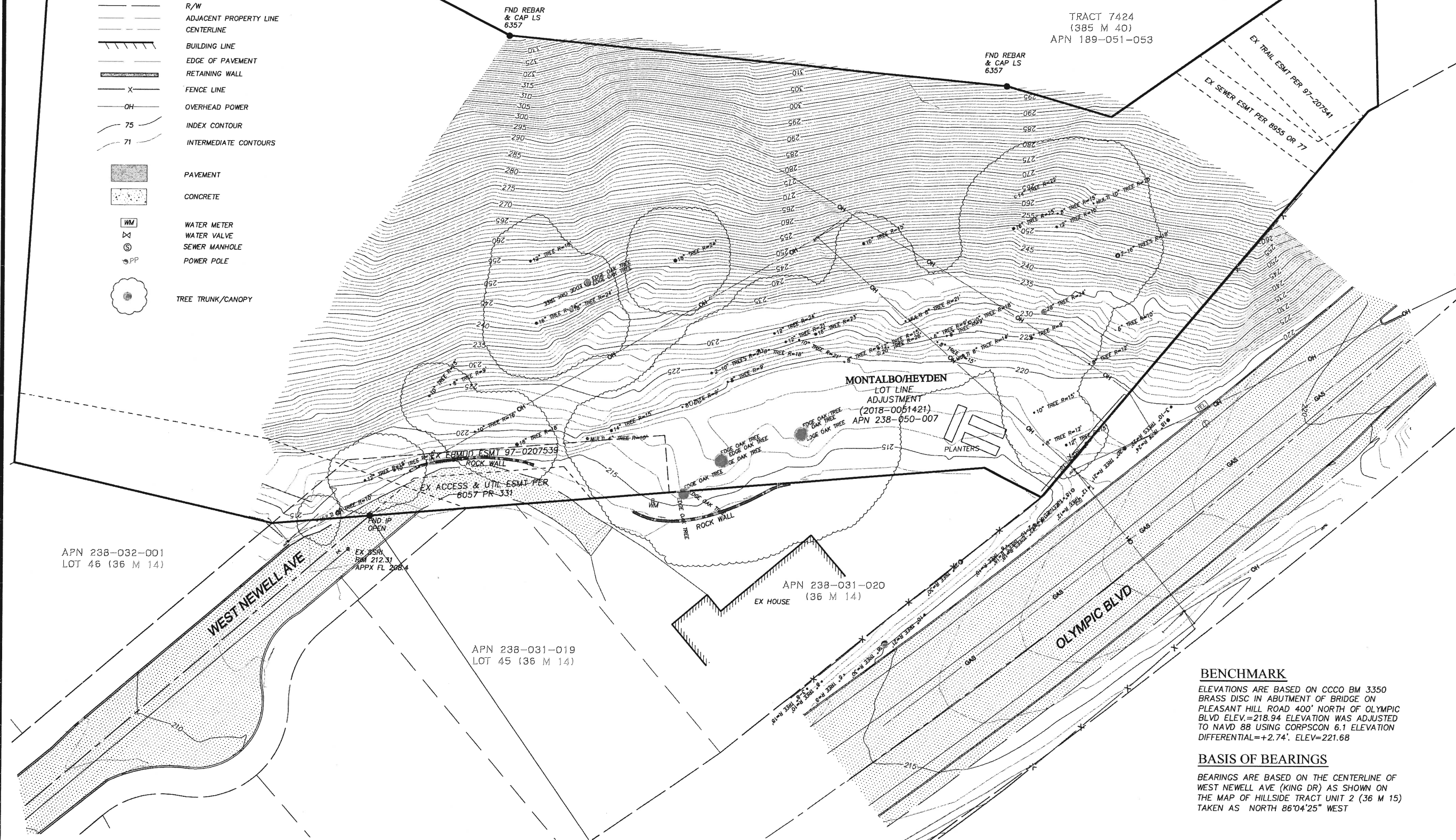
GRAPHIC SCALE
(IN FEET)
1 inch = 20 ft

LEGEND

EXISTING

ITEM

- | | |
|--|------------------------|
| | BOUNDARY |
| | R/W |
| | ADJACENT PROPERTY LINE |
| | CENTERLINE |
| | BUILDING LINE |
| | EDGE OF PAVEMENT |
| | RETAINING WALL |
| | FENCE LINE |
| | OVERHEAD POWER |
| | INDEX CONTOUR |
| | INTERMEDIATE CONTOURS |
| | PAVEMENT |
| | CONCRETE |
| | WATER METER |
| | WATER VALVE |
| | SEWER MANHOLE |
| | POWER POLE |
| | TREE TRUNK/CANOPY |



BENCHMARK

ELEVATIONS ARE BASED ON CCCC BM 3350
BRASS DISC IN ABUTMENT OF BRIDGE ON
PLEASANT HILL ROAD 400' NORTH OF OLYMPIC
BLVD ELEV.=218.94 ELEVATION WAS ADJUSTED
TO NAVD 88 USING CORPSCON 6.1 ELEVATION
DIFFERENTIAL=+2.74'. ELEV=221.68

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE CENTERLINE OF
WEST NEWELL AVE (KING DR) AS SHOWN ON
THE MAP OF HILLSIDE TRACT UNIT 2 (36 M 15)
TAKEN AS NORTH 86°04'25\"/>



817 Arnold Drive Ste. 50
Martinez, CA 94553
Ph: 925.476.8199
www.apexce.net

APEX
CIVIL ENGINEERING & LAND SURVEYING

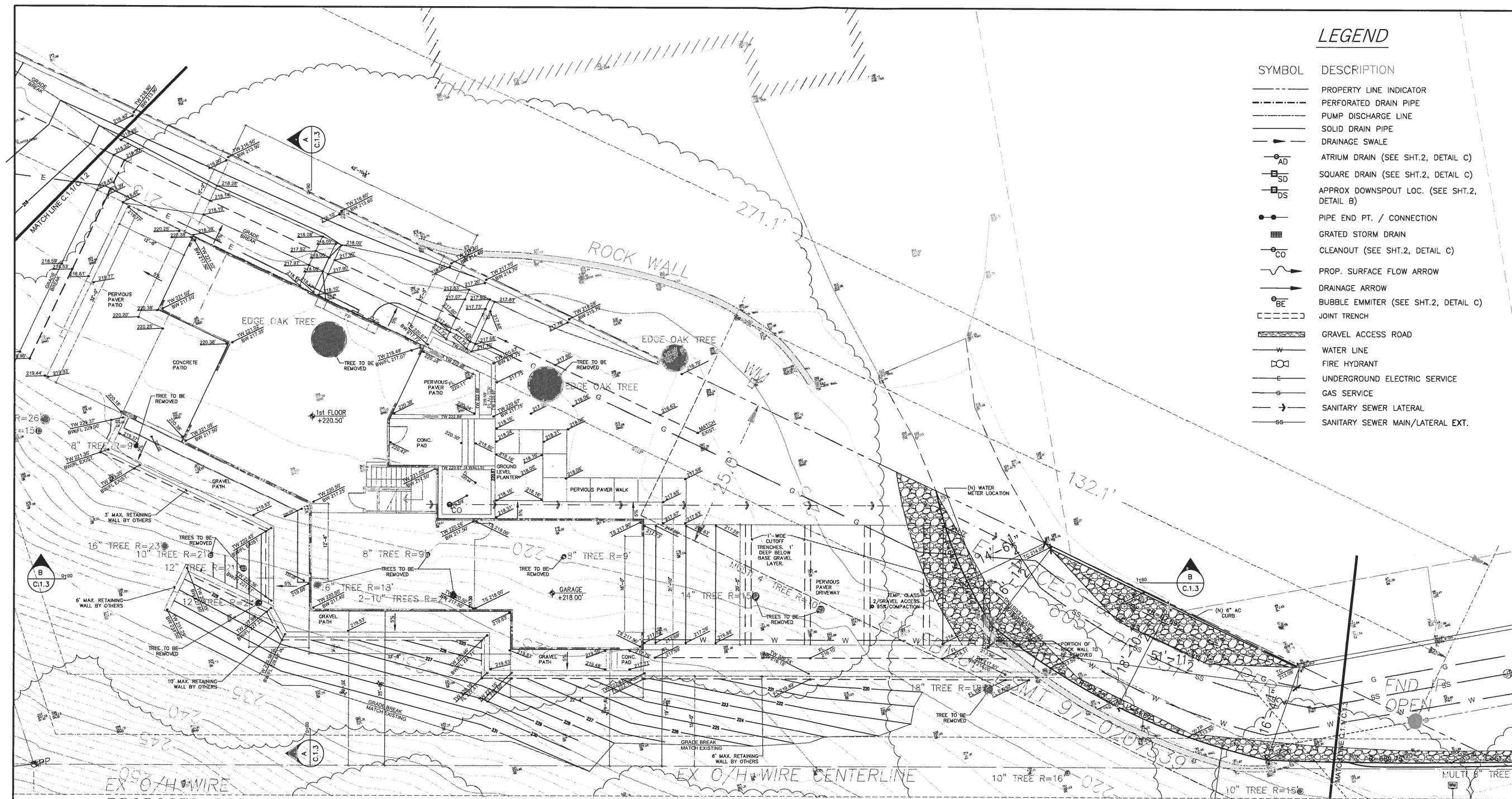
NO.	REVISIONS	BY	APP	DATE

RECORD BOUNDARY & TOPOGRAPHIC SURVEY
APN 238-050-007, WALNUT CREEK, CA

SHEET
1 OF 1

DATE
10-3-19

PROJ#16029



LEGEND

- SYMBOL DESCRIPTION
- PROPERTY LINE INDICATOR
 - PERFORATED DRAIN PIPE
 - PUMP DISCHARGE LINE
 - SOLID DRAIN PIPE
 - DRAINAGE SWALE
 - ATRIUM DRAIN (SEE SHT.2, DETAIL C)
 - SQUARE DRAIN (SEE SHT.2, DETAIL C)
 - APPROX DOWNSPOUT LOC. (SEE SHT.2, DETAIL B)
 - PIPE END PT. / CONNECTION
 - GRATED STORM DRAIN
 - CLEANOUT (SEE SHT.2, DETAIL C)
 - PROP. SURFACE FLOW ARROW
 - DRAINAGE ARROW
 - BUBBLE EMMITER (SEE SHT.2, DETAIL C)
 - JOINT TRENCH
 - GRAVEL ACCESS ROAD
 - WATER LINE
 - FIRE HYDRANT
 - UNDERGROUND ELECTRIC SERVICE
 - GAS SERVICE
 - SANITARY SEWER LATERAL
 - SANITARY SEWER MAIN/LATERAL EXT.



OWNER:
DAVID MONTALBO &
TAMBI HEYDEN
448 BLUE RIDGE DRIVE
MARTINEZ, CA 94553
(925) 872-5192

PROJECT ADDRESS:
O W. NEWELL AVE.
WALNUT CREEK, CA 94595
APN: 238-050-007

PLANNING GRADING PLAN

O WEST NEWELL AVE.

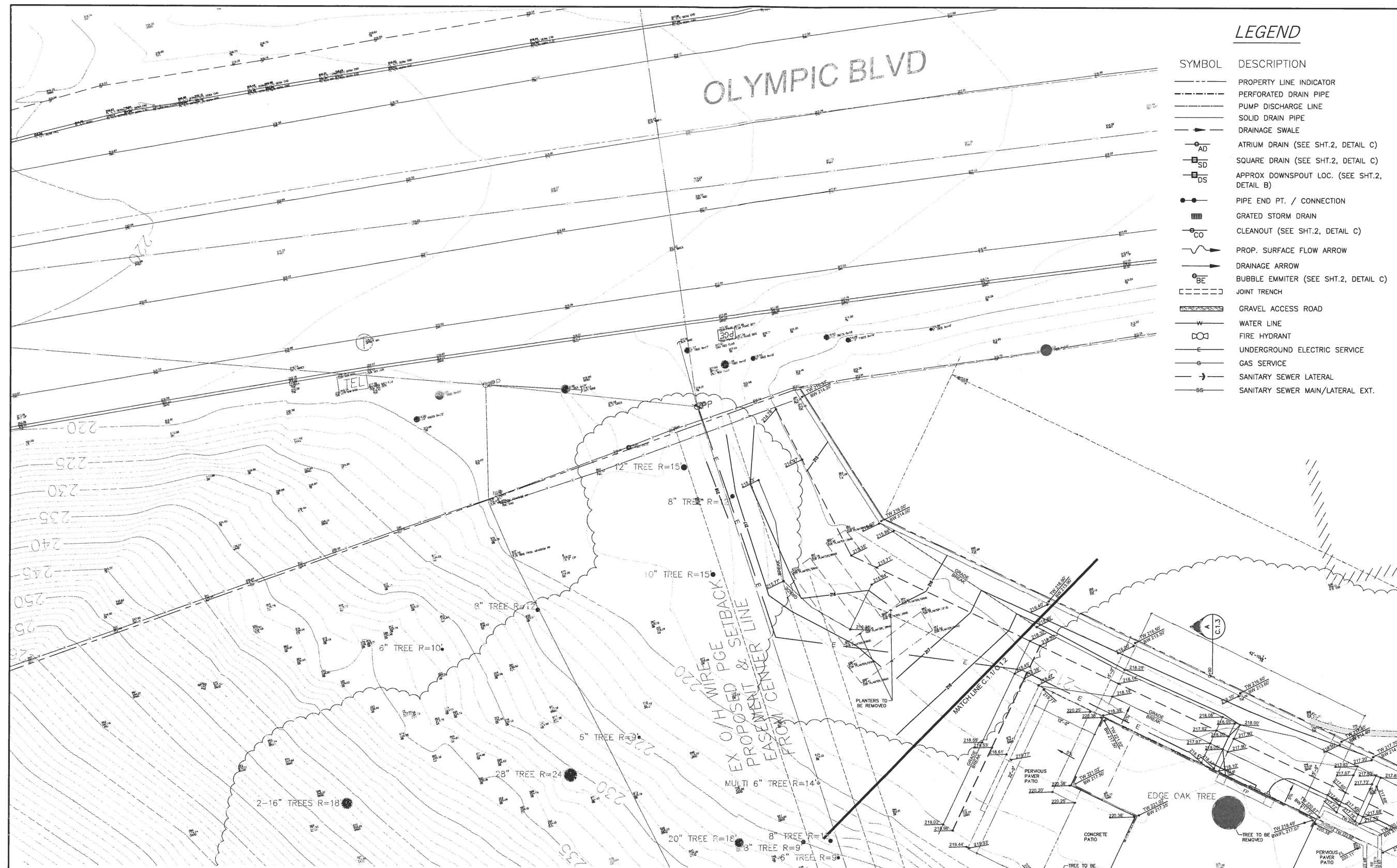
REVISION		
No.	DESCRIPTION	DATE
1	REVISIONS TO UTILITIES	6/8/19
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PROJECT No.:
DRAWN BY:
CHECKED BY:
DATE: 6/8/19

C.1.1

GRADING PLAN
SCALE: 1/8" = 1'

CONTRACTOR AGREES THAT HE/SHE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL, WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM SOLE NEGLIGENCE OF THE OWNER OR ENGINEER.



LEGEND

SYMBOL	DESCRIPTION
---	PROPERTY LINE INDICATOR
---	PERFORATED DRAIN PIPE
---	PUMP DISCHARGE LINE
---	SOLID DRAIN PIPE
---	DRAINAGE SWALE
AD	ATRIUM DRAIN (SEE SHT.2, DETAIL C)
SD	SQUARE DRAIN (SEE SHT.2, DETAIL C)
DS	APPROX DOWNSPOUT LOC. (SEE SHT.2, DETAIL B)
●	PIPE END PT. / CONNECTION
■	GRATED STORM DRAIN
CO	CLEANOUT (SEE SHT.2, DETAIL C)
→	PROP. SURFACE FLOW ARROW
→	DRAINAGE ARROW
BE	BUBBLE EMMITER (SEE SHT.2, DETAIL C)
---	JOINT TRENCH
---	GRAVEL ACCESS ROAD
W	WATER LINE
FH	FIRE HYDRANT
E	UNDERGROUND ELECTRIC SERVICE
G	GAS SERVICE
SS	SANITARY SEWER LATERAL
SS	SANITARY SEWER MAIN/LATERAL EXT.



OWNER:
DAVID MONTALBO &
TAMBRI HEYDEN
448 BLUE RIDGE DRIVE
MARTINEZ, CA 94553
(925) 872-5192

PROJECT ADDRESS:
0 W. NEWELL AVE.
WALNUT CREEK, CA 94595
APN: 238-050-007

PLANNING GRADING PLAN 0 WEST NEWELL AVE.

REVISION		
No.	DESCRIPTION	DATE
1	REVISIONS TO UTILITIES	10/8/19
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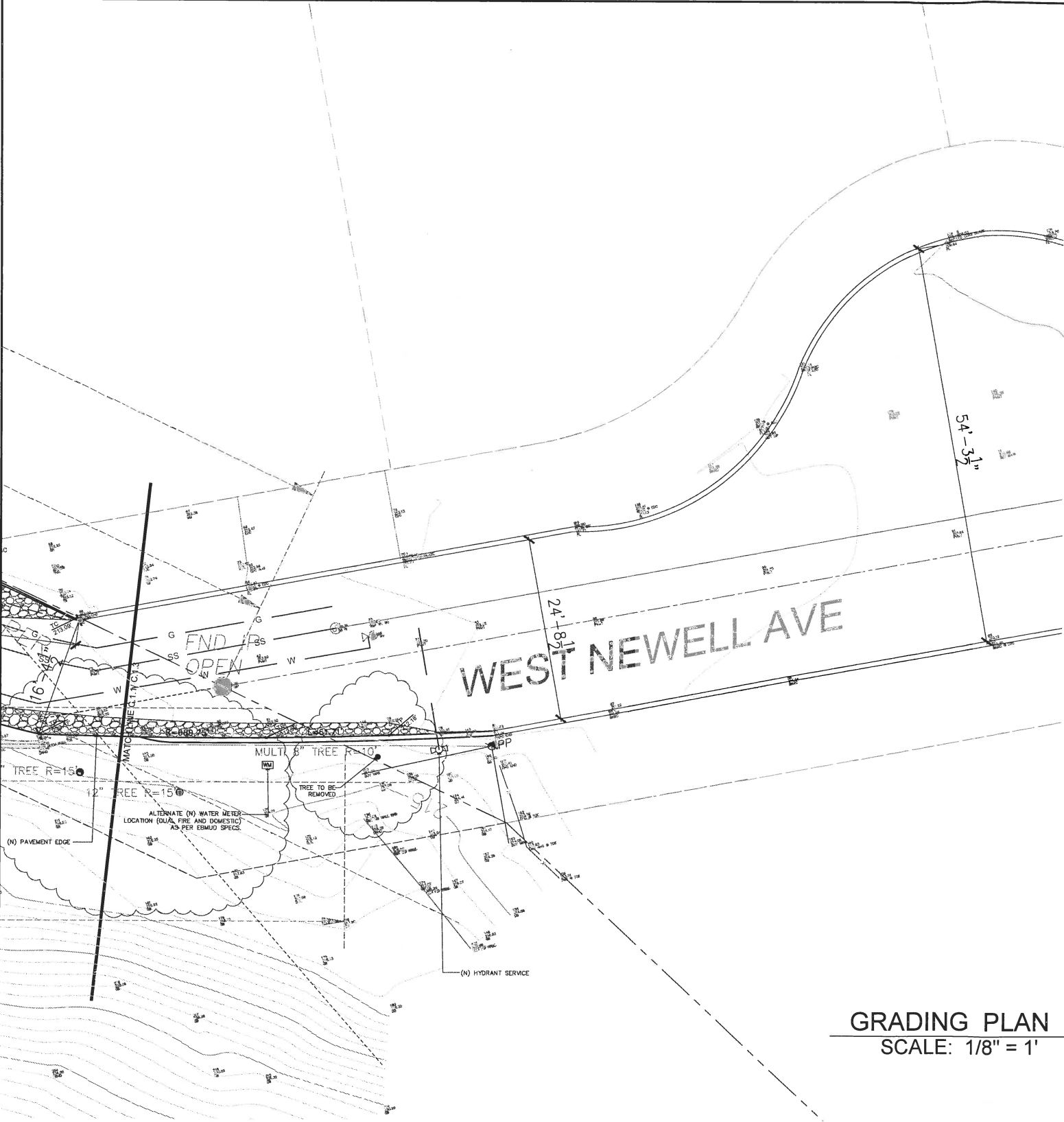
PROJECT No.:
DRAWN BY:
CHECKED BY:
DATE: 6/8/19

C.1.2

GRADING PLAN SCALE: 1/8" = 1'



CONTRACTOR AGREES THAT HE/SHE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL, WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM SOLE NEGLIGENCE OF THE OWNER OR ENGINEER.



GRADING PLAN
SCALE: 1/8" = 1'



LEGEND

SYMBOL	DESCRIPTION
---	PROPERTY LINE INDICATOR
- - - - -	PERFORATED DRAIN PIPE
- . - . -	PUMP DISCHARGE LINE
—	SOLID DRAIN PIPE
—▲—	DRAINAGE SWALE
○ AD	ATRIUM DRAIN (SEE SHT.2, DETAIL C)
□ SD	SQUARE DRAIN (SEE SHT.2, DETAIL C)
□ DS	APPROX DOWNSPOUT LOC. (SEE SHT.2, DETAIL B)
●	PIPE END PT. / CONNECTION
■	GRADED STORM DRAIN
○ CO	CLEANOUT (SEE SHT.2, DETAIL C)
→	PROP. SURFACE FLOW ARROW
→	DRAINAGE ARROW
○ BE	BUBBLE EMMITER (SEE SHT.2, DETAIL C)
- - - - -	JOINT TRENCH
▨	GRAVEL ACCESS ROAD
W	WATER LINE
⊕	FIRE HYDRANT
E	UNDERGROUND ELECTRIC SERVICE
G	GAS SERVICE
—▲—	SANITARY SEWER LATERAL
—SS—	SANITARY SEWER MAIN/LATERAL EXT.



OWNER:
DAVID MONTALBO &
TAMBRI HEYDEN
448 BLUE RIDGE DRIVE
MARTINEZ, CA 94553
(925) 872-5192

PROJECT ADDRESS:
0 W. NEWELL AVE.
WALNUT CREEK, CA 94595
APN: 238-050-007

PLANNING GRADING PLAN
0 WEST NEWELL AVE.

REVISION

No.	DESCRIPTION	DATE
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PROJECT No.:
DRAWN BY:
CHECKED BY:
DATE: 10/8/19

C.1.3

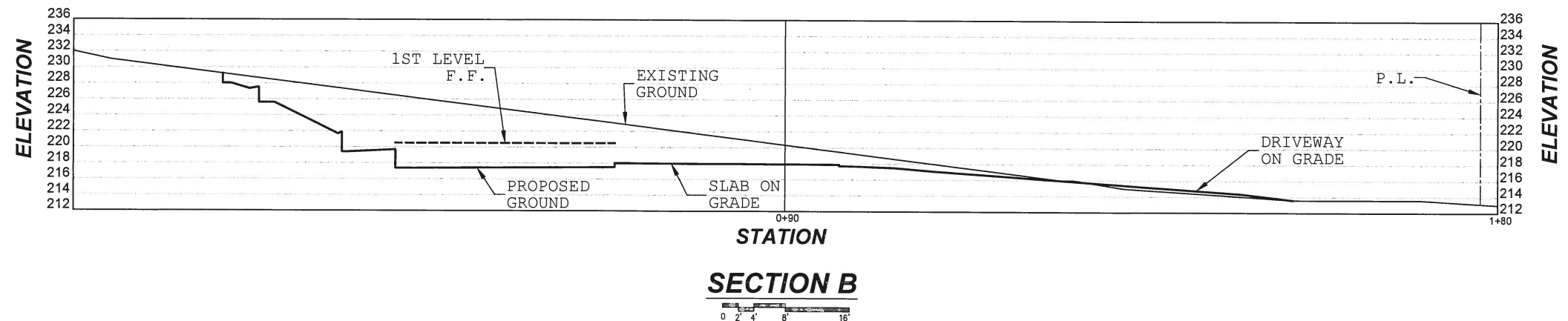
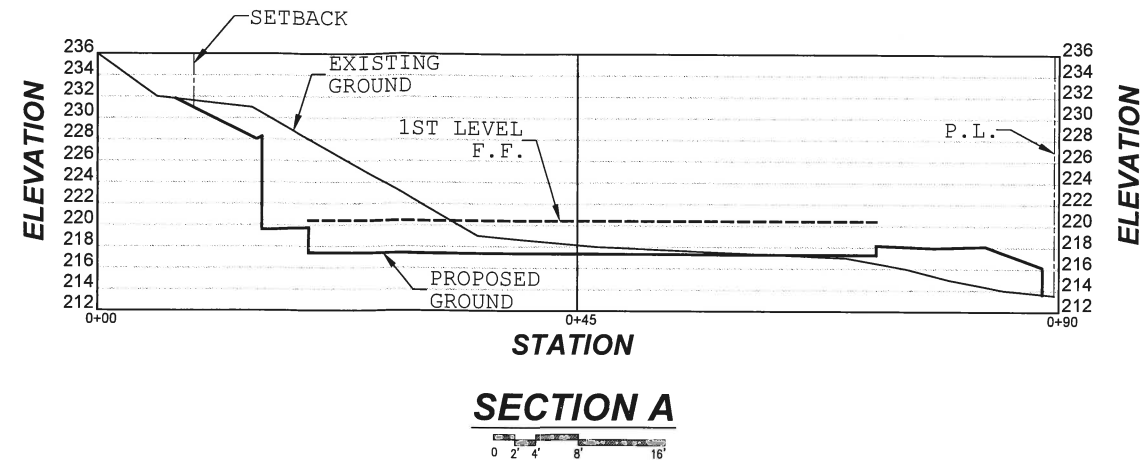
CONTRACTOR AGREES THAT HE/SHE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL, WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM SOLE NEGLIGENCE OF THE OWNER OR ENGINEER.

NOTE: THIS DRAWING IS APPROVED SUBJECT TO:

1. APPROVAL OF THIS PLAN APPLIES ONLY TO (A) THE EXCAVATION, PLACEMENT, AND COMPACTION OF NATURAL EARTH MATERIALS, (B) THE INSTALLATION OF ON-SITE (I.E. PRIVATE PROPERTY) STORM WATER CONVEYANCE AND TREATMENT FACILITIES THAT ARE OUTSIDE OF THE 5-FOOT BUILDING ENVELOPE, AND (C) THE INSTALLATION OF RETAINING STRUCTURES. THIS APPROVAL DOES NOT CONFER ANY RIGHTS OF ENTRY TO EITHER PUBLIC PROPERTY OR THE PRIVATE PROPERTY OF OTHERS. APPROVAL OF THIS PLAN ALSO DOES NOT CONSTITUTE APPROVAL OF ANY IMPROVEMENTS WITH THE EXCEPTION OF THOSE LISTED ABOVE. PROPOSED IMPROVEMENTS, WITH THE EXCEPTION OF THOSE LISTED ABOVE, ARE SUBJECT TO REVIEW AND APPROVAL BY THE RESPONSIBLE AUTHORITIES AND ALL OTHER REQUIRED PERMITS SHALL BE OBTAINED.
2. UNLESS OTHERWISE NOTED ON THE PLAN, ANY DEPICTION OF A RETAINING STRUCTURE ON THIS PLAN SHALL NOT CONSTITUTE APPROVAL FOR CONSTRUCTION OF THE RETAINING STRUCTURE UNLESS A SEPARATE STRUCTURAL REVIEW, BY THE DEPARTMENT OF PUBLIC WORKS IS COMPLETED AND APPROVED.
3. THIS PLAN DOES NOT APPROVE THE REMOVAL OF TREES. APPROPRIATE TREE REMOVAL PERMITS AND METHODS OF TREE PRESERVATION SHOULD BE OBTAINED FROM THE CITY'S PLANNING DEPARTMENT AND THE CITY ARBORIST.
4. PERIMETER BUILDING GRADES SHALL SLOPE AWAY FROM BUILDINGS AT LEAST 5% MINIMUM.
5. ALL DOWNSPOUTS SHALL RELEASE TO STORMWATER CONTROLS THEN TO THE STORM COLLECTOR PIPE SYSTEM .
6. PROPOSED PERMANENT AND TEMPORARY SLOPES AND COMPACTION AND TRENCHING REQUIREMENTS ARE TO BE APPROVED BY THE PROJECT GEOTECHNICAL ENGINEER AND AS PER THE RECOMMENDATIONS OF THE PROJECT GEOTECHNICAL REPORT.
7. GRADING WITHIN THE PG&E SETBACK/DOMAIN TO BE APPROVED BY PG&E.

CUT: 510 C.Y.

FILL: 260 C.Y.



OWNER:
**DAVID MONTALBO &
TAMBRI HEYDEN**
448 BLUE RIDGE DRIVE
MARTINEZ, CA 94553
(925) 872-5192

PROJECT ADDRESS:
O W. NEWELL AVE.
WALNUT CREEK, CA 94595
APN: 238-050-007

PLANNING GRADING PLAN SECTIONS AND NOTES

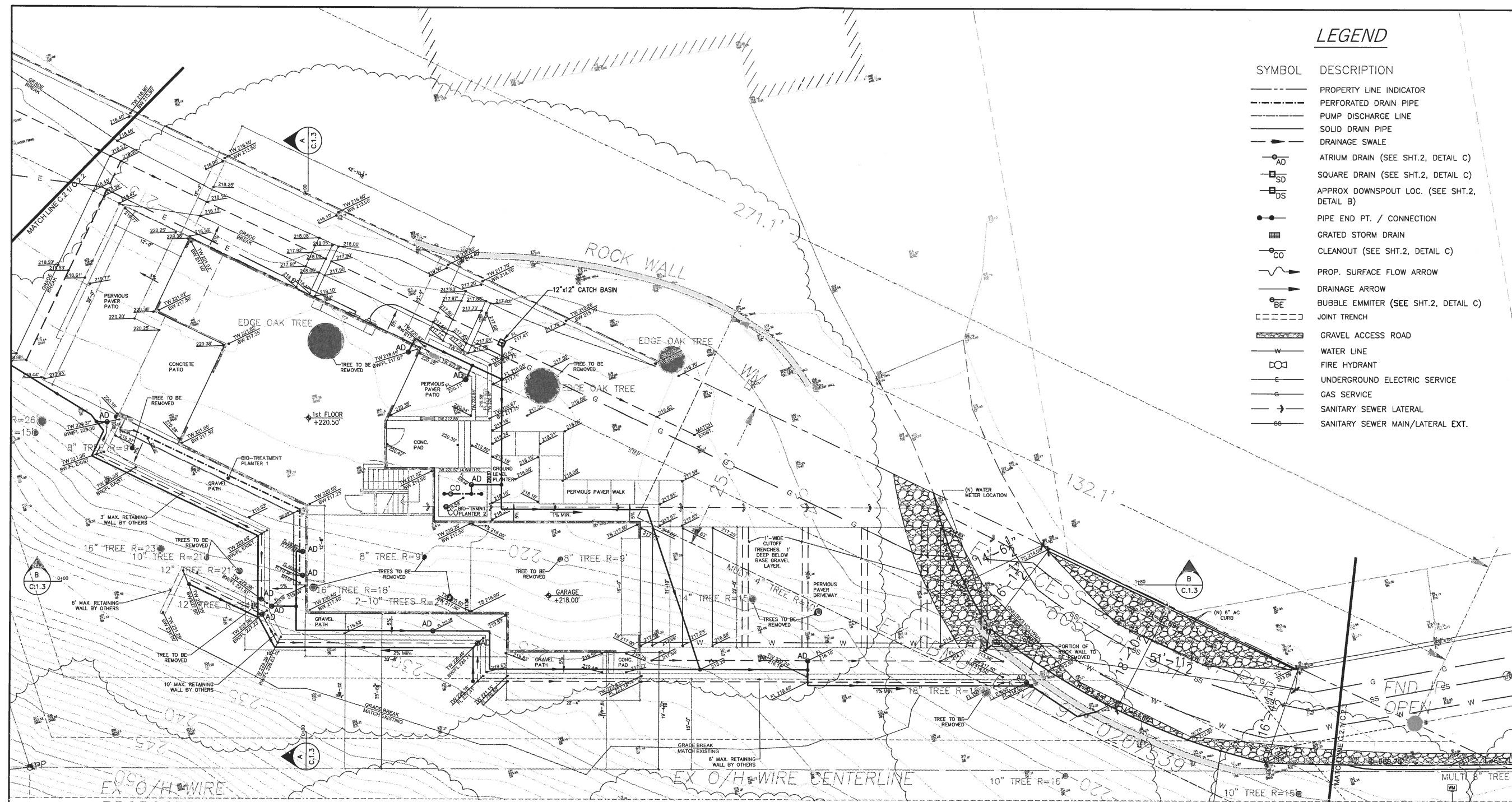
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PROJECT No.:
DRAWN BY:
CHECKED BY:
DATE: 6/8/19

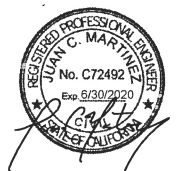
C.1.4

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LEGEND

SYMBOL	DESCRIPTION
---	PROPERTY LINE INDICATOR
- - - -	PERFORATED DRAIN PIPE
- - - -	PUMP DISCHARGE LINE
---	SOLID DRAIN PIPE
---	DRAINAGE SWALE
AD	ATRIUM DRAIN (SEE SHT.2, DETAIL C)
SD	SQUARE DRAIN (SEE SHT.2, DETAIL C)
DS	APPROX DOWNSPOUT LOC. (SEE SHT.2, DETAIL B)
●	PIPE END PT. / CONNECTION
■	GRATED STORM DRAIN
CO	CLEANOUT (SEE SHT.2, DETAIL C)
→	PROP. SURFACE FLOW ARROW
→	DRAINAGE ARROW
BE	BUBBLE EMMITER (SEE SHT.2, DETAIL C)
---	JOINT TRENCH
---	GRAVEL ACCESS ROAD
W	WATER LINE
FD	FIRE HYDRANT
E	UNDERGROUND ELECTRIC SERVICE
G	GAS SERVICE
SS	SANITARY SEWER LATERAL
SS	SANITARY SEWER MAIN/LATERAL EXT.



OWNER:
DAVID MONTALBO &
TAMBI HEYDEN
448 BLUE RIDGE DRIVE
MARTINEZ, CA 94553
(925) 872-5192

PROJECT ADDRESS:
O.W. NEWELL AVE.
WALNUT CREEK, CA 94595
APN: 238-050-007

PLANNING DRAINAGE PLAN SURFACE AND STORMWATER DRAINAGE

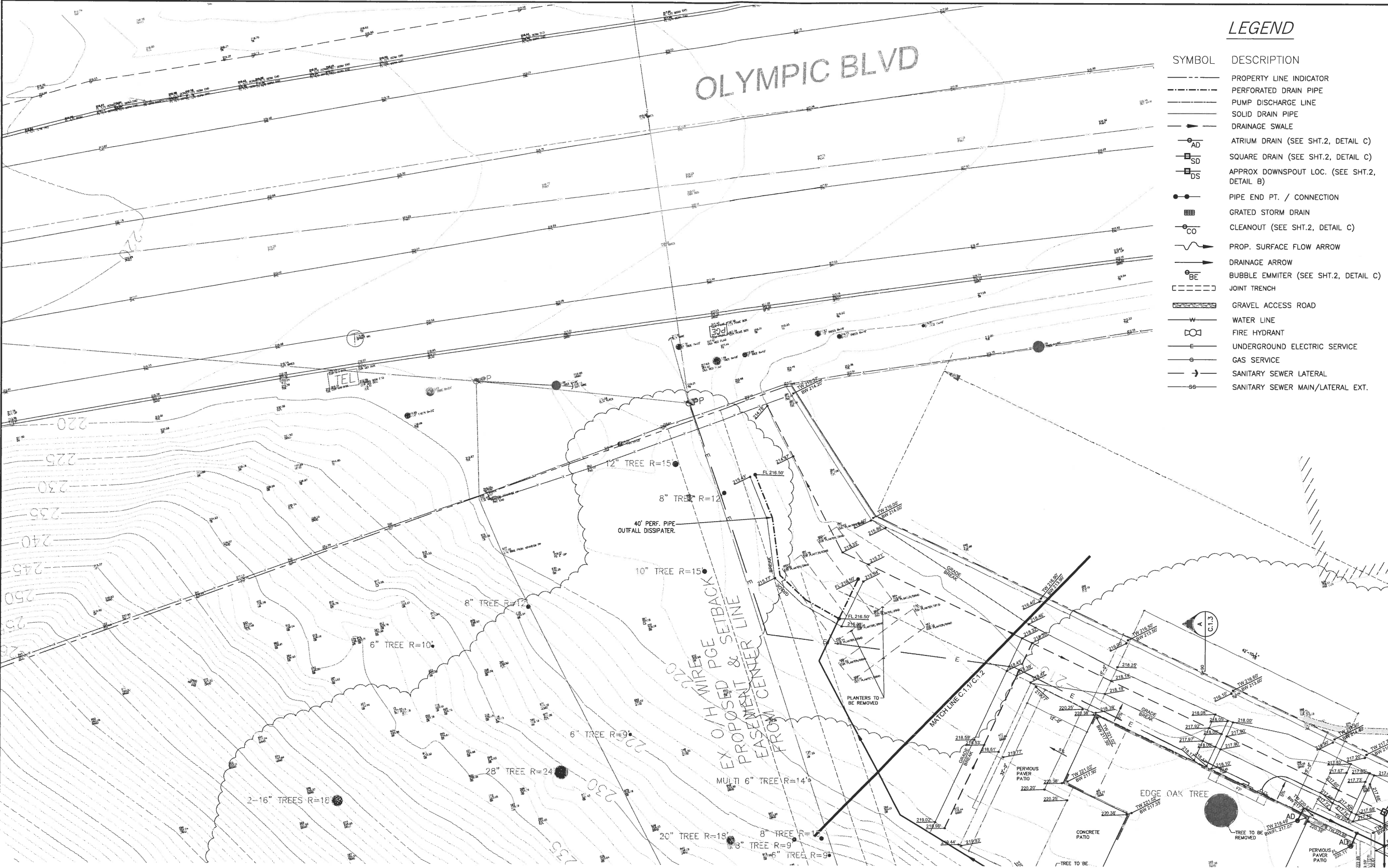
REVISION		
No.	DESCRIPTION	DATE
1	REVISIONS TO ACCESS DRIVE AND UTILITIES	10/8/19
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8		
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PROJECT No.:
DRAWN BY:
CHECKED BY:
DATE: 6/8/19

C.2.1

DRAINAGE PLAN
SCALE: 1/8" = 1'





LEGEND

SYMBOL	DESCRIPTION
---	PROPERTY LINE INDICATOR
- - - -	PERFORATED DRAIN PIPE
---	PUMP DISCHARGE LINE
---	SOLID DRAIN PIPE
---	DRAINAGE SWALE
○ AD	ATRIUM DRAIN (SEE SHT.2, DETAIL C)
□ SD	SQUARE DRAIN (SEE SHT.2, DETAIL C)
□ DS	APPROX DOWNSPOUT LOC. (SEE SHT.2, DETAIL B)
●	PIPE END PT. / CONNECTION
■	GRATED STORM DRAIN
○ CO	CLEANOUT (SEE SHT.2, DETAIL C)
→	PROP. SURFACE FLOW ARROW
→	DRAINAGE ARROW
○ BE	BUBBLE EMMITER (SEE SHT.2, DETAIL C)
- - - -	JOINT TRENCH
---	GRAVEL ACCESS ROAD
W	WATER LINE
○	FIRE HYDRANT
E	UNDERGROUND ELECTRIC SERVICE
G	GAS SERVICE
---	SANITARY SEWER LATERAL
---	SANITARY SEWER MAIN/LATERAL EXT.

DRAINAGE PLAN
SCALE: 1/8" = 1'

0 2' 4' 8' 16'



OWNER:
DAVID MONTALBO &
TAMBRI HEYDEN
448 BLUE RIDGE DRIVE
MARTINEZ, CA 94553
(925) 872-5192

PROJECT ADDRESS:
O W. NEWELL AVE.
WALNUT CREEK, CA 94595
APN: 238-050-007

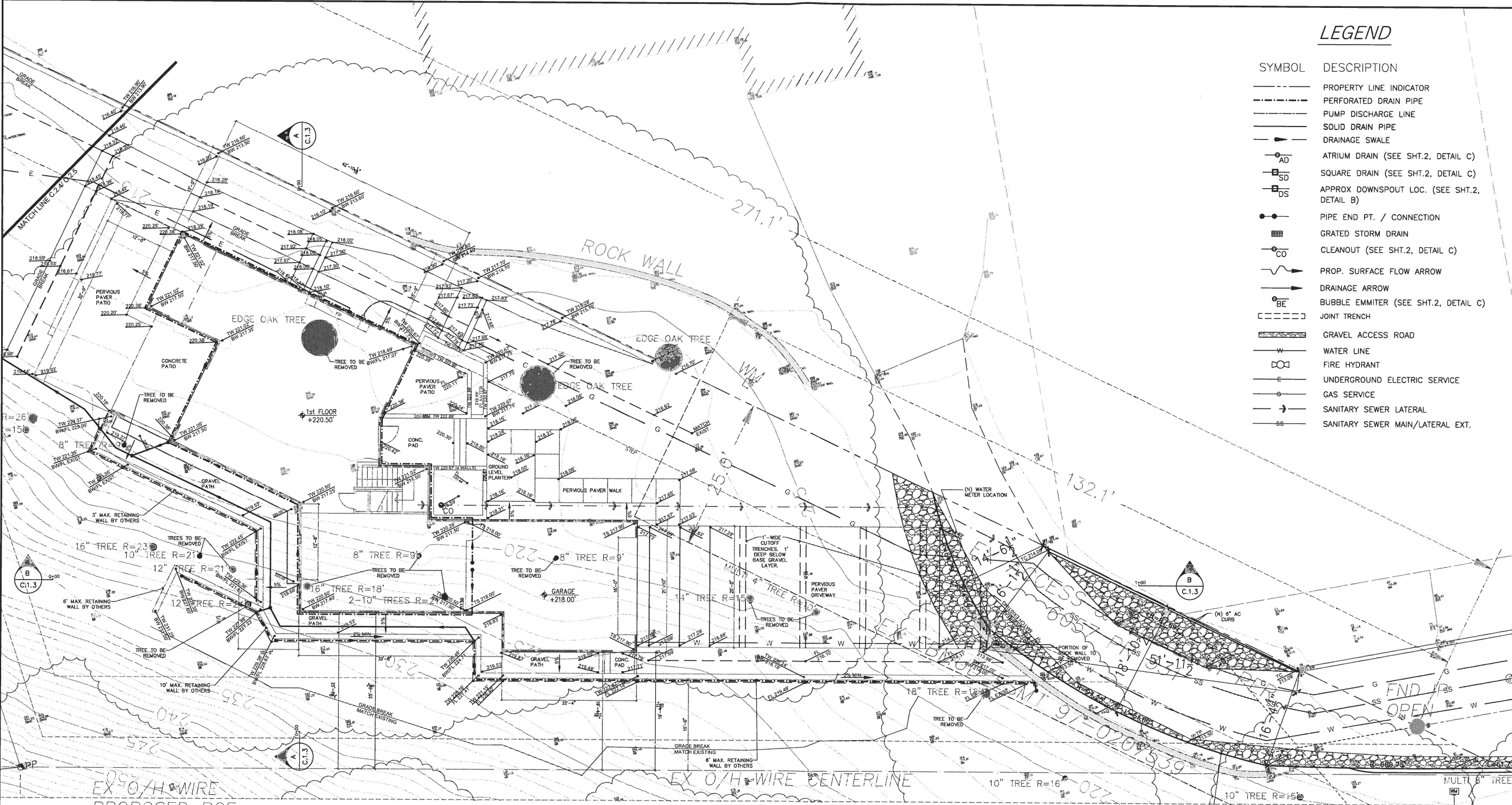
**PLANNING DRAINAGE PLAN
SURFACE AND STORMWATER
DRAINAGE**
O WEST NEWELL AVE.

REVISION		
No.	DESCRIPTION	DATE
1	REVISIONS TO UTILITIES	10/08/19

PROJECT No.:
DRAWN BY:
CHECKED BY:
DATE: 6/8/19

C.2.2

CONTRACTOR AGREES THAT HE/SHE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL, WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM SOLE NEGLIGENCE OF THE OWNER OR ENGINEER.



LEGEND

- SYMBOL DESCRIPTION
- PROPERTY LINE INDICATOR
 - - - PERFORATED DRAIN PIPE
 - PUMP DISCHARGE LINE
 - SOLID DRAIN PIPE
 - DRAINAGE SWALE
 - AD ATRIUM DRAIN (SEE SHT.2, DETAIL C)
 - SD SQUARE DRAIN (SEE SHT.2, DETAIL C)
 - DS APPROX DOWNSPOUT LOC. (SEE SHT.2, DETAIL B)
 - PIPE END PT. / CONNECTION
 - GRATED STORM DRAIN
 - CO CLEANOUT (SEE SHT.2, DETAIL C)
 - PROP. SURFACE FLOW ARROW
 - DRAINAGE ARROW
 - BE BUBBLE EMMITER (SEE SHT.2, DETAIL C)
 - JOINT TRENCH
 - GRAVEL ACCESS ROAD
 - W WATER LINE
 - FIRE HYDRANT
 - UNDERGROUND ELECTRIC SERVICE
 - GAS SERVICE
 - SANITARY SEWER LATERAL
 - SANITARY SEWER MAIN/LATERAL EXT.



OWNER:
DAVID MONTALBO &
TAMARI HEYDEN
448 BLUE RIDGE DRIVE
MARTINEZ, CA 94553
(925) 872-5192

PROJECT ADDRESS:
0 W. NEWELL AVE.
WALNUT CREEK, CA 94595
APN: 238-050-007

PLANNING DRAINAGE PLAN
SUB-SURFACE DRAINAGE

0 WEST NEWELL AVE.

REVISION		
No.	DESCRIPTION	DATE
1	REVISIONS TO ACCESS DRIVE AND UTILITIES	10/8/19
2		
3		
4		
5		
6		
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8		
9		
10		

PROJECT No.:
DRAWN BY:
CHECKED BY:
DATE: 6/28/19

C.2.4

DRAINAGE PLAN
SCALE: 1/8" = 1'



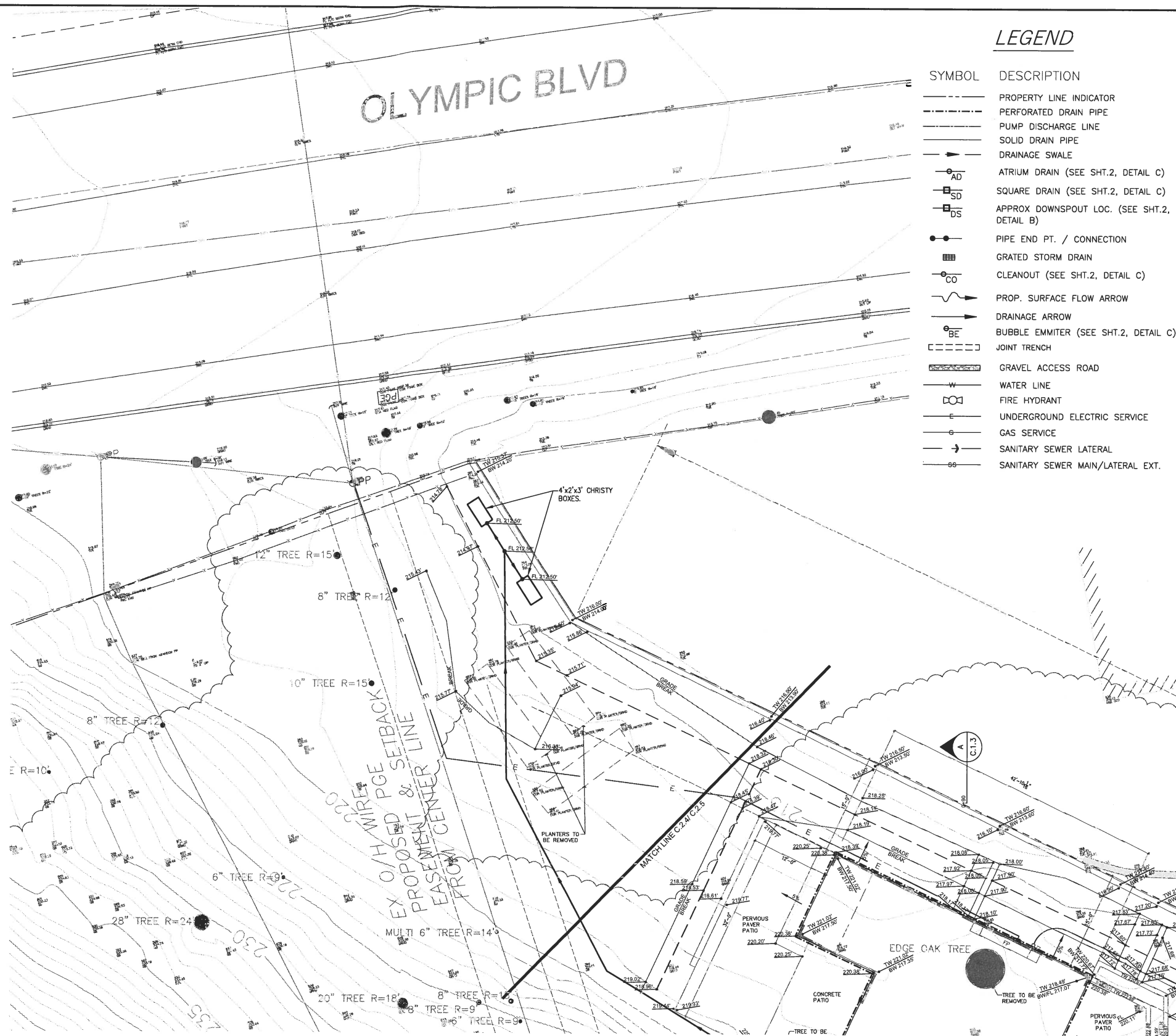
CONTRACTOR AGREES THAT HE/SHE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL, WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM SOLE NEGLIGENCE OF THE OWNER OR ENGINEER.

DRAINAGE PLAN NOTES:

1. **DRAINAGE DESIGN** DRAINAGE SYSTEM DESIGNED TO CONVEY UP TO THE 10-YR STORM EVENT.
2. **GUTTERS AND DOWNSPOUTS** GUTTERS AND DOWNSPOUTS SHALL BE AS PER THE ARCHITECTURAL REQS. AND SPECS. SEE ARCHITECTURAL PLAN.
3. **GUTTER DESIGN SPECIAL CONSIDERATIONS** GUTTER DESIGN SHALL ENSURE 10-YR FLOW RATE FROM ROOF IS DELIVERED TO STORMWATER/DRAINAGE SYSTEM. GUTTER SEPARATORS SHALL ENSURE THAT DESIGNATED AREAS OF ROOF DRAIN TO THE DESIGNATED STORMWATER TREATMENT CONTROLS.
4. **RETAINMENTS** RETAINMENTS AS SHOWN ON THIS PLAN ARE DESIGNED AS PER THE STRUCTURAL PLAN OR DESIGNED BY OTHERS. REFER TO THE STRUCTURAL PLAN AND THE GEOTECHNICAL ENGINEER'S SOILS REPORT.
5. **PIPE TRENCHING** TRENCHING SHALL BE AS RECOMMENDED IN THE THE GEOTECHNICAL ENGINEER'S SOILS REPORT AND/OR ACCORDING TO TRECHING STANDARDS.
5. **SUB-SURFACE DRAINAGE** THE SUB-SURFACE DRAINAGE SYSTEM DESIGNED ON THIS PLAN AND RELEASE SHALL BE AS APPROVED BY THE PROJECT GEOTECHNICAL ENGINEER.

STORMWATER NOTES:

1. SITE AREA= 111,517 S.F. (2.56 ACRE)
2. TOTAL NEW IMPERVIOUS COVER AREA (ROOFS, PORCHES, AND PATIOS)= 4112 SF. TOTAL REPLACED IMPERVIOUS COVER AREA = 0 SF. PROJECT SITE IS SINGLE FAMILY RESIDENTIAL AND BETWEEN 2,500 SF AND 10,000 SF. OF NEW/REPLACED IMPERVIOUS COVER AREA.
3. DRIVEWAY, PATIOS, AND WALKS/PATHS FROM STREET ARE DESIGNATED TO BE PERVIOUS PAVERS OR GRAVEL.
4. ELEVATIONS AND DRAINAGE PATTERNS OUTLINED IN THIS PLAN SHALL BE ADHERED TO TO INSURE THAT IMPERVIOUS AREAS DRAIN AWAY FROM BUILDINGS AND TO VEGETATED AREAS AND/OR STORWATER CONTROLS.



LEGEND

SYMBOL	DESCRIPTION
---	PROPERTY LINE INDICATOR
- - - -	PERFORATED DRAIN PIPE
---	PUMP DISCHARGE LINE
---	SOLID DRAIN PIPE
---	DRAINAGE SWALE
○ AD	ATRIUM DRAIN (SEE SHT.2, DETAIL C)
□ SD	SQUARE DRAIN (SEE SHT.2, DETAIL C)
□ DS	APPROX DOWNSPOUT LOC. (SEE SHT.2, DETAIL B)
●	PIPE END PT. / CONNECTION
■	GRADED STORM DRAIN
○ CO	CLEANOUT (SEE SHT.2, DETAIL C)
→	PROP. SURFACE FLOW ARROW
→	DRAINAGE ARROW
○ BE	BUBBLE EMMITER (SEE SHT.2, DETAIL C)
---	JOINT TRENCH
---	GRAVEL ACCESS ROAD
W	WATER LINE
○	FIRE HYDRANT
E	UNDERGROUND ELECTRIC SERVICE
G	GAS SERVICE
---	SANITARY SEWER LATERAL
---	SANITARY SEWER MAIN/LATERAL EXT.



OWNER:
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448 BLUE RIDGE DRIVE
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WALNUT CREEK, CA 94595
APN: 238-050-007

PLANNING DRAINAGE PLAN SUB-SURFACE DRAINAGE

REVISION

No.	DESCRIPTION	DATE
△	REVISIONS TO UTILITIES	10/08/19
△		
△		
△		
△		

PROJECT No.:
DRAWN BY:
CHECKED BY:
DATE: 6/8/19

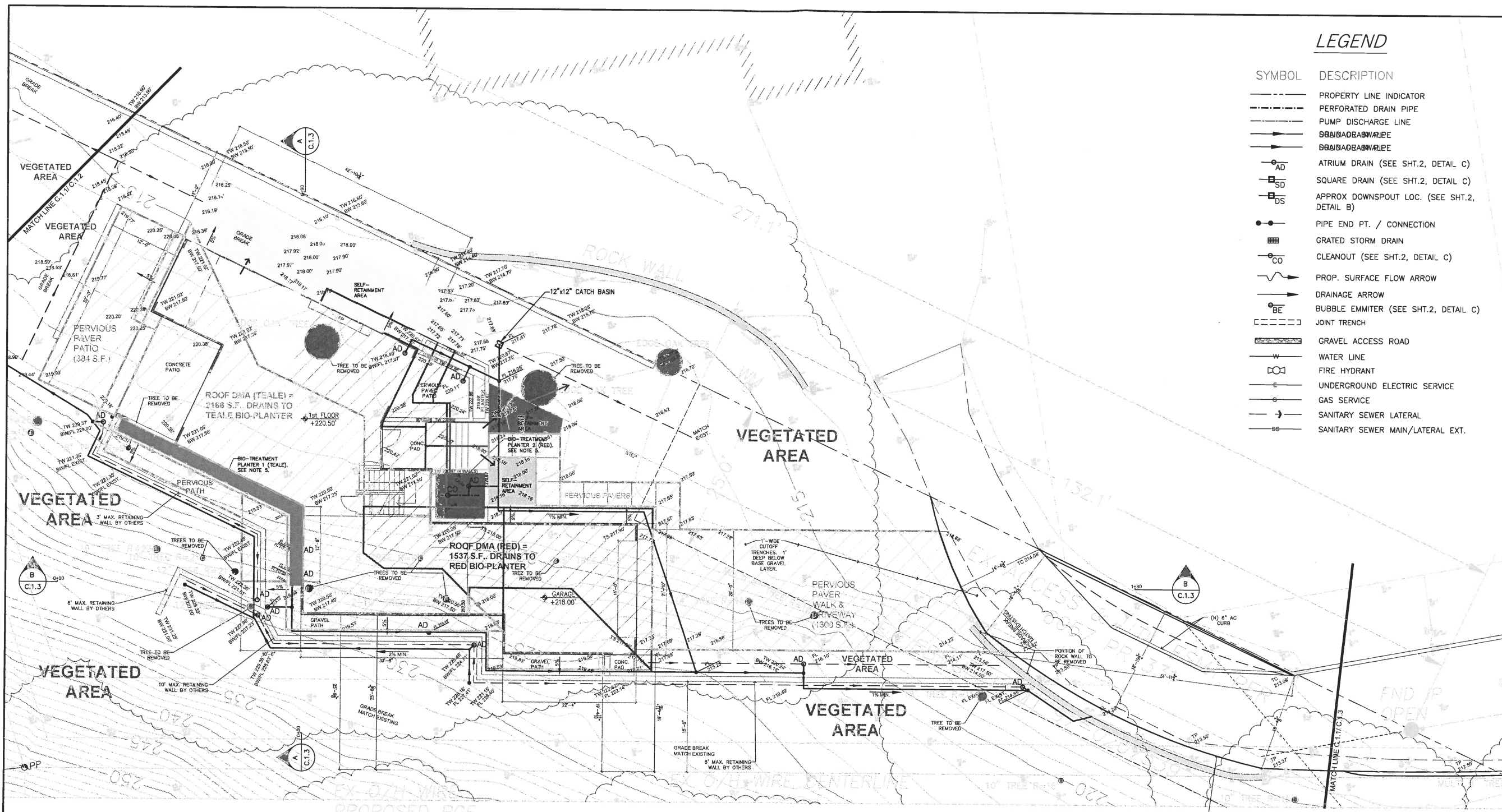
C.2.5

DRAINAGE PLAN SCALE: 1/8" = 1'

0 2' 4' 8' 16'

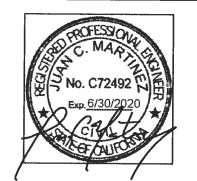


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LEGEND

SYMBOL	DESCRIPTION
---	PROPERTY LINE INDICATOR
- - - -	PERFORATED DRAIN PIPE
---	PUMP DISCHARGE LINE
	SEWER MAIN
---	SEWER LATERAL
AD	ATRIUM DRAIN (SEE SHT.2, DETAIL C)
SD	SQUARE DRAIN (SEE SHT.2, DETAIL C)
DS	APPROX DOWNSPOUT LOC. (SEE SHT.2, DETAIL B)
●	PIPE END PT. / CONNECTION
■	GRATED STORM DRAIN
CO	CLEANOUT (SEE SHT.2, DETAIL C)
→	PROP. SURFACE FLOW ARROW
BE	DRAINAGE ARROW
BE	BUBBLE EMMITER (SEE SHT.2, DETAIL C)
---	JOINT TRENCH
---	GRAVEL ACCESS ROAD
W	WATER LINE
○	FIRE HYDRANT
E	UNDERGROUND ELECTRIC SERVICE
G	GAS SERVICE
---	SANITARY SEWER LATERAL
---	SANITARY SEWER MAIN/LATERAL EXT.



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PROJECT ADDRESS:
O W. NEWELL AVE.
WALNUT CREEK, CA 94595
APN: 238-050-007

PLANNING STORMWATER
PLAN

REVISION		
No.	DESCRIPTION	DATE
1	REVISIONS TO ACCESS DRIVE/DRIVEWAY	10/8/19
2		
3		
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10		

PROJECT No.:
DRAWN BY:
CHECKED BY:
DATE: 6/8/19

C.3.1

- STORMWATER NOTES:
- SITE AREA= 111,517 S.F. (2.56 ACRE)
 - TOTAL NEW IMPERVIOUS COVER AREA (ROOFS, PORCHES, AND PATIOS)= 4112 SF. TOTAL REPLACED IMPERVIOUS COVER AREA= 0 SF. PROJECT SITE IS SINGLE FAMILY RESIDENTIAL AND BETWEEN 2,500 SF AND 10,000 SF. OF NEW/REPLACED IMPERVIOUS COVER AREA.
 - DRIVEWAY, PATIOS, AND WALKS/PATHS FROM STREET ARE DESIGNATED TO BE PERVIOUS PAVERS OR GRAVEL
 - ELEVATIONS AND DRAINAGE PATTERNS OUTLINED IN THIS PLAN SHALL BE ADHERED TO TO INSURE THAT IMPERVIOUS AREAS DRAIN AWAY FROM BUILDINGS AND TO VEGETATED AREAS AND/OR STORWATER CONTROLS.
 - BIO-TREATMENT PLANTER 1 (TEALE) DESIGN: TYPE= METAL PLANTER (5-SIDED); MINIMUM SOIL AREA (91 SF); TOP-OF-PLANTER ELEV. = 220.95'; TOP-OF-SOIL ELEV. = 220.05'; SOIL DEPTH= 1.5'; BOTTOM-OF-GRAVEL/OUTLET ELEV.=217.50'; ORIFICE PLATE REQUIRED AT OUTLET. EXACT ORIFICE SIZE = 0.43"
 - BIO-TREATMENT PLANTER 2 (RED) DESIGN: TYPE= CONCRETE PLANTER (5-SIDED); MINIMUM SOIL AREA (61 SF); TOP-OF-PLANTER ELEV. = 220.67'; TOP-OF-SOIL ELEV. = 219.59'; SOIL DEPTH= 1.5'; BOTTOM-OF-GRAVEL/OUTLET ELEV.=216.98'; ORIFICE PLATE REQUIRED AT OUTLET. EXACT ORIFICE SIZE = 0.37"

STORMWATER PLAN

SCALE: 1/8" = 1'

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STORMWATER CALCS

ENTRY FLO-THRU PLANTER (RED)

ROOF AREA DMA, SF	1537	1ST/2ND FLR ROOFS
SOIL AREA, SF	61	
V1 DEPTH, FT	0.85	
SOIL DEPTH, FT	1.5	
V2/GRVEL DEPTH, FT	1.11	
$C_{0.05}, CFS$	0.158	$C=C^*I^2A$; PARAMETERS FROM C.C. CODE
d IN (FOR 8" PIPE)	1.49	$d = Cw^{1.75}d^{.5}$, $d=(C/(Cw^{1.75}))^{.5}$; $Cw=2.3$
TOTAL DEPTH	3.65	
ORIFICE SIZE, IN	0.37	
TOP-OF-SOIL ELEV., FT	219.59	
RISER FL ELEV., FT	220.44	
OUTLET FL ELEV., FT	216.98	
TOP-OF-PLANTER ELEV., FT	219.67	

SOUTH-SIDE PLANTER (TEALE)

ROOF AREA DMA, SF	2186	1ST/2ND FLR ROOFS AND 2ND FLOOR PATIOS
SOIL AREA, SF	90.7	
V1 DEPTH, FT	0.80	
SOIL DEPTH, FT	1.5	
V2/GRAVEL DEPTH, FT	1.05	
Q ₁₀₀ , CFS	0.222019972	Q=C*I*A; PARMETER FROM C.C. CO
IN (IN FOR 2" PIPES)	1.177219561	Q = Cw*L*d ³ ; d=(Q/(Cw*L ³)); Cw = 2.53
ORIFICE SIZE, IN	0.43	
TOP-OF-SOIL ELEV, FT	220.05	
RISER FLEVEL, FT	220.85	
TOP-OF-PLANTER ELEV., FT	220.95	
OUTLET FL ELEV., FT	217.50	

NORTH-SIDE SELF-RETAINING AREA (YELLOW)

ROOF AREA DMA, SF	317	1ST/2ND FLR ROOFS
1" RUNOFF VOLUME	26.41666667	
SELF-RETAINING AREA, SF	439	
SELF-RETAINING VOLUME, CF	27.65	

ENTRY SELF-RETAINING AREA (CYAN)

ENTRY DMA, SF	50	ENTRY AND STEPS
1" RUNOFF VOLUME	4.166666667	
SELF-RETAINING AREA, SF	62	
SELF-RETAINING VOLUME, CF	5.166666667	

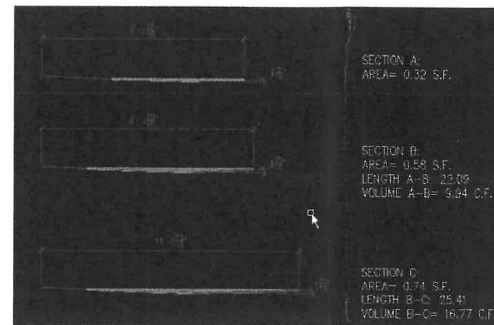
ENTRY SELF-RETAINING AREA (MAGENTA)

ENTRY DMA, SF	42	ENTRY AND STEPS
1" RUNOFF VOLUME	3.5	
SELF-RETAINING AREA, SF	50.25	
SELF-RETAINING VOLUME, CF	4.731875	

IMPERVIOUS COVER

TOTAL IMPERVIOUS, SF	4112
SITE AREA, SF	111517
SITE AREA, ACR	2.560078053

NORTH-SIDE SELF-RETAINING AREA (YELLOW)



Project Name: 0 W. NEWELL
Project Type: Treatment and Flow Control
APN: 238-050-007
Drainage Area: 14,200
Mean Annual Precipitation: 24.8

IV. Areas Draining to IMPs

IMP Name: ENTRY FLO-THRU PLANTER (RED)

IMP Type: Flow-Through Planter

Soil Group: ENTRY FLO-THRU PLANTER (RED)

DMA Name	Area (sq ft)	Post Project Surface Type	DMA Runoff Factor	DMA Area x Runoff Factor	BMP Sizing			
ENTRY ROOFS (RED)	1,537	Conventional Roof	1.00	1,537	BMP Sizing Factor	Rein Adjustment Factor	Minimum Area or Volume	Proposed Area or Volume
			Total	1,537				
					0.050	0.800	61'	61'
			Surface Volume		0.042	0.800	52'	52'
			Subsurface Volume		0.056	0.800	68'	68'
							Maximum Underdrain Flow (cfs)	0.00
							Orifice Diameter (in)	0.31

* The product of the RMP Sizing Factor and the Rainfall Adjustment Factor was less than the minimum value of 0.04. The value of 0.04 was used to adjust the area instead.

IMP Name: SOUTH-SIDE PLANTER (TEALE)

IMP Type: Flow-Through Planter

Soil Group: SOUTH-SIDE PLANTER (TEALE)

[illegible]

* The product of the RSP Sizing Factor and the Rainfall Adjustment Factor was less than the minimum value of 0.04. The value of 0.04 was used to adjust the area instead.

Report generated on 6/8/2019 12:00:00 AM by the Contra Costa Clean Water Program RMP Sizing Tool software (version 1.3.1.0).



OWNER:
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448 BLUE RIDGE DRIVE
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(925) 872-5192

PROJECT ADDRESS:
0 W. NEWELL AVE.
WALNUT CREEK, CA 94595
APN: 238-050-007

PLANNING STORMWATER PLAN

0 WEST NEWELL AVE.

R E V I S I O N

[illegible]

PROJECT No.:

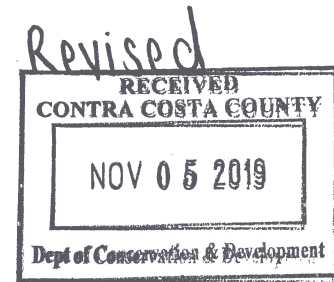
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CHECKED BY:

DATE: 6/8/19

C.3.2

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TP19-0036

July 3, 2019 (revised 10/25/19)

Tambri Heyden
925-937-5777 | tambrij@yahoo.com

Re: Revised Arborist Report for 0 West Newell Avenue, Walnut Creek

Dear Tambri,

This arborist report addresses the proposed home at 0 West Newell Avenue. Per the Contra Costa County Tree Protection and Preservation Ordinance Chapter 816-6 for undeveloped property, the scope of work includes:

- Tag, identify and measure all trees with diameters 6.5" or larger within 50' of proposed improvements. Multi-stemmed trees shall be included if the sum of the stem circumferences is 40" or greater.
- Verify dripline locations on site plan.
- Assess individual tree health and structural condition.
- Assess proposed improvements for potential encroachment.
- Based on proposed encroachment, tree health, structure, and species susceptibility, make recommendations for preservation.

The only change in this 10/25/19 revision is more precise dripline measurements for tree #37. It should be used in tandem with the driveway addendum letter dated 10/10/19.



Figure 1. The property is heavily wooded and extends far up the hill off the right side of the photo. The three large oaks along the north property line (left) will be affected by the proposed construction.

Site Summary

The property is located at the end of W Newell Avenue, south of 2776 W Newell. The site is heavily wooded and extends uphill to the south (Figure 1). Overhead power lines extend along W Newell Avenue to the center of the property, where they change to a north-south orientation & connect to a power pole off Olympic Blvd. The hilly portion of the property, south of the utility easement, is essentially unusable due to the slope & utility restrictions. The proposed project will construct a single-family home on the property. The west run of the overhead power lines will also be undergrounded per PG&E requirements & to reduce fire risk.

I included thirty-seven (37) trees in my tree inventory, three of which are located on the 2776 W Newell property. Nearly every tree on the site is a native tree, consisting of valley oak, coast live oak, and California buckeye. The overall tree canopy cover is high.

The feasible building area restricted by terrain and utility easements. Due to these site limitations, nineteen (19) trees will need to be removed to accommodate the proposed improvements. The remaining eighteen (18) trees can be retained given that the tree protection measures within this report are followed. There are many trees beyond the inventoried area that also help to maintain canopy cover.

Assumptions & Limitations

This report is based on my site visit on 6/27/19, survey by APEX (dated 4/5/19), and grading & drainage plans by Juan Martinez (dated 6/8/19). It was assumed that the proposed improvements and trees were accurately surveyed.

The health and structure of the trees were assessed visually from ground level. No drilling, root excavation, or aerial inspections were performed. Internal or non-detectable defects may exist and could lead to part or whole tree failures. Due to the dynamic nature of trees and their environment, it is not possible for arborists to guarantee that trees will not fail in the future.



Figure 2. The largest oaks on the property (top #37, bottom #36) will be subjected to high encroachment & will need to be removed. The house location cannot be adjusted to save them, as the clearance required would unreasonably restrict development.

Tree Inventory & Assessment Table

#s: Each tree was given a numerical tag from #7-43. Their locations are given in the tree protection plan.

DBH (Diameter at Breast Height): Trunk diameters in inches were calculated from the circumference measured at 4.5' above average grade.

Health & Structural Condition Rating

Dead: Dead or declining past chance of recovery.

Poor (P): Stunted or declining canopy, poor foliar color, possible disease or insect issues. Severe structural defects that may or may not be correctable. Usually not a reliable specimen for preservation.

Fair (F): Fair to moderate vigor. Minor structural defects that can be corrected. More susceptible to construction impacts than a tree in good condition.

Good (G): Good vigor and color, with no obvious problems or defects. Generally more resilient to impacts.

Very Good (VG): Exceptional specimen with excellent vigor and structure. Unusually nice.

Age

Young (Y): Within the first 20% of expected life span. High resiliency to encroachment.

Mature (M): Between 20% - 80% of expected life span. Moderate resiliency to encroachment.

Overmature (OM): In >80% of expected life span. Low resiliency to encroachment.

DE: Dripline Encroachment (X indicates encroachment)

CI: Anticipated Construction Impact (L = Low, M = Moderate, H = High)

#	Species	DBH	Health	Structure	Dripline				Age	D E	CI	Comments	Action
					N	E	S	W					
7	Coast live oak (<i>Quercus agrifolia</i>)	10.5	G-F	G	10	10	10	10	Y		L	Power lines overhead. Slightly chlorotic. Clear of construction.	Install temporary fencing.
8	Coast live oak	10	G	G	10	12	10	10	Y		L	Power lines overhead. Clear of construction.	Install temporary fencing.
9	Coast live oak	16.5	G	G-F	12	15	10	3	M	X	H	Co-dominant stems at 6' with bark inclusion. Upper side of south canopy pruned for clearance. Proposed retaining wall 1' to N.	Remove.
10	Valley oak (<i>Quercus lobata</i>)	21	G-F	G-F	18	15	18	12	M	X	H	Sprouting from wood. Good summer shoots. Small twig dieback. Minor clearance pruning from power lines. In proposed driveway.	Remove.

#	Species	DBH	Health	Structure	Dripline				Age	D E	CI	Comments	Action
					N	E	S	W					
11	Plum (<i>Prunus</i> sp.)	5, 3, 3, 3, 4, 4, 2.5, 2.5	F	F	10	10	10	10	M	X	H	Crossing stems. In proposed driveway.	Remove.
12	Valley oak	14	G-F	F	0	12	15	10	M	X	H	Old tag #46. Trunk flare buried. Moderate branch dieback (1") with healthy sprouting. In proposed driveway.	Remove.
13	Valley oak	8	F	F	0	10	12	0	Y	X	H	Phototropic lean to S. Poor taper, sparse canopy. In proposed house.	Remove.
14	California buckeye (<i>Aesculus californica</i>)	8.5, 11	G	F	15	15	15	2	M	X	H	Co-dominant trunks. In proposed house.	Remove.
15	Valley oak	8.5	F-P	P	20 S				Y	X	H	Phototropic lean to S, upper trunk horizontal. Minimal taper. In proposed house.	Remove.
16	Coast live oak	15	G	F	10	12	12	6	M	X	H	On slope above graded area. Elongated large scaffold to SE. Minor sycamore borer damage. In proposed house.	Remove.
17	Coast live oak	13	G	F	12SE-SW				M	X	H	Phototropic lean to S. Multiple stems at 8'. Old tag #52. In proposed grading for retaining walls.	Remove.
18	Coast live oak	13.5	G	F-P	8	8	8	8	M	X	H	Co-dominant stems at 10' with narrow attachment. Tight canopy, mostly at top of tree. In proposed grading for retaining walls.	Remove.
19	Coast live oak	9	G-F	F	8	0	12	6	Y	X	H	Understory tree with swooping lean to S. Sparse canopy. Proposed retaining wall 3' to S & 7' to N.	Remove.
20	Coast live oak	17.5	G	G	18	6	20	18	M	X	M	Old tag #55. Co-dominant stems at 12'. Proposed retaining wall 4' to SE & 9' to N; largely on grade.	Install temporary protection fencing; arborist on site during RW excavation. Cleanly prune roots $\geq 2"$.
21	Coast live oak	21	G	G-F	15	10	10	10	M	X	H	5' from proposed patio (in graded area).	Remove.
22	Coast live oak	13	G	G-F	0	10	20	0	M		L	Phototropic lean to S, corrected. 8' from proposed patio.	Install temporary protection fencing.

#	Species	DBH	Health	Structure	Dripline				Age	D E	CI	Comments	Action
					N	E	S	W					
23	Valley oak	7.5, 7, 7	F	F	8	8	10	10	M	X	H	Stump sprouts off long-dead trunk. Topped; power lines above. In proposed utility trench.	Remove.
24	Coast live oak	8	G	F	12N-NW				Y	X	H	Phototropic lean to N. Power lines above. In proposed utility trench.	Remove.
25	Coast live oak	7	G	G-F	8	8	8	8	Y	X	M-H	Under power lines. 6' from proposed utility trench/within utility easement.	Remove.
26	California buckeye	6.5, 5.5	G-F	F	12	0	8	8	M	X	H	Lopsided canopy to N. Under power lines. In proposed utility trench.	Remove.
27	Coast live oak	16	G	G-F	10	10	15	12	M		L	Pruned away from power lines. 17' from proposed utility trench.	Install temporary fencing.
28	Coast live oak	6.5	G	F	10	0	0	0	Y		L	Phototropic lean to N. Clear of construction.	Install temporary fencing.
29	Coast live oak	29	G	G-F	18	18	18	18	M		L	Multiple stems at 3'-5' above grade, diameter measured below. Clear of construction.	None.
30	Coast live oak	7.5	G	G	8	8	8	8	Y		L	Clear of construction.	None.
31	Coast live oak	11, 7.5	F	F-P	10	10	10	10	M	X	M-H	Topped, under power lines. Co-dominant stems at 2'. Proposed utility trench 5' from tree.	Remove.
32	Coast live oak	9	G	G	8	8	8	0	Y	X	H	Under power lines. In proposed utility trench.	Remove.
33	Coast live oak	9.5, 10.5	F-P	P	10	10	10	10	M	X	M-H	Narrow co-dominant stems at 2'. Topped, sparse at top with stunted sprouts. 7' from proposed utility trench.	Remove.
34	Coast redwood (<i>Sequoia sempervirens</i>)	10	G	G	10	10	10	10	Y	X	L	No tag, neighbor's tree, not surveyed. About 6' back from property line fence & proposed retaining wall.	Provide supplemental irrigation. Cleanly prune roots $\geq 2"$.
35	Coast redwood	12	G	G	10	10	10	10	Y	X	L	No tag, neighbor's tree, not surveyed. About 6' back from property line fence & proposed retaining wall.	Provide supplemental irrigation. Cleanly prune roots $\geq 2"$.

#	Species	DBH	Health	Structure	Dripline				Age	D	E	CI	Comments	Action
					N	E	S	W						
36	Coast live oak	43.5	F/F-P	G	25	25	25	25	M	X		H	Slightly sparse, lot of twig dieback & not much new growth. Sprouts along trunk also weak. Old tag #56. In proposed house.	Remove.
37	Valley oak	38	F-P	F	25	25	47S - 52 SW		M	X		H	Lions' tailed. Sparse canopy. Elongated branches with poor interior growth (per client measurement, three branches over the house measure 52' S-SW, 47' SW, 38' SW-W; revised 10/25/19). Small diameter dieback. Old tag #48. 5' N proposed walkway & retaining wall; 5' S of proposed retaining wall; 20' E & N of proposed house	Remove.
38	Valley oak	33	G-F	F	25	30	25	0	M	X		M	DBH estimated. Shared tree, straddles property line. Phototropic lean to E. Large crowded / elongated scaffolds. Healthy sprouting along wood. One scaffold ~ 20' over proposed driveway. Proposed retaining wall up to trunk; 18' N of proposed walkway, 25' N of proposed driveway & house. Proposed fill beneath dripline.	Coordinate pruning through arborist. Top 3' of RW footing to be dug by hand. Grading to be done by hand within 20' with arborist on site.
39	Coast live oak	7.5, 3.5	F	F-P	3	5	15	0	M			L	Topped for power line clearance. 14' from proposed utility undergrounding.	None.
40	Coast live oak	13.5, 6.5	F	F-P	10	10	10	10	M			L	Topped for power line clearance. Scaffold branch growing into power pole. >10' from proposed utility undergrounding.	None.
41	Coast live oak	9.5	F	F-P	10	0	0	6	M			L	Topped for power line clearance. 9' from power pole; proposed undergrounding S of pole.	None.
42	Coast live oak	7	G	G	8	8	8	8	Y			L	Between existing chain link and wood fence. 14' from proposed utility trench.	None.
43	Coast live oak	15.5, 13	G	F	12	15	15	15	M			L	Co-dominant stems at 3' above grade. Minor sycamore borer damage. Partially topped for power line clearance. >20' from proposed utility trench.	None.

Trees that will need to be removed: 9-19, 21, 23-26, 31-33, 36, 37 (21 trees)

Trees to be saved that will be subjected to dripline encroachment: 20, 34, 35, 38 (4 trees)

Trees to be saved that will not be encroached: 7, 8, 22, 27-30, 39-43 (12 trees)

Discussion

The trees on the property are mostly in good-fair health, with structures typical of trees growing in crowded woodland conditions. The feasible building area is limited by existing N-S & E-W utility easements, as well as the hillside south of the utility easement. Two large oaks (#36 & 37, Figure 2) are located along the north property line, in or surrounded by the proposed home. Unfortunately, although they are among the largest trees on the property, they cannot be saved without significantly restricting development.

The driplines of three of the neighbor's trees will be encroached. Oak #38 is located on the property line, with most of its trunk on the adjacent property (Figure 3). Proposed improvements within its dripline include a retaining wall, to be constructed on 6' deep piers that begin 4' from its trunk. A minimum of 6" of fill will also be required to maintain drainage within the property. The three closest piers will be located within the structural root plate (SRP) of the oak, which is the area proximal to the trunk where the largest diameter roots are found. These structural roots are responsible for anchoring & supporting the tree, and removal of structural roots can compromise its stability. I recommend hand digging the upper 3' of each pier within 15' of the tree, so the pier locations can be adjusted in case they are centered over significant-sized roots. Additionally, a minimum of 6" of fill is required to maintain drainage within property lines. Fill soil placed over roots increases the distance that oxygen & water must travel to reach the roots, which can have a negative impact on a tree's health. Fill placed against the trunk, especially on native oaks, can create a moist environment favorable for wood decay fungi. Since the fill is not intended to support structures or hardscape, I recommend not compacting the fill soil, and pulling it at least 12" from the base of the tree.

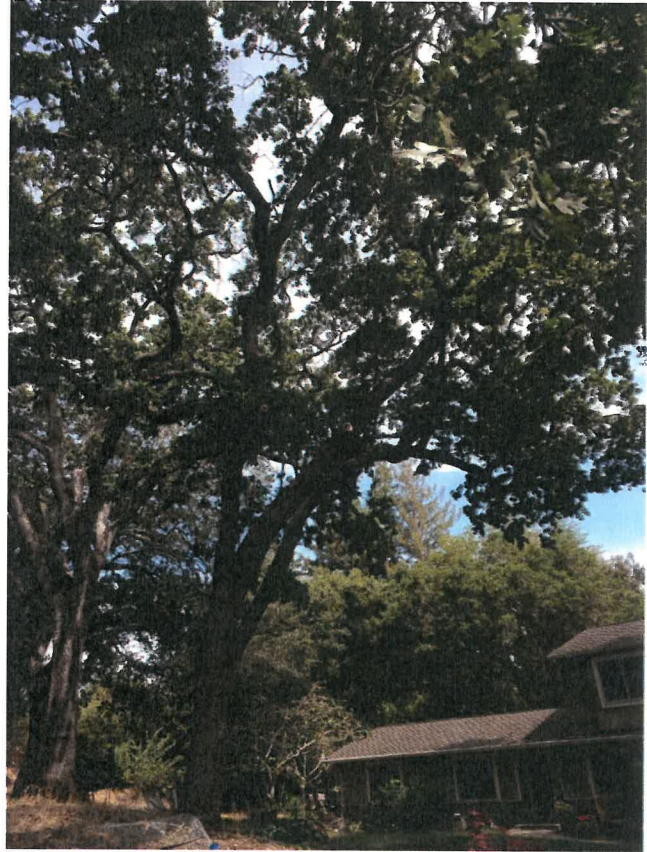


Figure 3. To reduce encroachment, proposed grading & footing excavation shall be done by hand within 15'-20' of tree #38.

Two off-site redwoods are located 6' from the property line (#34 & 35). A retaining wall is proposed along the property line, which requires excavation beneath their driplines but outside their SRPs. Since the redwoods are young, healthy, and growing in a grove with other redwoods, they will be highly resilient to construction impacts. The anticipated encroachment is low. Nevertheless, I recommend proper root pruning & supplemental irrigation to reduce construction stress.

The overhead utility lines will also be undergrounded per PG&E requirement, and will connect to the power pole north of the existing wooden fence. Since the exact trench location is unknown, all trees (#23-26 & 31-33) within the future utility easement may be affected & will need to be removed.

Recommendations (to be printed on site plans)

Pre-construction

- Remove trees #9-19, 21, 23-26, 31-33, 36 & 37 (21 trees).
- Mulch from tree removals may be spread out under the driplines of trees that will be retained, **keeping at least 12" away from the trunks.**
- Prior to construction or grading, contractor shall install **6' chain-link** fencing to construct a temporary Tree Protection Zone (TPZ) around each tree or grove of trees as indicated on the tree protection plan. Heavy duty orange poly fencing may be used west of the power lines; fencing shall be securely attached to **metal stakes spaced 6' apart.**
- TPZ fencing shall remain in an upright sturdy manner from the start of grading until the completion of construction. Fencing shall not be adjusted or removed without consulting the project arborist (PA).

Foundation, Grading, and Construction Phase

- **Footings of the proposed retaining wall within 15' of tree #38 shall be dug by hand for the top 3' of soil.** Project arborist (PA) shall be consulted for recommendations if roots $\geq 2"$ in diameter are encountered; footings shall be adjusted to save large roots.
- Fill/grading shall be done by hand within 20' of tree #38 with minimal compaction. Keep fill at least 12" clear of its trunk.
- Arborist shall be on-site during excavation for upper retaining wall by tree #20. Roots $\geq 2"$ diameter shall be cleanly pruned, covered, and kept moist till backfilled.
- If roots $\geq 2"$ diameter are encountered during excavation by trees #34 & 35, they shall be cleanly pruned, covered, and kept moist till backfilled. Provide supplemental irrigation if excavation occurs during summer months.
- Pruning shall be performed by personnel certified by the International Society of Arboriculture (ISA). All pruning shall adhere to ISA and American National Standards Institute (ANSI) Standards and Best Management Practices.
- Should TPZ encroachment be necessary, the contractor shall contact the PA for consultation and recommendations.
- Contractor shall keep TPZs free of all construction-related materials, debris, fill soil, equipment, etc. The only acceptable material is mulch spread out beneath the trees.
- Should any damage to the trees occur, the contractor shall promptly notify the PA to appropriately mitigate the damage.

Landscaping Phase (if applicable)

- TPZ fencing shall remain in place with the same restrictions until landscape contractor notifies and meets with PA.
- **All planting and irrigation shall be kept a minimum of 10' away from native oaks.** All irrigation within the driplines shall be targeted at specific plants, such as drip emitters or bubblers. No overhead irrigation shall occur within the driplines of native oaks.
- All planting within oak driplines shall be compatible with oaks, consisting of plant material that requires little to no water after two years' establishment. A list of oak-compatible plants can be found in a publication from the California Oak Foundation, available at: <http://californiaoaks.org/wp-content/uploads/2016/04/CompatiblePlantsUnderAroundOaks.pdf>

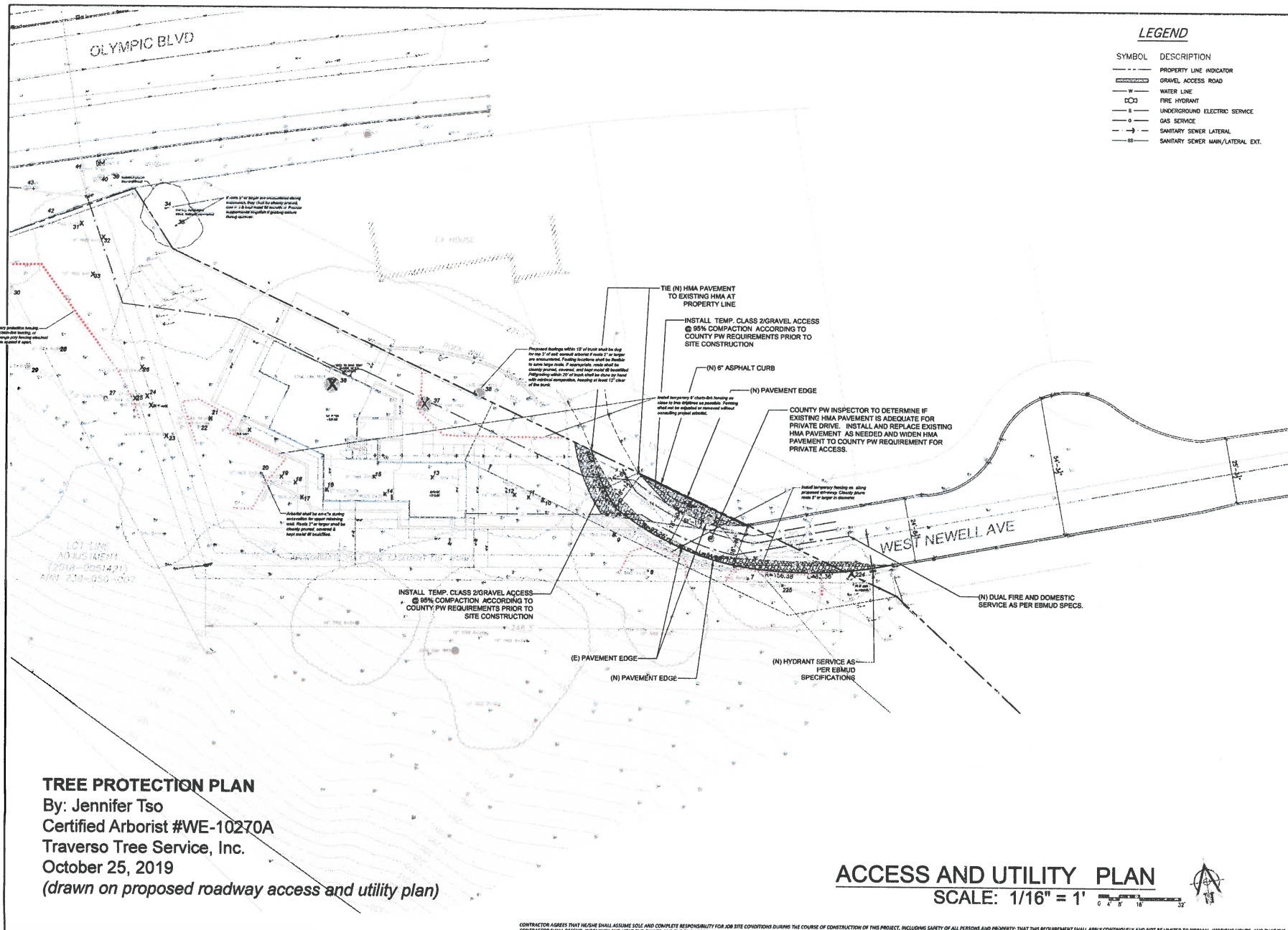
Thank you for the opportunity to provide this report, and please do not hesitate to contact me if there are any questions or concerns.

Please see attached tree protection plans (2 sheets).

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jennifer Tso', with a stylized, flowing script.

Jennifer Tso
Certified Arborist #WE-10270A
Tree Risk Assessor Qualified



LEGEND

SYMBOL	DESCRIPTION
---	PROPERTY LINE INDICATOR
---	GRAVEL ACCESS ROAD
---	WATER LINE
---	FIRE HYDRANT
---	UNDERGROUND ELECTRIC SERVICE
---	GAS SERVICE
---	SANITARY SEWER LATERAL
---	SANITARY SEWER MAIN/LATERAL EXT.



OWNER:
DAVID MONTALVO &
TAMBRI HEYDEN
448 BLUE RIDGE DRIVE
MARTINEZ, CA 94553
(925) 872-5192

PROJECT ADDRESS:
0 W. NEWELL AVE.
WALNUT CREEK, CA 94595
APN: 238-050-007

**ROADWAY ACCESS AND
UTILITY PLAN**
0 WEST NEWELL AVE.

REVISION		
No.	DESCRIPTION	DATE
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PROJECT No.:
DRAWN BY:
CHECKED BY:
DATE: 9/25/19

C.4.1

TREE PROTECTION PLAN
By: Jennifer Tso
Certified Arborist #WE-10270A
Traverso Tree Service, Inc.
October 25, 2019
(drawn on proposed roadway access and utility plan)

ACCESS AND UTILITY PLAN
SCALE: 1/16" = 1'



CONTRACTOR AGREES THAT HE/SHE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY. THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM SOLE NEGLIGENCE OF THE OWNER OR ENGINEER.

Tree Inventory & Assessment Table

DBH (Diameter at Breast Height): Trunk diameters in inches were calculated from the circumference measured at 4.5' above average grade.

Health & Structural Condition Rating

Dead: Dead or declining past chance of recovery.

Poor (P): Stunted or declining canopy, poor foliar color, possible disease or insect issues. Severe structural defects that may or may not be correctable. Usually not a reliable specimen for preservation.

Fair (F): Fair to moderate vigor. Minor structural defects that can be corrected. More susceptible to construction impacts than a tree in good condition.

Good (G): Good vigor and color, with no obvious problems or defects. Generally more resilient to impacts.

Age

Young (Y): Within the first 20% of expected life span. High resiliency to encroachment.

Mature (M): Between 20% - 80% of expected life span. Moderate resiliency to encroachment.

Overmature (OM): In >80% of expected life span. Low resiliency to encroachment.

DE: Dripline Encroachment (X indicates encroachment)

CI: Anticipated Construction Impact (L = Low, M = Moderate, H = High)

#	Species	DBH	Health	Structure	Dripline				Age	DE	CI	Comments	Action
					N	E	S	W					
8	Coast live oak (<i>Quercus agrifolia</i>)	10	G	G	10	12	10	10	Y	X	L-M	Power lines overhead. 4' from proposed driveway widening; beyond existing retaining wall.	Install temporary fencing.
224	Coast live oak	5.5, 6.5, 5.5, 3.5, 5.5, 4	G	G-F	10	15	15	15	M	X	H	Appear to have common root system. Power lines overhead. 1' from proposed driveway. There's a 4.5inch oak on hill about 8 ft away towards neighbor.	Remove.
225	Coast live oak	13, 6.5	F	F-P	15	15	15	15	M	X	M	Sparse canopy. Power lines overhead. Appears previously topped at 7'; thinned and has acceptable structure. Partially buried trunk flare. 5' from proposed driveway.	Install temporary fencing. Cleanly prune roots $\geq 2"$ diameter.

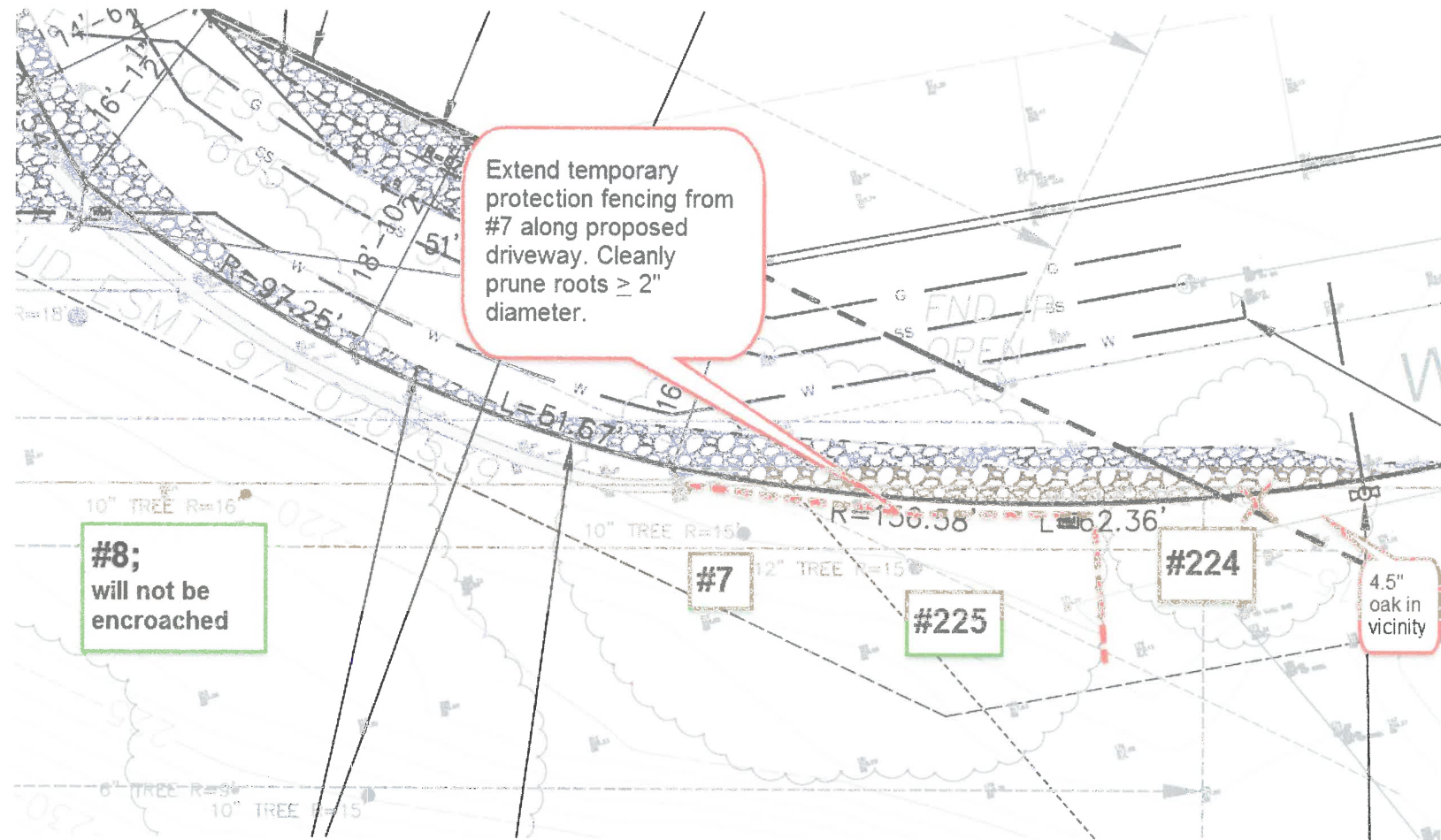
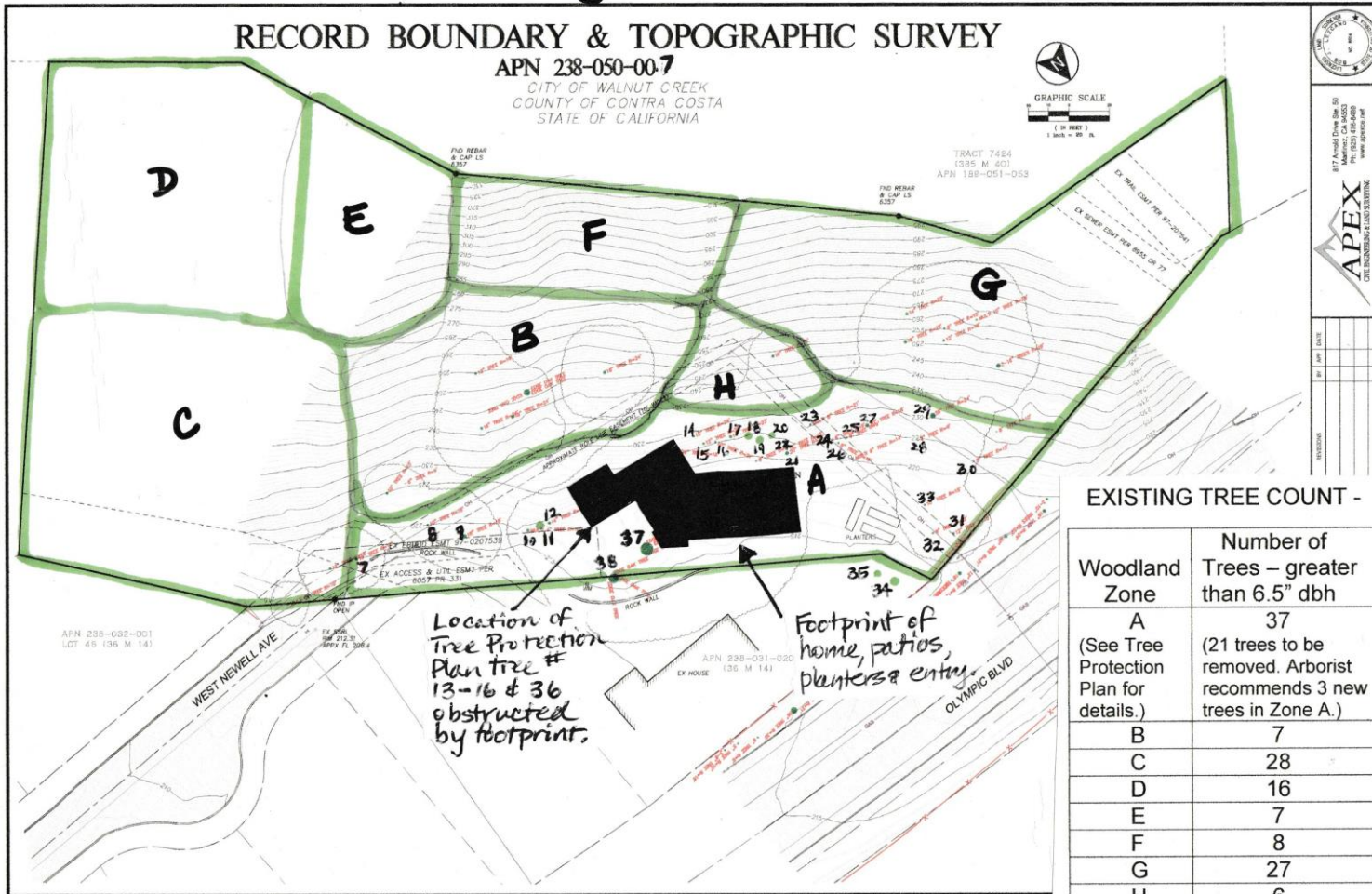


Figure 1. Most recent plan showing new driveway, with updates to tree protection recommendations.

Existing Tree Count



EXISTING TREE COUNT -	
Woodland Zone	Number of Trees – greater than 6.5" dbh
A (See Tree Protection Plan for details.)	37 (21 trees to be removed. Arborist recommends 3 new trees in Zone A.)
B	7
C	28
D	16
E	7
F	8
G	27
H	6
Total existing	136

Susan Johnson

From: Tambri Heyden <tambrij@yahoo.com>
Sent: Tuesday, August 13, 2019 11:00 AM
To: Susan Johnson
Subject: Fw: Discussion with our arborist today regarding W. Newell
Attachments: W Newell potential planting.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

Susan,

Here is our arborist's recommendation regarding number of trees that can be replanted given the extent of the canopy of the existing, mature trees.

Best regards,
Tambri Heyden
(925)-937-5777

----- Forwarded Message -----

From: Jennifer Tso <jennifer@traversotree.com>
To: Tambri Heyden <tambrij@yahoo.com>
Cc: Jennifer Tso <jennifer@traversotree.com>; David Montalbo <2kidsandme@comcast.net>
Sent: Thursday, August 1, 2019, 11:29:16 AM PDT
Subject: Re: Discussion with our arborist today regarding W. Newell

Attached is a sketch of potential locations. I would say a maximum of 3 trees, but they would not be able to meet maximum size. I avoided the utility easement as best I could.

Jennifer Tso
ISA Certified Arborist #WE-10270A
Cell: 925.766.9089 (best) | Office: 925.930.7901
jennifer@traversotree.com

On Thu, Aug 1, 2019 at 10:22 AM Tambri Heyden <tambrij@yahoo.com> wrote:
Jennifer,

Our County planner asked the same thing. We do not have any proposed tree plantings and your memory is correct. We want to keep the setting very natural. In addition, although we will be removing trees, the property will still be quite shady upon home completion given how many trees are on the property.

Best regards,
Tambri Heyden
(925)-937-5777

On Thursday, August 1, 2019, 08:01:00 AM PDT, Jennifer Tso <jennifer@traversotree.com> wrote:

Yes, do you have any proposed landscaping for the site? I recall you were keeping it natural, but if you have proposed tree plantings that should be factored in to their request.

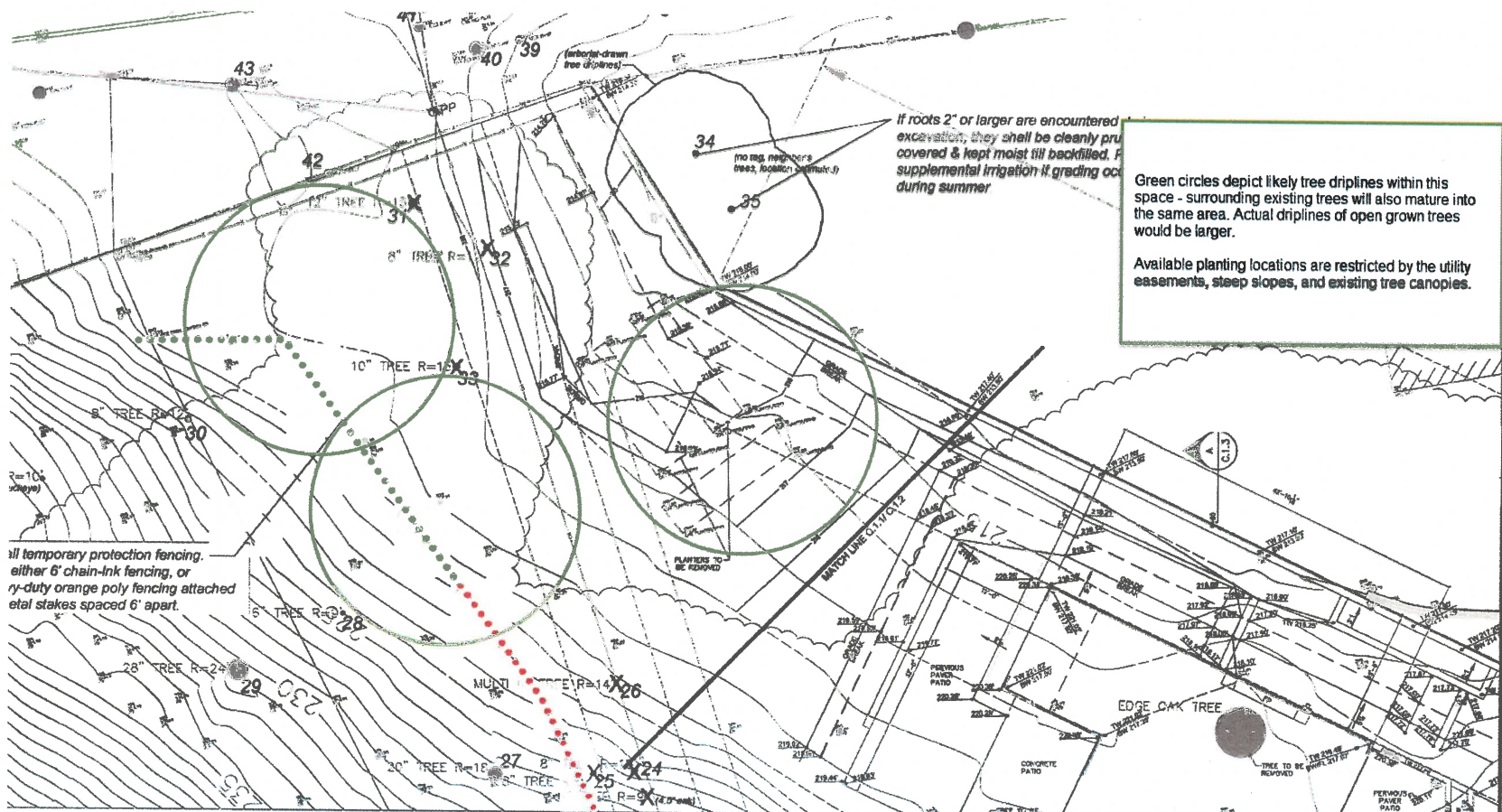
Jennifer Tso

ISA Certified Arborist #WE-10270A
Cell: 925.766.9089 (best) | Office: 925.930.7901
jennifer@traversotree.com

On Thu, Aug 1, 2019 at 2:28 AM Tambri Heyden <tambrij@yahoo.com> wrote:
Hello, Jennifer,

The planner processing our tree permit application contacted me. She asked me whether you could make a recommendation as to how many new trees could be viably planted on our site without competing with the existing trees. This is for the purpose of calculating our tree replacement mitigation since the County does not have an exact equation/ratio, per se. Is this something you could determine?

Best regards,
Tambri Heyden
(925)-937-5777



all temporary protection fencing, either 6' chain-link fencing, or 4' x 4' orange poly fencing attached to stakes spaced 6' apart.

If roots 2" or larger are encountered in excavation, they shall be cleanly pruned, covered & kept moist till backfilled. If supplemental irrigation is required during summer.

Green circles depict likely tree driplines within this space - surrounding existing trees will also mature into the same area. Actual driplines of open grown trees would be larger.

Available planting locations are restricted by the utility easements, steep slopes, and existing tree canopies.

PLANNING GRADING PLAN

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TREE PROTECTION PLAN - 2 of 2
 By: Jennifer Tan

PROJECT
 DRAWN B
 CHECKED

Susan Johnson

From: Jennifer Tso <jennifer@traversotree.com>
Sent: Thursday, October 03, 2019 7:40 AM
To: Tambri Heyden
Cc: Jennifer Tso; Susan Johnson
Subject: Re: W. Newell Avenue, Walnut Creek - SITE PLAN, FLOOR PLANS AND ELEVATIONS

Follow Up Flag: Follow up
Flag Status: Flagged

If open trench, confirmed.

Jennifer Tso
ISA Certified Arborist #WE-10270A
Cell: 925.766.9089 (best) | Office: 925.930.7901
jennifer@traversotree.com

On Thu, Oct 3, 2019 at 1:44 AM Tambri Heyden <tambrij@yahoo.com> wrote:
Hello, Jennifer,

Thank you for taking the time to quickly review my 9/24/19 request. Attached is a new drawing we had to prepare for Contra Costa County Fire for them to approve our access and water service designs. On it, our civil engineer has added the full length of the gas line, which connects to the service at the house that was already shown on our original architectural sheet A-2 and all the civil engineering plans. The latter plans were the drawings you had reviewed and from which you prepared your arborist report.

I'm sending this new drawing to you just to verify that all three of your provisos stipulated in your 9/25/19 email below are in fact true. Therefore, based on this email, you are stating that tree #37 cannot be preserved.

Best regards,
Tambri Heyden

On Wednesday, September 25, 2019, 12:22:35 PM PDT, Jennifer Tso <jennifer@traversotree.com> wrote:

Tambri, I see the gas service as it attaches to the home, and the EBMUD easement. towards W Newell. I don't see a location for the proposed trench. If (1) the trench is aligned with the side of the house and goes right by the trunk, (2) the trenching depth extends to 3' below grade, and (3) the utility must be installed via open trench, then yes - the tree will need to be removed as it will be structurally compromised and is highly likely to fall over.

Also, re: exploratory trenching, I do not have to be present for it, only to review the findings. That doesn't matter if you are not doing it, but just fyi.

Let me know if you have any questions.

Jennifer Tso
ISA Certified Arborist #WE-10270A
Cell: 925.766.9089 (best) | Office: 925.930.7901
jennifer@traversotree.com

On Tue, Sep 24, 2019 at 2:21 PM Tambri Heyden <tambrij@yahoo.com> wrote:
Jennifer,

As per our phone discussion within the past two weeks in response to County Planning staff's 9/10/19 emailed request for us to consider preserving tree #37, you had indicated that investigative digging in your presence would be necessary in order to determine for certain whether our proposed home design would prevent tree #37 from being saved. Although during our phone discussion with you at that time, we agreed to move forward with investigative digging, David and I have re-reviewed our plans and have determined that given the proposed gas line service to the home, reflected on sheet A2 and sheet C.1.1 of our plans, tree #37 cannot be saved, regardless of the results of investigative digging around this tree, because the underground gas line will be within 2.5' from the base of tree #37.

The gas service location cannot change because the service comes from W. Newell Avenue, from the east. Due to PG&E's requirements, the gas line cannot be located on the south side of the home since PG&E does not permit gas lines next to drainage or wet utilities. Given the narrow width (north to south) of the buildable area of the lot, due to the steep hillside and the location of existing, heavy overhead power lines, our south retaining wall is 5 feet from the house. Within this 5 feet is a footing 3 feet from the building foundation and where the drainage must be located in order to meet the County's storm water requirements.

Jennifer, can you please re-look at sheet C.1.1 and the attached sheet A2, showing the gas service location and provide me something in writing indicating whether this gas service location precludes preservation of tree #37?

Best regards,
Tambri Heyden
(925)-937-5777



January 23, 2020

Tambri Heyden
925-937-5777 | tambrij@yahoo.com

Re: Response to recommendations by neighbor's arborist, re: 0 West Newell Avenue, Walnut Creek

Dear Tambri,

Per your request, I reviewed the review letter by McNeil Arboricultural Consultants LLC, dated 12/20/19. This letter comprises my responses to selected items, as discussed during our phone conversation last week.

Comment item #1 states that all trenching for utilities within 20' of tree #38 must be conducted with airspade, or to allow no utility trenching within 20' of the tree.

- Airspades are useful in that they permit excavation around trees without damaging small roots. However they are specialized tools that most contractors do not own, nor are they readily available (if at all) for rental. An acceptable alternative to the use of an airspade is to perform all trenching by hand, as long as the roots are not damaged in any way (e.g. bark damage from shovels/picks). Roots smaller than 2" diameter can be removed to allow access around the larger roots.

Comments #6 & 8 are related, in that the recommendations in comment #8 inform the recommendations of comment #6. Both discuss the retaining wall footings (piers) by the oak. Comment #8 specifies that air excavation should be used to dig a trench along the proposed wall, with the following dimensions: 10' long, width of the piers, 3' deep.

- As with comment #1, hand digging may be used in lieu of air spade excavation, once again assuming that the roots remain undamaged during the course of excavation. Pre-construction exploratory trenching is useful in that the pier locations can be determined in advance, and an arborist can review and make recommendations for pier placement (and pre-prune roots if needed).
- The pier locations could also be excavated by hand during construction for the upper 3' of soil. If roots $\geq 2"$ in diameter are encountered, the pier locations shall be flexible so that they can be shifted to preserve the large roots. I recommend having an arborist on-site during this process to assess roots; selected large roots may need to be pruned to accommodate piers if they cannot be shifted far enough to preserve all large roots.

Please let me know if you have any questions.

Sincerely,

Jennifer Tso
Certified Arborist #WE-10270A
Tree Risk Assessor Qualified

From: [REDACTED]
Subject: Fwd: Letter
Date: [REDACTED]
To:

TP19-0036

CONTRA COSTA

2019 NOV - 5 AM 11:02

APPLICATION & PERMIT CENTER

DM



2987 Bella Drive
Concord, CA 94519

Cell: 925-818-0570
Email: cyrreen@hotmail.com

November 5, 2019

City of Walnut Creek
1666 North Main Street
Walnut Creek, CA 94596

RE: Tree removal, 0 west Newell Avenue Project

Dear Sir or madam,

This letter is to let you know that we agree with the developer in removing the tree #37. This tree will be within 5 feet of the new foundation and may effect the foundation integrity in the future.

Thank you very much for your consideration, and if you have any questions please don't hesitate to call me at (925)818-0570.

Sincerely yours,

Cyrus Mashhoodi, PE



Contra Costa County



Fire Protection District

P2019-01643 LD-RES

9/30/19

F.D. Permit Number

Date

Description of Work: <u>New Single Family Res</u>			
Project Name: <u>W. Newell</u>	Address: <u>O W. Newell</u>		Suite: _____
City: <u>Walnut Creek 94595</u>	Additional Info: <u>NONE</u>		
Company: <u>N/A</u>	Address: <u>1731 First Ave</u>		
Contact Person: <u>David Montalbo</u>	Phone No. () _____	Lic# / Type _____	
City: <u>Walnut Creek</u>	State: <u>CA</u>	Zip: <u>94597</u>	Email: <u>zridsandme@comcast.net</u>

APPLICATION SECTION: DO NOT MARK BELOW THIS LINE

We have reviewed the proposed **single family residential** application. Our review is to ensure compliance with the minimum code requirements related to fire and life safety as set forth in the California Fire Code. The following **selected** comments shall apply to this application:

Accessory Dwelling Unit (ADU). Outlined in CA Government Code Section 65852.2; ADU is either attached to the existing dwelling, or located within the living area of the existing dwelling, or detached from the existing dwelling and located on the same lot as the existing dwelling. The increase floor area of an attached accessory dwelling unit shall not exceed 50% of the existing living area with a maximum increase in floor area of 1,200. The total area of the floor space for a detached accessory dwelling unit shall not exceed 1,200 s.f.

Fire Area. The aggregate floor area enclosed and bounded by fire walls, fire barriers, exterior walls or horizontal assemblies of a building. Areas of the building not provided with surrounding walls shall be included in the fire area if such areas are included within the horizontal projection of the roof or floor next above.

Substantial Addition or Expansion. Addition, expansion, remodel, or renovation of any structure where the addition of new fire area exceeds **fifty percent** of the existing fire area.

- ☐ **Accessory Dwelling Unit** as defined by Government Code Section 65852.2 and acknowledged by local planning agency. ☐ Fire sprinklers are **not** required. ☐ Fire sprinklers are **required**.
- ☐ Fire department access **provided / not provided** to within 150 feet of all portions of the subject dwelling. (When fire department access is not provided, fire sprinklers may be used to mitigate lack of access.)
- ☐ New proposed fire area addition or expansion does not exceed 50% of the existing fire area or **substantial addition or expansion** does not exceed 3,600 s.f. **No fire sprinklers required per CCCFPD Ordinance.**
- ☐ An **automatic fire sprinkler system** shall be provided throughout all existing Group R-3 (single family) dwellings where a substantial remodel, addition, or expansion occurs (**new fire area exceeds 50% of existing fire area**) and the new total fire area of the structure exceeds **3,600 square feet**.

(CONTINUED OVER)

Fee computed by: AVS
Received by: AVS

Amount Due: 419
Amount Received: 419

☐ Cash ☒ Credit ☐ Check No. _____

Invoice No. 19-05547

- ☐ Local building department considers the amount of construction to be significant enough to be considered **new construction** – requiring the entire dwelling to be equipped with fire sprinklers.
- ☒ Submit two copies of **fire sprinkler** shop drawing plans, hydraulic calculations, and materials submittal list, conforming to NFPA 13D - 2016 to the Fire District for fire construction permit.

☒ Additional comments: Hydrant & 16' Driveway shall be installed prior to construction.
Hydrant location as proposed is acceptable to the Fire District
Call for inspection of Hydrant & Driveway prior to construction or storage of combustible materials on site

By signing this form, applicant acknowledges they have read the foregoing comments.

Applicant _____ Date _____

☐ No comment on this application. ☒ Comments as noted. ☐ _____

Reviewed by: Todd Schiess Date: 10/7/19

Susan Johnson

From: Schiess, Todd <tschi@cccfd.org>
Sent: Thursday, February 06, 2020 4:23 PM
To: Susan Johnson
Subject: 2776 W. Newell access
Attachments: FPS-020 ACCESS STANDARD + ATTACHMENTS.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Susan,

The Fire District has reviewed and approved the emergency access for the above address.

I've attached the access standard to this email.

Todd



Todd Schiess
Fire Inspector I
Contra Costa County Fire Protection District
4005 Port Chicago Highway, Suite 250
Concord, CA 94520
(925) 941-3300-ext. 1542-desk

Integrity is doing the right thing even when no one is watching. C.S. Lewis

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GEOTECHNICAL STUDY

PREPARED FOR

David Montalbo

PROJECT

NEW HOME CONSTRUCTION

LOCATION

Newell in Walnut Creek

APN # 238-050-007

REPORT DATE

June 18, 2019

PREPARED BY

Bear Engineering Group, Inc.

3530 Kevin Place

Concord, CA

bearengineeringgroup@yahoo.com

[ph: 925-550-7232](tel:925-550-7232)

PROJECT NO.

45-2019-01

Mr. David Montalbo
1731 First Avenue
Walnut Creek, CA 94597

Subject: **Geotechnical Study (New Home Construction)**
Newell in Walnut Creek
APN # 238-050-007

Dear Mr. Montalbo;

We are pleased to present this Geotechnical Study for the proposed improvements located at the subject site. This report describes the services performed and presents our conclusions and recommended geotechnical design criteria for construction.

In our opinion, the site is suitable for the proposed construction, provided the recommendations in this report are integrated into the design and implemented to during construction. We reserve the right to make ancillary recommendations at any time during construction, based on circumstances that may arise during construction.

It has been a pleasure to be of service to you on this project. Should you have any questions concerning the discoveries, recommendations or conclusions of the attached report, please contact this office at your earliest convenience.

Very truly yours,

Bear Engineering Group, Inc.



Mark L. Schroeder, P.E.M.S.G.E.
Principal Engineer

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INTRODUCTION

Section 1.1 - Project Description and Location

The subject site is located between Olympic Boulevard and Boulevard Way intersection as shown as **Figure 1**.

The slope is heavily vegetated with wild grasses, low shrubs and mature trees. The topography of the project area consists of valleys and their surrounding hills and ridges. The hillside consists of nonmarine sandstone with surface feature indicating moderate stability. The site is about 2 ½ acres with 80 percent of the property considered hillside with the remaining portion of the parcel. The remaining 20 percent judged to be flat. To increase the flat portion is planned to be increased by cutting will at the toe of the slope. The two-story residence is will consists of typical wood framing.

Section 1.2 - Purpose

The purpose of this study was to evaluate the soil and geologic characteristics relevant to the improvements of the subject parcel. General foundation engineering design and geotechnical recommendations are provided based on the physical characteristics of the subsurface materials and the geotechnical limitations created by the site's surface features.

Section 1.3 - Scope

The scope of our services for the proposed planned improvement construction, as set forth in our February 25, 2019 agreement included the following tasks as listed below. This phase of the study did not include assessments for toxic substances or soil or groundwater contamination:

- Site reconnaissance to review existing site features and proposed boring locations.
- A subsurface exploration program involving two borings to a maximum depth of 25.0 feet below existing grade unless bedrock refusal was encountered.
- Soil Sampling for classification using ASTM D 2487 procedure.
- Laboratory testing of selected soil samples to evaluate in-situ moisture/density and Unconfined Compression Strength (ASTM 2166) of the subsoil.
- Reviewing of proposed residence layout to provided value engineering
- Review of United States Geological Survey (USGS) Earthquake Hazards Program (2007), to select nearest fault source that could potentially impact the site.
- Provide the near-surface Hazard Response Spectra and Design parameter seismic design criteria and per the International Residential Code (IRC)
- Engineering analyses to develop geotechnical recommendations for design and construction of the project.
- Preparation of this engineering report.

SECTION 2.0 SITE SETTING

Section 2.1- Regional Geology

The subject site is situated within the eastern portion of the San Francisco Bay Area, in the Coast Range Geologic Province of California. The East Bay Hills lie within the region of coastal California referred to by geologists as the Coast Ranges geomorphic province which extends from Southern Oregon to Southern California. The Coast Range landscape is characterized throughout its length by a series of rugged, subparallel, northwest-trending mountain ranges, most of which are structurally influenced by the San Andreas rift zone stimulating mountain ranges and intervening valleys. In general, the area is underlain by Tertiary marine and non-marine sedimentary rocks developed approximately 2 million to 62 million years ago.

Section 2.2- Local Geologic Setting

The project site lies northwest of the San Ramon Valley, which is a basin surrounded by the East Bay Hills that were formed from younger rocks uplifted between the Hayward and Calaveras fault zones. This subject site is underlain by Miocene Series formations. Dibblee (1980) describes the unit below site as being on the cusp of alluvium surficial deposits and nonmarine fossiliferous sandstone from the Miocene period. R.W. Graymer indicates the site is underlain by the Briones Formation as provided in **Figure 2** from the same period.

Section 2.3 - Seismic Setting

The subject property, like all properties in the San Francisco Bay Area, is situated in a very seismically active region. Major fault zones, are fractures in the upper crust, formed when very large blocks of the Earth's lithosphere slide along, over, or under other blocks (the lithosphere is the rigid outer part of the Earth composed of the crust and the upper mantle). The collective motion of the blocks generate shearing forces in the mantle that when released result in rupture producing fault displacements. The sudden release of elastic strain energy that accompanies fault rupture is what causes the ground to shake. Faults are not consider as a single crack in the Earth's crust but actually reflect a very complex systems composed of many faults not all of which are moving at the same time or in the same way.

Table 1 provides estimated magnitude earthquakes from known active quaternary faults in the Bay Area with descriptions of the faults provided in subsequent paragraphs. **Figure 3** illustrates the fault systems relative to the subject site.

The probability is considered to be moderate to high for a major earthquake to occur in the Bay Area within the economic lifetime of the proposed structure. Several active and potentially active faults occur in the region. Geologic references indicate that no fault trace designated active or potentially active passes through the subject property (Graymer, Jones and Brabb, 1994). Table 1 below illustrates the fault systems capable of producing ground shaking at the subject site and there distances to the subject site.

The long-term occurrence of earthquakes modeling was founded on geologic and geophysical observations and constrained by plate tectonics. The Working Group on California Earthquake Probabilities has conducted regional modeling for the known Bay Area Fault Systems. Using this model, the Working Group has developed a map with the probability estimates over a 30-year time period. The map is presented as **Figure 4**.

The Alquist-Priolo Earthquake Fault Zoning Act was passed by the California Legislature in 1972 to mitigate the hazard of surface faulting to structures. Its intent is to increase safety and minimize the loss of life during and immediately following earthquakes by facilitating seismic retrofits to strengthen buildings against ground shaking. The Act addresses only surface fault rupture; it is not

directed toward other earthquake hazards. No faults have been mapped crossing the site, and the site is not within an Alquist-Priolo Special Studies Zone (California Geological Survey [CGS], 2007).

TABLE 1
BAY AREA ACTIVE FAULTS

Faults	Magnitude ELLSWORTH	Distance from Site (miles)	Fault Classification
Calaveras	7.3	6.5 SE	Active
Concord-Green Valley Connected	6.5	5.29 NE	Active
Hayward	7.3	9.2 W	Active
Greenville Connected	6.5	12.3 SE	Active
Mount Diablo Thrust	6.7	6.4 SE	Active
San Andres	8.0	29.9 W	Active
Rodgers Creek	6.7	27.2 NW	Active

- ❖ An “active” fault is defined by the State of California as a fault that has had surface displacement within Holocene time (approximately the last 10,000 years). A “potentially active” fault has shown evidence of displacement during Quaternary time (approximately the last 2 million years). The fault classifications are derived from the Fault Activity Map of California and Adjacent Areas (Jennings, 1994).
- ❖ Moment magnitude (Mw) is related to the physical size of a fault rupture and movement across a fault. Moment magnitude provides a physically meaningful measure of the size of a faulting event (CDFG, 1997). The Maximum Moment Magnitude Earthquake, derived from the joint CDMG/USGS Probabilistic Seismic Hazard Assessment for the State of California (USGS, 1996).

Concord-Green Valley: The Concord Fault is a Holocene active dextral strike-slip fault characterized by aseismic creep (rate 3.0 mm/yr. to 3.5 mm/yr.; Galehouse, 2000). Three sections are associated with this fault. Section 1 traverses the town of Concord and borders the western side of Lime Ridge. The northern end of the fault is assumed to connect with the Green Valley fault. The southern extent is relatively unknown but is thought to be connected to Mt. Diablo Thrust Dibblee (1980, c). Extending from Lime Ridge to the southern extent of the fault, the Concord Fault is delineated by a southwest-facing escarpment along the west side of Lime Ridge. Schwartz, 2008, suggests the activity on the fault to be during the Holocene age. The 2003 Working Group for California Earthquake Probability assigned a 4% probability that the Concord-Green Valley Fault system would produce a magnitude 6.5 or greater earthquake in the next 30 years.

Calaveras Fault: Historically active major dextral strike-slip fault that is part of the larger San Andreas Fault system. The fault zone extends for about 90 miles from the San Ramon area southeast to about 19 miles south of Hollister. The fault is divided into 4 sections from north to south they are the Northern Calaveras, Central Calaveras, Southern Calaveras, and Paicines sections. North of Calaveras has a slip rate of 5-6 mm/yr. (Kelson and others, 1996).

Greenville Clayton Section: Historically active dextral strike-slip faults located in the Diablo Range. The fault zone extends from northwest of Livermore Valley along the Marsh Creek and Clayton faults towards Clayton Valley. Wright and others (1982) reported that fault-related topographic features are poorly developed and differ significantly from the Marsh Creek-Greenville segment. Colburn (1961) reported that the Clayton section is generally characterized by subdued saddles and subdued hill fronts. Unruh and Sawyer (1995, 1998) suggested that slip from the Greenville fault is transferred to the Concord fault along the Mt. Diablo fold and thrust belt and that only minimal slip continues to the Clayton fault.

Hayward Fault: This fault is located in the eastern San Francisco Bay region and generally trends along and bounds the western side of the East Bay Hills (Aydin, 1982). The fault zone has three sections (Working Group on Northern California Earthquake Probabilities, 1996). The segment boundary between the Northern and Southern Hayward faults was long considered to be delineated by the location of the

northern boundary of rupture associated with the Mw~7 1868 earthquake and the southern boundary of rupture associated with the 1836 (Working Group on California Earthquake Probabilities, 1988). The Hayward fault is characterized by fault creep along the Northern and Southern sections. A preferred average creep rate of 4.6 mm/yr. was reported by Lienkaemper and Galehouse (1997).

Mt. Diablo Thrust Fault: The Mount Diablo Thrust Fault is approximately 15 miles long, and dips at an angle of 38 degrees to the northeast. The Mount Diablo Thrust Fault is capable of generating an earthquake of magnitude MW=6.7. The predicted rupture surface begins 5 miles below the surface, and there is thus no surface expression of the fault, and a low likelihood of surface rupture in the event of a large earthquake on the fault. No large historic earthquakes are known to have occurred on the Mount Diablo Thrust Fault. The recurrence interval for large earthquakes along the fault is predicted to be about 400 years.

The peak of Mt. Diablo is the topographic culmination of the northwest-trending Mt. Diablo anticline, a southwest-vergent fold located in a restraining step between the dextral Greenville and Concord faults. Unruh and Sawyer (1997) proposed that Mt. Diablo anticline is a fault-propagation fold developed above a blind, northeast-dipping thrust fault. Based on variations in the geometry of the fold along trend, it is possible that the Mt. Diablo thrust fault is divided into at least two structural segments that are offset in a right-stepping sense. The two segments are informally referred to herein as the "northwest segment" and "southeast segment". The structural boundary between the two segments is interpreted to be near the town of Alamo, and is spatially associated with a northeast-trending alignment of earthquakes informally called the "Alamo swarm" (Oppenheimer and Macgregor-Scott, 1992).

San Andreas Fault: San Andreas Fault zone is the principal element of the San Andreas Fault system, a network of faults with predominantly dextral strike-slip displacement that collectively accommodates the majority of relative N-S motion between the North American and Pacific plates. The San Andreas Fault zone is considered to be the Holocene and historically active dextral strike-slip fault that extends along most of coastal California. The fault zone first gained international scientific attention immediately following the great 1906 San Francisco earthquake.

Lafayette-Reliez Valley Faults: The northern Calaveras fault is transferred to the interior of the northern East Bay hills by a complex system of poorly integrated strike-slip faults and shear zones that are connected by restraining step-overs. At the northern end of the Calaveras fault, the majority of dextral slip steps west across the northeast-vergent Las Trampas anticline onto the dextral Reliez Valley and Lafayette faults. Slip is transferred onto these structures from the Lafayette-Reliez Valley faults through a series of short restraining step-overs in the Briones hills region. Associated crustal shortening is responsible for creating the locally high topography of the Briones hills. The Briones lineament is associated with the "Briones swarm", a cluster of small earthquakes that form a NNW-trending alignment, and which exhibit dextral slip on NNW-striking nodal planes. Lafayette has a very high earthquake risk, with a total of 3,144 earthquakes since 1931. The USGS database shows that there is a 98.87% chance of a major earthquake within 50km of Lafayette within the next 50 years. The largest earthquake within 30 miles of Lafayette, CA was a 6.0 Magnitude in 2017. The Reliez, Southampton and Franklin Faults are for the most part poorly characterized strike-slip faults but may contribute to the approximately 4 to 7 mm/yr. of distributed dextral slip between the northern Calaveras and Concord faults.

Franklin Fault: Is believed to be a part of the West Napa fault zone which produced a 6.2 magnitude earthquake in August 2014. This would suggest the Franklin fault (FF) in combination with the (WNFZ) the fault system is at least 75 km. Previously published potential-field data indicate that the WNFZ extends northward to the Maacama fault (MF), and previous geologic mapping indicates that the FF extends southward to the Calaveras fault (CF); which would increase the fault zones length by 110 km.

Rodgers Creek Fault: The northern continuation of the Hayward fault, the Rodgers Creek fault extends from San Pablo Bay through Santa Rosa. Like the Hayward fault, the Rodgers Creek is one of the most active in the Bay Area. Estimated slip rates are 9 mm/yr. Hayward-Rodgers Creek fault zone is ~190 km, extending from Alum Rock in the south to just north of Healdsburg. The ability of an earthquake on the Hayward fault to continue onto its northern extension along the Rodgers Creek fault (or vice versa) greatly depends on the geometrical relationship between these faults beneath San Pablo Bay.

In general, the rupture displacement in an earthquake is typically about 1/20,000 of the rupture length. The rupture velocity is about 3 km/s, so the rupture duration in seconds is given by fault length in kilometers divided by 3.

Section 2.4 Surface Fault Rupture

Based on the information provided in Hart and Bryant (1997), the site is not within an Alquist-Priolo Earthquake Fault Zone. Based on our review of the Graymer et. al. geologic maps for the area, no known active, or potentially active faults cross or project toward the site. Additionally, no evidence of active faulting was visible on the site during our site reconnaissance, therefore, it is our opinion that the potential for fault-related surface rupture at the site is low.

SECTION 3.0 - SITE EXPLORATION AND LABORATORY TESTING

Section 3.1 - Field Exploration

Field exploration of the site was conducted on June 6, 2019, consisting of two (2) exploratory boreholes to a maximum depth of approximately 17-feet below existing grade. The Boring locations are presented as **Figure 8** Borings were drilled using a truck-mounted drilling unit with a 4-inch solid stem auger. Samples were obtained by driving a 2-inch Modified California Sampler at 18-inch intervals into underlying soil using a 140-pound hammer free falling 30-inches. The number of blows required to drive the sampler was recorded in 6-inch penetration intervals. The last 12 inches of penetration is provided on the Log of Borings as penetration resistance per foot. Blow counts provided have been corrected for energy efficiency. The boring was backfilled with Portland cement by the tremmie method. Description and identification of the samples were conducted in the field using ASTM D2488 and D2487 methods provided as the Log of Borings **Figure 9 and 10**.

Section 3.2 - Laboratory Testing

Laboratory testing was conducted on selected soil samples to obtain data on density, moisture content (ASTM D2167), and soil description and identification (ASTM 2488). Laboratory test results are presented on the Log of Test Borings.

SECTION 4.0 - SURFACE AND SUBSURFACE CONDITIONS

Section 4.1 Subsurface Conditions

Boring 1: Encountered yellow brown very hard dense sandstone from the surface to 3 feet at which point the drilling rig was unable to penetrate.

Boring 2: Was founded in the flat area about 10 feet north of toe of the existing hillside. Surface soil from 2 to 8 feet was classified as yellow to medium brown, moderately dense sandy loam Alluvium deposits. Drilling became more difficult at about 12 feet with sampling at 15 feet indicating yellow brown moderately dense slightly cemented sandstone. This material continued to the refusal depth of 17 feet.

Section 4.2 - Groundwater

No groundwater was found in either boring. However, groundwater conditions can deviate from those conditions encountered at the boring locations. Should this be revealed during construction, Bear Engineering Group should be notified immediately for possible revisions to the recommendations that follow.

Section 4.3 - Liquefaction

Soil liquefaction is a condition where saturated, granular soils undergo a substantial loss of strength and deformation due to pore pressure increase resulting from cyclic stress application induced by earthquakes. In the process, the soil acquires mobility enough to permit both horizontal and vertical movements if the soil mass is not confined. Soils most susceptible to liquefaction are saturated, loose, clean (relatively free of clay), relatively young and fine-grained sand deposits. The condition therefore requires the coexistence of susceptible soils, strong ground motions, and shallow groundwater. Within alluvial deposits, sand units conducive to liquefaction may occur as broad layers; confined lens shaped bodies or elongated sinuous channel deposits. The thickness of such units can vary significantly as well. In areas where strong seismic shaking has occurred, clean and loose gravel deposits have been known to liquefy as well. The primary factors affecting liquefaction potential of a soil deposit are:

1. Level and duration of seismic ground motions
2. Soil type and consistency
3. Liquefaction of sediment requires that the sediment be water saturated

All sections of the San Francisco Bay region have the potential to be shaken hard enough for sediment to liquefy. Geologic and liquefaction susceptibility mapping (**Figure 5**) indicates the site has a low probability to liquefy. Field exploration and laboratory results confirm this finding.

Section 4.4 - Settlement

All foundations settle to some extent as the earth materials around and beneath them adjust to loads of the building. Where foundation settlement occurs at roughly the same rate throughout all portions of a building, it is termed uniform settlement. Settlement that occurs at differing rates between different portions of a building is termed differential settlement.

The discontinuity of the soil behind the rock wall and native soil lends its self to differential movement as the fill thickness of the level pad is assumed to be reduced where the pad meets the existing slope. Satellite images suggest the undocumented fill behind the wall was placed after 1993. Considering there is no conclusive evidence of densification of the pad materials it is difficult to predict potential settlement. The slopes in the area are prone to movement which could affect vertical displacement.

Section 4.5 – Landslide Evaluation

Two sets of forces compete to shape the hillsides in steep terrain: the load imposed by gravity, which tends to pull the hillside materials downslope, versus the resistance of these materials to moving. Gravitational loading, acting in the downslope direction, is proportional to the weight of the soil. The resistance of slope materials to sliding or other deformation is expressed by shear strength. For most hillslope materials, shear strength is derived largely from the frictional forces between the grains of soil or rock acting normal (perpendicular) to the slope.

A landslide is a downslope movement of rock or soil, or both, occurring on the surface of rupture—either curved (rotational slide) or planar (translational slide) rupture—in which much of the material often moves

as a coherent or semi-coherent mass with little internal deformation. Varying classifications of landslides are associated with specific mechanics of slope failure and the properties and characteristics of failure types. Types of movement are listed below.

1. **ROCKFALL:** Falls are abrupt, downward movements of rock or earth, or both, that detach from steep slopes or cliffs. Triggering mechanism is typically undercutting of slope by natural processes.
2. **TOPPLE:** A topple is recognized as the forward rotation out of a slope of a mass of soil or rock around a point or axis below the center of gravity of the displaced mass. Triggering mechanism sometimes driven by gravity exerted by material located upslope from the displaced mass and sometimes by water or ice occurring in cracks within the mass; also, vibration, undercutting, differential weathering, excavation, or stream erosion.
3. **ROTATIONAL LANDSLIDE:** A landslide on which the surface of rupture is curved upward (spoon-shaped) and the slide movement is more or less rotational about an axis that is parallel to the contour of the slope. Triggering mechanism, Intense and/or sustained rainfall.
4. **TRANSLATIONAL LANDSLIDE:** The mass in a translational landslide moves out, or down and outward, along a relatively planar surface with little rotational movement or backward tilting. Triggering mechanism, primarily intense rainfall, rise in ground water within the slide due to rainfall.
5. **LATERAL SPREADS:** Lateral spreads usually occur on very gentle slopes or essentially flat terrain, especially where a stronger upper layer of rock or soil undergoes extension and moves above an underlying softer, weaker layer.
6. **FLOWS:** A spatially continuous movement in which the surfaces of shear are short-lived, closely spaced, and usually not preserved.

Landslide Susceptibility Maps **Figure 6** characterizes the slopes south of the planned residence as rugged and very steep terrain generally greater the 26 degrees placing the site in category 4 suggesting landslides are probable. This map is based on the presumption that steeper slopes are more probable to movement. The landslide hazard map showing definite landslide or possible impending movement does not identify mapped slide in the general area of the subject site as shown as **Figure 7**.

Section 4.6 - Expansive Soils

Expansive soils are characterized by their ability to undergo significant volume change (shrink or swell) due to variations in moisture content. Changes in soil moisture content can result from rainfall, landscape irrigation, utility leakage, roof drainage, perched groundwater, drought, or other factors and may cause unacceptable settlement or heave of surface structures, concrete slabs supported-on-grade, or pavements.

Section 4.7 - Findings

Based on published data and confirmed by exploratory field results well cemented sandstone is located near the surface above the planned residence on the slope and at about 12-feet in the flat area near the toe of slope. The general area of the flat zone is considered to be alluvium soil based on geologic maps suggesting bedrock may be slightly deeper than 12 feet moving away from the slope. Surface soil did not exhibit significant expansion and contraction capabilities although some minor vertical movement could be

expected. Dynamic resistance, lack of groundwater and laboratory data indicates the site is not likely to liquefy although this is predicated on the magnitude, proximity and increase in ground water levels in the winter. The Lafayette-Reliez Valley Faults to the north are not estimated to deliver significant shaking at the site as the fault length is considered short. The Calaveras and Concord Faults are the two fault systems capable of generating significant ground movement at the site. The Working group of California suggests there is a 63 chance of a 6.7 magnitude earthquake occurring from one of the fault systems listed in Table 1 by 2032. The site is not considered to be not be within an Alquist-Priolo Special Studies Zone and no faults have been mapped crossing the site, suggesting ground rupture conditions to be low. The slope above the residence shows indications of shallow slumps, colluvium soil moving over the shallow bedrock. Slope instability maps classify the slopes as being prone to movement although published Landslide Hazard Maps did not log landslide activity in the general vicinity of the subject site. Based on field observations and exploratory results the slope behind the house does have the ability to flow as surface run-off is typically necked to low surface features which accumulate significant amounts of water and slope inclination will generate moderate to high surface water velocities. Soil in the flat area is considered to be homogeneous but depending on water transport placement the thickness of the material may vary moving away from the toe of slope.

SECTION 5.0 – CONCLUSION

It is our opinion, based on an analysis of the data and information obtained from the site exploration, laboratory testing, and geotechnical evaluation, published data and our experience and knowledge of the soil conditions in the area, the site is geotechnically suitable for the proposed development provided the recommendations contained herein are incorporated into the project designs and adhered to during construction.

The principle adverse geotechnical factors affecting the development of the site are the following;

1. Slope inclinations producing moderately high surface run-off water velocities resulting in erosion and potential earthflow conditions.
2. Differential movement is possible affecting surface structures.
3. Strong ground shaking from a seismic event. The close proximity to the Calaveras or Concord Fault has the potential to induce intense ground shaking as well as the other fault systems described. This may induce seismically related differential movement.
4. Moderate to low potential for expansion and contraction of near surface soil is anticipated.
5. Liquefaction is unlikely based on Filed and laboratory results.
6. The site is not within any current Alquist-Priolo Earthquake Fault Zone. There are no known faults or shear zones extended through the site that would endanger the development due to ground rupture.

SECTION 6.0 – RECOMMENDATIONS

Section 6.1 – Geotechnical Hazards

Risk of geotechnical hazards will always exist due to uncertainties of geologic conditions and the unpredictability of seismic activity in the Bay Area. However, in our opinion, based on available data, there are no indications of geotechnical hazards that would preclude use of the site for the proposed development. The proposed structures should be designed to meet the current International Residential Code (IRC) requirements to limit potential damage from ground shaking and ground failure.

Section 6.2 - Seismic Criteria

The 2012/2015 International Building Code was reviewed to provide the seismic criteria for structural design of the foundation and building. Site Coordinates Latitude, Longitude: 37.8852135, -122.0891651 Risk Category II, Site Soil Classification Site Class D – “- Stiff Soil”

TABLE 2
SIESMIC DESIGN CRITERIA

Site Class	D
Short Period Spectral Acceleration, S_s'	1.771 g
1 sec Period Spectral Acceleration, S_1	0.6 g
Site Coefficient F_a	1.00
Site Coefficient F_u	1.50
Max Short Period Spectral Response Accelerations S_Ms	1.771 g
$S_Ms = F_a \times S_s$	
Max 1 sec Period Spectral Response Accelerations S_{M1}	0.9 g
$S_{M1} = S_{M1} = F_u \times S_1$	
Dampened Design Spectral Response-Short Period	1.18 g
$SD_s = 2/3 \times S_Ms$	
Dampened Design Spectral Response-1 sec Period	0.6 g
$SD_1 = 2/3 \times S_{M1}$	

- **MCEG peak ground acceleration PGA 0.665g**

Severe ground shaking can involve forces that damage structures not designed to withstand them. The estimated peak ground acceleration (10 percent probability of being exceeded in 50 years) in the project area is moderate for California (and high from a national perspective)—in the range of 35–65 percent of the acceleration of gravity (g) (Petersen et al. 1999). Project elements will be designed to withstand such forces.

Section 6.3 - Grading

Final grading plans were not available during preparation of this report. We have provided two grading recommendations provided in the subsequent paragraphs. We expect grading to be limited to preparing the building pad and cutting into the slope to align the planned residence so as to limit tree removal position the residence to blend into the natural topography as much as possible. The following steps will be necessary to accomplish these objectives.

Clearing, Stripping, Grubbing, and Debris Removal

Trees, roots, vegetation, and organic surficial soil shall be removed from structural areas unless specified otherwise by the Geotechnical Engineer or the Engineer's Representative. The depth of organic soil to be removed will be recommended by the Geotechnical Engineer or the Engineer's Representative but, in general, will probably vary from about 4 to 6 inches.

Strippings are defined as surface vegetation and organic surficial soil. Strippings may not be used in fill unless specifically authorized and observed by the Geotechnical Engineer or the Engineer's Representative. Stripping material may be stockpiled for landscaping use, with the approval of the landscape architect. The final clearing, stripping, and grubbing shall be approved by the Geotechnical Engineer before further grading is started.

Concrete pavement, building rubble, concrete foundations, and any other debris noted at or below the existing ground surface should be removed as part of the site preparation for the proposed construction area.

Erosion Control:

The extent and duration of ground disturbing activities during and immediately following periods of rain shall be limited, to avoid the potential for erosion which may be accelerated by rainfall on exposed slopes. Erosion and sediment control plans shall be designed by the Civil Engineer.

To reduce the potential for erosion, all permanent cut-and-fill slopes on-site should be seeded or planted with lightweight, deep-rooting, drought-resistant vegetation. A landscaping expert should be consulted for ground cover recommendations. Excessive landscape irrigation or leakage from irrigation lines can cause localized slope failures. Therefore, irrigation systems for slope vegetation should be designed and maintained to minimize leakage onto graded slopes. Vegetation on natural slopes should remain natural and not be landscaped or irrigated in the same manner as graded slopes.

To minimize erosion during construction the slope shall be protected with erosion control blankets. The mats are designed to increase soil stabilization, decrease the effects of erosion, and allow vegetation to effectively take root. They may be rolled up during construction. Erosion Control specifications are provide in Table 3.

TABLE 3
COIR MAT TECHNICAL SPECIFICATIONS SEMI-PERMANENT CONTROL (4 - 6 YEARS)

Product	Open Area	Weight	Sizes	Uses
Coir Mat 70	50%	20.6 oz./yds ² 700 g/m ³	13.1 ft. x 83 ft. 13.1 ft. x 165 ft.	Slopes: 2:1 or 1:1 Flows: up to 12 fps

The semi-permanent coir mats typically provide erosion control for approximately 4 to 6 years, depending on your area conditions. Coir mats are made with open weaves to allow for reseeding and vegetation both before and after installation. Offering a higher strength design, erosion control mats can accommodate areas with steep slopes and increased water flow.

Building Pad Preparation

We applicable crawl space soil shall be compacted to a depth of 18-inches with materials being re-established to develop a uniform graded area. Soil shall be compacted to a minimum relative compaction of 95 percent at 3 percent over optimal laboratory moisture levels in accordance with ASTM D 1557. Utility trenches outside the limits of the foundation may be compacted to 90 percent relative compaction with the same moisture contents as stated above.

Section 6.4 - Foundation

We understand that the proposed improvements will be of typical wood-framed construction. Anticipated foundations loads are expected to be relatively light. We recommend that the new construction be placed upon a pier and grade beam support system. If another system is desired, this office should be called for supplemental recommendations. Such recommendations would be presented as an addendum to this report. The following foundation recommendations are based on the anticipated soil conditions underlying the project site and building pad preparations as described above.

TABLE 4
PIER AND GRADE-BEAM FOUNDATION DESIGN CRITERIA

Diameter	Minimum 16 in.
Spacing	Minimum 4 pier diameters, center to center. Maximum spacing to be decided by the Project Structural Engineer.
Embedment*	Minimum of 5 feet into acceptable material as determined by our geotechnical engineer or his representative during drilling. We estimate pier depths to vary from 12 to 15-feet depending on location.
Friction Value	Allowable friction value of 500 psf, which may be increased by 1/3 for wind and seismic loads
Passive Value	300 pcf to be taken over 1-1/2 times the pier diameter commencing 3 feet below lowest adjacent grade.
❖ <i>Depth of pier embedment is measured from the bottom of the grade beam and may be changed based on field conditions observed. We should be present during drilling to render any pier depth alteration as necessary.</i>	
❖ <i>Neglect the upper 2-feet in the design calculations for piers.</i>	
❖ <i>Any wall that is incorporated into the foundation of a building or restrained at the top should be designed with a 60 psf uniform lateral surcharge load in addition to the lateral earth pressures given above.</i>	
❖ <i>All basement walls shall be protected with impervious barrier We recommend Mirafi G100N. Drainage panels shall be installed in accordance with manufacture specifications. All walls shall have Caltrans Class 2 filter rock minimum 12 inches thick with minimum 4-inch diameter pipe located at base of wall discharging to suitable location that will not impact future performance of the foundation.</i>	

Estimations of overall settlement are considered to be 1-inch from a seismic event with potential differential settlement of 1/2 inch over a 20 feet distance.

We recommend that all pier holes be cleaned of slough and loose material prior to placing steel reinforcement and concrete. Failure to clean the pier holes adequately may result in significant adverse differential settlement of the foundation or hydro-swell of the pier. We recommend that all piers use a tremmie system for concrete placement in order to assure maximum friction is obtained and to expel any subsurface water encountered during pier drilling. The tremmie hose must maintain a constant head during concrete placement. If groundwater is encountered pier holes shall be pumped free of water and re-drilled as needed to clear loose soil from the base of the pier.

Grade beams shall extend a minimum of 18-inches below lowest adjacent grade to provide greater resistance to water infiltration into the crawl space from exterior storm or irrigation water. The piers and grade beams shall contain steel reinforcement over their entire length with reinforcement as directed by the Project Structural Engineer in accordance with applicable UBC or American Concrete Institute standards. In no case, however, should the grade beams contain less than two No. 5 (grade 60) reinforcing bar (or equivalent steel area) in both the top and bottom of each beam, and the piers should have no less than four No. 5 (grade 60) reinforcing bars. The reinforcement steel for the pier should be tied into the top steel grade beam for continuity and integrity.

Section 6.5 - Concrete Slabs-on-Grade, Floors

We recommend that the minimum slab-on-grade floor structurally independent of the foundation system with a minimum thickness of 6 inches. We recommend minimum reinforcement of No. 4 reinforcing bars spaced at 18 inches on center, or with an alternate reinforcement system as required by the project structural engineer. In general, the reinforcement should be supported by concrete Dobbies to attain its greatest efficiency in minimizing the cracking of the slabs. Crack control joints should be located as directed by the structural engineer.

Concrete slab-on-grade floors should be underlain by a minimum 4-inch-thick layer of Caltrans Class 2 Base rock fill compacted to a minimum of 90 percent relative compaction. If potential moisture vapor transmission through the slab is objectionable, we recommend that an impermeable membrane of STEGO WRAP VAPOR BARRIER (Min 15-MIL) thickness be placed above the base rock overlain by 2 inches of clean sand to assist in proper curing of the slab unless object able by the structural engineer. The membrane should be placed in accordance with the manufacturer's specifications. Any punctures or damage to the membrane that may occur must be repaired in accordance with the manufacturer's specifications. Some moisture transmission should be expected where a membrane vapor barrier is not utilized.

Recommendations presented in the American Concrete Institute should be complied with for all concrete placement and curing operations. Improper curing techniques and/or excessive slump (water-cement ratio) could cause excessive shrinkage, cracking, or curling. Adding more water may make concrete more workable but it also means the drying time can increase to unreasonable levels as the rate of evaporation is dependent on a number of variables.

Section 6.6 - Miscellaneous Flatwork

All exterior concrete flat work shall be structurally independent of the foundation to provide freedom of movement to allow for soil volume changes. All walkways shall be a minimum thickness of four inches and be underlain by a 4-inch thick cushion of "sand or crushed rock". Reinforcement of the walkways shall consist of a minimum No. 3 reinforcement bars placed in a grid pattern at 16 inches on center. Subsoil material shall be moisture conditioned and compacted to a relative compaction of 90 percent at 3-5 percent over optimum moisture values. Ponding of storm or irrigation water adjacent to any structure is prohibited. Walkways shall be designed to slope to area drains or a minimum grade of 2 percent away from structures discharging to a suitable controlled location.

The owners must be advised that some vertical displacement of exterior flatwork should be anticipated. Proper site drainage, maintenance and controlling landscape irrigation is recommended to reduce the amount of vertical displacement that may occur.

Section 6.7 - Retaining Walls

All retaining walls shall be designed for fully-drained conditions. The proposed design should be reviewed by our firm to confirm that the retaining wall configuration is compatible with the assumed parameters. The Table 5 below presents our design criteria recommendations for any retaining wall and applies to walls up to 6 feet in height. Design pressures are expressed as equivalent fluid pressures. Walls greater than 6-feet will be considered on a case by case basis. The conditions provided below are for typical cast-in-place concrete walls. All walls shall rest upon piers in accordance with Section 6.4. It may be necessary to install a diversionary wall on the slope above the residence in the event a earthflow condition develops. This wall is estimated to be 3-5 feet tall with a minimum of 2-feet of freeboard. The grades behind the wall shall be designed to deflect the viscous flow of fine-grained materials away and to an appropriate location which will enable clean-up. The diversionary wall shall be fully drained and founded on piers.

TABLE 5
RETAINING WALL DESIGN CRITERIA

RETAINING WALL DESIGN CRITERIA		
Gradient of Backfill	Equivalent Fluid Weight (pcf)	Friction* Factor
Level	40	.35
3:1 to Level	50	.35
Steeper than 3:1 (Maximum 2:1)	65	.35
<p>❖ <i>Where retaining walls form the base of the structure, deflection calculations or allowance for wall movement should be included in the final planning for the structure. Dynamic uniform Loading .55 H² reversed tri-angular distribution.</i></p> <p>❖ <i>The values provided above are based on implementing Sec 6.3</i></p>		

All retaining walls should be free draining. We recommend installing a minimum 4-inch diameter perforated SDR 35 pipe upon 2-inch of Caltrans Class 2 permeable filter rock at the base of the wall. The trench and pipe should be sloped a minimum of 1 percent grade discharging to a suitable outlet location as directed by the Civil Engineer. A minimum of one cleanout shall be placed at the end of any wall. The cleanout shall be installed with a minimum sweeping 45 degree bend. A 12-inch wide minimum section of Cal Trans permeable filter rock should be installed behind the wall extending a minimum of 1 foot below top of wall capped with compacted on-site material to finish surface. Mirror drain shall be used behind structural walls.

An earthen swale or concrete v-ditch is recommended for the diversionary wall.

Section 6.8 - Utility Trenches

All trenches should be backfilled with native materials compacted uniformly in accordance with Section 6.3 of this report. If local building codes require the usage of sand as the trench backfill, all utility trenches entering the building must be plagued with CDF (120 psi minimum (Sand Slurry).

Jetting of trench backfill is not recommended as it may result in an unsatisfactory degree of compaction. All disturbed areas within 5 feet of the foundation from trench excavation, including electric lines, must be reprocessed as engineered fill.

Section 6.9 - Drainage

A five percent gradient should be maintained for landscaped areas immediately adjacent to the structure (within 5-feet). In general, water should not be allowed to collect near the surface of the foundation or floor slab areas of the structures during or after construction. Down-spout locations directed to solid tight-line connections discharging to a suitable location away from the foundation. We recommend sufficient area drain inlets be placed in flat work areas to reduce the potential ponding and the effects of expansion and contraction of the near surface soil in the event of surface water migration. If vegetation must be planted adjacent to a structure, plants that require very little moisture should be considered. Sprinkler heads should not be placed where they would saturate the foundation soil; a drip irrigation system is preferred unless drop inlets or area drains are utilized to control drainage around the foundation.

Future landscaping, construction of walkways, planters and walls, etc. must never modify site drainage unless additional measures to enhance drainage (e.g., area drains, additional grading) are designed and constructed in accordance with an addendum to this report.

Section 6.10 - Excavations

The contractor is solely responsible for protecting excavations by shoring, sloping, benching or other means as required to maintain stability of both the excavation sides and bottom. Bear Engineering Group does not assume any responsibility for construction site safety or the activities of the contractor. There shall be no vertical cut close steeper than 2.75H:1V under any circumstances.

If excavations are made during the rainy season (normally from November through April), particular care shall be taken to protect slopes against erosion. Measures to help mitigate erosion, such as the installation of berms, plastic sheeting, or other devices, may be warranted.

Section 6.11 - Plan Review

The city or county may require a Plan Review prior to approving the submitted design drawings and construction documents. Please note this is not free.

Section 6.12 - Construction Observations

Our representative must be present during grading to observe the work performed and to perform whatever testing is necessary to properly evaluate the quality of the materials and their relative compaction. Foundation observation by our representative is recommended so that the foundation excavations are excavated to the design depth for proper bearing into the underlying materials. The depth of the foundations is dependent upon site grading and other unforeseen local anomalies, and thus the actual depths may vary. Please note if the City of Berkeley inspector allows for the placement of concrete for piers without Bear Engineering Groups inspections our insurance will not cover the project and the city shall assume full responsibility for the foundations. WE MUST BE NOTIFIED DURING PIER DRILLING NO EXCEPTIONS for the purpose of logging piers.

At the completion of site grading operations and foundation excavations, we will submit a report that summarizes the work observed and the results of all tests performed by our firm during the construction phase of the project, along with any supplemental recommendations that may be warranted. To allow

proper scheduling so that our personnel are present at the job site when needed, we should be furnished no less than 2 working days advance notice of when work requiring our presence will be accomplished.

Section 6.13 - Site Safety

All excavations and site work must comply with applicable local, state, and federal safety regulations. Construction site safety is the responsibility of the contractor, who shall be solely responsible for the means, methods, and sequencing of construction operations. Our services and recommendations for site safety are available upon request and are advisory only and supplemental to current regulatory standards. Bear Engineering Group, Inc. assumes no responsibility for construction site safety or the contractor's activities during any phase of the construction project.

Section 6.14 - Miscellaneous

Our exploration did not reveal the presence of buried items such as leaching fields, septic tanks, storage tanks, etc. at the location of the borings. If such items are encountered during grading or demolition, our firm should be notified immediately to provide recommendations for proper disposal procedures.

SECTION 7.0 - LIMITATIONS

This report has been prepared for the exclusive use of Mr. Montalbo and his consultants for specific application to the proposed development. If changes occur in the nature, design location, or configuration of the proposed development, the conclusions and recommendations contained here shall not be considered valid. Changes must be reviewed by our firm.

The analysis, opinions, conclusions, and recommendations submitted in this report are based in part on the referenced materials, site visit and evaluation, and subsurface exploration. The nature and extent of variation among exploratory borings may not become evident until construction. If variations appear, it will be necessary to re-evaluate or revise recommendations made in this report.

The recommendations in this report are contingent on conducting an adequate testing and monitoring program during construction of the proposed development. Unless the construction monitoring and testing program is provided by or coordinated with our firm, Bear Engineering Group will not be held responsible for compliance with design recommendations presented in this report and other supplemental reports submitted as part of this report. Our services have been provided in accordance with generally accepted geotechnical engineering practices. No warranties are made, express or implied, as to the professional opinions or advice provided. Recommendations contained in this report are valid for a period of 1 year; after 1 year they must be reviewed by this firm to determine whether or not they still apply.

SECTION 8.0 - REFERENCES

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Nilsen, T.H., Taylor, F.A., and Brabb, E.E., 1976, Recent landslides in Alameda County, California (1940-71), U.S. Geological Survey Bulletin 1398, 21 p., scale 1:62,500

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Wayne D Haydron, 1995, Landslide Susceptibility Map Landslide Hazard in the Martinez-Orinda-Walnut Creek area, Contra Costa County, Landslide Hazard Identification Map No. 32. Division of Mines and Geology, Open File Rpt. 95-12, Plate 32A

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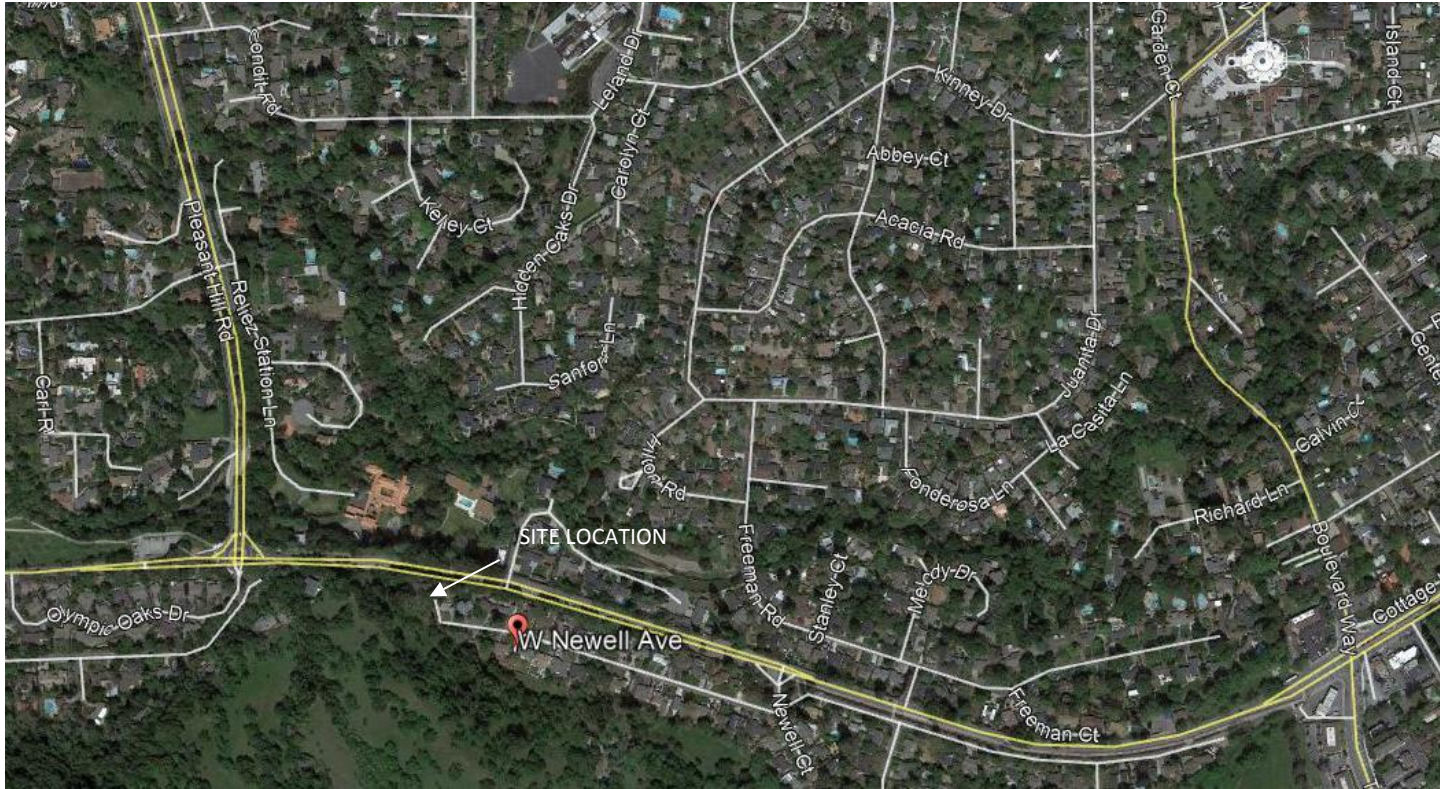
T.H. Nilsen, 1973, Preliminary Photointerpretation Map of Landslide and other Surficial Deposits of the Concord 15-Minute Quadrangle and the West Oakland Richmond and Part of the San Quentin 7 ½ Minute Quadrangle, Contra Costa and Alameda Counties, California, U.S. Department of the Interior U.S. Geological Survey, Misc. Field Studies Map MF-493 Sheet 1 of 2

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Charles W. Jennings and William A. Bryant, 2010, Fault Activity Map of California, California Department of Conservation, California Geological Survey.

William A. Bryant, Ellen F. Sander, and Christopher J. Wills, September 2007, Digital Database for the Concord and Green Valley Faults, U.S. Geological Survey

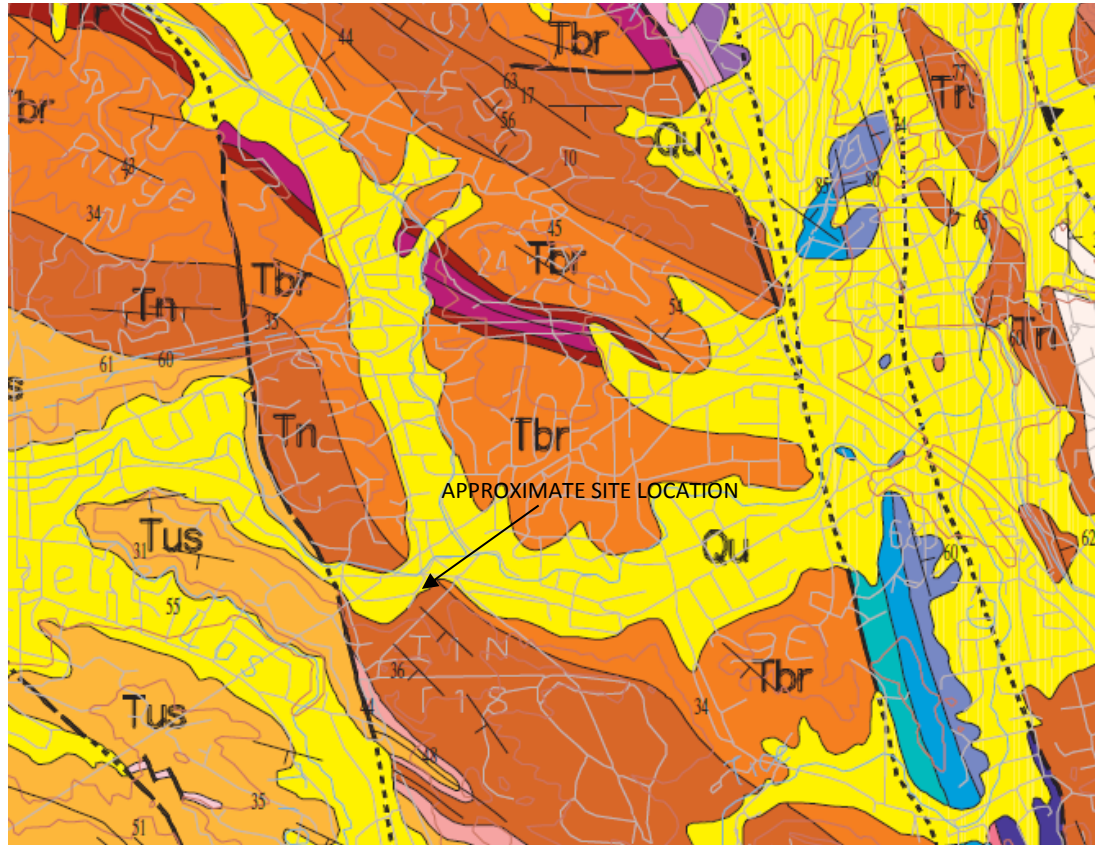
FIGURES



Bear Engineering Group, Inc.

TITLE Vicinity Map
W. Newell
Walnut Creek, CA APN # 238-050-007

SIZE	FIGURE NO.	REV
	1	
SCALE Not to Scale		SHEET



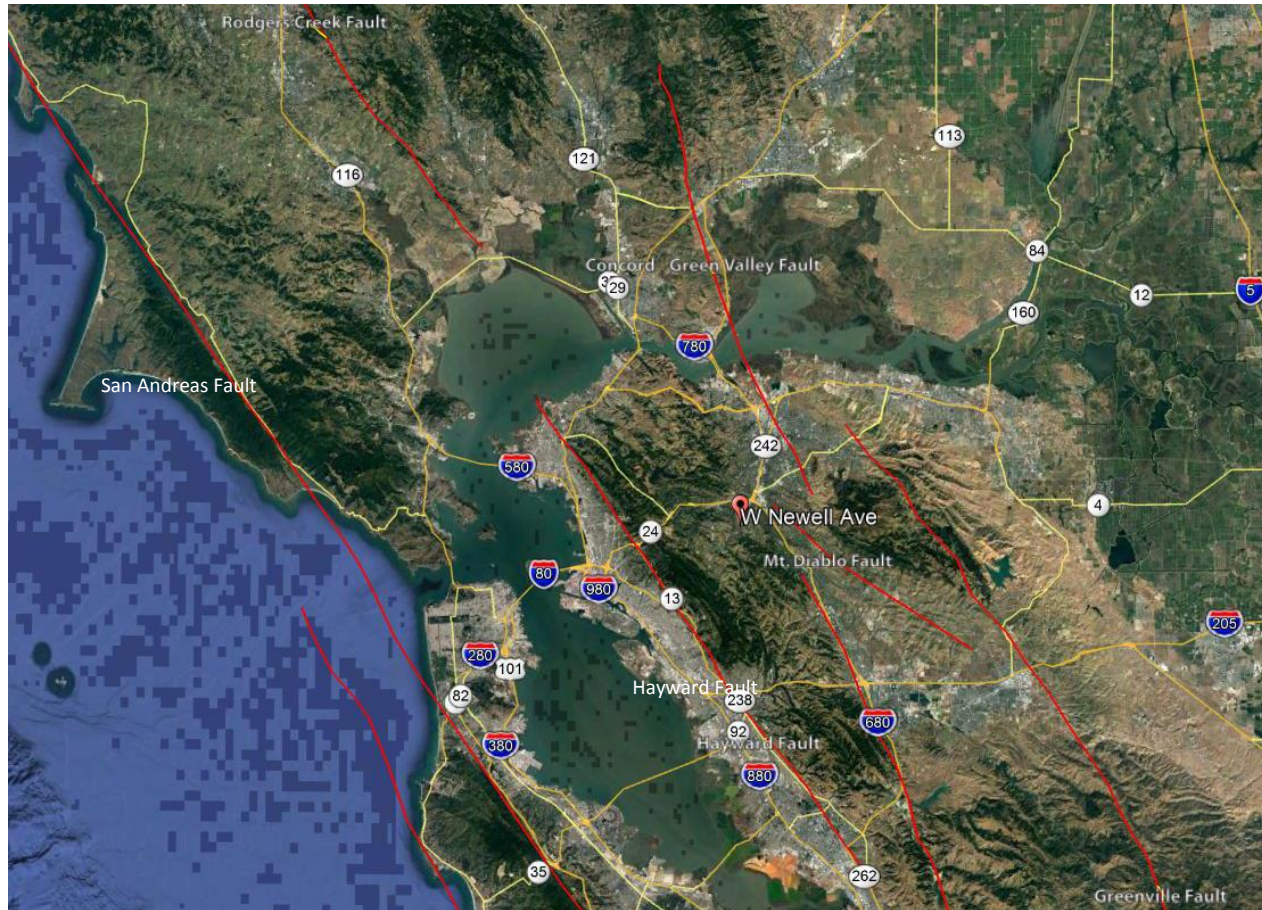
- Qu — Undivided Quaternary deposits
- Tbr — Briones Formation

U.S. Geological Survey
Miscellaneous Field Studies
MF-2342

Bear Engineering Group, Inc.

TITLE Preliminary Geologic Map
W. Newell
Walnut Creek, CA APN # 238-050-007

SIZE	FIGURE NO.	REV
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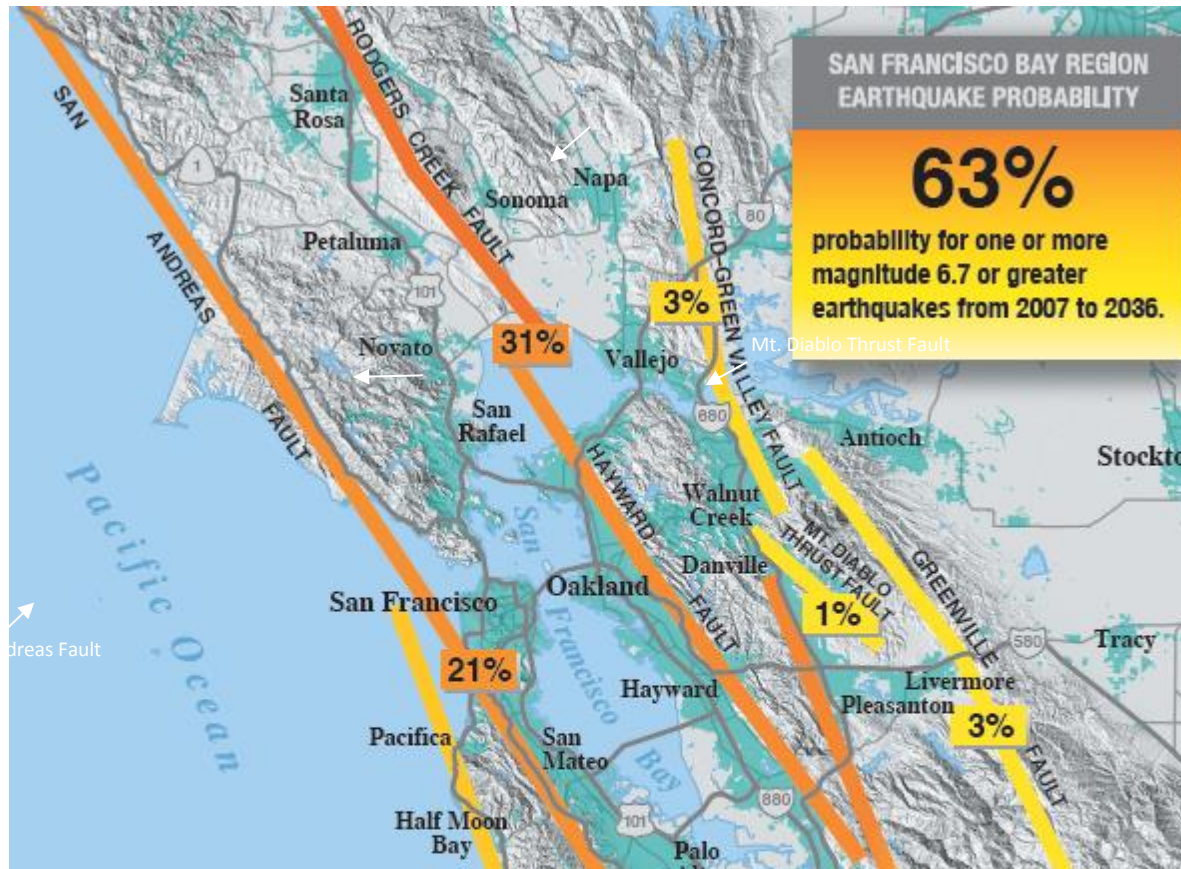
The closest significant fault is the Concord-Green Valley fault is located at about 5.2 km to the east

The San Andreas and Other Bay Area Faults, USGS
CALIFORNIA FAULT PARAMETERS - San Francisco Bay Region". California Geological Survey. 2003

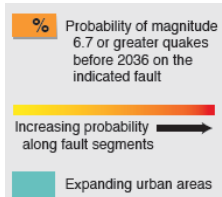
Bear Engineering Group, Inc.

TITLE Bay Area Fault Map
W. Newell
Walnut Creek, CA APN # 238-050-007

SIZE	FIGURE NO. 3	REV
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Legend:



Working Groups on California Earthquake Probabilities 2008

Bear Engineering Group, Inc.

TITLE Probability Map

W. Newell

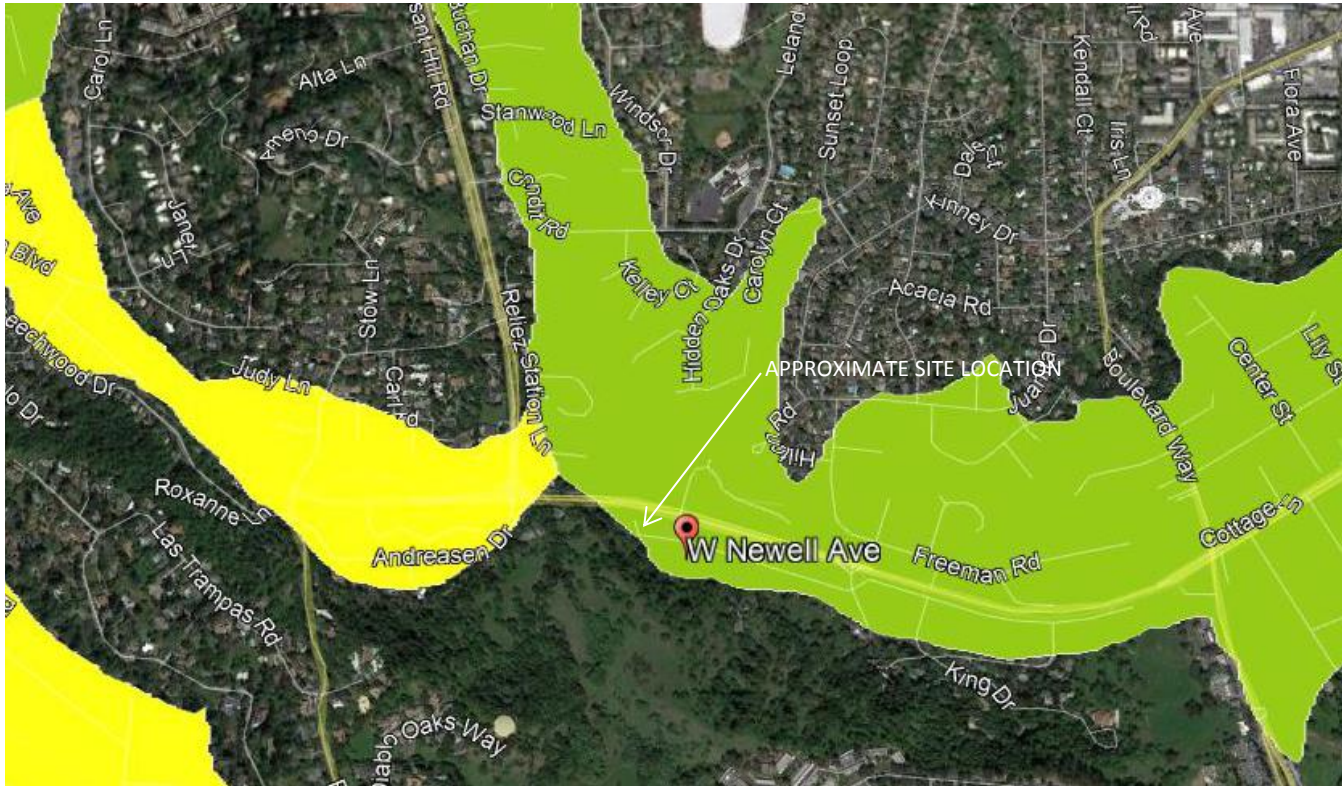
Walnut Creek, CA APN # 238-050-007

SIZE FIGURE NO. 4

REV

SCALE Not to Scale

SHEET



Low Susceptibility

SOURCE: U.S. Geological
Survey Open-File Report 00-
444

Bear Engineering Group, Inc.

TITLE Liquefaction Map

W. Newell

Walnut Creek, CA APN # 238-050-007

SIZE

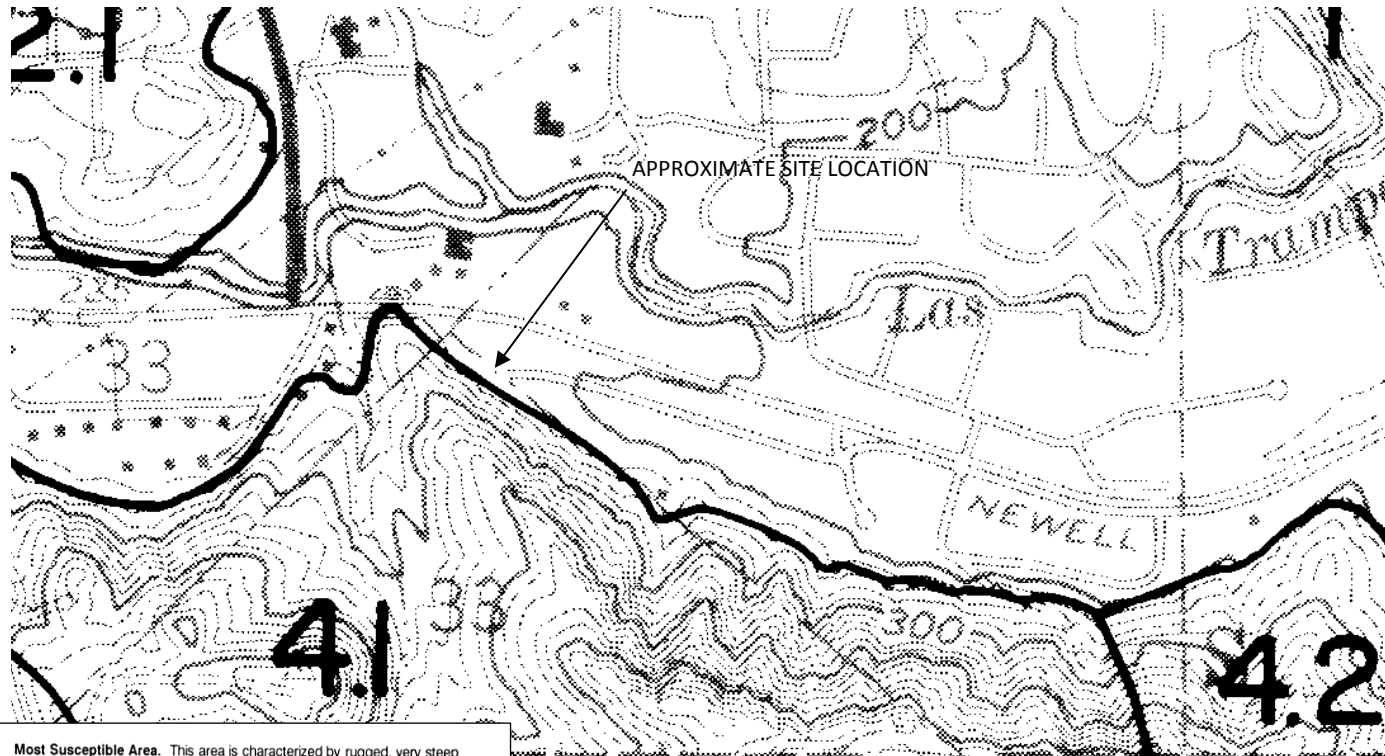
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REV

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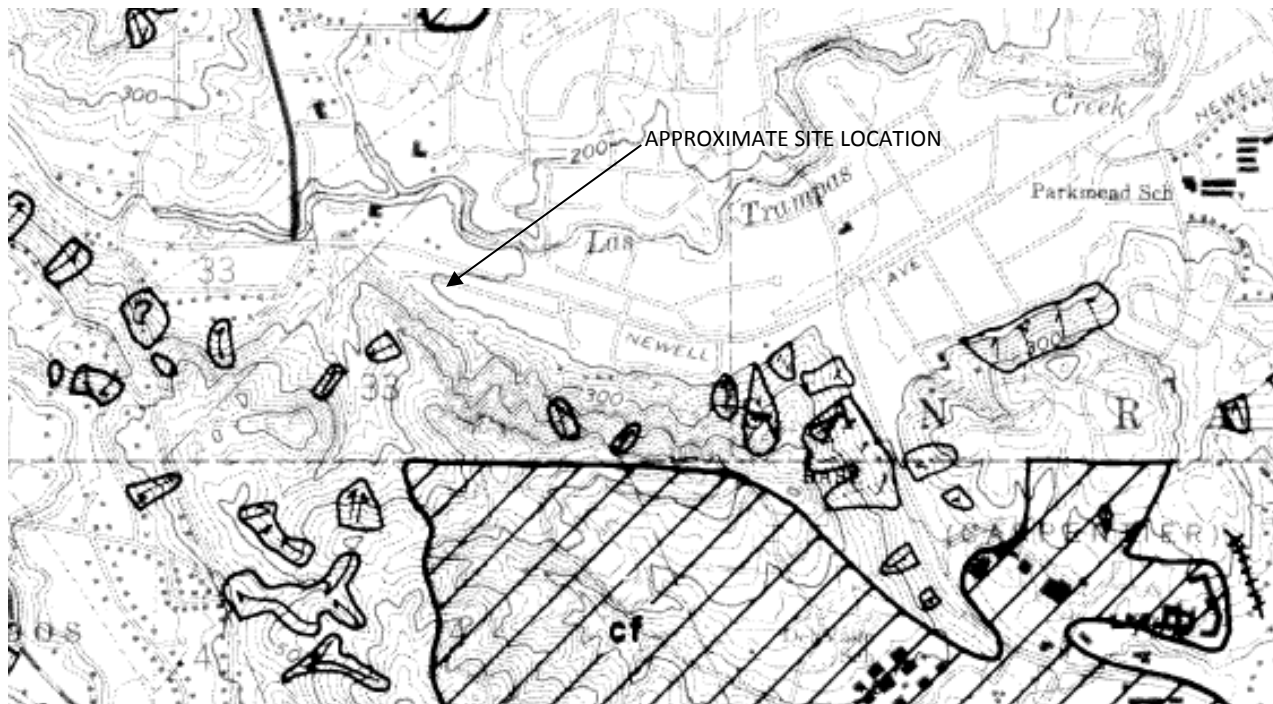
AREA 4 **Most Susceptible Area.** This area is characterized by rugged, very steep terrain, with slopes that are generally greater than 50 percent (26 degrees) and locally 75 percent (37 degrees) or steeper. Most of the identified landslides are within Area 4. This category contains two subareas.

Landslide Susceptibility Map
Landslide Hazard in the
Martinez-Orinda-Walnut Creek
area, Contra Costa County,
Landslide Hazard Identification
Map No. 32. Division of Mines
and Geology, Open File Rpt. 95-
12, Plate 32A

Bear Engineering Group, Inc.

TITLE **Landslide Susceptibility Map**
W. Newell
Walnut Creek, CA APN # 238-050-007

SIZE	FIGURE NO.	REV
	6	
SCALE	Not to Scale	SHEET



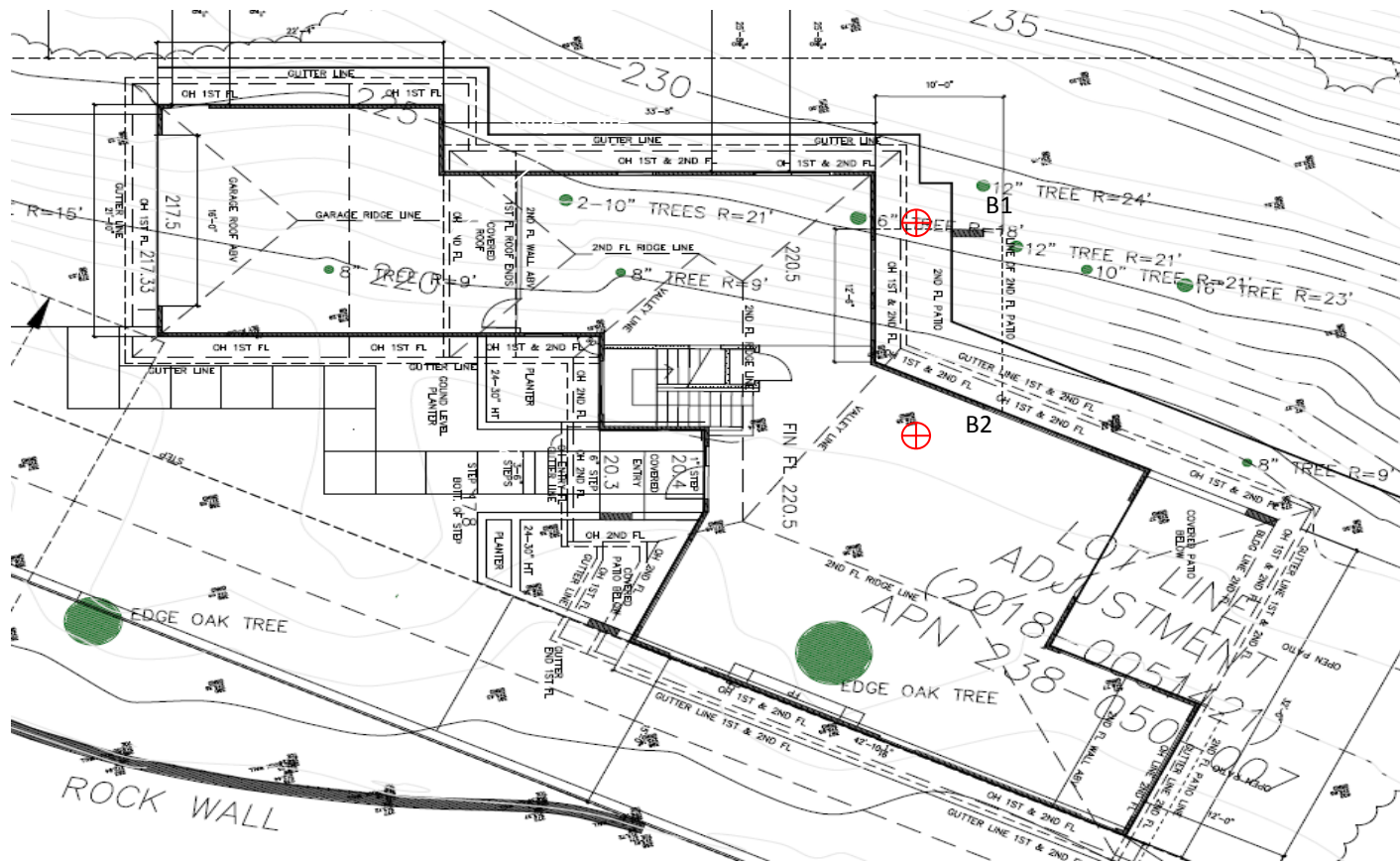
DEFINITE OR PROBABLE LANDSLIDE:

Landslide Hazard Map
Landslide Hazard in the
Martinez-Orinda-Walnut
Creek area, Contra Costa
County, Landslide Hazard
Identification Map No. , Open
File Rpt. 95-12, Plate 32B

Bear Engineering Group, Inc.

TITLE Landslides Hazard Map
Landslide Susceptibility Map
W. Newell

SIZE	FIGURE NO.	REV
	7	
SCALE	Not to Scale	SHEET



Bear Engineering Group, Inc.			
TITLE Boring Location Map Landslide Susceptibility Map W. Newell			
SIZE	FIGURE NO.	8	REV
SCALE	Not to Scale		SHEET

[illegible]

[illegible]

TREE PERMIT APPEAL COUNTY FILE #TP19-0036

0 West Newell Avenue, Walnut Creek

Contra Costa County Board of Supervisors Meeting
Tuesday, February 25, 2020

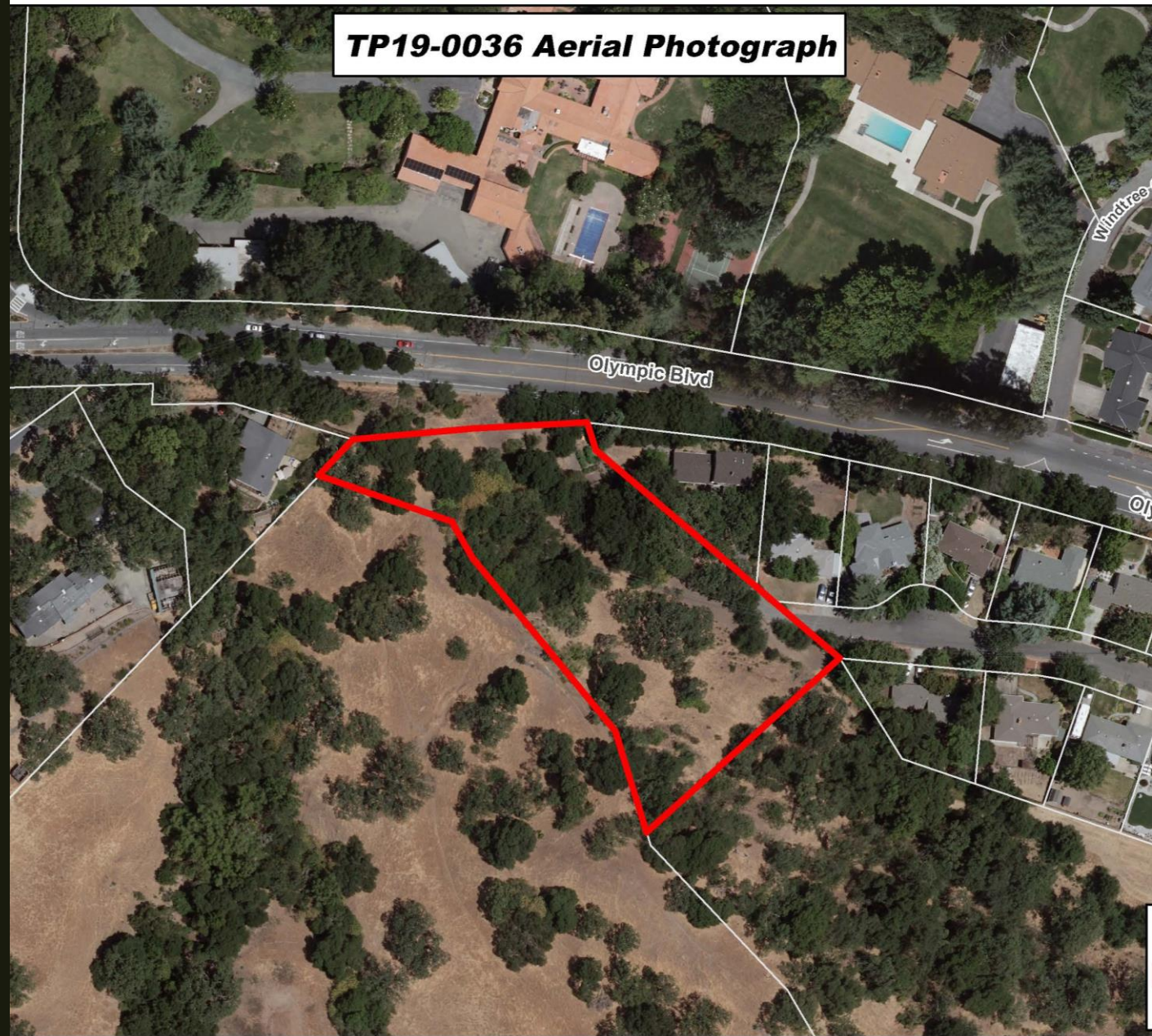
PROJECT DESCRIPTION

An appeal of the County Planning Commission's decision to approve a tree permit to allow the removal of 22 code-protected trees and work within the driplines of six (6) code-protected trees to allow for the construction of a new, two-story, single-family residence vacant parcel.

The subject property is a vacant 2.56-acre parcel located at the end of West Newell Avenue in the Walnut Creek/Saranap area of the County.

AERIAL PHOTO

0 West Newell Ave, Walnut Creek
(2.56-Acre)



0 65 130 260 Feet

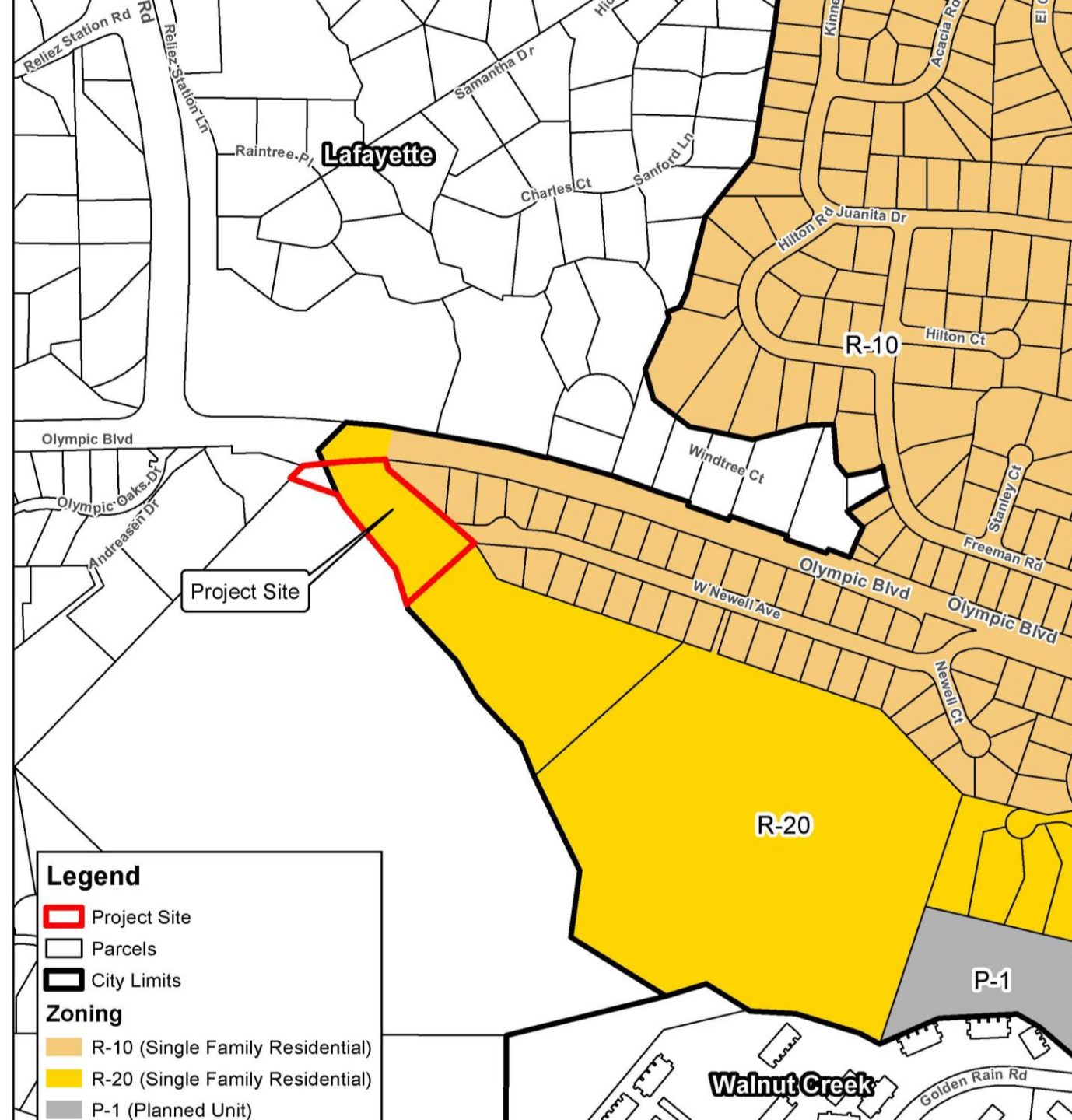
Aerial Photo taken 2014

Map Created 11/21/2019
by Contra Costa County Department of
Conservation and Development, GIS Group
30 Muir Road, Martinez, CA 94553
37.5941, 79.1N 122.0703, 756W

This map was created by the Contra Costa County Department of Conservation and Development with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.

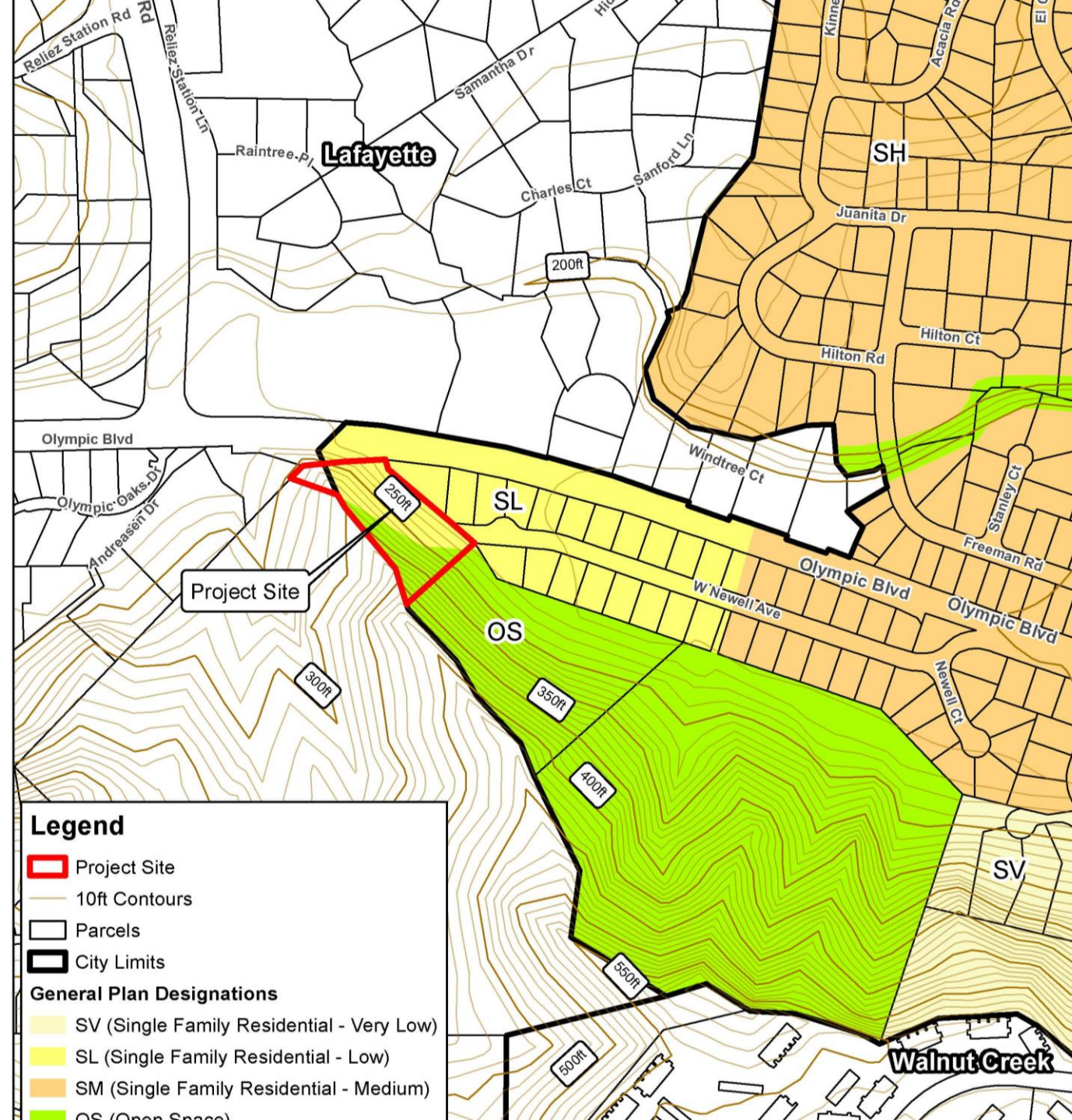
ZONING MAP

R-20 Single Family-Residential



GENERAL PLAN MAP

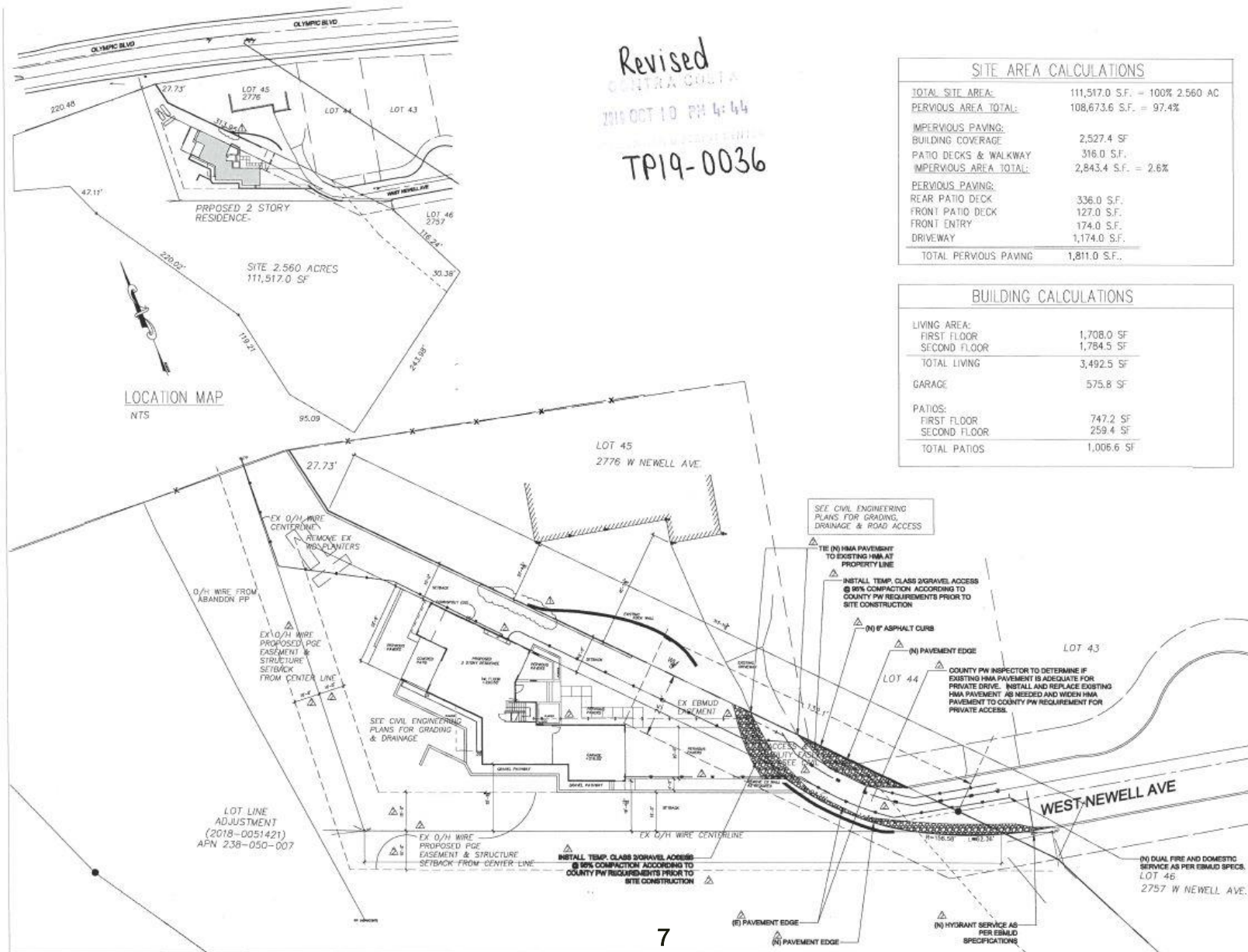
Single-Family Residential Low-Density (SL)
and Open Space (OS)



BACKGROUND

- On July 18, 2019, a tree permit application for the removal of 21 code-protected trees and for work within the driplines of four (4) code-protected trees in order to allow the construction of a new single-family residence was submitted to DCD.
- On August 26, 2019, during the public notification period for the tree permit, an appeal of the Zoning Administrator's tentative approval was received by DCD.
- While on appeal, changes were made to the project description based on a widening of the driveway on the eastern side of the property, adjacent to West Newell Avenue. As a result of the widened driveway, one (1) additional multi-stemmed coast live oak tree is proposed for removal and work will also occur within the driplines of two (2) additional coast live oak trees bringing the total of trees to be removed to 22, and 6 to be impacted.
- On December 11, 2019, the appeal was heard by the County Planning Commission. At the hearing the Commission voted 4-3 to deny the appeal and uphold the Zoning Administrator's decision. The Commission also added a condition of approval requiring that the trees not be removed until a building permit for the new residence has been issued.
- On December 20, 2019 and on December 23, 2019 appeals of the Planning Commission's decision were received from Patricia McGregor and William Schultz, and from Bronwyn Shone respectively.

SITE PLAN

[illegible]

△ 8/5/19 planter removed

△ 8/5/19 planter removed
△ 10/3/19

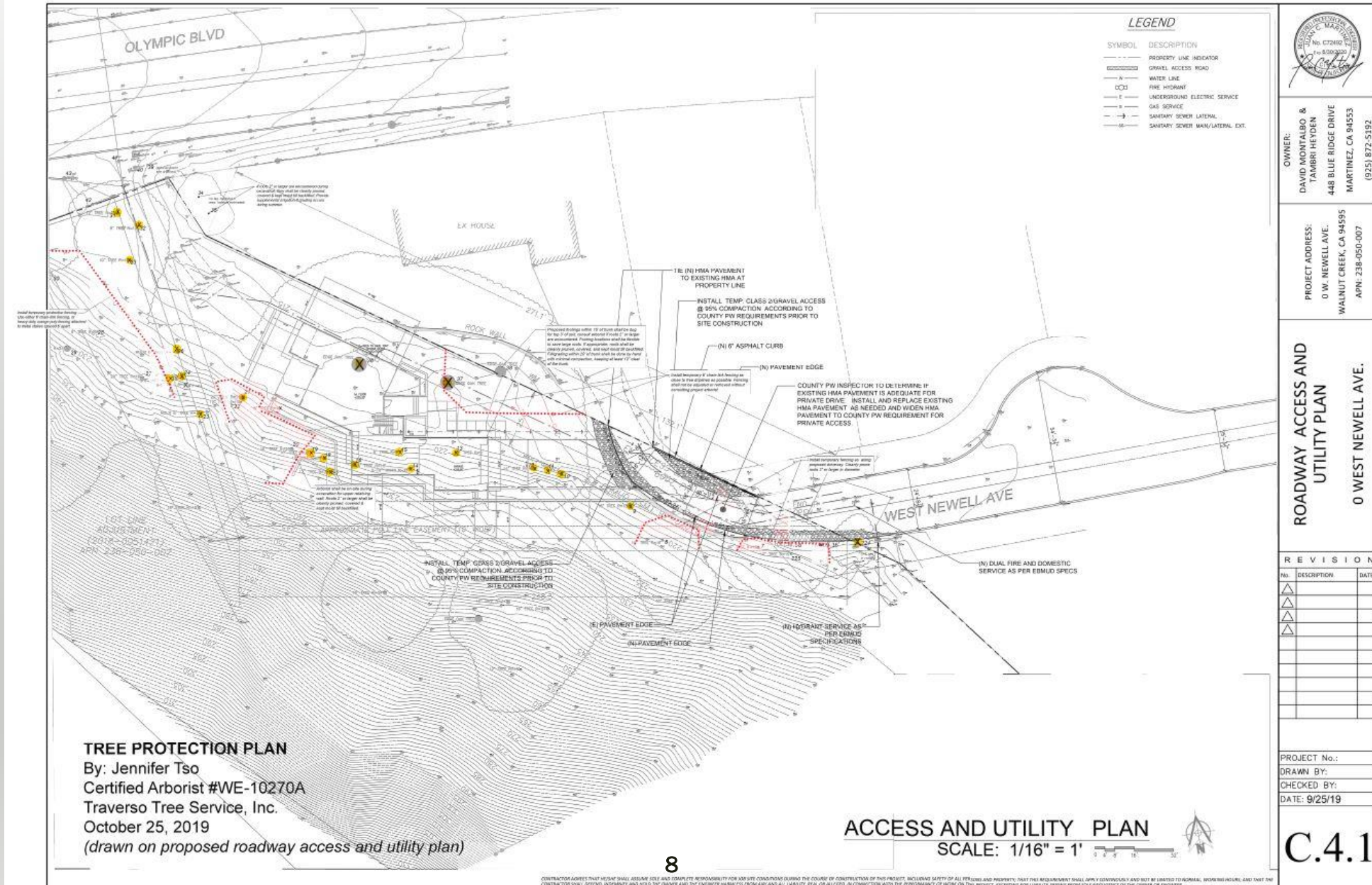
CONSULTANTS

DAVID MONTALBO
& TAMBRI HEYDEN
RESIDENCE
0 West Newell Ave
APN: 238050-007

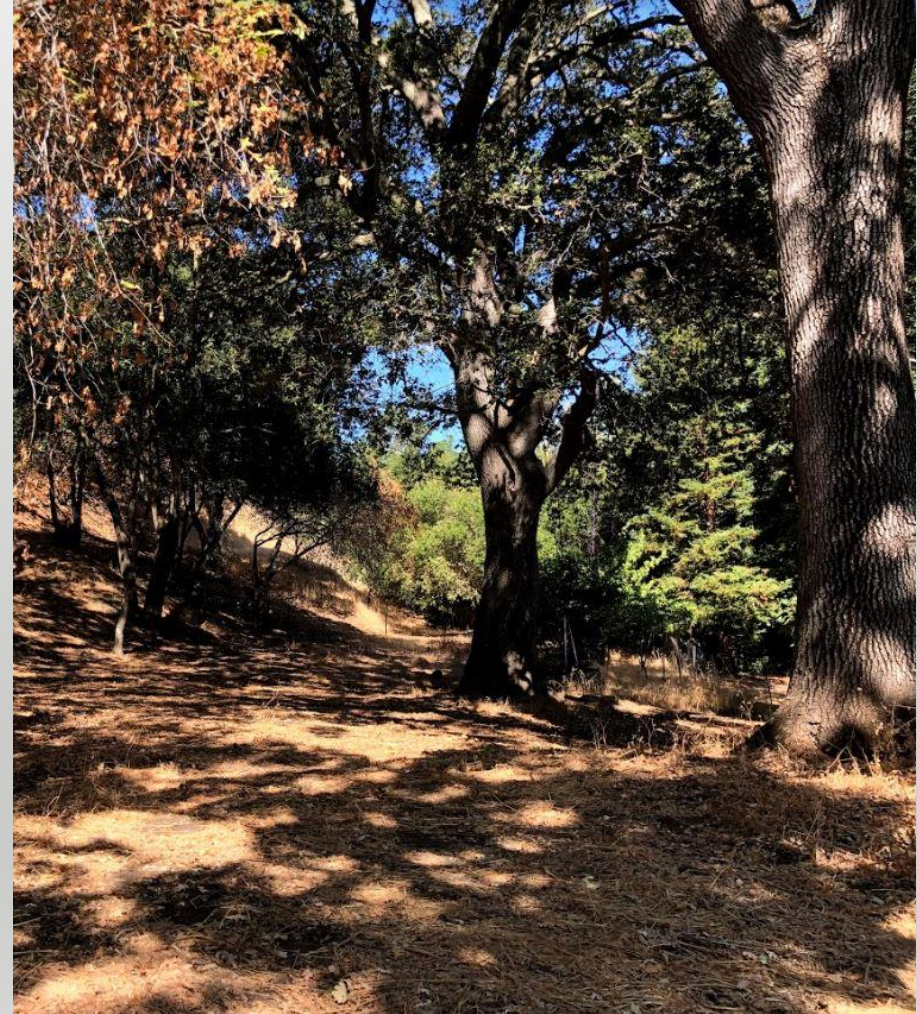
SITE PLAN
& CALCULATIONS

DATE: 7/15/2019
SCALE: 1/16"=1'-0"
DRAWN:
JOB:
SHEET SP-1

TREE PROTECTION / REMOVAL PLAN



SITE PHOTOS



SUMMARY OF APPEAL POINTS

McGregor/Schultz

In a letter dated received December 20, 2019, Patricia McGregor and William Schultz submitted an appeal letter describing the following appeal points:

- Construction impacts and removal of trees #36 and tree #37 (large oaks) could impact health of tree #38 (oak) which is located on the neighboring property (2776 W. Newell Ave.);
- Residence should be relocated and/or reduced in size to protect trees #36 and #37;
- Plans lack details for proposed retaining walls;
- Geotechnical report should be required to identify impacts of tree removal;
- Project will increase stormwater runoff;
- The removal of the trees will have a negative impact on the value of the appellant's property and surrounding properties;
- Proposed residence is not compatible with the neighborhood.

SUMMARY OF APPEAL POINTS

Bronwyn Shone

In a letter dated received December 23, 2019, Bronwyn Shone submitted an appeal letter describing the following appeal points:

- The staff report, conditions of approval and attachments were not received 96 hours before the Commission meeting;
- Fire access (can a fire truck turnaround?);
- Has the California Department of Fish and Wildlife provided comments about protected species (whip snake) in the area?;
- Did the Zoning Administrator see the revised plans?;
- What will the drainage impacts of the be/a drainage permit should be required prior to issuance of building permit.
- Tree replacement mitigation not sufficient and not consistent with County General Plan or recommendations of Ca. Oaks Foundation;
- The size of the proposed residence is out of scale with the other houses in the neighborhood.

STAFF RECOMMENDATION

Staff recommends that the Board of Supervisors deny the appeals and sustain the County Planning Commission's approval of County File #TP19-0036.



QUESTIONS?



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 25, 2020

Subject: 18-month temporary road closure of a portion of Market Street, Silver Street, Jade Street, Harrold Street, and Warren Street, North Richmond area.

RECOMMENDATION(S):

OPEN the public hearing on Traffic Resolution No. 2020/4490; RECEIVE testimony; and CLOSE the public hearing.

ADOPT Traffic Resolution No. 2020/4490 for an 18-month temporary road closure beginning March 1, 2020 and ending September 1, 2021, of the following roadways:

- (1) Market Avenue (Road No. 0565L), between First Street (Road No. 0565U) and extending westerly for 500 feet to Martin Drive, (Road No. 0565AP); and
- (2) Silver Avenue (Road No. 0565K), between First Street (Road No. 0565U) and extending westerly for 500 feet to its terminus; and
- (3) North Jade Street (Road No. 0565S), between West Grove Avenue (Road No. 0565J) and northerly to Market Street (Road No. 0565L); and

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Monish Sen,
925.313.2187

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

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

(4) Harrold Street (Road No. 0565V); and

(5) Warren Drive (Road No. 0565AH);

to prevent overnight criminal activity, as recommended by the Public Works Director, North Richmond area. (District I)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The Las Deltas Housing Authority (Housing Authority) is in the process of demolishing all of its residential structures on Market Avenue, Silver Avenue, North Jade Street, Harrold Street, and Warren Drive. The demolition work is expected to be completed early this year. The Housing Authority has a long-term plan to sell or facilitate the construction of affordable housing on the property. However, in the interim, there is concern that having a large vacant parcel in the neighborhood will become an attractive nuisance, leading to urban blight, illegal dumping or the establishment of homeless encampments. The vacant parcels may also attract illegal roadway sideshows, as well as other illicit and criminal activities.

Therefore, Contra Costa County Public Works Department, Contra Costa County Office of the Sheriff, and the California Highway Patrol support the Housing Authority's request to temporarily close portions of Market Avenue and Silver Avenue, as well as all of North Jade Street, Harrold Street, and Warren Drive, and recommends that the Board of Supervisors adopt the resolution temporarily closing the roadways per the Housing Authority's request.

Additionally, Public Works Department staff has determined that the portions of Market Avenue, Silver Avenue, North Jade Street, Harrold Street, and Warren Drive subject to temporary closure are not designated as through highways or arterial streets. Public Works Department staff have further determined that the closure of the above-described roadways will not impact traffic flow or safety on the adjacent streets or in the surrounding neighborhoods, the operation of emergency vehicles, the performance of municipal or public utility services to, or the delivery of freight by commercial vehicles in the area of those sections of roadway.

Public Works Department staff mailed notice of this hearing to the residents and owners, as shown on the last equalized assessment roll, of property adjacent to the roadway closures.

Staff recommends that the Board of Supervisors adopt the above-described traffic resolution.

CONSEQUENCE OF NEGATIVE ACTION:

The roadways could not be temporarily closed to prevent serious and continual criminal activities along these roadways.

ATTACHMENTS

TR 2020/4490

Letter of Support - Sheriff

Letter of Support - CHP

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

Adopted this Traffic Resolution on February 25, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

TRAFFIC RESOLUTION NO. 2020/4490
Supervisory District I

SUBJECT: 18-month temporary road closure of a portion of Market Avenue, Silver Avenue, North Jade Street, Harrold Street, and Warren Drive, North Richmond area.

IN THE MATTER OF adopting Traffic Resolution No. 2020/4490 for an 18-month temporary closure of Market Avenue (Road No. 0565L), between First Street (Road No. 0565U) and extending westerly for 500 feet to Martin Drive, (Road No. 0565AP); and Silver Avenue (Road No. 0565K), between First Street (Road No. 0565U) and extending westerly for 500 feet to its terminus; and North Jade Street (Road No. 0565S), between West Grove Avenue (Road No. 0565J) and northerly to Market Avenue (Road No. 0565L); and Harrold Street (Road No. 0565V); and Warren Drive (Road No. 0565AH), from March 1, 2020 through September 1, 2021, to prevent overnight criminal activity, as recommended by the Public Works Director, North Richmond area.

WHEREAS, the above-mentioned roadways have experienced serious and ongoing criminal activity;

WHEREAS, the Las Deltas Housing Authority has requested the closure of the above-mentioned roadways;

WHEREAS, since vehicle traffic can contribute to criminal activity, Contra Costa County Public Works Department, Contra Costa County Office of the Sheriff, and the California Highway Patrol support the closure of the above-mentioned roadways;

WHEREAS, Public Works Department staff determined that the above-mentioned roadways are not designated as a through highway or arterial street; the roadway closures will not impact traffic flow, safety on the adjacent streets or in the surrounding neighborhoods, the operation of emergency vehicles, the performance of municipal or public utility services to, or the delivery of freight by commercial vehicles in the area of the above-mentioned roadways; and

WHEREAS, a public hearing was held on this proposed closure of the above-mentioned roadways, notice of which was mailed to the residents and owners, as shown on the last equalized assessment roll, of property adjacent to that portion of roadway.

TRAFFIC RESOLUTION NO. 2020/4490

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to Vehicle Code section 21101.4, subdivision (a), the Board of Supervisors of the County of Contra Costa:

1. FINDS as follows:

- A. Based on the recommendation of the Office of the Sheriff and California Highway Patrol, there is serious and continual criminal activity occurring on the above-mentioned roadways;
- B. The above-mentioned roadways are not designated as through highways or arterial streets;
- C. Vehicular traffic contributes to the criminal activity on the above-mentioned roadways;
- D. The temporary closure of the above-mentioned roadways will not impact traffic flow, safety on the adjacent streets or in the surrounding neighborhoods, the operation of emergency vehicles, the performance of municipal or public utility services to, or the delivery of freight by commercial vehicles in the area of, that section of roadway.

2. ADOPT Traffic Resolution No. 2020/4490, as recommended by the Public Works Director.

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

ATTESTED: _____
David Twa, Clerk of the Board of Supervisors and County Administrator

By _____, Deputy

MS:MO:sr

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

cc: California Highway Patrol
Sheriff Department

TRAFFIC RESOLUTION NO. 2020/4490



CONTRA COSTA COUNTY OFFICE OF THE SHERIFF
DAVID O. LIVINGSTON
SHERIFF - CORONER

December 10, 2019

Mr. Monish Sen, Senior Civil Engineer- Traffic

Transportation Engineering Division, Contra Costa County Public Works

255 Glacier Drive, Martinez, California 94553

Dear Mr. Sen,

I have received your request regarding support and endorsement for temporary road closures at the corner of First and Silver, Warren Drive, Harold Street, and a portion of the roadway on North Jade and Market Street in North Richmond for the Housing Authority of Contra Costa County.

Upon evaluating the request, a review of the criminal activity and service response calls by the Sheriff's Office was conducted. For the reporting period between December 01, 2018 and November 30, 2019, a total of approximately 300 service calls were recorded. Those calls range from 911s, auto burglaries, various disturbances, security checks, service to citizens, suspicious subjects, suspicious vehicles, traffic stops, warrant arrests, vandalisms, trespass, and various other crimes and civil stand-by'.

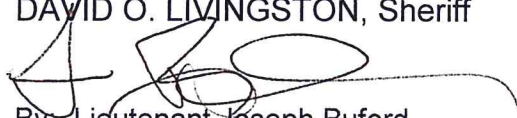
The statistical data approximates what would be considered a high crime area. The locations and affected areas lends itself to a plethora of various types of criminal activity. It does not seem unreasonable to exercise prevention measures such as temporary road closures which would restrict access to and hopefully reduce or prevent criminal activities in these areas.

In order to reduce concern for the ability of emergency personnel to gain access when necessary, I recommend that the closures have some sort of gates with breakaway locks or similar apparatus in place.

There are currently no objections at this time for temporary road closures. Thank you for the opportunity to respond to this request. Should you have any questions, please contact me at (510) 262-4206.

Sincerely,

DAVID O. LIVINGSTON, Sheriff

A handwritten signature in black ink, appearing to read "J. Buford", with a long horizontal flourish extending to the right.

By: Lieutenant Joseph Buford
Office of the Sheriff
Patrol Division, Bay Station
5555 Giant Highway
Richmond, California 94806
(510) 262-4206

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

3601 Telegraph Avenue
Oakland, CA 94609
(510) 450-3821
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)



January 14, 2020

File No.: 370.17274.15004

Elizabeth Campbell
Director of Asset Management
3133 Estudillo Street
Martinez, CA 94553

Subject: Road Closure Request for "North Richmond Area".

I have received your request regarding support and endorsement for temporary road closures at the corner of First and Silver, Warren Drive, Harold Street, and a portion of the roadway on North Jade and Market Street in North Richmond. The California Highway Patrol supports the Housing Authority of Contra Costa in its desire to assist the Contra Costa County Public Work in a project to demolish buildings in the North Richmond area and understands that there will be an impact to traffic in the area during the duration of the project.

Upon receiving the request, a review of the California Highway Patrol's activity associated with the area of Unincorporated North Richmond was conducted for the last six months. A total of approximately 170 calls for service were recorded. Those calls range from 911's, traffic collisions, auto thefts, arrests, service to citizens, and various other crimes. Based on the statistics it does not seem unreasonable to exercise preventative measures such as temporary road closures which would limit access to those areas.

Based on your request for road closures, the Oakland Area will experience no significant impacts to local operations and/or public safety from these proposed closures. Provided our department would be provided with keys or some mechanism to access the closed portion of the roads during the project, I would support the Board of Supervisors moving forward and approving the demolition project and its associated closures.

If you have any additional questions, you may contact Lieutenant Jason Roy at (510) 450-3821.

Sincerely,

A handwritten signature in black ink, appearing to read "S. D. PEREA".

S. D. PEREA, Captain
Commander
Oakland Area





**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: February 25, 2020

Subject: Solar Energy Facilities - Zoning and General Plan Updates

RECOMMENDATION(S):

1. OPEN the public hearing on Resolution No. 2020/39, Ordinance No. 2020-07, Ordinance No. 2020-08, and Ordinance No. 2020-09, RECEIVE testimony, and CLOSE the public hearing
2. DETERMINE that adoption of Resolution No. 2020/39, Ordinance No. 2020-07, Ordinance No. 2020-08, and Ordinance No. 2020-09 is exempt from the California Environmental Quality Act (CEQA) under Public Resources Code Section 21080.35 and CEQA Guidelines section 15061(b)(3).
3. ADOPT Resolution No. 2020/39, amending the General Plan to allow commercial solar energy facilities in areas designated on the Land Use Element Map as Commercial, Light Industry, or Heavy Industry, and conditionally allow commercial solar energy facilities in Agricultural Lands (County File #GP19-0001).
4. ADOPT Ordinance No. 2020-07 (The Solar Energy Facility Ordinance), regulating commercial solar energy facilities in the general commercial (C), light industrial (L-I), heavy industrial (H-I), and planned unit (P-1) districts, and in the Solar Energy Generation (-SG) combining district (County File #ZT19-0004).

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Joseph W. Lawlor Jr, AICP
(925)674-7802

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

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

5. ADOPT Ordinance No. 2020-08, establishing the Solar Energy Generation (-SG) combining district to allow commercial solar energy facilities on land within an agricultural district that is combined with an -SG district, after the issuance of a land use permit (County File #ZT19-0004).
6. ADOPT Ordinance No. 2020-09 (rezoning), applying the Solar Energy Generation (-SG) Combining District to specified agricultural districts in Bethel Island, Byron, Discovery Bay, and Jersey Island (County File #RZ19-3251).
7. DIRECT the Department of Conservation and Development to file a CEQA Notice of Exemption with the County Clerk.

FISCAL IMPACT:

The cost of preparing this ordinance has been funded by the Department of Conservation and Development.

BACKGROUND:

Renewable Resources Potential Study

The proposed General Plan and Zoning Text Amendments, and Rezoning are being considered following considerable County efforts to encourage the development of local renewable energy. Notable achievements in these efforts include the Board's 2015 adoption of the Climate Action Plan, 2017 decision to join the Marin Clean Energy (MCE) community choice aggregation energy program, 2017 decision to join the *We Are Still In Coalition* with its commitment to ambitious action on climate change, and 2018 completion of the Contra Costa County Renewable Resources Potential Study. The proposed actions are a culminating next step in the County's ambitious renewable energy goals.

In 2017, Contra Costa County received a grant from the California Strategic Growth Council to study the potential for renewable energy generation within the County and evaluate options to facilitate the development of renewable resources. The Renewable Resource Potential Study found that the greatest opportunity to increase the amount of renewable energy generated in the County would be with solar energy, in two forms. The first was rooftop solar installed on buildings and parking lots, and the second was with ground-mounted solar. The Study included a number of recommendations for the County to consider, including making changes to the County General Plan and Zoning Code to facilitate greater opportunity for solar energy generation on both infill and green field sites.

In agricultural East County, the study identified farmland of marginal value for potential green field development. Identifying this area in the Study had complimentary benefits. First, by excluding prime agricultural and sensitive habitat resources, the identified area is generally preferable to solar developers as these sites may offer lower site preparation, acquisition, and mitigation costs. Second, the preservation of these resources aligns with the County's long-term planning interests in East County.

Based on the recommendations of the Study, on December 18, 2018, the Board of Supervisors directed Staff to prepare draft amendments to the County General Plan and Zoning Code that would expand the area within which an applicant could apply for a Land Use Permit, and explore incentives and other means of encouraging the construction of solar energy projects on commercial rooftops, parking lots, and underutilized land in commercial, industrial, and other infill areas.

Current Status of Solar in the County

Pursuant to California Government Code Section 65850.5 and guidance provided in the California Solar Permitting Guidebook published by the Governor's Office of Planning and Research, the Department of Conservation and Development (DCD) routinely approves solar energy projects where the energy produced will be utilized on-site. However, until December 2017, the County did not have an ordinance that allowed commercial solar resources where the energy produced would be sold to an off-site purchaser.

In December of 2017, as a stopgap measure until the aforementioned renewable Resources Potential Study recommendation could be implemented, the Board of Supervisors adopted amendments to the text of the General Plan and Ordinance Code that allowed commercial solar energy facilities in the General Commercial, Light Industrial, and Heavy Industrial zoning districts after issuance of a Land Use Permit. The amendments did not include development standards or allow for development of commercial solar energy projects in agricultural areas. Development of projects in more sensitive agricultural and rural areas was expected to be addressed after a comprehensive review in the Renewable Resources Potential Study.

Proposed Amendments

A. Resolution No. 2020/39 General Plan Text Amendment:

The proposed County-initiated amendment to the 2005-2020 Contra Costa County General Plan would allow commercial solar energy facilities in areas designated on the Land Use Element Map as Commercial (CO), Light Industry (LI), or Heavy Industry (HI), and conditionally allow commercial solar energy facilities on Agricultural Lands (AL) designated areas. The attached maps show the commercial and industrial land use designations (Attachment 5) and the location of the areas where the Solar Energy Generation (-SG) combining zoning district designation would be applied (Attachment 6).

The CO, LI, and HI designations currently allow commercial scale solar facilities after issuance of a land use permit. The changes to the CO, LI, and HI designations would allow commercial scale solar facilities located on buildings and existing parking lots in commercial and industrial areas with ministerial review. These facilities would still require building permits; however, Planning would only review conformance with the standards of the Solar Ordinance. This change would address a situation faced by multiple property owners and developers within commercial and industrial areas of the County, in which a development may have low energy needs but ample space for solar panels (i.e. warehouse rooftops and parking lots). Furthermore, the less cumbersome review aligns with the County's efforts to encourage the development of local renewable energy.

In certain AL designated areas, the Amendment would allow discretionary review of new commercial solar energy facilities by the Department of Conservation and Development. By requiring Land Use Permits in these areas, the County would retain its ability to condition or deny projects that might be incompatible with neighboring uses or conflict with long-term economic development or habitat and agricultural preservation goals. Furthermore, the Zoning Ordinance would limit the issuance of Land Use Permits for commercial solar energy facilities to areas within the -SG combining district. As it is currently designed, the -SG combining district excludes all but lower-value agricultural lands and sensitive habitat resources, balancing the County's interest in encouraging local renewable energy with its long-term planning considerations in East County.

Staff notes that the Land Use Element's description of the Heavy Industry land use designation and

Ordinance Code Chapter 84-62 – Heavy Industrial District both refer back to and incorporate their Light Industry/Light Industrial counterparts. For this reason, solar energy projects may be permitted in light and heavy industrial areas by amending only the Light Industry and Light Industrial portions of the General Plan and Zoning Code, respectively. Additionally the PS designation, which is also located within the proposed overlay area, allows for wide variety of public and private uses so no changes are required to this designation.

B. Ordinance No. 2020-07 Solar Energy Facilities Ordinance:

Staff has prepared a draft Solar Energy Facilities Ordinance, included as Attachment 2, pursuant to the direction of the Board on December 18, 2018. The Ordinance would add Chapter 88-30 to the County Ordinance Code to allow the establishment of commercial solar energy facilities in the general commercial (C), light industrial (L-I), heavy industrial (H-I), and planned unit (P-1) districts, and in the (-SG) combining district. The Ordinance includes definitions, standards, and the process for permitting commercial solar energy facilities. A land use permit would be required prior to the establishment of a commercial solar energy facility unless the facility is exempt from this requirement. Exempt facilities include facilities installed on the roof of an existing building or on a parking canopy at an existing parking lot.

C. Ordinance No. 2020-08 Solar Energy Generation (-SG) Combining District:

The Ordinance would add Chapter 84-88 to the County Ordinance Code to establish the Solar Energy Generation (-SG) Combining District. The district authorizes the establishment of commercial solar energy facilities on land within an agricultural district that also is within a solar energy generation combining district, after the issuance of a land use permit. With the concurrent rezoning action, the district would apply to select agricultural parcels in the eastern portion of the county, as recommended in the Renewable Resources Potential Study.

D. Ordinance No. 2020-09 Solar Combining District Rezoning:

The rezoning would apply the newly created -SG combining district to a specific geographic area in East County as identified in the attached Pre-Ordinance maps (Attachment 4) and Overlay Summary Area Map (Attachment 6). The area was initially identified in the Renewable Resources Potential Study by applying filters to identify the lands most suitable for commercial solar development in East County. These filters included slope, natural land cover, soil quality and classifications, zoning overlay status, General Plan land use designation, elevation, proximity to transmission lines and substations, and other factors. By including properties with necessary attributes for commercial solar development and excluding major agricultural and sensitive habitat resources, the area balances the County's interest in encouraging local renewable energy with its long-term planning considerations in East County.

County Planning Commission Hearing and Outreach

The County Planning Commission held a public hearing on January 22, 2020 for the General Plan and Zoning Text Amendments, and Rezoning of selected agricultural parcels, for the purpose of allowing commercial solar energy facilities. Following the staff presentation on the matter, the Planning Commission discussed the impacts of the proposed changes on industrial, commercial, and agricultural parcels throughout the County. At the conclusion of their discussion on January 22, 2020, the County Planning Commission voted to recommend that the Board approve the proposed General Plan and Zoning Ordinance amendments and rezoning. No public comments were provided on the item.

In addition to the Planning Commission hearing, various stakeholders were consulted throughout the preparation of the Renewable Resources Potential Study and the ensuing solar zoning and general plan update. Feedback was solicited from community organizations operating in the County, environmental groups, local renewable energy project developers, utility stakeholders and energy supply stakeholders (both PG&E and MCE), the Contra Costa County Sustainability Commission, and citizens at large. Four public meetings were held in 2018 to solicit input on the Renewable Resources Potential Study. Additionally, the proposed solar zoning and general plan updates were presented to the Bethel Island Municipal Advisory Council and the Town of Discovery Bay Community Services District at their public meetings on February 11, 2020 and August 27, 2019, respectively. Staff also offered a presentation to the Byron Municipal Advisory Council but the meetings at which the presentation was to be heard were canceled.

Growth Management Performance Standards Findings

A. Traffic: Policy 4-c of the Growth Management Element of the General Plan requires a traffic impact analysis of any project that is estimated to generate 100 or more additional AM or PM peak-hour trips. The General Plan and Zoning Text Amendments, and Rezone of selected agricultural parcels, for the purpose of allowing commercial solar energy facilities, is not expected to increase traffic trips. Furthermore, commercial solar energy generation facilities located at new project sites would require a land use permit; thus any specific traffic impacts would be reviewed subsequently.

B. Water: The General Plan and Zoning Text Amendments, and Rezone would change where and how commercial solar facilities are allowed to be established throughout the County. These facilities are not expected to require or impact water services. Furthermore, commercial solar energy generation facilities located at new project sites would require a land use permit; thus any specific water service impacts would be reviewed subsequently.

C. Sanitary Sewer: The General Plan and Zoning Text Amendments, and Rezone would change where and how commercial solar facilities are allowed to be established throughout the County. These facilities are not expected to require or impact sanitary services. Additionally the Solar Energy Facility Ordinance prohibits development above septic systems or leach fields unless approved by the Environmental Health Division. Furthermore, commercial solar energy generation facilities located at new project sites would require a land use permit; thus any specific sanitary service impacts would be reviewed subsequently.

D. Fire Protection: The General Plan and Zoning Text Amendments, and Rezone would change where and how commercial solar facilities are allowed to be established throughout the County. These facilities are not expected to require or impact fire protection services. Furthermore, commercial solar energy generation facilities located at new project sites would require a land use permit; thus any specific fire service impacts would be reviewed subsequently.

E. Public Protection: The General Plan and Zoning Text Amendments, and Rezone would change where and how commercial solar facilities are allowed to be established throughout the County. These facilities are not expected to require or impact public protection services. Furthermore, commercial solar energy generation facilities located at new project sites would require a land use permit; thus any specific public protection service impacts would be reviewed subsequently.

F. Parks and Recreation: The General Plan and Zoning Text Amendments, and Rezone would change where and how commercial solar facilities are allowed to be established throughout the County. These facilities are not expected to require or impact Parks and Recreation services. Furthermore, commercial

solar energy generation facilities located at new project sites would require a land use permit; thus any specific Parks and Recreation service impacts would be reviewed subsequently.

G. Flood Control and Drainage: The General Plan and Zoning Text Amendments, and Rezone would change where and how commercial solar facilities are allowed to be established throughout the County. These facilities are not expected to have substantial Flood Control or Drainage impacts. This is due to such facilities typically encompassing an impervious surface elevated above a pervious vegetated surface. Furthermore, commercial solar energy generation facilities located at new project sites would require a land use permit; thus any specific Flood Control or Drainage impacts would be reviewed subsequently to the submittal a land use permit application.

Rezoning Findings

A. Compliance With General Plan: The subject properties' rezoning to the -SG combining district is consistent with the underlying General Plan land use designations of AL and PS. With the concurrent adoption of the General Plan text amendments, which would allow for commercial solar development within the AL and PS districts, the rezoning would allow development that is permitted in the General Plan.

B. Compatibility: The subject properties currently host Public/Semi-Public and Agricultural uses. The rezone would add the -SG combining district to the subject area, which would allow commercial solar facilities. With the adoption of the concurrent zoning text amendment, commercial solar facilities would be allowed in these districts. Properties adjacent to the rezoned area are largely agriculturally zoned with a small amount of industrially and residentially zoned properties. Given that the solar energy facilities comply with the proposed development standards, the expected commercial solar energy facilities would be compatible with the adjacent districts. Specifically, the facilities would not be detrimental to the welfare of adjacent uses. Overall, the project is in harmony with the surrounding area and the uses established in the area.

C. Community Need: The subject properties' rezoning to the -SG combining district would allow for the development of commercial solar energy facilities on the subject properties following the issuance of a land use permit. Development of these facilities would increase the amount of renewable energy generated in the County ensuring the obtainment of its ambitious clean energy goals.

California Environmental Quality Act Findings

The General Plan and Zoning Text Amendments, and Rezoning are exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code (PRC) Section 21080.35 and CEQA Guidelines section 15061(b)(3).

PRC section 21080.5 exempts the installation of a solar energy system on the roof of an existing building or at an existing parking lot. The proposed actions would authorize commercial solar energy systems without a land use permit on the roofs of existing buildings and existing parking lots in the Commercial, Light Industrial, and Heavy Industrial zoning districts, and in the Planned Unit zoning district when the underlying General Plan land use designation is commercial or industrial. Because the proposed actions do not involve a Clean Water Act Permit, an Endangered Species Act Permit, a streambed alteration permit, or the removal of any tree, the exceptions to PRC Section 21080.35 do not apply.

CEQA Guidelines section 15061(b)(3) is the "common sense exemption." The proposed actions would

also allow for the establishment of other commercial solar energy facilities in General and Heavy Agricultural, Commercial, Light Industrial, Heavy Industrial, and Planned Unit zoning districts after issuance of a land use permit. These projects would each be separate discretionary projects reviewed under their own subsequent CEQA analysis. Thus, it can be seen with certainty that there is no possibility that the proposed actions could have a significant effect on the environment.

Conclusion and Recommendations

The proposed General Plan and Ordinance Code Amendments, and Rezoning will be consistent with the goals and policies of the General Plan and with the intent and purpose of the County Zoning Ordinance. The commercial solar update would provide clear parameters for the establishment of commercial solar facilities, to ensure the health, safety, and general welfare of the community. Furthermore, the action is a culminating next step in the County's renewable energy goals. Therefore, staff recommends the adoption of Ordinance No. 2020-07, Ordinance No. 2020-08, Ordinance No. 2020-09, and Resolution No. 2020/39 by the Board of Supervisors.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board decides not to adopt the proposed General Plan and Ordinance Code Amendments, then commercial solar energy facilities will continue to be disallowed in all agricultural areas, and all commercial solar energy facilities in commercial and industrial areas will continue to require a land use permit without specified development standards in place.

ATTACHMENTS

Resolution 2020/39

Attachment 1 - General Plan Amendment

Attachment 2 - Ordinance No. 2020-07 Solar Energy Facilities Ordinance

Attachment 3 - Ordinance No. 2020-08 Solar Energy Generation Combining District Ordinance

Attachment 4 - Ordinance No. 2020-09 Rezoning Maps

Attachment 5 - Commercial and Industrial General Plan Map

Attachment 6 - (-SG) Overlay Area Map

Attachment 7 - PowerPoint Presentation

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

Adopted this Resolution on 02/25/2020 by the following vote:

AYE: ☐
NO: ☐
ABSENT: ☐
ABSTAIN: ☐
RECUSE: ☐



Resolution No. 2020/39

IN THE MATTER OF Approving a General Plan Amendment for the Commercial Solar Energy Facility Amendments Project.

WHEREAS, on Tuesday, February 25, 2020, the Board of Supervisors held a public hearing to consider amending the Contra Costa County General Plan to allow commercial solar energy facilities in areas designated on the Land Use Element Map as CO, LI, or HI, and conditionally allow commercial solar energy facilities on AL designated areas (County File #GP19-0001).

WHEREAS, the proposed General Plan Amendment is part of the first consolidated General Plan Amendment for calendar year 2020.

NOW, THEREFORE, the Contra Costa County Board of Supervisors resolves as follows:

1. The Board of Supervisors makes the following General Plan Amendment findings:

A. Urban Limit Line:

The effected properties are located within and outside the County's Urban Limit Line (ULL) which limits certain areas of the County to nonurban uses and helps to preserve farmland and open space. The term "nonurban uses" refers to rural residential and agricultural structures allowed by applicable zoning and facilities for public purposes, whether privately or publicly funded or operated, which are necessary or desirable for the public health, safety or welfare or by state or federal law. The solar General Plan text amendments allow commercial solar projects to be located in areas designated on the Land Use Element Map as Commercial (CO), Light Industry (LI), Heavy Industry (HI), and conditionally allow in Agricultural Lands (AL). Since solar energy generation facilities are for public purposes, the amendment would not conflict with the ULL policy. Furthermore, any generated energy is expected to feed into the existing electrical grid, offsetting electricity which is currently provided by non-renewable sources; thus, the project is not expected to expand urban services beyond the ULL.

B. 65/35 Standard:

Adoption of the proposed General Plan Amendment (GPA) will not cause a violation of the 65/35 Land Preservation Standard (the "65/35 Standard"), originally approved by County voters through adoption of Measure C-1990 and reaffirmed through adoption of Measure L-2006. Under the 65/35 Standard, no more than 35 percent of the land in the County may be developed with urban uses and at least 65 percent of the land must be preserved for nonurban uses such as agriculture, open space, parks, wetlands, etc. The term "nonurban uses" refers to rural residential and agricultural structures allowed by applicable zoning and facilities for public purposes, whether privately or publicly funded or operated, which are necessary or desirable for the public health, safety or welfare or by state or federal law. The General Plan text amendments would allow commercial solar energy facilities within the CO, LI, HI, and AL designations. Given that these solar energy facilities would be considered facilities for public purpose, no change to the 65/35 ratio is expected.

C. Growth Management Program:

In accordance with the Contra Costa Growth Management Program, Measure J-2004, the county is required to manage growth by allowing new development only when infrastructure and service standards are met for traffic levels of service, water, sanitary sewer, fire protection, public protection, parks and recreation, flood control and drainage and other such services. The project complies with the objectives and requirements of the Growth Management Program, and related Contra Costa Transportation Authority (CCTA) resolutions. Adoption of the proposed GPA will not increase the number of traffic trips in the County and generated energy is expected to feed into the existing electrical grid, offsetting or replacing electricity which is currently provided by non-renewable sources; thus, the amendment does not allow unsupported new development.

D. Internal Consistency:

The General Plan comprises an integrated, internally consistent, and compatible statement of policies governing development in the unincorporated areas. Section 8.8 of the General Plan addresses renewable energy resources. The section goals include encouraging the use of renewable resources where they are compatible with the maintenance of environmental quality and reducing energy use in the County to avoid risks of air pollution and energy shortages which could prevent orderly development. The text amendment is consistent with these goals; thus adoption of the proposed GPA will not cause the General Plan to become internally inconsistent.

E. Public Interest:

Pursuant to Government Code Section 65358(a), the General Plan may be amended if such amendment is deemed to be “in the public interest.” It is in the public interest to adopt the proposed GPA because allowing and encouraging commercial solar energy facilities will increase the supply of local renewable energy- a stated goal in the County General Plan. Furthermore, as it is currently designed, the -SG combining district would exclude major agricultural and sensitive habitat resources, balancing the County’s interest in encouraging local renewable energy with its long-term planning considerations in east County.

2. The Board of Supervisors hereby adopts the General Plan Amendment (County File #GP19-0001) to allow commercial solar energy facilities in areas designated on the Land Use Element Map as CO, LI, or HI, and conditionally allow commercial solar energy facilities on AL designated areas, as set forth in Attachment 1 to the February 25, 2020, Board Order authorizing approval of this General Plan Amendment.

**Contact: Joseph W. Lawlor Jr, AICP
(925)674-7802**

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

ATTESTED: February 25, 2020

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

By: , Deputy

cc:

PROPOSED GENERAL PLAN TEXT AMENDMENTS **RELATED TO SOLAR ENERGY GENERATING FACILITIES**

Proposed text changes are shown in red underline (insertions) and ~~strikeout~~ (deletions).

GENERAL PLAN, Land Use Element

Commercial/Office/Industrial Uses

a. Commercial (CO)

This designation allows for a broad range of commercial uses typically found in smaller scale neighborhood, community and thoroughfare commercial districts, including retail and personal service facilities, limited office and financial uses. ~~Commercial/distribution-scale~~ Solar energy generating facilities are allowed in accordance with the Solar Energy Facilities Ordinance in areas zoned C—General Commercial District after issuance of a land use permit. The following standards shall apply to uses in this designation:

- (1) Maximum site coverage: 40 percent
- (2) Maximum building height: 35 feet
- (3) Maximum floor area ratio: 1.0
- (4) Average employees per gross acre: 160 employees

i. Light Industry (LI)

This designation allows light industrial activities such as processing, packaging, machinery repair, fabricating, distribution, warehousing and storage, research and development, and similar uses which emit only limited amounts of smoke, noise, light, or pollutants. ~~Commercial/distribution-scale~~ Solar energy generating facilities are allowed in accordance with the Solar Energy Facilities Ordinance after issuance of a land use permit. The following standards apply:

- (1) Maximum site coverage: 50 percent
- (2) Maximum building height: 50 feet
- (3) Maximum floor area ratio: 0.67
- (4) Average employees per gross acre: 60 employees

Public/Semi-Public, Agricultural, and Open Space Uses

b. Agricultural Lands (AL)

This land use designation includes most of the privately-owned rural lands in the county, excluding private lands that are composed of prime soils or lands located in or near the Delta. Most of these lands are in hilly portions of the county and are used for grazing livestock or dry grain farming. The designation also includes non-prime agricultural lands in flat East County areas, such as outside Oakley, which are planted in orchards. Some of the Agricultural Lands south and east of Oakley and around Byron are included in the 100-year flood plain, as mapped by the Federal Emergency Management Agency (FEMA).

The purpose of the Agricultural Lands designation is to preserve and protect lands capable of and generally used for the production of food, fiber, and plant materials. The title is intended to be descriptive of the predominant land -extensive agricultural uses that take place in these areas, but the land use title or description shall not be used to exclude or limit other types of agricultural, open space, or non-urban uses such as landfills, except as noted below in the descriptions of

Agricultural Core, Delta Recreation and Resources, Watershed, Parks and Recreation, and Open Space. The maximum allowable density in this designation is 1 dwelling unit per 5 acres.

Uses that are allowed in the Agricultural Lands designation include all land-dependent and non-land-dependent agricultural production and related activities. In addition, the following uses may be allowed by issuance of a land use permit, which shall include conditions of approval that mitigate the impacts of the use upon nearby agricultural operations through establishment of buffer areas and other techniques:

- ◇ Facilities for processing agricultural products produced in the county such as dairies, rendering plants, and feed mills;
- ◇ Commercial agricultural support services which are ancillary to the agricultural use of a parcel, such as veterinarians, feed stores, and equipment repair and welding; ~~and~~
- ◇ Small-scale visitor serving uses including small tasting rooms, stands for the sale of products grown or processed on the property, guest or dude ranches, horse training and boarding ranches, improved campgrounds, and bed and breakfast inns of five or fewer bedrooms which are on lots of 20 acres or more, extensive recreational facilities, and private retreats; ~~and~~

◇ Solar energy facilities.

The following standards shall apply to all uses allowed in the Agricultural Lands designation:

- (1) Any subdivision of lands shall include conditions of approval which conform with the requirements of the "Ranchette Policy," which is outlined in the "Agricultural Resources" section of the Conservation Element (Chapter 8); and
- (2) Residential and non-residential uses proposed in areas of special flood hazards, as shown on FEMA maps, shall conform to the requirements of the County Floodplain Management Ordinance (County Ordinance #87- 45) and the further requirements outlined in subsection (5) of the Delta Recreation and Resources section below.

GENERAL PLAN, Conservation Element

Renewable Energy Resources Policies

8-52. ~~Commercial/distribution-scale s~~Solar energy ~~generating~~ facilities may be established in areas designated Commercial, Light Industry, ~~or~~ Heavy Industry, Agricultural Lands, and Public and Semi-Public on the Land Use Element Map, in accordance with the Solar Energy Facilities Ordinance after issuance of a land use permit.

ORDINANCE NO. 2020-07

SOLAR ENERGY FACILITIES

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

SECTION I. SUMMARY. This ordinance adds Chapter 88-30 to the County Ordinance Code to allow the establishment of commercial solar energy facilities in the general commercial (C), light industrial (L-I), heavy industrial (H-I), and planned unit (P-1) districts, and in the solar energy generation (-SG) combining district.

SECTION II. Chapter 88-30 is added to the County Ordinance Code, to read:

Chapter 88-30
SOLAR ENERGY FACILITIES

Article 88-30.2
General

88-30.202 Title. This chapter is known as the Solar Energy Facilities Ordinance of Contra Costa County. (Ord. 2020-07 § 2.)

88-30.204 Purpose. The purpose of this chapter is to regulate the establishment of commercial solar energy facilities in the unincorporated area of Contra Costa County. (Ord. 2020-07 § 2.)

88-30.206 Definitions. For purposes of this chapter, the following words and phrases have the following meanings:

- (a) “Accessory solar energy facility,” also referred to as a “solar energy system,” means a solar energy facility that is designed to collect, store, and distribute no more solar energy than what is necessary to meet on-site energy demand.
- (b) “Commercial solar energy facility” means a solar energy facility that is designed to collect, store, and distribute solar energy that will be used to meet off-site energy demand.
- (c) “Solar energy facility” means any solar collector or other solar energy device that collects, stores, and distributes solar energy for space heating, space cooling, electric generation, or water heating. “Solar energy facility” includes a photovoltaic system consisting of one or more solar panels, a solar thermal system that converts solar energy to electricity by heating a working fluid to power a generator, and a solar hot water system designed to heat water for either domestic or commercial uses. (Ord. 2020-07 § 2.)

Article 88-30.4

Permits

88-30.402 Land use permit required. No person may establish or expand a commercial solar energy facility in the unincorporated area of the County without first obtaining a land use permit, except as otherwise provided in this chapter. (Ord. 2020-07 § 2.)

88-30.404 Permit–exception. A commercial solar energy facility may be established or expanded without a land use permit if the facility meets all of the following criteria.

- (a) The facility is installed on the roof of an existing building or on a parking canopy at an existing parking lot. For purposes of this section, “existing parking lot” means an area designated and used for parking of vehicles as of the time the commercial solar energy facility is established and for at least the previous two years.
- (b) The facility is located in a general commercial (C), light industrial (L-I), or heavy industrial (H-I) district, or in a planned unit (P-1) district with an underlying general plan land use designation of commercial or industrial.
- (c) The facility complies with the standards set forth in sections 88-30.604 through 88-30.614. (Ord. 2020-07 § 2.)

88-30.406 Application and fee. An application for a land use permit for a commercial solar energy facility must be made in writing on a form approved by the director and must be accompanied by the required fee, in an amount established by the board of supervisors in the department’s fee schedule. (Ord. 2020-07 § 2.)

88-30.408 Compliance review. The department may perform a compliance review at any time to determine whether a permittee is complying with the permit's terms and conditions, the requirements of this chapter, and all applicable laws and regulations. A permittee shall cooperate with the department to complete the compliance review and must pay all applicable compliance review fees. (Ord. 2020-07 § 2.)

88-30.410 Building permits. Nothing in this chapter, and no permit or permission granted under this chapter, waives any requirement of Title 7, including the requirement to obtain all applicable building permits for construction of a commercial solar energy facility. (Ord. 2020-07 § 2.)

Article 88-30.6

Standards

88-30.602 Location requirement. A commercial solar energy facility may be established on any lot in a general commercial (C), light industrial (L-I), or heavy industrial (H-I) district, or in a

planned unit (P-1) district with an underlying general plan land use designation of commercial or industrial, or in a solar energy generation (-SG) combining district. (Ord. 2020-07 § 2.)

88-30.604 Setbacks. The front yard, side yard, and rear yard setback requirements for a commercial solar energy facility are those applicable in the underlying zoning district. (Ord. 2020-07 § 2.)

88-30.606 Height.

- (a) A ground-mounted commercial solar energy facility may not exceed 25 feet in height. For a ground-mounted facility, height is measured as the vertical distance from the natural or finished grade, whichever is lower, to the top of the structure.
- (b) A roof-mounted commercial solar energy facility may not exceed four feet above the roof surface. (Ord. 2020-07 § 2.)

88-30.608 Visibility. A commercial solar energy facility that is visible from any public right-of-way or other public space must be designed and installed to minimize visual and aesthetic impacts to the greatest extent feasible. (Ord. 2020-07 § 2.)

88-30.610 Illumination. A commercial solar energy facility may not include any type of lighted signal, lights, or other illumination, except as necessary for the operation of the facility. (Ord. 2020-07 § 2.)

88-30.612 Septic system avoidance. A commercial solar energy facility may not be located above a septic system or leach field unless approved by the Environmental Health Division of the County Department of Health Services. (Ord. 2020-07 § 2.)

88-30.614 Habitat avoidance. A commercial solar energy facility may not be located within 75 feet of any creek or within 50 feet of any other aquatic habitat unless a land use permit is issued and the zoning administrator determines: that there will be no impact to the aquatic habitat; or that mitigation measures are available to minimize or offset any impacts to the aquatic habitat and the zoning administrator requires the mitigation measures as a condition of permit approval. (Ord. 2020-07 § 2.)

88-30.616 Site restoration. If a commercial solar energy facility is located in an -SG combining district, the following site restoration requirements apply.

- (a) A site restoration plan must be approved by the zoning administrator before a land use permit is issued. The restoration plan must do all of the following:
 - (1) Identify the specific properties to which the plan applies.

- (2) Indicate that all commercial solar energy facilities, buildings, structures, and foundation will be removed to three feet below finished grade.
 - (3) Detail all regrading and revegetation necessary to return the subject property to the condition existing before the commercial solar energy facility was established or expanded. The plan must accurately show all topography, vegetation, drainage, and unique environmental features of the site.
 - (4) Provide an estimate of total restoration costs, including materials and labor.
 - (5) Include a statement that the operator, applicant, and permittee guarantee and accept responsibility for all restoration work for a period of two years after completion of restoration.
- (b) A cash deposit or surety bond must be deposited with the department to ensure the completion of the restoration work described in an approved plan. The zoning administrator will determine the amount of security before a land use permit is issued. The amount of security will include all material and labor costs, adjusted for inflation to reflect anticipated total costs at the time of restoration. (Ord. 2020-07 § 2.)

Article 88-30.8

Accessory Solar Energy Facilities

88-30.802 Approved use. An accessory solar energy facility may be established in any zoning district in accordance with Chapter 718-12. The permitting and standards provisions of this chapter do not apply to accessory solar energy facilities. (Ord. 2020-07 § 2.)

SECTION III. Section 718-12.002 of the County Ordinance Code is amended to read:

718-12.002 Building permit required.

- (a) A building permit is required to install a solar energy system. "Solar energy system," also referred to as an "accessory solar energy facility," has the meaning set forth in Section 88-30.206.
- (b) An application for a building permit to install a solar energy system will be processed in accordance with Government Code section 65850.5. (Ords. 2020-07 § 3, 2015-13, § 2.)

SECTION IV. Ordinance No. 2017-17 is repealed in its entirety.

SECTION V. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published once with the names of supervisors voting for or against it in the East Bay Times, a newspaper published in this County.

ORDINANCE NO. 2020-07

PASSED on _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Board Chair

By: _____
 Deputy

[SEAL]

KCK:

H:\Client Matters\2020\DCD\Ordinance No. 2020-07 Solar Energy Facilities.wpd

ORDINANCE NO. 2020-07

ORDINANCE NO. 2020-08

SOLAR ENERGY GENERATION COMBINING DISTRICT

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

SECTION I. SUMMARY. This ordinance adds Chapter 84-88 to the County Ordinance Code to establish the Solar Energy Generation (-SG) Combining District. The ordinance authorizes the establishment of commercial solar energy facilities on land within an agricultural district that is combined with a solar energy generation combining district, after the issuance of a land use permit.

SECTION II. Chapter 84-88 is added to the County Ordinance Code, to read:

Chapter 84-88
SOLAR ENERGY GENERATION (-SG) COMBINING DISTRICT

Article 84-88.2
General

84-88.202 Solar energy generation (-SG) combining district. All land within an agricultural (A-2, A-3, A-20, A-40, or A-80) district combined with a solar energy generation (-SG) combining district is subject to the additional regulations set forth in this chapter. (Ord. 2020-08 § 2.)

84-88.204 Priority. If there is any conflict between the regulations of this chapter and those of the underlying zoning district, the requirements of this chapter govern. (Ord. 2020-08 § 2.)

84-88.206 Definitions. For the purposes of this chapter, the following words and phrases have the following meanings:

- (a) “Commercial solar energy facility” has the meaning set forth in Section 88-30.206.
- (b) “Solar energy facility” has the meaning set forth in Section 88-30.206. (Ord. 2020-08 § 2.)

Article 84-88.4
Uses

84-88.402 Permitted uses. All uses allowed in the underlying zoning district are permitted in an

-SG district. (Ord. 2020-08 § 2.)

84-88.404 Commercial solar energy facilities. A commercial solar energy facility that meets the requirements of Chapter 88-30 may be established in an -SG district after issuance of a land use permit. (Ord. 2020-08 § 2.)

SECTION III. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published once with the names of supervisors voting for or against it in the Contra Costa Times, a newspaper published in this County.

PASSED on _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Board Chair

By: _____
Deputy

[SEAL]

KCK:

H:\Client Matters\2020\DCD\Ordinance No. 2020-08 Solar Energy Generation Combining District.wpd

ORDINANCE NO. 2020-09
(Re-Zoning Land in the **Byron, Bethel Island, Jersey Island** Area)

The Contra Costa County Board of Supervisors ordains as follows:

SECTION I: Pages **D-26, D-27, E-25, E-26, E-27, E-28, F-25, F-26, F-27, F-28, P-28, Q-27, Q-28, R-27, R-28, S-28, T-28, T-29** of the County's 2005 Zoning Map (Ord. No. 2005-03) is amended by re-zoning the land in the above area shown shaded on the map(s) attached hereto and incorporated herein (see also Department of Conservation and Development File No. **RZ19-3251** .)

FROM: Land Use District

A-2	(General Agricultural)
A-3	(Heavy Agricultural)
A-2 -BS	(General Agricultural - Boat Storage Combining District)
A-3 -BS	(Heavy Agricultural - Boat Storage Combining District)
A-2 -FH	(General Agricultural - Flood Hazard Combining District)
A-3 -FH	(Heavy Agricultural - Flood Hazard Combining District)

TO: Land Use District

A-2 -SG	(General Agricultural - Solar Energy Generation Combining District)
A-3 -SG	(Heavy Agricultural - Solar Energy Generation Combining District)
A-2 -BS -SG	(General Agricultural - Boat Storage Combining District - Solar Energy Generation Combining District)
A-3 -BS -SG	(Heavy Agricultural - Boat Storage Combining District - Solar Energy Generation Combining District)
A-2 -FH -SG	(General Agricultural - Flood Hazard Combining District - Solar Energy Generation Combining District)
A-3 -FH -SG	(Heavy Agricultural - Flood Hazard Combining District - Solar Energy Generation Combining District)

and the Department of Conservation and Development Director shall change the Zoning Map accordingly, pursuant to Ordinance Code Sec. 84.2.002.

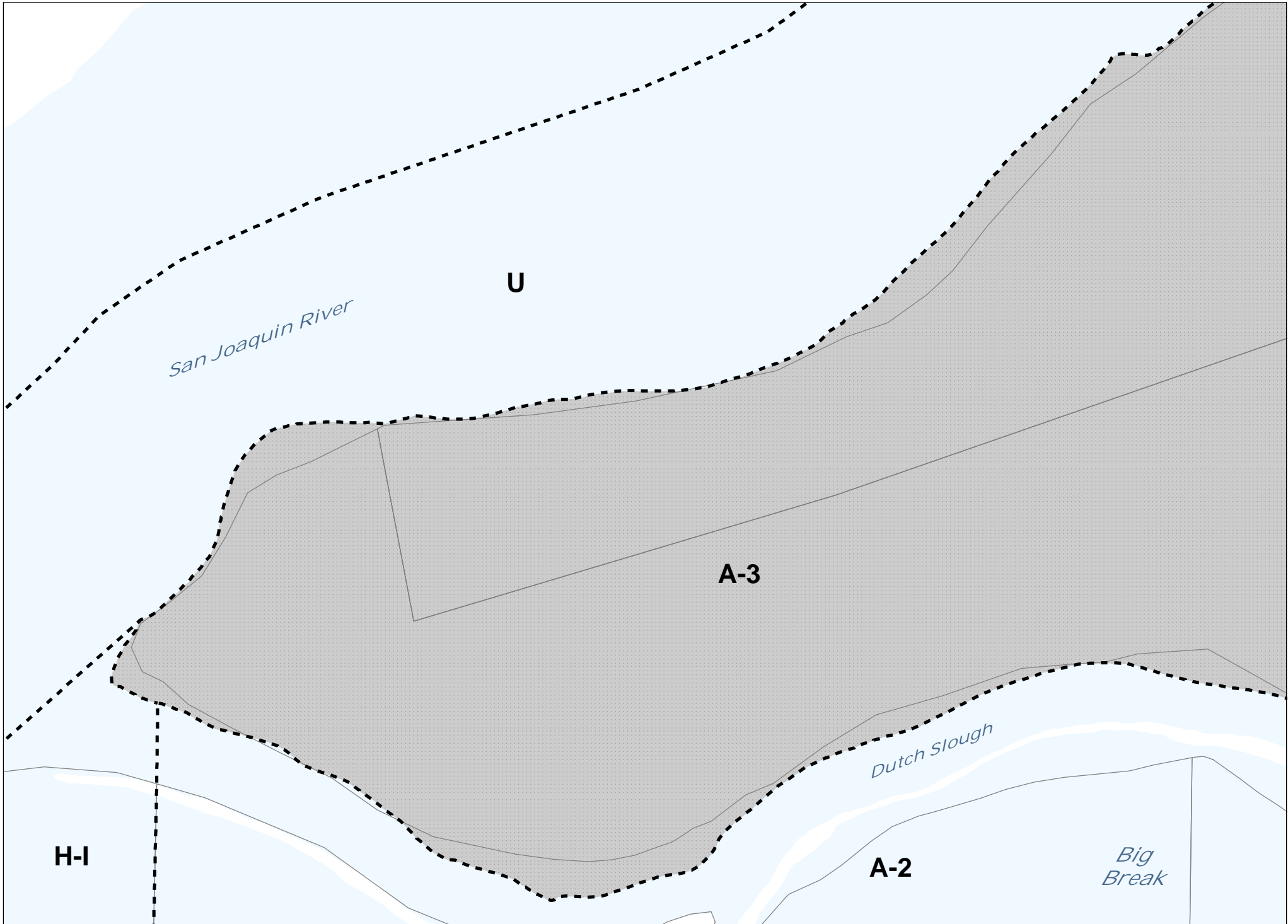
SECTION II. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days of passage shall be published once with the names of supervisors voting for and against it in the _____, a newspaper published in this County.

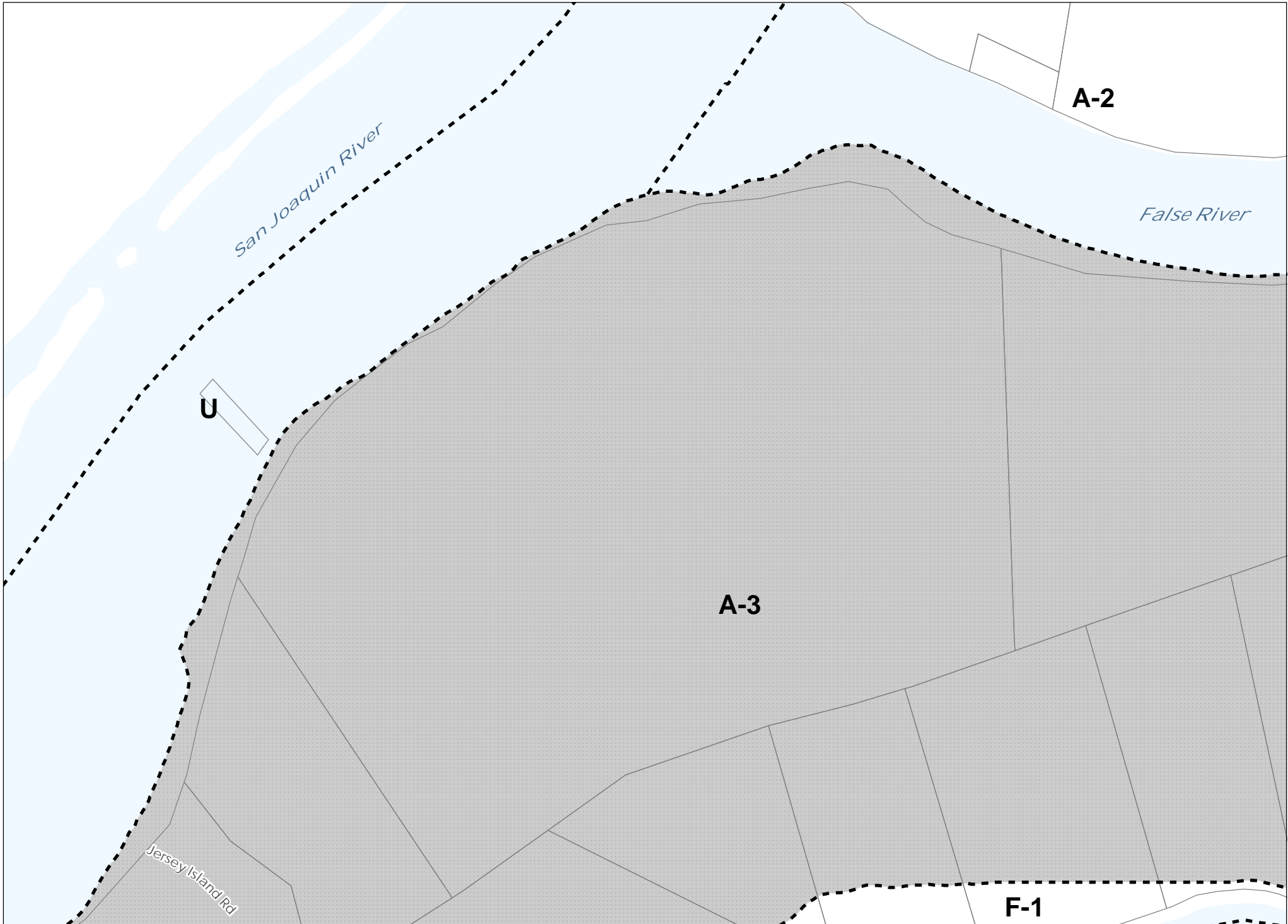
PASSED on _____ by the following vote:

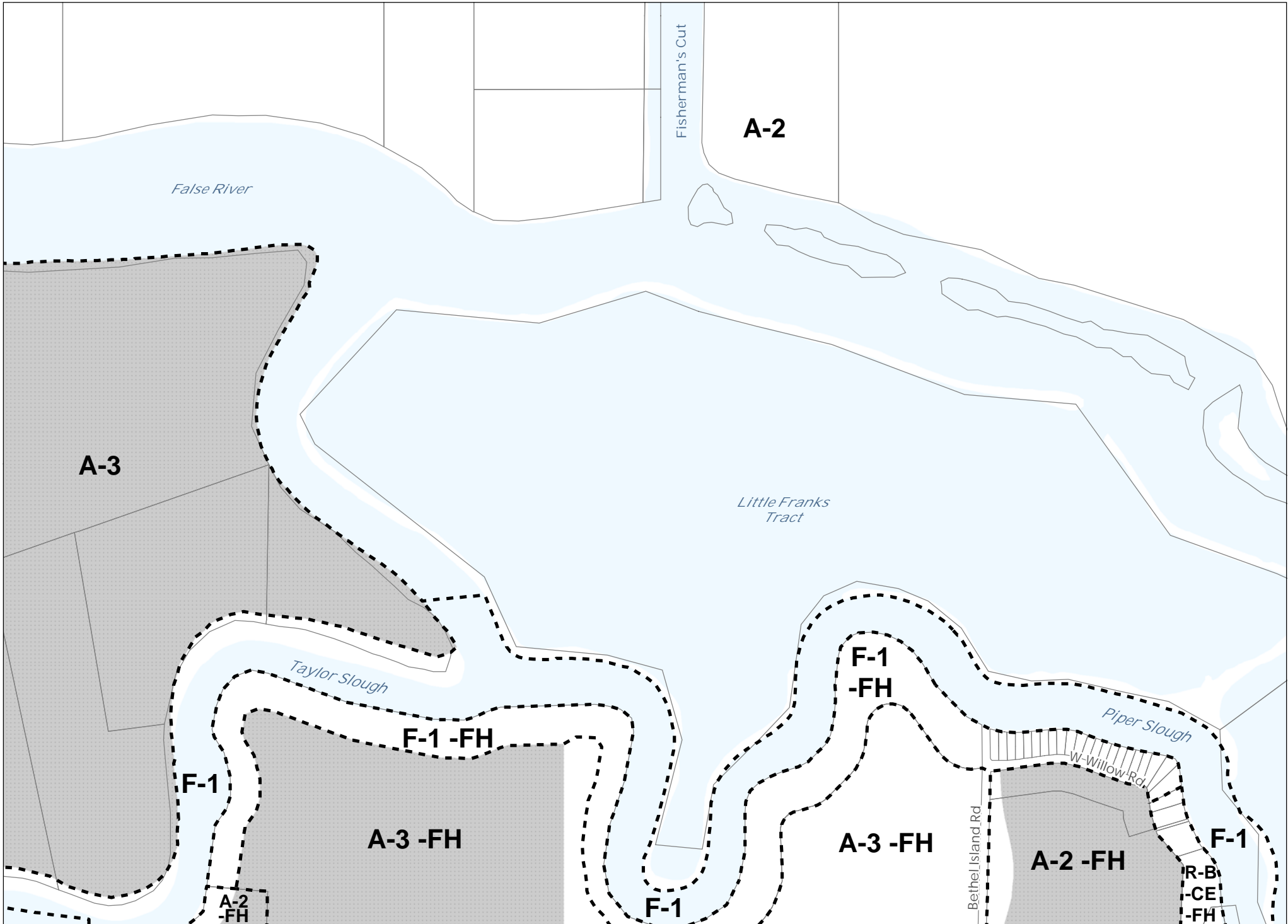
<u>Supervisor</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Abstain</u>
1. J. Gioia	()	()	()	()
2. C. Andersen	()	()	()	()
3. D. Burgis	()	()	()	()
4. K. Mitchoff	()	()	()	()
5. F.D. Glover	()	()	()	()

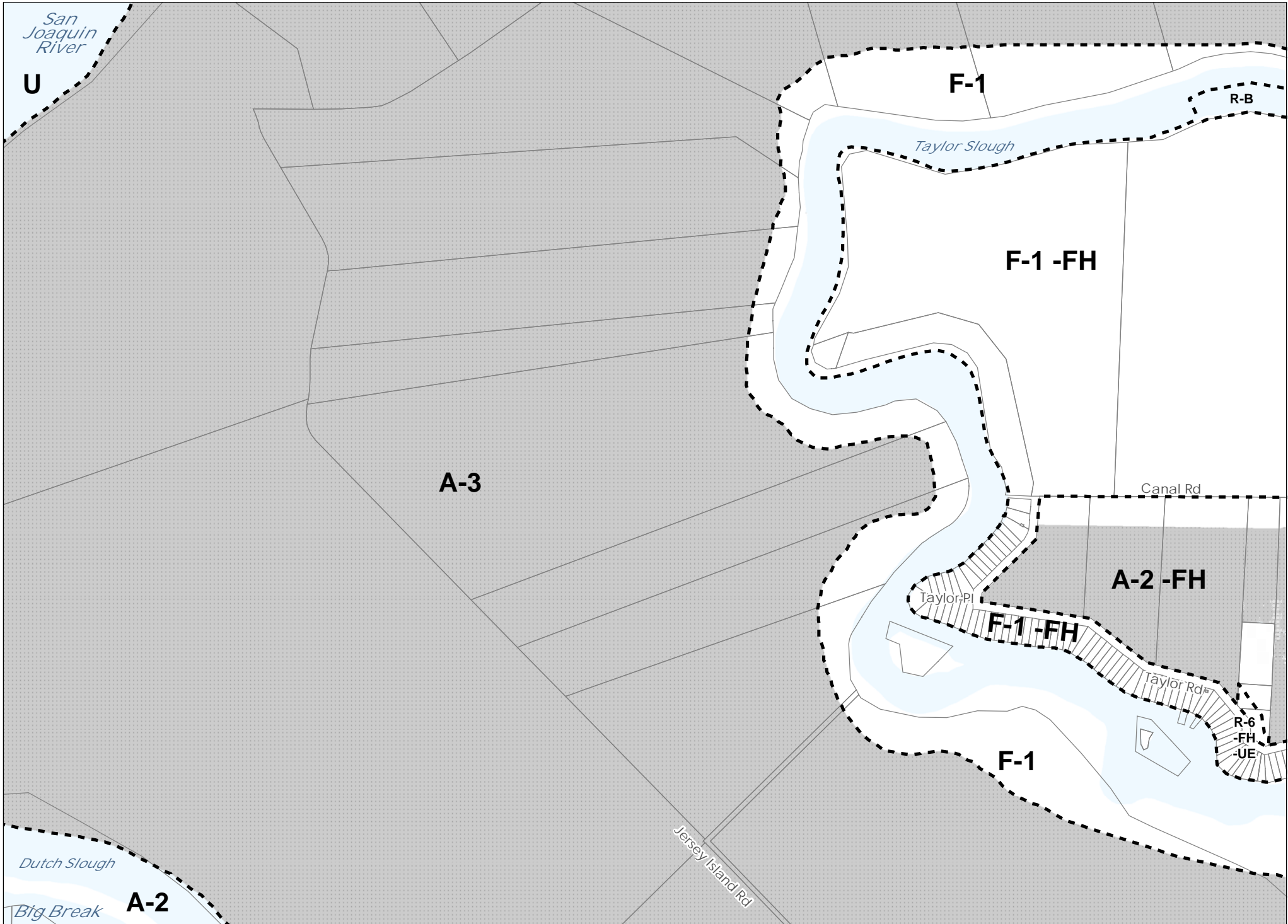
ATTEST: David Twa, County Administrator
and Clerk of the Board of Supervisors _____

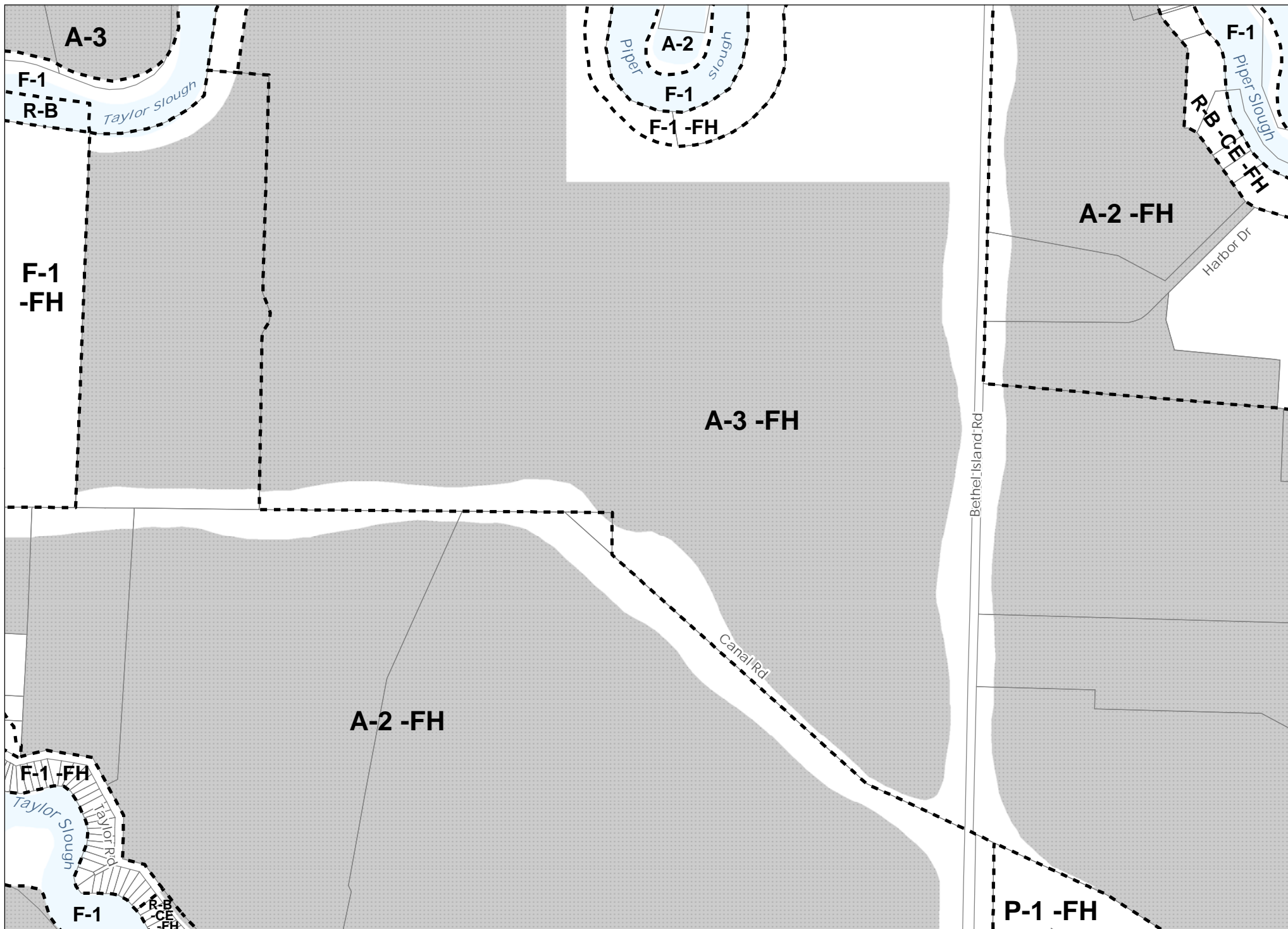
By _____, Dep. _____
Chairman of the Board
(SEAL)

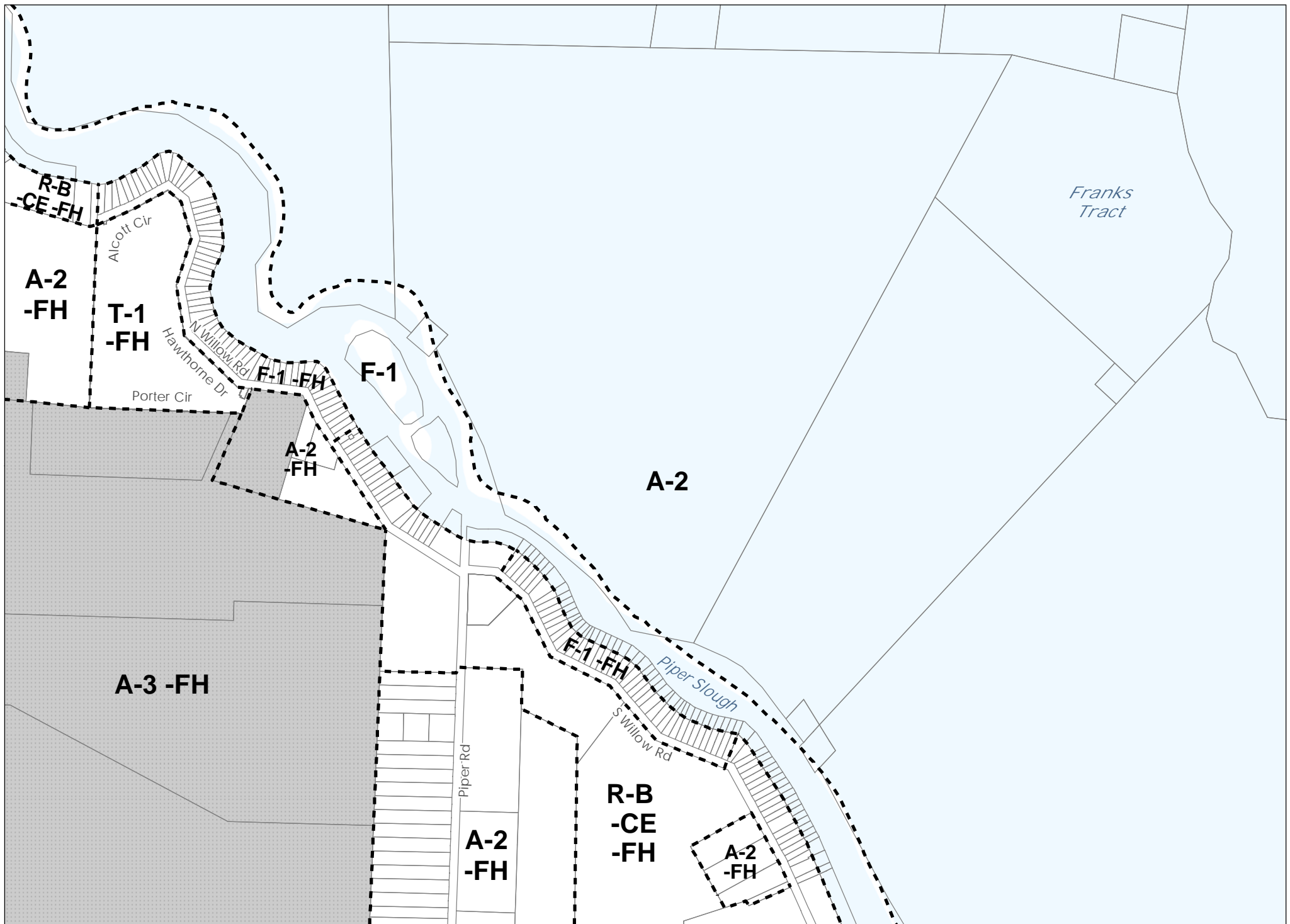


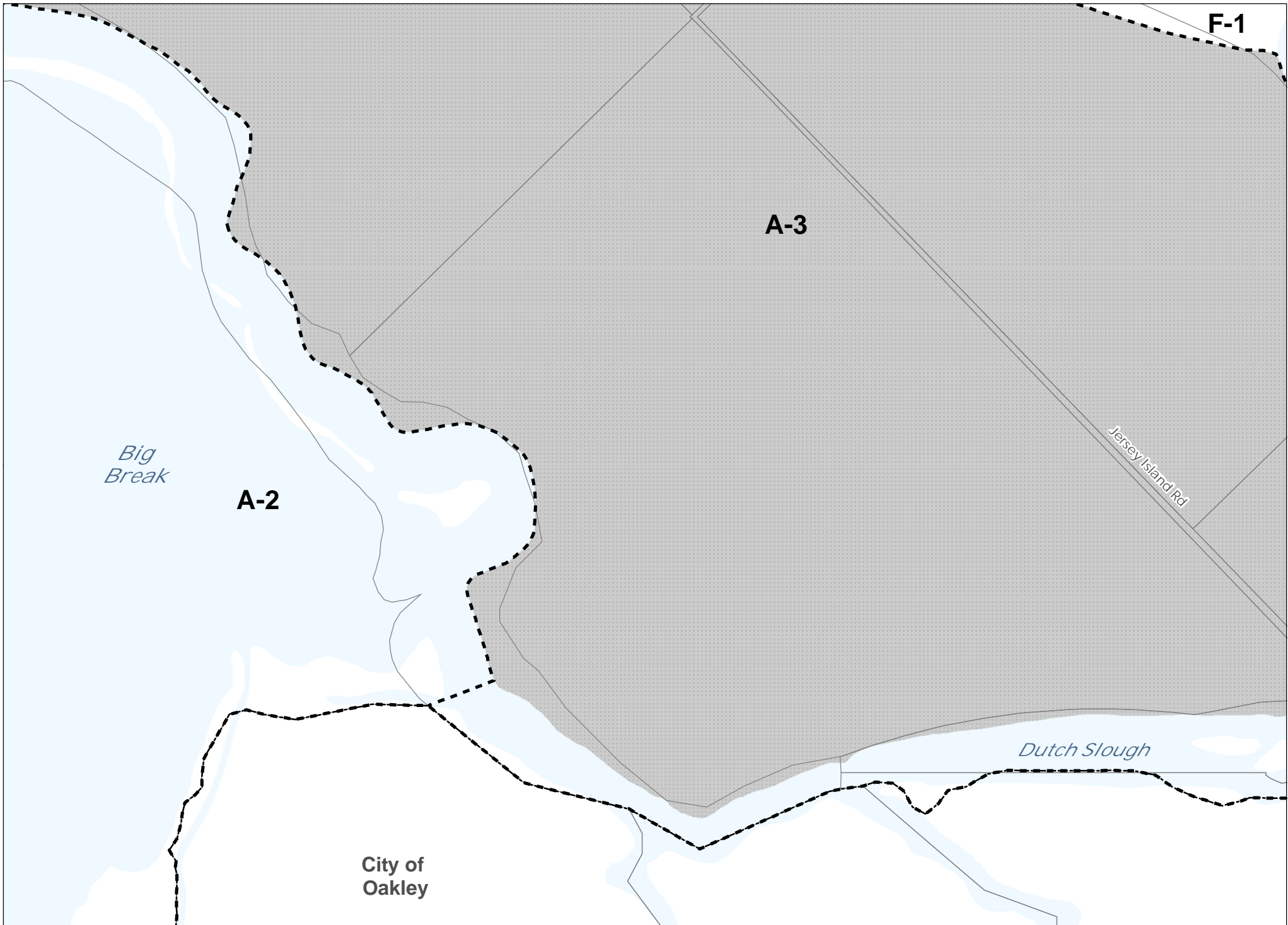


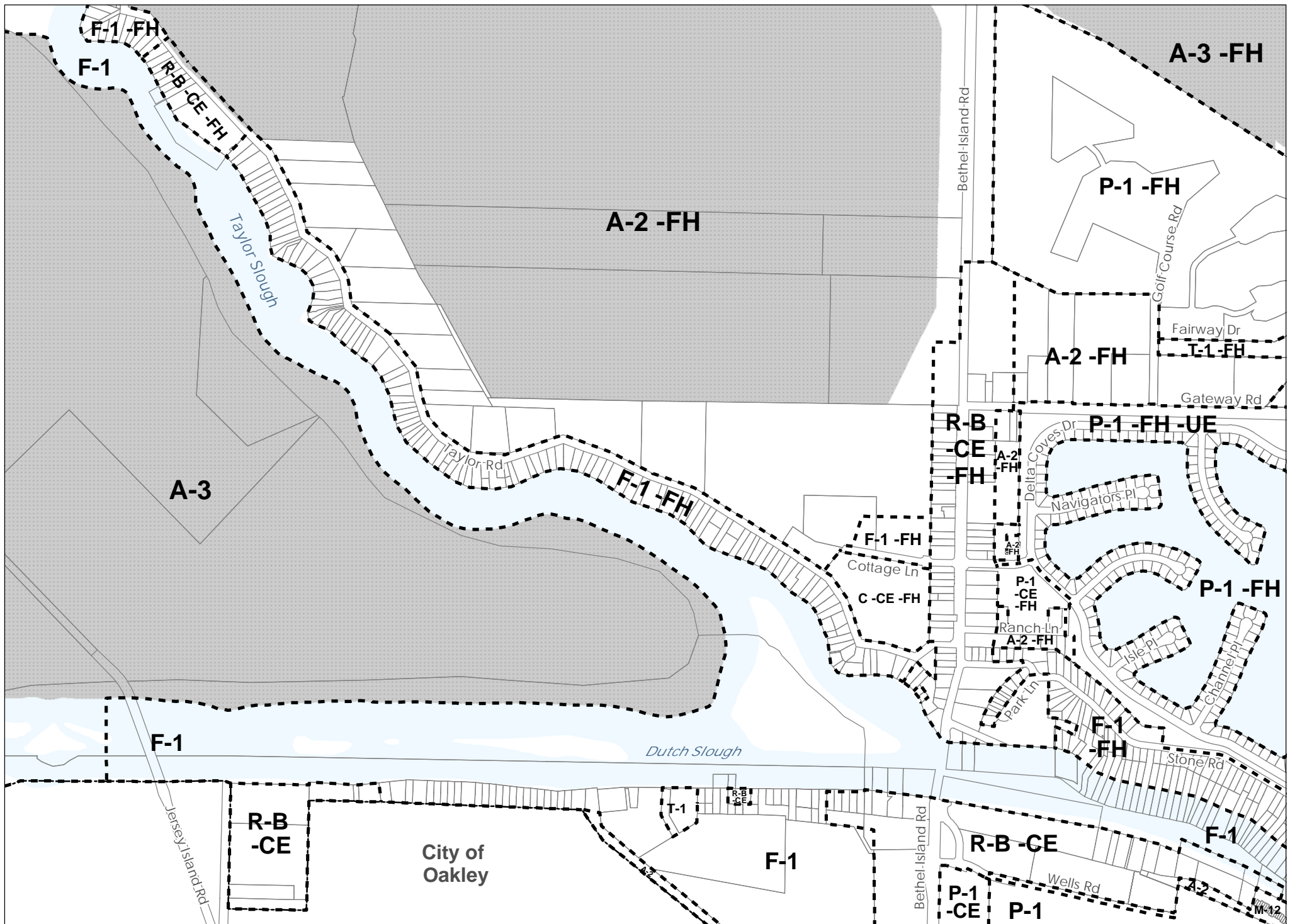


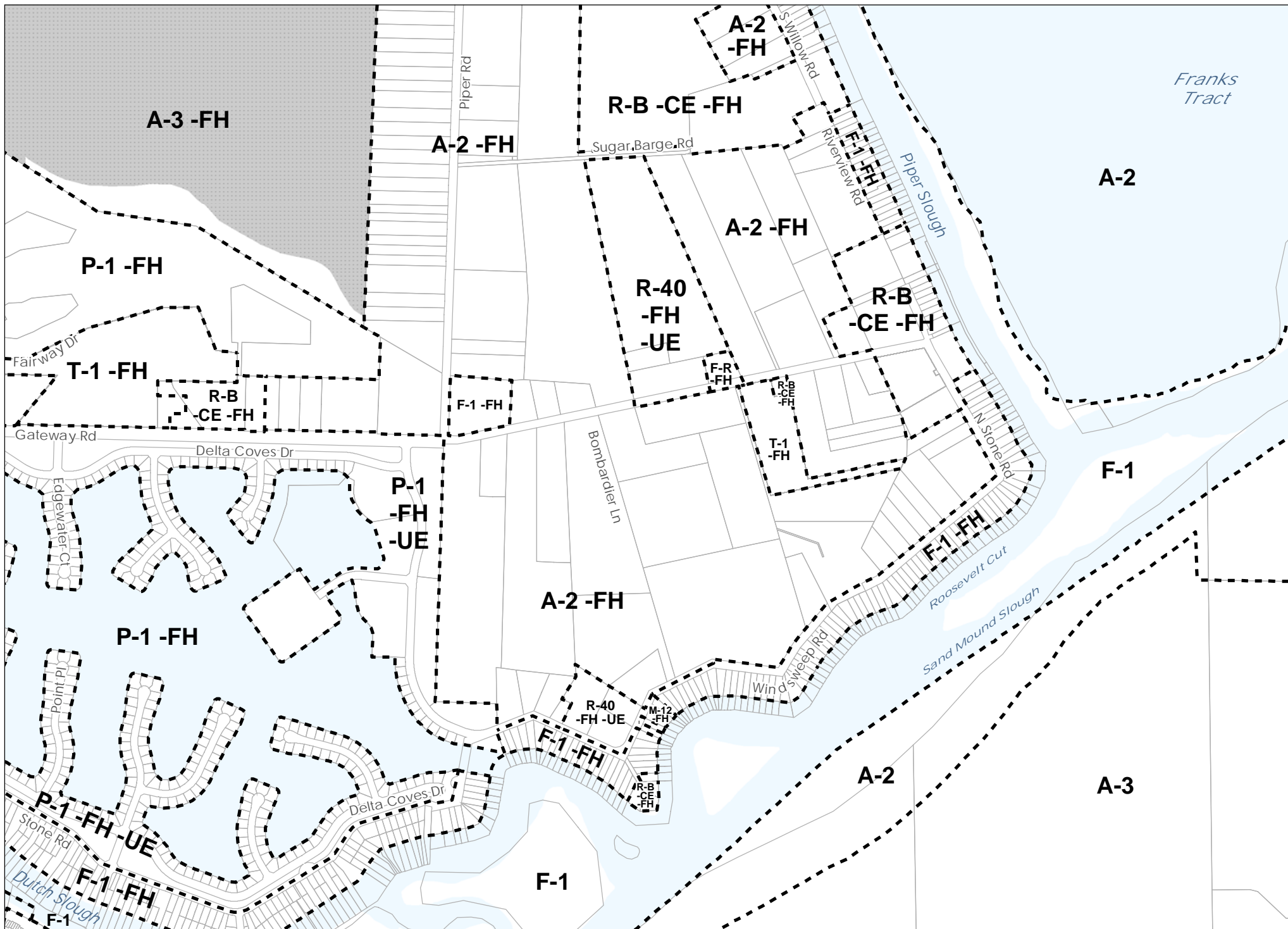


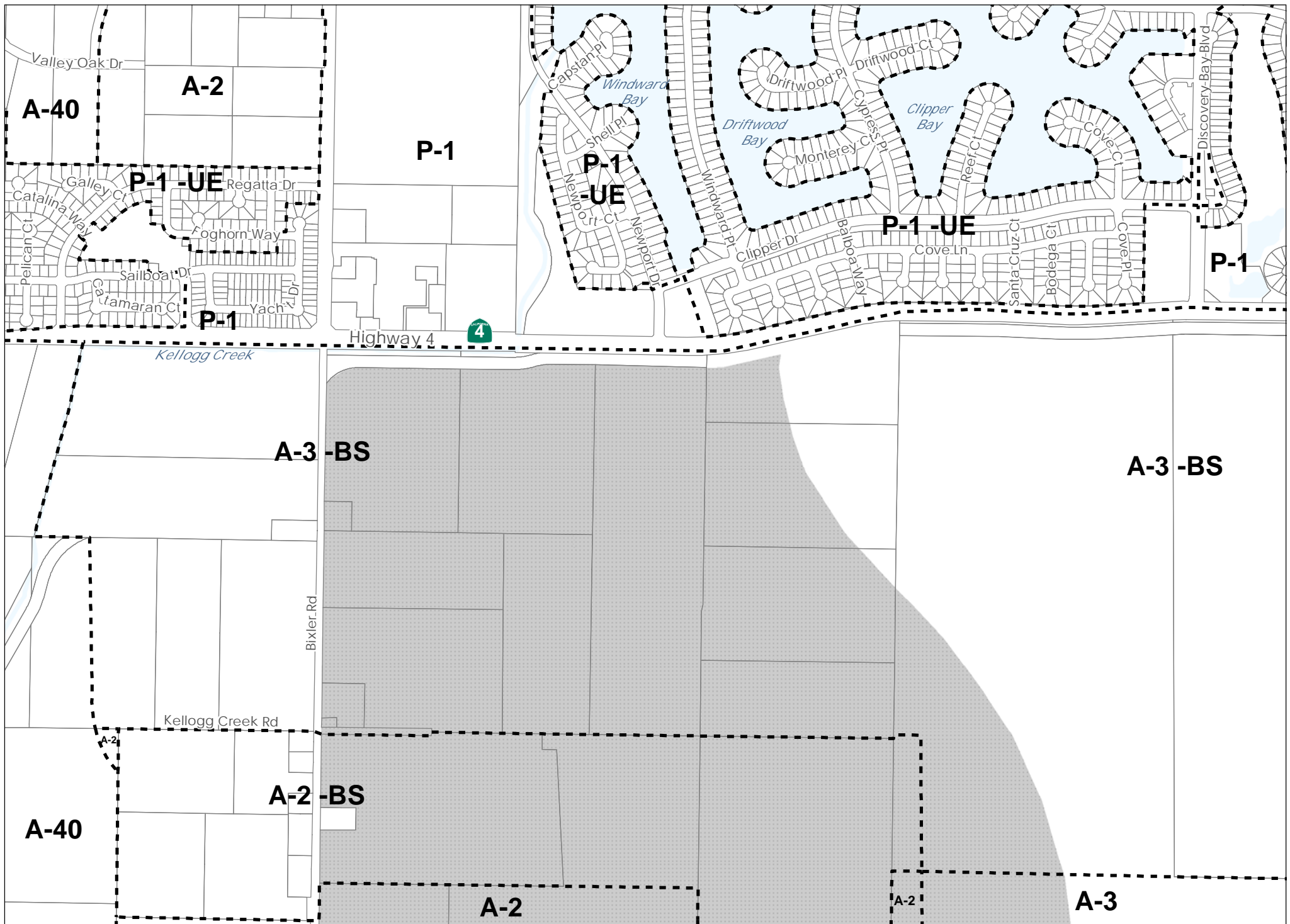


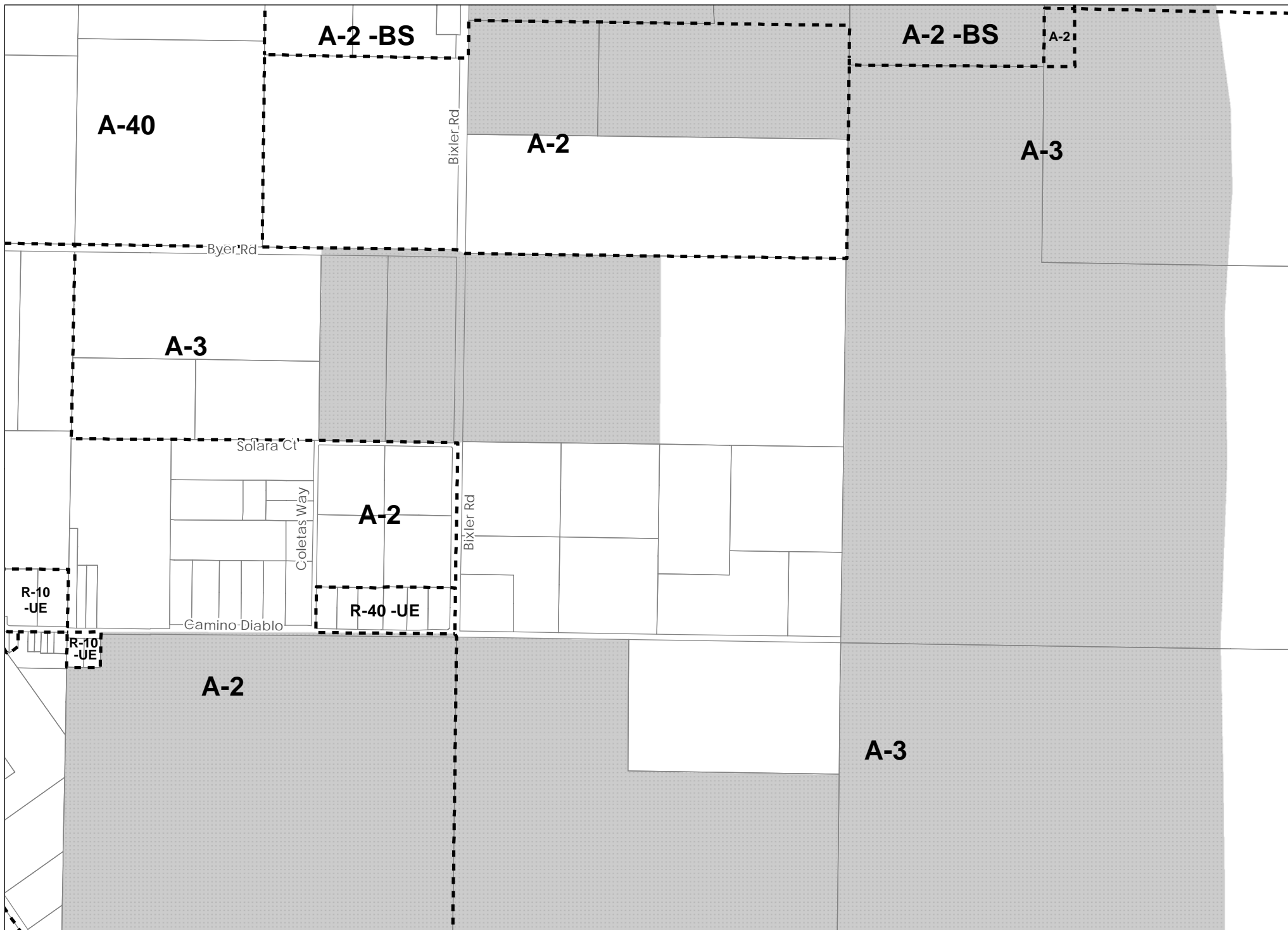




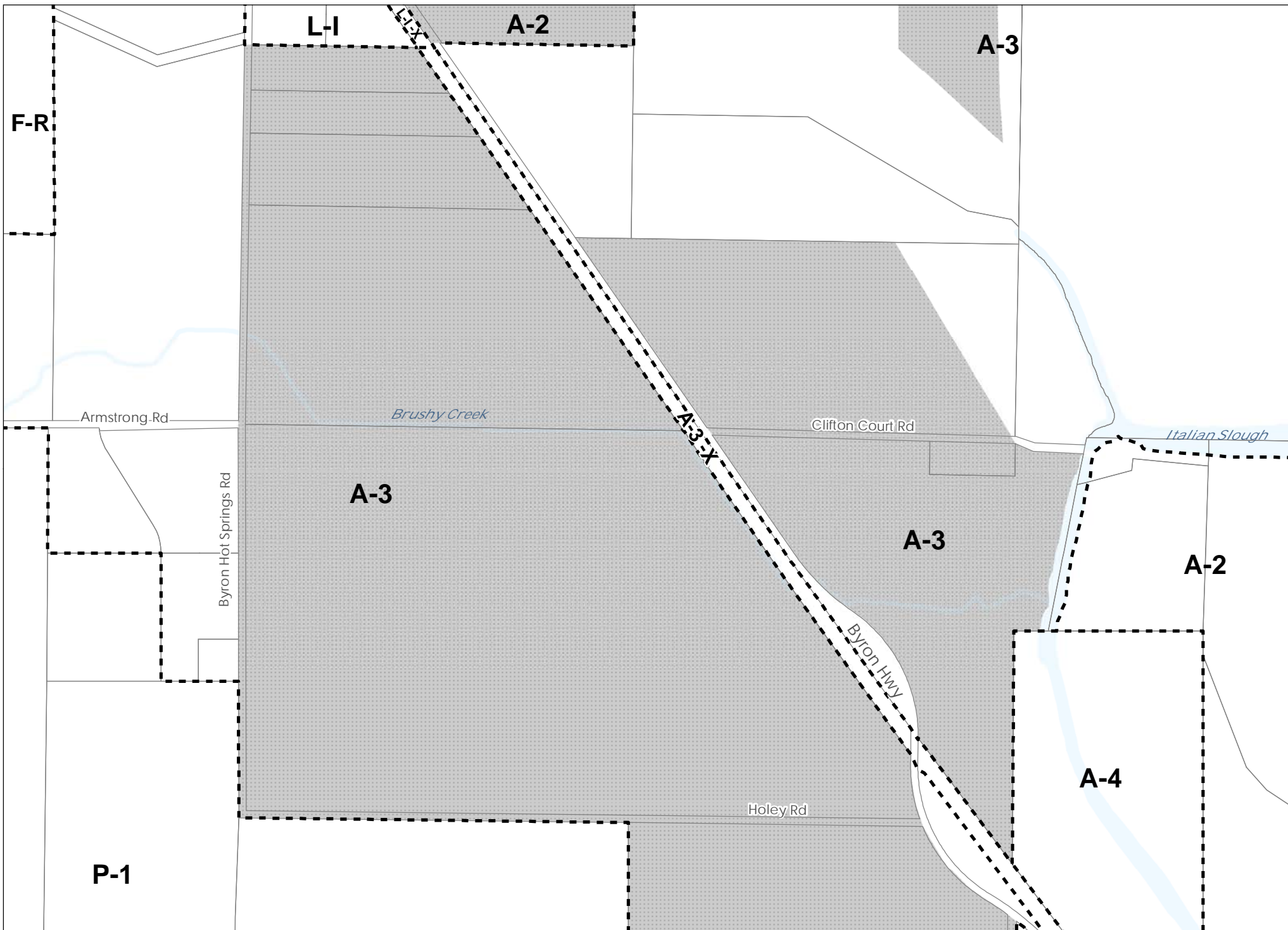


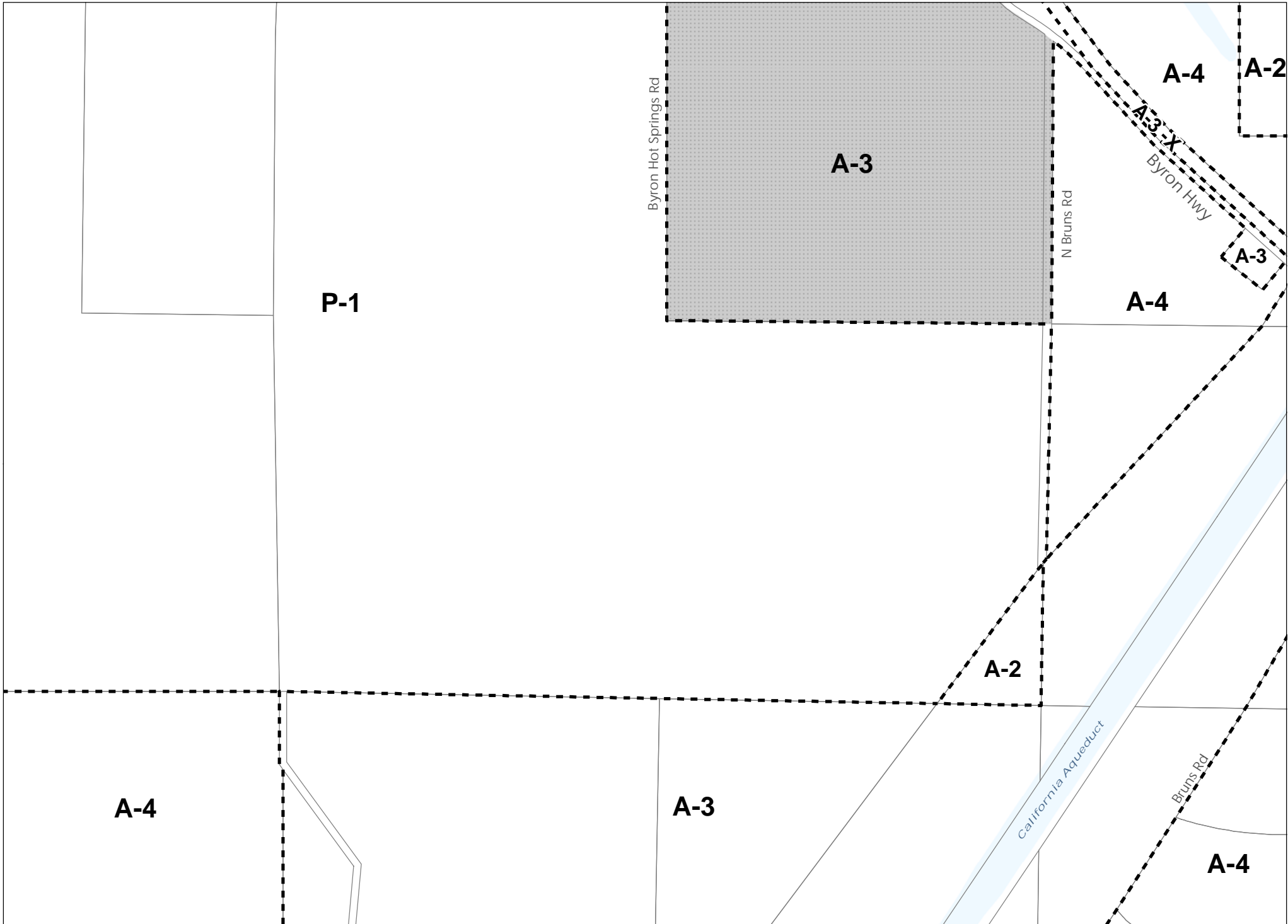


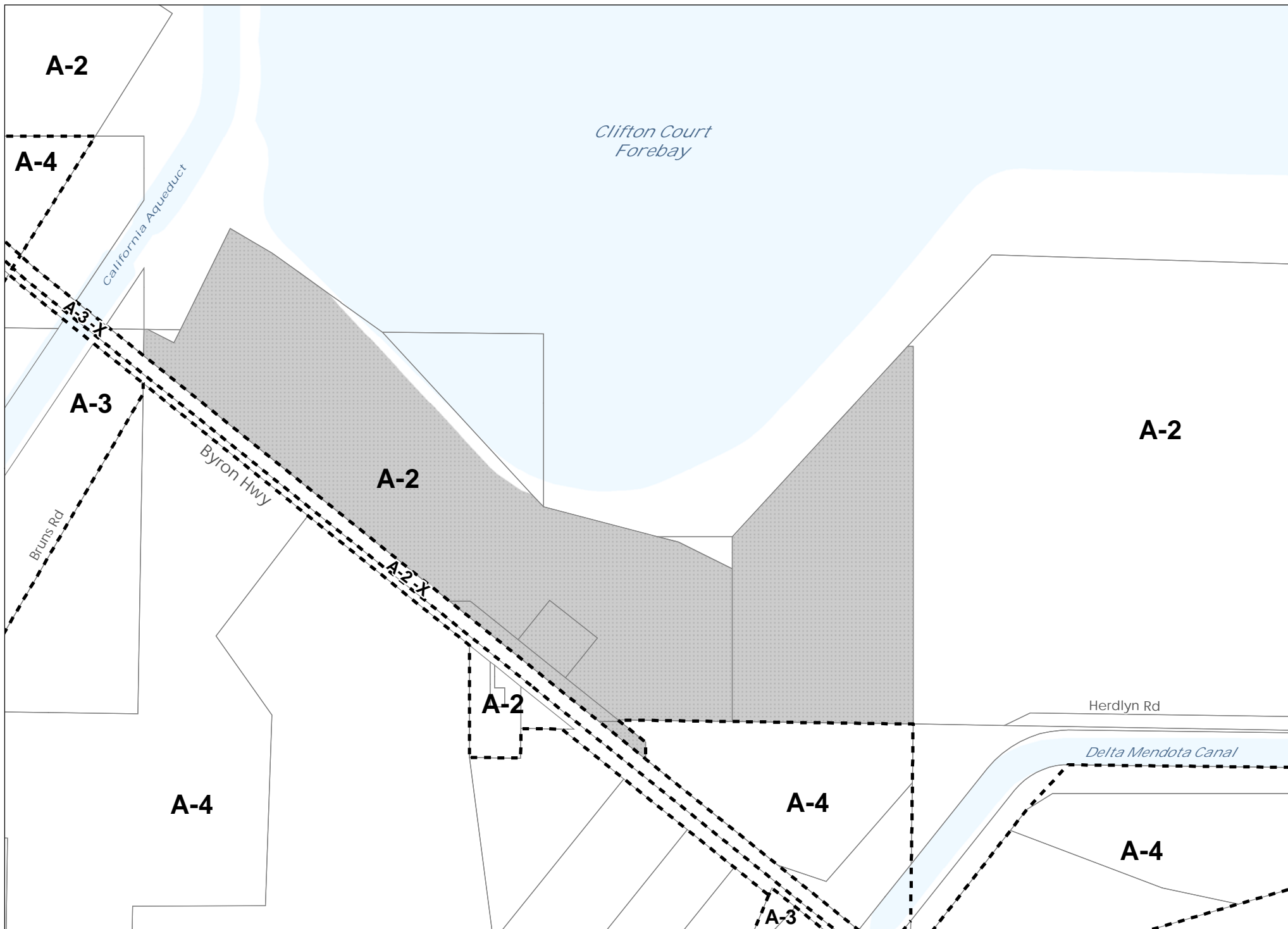


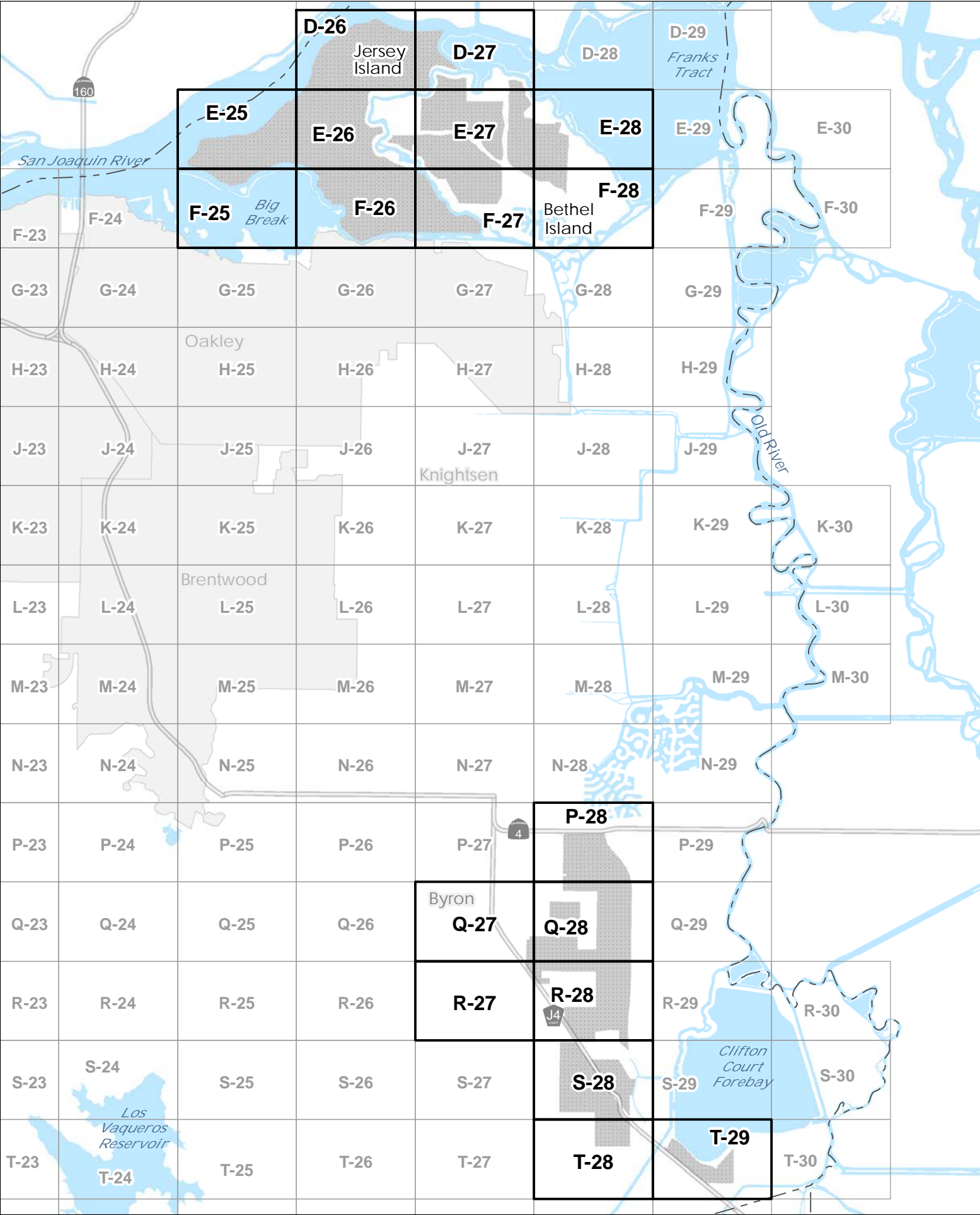




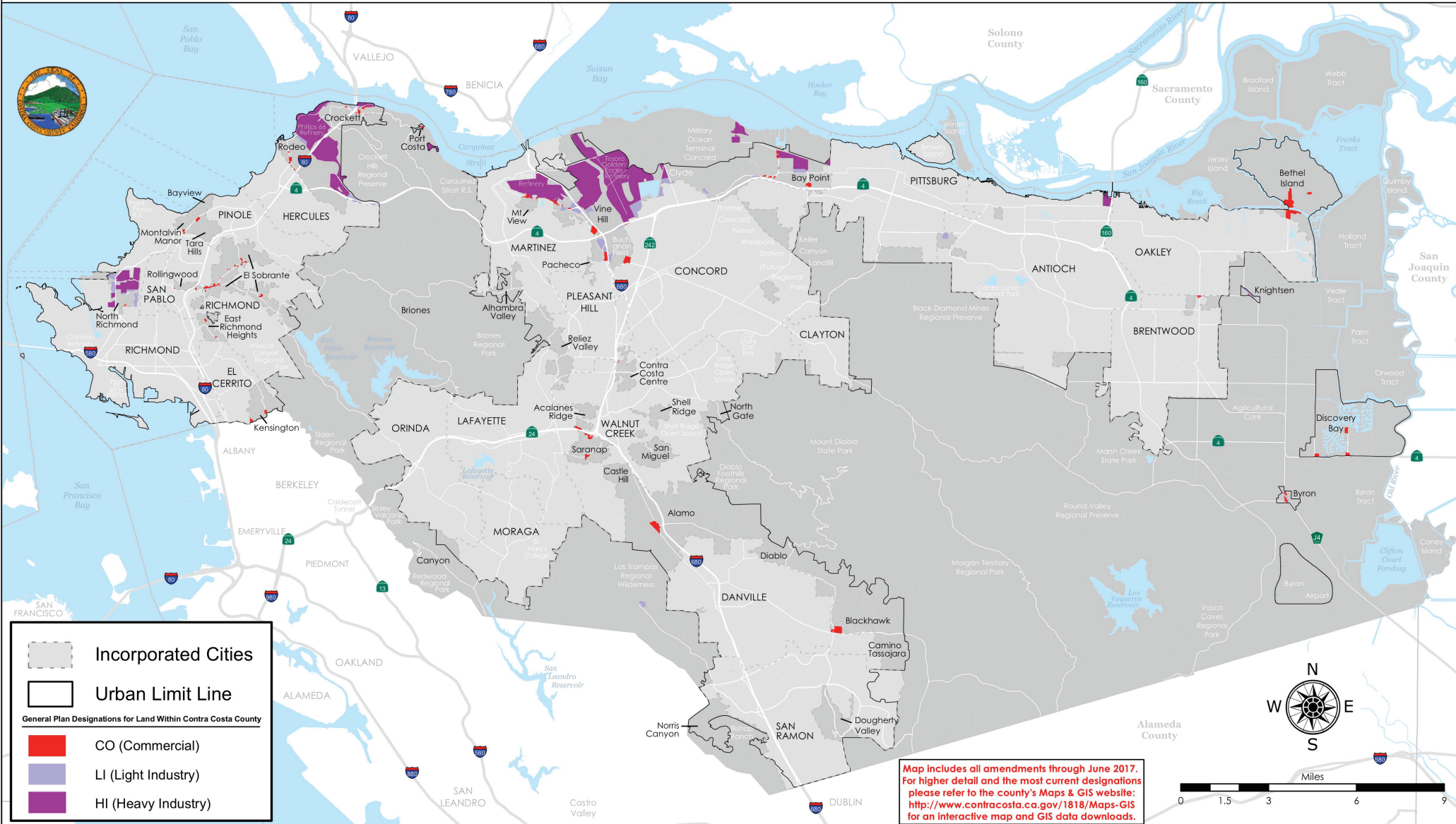








CONTRA COSTA COUNTY CO/LI/HI General Plan Land Use Designations



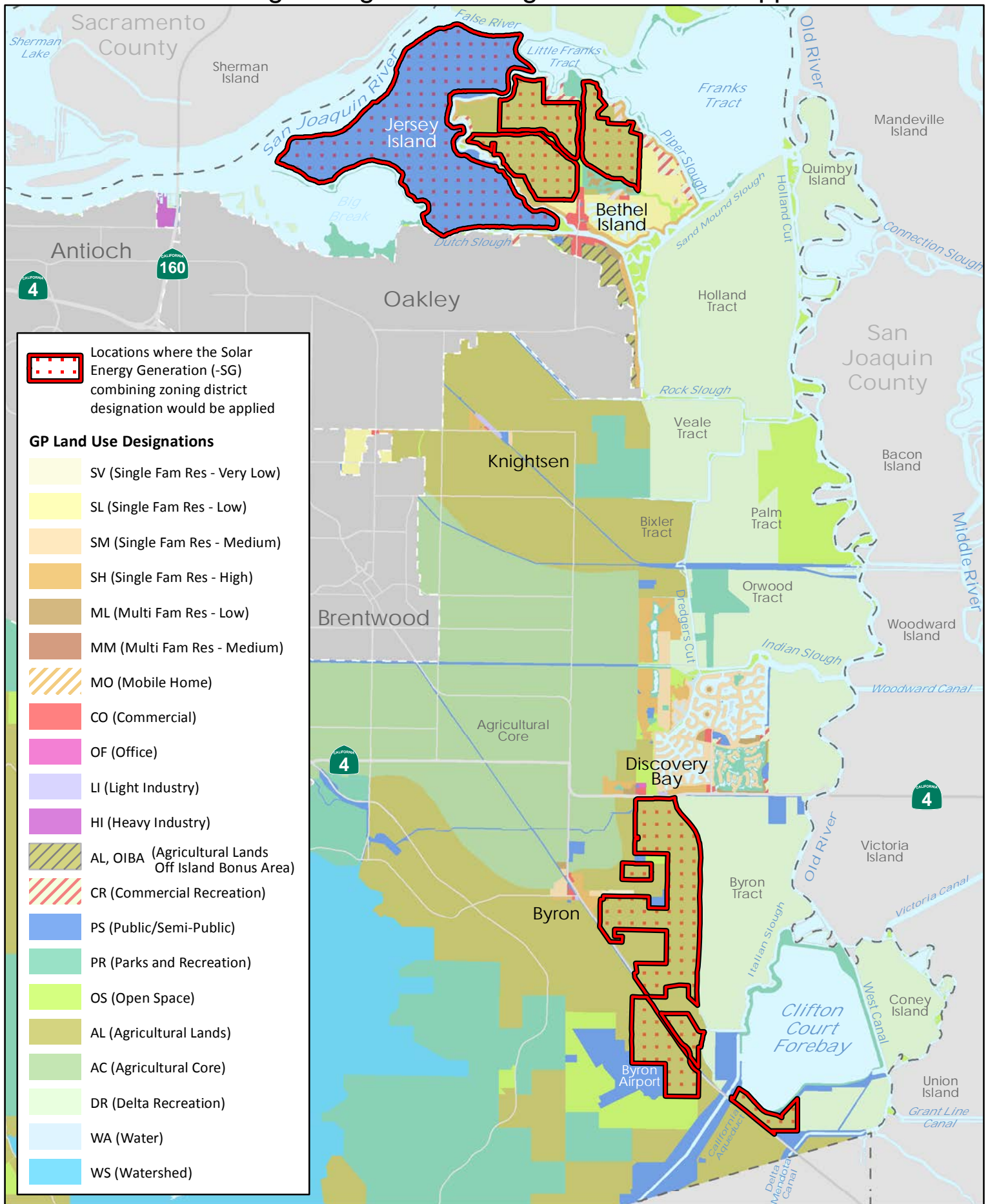
Prepared by the Department of Conservation and Development

ANTIOCH Incorporated Areas
ALAMO Unincorporated Areas

This map or dataset was created by the Contra Costa County Department of Conservation and Development with data from the Contra Costa County GIS Program. The General Plan Land Use Map categories are valid in Unincorporated Contra Costa County only. Please contact the individual cities for their General Plan Land Use. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.

Map Created on October 18th, 2017
Contra Costa County Department of Conservation & Development
30 Main Road, Martinez, CA 94553
97-39-41.791N 122-07-55.754W 98

Attachment 6 - Locations where the Solar Energy Generation (-SG) combining zoning district designation would be applied



SOLAR ENERGY FACILITIES ZONING ORDINANCE AND GENERAL PLAN UPDATES

Presented to Contra Costa County Board of Supervisors

February 2020

Contra Costa County Department of Conservation and Development

John Kopchik, Director, John.Kopchik@dcd.cccounty.us, 925-674-7205

Joseph W. Lawlor Jr, AICP, Project Planner, Joseph.Lawlor@dcd.cccounty.us, 925-674-7802

Telma B. Moreira, Principal Planner, Telma.Moreira@dcd.cccounty.us, 925-674-7783

Today's Presentation

- Background on Solar in Contra Costa County
- Current Status of Solar Facility Permitting
- Review of Proposed Updates
- Recommended Board Action



BACKGROUND

Renewable Resources Potential Study 2018

- \$49,000 grant from California Strategic Growth Council
- Study prepared by consultant, The Cadmus Group
- Purpose:
 - Identify potential solar, wind, biomass, biogas generation
 - Look at options to update current policy and zoning to facilitate development of more renewable energy



Key Findings

- Solar identified as highest potential, both in terms of capacity and annual generation.
- Potential solar energy generation is split between existing ROOFTOPS AND PARKING lots in developed areas, and undeveloped “GREENFIELD” PARCELS in rural areas.

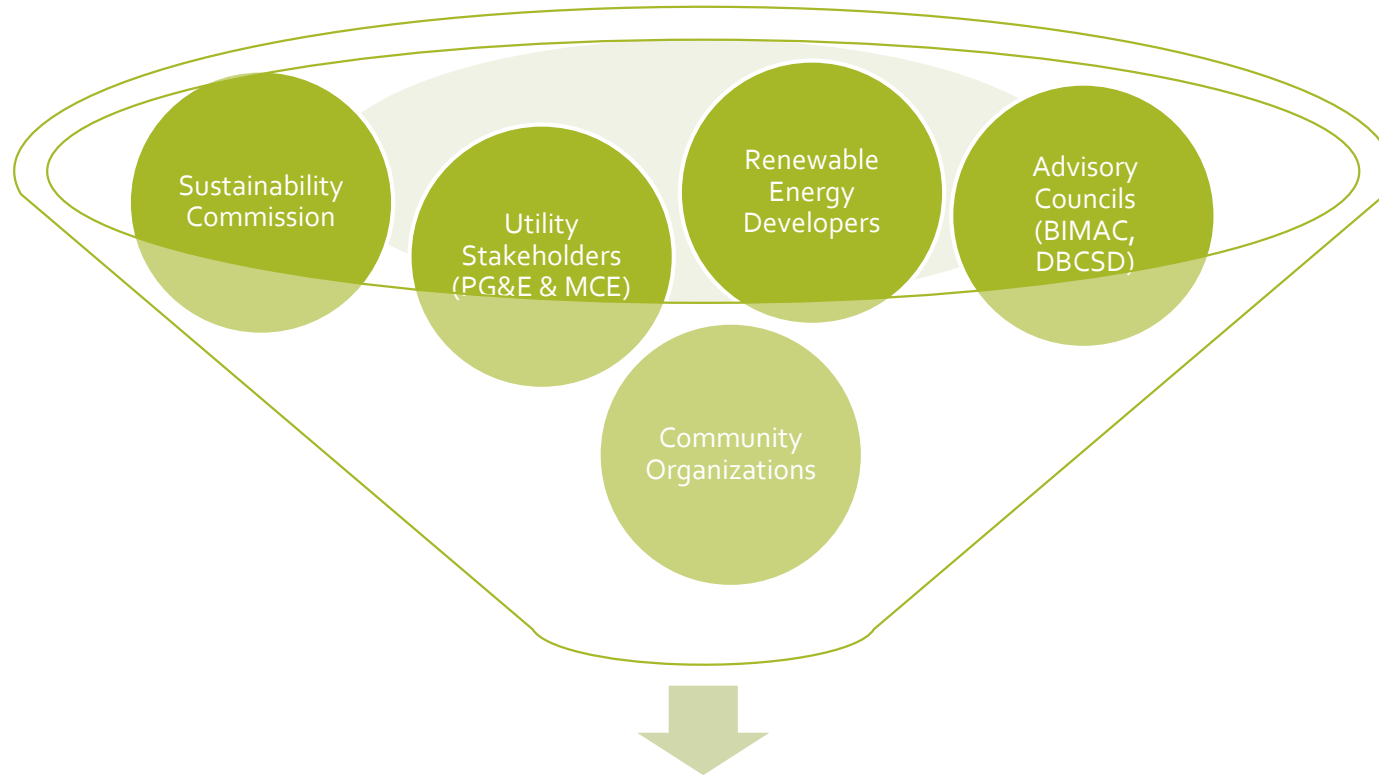


Technical Potential for Clean Energy in Contra Costa County

Type		MW Capacity		Annual MWh	
		Low	High	Low	High
Solar	Rooftops	1450	2600	2,290,000	4,100,000
	Parking Lots	180	530	280,000	840,000
	Unlikely to be Developed	120	310	190,000	490,000
	Agricultural Land with Constraints	760	970	1,200,000	1,530,000
	Total Solar	2,510	4,410	3,960,000	6,960,000
Wind	Total Wind	35	35	76,700	76,700
Biomass	Agricultural	3	6	24,100	48,200
	Wood Waste	6	26	48,000	192,000
	Landfill	62	78	460,000	580,000
	Total Biomass	71	110	531,000	821,000
Biogas	Food Waste	1.5	1.8	10,000	13,200
	Waste Water	1.7	2.0	12,400	15,200
	Landfill Gas:	11	14	83,400	104,200
	Total Biogas	14	18	107,000	133,000
Grand Total		2,600	4,600	4,674,000	7,990,000



Input



Renewable Resources Potential
Study / Solar Update

CURRENT STATUS

Solar Facilities

- **ON-SITE ENERGY USE**

- The County has streamlined approval of solar facility installations where the energy produced will be utilized on site, in accordance with California Government Code 65850.5
- Must be accessory use to a primary use

- **OFF-SITE ENERGY USE**

- 2017 interim update allows facilities in General Commercial, Light Industrial, and Heavy Industrial zoning districts after LUP



PROPOSED ORDINANCE AND GENERAL PLAN UPDATES

Four Actions

- General Plan Text Amendment
- Solar Energy Facilities Ordinance
- Solar Energy Facilities (-SG) Combining District Ordinance
- Rezoning of Identified Area to -SG Combining District



2015 Climate Action Plan Goals

Strategy #	Action	Performance Target	GHG Reduction Goals	Department(s)
RE 1: Alternative Energy Installations	Promote installation of alternative energy facilities on homes and businesses	New homes with solar	2020: 8,280 2035: 14,840	Conservation and Development
		Existing homes with solar		
		New businesses with solar		
		Existing businesses with solar		
		kW supplied by PG&E Green Tariff program		
RE 2: Alternative Energy Facilities	Promote installation of alternative energy facilities on public land	MW solar installed at public facilities in unincorporated area	2020: 270 2035: 630	Conservation and Development, Public Works
RE 3: Alternative Energy Financing	Lower barriers to entry for the installation of alternative energy systems	n/a	Supportive of overall reductions	Conservation and Development



Technical Potential for Clean Energy in Contra Costa County

Type		MW Capacity		Annual MWh	
		Low	High	Low	High
Solar	Rooftops	1450	2600	2,290,000	4,100,000
	Parking Lots	180	530	280,000	840,000
	Unlikely to be Developed	120	310	190,000	490,000
	Agricultural Land with Constraints	760	970	1,200,000	1,530,000
	Total Solar	2,510	4,410	3,960,000	6,960,000
Wind	Total Wind	35	35	76,700	76,700
Biomass	Agricultural	3	6	24,100	48,200
	Wood Waste	6	26	48,000	192,000
	Landfill	62	78	460,000	580,000
	Total Biomass	71	110	531,000	821,000
Biogas	Food Waste	1.5	1.8	10,000	13,200
	Waste Water	1.7	2.0	12,400	15,200
	Landfill Gas:	11	14	83,400	104,200
	Total Biogas	14	18	107,000	133,000
Grand Total		2,600	4,600	4,674,000	7,990,000



Proposed General Plan Amendment

- Allows development in accordance with the Solar Energy Facilities Ordinance in Commercial (CO), Light Industry (LI), and Agricultural Lands (AL) land use designations
- Requires a Land Use Permit in AL
- No LUP requirement in CO and LI
- HI allows all uses allowed in LI





Proposed Solar Energy Facilities Ordinance

- Allow Solar Energy Facilities for Off-Site Energy Use
- Standards for Solar Energy Facilities
- Requires a land use permit unless exception applies



Exceptions

- **EXCEPTION** only if all of the following are met:
 - Installed on the roof of an existing building, or Parking Canopy at an **EXISTING PARKING LOT**;
 - Located in C, L-I, H-I, Zoning District, or P-1 District with underlying Commercial or Industrial General Plan Designation; and
 - Complies with the standards of the Solar Ordinance
- **Accessory Solar Facilities (On-Site Use)** not covered by the ordinance



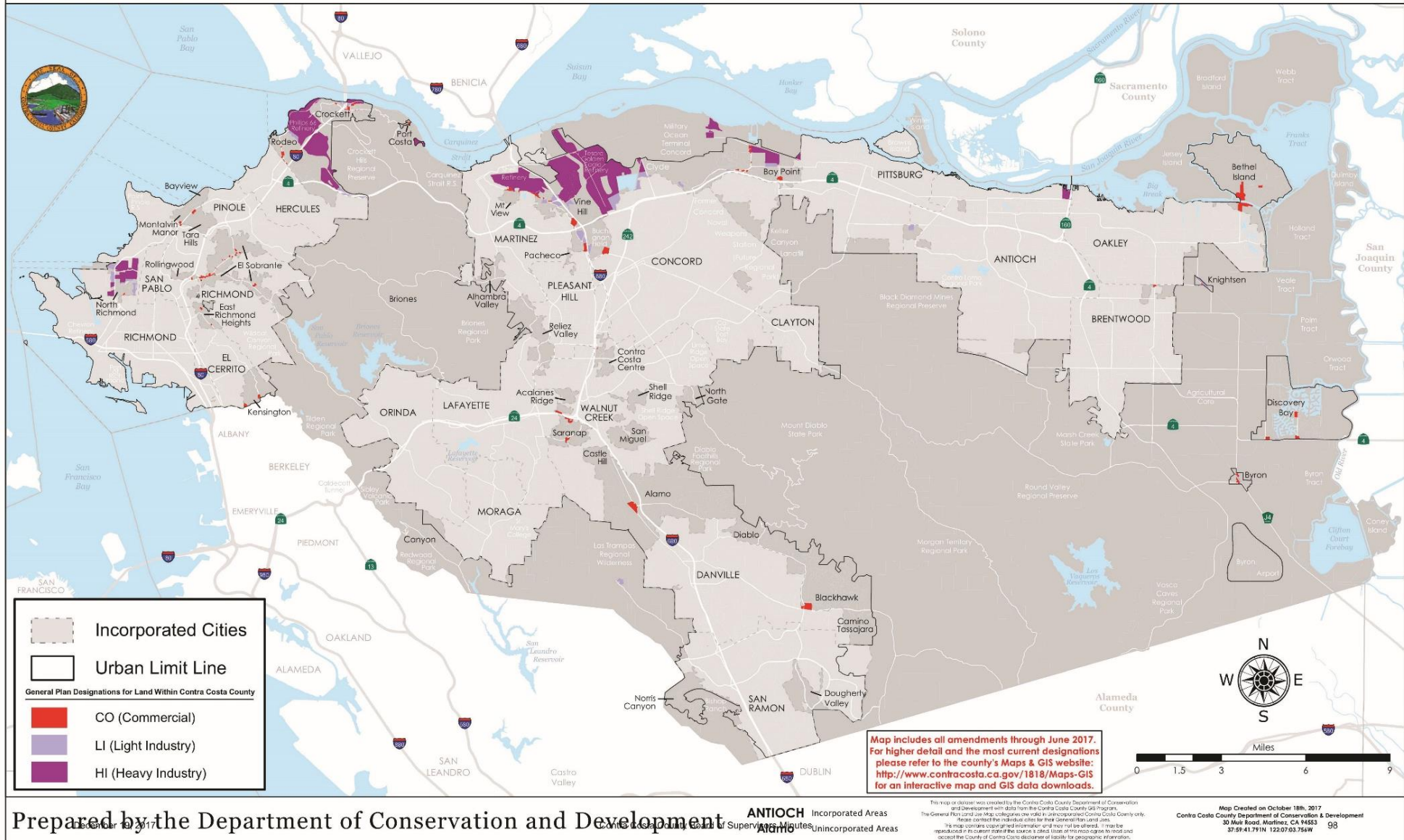








CONTRA COSTA COUNTY CO/LI/HI General Plan Land Use Designations



Prepared by the Department of Conservation and Development

ANTIOCH Incorporated Areas
 Alamo Unincorporated Areas

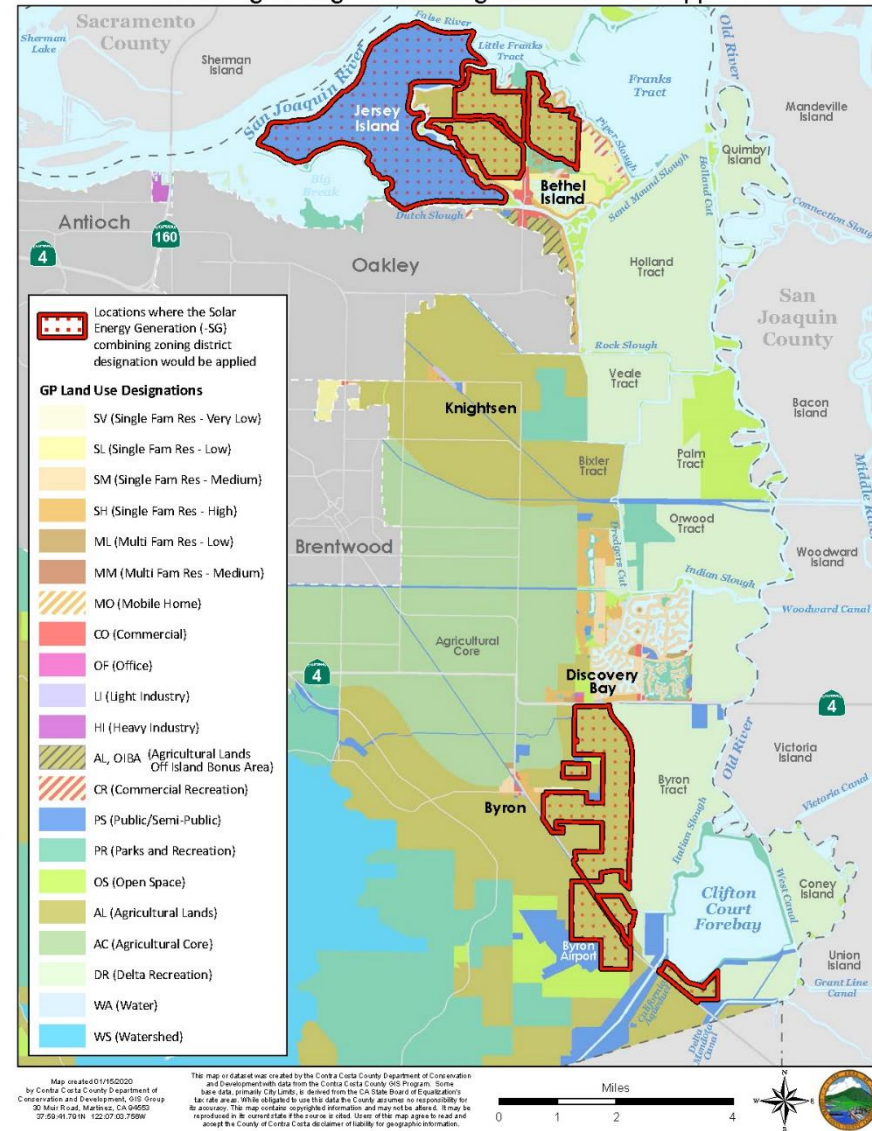


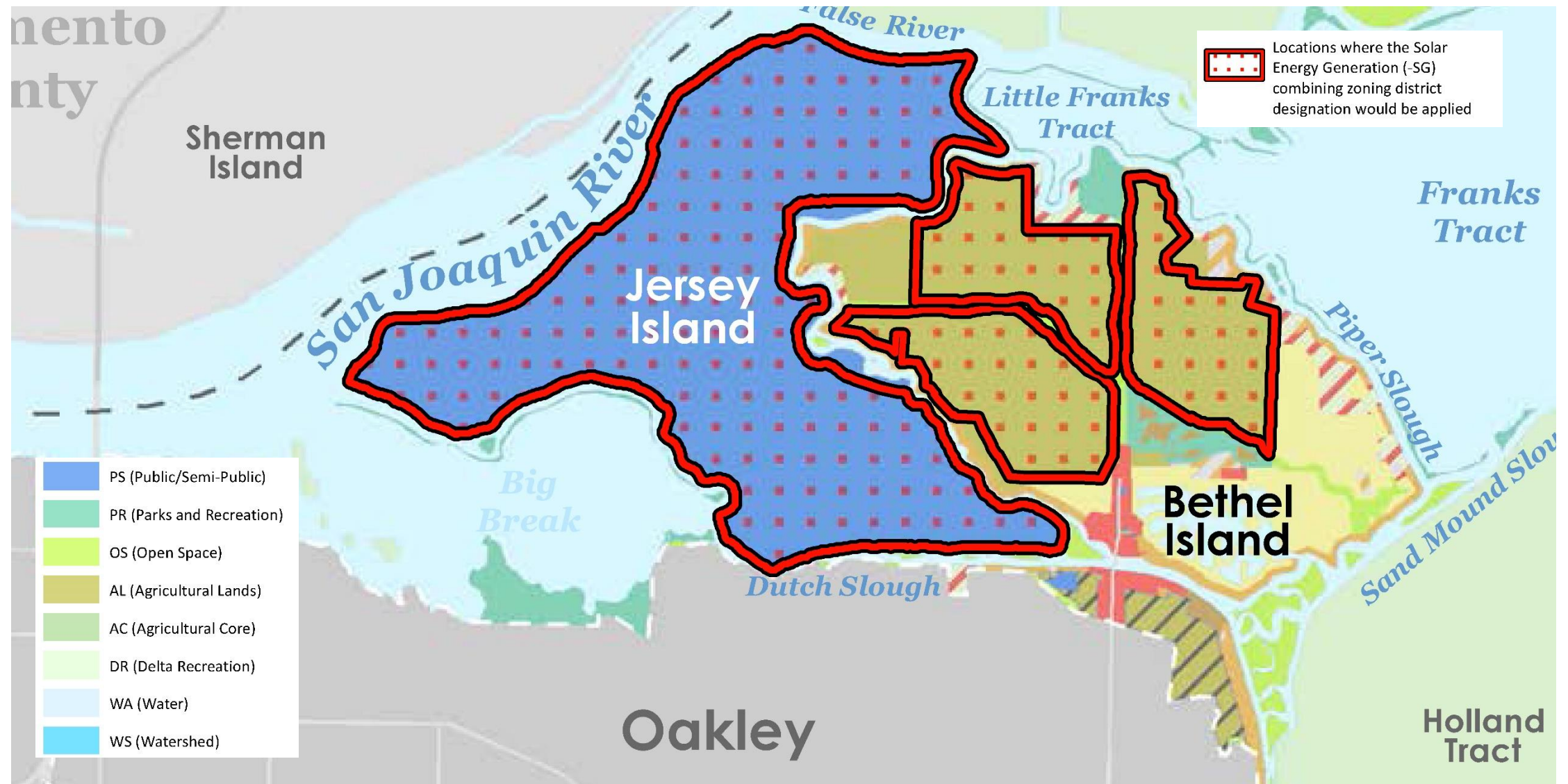
Proposed -SG Combining District Ordinance and Rezoning

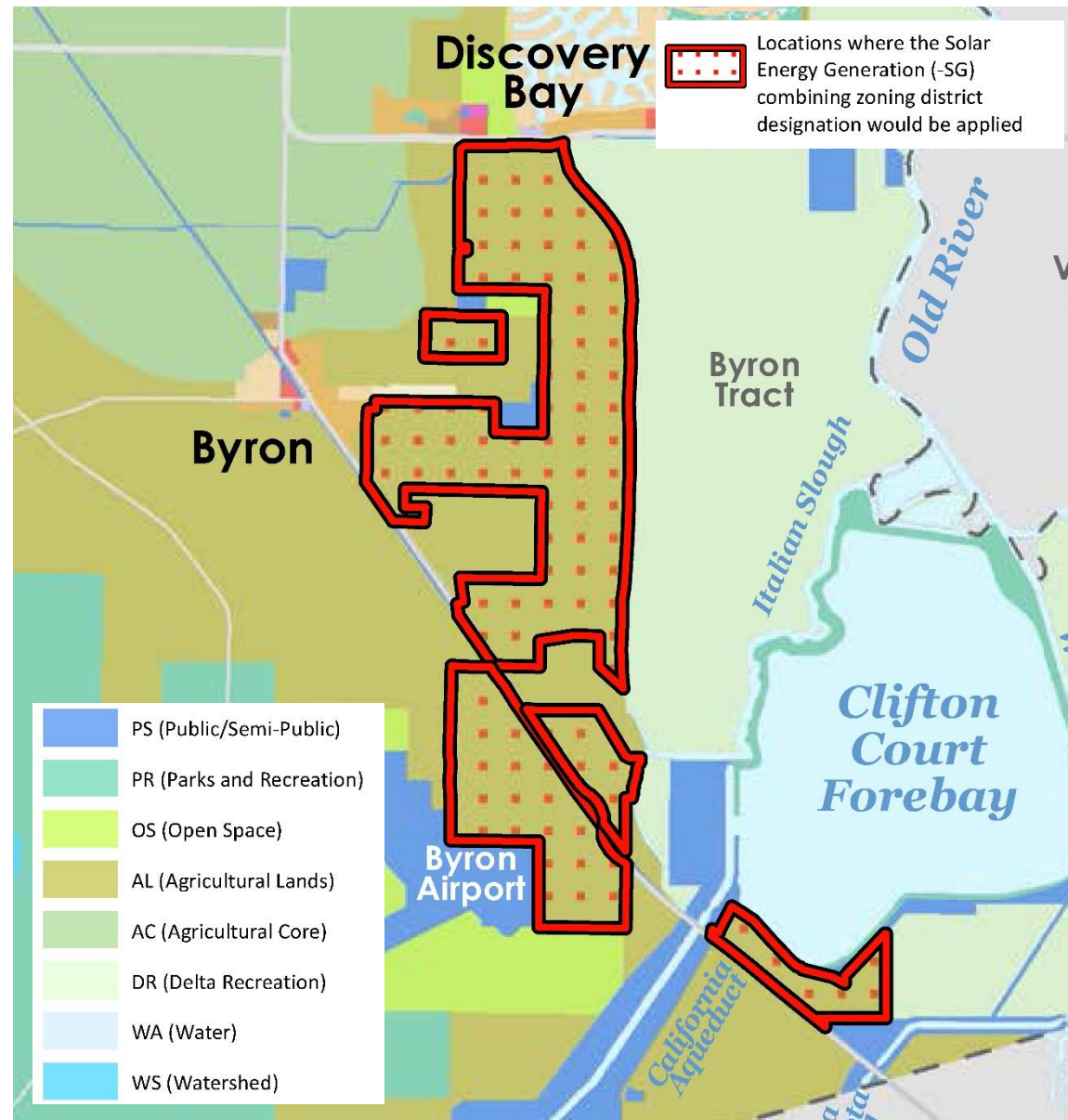
- Allows development of commercial solar facilities in East County
- All projects require a Land Use Permit
- Balances land use and development interests



Attachment 6 - Locations where the Solar Energy Generation (-SG) combining zoning district designation would be applied







Staff Recommendation

- OPEN the public hearing on Resolution No. 2020/39, Ordinance No. 2020-07, Ordinance No. 2020-08, and Ordinance No. 2020-09, RECEIVE testimony, and CLOSE the public hearing.
- DETERMINE that adoption of Resolution No. 2020/39, Ordinance No. 2020-07, Ordinance No. 2020-08, and Ordinance No. 2020-09 is exempt from the California Environmental Quality Act (CEQA) under Public Resources Code Section 21080.35 and CEQA Guidelines section 15061(b)(3).
- ADOPT Resolution No. 2020/39, amending the General Plan to allow commercial solar energy facilities in areas designated on the Land Use Element Map as Commercial, Light Industry, or Heavy Industry, and conditionally allow commercial solar energy facilities in Agricultural Lands (County File #GP19-0001).
- ADOPT Ordinance No. 2020-07 (The Solar Energy Facility Ordinance), regulating commercial solar energy facilities in the general commercial (C), light industrial (L-I), heavy industrial (H-I), and planned unit (P-1) districts, and in the Solar Energy Generation (-SG) combining district (County File #ZT19-0004).
- ADOPT Ordinance No. 2020-08, establishing the Solar Energy Generation (-SG) combining district to allow commercial solar energy facilities on land within an agricultural district that is combined with an -SG district, after the issuance of a land use permit (County File #ZT19-0004).
- ADOPT Ordinance No. 2020-09 (rezoning), applying the Solar Energy Generation (-SG) Combining District to specified agricultural districts in Bethel Island, Byron, Discovery Bay, and Jersey Island (County File #RZ19-3251).
- DIRECT the Department of Conservation and Development to file a CEQA Notice of Exemption with the County Clerk.



Questions?





**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: February 25, 2020

Subject: Property Tax Administrative Cost Recovery

RECOMMENDATION(S):

- OPEN a public hearing, previously fixed for February 25, 2020 at 9:30 a.m., on implementation of the property tax cost recovery provisions of Revenue and Taxation Code section 95.3;
- RECEIVE testimony and CLOSE the public hearing;
- ADOPT the report of the Auditor-Controller filed on January 21, 2020 of the 2018-2019 fiscal year property tax-related costs of the Assessor, Tax Collector, Auditor, and Assessment Appeals Board, including the proposed charges against each local jurisdiction excepting school entities, for the local jurisdiction's proportionate share of such administrative costs; and
- ADOPT Resolution No. 2020/47 regarding the implementation of the property tax administrative cost recovery provisions of Revenue and Taxation Code section 95.3 for fiscal year 2019-2020.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

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

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

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

FISCAL IMPACT:

The fiscal year 2018-2019 net cost of property tax administration was \$16,410,381. This amounts to approximately 0.56% of all 2018-2019 property taxes levied countywide. This cost is allocated to each taxing entity in the County based on net revenues of each entity as a percentage of total revenues. School districts, community college districts, and the County Office of Education are exempt from cost recovery. As a result, the County absorbs the schools' share, which this year amounts to \$7,889,347. The net recovery to the County is \$6,568,597.

Total cost of property tax administration	\$16,410,381
Exempt School share of costs	-\$7,889,347
County share of costs	-\$1,952,437
Net recovery to the County	\$6,568,597

BACKGROUND:

In 1997, the Board adopted Resolution No. 97/129, which provides procedures for property tax administrative cost recovery. The recommended actions are necessary for implementation of Resolution No. 97/129 for the current fiscal year.

CONSEQUENCE OF NEGATIVE ACTION:

The County would not recover \$6,568,597 in property tax administrative costs.

ATTACHMENTS

Resolution 2020/47

2019-20 Property Tax Administration Charges

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

Adopted this Resolution on 02/25/2020 by the following vote:

AYE: ☐

NO: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐



Resolution No. 2020/47

SUBJECT: Findings and Determination Concerning the Implementation of the Property Tax Administrative Cost Recovery Provisions of Revenue and Taxation Code section 95.3

A public hearing having been held during the Board of Supervisors' meeting of February 25, 2020, on implementation of the property tax cost recovery provisions of Revenue and Taxation Code section 95.3, as provided in Board of Supervisors' Resolution 97/129, the Board of Supervisors, and the Auditor-Controller, hereby make the following findings and determination.

A. PROPERTY TAX ADMINISTRATIVE RECOVERY

1. On January 21, 2020, the Auditor-Controller filed with the Clerk of the Board of Supervisors a report of the 2018-2019 fiscal year property tax-related costs of the Assessor, Tax Collector, Auditor and Assessment Appeals Board, including the applicable administrative overhead costs permitted by federal circular A-87 standards, proportionally attributable to each local jurisdiction and Educational Revenue Augmentation Fund (ERAF) in Contra Costa County, in the ratio of property tax revenue received by each local jurisdiction and ERAF divided by the total property tax revenue received by all local jurisdictions and ERAFs in the county for the current fiscal year. The report included proposed charges against each local jurisdiction excepting school entities, for the local jurisdiction's proportionate share of such administrative costs.
2. On February 25, 2020, at the Board of Supervisors' meeting, a public hearing was held on the Auditor-Controller's report, notice of which was given as required by law and by Board of Supervisors' Resolution No. 97/129.
3. The report of the Auditor-Controller filed on January 21, 2020, is hereby adopted, and the Board of Supervisors and the Auditor-Controller find that amounts expressed in said report do not exceed the actual amount of 2018-2019 fiscal year property tax administrative costs proportionally attributable to local jurisdictions.
4. The additional revenue received by Contra Costa County on account of its 2018-2019 fiscal year property tax administrative costs pursuant to Revenue and Taxation Code section 95.3 shall be used only to fund the actual costs of assessing, equalizing, collecting, and allocating property taxes. An equivalent amount of the revenues budgeted to finance assessing, equalizing, collecting and allocating property taxes in fiscal year 2019-2020 may be reallocated to finance other County services. In the event that the actual 2019-2020 costs for assessing, collecting, equalizing and allocating property taxes plus allowable overhead costs are less than the amounts determined in the January 21, 2020 report by the Auditor-Controller, the difference shall be proportionally allocated to the respective local jurisdictions which paid property tax administration charges.

B. FINDINGS AND DETERMINATION

1. No written objections were received by February 25, 2020 for the public hearing on the Auditor-Controller's report filed on January 21, 2020.
2. The property tax administrative costs proportionately attributable to each local jurisdiction for the 2018-2019 fiscal year are as set forth in the Auditor-Controller's report filed on January 21, 2020, attached hereto as Exhibit A.
3. The amounts expressed in the Auditor-Controller's report are correct.
4. Notice as required by law was given of the public hearing on February 25, 2020.
5. The grounds stated herein to support findings are not exclusive and any findings may be supported on any lawful ground, whether or not expressed herein.

6. If any finding herein is held invalid, such invalidity shall not affect findings which can be given effect without the invalid provision, and to this end, the invalid finding is severable.

So found and determined:

Robert Campbell Contra Costa County Auditor-Controller

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

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

ATTESTED: February 25, 2020

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

By: , Deputy

cc:

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

January 9, 2020

TO: Contra Costa County Board of Supervisors
FROM: Robert Campbell, Auditor-Controller 
SUBJECT: **2019-2020 Property Tax Administration Charges**

Commencing with the 1990-91 fiscal year, Revenue and Taxation Code §95.3 (replacing R&T §97.5), provides for the County Auditor-Controller to annually determine property tax administration costs proportionately attributable to incorporated cities and local jurisdictions for fiscal year 1989-90 and thereafter. For purposes of this section, property tax administration costs are the property tax related costs of the Assessor, Tax Collector, County Assessment Appeals Board, and Auditor-Controller, including applicable administrative overhead costs as permitted by Federal OMB Circular A-87 standards.

The following attachments comprise the 2019-20 Property Tax Administration report of the Auditor-Controller pursuant to the County Board of Supervisors' Resolution No. 97/129.

Attachment I summarizes the direct and overhead costs of the Assessor, Tax Collector, Assessment Appeals Board, and Auditor-Controller for the 2018-19 fiscal year. Also included are all offsetting revenues received by the County for providing property tax related services. The 2018-19 net cost of property tax administration was \$16,410,381. This amounts to approximately .56% of all 2018-19 property taxes levied countywide.

Attachment II allocates the \$16,410,381 net cost to each incorporated city and to each local jurisdiction receiving property tax revenues during the 2019-20 fiscal year. This cost allocation to each entity is based on the net revenues of each entity as a percentage of total revenues. School districts, community college districts, and the County Office of Education are exempt from those provisions authorizing County recovery of their proportionate share of property tax administrative costs. As a result, the County absorbs the Schools' share, which, this year, amounts to \$7,889,347.

CONTRA COSTA COUNTY

AUDITOR-CONTROLLER'S REPORT

on

2019-2020 Property Tax Administration Charges

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- 4 Assessor's Department
- 5 Treasurer-Tax Collector's Department
- 6 Auditor-Controller's Department
- 7 Assessment Appeals Board
- 8 Federal A-87 Overhead Allocation
- 9 Revenue Offsets

Attachment II

- 10 Administrative Cost Allocation

CONTRA COSTA COUNTY**2019-2020 Property Tax Administration Charges****SUMMARY CALCULATIONS**

NOTE: Per Revenue and Taxation Code Section 95.3, the property tax administration fee to be charged in the 2019-20 Fiscal Year shall be based on the 2018-19 property tax related costs of the Assessor, Tax Collector, Auditor-Controller, and Assessment Appeals Board including applicable overhead costs as permitted by Federal Circular A-87 standards.

Property Tax Related Cost:

Assessor	\$ 16,170,292	
Tax Collector	3,560,944	
Auditor-Controller	1,419,448	
Assessment Appeals Board	118,734	
Total		\$ 21,269,418

Overhead Cost per Circular A-87:

Assessor	1,620,068	
Tax Collector	490,303	
Auditor-Controller	212,416	
Total		2,322,787

Less: Fees Received for Property Tax Related Services:

County General	3,444,363	
Assessor	396,803	
Tax Collector	2,268,028	
Auditor-Controller	1,072,630	
Total		7,181,824

**Net Property Tax Administration Cost,
2019-2020 Fiscal Year**

\$ 16,410,381

CONTRA COSTA COUNTY
2019-2020 Property Tax Administration Charges
ASSESSOR'S DEPARTMENT

<u>DIRECT AND INDIRECT DEPARTMENTAL COST</u>	<u>ACTUAL 2018-2019</u>
Salaries & Employee Benefits	\$ 13,623,175
Services & Supplies	2,750,608
Capital Assets	90,770
Other Charges	173
Gross Cost	<u>16,464,726</u>
LESS:	
* Capital Assets	90,770
** Intrafund Transfers	203,664
TOTAL ASSESSOR COST	16,170,292
LESS: ASSESSOR REVENUE OFFSETS	<u>396,803</u>
NET ASSESSOR DEPARTMENT COST	<u>\$ 15,773,489</u>

* Capital asset costs included in the A-87 allocation are excluded from direct costs.

** Costs are related to preparing maps for LAFCO and County GIS related expenses.

CONTRA COSTA COUNTY

2019-2020 Property Tax Administration Charges

TREASURER-TAX COLLECTOR'S DEPARTMENT

<u>DIRECT AND INDIRECT DEPARTMENTAL COST</u>	<u>ACTUAL 2018-2019</u>
Salaries & Employee Benefits	\$ 3,602,162
Services & Supplies	1,563,127
Capital Assets	41,413
Other Charges	5,616
Gross Cost	<u>5,212,318</u>
LESS:	
* Capital Assets	41,413
Intrafund Transfers	(926)
Treasury Function Costs	1,417,539
Business License Program	<u>193,348</u>
TOTAL TAX COLLECTOR COST	3,560,944
LESS: TAX COLLECTOR REVENUE OFFSETS	<u>2,268,028</u>
NET TAX COLLECTOR COST	<u>\$ 1,292,916</u>

*Capital asset costs included in the A-87 allocation are excluded from direct costs.

CONTRA COSTA COUNTY

2019-2020 Property Tax Administration Charges

AUDITOR-CONTROLLER'S DEPARTMENT

PROPERTY TAX FUNCTION - DIRECT AND <u>INDIRECT DEPARTMENT COSTS</u>	ACTUAL <u>2018-2019</u>
Salaries & Employee Benefits	\$ 751,942
Information Technology Costs	480,066
Other Services and Supplies	12,642
Accounts Payable - Supplemental & Other Tax Refunds	3,859
Department Overhead Allocation	<u>170,939</u>
TOTAL PROPERTY TAX FUNCTION COSTS	<u>1,419,448</u>
 LESS: TOTAL PROPERTY TAX FUNCTION REVENUE OFFSETS	 <u>1,072,630</u>
 NET AUDITOR-CONTROLLER COST	 <u><u>\$ 346,818</u></u>

CONTRA COSTA COUNTY
2019-2020 Property Tax Administration Charges
ASSESSMENT APPEALS BOARD

<u>DIRECT AND INDIRECT COSTS</u>	<u>ACTUAL</u> <u>2018-2019</u>
Clerk of the Board	\$ 73,475
Assessment Appeals Board - allowances and postage	17,178
County Counsel	<u>28,081</u>
TOTAL ASSESSMENT APPEALS BOARD COST	<u>\$ 118,734</u>

CONTRA COSTA COUNTY
2019-2020 Property Tax Administration Charges
FEDERAL A-87 OVERHEAD ALLOCATION

<u>Department</u>	<u>A-87 Plan 2018-2019 Actual</u>	<u>Percent Property Tax Related</u>	<u>Net to Allocate</u>
Assessor	\$ 1,620,068	100%	\$ 1,620,068
Tax Collector	721,034	68%	490,303
Auditor-Controller(Tax Division)	<u>212,416</u>	100%	<u>212,416</u>
TOTALS	<u>\$ 2,553,518</u>		<u>\$ 2,322,787</u>

CONTRA COSTA COUNTY
2019-2020 Property Tax Administration Charges

REVENUE OFFSETS

County General

0005	9608	Supplemental Tax Administration Fees	\$ 3,444,363	
				\$ 3,444,363

Assessor

0016	1600	Administration	844,731	
		1600 Excludable Revenues (Direct credits and non-property tax related revenues)	(730,000)	
0016	1605	Drafting	3,899	
	1610	Appraisal	-	
	1647	Roll Maintenance	278,173	396,803

Tax Collector

0015		Tax Collector Revenue	3,324,753	
		Excludable Revenues (Direct credits and non-property tax related revenues)	(1,056,725)	2,268,028

Auditor-Controller

0010	1004	Tax & Cost Accounting Division Revenue	1,388,255	
		Excludable Revenues (Direct credits and non-property tax related revenues)	(315,625)	1,072,630

TOTAL REVENUE OFFSETS	\$ 7,181,824
------------------------------	---------------------

CONTRA COSTA COUNTY
2019-2020 ADMINISTRATIVE COST ALLOCATION

Fund No	Jurisdiction	Adjusted 2019-2020 AB 8 Allocation	2019-2020 Unitary Allocation	2019-2020 Pass-thru H&S 33676	Net Revenue	2019-2020 Adj Allocation Factors	<div><div>\$</div><div>16,410,381</div><div>to</div><div>Allocate</div></div>
GENERAL COUNTY JURISDICTION							
1003	County General	\$ 253,344,589	6,372,672	376,999	\$ 260,094,260	0.1189756048276	\$ 1,952,437
COUNTY GOVERNED SPECIAL DISTRICTS							
1206	County Library	28,743,254	410,071	38,682	29,192,007	0.0133533769217	219,134
2135	West CCC Healthcare	3,894,427	53,187	0	3,947,614	0.0018057675063	29,633
2020	Contra Costa Fire	118,363,444	1,173,598	96,789	119,633,831	0.0547244195280	898,049
2028	Crockett Carquinez Fire	582,164	9,213	0	591,377	0.0002705151442	4,439
3060	East Contra Costa Fire	14,534,956	94,002	0	14,628,958	0.0066917629249	109,814
2401	Service Area L-100	972,261	16,044	37,046	1,025,351	0.0004690290181	7,697
2470	Service Area M-1	60,344	1,160	0	61,504	0.0000281339373	462
2475	Service Area M-29	227,612	678	0	228,290	0.0001044272981	1,714
2488	Service Area M-16 Clyde	31,242	254	0	31,496	0.0000144072985	236
2489	Service Area M-17 Montalvin	194,938	1,894	0	196,832	0.0000900373820	1,478
2492	Service Area M-20 Rodeo	12,814	128	0	12,942	0.0000059200933	97
2494	Svc Area RD4 Bethel Isle	6,860	379	0	7,239	0.0000033113549	54
2496	Svc Area M23 Blackhawk	2,334,556	18,071	0	2,352,627	0.0010761683870	17,660
2505	Flood Control CCC Water	3,575,516	51,839	4,539	3,631,894	0.0016613468722	27,263
2520	Flood Control Zone 3B	5,998,721	61,047	0	6,059,768	0.0027719356933	45,489
2521	Flood Cont Z1 Marsh Cnk	2,294,257	16,857	0	2,311,114	0.0010571789857	17,349
2527	Flood Control Zone 7	66,179	1,123	2,744	70,046	0.0000320413269	526
2530	Flood Control Zone 8	20,212	418	0	20,630	0.0000094368354	155
2531	Flood Control Zone 8A	26,286	361	0	26,647	0.0000121892076	200
2550	Flood Cont Drainage 290	2,305	24	0	2,329	0.0000010653606	17
2551	Flood Cont Drainage 300	5,063	85	0	5,148	0.0000023548632	39

**CONTRA COSTA COUNTY
2019-2020 ADMINISTRATIVE COST ALLOCATION**

Fund No	Jurisdiction	Adjusted 2019-2020 AB 8 Allocation	2019-2020 Unitary Allocation	2019-2020 Pass-thru H&S 33676	Net Revenue	2019-2020 Adj Allocation Factors	<div style="border: 1px solid black; padding: 2px; display: inline-block;"> \$ 16,410,381 to Allocate </div>	
		(1)	(2)	(3)	(4)	(5)	(6)	
2552	Flood Cont Drainage A13	374,182	2,710	0	376,892	0.0001724027038		2,829
2554	Flood Cont Drainage 10	399,911	2,790	0	402,701	0.0001842085828		3,023
2563	Flood Cont Drainage 127	14,831	207	0	15,038	0.0000068788721		113
2583	Flood Cont Drainage 16	91,901	695	0	92,596	0.0000423564330		695
2652	S/A Pl 2 Danville	488	89	0	577	0.0000002639386		4
2653	S/A Pl-2 Zone A	156,512	1,194	0	157,706	0.0000721398724		1,184
2655	S/A Pl 5 Round Hill	273,587	2,419	0	276,006	0.0001262541541		2,072
2656	S/A Police-6	4,487,300	1,079,124	0	5,566,424	0.0025462640434		41,785
2657	S/A Pl-2 Zone B	216,683	1,920	0	218,603	0.0000999961481		1,641
2702	S/A Lib-2 El Sobrante	125,893	2,031	0	127,924	0.0000585166134		960
2710	S/A Lib-10 Pinole	1,299	17	0	1,316	0.0000006019814		10
2712	S/A Lib-12 Moraga	10,818	309	0	11,127	0.0000050898530		84
2713	S/A Lib-13 Ygnacio	157,890	1,431	0	159,321	0.0000728786261		1,196
2751	Svc Area R-4 Moraga	31,592	987	0	32,579	0.0000149026981		245
2758	Svc Area R-7 Zone A	1,257,060	10,568	0	1,267,628	0.0005798544266		9,516
2825	Co Co Co Water Agency	678,614	18,637	1,167	698,418	0.0003194791918		5,243
								1,452,105

AUTONOMOUS SPECIAL DISTRICTS

3005	San Ramon Valley Fire	74,115,494	909,633	380,931	75,406,058	0.0344931924227		566,046
3007	Kensington Fire	4,235,622	26,287	0	4,261,909	0.0019495362989		31,993
3011	Rodeo-Hercules Fire	3,376,184	59,289	0	3,435,473	0.0015714974950		25,789
3074	Moraga-Orinda Fire District	25,523,465	185,420	0	25,708,885	0.0117600832187		192,987
3102	Co Co Resource Cons	291,162	4,419	1,082	296,663	0.0001357033402		2,227
3255	Kensington Community Svc	1,906,531	12,560	0	1,919,091	0.0008778548686		14,406

**CONTRA COSTA COUNTY
2019-2020 ADMINISTRATIVE COST ALLOCATION**

Fund No	Jurisdiction	Adjusted 2019-2020 AB 8 Allocation	2019-2020 Unitary Allocation	2019-2020 Pass-thru H&S 33676	Net Revenue	2019-2020 Adj Allocation Factors	16,410,381 \$ to Allocate	
		(1)	(2)	(3)	(4)	(5)	(6)	
3260	Diablo Community Svc	480,661	3,068	0	483,729	0.0002212734351	3,631	
3301	CCC Mosquito Abate Dst1	5,577,776	87,282	2,040	5,667,098	0.0025923156173	42,541	
3406	Central CC Sanitary	18,252,491	261,702	46,406	18,560,599	0.0084902238596	139,328	
3409	Mt View Sanitary	414,844	9,030	0	423,874	0.0001938938042	3,182	
3411	Ironhouse Sanitary	306,918	5,075	0	311,993	0.0001427157826	2,342	
3414	Rodeo Sanitary	273,420	4,694	0	278,114	0.0001272184221	2,088	
3416	West Co Wastewater	1,265,344	16,461	6,387	1,288,192	0.0005892610715	9,670	
3418	Stiege Sanitary	484,559	4,970	0	489,529	0.0002239265444	3,675	
3422	Byron Sanitary	43,172	739	0	43,911	0.0000200863248	330	
3240	Crockett-Valona Sanitary	378,992	8,864	0	387,856	0.0001774179953	2,911	
3430	Twn of Discovery Bay (Comm Svc Dist)	688,071	5,638	0	693,709	0.0003173251415	5,207	
3480	Delta Diablo Z1 W Pittsburg	358,283	12,200	90,752	461,235	0.0002109839452	3,462	
3481	Delta Diablo Z2 Pittsburg	519,706	5,369	72	525,147	0.0002402193803	3,942	
3482	Delta Diablo Z3 Antioch	1,324,139	15,579	0	1,339,718	0.0006128307459	10,057	
3515	Los Medanos Healthcare	829,467	93,331	24,354	947,152	0.0004332582429	7,110	
3520	Mt Diablo Healthcare	318,271	1,991	0	320,262	0.0001464982932	2,404	
3601	Alamo-Lafayette Cemetery	353,726	3,406	0	357,132	0.0001633638347	2,681	
3603	B B K Union Cemetery	664,419	6,526	0	670,945	0.0003069121448	5,037	
3700	Ambrose Rec & Park	506,581	14,524	75,884	596,989	0.0002730822562	4,481	
3715	Green Valley Rec & Park	62,739	437	0	63,176	0.0000288987647	474	
3735	Pleasant Hill Rec & Park	3,714,622	43,383	1,085	3,759,090	0.0017195304746	28,218	
3770	Bethel Isle Muni Imp	505,478	7,539	0	513,017	0.0002346707223	3,851	
3803	Co Co Co Water	3,047,080	86,109	6,201	3,139,390	0.0014360594657	23,566	
3830	Castle Rock Co Water	16,047	121	0	16,168	0.0000073957710	121	
4001	East Bay Muni Utility	15,927,661	196,134	61,480	16,185,275	0.0074036731238	121,497	

CONTRA COSTA COUNTY
2019-2020 ADMINISTRATIVE COST ALLOCATION

Fund No	Jurisdiction	Adjusted 2019-2020 AB 8 Allocation	2019-2020 Unitary Allocation	2019-2020 Pass-thru H&S 33676	Net Revenue	2019-2020 Adj Allocation Factors	\$ 16,410,381 to Allocate
		(1)	(2)	(3)	(4)	(5)	
4002	EBMUD Special District 1	453,199	3,711	0	456,910	0.0002090055490	3,430
4007	A-C Transit Spec District 1	9,545,827	119,738	0	9,665,565	0.0044213449458	72,556
4009	BART	12,888,641	183,490	20,917	13,093,048	0.0059891875539	98,285
4010	Bay Area Air Management	3,756,835	53,490	0	3,810,325	0.0017429670361	28,603
4025	Dublin San Ramon Svcs	755,443	2,311	0	757,754	0.0003466214151	5,688
4026	East Bay Regional Park	54,851,560	819,925	50,099	55,721,584	0.0254888714513	418,282
4110	Reclamation Dist 800 Exp	957,808	8,955	0	966,763	0.0004422289544	7,257
4111	Discovery Bay Rec/Drain	53,930	498	0	54,428	0.0000248971439	409
4180	East Co Co Irrigation	3,537,982	28,070	0	3,566,052	0.0016312285921	26,769
4181	Byron-Bethany Irrigation	359,001	10,917	0	369,918	0.0001692125685	2,777
							<u>1,929,310</u>

CITIES & CITY SPECIAL DISTRICTS

4201	City of Clayton	1,020,804	14,187	68,729	1,103,720	0.0005048775569	8,285
4202	City of Concord	16,242,151	213,033	0	16,455,184	0.0075271383111	123,523
4203	City of Brentwood	11,685,464	68,868	27,441	11,781,773	0.0053893675647	88,442
4204	City of San Pablo	344,934	12,244	0	357,178	0.0001633848766	2,681
4205	City of El Cerrito	8,591,773	83,555	0	8,675,328	0.0039683782175	65,123
4206	City of Walnut Creek	17,841,962	211,395	0	18,053,357	0.0082581948108	135,520
4207	City of Pleasant Hill	3,350,257	25,152	0	3,375,409	0.0015440222607	25,338
4208	City of Martinez	9,328,384	123,803	0	9,452,187	0.0043237388832	70,954
4209	City of Antioch	12,154,782	146,400	0	12,301,182	0.0056269621965	92,341
4210	City of Pittsburg	4,064,889	56,536	0	4,121,425	0.0018852743314	30,938
4211	City of Hercules	1,306,164	32,818	0	1,338,982	0.0006124940754	10,051
4212	City of Pinole	2,601,846	29,081	0	2,630,927	0.0012034718916	19,749
4213	Richmond Tax District 1	26,516,088	481,040	0	26,997,128	0.0123493676193	202,658

**CONTRA COSTA COUNTY
2019-2020 ADMINISTRATIVE COST ALLOCATION**

Fund No	Jurisdiction	Adjusted 2019-2020 AB 8 Allocation	2019-2020 Unitary Allocation	2019-2020 Pass-thru H&S 33676	Net Revenue	2019-2020 Adj Allocation Factors	<div style="border: 1px solid black; padding: 2px; display: inline-block;"> \$ 16,410,381 to Allocate </div>	
		(1)	(2)	(3)	(4)	(5)	(6)	
4214	City of Lafayette	5,242,419	31,019	0	5,273,438	0.0024122426830	39,586	
4215	Town of Moraga	2,379,111	24,841	0	2,403,952	0.0010996461174	18,046	
4216	Town of Danville	10,393,686	85,079	0	10,478,765	0.0047933291712	78,660	
4217	City of San Ramon	16,541,876	308,045	0	16,849,921	0.0077077039004	126,486	
4218	City of Orinda	5,447,628	51,296	0	5,498,924	0.0025153873400	41,278	
4219	City of Oakley	2,940,375	16,479	43,268	3,000,122	0.0013723537363	22,521	
4227	Richmond Tax District 3	10,234,823	110,770	0	10,345,593	0.0047324119512	77,661	
4230	Richmond Sewer 1	235,588	4,013	0	239,601	0.0001096013187	1,799	
4231	Brentwood Rec & Park District	2,361,689	12,919	0	2,374,608	0.0010862232140	17,825	
4232	San Ramon M-29	3,349,526	10,398	0	3,359,924	0.0015369389162	25,222	
4240	Pleasant Hill Lgt Dist 1	567,139	4,620	0	571,759	0.0002615412306	4,292	
4241	Svc Area R-8 Walnut Creek	720,298	6,685	0	726,983	0.0003325457552	5,457	
4248	Clayton Light Mice 1	39,496	405	0	39,901	0.0000182520199	300	
4252	Martinez Pine Ridge Mice	7,910	80	0	7,990	0.0000036548868	60	
4253	Martinez Parking District 1	60,012	601	0	60,613	0.0000277263648	455	
4263	Lafayette Core Area Mtc	65,878	2,545	0	68,423	0.0000312989137	514	
4264	Lafayette St Lt Mice Z1	9,936	74	0	10,010	0.0000045789008	75	
4271	Concord Vly Terr StLtMtc	3,178	39	0	3,217	0.0000014715608	24	
4272	Concord Kirkwood Mice 1	62,924	522	0	63,446	0.0000290222715	476	
4274	Concord Blhn Terr St Lt	851	14	0	865	0.0000003956792	6	
4275	PI Hill-Diablo Vista Wtr	228,572	1,652	0	230,224	0.0001053119728	1,728	
4280	Antioch Parking Mice 1A	43,605	411	0	44,016	0.0000201343552	330	
4285	Moraga St Lt Mice 1	180,010	1,232	0	181,242	0.0000829060071	1,361	
4294	Oakley Police Services	512,770	1,815	0	514,585	0.0002353879767	3,863	
							1,343,628	

CONTRA COSTA COUNTY
2019-2020 ADMINISTRATIVE COST ALLOCATION

Fund No	Jurisdiction	Adjusted 2019-2020 AB 8 Allocation	2019-2020 Unitary Allocation	2019-2020 Pass-thru H&S 33676	Net Revenue	2019-2020 Adj Allocation Factors	<div>\$16,410,381 to Allocate</div>
REDEVELOPMENT SUCCESSOR AGENCIES							
4701	Antioch	5,182,116	136,945	0	5,319,061	.0024331121325	39,928
4702	Antioch Project 2	1,128,916	5,917	0	1,134,833	.0005191096588	8,519
4703	Antioch Project 3	46,198	417	(15,539)	31,076	.0000142151768	233
4704	Antioch Project 4	763,415	9,096	(59,401)	713,110	.0003261997922	5,353
4705	Antioch Project 4, Amd 1	601,899	3,716	(25,771)	579,844	.0002652395736	4,353
4706	Brentwood Project	3,070,686	25,079	0	3,095,765	.0014161039666	23,239
4707	Brentwood Amendment 1	877,180	10,190	0	887,370	.0004059120046	6,661
4708	North Brentwood	5,274,781	19,783	(29,760)	5,264,804	.0024082932095	39,521
4709	North Btrwd Amdnd 2	330,387	1,178	0	331,565	.0001516686543	2,489
4710	Central Concord	20,695,800	827,191	0	21,522,991	.0098453186623	161,565
4711	Concord Commerce	706,582	9,602	0	716,184	.0003276059401	5,376
4712	Cent Concord RDA Amdnd	1,243,255	2,106	0	1,245,361	.0005696687739	9,348
4714	Clayton	7,775,437	38,110	(130,931)	7,682,616	.0035142793434	57,671
4716	Hercules Dynamite	8,996,114	62,964	0	9,059,078	.0041439179943	68,003
4717	Hercules RDA Proj 2	5,896,702	23,836	0	5,920,538	.0027082473464	44,443
4720	El Cerrito	7,954,453	75,043	0	8,029,496	.0036729535787	60,275
4721	El Cerrito Area II	1,916	87	0	2,003	.0000009162376	15
4725	Pinole Vista	7,836,664	81,642	0	7,918,306	.0036220916431	59,440
4726	Pinole Vista 81	5,186,411	41,512	0	5,227,923	.0023914226362	39,244
4728	Oakley RDA Proj 2	228,352	659	0	229,011	.0001047571070	1,719
4730	Pittsburg Marina	0	1,325	0	1,325	.0000006060983	10
4731	Pittsburg Riverside	535,674	6,679	0	542,353	.0002480899663	4,071
4732	Pittsburg Neighborhood I	1,501,670	11,876	0	1,513,546	.0006923453474	11,362
4733	Pittsburg Neighborhood II	653,779	6,881	0	660,660	.0003022074500	4,959

CONTRA COSTA COUNTY
2019-2020 ADMINISTRATIVE COST ALLOCATION

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		(1)	(2)	(3)	(4)	(5)	(6)	
4734	Pittsburg/Los Medanos I	29,535,000	392,869	0	29,927,869	.0136899842214	224,658	
4735	Pittsburg/Los Medanos II	4,230,736	67,648	0	4,298,384	.0019662211545	32,266	
4736	Pittsburg/Los Medanos III	15,026,264	57,923	0	15,084,187	.0068999995296	113,232	
4737	Richmd 8A RDA 2000 Amnd	1,884,030	5,984	0	1,890,014	.0008645540997	14,188	
4738	Richmd 10A RDA 2000 Amnd	1,104,500	2,936	0	1,107,436	.0005065773766	8,313	
4739	Richmd 1A RDA 2000 Amnd	199,708	565	0	200,273	.0000916114077	1,503	
4740	Richmond 1A	609,009	10,896	0	619,905	.0002835647827	4,653	
4741	Richmond 8A	829,733	9,118	0	838,851	.0003837178302	6,297	
4742	Richmond 10A	1,004,524	21,635	0	1,026,159	.0004693986237	7,703	
4743	Richmond 10B	111,658	2,918	0	114,576	.0000524108025	860	
4744	Richmond 11A	15,779,845	83,084	0	15,862,929	.0072562215410	119,077	
4745	Richmond 12A	135,182	1,591	0	136,773	.0000625644349	1,027	
4746	Richmond 8A Henley	73,493	685	0	74,178	.0000339314386	557	
4747	Richmond 1B	165,313	866	0	166,179	.0000760156992	1,247	
4748	Richmond 1C-Potrero	1,417,083	7,891	0	1,424,974	.0006518296233	10,697	
4749	Richmond 3A	1,225,721	6,529	0	1,232,250	.0005636713746	9,250	
4750	Walnut Creek-So Broadway	1,627,105	11,535	0	1,638,640	.0007495674264	12,301	
4751	Walnut Creek-Mt Diablo	0	13,740	0	13,740	.0000062851245	103	
4752	Richmd 6A RDA 2000 Amnd	78,589	192	0	78,781	.0000360370011	591	
4753	Richmd 10B RDA 2000 Amnd	21,193	129	0	21,322	.0000097533788	160	
4754	Richmond 6-A Amend 1	568,736	1,112	0	569,848	.0002606670769	4,278	
4755	Richmond 6-A	586,277	3,977	0	590,254	.0002700014474	4,431	
4756	Danville Downtown	4,423,064	32,666	(385,824)	4,069,906	.0018617078591	30,551	
4757	Richmd 11A RDA 2000 Amnd	317,187	973	0	318,160	.0001455367698	2,388	
4758	Richmd 10B RDA 2006 Amnd	5,641,155	11,016	0	5,652,171	.0025854875202	42,429	

**CONTRA COSTA COUNTY
2019-2020 ADMINISTRATIVE COST ALLOCATION**

Fund No	Jurisdiction	Adjusted 2019-2020 AB 8 Allocation	2019-2020 Unitary Allocation	2019-2020 Pass-thru H&S 33676	Net Revenue	2019-2020 Adj Allocation Factors	<div> <div>\$</div> <div>16,410,381</div> <div>to</div> <div>Allocate</div> </div>	
		(1)	(2)	(3)		(5)	(6)	(6)
4760	San Pablo-So Entrance	480,439	7,245	0	487,684	.0002230825812		3,661
4761	San Pablo-EI Portal	3,341,111	45,268	0	3,386,379	.0015490402968		25,420
4762	San Pablo-EI Portal 79	4,459,033	49,961	0	4,508,994	.0020625610435		33,847
4763	San Pablo-Oak Park	1,118,355	10,547	0	1,128,902	.0005163966258		8,474
4764	San Pablo-Sheffield	517,323	4,886	0	522,209	.0002388754432		3,920
4765	San Pablo-Bayview	2,571,801	21,109	0	2,592,910	.0011860816748		19,464
4766	San Pablo-EI Portal 80	1,790,127	24,226	0	1,814,353	.0008299442885		13,620
4767	San Pablo-Oak Park 79	59,751	577	0	60,328	.0000275959965		453
4768	San Pablo-Bayview 80	122,542	794	0	123,336	.0000564179125		926
4769	San Pablo-Legacy RDA	2,379,768	7,739	0	2,387,507	.0010921236376		17,922
4770	Pleasant Hill Commons	4,029,888	27,173	0	4,057,061	.0018558321368		30,455
4771	Pleasant Hill Commons 1A	147,692	1,104	0	148,796	.0000680641476		1,117
4772	Plsnt Hill Schoolyard Anx	1,439,829	8,132	0	1,447,961	.0006623446275		10,869
4773	Plsnt Hill Comm 2001 Amd	1,022,074	3,583	0	1,025,657	.0004691689925		7,699
4774	Pleasant Hill Commons 2009 Amd	42,971	0	0	42,971	.0000196563381		323
4775	Lafayette RDA	8,892,025	21,264	0	8,913,289	.0040772293467		66,909
4777	San Ramon	12,976,996	58,602	(1,109,315)	11,926,283	.0054554711560		89,526
4780	CoCoCo Pleasant Hill BART	9,518,696	55,649	0	9,574,345	.0043796179401		71,871
4781	CoCoCo West Pittsburg	4,965,745	23,934	(951,683)	4,037,996	.0018471111834		30,312
4782	CoCoCo North Richmond	3,930,904	14,663	(371,832)	3,573,735	.0016347430471		26,827
4783	CoCoCo Pl H/BART Amd 1	1,013,730	7,394	(12,026)	1,009,098	.0004615943654		7,575
4784	Oakley	4,558,135	22,704	(106,756)	4,474,083	.0020465916125		33,585

**CONTRA COSTA COUNTY
2019-2020 ADMINISTRATIVE COST ALLOCATION**

Fund No	Jurisdiction	Adjusted 2019-2020 AB 8 Allocation	2019-2020 Unitary Allocation	2019-2020 Pass-thru H&S 33676	Net Revenue	2019-2020 Adj Allocation Factors	\$ 16,410,381 to Allocate
		(1)	(2)	(3)	(4)	(5)	
4785	Rodeo	3,290,391	13,436	(298,790)	3,005,037	.0013746020178	22,558
4786	CoCoCo Montalvin	752,435	2,086	0	754,521	.0003451425354	5,664
							1,843,554

Sub-Total: Recoverable Cost

6,568,597

SCHOOL DISTRICTS - EXEMPT FROM COST ALLOCATION

4016	Ed Phys Handic'd Elem	5,825	1,104	0	6,929	.0000031695508	52
4018	Livermore Jt Unified	278,852	52,529	0	331,381	.0001515844867	2,488
4020	Chablt-Las Positas Com College	328,216	7,695	0	335,911	.0001536566666	2,522
4022	Dev Ctr Handi'd Minor	1,043	198	0	1,241	.0000005676739	9
4029	Trainable M.R. Alameda	2,627	498	0	3,125	.0000014294770	23
5001	Acalanes Union Hi Gen	48,957,543	449,258	0	49,406,801	.0226002835725	370,879
5101	Canyon Elementary Gen	80,156	1,156	0	81,312	.0000371947631	610
5201	Lafayette Elementary Gen	18,519,491	155,767	0	18,675,258	.0085426726290	140,189
5301	Moraga Elementary Gen	9,138,437	82,896	0	9,221,333	.0042181387278	69,221
5401	Orinda Elementary Gen	11,848,875	127,262	0	11,976,137	.0054782760030	89,901
5501	Walnut Creek General	24,056,942	220,013	0	24,276,955	.0111050716940	182,238
6001	Liberty Union Hi Gen	31,456,811	255,297	0	31,712,108	.0145061533832	238,052
6101	Brentwood Elem Gen	17,204,664	120,223	11,031	17,335,918	.0079300147927	130,135
6201	Byron Elementary Gen	4,900,329	50,911	6,463	4,957,703	.0022678151874	37,216
6301	Knightesen Elementary Gen	2,125,630	21,955	4,611	2,152,196	.0009844847049	16,156
6401	Oakley Elementary Gen	13,193,000	107,471	0	13,300,471	.0060840696051	99,842
6901	County Schools Gen	32,583,887	469,007	87,006	33,139,900	.0151592720517	248,769
6999	ERAF K - 12	261,005,482	0	0	261,005,482	.1193924275156	1,959,275

**CONTRA COSTA COUNTY
2019-2020 ADMINISTRATIVE COST ALLOCATION**

Fund No	Jurisdiction	Adjusted 2019-2020 AB 8 Allocation	2019-2020 Unitary Allocation	2019-2020 Pass-thru H&S 33676	Net Revenue	2019-2020 Adj Allocation Factors	\$ 16,410,381 to Allocate
7101	Antioch Unified Gen	(1) 34,464,547	(2) 818,522	(3) 76,213	(4) 35,359,282	(5) .0161744898262	(6) 265,430
7201	John Swett General	6,982,284	147,056	134,752	7,264,092	.0033228328039	54,529
7401	Martinez Unified Gen	18,987,536	264,891	0	19,252,427	.0088066885702	144,521
7501	Mt Diablo Unified Gen	123,360,583	1,496,399	387,667	125,244,649	.0572909908361	940,167
7601	Pittsburg Unified Gen	5,463,739	1,137,197	17,749	6,618,685	.0030276025739	49,684
7701	West Co Co Unified Gen	74,098,044	938,936	154,788	75,191,768	.0343951691816	564,438
7801	San Ramon Valley Unif	166,315,446	1,925,684	841,716	169,082,846	.0773440131621	1,269,245
7901	Co Co Comm College Gen	94,543,828	1,333,006	310,538	96,187,372	.0439992438144	722,044
7999	ERRAF Community College	38,860,524	0	0	38,860,524	.0177760722087	291,712
TOTALS		\$ 2,158,442,104	27,672,103	0	\$ 2,186,114,207	1.000000000000	\$ 16,410,381
Sub-Total: Exempt School Share							7,889,347



**Contra
Costa
County**

To: Board of Supervisors

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

Date: February 25, 2020

Subject: Contract Amend #2 for the 2018 On-Call Fencing Services Contracts for Various Road, Flood Control, Airport and Facilities Maintenance Work, Countywide

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute Contract Amendment #2 to the contracts with Alta Fence Co. and Crusader Fence Company, Inc. to extend the completion dates for each contract from March 13, 2020 to March 13, 2021, for the 2018 On-Call Fencing Services Contract(s) for Various Road, Flood Control, Airport and Facilities Maintenance Work, with no change to the payment limit, Countywide.

FISCAL IMPACT:

100% Local Road, Flood Control District, Airport Enterprise, and Facilities Funds.

BACKGROUND:

On March 13, 2018, the County awarded two on-call fencing services contracts

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Ron Thai 925
313-7003

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

for various road, flood control, airport, and facilities maintenance work to supplement the maintenance crews' routine and emergency work while they are busy with other activities, and to perform work that is typically time-sensitive and may require specialized equipment and skills, in the following priority order:

Alta Fence Co., in a not-to-exceed amount (\$400,000) and unit prices submitted in the bid (\$1,448.25 Total Unit Price); Crusader Fence Company, Inc., in a not-to-exceed amount (\$400,000) and unit prices submitted in the bid (\$2,719.00 Total Unit Price); These two on-call contracts became effective on March 13, 2018 and were set to expire on March 13, 2019.

Contract Amendment #1, which was approved by the Board of Supervisors on March 12, 2019, extended the completion dates for each contract from March 13, 2019 to March 13, 2020. There were no changes to the maximum payment limits.

To retain the services of and to enable timely payment to Alta Fence Co. and Crusader Fence Company, Inc., the Public Works Director recommends that the Board approve Contract Amendment #2 and authorize the Public Works Director, or designee, to sign Contract Amendment #2 for the County. Contract Amendment #2 will extend the completion dates for each contract from March 13, 2020 to March 13, 2021. There are no changes to the maximum payment limits.

CONSEQUENCE OF NEGATIVE ACTION:

These contracts have a term of one year, with the option of two one-year extensions. Failure to approve Contract Amendment #2 may prevent the Public Works Department from completing routine road, flood control, airport, and facilities maintenance work in a timely manner.



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 25, 2020

Subject: Notice of Intention to Sell Real Property at Public Auction, Antioch area.

RECOMMENDATION(S):

RESCIND Board Action of February 12, 2019 (C.4) and APPROVE a new Notice of Intention ("NOI") to Sell Real Property at public auction, identified as Assessor's Parcel Numbers 068-151-016 and 068-151-017, located at 2710 and 2706 East Tregallas Road and collectively Assessor's Parcel Numbers 067-283-010, 011, 012, and 013 located at 28, 30, and 34 Drake Street, and 2515 Lindberg Street, pursuant to Government Code Section 25363, Antioch area. (Project No. 4660-6X4168)

DETERMINE that the parcels of land acquired for highway purposes described in the Notice of Intention to Sell Real Property attached hereto and incorporated herein, are surplus and no longer required for public use.

DECLARE Contra Costa County's intention to sell said properties under the Terms and Conditions of an Option Agreement referred to in the attached Notice of Public Land Sale for said properties prepared by the Real Estate Division of the Public Works Department (Real Estate).

APPROVE the Notice of Public Land Sale; and DIRECT Real Estate to publish the NOI in the East County Times and Contra Costa Times pursuant to Government Code Section 25363.

The Board sets April 1, 2020, at 11:00 a.m. in Conference Room A at 255 Glacier Drive, Martinez, California as the time and place where oral bids will be received and considered.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Michael Serrano,
925-957-2489

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

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

FISCAL IMPACT:

Contra Costa Transportation Authority (CCTA) will receive revenue from the sale of these properties at public auction.

BACKGROUND:

From 2009 through 2011, the County acquired right of way for CCTA's State Route 4 (East) Widening Project from Somersville Road to State Route 160 (Segment 3A). CCTA no longer needs the remainder of these properties for State Highway purposes and wishes to dispose of the parcels as surplus property. On June 27, 2006, the Board of Supervisors ADOPTED the Mitigated Negative Declaration for the State Route 4 (East) Widening Project. [(SCH#20040921350)]. On February 12, 2019, the Board of Supervisors approved the Notice of Intention to sell surplus real property at auction set for April 3, 2019. The auction did not occur on said date due to a revision of the legal description for an additional parcel for the location of East Tregallas Rd. along with a request for a grant of easement for an irrigation line by the City of Antioch from the portion of the East Tregallas Rd. parcel.

CONSEQUENCE OF NEGATIVE ACTION:

The County would own and be liable for maintenance of these properties.

ATTACHMENTS

Notice of Intention, Notice of Public Land Sale

**CONTRA COSTA COUNTY
PUBLIC WORKS DEPARTMENT
255 Glacier Drive
Martinez, CA 94553**

NOTICE OF INTENTION TO SELL REAL PROPERTY

(Government Code § 25363)

Contra Costa County's (County) Real Estate Division will sell individually at public auction to the highest responsible bidder, the real properties hereinafter described, which are no longer required for public use:

Assessor's Parcel Nos. 068-151-016 and 068-151-017 are collectively a 13,278 sf vacant lot, located at 2710 and 2706 E. Tregallas Road in Antioch, California in a Single Family Residential Development with a General Plan Land Use of R-6 Commercial, may require a lot line adjustment or variance.

Assessor's Parcel Nos. 067-283-010, -011, -012, and -013 are collectively a 21,664 sf vacant lot, located at 28 Drake Street, 30 Drake Street, 34 Drake Street and 2515 Lindberg Street in Antioch, California in a Single Family Residential Development with a General Plan Land Use of R-6, Office, may require a General Plan Amendment.

The auction will be held in Conference Room A at 255 Glacier Drive, Martinez, California, on April 1, 2020 at 11:00 a.m.

The sale will be done in accordance with the Terms and Conditions of an Option Agreement which can be viewed online at the Contra Costa County Public Works Department website (<http://www.co.contra-costa.ca.us/471/Surplus-Property>) or by visiting the Public Works Department, located at 255 Glacier Drive, Martinez, California 94553, or may be requested by phone to be mailed by calling Michael Serrano at (925) 957-2489.

The County reserves the right to reject any and all bids received.

The properties will be sold "AS-IS" with no warranty as to their condition and possible uses and the purchaser assumes all risks and responsibilities.

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

ATTESTED: _____
David Twa, Clerk of the Board of Supervisors and County Administrator

By _____, Deputy

**CONTRA COSTA COUNTY
PUBLIC WORKS DEPARTMENT
255 Glacier Drive
Martinez, CA 94553**

**NOTICE OF PUBLIC LAND SALE
Option to Purchase Auction Sale**

(Government Code § 25363)



DATE: April 1, 2020
TIME: 11:00 a.m.
PLACE: Public Works Department
255 Glacier Drive, Martinez
Conference Room "A"

If you have special accessibility needs to attend the auction, please provide 72-hour notice by calling (925)957-2489, or by email at michael.serrano@pw.cccounty.us or by accessing a telecommunications device for the deaf by calling 1-800-735-2929 and asking the relay service operator for (925) 957-2489.

Contra Costa County (County) will sell individually at public auction to the highest responsible bidder, the real properties hereinafter described, which are no longer required for public use:

PROPERTY INFORMATION:

Assessor's Parcel Nos.: 068-151-016 & 068-151-017 – 2710 and 2706 E. Tregallas Road Antioch, CA

Minimum Bid: \$100,000

13,278 (combined) sf vacant land

Zone: R-6

General Plan Land Use: Commercial
Single Family Residential Development
May require a lot line adjustment or
variance



Assessor's Parcel Nos.: 067-283-010, -011, -012, & -013 – 28 Drake Street, 30 Drake Street, 34 Drake Street and 2515 Lindberg Street, Antioch, CA

Minimum Bid: \$100,000

21,664 sf (combined) vacant land

Zone: R-6

General Plan Land Use: Office
Single Family Residential Development
May require a General Plan Amendment



OPTION DEPOSIT AMOUNTS:

- \$10,000 for Assessor's Parcel Nos.: 068-151-016 & 068-151-017 – 2710 and 2706 E. Tregallas Road, Antioch, CA.
- \$10,000 for Assessor's Parcel Nos.: 067-283-010, -011, -012, & -013 – 28, 30, & 34 Drake Street and 2515 Lindberg Street Antioch, CA. ALL PAYMENTS ARE TO BE IN THE FORM OF A CASHIER'S CHECK, CERTIFIED CHECK OR MONEY ORDER (NO PERSONAL CHECKS) payable to Contra Costa County.

OPTION PERIOD: 30 Days after acceptance of the bid by the Contra Costa County Board of Supervisors.

The County reserves the right to reject any and all bids received.

The properties will be sold "**AS-IS**" with no warranty as to their condition and possible uses and the purchaser assumes all risks and responsibilities.

Said sales will be done in accordance with the Terms and Conditions of Sale and Option Agreement which can be viewed online, along with additional information, at the Contra Costa County Public Works Department website (<http://www.co.contra-costa.ca.us/471/Surplus-Property>), or by visiting the Public Works Department, located at 255 Glacier Drive, Martinez, California 94553, or may be requested by phone to be mailed by calling Michael Serrano at (925)957-2489.

G:\realprop\SR4 (E) Widening - Somersville Rd to Route 160\SEGMENT 3A\Sale of Surplus Drake St. + E. Tregallas Rd\SA.25 Notice of Public Land Sale - Drake St. & E. Tregallas Rd (3).doc



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 25, 2020

Subject: APPROVE the 2020 Surface Treatment Project.

RECOMMENDATION(S):

APPROVE the 2020 Surface Treatment Project (Project) and AUTHORIZE the Public Works Director, or designee, to advertise the Project, Alamo, El Sobrante, and North Richmond areas. County Project No.: 0672-6U2185 (Districts I & II)

FISCAL IMPACT:

100% Local Road Fund.

BACKGROUND:

The purpose of this Project is to conduct preventative maintenance on selected roadways in unincorporated Contra Costa County.

The Project consists of applying a surface pavement treatment to selected roadways to extend pavement life by weatherproofing and delaying oxidation, restoring surface texture, providing a skid-resistant wearing surface, and correcting minor surface profile irregularities.

Preparation of the roadway (prior to applying the surface seal) includes but is not limited to removal of pavement striping and markings, weed removal, cleaning and sweeping roadway surfaces, applying surface treatments on the selected roadways, thermoplastic striping, and site cleanup.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Kevin Emigh
925-313-2233

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

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



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 25, 2020

Subject: Approve the Parcel Map for minor subdivision MS18-00011, Brentwood area.

RECOMMENDATION(S):

ADOPT Resolution No. 2020/51 approving the Parcel Map for minor subdivision MS18-00011, for project being developed by Ronald & Shirley Nunn, as recommended by the Public Works Director, Brentwood area. (District III)

FISCAL IMPACT:

No Fiscal Impact.

BACKGROUND:

The Public Works Department has reviewed the conditions of approval for minor subdivision MS18-00011 and has determined that all conditions of approval for Parcel Map approval have been satisfied.

CONSEQUENCE OF NEGATIVE ACTION:

The Parcel Map will not be approved and recorded.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Randolph Sanders
(925)313-2111

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

By: , Deputy

cc: Larry Gossett- Engineering Services, Randolph Sanders- Engineering Services, Renee Hutchins - Records, Karen Piona- Record, Cinda Tovar- Design & Construction, Stanley Muroaka- DCD, Ronald & Shirley Nunn, Old Republic Title Company, T-11/25/2020

ATTACHMENTS

Resolution No. 2020/51

Parcel Map

Tax Letter & Deposit

Note

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

Adopted this Resolution on 02/25/2020 by the following vote:

AYE: ☐
NO: ☐
ABSENT: ☐
ABSTAIN: ☐
RECUSE: ☐



Resolution No. 2020/51

IN THE MATTER OF approving the Parcel Map for minor subdivision MS18-00011, for project being developed by Ronald & Shirley Nunn, as recommended by the Public Works Director, Brentwood area. (District III)

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

The Parcel Map of minor subdivision MS18-00011, property located in the Brentwood area, Supervisorial District III, said map having been certified by the proper officials. Said document was accompanied by:

1. Letter from the County Tax Collector stating that there are no unpaid County taxes heretofore levied on the property included in said map and that the 2019-2020 tax lien has been paid in full and the 2020-2021 tax lien, which became a lien on the first day of January 2020, is estimated to be \$13,070.00.
2. Security to guarantee the payment of taxes, as required by Title 9 of the County Ordinance Code, in the form of a cash deposit, (Auditor's Deposit Permit No. 802392, dated January 29, 2020) made by Ronald & Shirley Nunn in the amount: \$13,070.00, guaranteeing the payment of the estimated tax.

NOW, THEREFORE, BE IT RESOLVED:

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

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

Contact: Randolph Sanders (925)313-2111

ATTESTED: February 25, 2020

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

By: , Deputy

cc: Larry Gossett- Engineering Services, Randolph Sanders- Engineering Services, Renee Hutchins - Records, Karen Piona- Record, Cinda Tovar- Design & Construction, Stanley Muroaka- DCD, Ronald & Shirley Nunn, Old Republic Title Company, T-11/25/2020

OWNER'S STATEMENT

THE UNDERSIGNED HEREBY STATE THAT THEY ARE THE OWNER OF THE LAND DELINEATED AND ENCOMPASSED WITHIN THE EXTERIOR BOUNDARY LINES SHOWN ON THIS MAP, AND DO HEREBY CONSENT TO THE PREPARATION AND RECORDBAR OF THE SAME.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED IN FEE TO CONTRA COSTA COUNTY FOR ROADWAY PURPOSES:

1. THE REAL PROPERTY DESIGNATED AS WALNUT BOULEVARD FOR THE USE AND PURPOSE OF PUBLIC STREETS.

AS OWNER RONALD E. NUNN AND SHIRLEY A. NUNN

BY: _____ DATE: _____
PRINT NAME: _____
TITLE: _____
DATE: _____

OWNER'S ACKNOWLEDGMENT

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

STATE OF _____ SS.

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

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

WITNESS MY HAND:

SIGNATURE: _____
NAME (PRINT): _____
PRINCIPAL COUNTY OF BUSINESS: _____
MY COMMISSION NUMBER: _____ MY COMMISSION EXPIRES: _____

OWNER'S ACKNOWLEDGMENT

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

STATE OF _____ SS.

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

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

WITNESS MY HAND:

SIGNATURE: _____
NAME (PRINT): _____
PRINCIPAL COUNTY OF BUSINESS: _____
MY COMMISSION NUMBER: _____ MY COMMISSION EXPIRES: _____

PARCEL MAP

SUBDIVISION MS18-0011

CONSISTING OF 5 SHEETS

BEING A SUBDIVISION OF A PORTION OF SECTION 6 TOWNSHIP 1 SOUTH,
RANGE 3 EAST AND A PORTION OF SECTION 31 TOWNSHIP 1 NORTH, RANGE 3

EAST, MOUNT DIABLO MERIDIAN

CONTRA COSTA COUNTY, CALIFORNIA

Carlson, Barbee & Gibson, Inc.

CIVIL ENGINEERS • SURVEYORS • PLANNERS
SAN RAMON • WEST SACRAMENTO

JANUARY 2020

TRUSTEE'S STATEMENT

THE UNDERSIGNED, CORPORATION, AS TRUSTEE UNDER THE DEEDS OF TRUST RECORDED ON
MAY 28, 2017, SERIAL NO. 2017-084085 OF OFFICIAL RECORDS, CONTRA COSTA COUNTY,
CALIFORNIA; DOES HEREBY JOIN IN AND CONSENT TO THE FOREGOING OWNERS STATEMENT AND
ALL DEDICATIONS SHOWN HEREIN.

AMERICAN ACCREDIT, P.C.A., A CORPORATION, EXISTING AND OPERATING UNDER THE FIRM
CREDIT ACT OF 1971, AS AMENDED

BY: _____
NAME (PRINT): _____
TITLE: _____
DATE: _____

TRUSTEE'S ACKNOWLEDGMENT

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

STATE OF _____ SS.

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

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

WITNESS MY HAND:

SIGNATURE: _____
NAME (PRINT): _____
PRINCIPAL COUNTY OF BUSINESS: _____
MY COMMISSION NUMBER: _____ MY COMMISSION EXPIRES: _____

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION, IS BASED UPON A FIELD SURVEY IN CONFORMANCE
WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT, AND LOCAL ORDINANCE AT THE REQUEST OF RONALD
AND SHIRLEY NUNN ON NOVEMBER 24, 2017. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY
CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

DATE: _____
MARK H. WEBBER, P.L.S.
L.S. NO. 7980



COUNTY SURVEYOR'S STATEMENT

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

JAMES A. STEIN, L.S. 6571
DATE: _____

CLERK OF THE BOARD OF SUPERVISORS
CERTIFICATE

I, DAVID TWA, CLERK OF THE BOARD OF SUPERVISORS AND COUNTY ADMINISTRATOR OF THE COUNTY OF
CONTRA COSTA, STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PARCEL MAP
ENTITLED "SUBDIVISION MS 18-0011" WAS PRESENTED TO SAID BOARD OF SUPERVISORS, AS PROVIDED BY LAW,
AT A REGULAR MEETING THEREOF HELD ON THE _____ DAY OF _____, 2020, AND THAT SAID
BOARD OF SUPERVISORS DID THEREUPON BY RESOLUTION DULY PASSED AND ADOPTED AT SAID MEETING,
APPROVE SAID MAP AND DO HEREBY SELECT THE SAID MAP FOR RECORDING AND EXAMINATION ON
BEHALF OF THE BOARD OF SUPERVISORS AND THE COUNTY OF CONTRA COSTA, CALIFORNIA, AND THAT SAID
BOARD OF SUPERVISORS HAS DEDICATED TO PUBLIC USE, ALL OF THE STREETS, ROADS, ALLEYS, AND EASEMENTS SHOWN HEREIN AS
DEDICATED TO PUBLIC USE. I FURTHER CERTIFY THAT ALL TAX LENS HAVE BEEN SATISFIED AND THAT ALL
BONDS AS REQUIRED BY LAW TO ACCOMPANY THE WITHIN MAP HAVE BEEN APPROVED BY THE BOARD OF
SUPERVISORS OF CONTRA COSTA COUNTY, AND FILED IN MY OFFICE.

IN WITNESS, I HAVE HERETO SET MY HAND THIS _____ DAY OF _____, 2020.

DAVID TWA
CLERK OF THE BOARD OF SUPERVISORS
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA
BY: _____
DEPUTY CLERK

COUNTY RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 2020, AT _____, IN BOOK _____ OF PARCEL MAPS, AT
PAGE _____ AT THE REQUEST OF OLD REPUBLIC TITLE COMPANY.
RECORDERS SERIES NO. _____

DEBORAH COOPER
ACTING COUNTY RECORDER
COUNTY OF CONTRA COSTA, CALIFORNIA
BY: _____
DEPUTY COUNTY RECORDER

MARSH CREEK ROAD

FOUND CCCC DISK
IN WELL (2)(3)(6)(7)

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N01°09'42"E 6025.76'(M-PL)

LINE TABLE

NO	BEARING	LENGTH
L1	N04°58'21"W	39.51'
L2	N01°08'43"E	32.64'
L3	N34°58'15"W	70.56'
L4	N45°28'06"W	106.31'
L5	N22°32'22"W	98.20'
L6	N01°36'09"W	233.82'

LINE TABLE

NO	BEARING	LENGTH
L7	N55°04'08"E	144.48'
L8	N85°01'13"W	91.72'
L9	N63°40'29"W	182.12'
L10	N36°57'28"E	70.40'
L11	N34°56'01"W	175.23'

LINE TABLE

NO	BEARING	LENGTH
L12	N04°48'58"W(15)	(104°48'58"W)(15)
L13	N34°36'25"W(3)	(N34°36'25"W)(3)
L14	N45°29'16"W 106.307(3)	(N45°29'16"W 106.307(3)
L15	N22°32'32"W 98.197(3)	(N22°32'32"W 98.197(3)
L16	N01°36'20"W 233.807(3)	(N01°36'20"W 233.807(3)

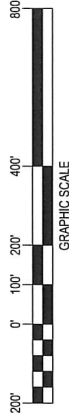
PARCEL MAP SUBDIVISION MS18-0011

CONSISTING OF 5 SHEETS
BEING A SUBDIVISION OF A PORTION OF SECTION 6, TOWNSHIP 1 SOUTH,
RANGE 3 EAST AND A PORTION OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 3
EAST, MOUNT DIABLO MERIDIAN
CONTRA COSTA COUNTY, CALIFORNIA

Carlson, Barbee & Gibson, Inc.

CIVIL ENGINEERS • SURVEYORS • PLANNERS
SAN RAMON • WEST SACRAMENTO

SCALE: 1" = 200' JANUARY 2020



LEGEND

- SUBDIVISION BOUNDARY LINE
- RIGHT OF WAY LINE
- PARCEL LINE
- EASEMENT LINE
- CENTERLINE
- MONUMENT LINE
- TOTAL
- RADIAL
- MONUMENT TO MONUMENT
- MONUMENT TO PROPERTY LINE
- FOUND STANDARD STREET MONUMENT
- FOUND MONUMENT AS NOTED
- FOUND REBAR AND CAP, LS 4520
- FOUND 1" IRON PIPE, NO TAG
- SET 5/8" REBAR AND CAP, LS 7980
- SEARCHED, NOTHING FOUND
- NO RECORD

SEE SHEET 4

SEE SHEET 5

SEE SHEET 6

SEE SHEET 7

SEE SHEET 8

SEE SHEET 9

SEE SHEET 10

SEE SHEET 11

SEE SHEET 12

SEE SHEET 13

SEE SHEET 14

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SEE SHEET 180

SEE SHEET 181

SEE SHEET 182

SEE SHEET 183

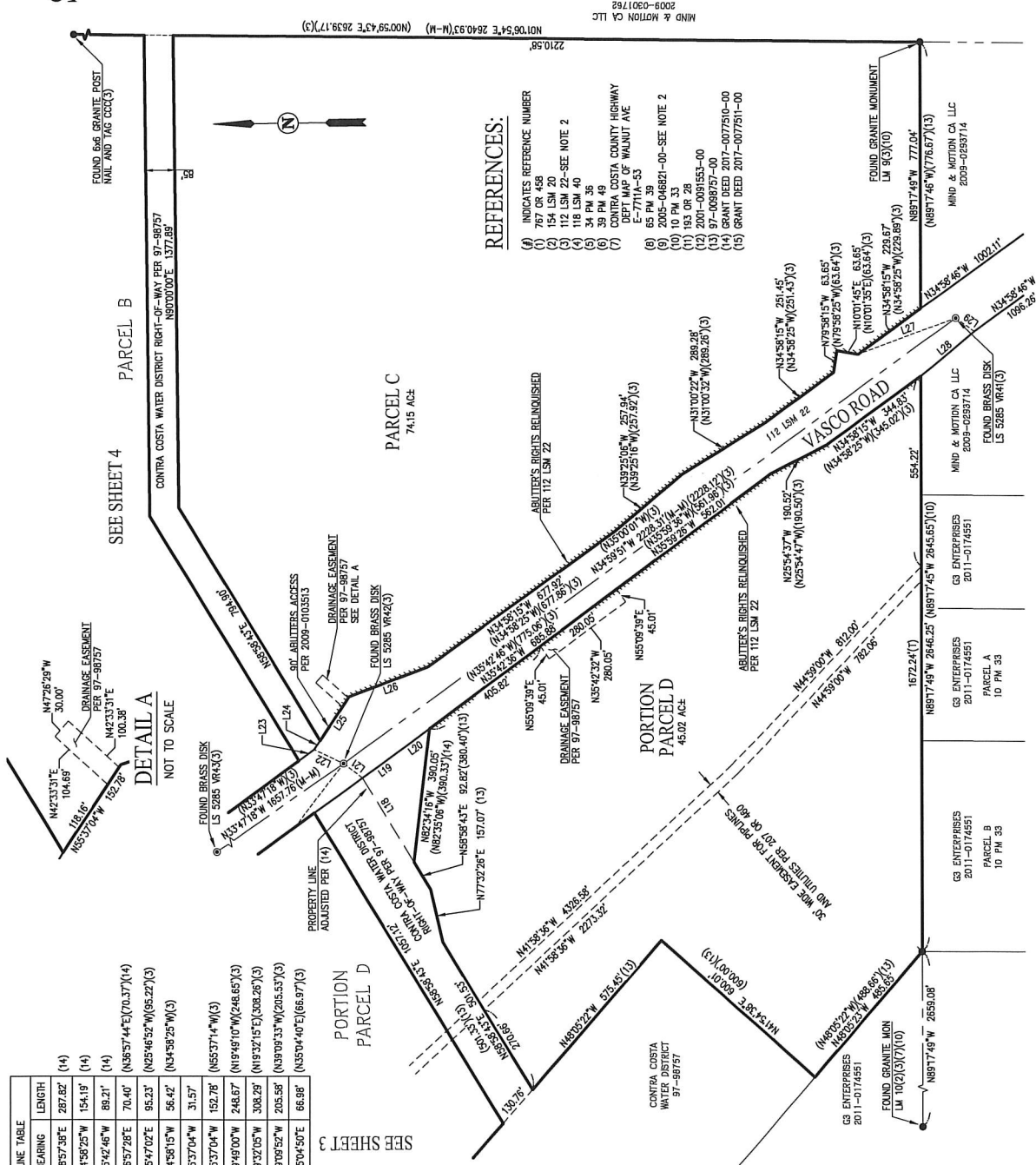
SEE SHEET 184

SEE SHEET 185

LINE	BEARING	LENGTH
L18	N85°57'38"E	287.82' (14)
L19	N34°58'25"W	154.19' (14)
L20	N35°42'48"W	88.21' (14)
L21	N35°27'08"E	70.40' (N35°57'44"E)(70.37')(14)
L22	N25°47'02"E	95.23' (N25°46'52"W)(95.22')(3)
L23	N34°58'15"W	56.42' (N34°58'25"W)(3)
L24	N53°70'04"W	31.57' (N53°71'14"W)(3)
L25	N53°70'04"W	152.76' (N19°49'10"W)(248.65')(3)
L26	N19°49'10"W	248.67' (N19°32'15"E)(308.28')(3)
L27	N19°32'15"E	308.29' (N39°09'53"W)(205.53')(3)
L28	N39°09'53"W	205.56' (N35°04'40"E)(66.97')(3)
L29	N35°04'50"E	66.98'

SEE SHEET 3

PORTION
PARCEL D



REFERENCES:

- INDICATES REFERENCE NUMBER
- 767 OR 458
- 154 LSN 20
- 112 LSN 22-SEE NOTE 2
- 118 LSN 40
- 34 PM 35
- 39 PM 49
- CONTRA COSTA COUNTY HIGHWAY E-7714-53
- 65 PM 39
- 2005-046821-00-SEE NOTE 2
- 193 OR 28
- 10 PM 33
- 97-009757-00
- 2001-0091553-00
- GRANT DEED 2017-007750-00
- GRANT DEED 2017-007751-00

NOTE:

- SEE SHEET 2 FOR BASIS OF BEARING
- ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES IN FEET AND DECIMALS THEREOF EXCEPT THE FOLLOWING:
 - REFERENCES 112 LSN 22 ARE GRID DISTANCES. MULTIPLY BY 1.000078 TO OBTAIN GROUND DISTANCES.
 - REFERENCES 97-009757 ARE GRID DISTANCES. MULTIPLY BY 1.000078 TO OBTAIN GROUND DISTANCES.
 - DOCUMENT NO. 2005-046821 IS METRIC AND ARE GRID DISTANCES. MULTIPLY BY 3.2808333 TO OBTAIN FEET AND BY 1.0000676 TO OBTAIN GROUND DISTANCES.
- THE EASEMENT SHOWN ON THE RIGHT OF WAY IS BLANKET IN NATURE AND CANNOT BE PLOTTED

3/12/20

Old Republic

\$ 47.00

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

Contra Costa County

Russell V. Watts
County Treasurer-Tax Collector

Brice B. Bins
Chief Deputy Treasurer-Tax Collector

Lulis Lopez
Assistant Tax Collector



Date: 1/27/2020

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

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

<u>Tract / MS #</u>	<u>City</u>	<u>T.R.A.</u>
18-0011	Byron & Brentwood	60034, 58006, 58031
Parcel #: 003-010-017-6 003-010-020-0 007-140-006-3 007-150-017-7 007-150-018-5		

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

The 2019-2020 tax lien has been paid in full. Our estimate of the 2020-2021 tax lien, which became a Lien on the **1st day of January, 2020** is :

\$13,070.00

This tract is not subject to a 1915 Act Bond.

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

RUSSEL V. WATTS
Treasurer-Tax Collector

By: 

COUNTY OF CONTRA COSTA

ELECTRONIC DEPOSIT PERMIT

OFFICE OF COUNTY AUDITOR-CONTROLLER
MARTINEZ, CALIFORNIA

DEPARTMENT NAME
TREASURER-TAX COLLECTOR

FISCAL YEAR
2019 - 2020

ORGANIZATION NUMBER 15

DESCRIPTION OF DEPOSIT	FUND/ORG NO.	SUB ACCT	TASK	OPT	ACTIVITY	AMOUNT	TOTAL
------------------------	-----------------	-------------	------	-----	----------	--------	-------

subdiv guarantee 18-0011
tax collector special - subdivision guarantee

831400

0803

\$13,070.00

\$13,070.00

TOTAL DEPOSIT: \$13,070.00

GENERAL DEPOSIT NOTES:

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

CASH: \$0.00 CHECKS: \$0.00 BANK DEPOSIT: \$13,070.00

Bank Receipt: sub-div Date: 01/29/2020 NOTES: sub-division guarantee for MS18-0011 APN 003-010-017, 003-010-020, 007-140-006, 007-150-017 & 017-150-018

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

THE A-C OF CCC, HEREBY CERTIFIES
THAT THE AMOUNT DUE THE TREASURER
OF SAID COUNTY FOR MONIES COLLECTED
BY TREASURER-TAX COLLECTOR
-WELLS FARGO BANK - TAX COLLECTOR
IN SETTLEMENT OF THE ABOVE DESCRIBED
ACCOUNTS IS THE SUM OF \$13,070.00

RECEIPT OF ABOVE AMOUNT
IS HEREBY ACKNOWLEDGED.

Jan 29, 2020 09:06:49AM

Marcela Perez
USER VALIDATION

USER PHONE NO.
925-957-2812

USER NAME
Marcela Perez

NOT PROCESSED

NOT SIGNED
AUDITOR'S VALIDATION

NOT PROCESSED

NOT SIGNED
TTC VALIDATION

SUBMIT DATE
Jan 29, 2020 09:06:49AM

EDP NO
DP802392



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 25, 2020

Subject: Accepting Offer of Dedication for Roadway Purposes for minor subdivision MS18-00011, Brentwood area.

RECOMMENDATION(S):

ADOPT Resolution No. 2020/50 accepting Offer of Dedication for Roadway Purposes for minor subdivision MS18-00011, for a project being developed by Ronald & Shirley Nunn, as recommended by the Public Works Director, Brentwood area. (District III)

FISCAL IMPACT:

No Fiscal Impact.

BACKGROUND:

The Offer of Dedication for Roadway Purposes is required per Condition of Approval No. 25.

CONSEQUENCE OF NEGATIVE ACTION:

The Offer of Dedication for Roadway Purposes will not be recorded.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Randolph Sanders
(925)313-2111

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

By: , Deputy

cc: Larry Gossett- Engineering Services, Randolph Sanders- Engineering Services, Renee Hutchins - Records, Karen Piona- Record, Stanley Muroaka- DCD, Ronald & Shirley Nunn

ATTACHMENTS

Resolution No. 2020/50

Offer of Dedication - Road

Purposes

Recorded at the request of: Clerk of the Board

Return To: Public Works Dept- Simone Saleh

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

Adopted this Resolution on 02/25/2020 by the following vote:

AYE: ☐

NO: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2020/50

IN THE MATTER OF accepting Offer of Dedication for Roadway Purposes for minor subdivision MS18-00011, for a project being developed by Ronald & Shirley Nunn, as recommended by the Public Works Director, Brentwood area. (District III)

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

INSTRUMENT: Offer of Dedication for Roadway Purposes

REFERENCE: APNs 003-010-017, 003-010-020, 007-140-006, 007-150-017 and 007-150-018

GRANTOR: Ronald & Shirley Nunn

AREA: Brentwood

DISTRICT: III

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

Contact: Randolph Sanders (925)313-2111

ATTESTED: February 25, 2020

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

By: , Deputy

cc: Larry Gossett- Engineering Services, Randolph Sanders- Engineering Services, Renee Hutchins - Records, Karen Piona- Record, Stanley Muroaka- DCD, Ronald & Shirley Nunn

Recorded at the request of:

Contra Costa County
Public Works Department

Return to:

Public Works Department
Engineering Services Division
Records Section

Area: Brentwood

Road: Walnut Boulevard

Co. Road No.: 7711A

Development No.: MS18-00011

APN: 003-010-017, 003-010-020, 007-140-006, 007-150-017 and 007-150-018

OFFER OF DEDICATION - ROAD PURPOSES

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

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

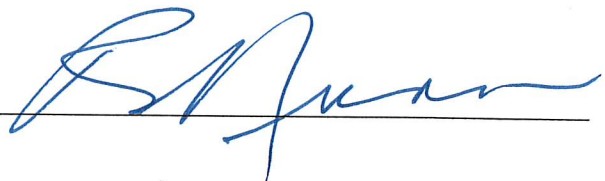
The provisions hereof shall inure to the benefit of **Contra Costa County** and its successors or assigns and will be binding upon the title owner of record and that owner's heirs, successors or assigns.

The undersigned executed this instrument on

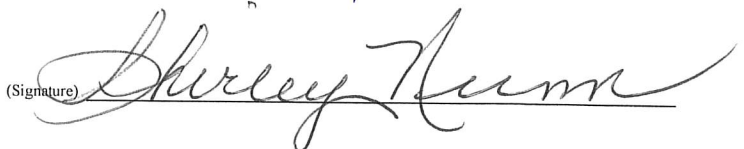
Feb. 4, 2020

Ronald E. Nunn and Shirley A. Nunn

(Signature)



(Signature)



(See attached notary)

CALIFORNIA ALL- PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

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

State of California }

County of Contra Costa }

On Feb. 4, 2020 before me, D. Bruno, Notary Public,
(Here insert name and title of the officer)

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

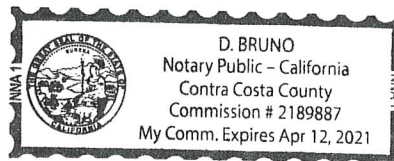
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

D. Bruno

Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

OFFER OF DEDICATION

(Title or description of attached document)

Road Purposes

(Title or description of attached document continued)

Number of Pages 3 Document Date 2/4/2020

CAPACITY CLAIMED BY THE SIGNER

- ☒ Individual (s)
☐ Corporate Officer

(Title)

- ☐ Partner(s)
☐ Attorney-in-Fact
☐ Trustee(s)
☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

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

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

EXHIBIT A
LEGAL DESCRIPTION
ROADWAY DEDICATION
CONTRA COSTA COUNTY, CALIFORNIA

REAL PROPERTY, SITUATE IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING THAT AREA OF LAND DENOTED AS WALNUT BOULEVARD WIDENING, A PORTION OF PARCEL B AS SAID PARCEL IS SHOWN AND SO DESIGNATED ON PARCEL MAP SUBDIVISION MS18-0011, FILED _____, 2020 IN BOOK _____ OF PARCEL MAPS AT PAGE _____, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE PORTION OF SAID PARCEL B SHOWN AS WALNUT BOULEVARD WIDENING ON SHEET 4 OF SAID PARCEL MAP;

THENCE, FROM SAID POINT OF BEGINNING, ALONG THE WEST LINE OF SAID PARCEL B, NORTH 01°09'43" EAST 231.96 FEET;

THENCE, CONTINUING ALONG SAID WEST LINE NORTH 72°49'34" EAST 10.53 FEET;

THENCE, LEAVING SAID WEST LINE, SOUTH 01°09'43" WEST 235.27 FEET TO SAID WEST LINE;

THENCE, ALONG SAID WEST LINE, NORTH 88°49'46" WEST 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,336 SQUARE FEET OF LAND, MORE OR LESS.

ATTACHED HERETO IS A PLAT TO ACCOMPANY LEGAL DESCRIPTION, AND BY THIS REFERENCE MADE A PART HEREOF.

END OF DESCRIPTION



1/29/2020

MARK WEBER, P.L.S.
L.S. NO. 7960

DATE



CL WALNUT
BOULEVARD

N72°49'34"E
10.53'

WALNUT BOULEVARD

10'

N01°09'43"E 231.96'

S01°09'43"W 235.27'

40'

ROADWAY DEDICATION

2,336 SF

POINT OF
BEGINNING

N88°49'46"W
10.00'



1/29/2020

HARTMAN
2015-0193598

PARCEL B
MS 18-0011

EXHIBIT B PLAT TO ACCOMPANY LEGAL DESCRIPTION

ROADWAY DEDICATION
WALNUT BOULEVARD WIDENING, SUBDIVISION MS18-0011
CONTRA COSTA COUNTY, CALIFORNIA

JANUARY 29, 2020

SHEET 1 OF 1



CIVIL ENGINEERS

SAN RAMON • (925) 866-0322
SACRAMENTO • (916) 375-1877

WWW.CBANDG.COM

• SURVEYORS • PLANNERS



**Contra
Costa
County**

To: Contra Costa County Flood Control District Board of Supervisors

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

Date: February 25, 2020

Subject: 2019 Annual Report on CCC Flood Control and Water Conservation District, Countywide. Project No. 7505-6F8135

RECOMMENDATION(S):

ACCEPT the 2019 Annual Report (2019 Report) from the Contra Costa County Flood Control and Water Conservation District (FC District) and;

DIRECT the Chief Engineer, FC District, or designee, to implement action plans, with a follow-up report to this Board annually and;

REFER the FC District's efforts to develop sustainable funding for flood protection to the Transportation, Water and Infrastructure Committee.

FISCAL IMPACT:

Preparation of this 2019 Report cost \$10,000, which was funded by FC District Funds. Implementation of the recommended action plans and assessment studies over the next ten years will cost approximately \$4,000,000 to be funded by FC District and Flood Control Zone Funds, with ongoing efforts to offset expenses with grant funds.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Michelle Cordis, (925)
313-2381

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

By: , Deputy

cc: David Twa, CAO, Allison Knapp, Deputy Chief Engineer, Tim Jensen, Flood Control, Michelle Cordis, Flood Control, Catherine Windham, Flood Control

BACKGROUND:

On November 5, 2013, the FC District presented to the Board its first annual report on flood protection infrastructure in order to understand its history, condition, and future needs. Annually in February, starting in 2014, we presented the Board with the FC District's Annual Report for the previous year. The 2019 Report is provided to update the Board on the FC District's accomplishments in 2019 as well as future challenges and next steps.

In summary, our community outreach events were successful, our capital programs made progress, and our studies of aging infrastructure and unsustainable service levels continued to highlight some major concerns, primarily regarding lack of funding.

Highlights of 2019 include:

- FC District staff visited Representatives at the State Capitol, educating about the need for stormwater funding.
- The Lower Walnut Creek Restoration Project made significant progress in the design phase, reaching 95% plans. Grant awards of more than \$9 million were received. Tours and outreach continued throughout the year.
- The Three Creeks Parkway Restoration Project achieved completed design plans and finalized CEQA documents.
- The FC District focused volunteer efforts at Kubicek Basin to remove invasive plants, arundo donax and dittrichia.
- Students at Walnut Creek Intermediate School held a 5th annual "Stay Out, Stay Alive" assembly attended by both the County Fire District's Swift Water Rescue Team and FC District staff.
- The FC District completed a 7th annual "Giving Natives a Chance" community planting day, with over 50 volunteers planting about 5,000 creeping wild rye native grass plugs.
- The FC District completed the agreement to receive a third round of funding from the Department of Water Resources in the amount of \$374,000 (with no local match required) for surveying and modeling to determine the flood-stage elevation on our stream gauges.
- Facility Condition Assessments for all FC District infrastructure are 75% complete with results indicating that that FC District facilities are in overall good condition.
- The FC District with the Contra Costa Resource Conservation District hosted the 6th Quadrennial Contra Costa Creek and Watershed Symposium, celebrating work in the County's watershed over the last 20 years.

We continue working with the California State Association of Counties and the County Engineers Association of California to find legislative ways to improve funding for stormwater and flood protection services. After the passage of SB231 in 2017, some jurisdictions are planning to adopt a fee and charge property owners for stormwater services, relying on the exemption that water and sewer districts use in Proposition 218; however, they anticipate being sued to challenge the fee. We, like many other agencies, are cautiously moving forward on determining if SB231 could assist in creating sustainable funding to meet the FC District's needs. We have discussed this with some water and sewer districts and did not receive a commitment to partner with us.

The FC District will continue implementation of the action plans outlined in the original 2013 Annual Report. The key action for the next few years will be to focus on developing sustainable funding for regional flood protection and community drainage. For the full 2019 Report and past reports, visit www.cccounty.us/5815/Annual-Reports.

Staff recommends that the Board accept the 2019 Report from the FC District, direct the Chief Engineer

to continue with the action plans, with a follow-up report to this Board annually, and refer the effort to develop sustainable funding for regional flood protection and community drainage to the Transportation, Water and Infrastructure Committee.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board does not accept the 2019 Report, the County's flood protection and community drainage infrastructure issues may not be adequately addressed, which will lead to lower levels of flood protection for our communities in the future.

ATTACHMENTS

2019 Annual Report



Flood Control
& Water Conservation District

ANNUAL REPORT 2019



CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

MISSION STATEMENT

THE CONTRA COSTA
COUNTY FLOOD CONTROL
AND WATER CONSERVATION
DISTRICT WORKS TO REDUCE
FLOOD RISK, PROMOTE
STORMWATER QUALITY,
AND RESTORE AND ENHANCE
NATURAL RESOURCES IN AN
ENVIRONMENTALLY SENSITIVE
MANNER THROUGHOUT
CONTRA COSTA COUNTY.



A NOTE FROM BRIAN BALBAS

Chief Engineer



During the past year we have made great strides on bringing our two large projects, Lower Walnut Creek Restoration and Three Creeks Parkway Restoration, closer to construction. These multi-benefit projects have garnered significant grant funding and local support, showing that expanding beyond single-purpose flood protection can be done. We've also been preparing for our first re-accreditation through the American Public Works Association in 2020. This program enables us to objectively evaluate, verify, and recognize compliance with recommended best management practices. We continue to engage our community on volunteer workdays, through our Creek and Channel Safety Program, and this year by putting on a successful Contra Costa Creek and Watershed Symposium, celebrating the twentieth anniversary of the first Symposium.

This Annual Report provides some of our highlights from 2019. For the complete Report and previous years' reports, please visit www.cccounty.us/FCDAnnualReports.





District staff visited with our County Representatives in April as part of **WATERSHED DAY AT THE CAPITOL**. They educated others on the outcome of SB 231 and the need for comprehensive funding for all stormwater management agencies in the State.



The District continued to use the Upper Sand Creek Basin in Antioch as a focal point for watershed education to staff and the community. The District held a hands on workshop on site to train staff on how to harvest native willows from the basin and plant in nearby areas. The District also partnered with the Contra Costa Resource Conservation District, Friends of Marsh Creek, and Earth Team on a **SECOND ANNUAL EARTH DAY** event which included a trash pickup competition, native plantings, and nurturing of existing plants since the basin's construction in 2014.





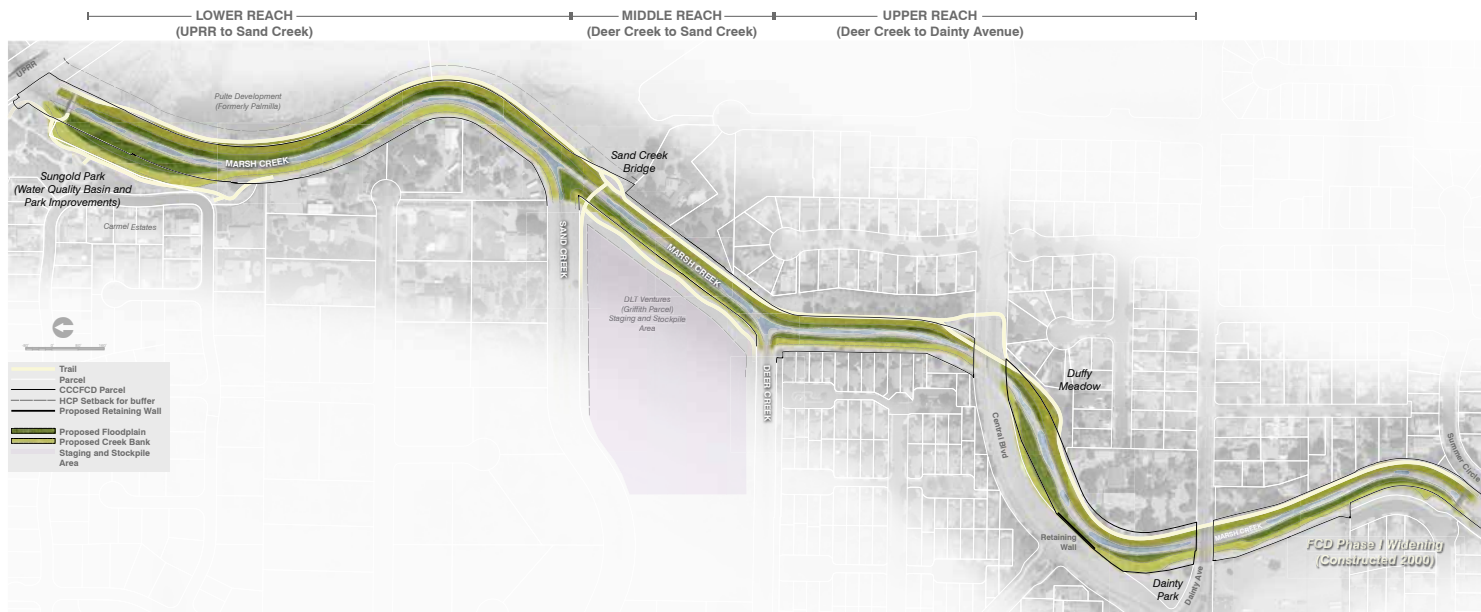
Significant progress was made on the design phase **THE LOWER WALNUT CREEK RESTORATION PROJECT**, with the CEQA document finalized in November and 95% design plans released in December. Grant fundraising continued with awards totaling nearly \$9 million in 2019. Tours and outreach continued throughout the year. The cover image is a photo simulation of The North Reach, Pacheco Marsh, of the restoration project.





The District has completed the condition assessment of 67 flood control facilities throughout the County; and 22 are remaining to be completed in the next 2-3 years. So far, the results indicate that our facilities are in **OVERALL GOOD CONDITION**.





The District in a public-private partnership with American Rivers has completed the design of the **THREE CREEKS PARKWAY RESTORATION PROJECT** which will transform over $\frac{3}{4}$ mile of Marsh Creek flood control channel into high quality salmon and riparian habitat with enhanced public access in Brentwood from Dainty Avenue to the Union Pacific Railroad. With the CEQA documents finalized and design plans completed, construction is planned to start in summer 2020.

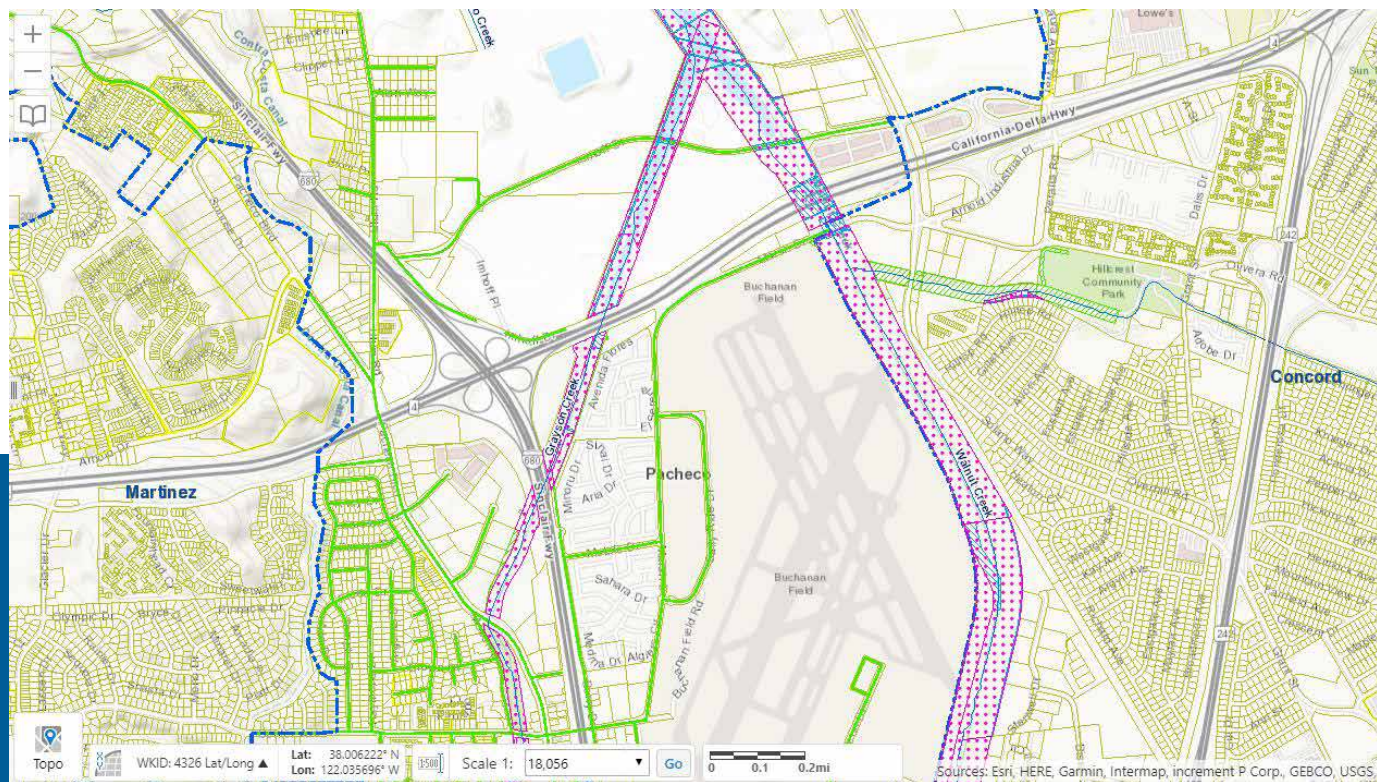
The District continued to work on **REMOVING THE INVASIVE PLANT, ARUNDO DONAX**, in the Walnut Creek Watershed. Together with the Walnut Creek Watershed Council and the Contra Costa Resource Conservation District, this year the District focused on removing arundo and another invasive plant, *Dittrichia*, at Kubicek (Pine Creek) Basin in Walnut Creek on several workdays.





The District held a **7TH ANNUAL GIVING NATIVES A CHANCE PLANTING EVENT** at Clayton Drain in Concord to continue removing invasive weed species and planting 5,000 native creeping wild rye grass plugs.





The District made substantial progress in reviewing and updating its **RIGHT OF WAY DATA IN GEOGRAPHIC INFORMATION SYSTEM (GIS) MAPPING**. This is a long term project that will help in managing District property and assets in an efficient manner.



The District continued to use
**GOATS FOR VEGETATION
MANAGEMENT AND FIRE
SUPPRESSION** in District
channels and basins.



The District continued the **CREEK AND CHANNEL SAFETY AWARENESS PROGRAM** with a 5th annual event at Walnut Creek Intermediate with a poster contest, joint presentation with the Contra Costa Fire District Swiftwater Rescue Team, and channel field trip with the leadership class.





The District with the Contra Costa Resource Conservation District sponsored the **6TH QUADRENNIAL CONTRA COSTA CREEK AND WATERSHED SYMPOSIUM** bringing together like minded creek enthusiasts working to preserve the County's varied creeks and watersheds while celebrating achievements and milestones of the last 20 years.









**255 GLACIER DRIVE
MARTINEZ, CA 94553
(925) 313-2000**



Front: Lower Walnut Creek Restoration Project – Pacheco Marsh, Photo Simulation
Back: Kubicek (Pine Creek) Basin under Mt. Diablo

 www.cccounty.us/FloodControl
 @CCCFCD



Contra Costa County

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: February 25, 2020

Subject: Authorization to Negotiate Ground Lease and Development Terms for Buchanan Field Airport 9-Acre Parcel

RECOMMENDATION(S):

AUTHORIZE the Director of Airports, or designee, to negotiate a long-term ground lease and development terms between the County, as Landlord, and Montecito Development Company, LLC, as the developer, for approximately 9 acres of land on the west side of Buchanan Field Airport.

FISCAL IMPACT:

There is no negative impact on the General Fund. The Airport Enterprise Fund could realize lease and other revenues. The County General Fund could realize sales tax and other revenues if a lease is successfully negotiated.

BACKGROUND:

The development site is approximately 9-acres of vacant land owned by the County and located on the west side of Buchanan Field Airport and is commonly known as Parcel A. The parcel is designated for aviation use on the Airport Layout Plan for Buchanan Field Airport.

The Airport Division of the Contra Costa County Public Works Department - Airports Division received a letter of interest from Montecito Development Company, LLC. to lease and develop

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Beth Lee, (925)
681-4200

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

the property for aviation use.

In accordance with the Airport Division's standard, the Airport Division solicited for competitive interest in developing the parcel prior to making a developer selection. This solicitation of competitive interest was transmitted to the current commercial tenants of both County airports and to those persons who have asked to be included on a list of developers interested in developing land at either of the County airports. The County did not receive any other letters of interest to develop this property.

Consistent with the master developer selection process that was approved by the Board of Supervisors on May 23, 2006, projects without a competitive interest are to proceed with the traditional environmental review and lease development processes. The aviation development project will be presented to the Aviation Advisory Committee, the Airport Committee, and any other stakeholder to enhance community relations and collaborative relationships.

Negotiation of lease terms would expand economic activity, provide additional revenues to the Airport Enterprise Fund, and expand aviation-related facilities and services at Buchanan Field Airport. A business proposal must be consistent with the Airport Master Plan and General Plan for consideration. The proposed aviation development is consistent with the Buchanan Field Airport Master Plan and General Plan.

Unless and until a final lease agreement is fully executed by all parties, this Board Order, any draft lease agreement, other communications or conduct of the parties shall have absolutely no legal effect, may not be used to impose any legally binding obligation on the County and may not be used as evidence of any oral or implied agreement between the parties or as evidence of the terms and conditions of any implied agreement.

CONSEQUENCE OF NEGATIVE ACTION:

Delay in initiating the developer selection process will result in a delay of developing vacant land at Buchanan Field Airport and may negatively impact the Airport Enterprise Fund and County General Fund.



**Contra
Costa
County**

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: February 25, 2020

Subject: Rental Agreement for Portable Building at 181 John Glenn Drive, Concord (Buchanan Field Airport) (District IV).

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a monthly rental agreement between the County and Delux Public Charter, LLC, dba JSX (formerly dba JetSuiteX) (JSX), effective March 1, 2020, to replace the existing rental agreement with JSX for the same location at Buchanan Field Airport.

FISCAL IMPACT:

There is no negative impact on the General Fund. The Airport Enterprise Fund receives revenue as provided for in the rental agreement. The County General Fund receives property, sales and possessory interest tax revenues from the rental agreement.

BACKGROUND:

On March 1, 2016, the Board of Supervisors authorized the County to enter into a property rental agreement with Delux Public Charter, LLC, dba JSX (formerly dba JetSuiteX) (JSX), to use the portable terminal building at 181 John Glenn Drive for the operation of a scheduled charter service at Buchanan Field Airport. The County and JSX entered into a rental agreement effective

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Beth Lee, (925)
681-4200

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

March 23, 2016, on a month-to-month basis. The rent due under the 2016 agreement is a concession fee equal to \$5.00 for each passenger enplaned at Buchanan Field Airport.

The proposed rental agreement will replace the 2016 agreement. The proposed agreement modifies the concession fee due from JSX. In exchange for JSX carrying out a marketing campaign to promote travel from Buchanan Field, the concession fee will be reduced from \$5.00 per passenger enplaned at Buchanan Field to \$1.00 per passenger enplaned at Buchanan Field for the first 18,750 passengers enplaned at Buchanan Field beginning March 1, 2020. By reducing the concession fee by \$4.00 for the first 18,750 passengers enplaned beginning March 1, 2020, the Airport Enterprise Fund is effectively contributing \$75,000 to the campaign to promote the use of Buchanan Field.

The marketing effort conducted by JSX is expected to promote Buchanan Field as an airport destination and also highlight the air services located at the airport. Increased public awareness of Buchanan Field and JSX is expected to increase enplanements and subsequently increase revenue for the County. In addition, increased awareness may lead JSX to elect to conduct operations to additional destinations, which could result in increased enplanements at Buchanan Field and higher revenues for the Airport Enterprise Fund and the County.

CONSEQUENCE OF NEGATIVE ACTION:

If the County does not enter into a replacement rental agreement with JSX, JSX may not conduct the marketing campaign to promote Buchanan Field. The failure to promote Buchanan Field could result in reduced passenger enplanements at Buchanan Field over time and less revenue for the Airport Enterprise Fund and the County.

ATTACHMENTS

JSX Agreement

RENTAL AGREEMENT
BUCHANAN FIELD AIRPORT

This Rental Agreement ("**Agreement**") is dated March 1, 2020 (the "**Effective Date**"), and is between the County of Contra Costa, a political subdivision of the State of California ("**County**") and Delux Public Charter, LLC, a Delaware limited liability company, dba JSX (formerly dba JetSuiteX) ("**Tenant**").

Recitals

- A. County is the owner of the real property known and designated as Buchanan Field Airport located in Contra Costa County, California, ("**Airport**").
- B. County and Tenant are parties to a rental agreement dated March 23, 2016, under which tenant is renting that portion of the Airport located at 181 John Glenn Drive, as shown on Exhibit A (the "**Premises**") for the purpose of operating a scheduled charter aviation service (the "**March 2016 Agreement**"). This Agreement supersedes and replaces the March 2016 Agreement.
- C. Tenant has entered into a Master Services Agreement with Eleven, LLC ("**Provider**") dated as of March 5, 2019 (the "**Third Party Contract**"). Pursuant to the Third Party Contract, Tenant and Provider entered into a Statement of Work as of December 5, 2019 (the "**SOW**"). Under the SOW, Provider has agreed to develop a media plan to increase awareness of Tenant operations at the Airport. A fully executed copy of the Third Party Contract and the SOW are attached as Exhibit B and Exhibit C, respectively.
- D. In support of Tenant's efforts to promote its operations from the Airport, the Rent due from Tenant under this Agreement is modified from the rent due under the March 2016 Agreement. In exchange, Tenant shall provide to the County's Director of Airports ("**Director of Airports**") a copy of all marketing materials produced by the Provider under

the SOW and a copy of all data that results from the marketing campaign under the SOW (together, the “**Marketing Materials**”).

The parties therefore agree as follows:

Agreement

1. **RENTAL OF PREMISES:** In consideration of the rents and subject to the terms herein set forth, the County hereby rents the Premises to Tenant on a month-to-month basis for the use described below.
2. **TERM:** This Agreement is month to month commencing March 1, 2020, and will continue until terminated. This Agreement may be terminated by County or Tenant at any time, for any reason, or for no reason, with or without cause, on thirty (30) days written notice. County may terminate this Agreement at any time upon five (5) days written notice to Tenant in the event Tenant violates any term or condition of this Agreement.
3. **USE:** Tenant may only use the Premises to operate scheduled and on-demand charter aviation and related services. The Premises may not be used for any other purpose without the prior written approval of the Director of Airports. Use of the Premises for purposes other than as provided in this Agreement is cause for the termination of this Agreement.
4. **RENT:** Beginning March 1, 2020, as consideration for this Agreement, Tenant shall pay a monthly rent in an amount equal to the Concession Fee. For purposes of this Agreement, the “**Concession Fee**” is equal to (i) for Tenant’s first eighteen thousand seven hundred fifty enplanements at the Airport beginning on the Effective Date, One Dollar (\$1.00) per passenger enplaned at the Airport, and (ii) for all enplanements thereafter, Five Dollars (\$5.00) per passenger enplaned at the Airport. Excepted from concession fee are non-revenue passengers, which (a) are defined as airline employees, flight crew, contractors and other personnel not paying a fare, and (b) may not to exceed 2% of the monthly enplanements. The County may review the Concession Fee annually and may, at its

discretion, adjust the Concession Fee upon thirty (30) days prior written notice to Tenant.

- A. All checks are to be made payable to Contra Costa County and mailed to: Director of Airports, 550 Sally Ride Drive, Concord, CA 94520, or as otherwise specified in writing by County.
- B. Tenant shall pay the Concession Fee to County not later than the 15^h day of each month representing business completed during the previous month. If County receives the Concession Fee after the 15^h day of the month, the Concession Fee is delinquent and is subject to additional fees as described below.
- C. Tenant shall submit a gross monthly passenger enplanement report with each Concession Fee payment (the “**Monthly Report**”). Tenant shall cause the Monthly Report to include the total gross monthly passenger enplanement and deplaned totals by Tenant at the Airport during the previous month. The Monthly Report is to be dated, signed, and approved as correct for submission to the Director of Airports by an authorized officer, agent, or representative of Tenant.
- D. At the end of each calendar year, Tenant shall submit to County an annual report showing all of Tenant’s counts for passengers enplaned and deplaned at the Airport for the previous twelve months (the “**Annual Report**”). Tenant shall, at all times, keep and maintain a full and complete set records that accurately show Tenant’s annual passenger enplanement and deplanement totals at the Airport for the present and three (3) previous income tax years. These records are to be available at all reasonable times for inspection by County’s duly authorized representatives.
- E. County reserves the right to inspect Tenant’s records to determine the accuracy of the Tenant’s Monthly Reports.
- F. County reserves the right to revise and/or amend Tenant’s reporting requirement at any time.

5. **DELINQUENT FEES:** If a Concession Fee payment is Delinquent, Tenant shall pay to County a late fee of Fifty Dollars (\$50.00) (the “**Late Fee**”), plus accrued interest at a rate of one and one-half percent (1.5%) or the maximum legal rate, per month on any unpaid balance. For purposes of calculating accrued interest, the unpaid balance includes the Late Fee, if unpaid, from the date the unpaid balance was due and payable until paid in full.
6. **DEPOSIT:** Tenant currently has Six Thousand and No/100 Dollars (\$6,000) on deposit as security for Tenant’s performance under March 2016 Agreement. That deposit is being transferred to this Agreement and will be returned to Tenant within thirty (30) days following termination of this Agreement, less any outstanding amount due to the County.
7. **SUBTENANT:** With prior written approval from the Director of Airports, Tenant may enter into a subtenant agreement to rent a portion of the Premises to a subtenant. Any such subtenant must enter into a license agreement with the County to perform aviation-related, commercial operations on the Premises. Subtenant agreements:
 - A. Are subject to the terms and conditions of, and subordinate to, this Agreement.
 - B. Do not create a landlord-tenant or any other legal relationship between the County and subtenant.
8. **MARKETING MATERIALS; MARKETING DATA:** Tenant shall provide to the Director of Airports a copy of all Marketing Materials as soon as practicable once they are made available to Tenant by the Third Party Contractor, but in no event later than 30 days’ after the Marketing Materials are made available to Tenant by the Third Party Contractor.
9. **UTILITY OBLIGATIONS:** Tenant shall pay, on Tenant’s own account, all charges for utilities used or consumed on the Premises including, but not limited to, garbage disposal,

janitorial services, and telephone services.

10. **ALTERATIONS AND ADDITIONS:** Tenant may not make any alterations, erect any additional structures, or make any improvements on the Premises without the prior written consent of the Director of Airports. In the event Tenant makes alterations or constructs additions that violate the conditions contained in this Agreement (an “Unauthorized Addition”), at the County’s sole discretion, Tenant shall remove any Unauthorized Addition at Tenant’s sole cost and expense. If Tenant is required to remove any Unauthorized Addition, Tenant, at its sole cost and expense, shall restore the Premises to the condition existing immediately prior to the existence of the Unauthorized Addition, or such other condition designated by Lessor in its election. If Tenant is not required to remove all or any portion of the Unauthorized Addition, then at the Director of Airports sole discretion will advise Tenant if all or any portion of the Unauthorized Addition will remain on and be surrendered with or be removed from the Premises, at the Tenant’s sole cost and expense, on the expiration or termination of the Agreement.

If Tenant wishes to make any alterations, erect any additional structures, or make any additional improvements to the Premises as provided in this Section, Tenant may not commence construction until Tenant has the prior written consent of the County.

11. **MAINTENANCE AND REPAIRS:** Tenant shall maintain the Premises in good order, condition, and repair with ordinary wear and tear excepted. Tenant shall cause all maintenance, repairs, and replacements to be of a quality substantially equal to, or better than, the original material and workmanship.
12. **SECURITY:** County is not responsible for any security for the Premises. Notwithstanding the foregoing, Airport personnel have the right, but not the obligation, to patrol the Premises daily.
13. **SIGNAGE:** Tenant may not install or post any signs of any type, whether permanent or temporary, on the Premises without the prior written consent of the Director of Airports.

Any signage installed without the Director of Airport's prior written approval may be removed at County's discretion and at Tenant's expense.

14. **PERMITS AND APPROVALS:** Tenant is responsible for obtaining any permits or approval from any agency having jurisdiction.

15. **INSURANCE:**

- A. **Liability Insurance.** Throughout the Term, the Tenant shall maintain in full force and effect, at its sole expense, a comprehensive general liability or commercial general liability insurance program covering bodily injury (including death), personal injury, and property damage. The limits must be not less than One Hundred Million Dollars (\$100,000,000) per occurrence and One Hundred Million Dollars (\$100,000,000) aggregate. The policy must name the County, its officers, agents and employees, individually and collectively, as additional insureds. The liability insurance maintained by the Tenant must be primary.
- B. **Worker's Compensation.** Tenant shall obtain workers' compensation insurance as required by law, covering all employees of Tenant, and such insurance shall be kept in force during the entire Term of this Agreement.
- C. **Form of Policies.** Tenant shall cause all policies of insurance required by this Section to be in such standard form and written by such qualified insurance companies as is satisfactory to County. Tenant shall provide evidence of such insurance to Lessor in the form of (i) a copy of the policies, and (ii) a duly executed certificate of insurance. All of such certificates shall name "Contra Costa County, its officers, agents, and employees" as additional insureds. Said policy or policies or certificates shall contain a provision that written notice of policy lapses, cancellation or any changes thereto shall be delivered to County no fewer than thirty (30) days in advance of the effective date thereof.

- D. Waiver of Subrogation. Except as may be specifically provided elsewhere in this agreement, the County and the Tenant hereby each mutually waive any and all rights of recovery from the other in the event of damage to the Premises or any personal property that is caused by acts of God, perils of fire, lightning, and the extended coverage perils, as defined in insurance policies and forms approved for use in the State of California. Each party shall obtain any special endorsements, if required by their insurer, to evidence compliance with this waiver.
- E. Notice. Tenant shall give Lessor prompt and timely notice of any claim made or suit instituted of which it has knowledge and which could in any way directly, contingently or otherwise, affect either Tenant or County or both, and both Tenant and County shall have the right to participate in the defense of such claim or suit to the extent of its respective interest.
16. **HOLD HARMLESS:** Tenant shall defend, indemnify, save, protect, and hold harmless County and its officers, agents, and employees from and against all liabilities, judgments, claims, costs, and expenses arising directly or indirectly out of or connected with the operations of Tenant, its agents, servants, employees, business invitees, or subcontractors, and any act taken by Tenant, its agents, servants, employees, business invitees or subcontractors, pursuant to this Agreement, or otherwise related to the granting of this Agreement, save and except claims or litigation arising from the sole negligence or sole willful misconduct of County.
17. **STORM WATER DISCHARGED:** The Federal Clean Water Act (the “Act”) provides that the discharge of pollutants to water of the United States from any industrial commercial properties must be in compliance with a National Pollutant Discharge Elimination Permit (“NPDEP”). Under the Act, airports are considered to be “industrial” activities. Therefore, the County, and all tenants located on the Airport, are required to be in compliance with the Act and be NPDEP. County has applied for and received an

NPDEP, which covers Tenant's operations on the Premises. County is not aware of any violations of NPDEP at the airport of the premises.

Tenant shall ensure that no pollution or Hazards Materials (as defined in Section 18. Waste; Hazardous Materials) of any type is discharged into storm water system at the Airport. Tenant is responsible for any such discharge by it or by any of its officers, employees, agents, contractors, guests, or invitees, while this License is in effect. Any fine or cost of remedial action required of County by any agency or agencies having jurisdiction thereover, as a result of actions on or discharges from the Premises, will be charged to Tenant, and Tenant shall immediately reimburse County for such cost upon demand. In addition, any discharge of pollutants or Hazardous Materials on or from the Premises will be considered a default of this Agreement and grounds for its termination. This Section 15 will survive the termination of this Agreement. County is not aware of any violations of NPDEP at the airport of the premises.

18. **WASTE; HAZARDOUS MATERIALS:** Tenant may not commit, or suffer or permit the commission of any waste upon the Premises, or any nuisance or other act or thing that may disturb the quiet enjoyment of the use of the Airport or surrounding property. Tenant may not, and shall ensure that no others, store or dispose of any Hazardous Materials on the Premises. The term "Hazardous Materials" means any hazardous or toxic substance, hazardous or radioactive material, hazardous waste, pollutant or contaminant at any concentration that is, or during the term of the License becomes, regulated by any local or regional government authority having jurisdiction over the Premises, by the State of California, or by the United States.

Tenant may not permit any activity on the Premises that directly or indirectly produces unlawful amounts or levels of air pollution (gases, particulate matter, odors, fumes, smoke, or dust), water pollution, noise, glare, heat emissions, radioactivity, electronic or radio interference with navigational and communication facilities for the operation of the Airport

and for its use by aircraft, trash or refuse accumulation, or vibration or that is hazardous or dangerous by reason or risk of explosion, fire, or harmful emissions. County may enter the Premises at any time to verify Tenant's conformance with the provisions of this Section.

19. **ASSIGNMENT AND TRANSFER:** Tenant may not assign or transfer any of Tenant's right under this Agreement. County may immediately revoke this Agreement if Tenant assigns or transfers any of its rights hereunder.
20. **ALTERATION OF TERMS AND CONDITIONS:** County reserves the right to alter, amend, and/or change the terms and conditions of this Agreement upon thirty (30) days prior written notice to Tenant.
21. **INSTRUMENT OF TRANSFER AND NON-DISCRIMINATION COVENANTS:**
 - A. **Instrument of Transfer:** This Agreement is subordinate and subject to the provisions and requirements of the Instrument of Transfer by and between the United States and County dated the 9th day of October, 1947, and recorded in Book 1137, at page 114 of the Official Records of Contra Costa County, California. This Agreement is subordinate to the provisions and requirements of any future agreement between County and the United States relative to the development, operations, and/or maintenance of the Airport.
 - B. **Non-Discrimination:**
 - (1) Tenant represents and warrants that it will undertake an affirmative action program as required by 14 Code of Federal Regulations Part 152, Subpart E ("14 CFR Part 152, Subpart E"), to insure that no person shall on the grounds of race, creed, color, national origin, or sex is excluded from participating in any employment activities covered in 14 CFR Part 152,

Subpart E. Tenant represents and warrants that no person will be excluded on these grounds from participating in or receiving the services or benefits of any program or activity covered by 14 CFR Part 152, Subpart E. Tenant represents and warrants it will require that its covered suborganizations provide assurances to Tenant that they similarly will undertake an affirmative action program and that they will require assurances from their suborganizations, as required by 14 CFR Part 152, Subpart E, to the same effect.

- (2) In the event of a final judicial determination of a breach of any of the above non-discrimination covenants, County may terminate this Agreement as if said Agreement had never been made or issued.
- (3) Tenant agrees to furnish service on a fair, equal, and non-discriminatory basis to all users thereof, and to charge fair, reasonable, and non-discriminatory prices for each unit of sales or service, provided, that Tenant may be allowed to make reasonable and non-discriminatory discounts, rebates, or other similar types of price reductions to volume purchasers. Furthermore, Tenant shall neither discriminate nor permit discrimination against any person or group of persons on the grounds of race, color, national origin, sex or age in any manner, including, but not limited to, discrimination prohibited by applicable Federal Aviation Regulations.
- (4) Non-compliance with paragraph (3) above constitutes a material breach and a default of this Agreement by Tenant. In the event of such non-compliance, (i) County may terminate this Agreement without liability therefore, or (ii) at the election of either government, either or both the County and the United States may judicially enforce the provisions of paragraphs (2) and (3) of this Section.

22. **GENERAL PROVISIONS:**

- A. This Agreement is subject to Section 22. of Airport Ordinance 87-8, as amended by Airport Ordinance 88-82, and any other amendments or successor ordinances thereto.
- B. County hereby reserves the right to further develop or improve the Airport as it sees fit, regardless of the desires or views of Tenant and without interference or hindrance from Tenant.
- C. County hereby reserves the right to hold "special events," such as air shows, among other events, at the Airport that may involve the temporary closure of all or portions of the Airport. In such event, Tenant may not use any of the ramp areas, taxiways, or other areas of the Airport designated as closed by the Director of Airports in his sole discretion. Such closure does not require notice by the Airport directly to Tenant for this clause to be in effect. Airport Director will make reasonable attempt to provide a thirty (30) day notice for planned airport closures. In the event of such closure, Tenant may not hold County liable or responsible for any effect such closure may have on Tenant's operations or business.
- D. County reserves the right to take any action it considers necessary to protect the aerial approaches of the Airport against obstruction, together with the right to prevent Tenant from erecting or permitting to be erected any building or other structure on the Airport that, in the sole opinion of the County, would affect the usefulness of the Airport or constitute a hazard to aircraft.

County, in exercising the rights stated in this subsection, is not liable to Tenant for any expense, loss, or damage to Tenant that results from County's removal of any aerial obstructions.

E. Neither the failure or delay on the part of County to strictly enforce all the terms and conditions of this Agreement, is a waiver of any rights or remedies accruing to County by law or by this Agreement for any subsequent breach of this Agreement.

F. In the event that any provisions contained herein is held to be invalid by any court of competent jurisdiction, the invalidity of any such provisions will not materially prejudice either County or Tenant in their respective rights and obligations contained in the valid provisions of this Agreement.

23. **CHOICE OF LAW.** This Agreement is governed by the State of California, with venue in the Superior Court of Contra Costa County, California.

24. **NOTICES:** Any and all notices, requests, consents, approvals, or communication that either party desires or is required to give to the other party under this Agreement or otherwise must be in writing and either served personally or sent by prepaid first-class mail and will be effective from the date of the mailing of the same. For the purposes thereof, unless otherwise provided in writing by the parties hereto, the address of County is:

Contra Costa County
Director of Airports
550 Sally Ride Drive
Concord, CA 94520

and the address of Tenant is:

Delux Public Charter
1341 W. Mockingbird Lane, Suite 600E
Dallas, TX 75247

[Remainder of Page Intentionally Left Blank]

25. **ENTIRE AGREEMENT:** This instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed. No alterations or variations of this Agreement are valid or binding unless made in writing and signed by both parties hereto.

The parties are executing this Agreement as of the date set forth in the introductory paragraph.

CONTRA COSTA COUNTY,

**Delux Public Charter, LLC
a Delaware limited liability company
dba JSX**

By: _____
Keith Freitas
Director of Airports

By: _____
Alex Wilcox
Chief Executive Officer

RECOMMENDED FOR APPROVAL:

By: _____
Name: _____
Its: _____

By: _____
Beth Lee
Assistant Director of Airports

APPROVED AS TO FORM

Sharon L. Anderson, County Counsel

Note to Tenant:
For corporations, the Agreement must be signed by two officers. The first signature must be that of the Chairperson of the Board, President, or Vice-President, and the second signature must be that of the Secretary, Chief Financial Officer, or Assistant Treasurer (Civ. Code, 1190; Corps. Code 313.)

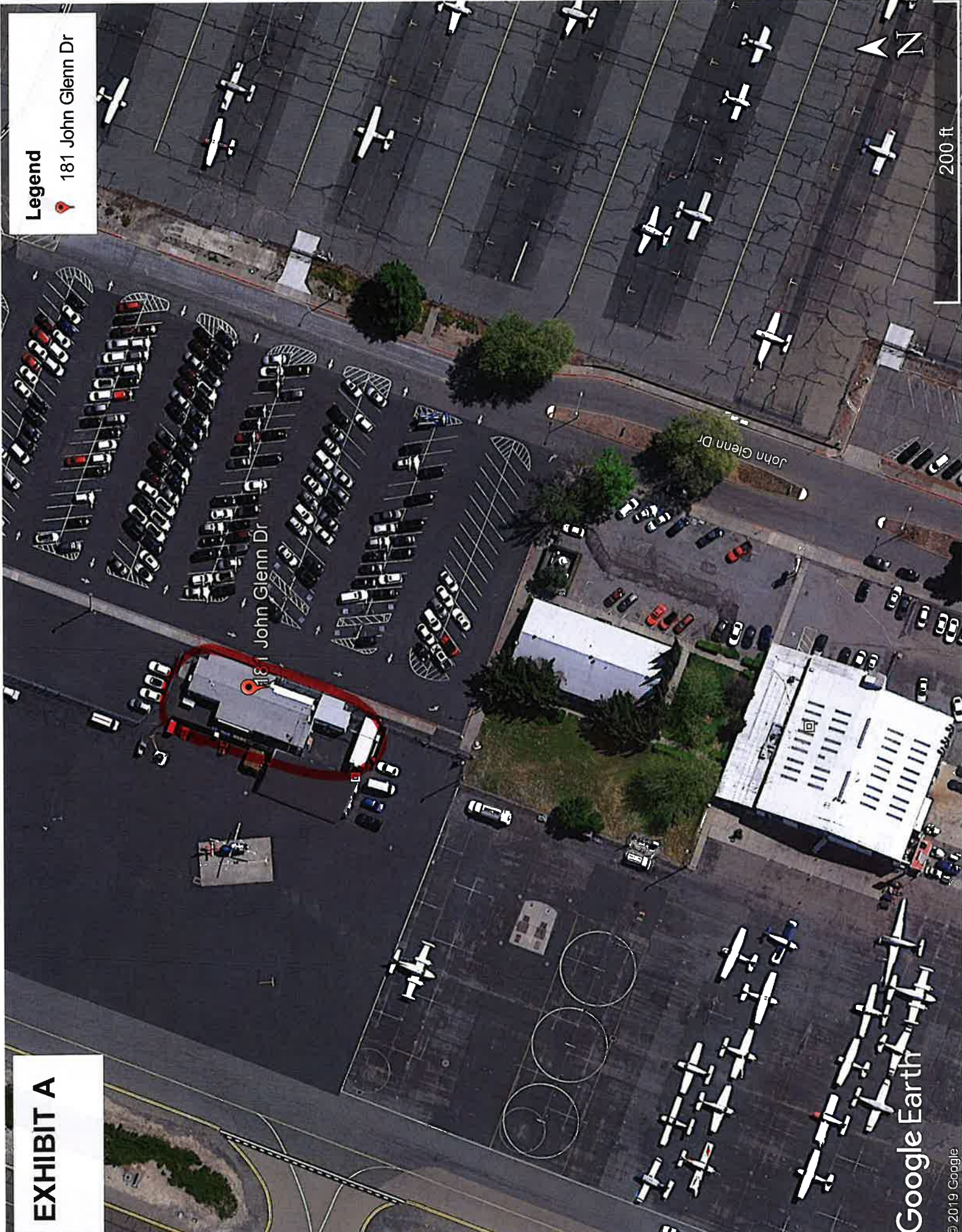
By: _____
Kathleen M. Andrus
Deputy County Counsel

EXHIBIT A

Legend



181 John Glenn Dr



Google Earth

© 2019 Google

200 ft





Contra Costa County

To: Board of Supervisors
From: David Twa, County Administrator
Date: February 25, 2020

Subject: Claims

RECOMMENDATION(S):

DENY claims filed by The Brose Company by Robert Brose, CA Auto Insurance Company, a subrogee of Rachel Grossi, Altantsetseg Chuluunbat (Conservator for Togtokh Oyuntseren), Lawrence Durbin, Terry L. Eidson, Enterprise Rent-a-Car, Gary Arthur Fiske, Derek Hawkins, Steven Jeglum, Joshua Polston, Adam Silverthorne, Bethany Sipes, Steven Thomas, University of CA, Davis (2), Vyacheslav Viner and Ilga Viner (3), and Showfan Yee. DENY amended claim filed by Xingtei Luo.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The Brose Company by Robert Brose: Property claim for damage to personal property in the amount of \$5,900.

CA Auto Insurance Company, a subrogee of Rachel Grossi: Property claim for damage to vehicle in the amount of \$8,718.73

Altantsetseg Chuluunbat (Conservator for Togtokh Oyuntseren): Personal injury claim for damages arising out of bicycle accident in an amount to exceed \$25,000.

Lawrence Durbin: Property claim for lost personal property in the amount of \$60.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

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

Contact: Scott Selby
925.335.1400

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Terry L. Eidson: Property claim for lost personal property in the amount of \$1,434.

Enterprise Rent-A-Car: Property claim for damage to vehicle arising out of motor vehicle accident in the amount of \$773.37

Gary Arthur Fiske: Property claim for lost personal property in the amount of \$200.

Derek Hawkins: Property claim for damage to real property in the amount of \$105,000.

Steven Jeglum: Property claim for lost personal property in the amount of \$457.

Joshua Polston: Personal injury claim for damages arising out of bicycle accident in an amount to exceed \$10,000.

Adam Silverthorne: Property claim for damage to personal property in the amount of \$6,500.

Bethany Sipes: Personal injury claim for injuries sustained in automobile accident in an amount to exceed \$25,000.

Steven Thomas: Property claim for lost personal property in the amount of \$89.39

University of California, Davis (2): Claim for a tax exemption in an undisclosed amount.

Vyacheslav Viner & Ilga Viner (3): Personal injury claim arising out of alleged medical negligence in an amount according to proof.

Showfan Yee: Property claim for damage to personal property in the amount of \$2,094.22

Xingtei Luo: Amended claim for denial of due process in undisclosed amount.



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: February 25, 2020

Subject: ACCEPT Board members meeting reports for January 2020

RECOMMENDATION(S):

ACCEPT Board members meeting reports for January 2020.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

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

CONSEQUENCE OF NEGATIVE ACTION:

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

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Joellen Bergamini
925.335.1906

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

By: , Deputy

cc:

ATTACHMENTS

District II January 2020 Report

District III January 2020 Report

District I January 2020 Report

District IV January 2020 Report

Supervisor Candace Andersen – Monthly Meeting Report *January 2020*

Date	Meeting	Location
6	SWAT	San Ramon
7	BOS & Reorg	Martinez/Lafayette
8	CCCERA	Concord
8	LAFCO	Martinez
13	Alamo Liaison	Danville
14	BOS Special Meeting	Martinez
14	Juvenile Justice CC	Martinez
15	All Homes Meeting	Danville
16	CCCTA	Concord
16	East Bay EDA	Walnut Creek
21	Board of Supervisors	Martinez
21	TRAFFIX	San Ramon
22	CCCERA	Concord
23	Recycle Smart	Walnut Creek
24	Street Smarts	Danville

Supervisor Diane Burgis - January 2020 AB1234 F

(Government Code Section 53232.3(d) requires that members legislative
attended for which there has been expense reimbursement (mileage,

Date	Meeting Name	Location
6-Jan	Interview with the Brentwood Press	Brentwood
7-Jan	Board of Supervisors Meeting	Martinez
7-Jan	Board of Supervisors Reorg Luncheon	Lafayette
8-Jan	LAFCO Meeting	Martinez
8-Jan	Mental Health Commission Meeting	Pleasant Hill
9-Jan	Meeting with Clerk-Recorders Office	Brentwood
9-Jan	Meeting with Community Library Manager, Andrea Freyler	Brentwood
9-Jan	Heritage High School Cheerleader Recognition	Brentwood
9-Jan	Meeting with Economic Director, Amalia Cunningham	Brentwood
10-Jan	Delta Counties Coalition Meeting	Brentwood
10-Jan	Family Justice Center Meeting	Concord
10-Jan	Meeting with Department of Conservation and Development	Martinez
10-Jan	Meeting with Blackhawk GHAD	Martinez
11-Jan	41st Annual Shellie Awards	Walnut Creek
13-Jan	Interview with Brentwood Press	Brentwood
13-Jan	First 5 Commission Meeting	Concord
14-Jan	Board of Supervisors Special Meeting	Martinez
15-Jan	Meeting with Fire Chief, Brian Helmick	Brentwood
15-Jan	Delta 6 Meeting	Oakley
16-Jan	Delta Protection Commission Meeting	Oakley
21-Jan	Board of Supervisors Meeting	Martinez
22-Jan	Agricultural Stakeholders Meeting	Brentwood
22-Jan	Byron Boys Ranch Tour	Byron
22-Jan	Meeting with County Administraotr, David Twa	Brentwood
23-Jan	CA Census Meeting	Martinez
24-Jan	Delta Counties Coalition Meeting	Brentwood
25-Jan	Discovery Bay State of the Town Gala	Discovery Bay
27-Jan	Meeting with East Contra Costa Fire Protection District	Martinez
27-Jan	Meeting with John Muir Health	Martinez
27-Jan	2020 Census Meeting	Martinez
28-Jan	Oakley Logistics Center Groundbreaking	Oakley
29-Jan	Tri Delta Transit Meeting	Antioch
30-Jan	Meeting with Knightsen Superintendent	Brentwood
30-Jan	Meeting with Airport Committee Member, Ron Reagan	Brentwood

30-Jan	Meeting with Department of Conservation and Development	Brentwood
30-Jan	Constituent Meeting	Brentwood
31-Jan	Gig of the Decade Open House	Concord

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

Report

bodies report on meetings
meals, lodging, etc).

Purpose

Community Outreach

Meeting

Community Outreach

Meeting

Meeting

Meeting

Meeting

Community Outreach

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Community Outreach

Supervisor John Gioia

January – 2020 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.).

Supervisor Gioia did not seek reimbursement from the County for any meetings that he attended in his capacity as a County Supervisor during the month of January, 2020.

**Supervisor Karen Mitchoff
January 2020**

DATE	MEETING NAME	LOCATION	PURPOSE
01/07/20	Board of Supervisors Meeting and Luncheon	Martinez/ Lafayette	Decisions on agenda items
01/10/20	ABAG Legislation and Administration Committee Meetings	San Francisco	Decisions on agenda items
01/15/20	BAAQMD Legislative Committee	San Francisco	Decisions on agenda items
01/21/20	Board of Supervisors Meeting	Martinez	Decisions on agenda items
01/23/20	CCCSWA Meeting	Walnut Creek	Decisions on agenda items
01/24/20	DCC In-Person Meeting	Sacramento	Water Advocacy
01/29/20	BAAQMD Special Meeting	Cupertino	Decisions on agenda items
01/30/20	JCC Meeting	Martinez	Decisions on agenda items
01/31/20	ABAG Executive Board Meeting	Dublin	Decisions on agenda items



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: February 25, 2020

Subject: Recognizing the Winners of the Contra Costa County Poetry Out Loud 2020 Competition

RECOMMENDATION(S):

ADOPT Resolution No. 2020/66 recognizing the winners of the Contra Costa Poetry Out Loud 2020 Competition, as recommended by the County Administrator.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Julia Taylor,
925.335.1043

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

By: , Deputy

cc:

ATTACHMENTS

Resolution

2020/66

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

In the matter of:

Resolution No. 2020/66

Recognizing Grace Gilroy, Lily Johnstone, and Kyla Watkins for placing First, Second, and Third in the Contra Costa County “Poetry Out Loud” 2020 Competition.

WHEREAS, the members of the Board of Supervisors of Contra Costa County are pleased to extend congratulations to Grace Gilroy, Lily Johnstone, and Kyla Watkins for placing first, second, and third in the Contra Costa County “Poetry Out Loud” 2020 Competition; and

WHEREAS, Grace Gilroy, a senior at San Ramon Valley High in Danville, was awarded First Place, Lily Johnstone, a senior at Pinole Valley High in Pinole, was awarded Second Place, and Kyla Watkins, a junior at Las Lomas High in Walnut Creek, was awarded Third Place in the Contra Costa County “Poetry Out Loud” Competition on February 8, 2020, a competition which emphasizes language skills and public speaking; and

WHEREAS, over 3,000 students countywide memorized a poem for this year’s program, a program started by the National Endowment for the Arts (NEA) and run by the California Arts Council in the State and locally by the Arts and Culture Commission of Contra Costa County (AC5), to engage high school students in the presentation of poetry through memorization and performance; and

WHEREAS, this is Contra Costa County’s thirteenth year participating in the “Poetry Out Loud” competition; and

WHEREAS, students performed their recitations in front of an audience of over one hundred and fifty at the Village Theater in Danville; and

WHEREAS, the pool of finalists included students from the following fourteen high schools in the County: College Park High in Pleasant Hill, Deer Valley High in Antioch, El Cerrito High in El Cerrito, Independence High in Brentwood, John Henry High in Richmond, John Swett High in Crockett, Kennedy High in Richmond, Las Lomas High in Walnut Creek, Monte Vista High in Danville, Mt. McKinley High in Martinez, Pinole Valley High in Pinole, Prospects High in Antioch, Salesian College Preparatory in Richmond, and San Ramon Valley High in Danville; and

WHEREAS, Grace Gilroy, Lily Johnstone, and Kyla Watkins gave extraordinary recitations along with a very competitive group of finalists; and

WHEREAS, the “Poetry Out Loud” program seeks to foster the next generation of literary readers by recognizing the latest trends in poetry: recitation and performance; and

WHEREAS, to excel as winners of this year's competition have, a young person must demonstrate, in addition to a great deal of natural ability, an outstanding spirit of dedication, enthusiasm and hard work.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Contra Costa County, California does hereby recognize Grace Gilroy, Lily Johnstone, and Kyla Watkins for placing First, Second, and Third in the Contra Costa County “Poetry Out Loud” 2020 Competition and extend this expression of pride in their accomplishments.

CANDACE ANDERSEN

Chair, District II Supervisor

JOHN GIOIA

Chair, District I Supervisor

DIANE BURGIS

District III Supervisor

KAREN MITCHOFF

District IV Supervisor

FEDERAL D. GLOVER

District V Supervisor

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

ATTESTED: February 25, 2020

David J. Twa,

By: _____, Deputy



Contra
Costa
County

To: Board of Supervisors
From: Candace Andersen, District II Supervisor
Date: February 25, 2020

Subject: Recognizing John Muir Health's prompt response to the needs of the community during the PSPS

☒ APPROVE ☐ OTHER
☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

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

Contact: Gayle Israel
925-957-8860

By: , Deputy

cc:

ATTACHMENTS

Resolution
2020/30

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

In the matter of:

Resolution No. 2020/30

Recognizing John Muir Health's prompt response to the needs of the community during the PSPS

Whereas, in October 2019, PG&E instituted a series of Public Safety Power Outages for Contra Costa County.

Whereas, Contra Costa Health Services notified health facilities, including nursing homes and local hospitals about the power shutoff and monitored them for impact.

Whereas, medically vulnerable residents relying on durable medical equipment that may be affected by the power outage were identified and monitored for safety.

Whereas, John Muir Health, representing John Muir Concord Medical Center and John Muir Walnut Creek Medical Center, served as charging stations available 24 hours per day.

Whereas, John Muir Health provided critical service to those most in need during a precarious situation.

Be it resolved that the Board of Supervisor of Contra Costa County does hereby acknowledge John Muir Health's prompt response to the needs of the community.

CANDACE ANDERSEN

Chair, District II Supervisor

JOHN GIOIA

Chair, District I 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
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the date
shown.

ATTESTED: February 25, 2020

David J. Twa,

By: _____, Deputy



Contra
Costa
County

To: Board of Supervisors
From: Candace Andersen, District II Supervisor
Date: February 25, 2020

Subject: Recognizing Sutter Delta Medical Center's prompt response to the needs of the community during the PSPS

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

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

Contact: Gayle Israel
925-957-8860

By: , Deputy

cc:

ATTACHMENTS

Resolution
2020/31

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

In the matter of:

Resolution No. 2020/31

Recognizing Sutter Delta Medical Center's prompt response to the needs of the community during the PSPS

Whereas, in October 2019, PG&E instituted a series of Public Safety Power Outages for Contra Costa County.

Whereas, Contra Costa Health Services notified health facilities, including nursing homes and local hospitals about the power shutoff and monitored them for impact.

Whereas, medically vulnerable residents relying on durable medical equipment that may be affected by the power outage were identified and monitored for safety.

Whereas, Sutter Delta Medical Center served as charging stations available 24 hours per day.

Whereas, Sutter Delta Medical Center provided critical service to those most in need during a precarious situation.

Be it resolved that the Board of Supervisor of Contra Costa County does hereby acknowledge Sutter Delta Medical Center's prompt response to the needs of the community.

CANDACE ANDERSEN

Chair, District II Supervisor

JOHN GIOIA

Chair, District I Supervisor

DIANE BURGIS

District III Supervisor

KAREN MITCHOFF

District IV Supervisor

FEDERAL D. GLOVER

District V Supervisor

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action taken
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ATTESTED: February 25, 2020

David J. Twa,

By: _____, Deputy



**Contra
Costa
County**

To: Board of Supervisors

From: Candace Andersen, District II Supervisor

Date: February 25, 2020

Subject: Recognizing San Ramon Regional Medical Center's prompt response to the needs of the community during the PSPS

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Gayle Israel
925-957-8860

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

By: , Deputy

cc:

ATTACHMENTS

Resolution
2020/32

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

In the matter of:

Resolution No. 2020/32

Recognizing San Ramon Regional Medical Center's prompt response to the needs of the community during the PSPS

Whereas, in October 2019, PG&E instituted a series of Public Safety Power Outages for Contra Costa County.

Whereas, Contra Costa Health Services notified health facilities, including nursing homes and local hospitals about the power shutoff and monitored them for impact.

Whereas, medically vulnerable residents relying on durable medical equipment that may be affected by the power outage were identified and monitored for safety.

Whereas, San Ramon Regional Medical Center served as charging stations available 24 hours per day.

Whereas, San Ramon Regional Medical Center provided critical service to those most in need during a precarious situation.

Be it resolved that the Board of Supervisor of Contra Costa County does hereby acknowledge San Ramon Regional Medical Center's prompt response to the needs of the community.

CANDACE ANDERSEN

Chair, District II Supervisor

JOHN GIOIA

Chair, District I Supervisor

DIANE BURGIS

District III Supervisor

KAREN MITCHOFF

District IV Supervisor

FEDERAL D. GLOVER

District V Supervisor

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action taken
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ATTESTED: February 25, 2020

David J. Twa,

By: _____, Deputy



Contra
Costa
County

To: Board of Supervisors

From: Candace Andersen, District II Supervisor

Date: February 25, 2020

Subject: Recognizing Contra Costa Regional Medical Center's prompt response to the needs of the community during the PSPS

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Gayle Israel
925-957-8860

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

By: , Deputy

cc:

ATTACHMENTS

Resolution
2020/33

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

In the matter of:

Resolution No. 2020/33

Recognizing Contra Costa Regional Medical Center's prompt response to the needs of the community during the PSPS

Whereas, in October 2019, PG&E instituted a series of Public Safety Power Outages for Contra Costa County.

Whereas, Contra Costa Health Services notified health facilities, including nursing homes and local hospitals about the power shutoff and monitored them for impact.

Whereas, medically vulnerable residents relying on durable medical equipment that may be affected by the power outage were identified and monitored for safety.

Whereas, Contra Costa Regional Medical Center served as charging stations available 24 hours per day.

Whereas, Contra Costa Regional Medical Center provided critical service to those most in need during a precarious situation.

Be it resolved that the Board of Supervisor of Contra Costa County does hereby acknowledge Contra Costa Regional Medical Center's prompt response to the needs of the community.

CANDACE ANDERSEN

Chair, District II Supervisor

JOHN GIOIA

Chair, District I Supervisor

DIANE BURGIS

District III Supervisor

KAREN MITCHOFF

District IV Supervisor

FEDERAL D. GLOVER

District V Supervisor

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shown.

ATTESTED: February 25, 2020

David J. Twa,

By: _____, Deputy



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: February 25, 2020

Subject: Holiday Food Fight Results and Wrap-up

☒ APPROVE ☐ OTHER
☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

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

Contact: Stacey Durocher
925.335.1703

By: , Deputy

cc:

ATTACHMENTS

Resolution
2020/56

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

In the matter of:

Resolution No. 2020/56

Recognizing the employees of Contra Costa County and the 2019 Counties Care Holiday Food Fight

WHEREAS, Contra Costa County departments and employees again demonstrated just how much public servants care and rose to the annual challenge to raise funds for the Food Bank of Contra Costa and Solano during the 2019 holiday season; and

WHEREAS, this 17th Annual Counties Care Challenge has been an important part of the Food Bank of Contra Costa and Solano's holiday fundraising program; and

WHEREAS, in the 2019 drive Contra Costa County employees raised **\$84,498.44** bringing their cumulative total raised in 17 years to approximately **\$1.5 million**; and

WHEREAS, with the 2019 Counties Care Holiday Food Fight, Contra Costa County employees pulled through to bring the Big Apple trophy home along with bragging rights for the year to come; and

WHEREAS, because departments and team leaders entered the annual competition with enthusiasm despite any personal or departmental challenges and stress, we salute the following stellar standouts in their leagues;

MINI DEPARTMENTS: AGRICULTURE, Stephanna Hidalgo, Roxann Crosby, Team Leaders;
SMALL DEPARTMENTS: County Counsel, Michielle Maurer, Wanda McAdoo, Team Leaders;

MIDSIZED DEPARTMENTS: Conservation and Development, Team Leaders too many to Name;

LARGE DEPARTMENTS: Health Services, Team Leaders too many to name;

SUPERVISORS': District II, Candace Andersen, Supervisor and Lauri Byers Team Leader; and

WHEREAS, all County departments and team leaders showed special ingenuity and energy by raising copious funds and earning kudos as determined by Food Fight organizers, including;

GAYLE B. UILKEMA GOOD EGG: DIANNE DINSMORE, DIRECTOR OF HUMAN RESOURCES

ADDITIONAL RECOGNITION:
**KRISTIE HIRSCHENBERGER HEART AND SOUL: ROXANN CROSBY, AGRICULTURE
DEPARTMENT**

WHEREAS, the combined efforts of employees of Contra Costa and Solano counties netted the Food Bank of Contra Costa and Solano a grand total of **\$130,466.94** in 2019 providing close to **261,000 meals** to approximately 170,000 "food-insecure" residents of both counties; and

WHEREAS, this annual effort has now raised over **\$1.9 MILLION** for the Food Bank since beginning in 2003.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Contra Costa County hereby applauds all of the tireless department team leaders and congratulates all participating Contra Costa County departments, department heads, and employees for their inspiring efforts on behalf of their community and those in need; and **BE IT FURTHER RESOLVED** that the Board of Supervisors of Contra Costa County thanks all County employees and residents who participated in the 2019 Counties Care Holiday Food Fight and urges all citizens of Contra Costa County and their communities to recognize and match the generosity and public spirit of County employees by giving generously to the Food Bank of Contra Costa and Solano regularly and often, through all of the Food Bank's programs.

CANDACE ANDERSEN
Chair, District II Supervisor

JOHN GIOIA
Chair, District I Supervisor

DIANE BURGIS
District III Supervisor

KAREN MITCHOFF
District IV Supervisor

FEDERAL D. GLOVER
District V Supervisor

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shown.

ATTESTED: February 25, 2020

David J. Twa,

By: _____, Deputy



Contra
Costa
County

To: Board of Supervisors
From: Diane Burgis, District III Supervisor
Date: February 25, 2020
Subject: American Heart Month

☒ APPROVE ☐ OTHER
☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Teresa Gerringer,
925-723-2884

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

By: , Deputy

cc:

ATTACHMENTS

Resolution
2020/61

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

In the matter of:

Resolution No. 2020/61

In the matter of Recognizing the American Heart Association, John Muir Health Cardiology Department, and Contra Costa Emergency Medical Services Agency during American Heart Month.

WHEREAS, the month of February has been proclaimed by the President as “American Heart Month”; and

WHEREAS, approximately every 40 seconds, an American will have a heart attack, and heart disease remains the No. 1 cause of death in the U.S., surpassing all forms of cancer and chronic lower respiratory disease combined; and

WHEREAS, in 2016 over 363,452 Americans died from coronary heart disease, accounting for approximately 13% of all deaths in the U.S.; and

WHEREAS, over 92% of those suffering sudden cardiac arrest die before reaching the hospital; and

WHEREAS, chances of survival are increased dramatically if cardiopulmonary resuscitation (CPR) and automated external defibrillator (AED) resources are available and utilized within the first three to seven minutes after sudden cardiac arrest; and

WHEREAS, the goal of American Heart Month is to raise awareness of heart disease, prevention and treatment; and

WHEREAS, it is appropriate to increase awareness of how to prevent cardiovascular disease and the appropriate intervention should an individual suffer from cardiovascular disease; and

WHEREAS, it is appropriate to increase awareness of the value of CPR training and encourage placement of AEDs in public places; and

WHEREAS, the American Heart Association and the Contra Costa County Emergency Medical Services Agency advocate and are committed to strengthening the “Chain of Survival,” which represents the five crucial links of the emergency treatment of sudden cardiac arrest - Early Access to Care, Early CPR, Early Defibrillation, Effective Advanced Life Support and Integrated Post Cardiac Arrest Care; and

WHEREAS, Contra Costa County supports widespread CPR training, and public access defibrillation (PAD) and HeartSafe Community programs; and

WHEREAS, Contra Costa County communities are working to make where their citizens live, work, shop and play HeartSafe; and

WHEREAS, The American Heart Association (AHA) funds cardiovascular medical research, educates consumers on healthy living and fosters appropriate cardiac care; and

WHEREAS, John Muir Health Cardiology is often the first line of defense in diagnosing and treating cardiovascular conditions, providing life-saving services to patients in Contra Costa County and beyond:

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors recognizes the American Heart Association, John Muir Health Cardiology, and Contra Costa County Emergency Medical Services Agency for helping to raise awareness of heart disease, prevention and treatment, and encourages all residents of Contra Costa County to learn the risks of cardiovascular disease, to stay fit through exercise and good nutrition, to know the signs of Stroke, Heart Attack and Sudden Cardiac Arrest, to learn critical lifesaving skills such as CPR and AED use, to call 9-1-1, to Act in Time when a cardiovascular emergency occurs and encouraging each community to become a HeartSafe Community.

CANDACE ANDERSEN
Chair, District II Supervisor

JOHN GIOIA
Chair, District I Supervisor

DIANE BURGIS
District III Supervisor

KAREN MITCHOFF
District IV Supervisor

FEDERAL D. GLOVER
District V Supervisor

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

ATTESTED: February 25, 2020

David J. Twa,

By: _____, Deputy



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: February 25, 2020

Subject: Adoption of Ordinance No. 2020-07 Amending the County Cannabis Ordinance Addressing the Transferability of Commercial Cannabis Land Use Permits

RECOMMENDATION(S):

ADOPT Ordinance No. 2020-05, prohibiting the transfer and assignment of cannabis permits and allowing certain ownership changes in commercial cannabis businesses.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The attached ordinance, introduced on February, 4, 2020, amends Chapter 88-28 of the County Ordinance Code to prohibit the transfer and assignment of a cannabis permit to another person, and to allow a change in ownership of a commercial cannabis business if the change does not result in one or more new persons owning a total of 20% of the business.

Under the proposed ordinance, a new cannabis permit would be required if, for example, an individual who owned 50% of a cannabis business transferred half of his or her ownership interest in the business to one new person. In this case, the new person would own 25% of the business. A new permit would also be required if, for example, a person who owned 50% of a business transferred one-fifth of his or her interest to one new person and another one-fifth to another new person. In this case, two new persons would own a total of 20% of the business. A new permit would also be required if, for example, an individual who

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Ruben Hernandez,
925-674-7785

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

owned 100% of a corporation transferred his or her entire ownership interest to one new individual. In this case, even though the corporation is the same corporation, a new person would own more than 20% of the corporation, so a new use permit would be required.

A new cannabis permit would not be required if, for example, a person who owned 50% of a business transferred one-fourth of his or her ownership interest to one person. In this case, the new person would own 12.5% of the business. A new permit also would not be required if, for example, a person who owned 50% of a business transferred all of his or her ownership interest to a person who already owns the other 50% of the business, because there would be no transfer to a “new” person.

If a cannabis permit terminates because a change in ownership results in one or more new persons owning a total of 20% or more of the business, the business may not operate until a new permit is obtained.

Chapter 88-28 and state law define “person” as any individual, firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit.

The attached ordinance is authorized by the following codes: Business and Professions Code section 26200, which authorizes Counties to adopt ordinances to establish zoning and business regulations for commercial cannabis businesses; Government Code section 65850, which authorizes counties to adopt ordinances that regulate the use of buildings and land for businesses; and Business and Professions Code section 16100, which authorizes counties to issue regulatory permits to businesses.

CONSEQUENCE OF NEGATIVE ACTION:

If the proposed amendments to the Cannabis Ordinance are not adopted, approved land use permits for commercial cannabis uses could be transferred to property owners with the sale of the land allowing property owners who were not selected through the Commercial Cannabis RFP process to obtain land use permits without having been selected by the Board as required by the Cannabis Ordinance for specified commercial cannabis uses such as storefront retail businesses, commercial cultivation and manufacturing in agricultural zoning districts.

ATTACHMENTS

Ordinance No. 2020-05

ORDINANCE NO. 2020-05

(Cannabis Permits)

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 1. SUMMARY. This ordinance amends Chapter 88-28 of the County Ordinance Code to prohibit the transfer and assignment of cannabis permits, and to allow a change in ownership of a commercial cannabis business if the change does not result in one or more new persons owning a total of 20 percent or more of the business.

SECTION 2. Section 88-28.426 is added to the County Ordinance Code, to read:

88-28.426 Permits nontransferable.

- (a) A permit issued under this chapter is not transferable or assignable to another person.
- (b) A permit issued under this chapter terminates if a change in ownership results in one or more new persons owning a total of 20 percent or more of the business.
- (c) Any change to the information provided to the department in an application for a permit under this chapter must be reported to the department within 14 days after the change occurs. (Ord. 2020-05 § 2.)

SECTION 3. Section 88-28.202 of the County Ordinance Code is amended to read:

88-28.202 Purpose and Authority.

- (a) The purpose of this chapter is to regulate the personal cultivation of cannabis, and the commercial cultivation, distribution, transportation, storage, manufacturing, processing, and sale of medical cannabis and medical cannabis products, and of adult-use cannabis and adult-use cannabis products, as authorized by the Control, Regulate, and Tax Adult Use of Marijuana Act, and by the Medicinal and Adult Use Cannabis Regulation and Safety Act.
- (b) A permit issued under this chapter regulates the location of commercial cannabis activities and regulates the business operations of commercial cannabis activities, as authorized by Business and Professions Code section 26200, Government Code section 65850, and Business and Professions Code section 16100.

- (c) The requirements of this chapter are in addition to any other applicable requirements of this code and all applicable state laws and regulations. The requirements of this chapter apply to commercial cannabis activities regardless of whether the activity is authorized under a state A-license or a state M-license. (Ords. 2018-18 § 3, 2020-05 § 3.)

SECTION 4. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published once with the names of supervisors voting for or against it in the East Bay Times, a newspaper published in this County.

PASSED on _____ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Board Chair

By: _____
Deputy

[SEAL]

TLG:
H:\2020\Conservation and Development\Cannabis permit transfers - final.wpd

ORDINANCE NO. 2020-05



Contra Costa County

To: Board of Supervisors
 From: Beth Ward, Animal Services Director
 Date: February 25, 2020

Subject: Ordinance No. 2020-04 amending Ordinance Code governing Potentially Dangerous and Dangerous Animals

RECOMMENDATION(S):

INTRODUCE Ordinance No. 2020-04, revising procedures for designating an animal as potentially dangerous or dangerous; WAIVE reading; and FIX March 10, 2020, as the date for adoption.

FISCAL IMPACT:

The Department does not project any fiscal impact due to the proposed ordinance.

BACKGROUND:

Ordinance No. 2020-04 will amend the Ordinance Code governing dangerous animals to revise the procedures for designating an animal as potentially dangerous or dangerous (PDA/DA). It authorizes the Animal Services Director to designate an animal as PDA/DA and specifies the criteria the Director must apply to designate an animal as PDA/DA. An animal may be designated potentially dangerous if it, on two separate occasions within a 36-month period while off the owner's property, engages in any unprovoked behavior that requires a defensive action by a person to prevent bodily injury, bites a person without causing a severe injury, or seriously injures a domestic animal. An animal may be designated dangerous if it inflicts severe injury on a person or attacks

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Arturo Castillo
 925-608-8470

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

livestock while off the owner's property.

Under the ordinance, the Director will issue a written notice explaining the basis for the PDA/DA designation and informing the owner of permit requirements. The animal's owner may request a hearing to challenge the designation. An impartial hearing officer will take evidence, hear testimony, and issue a proposed written decision. The Animal Services Director will issue a final order based on that decision. The animal's owner may appeal that order by filing a petition for writ of mandate in Superior Court.

The ordinance requires owner of an animal that has been designated PDA/DA to apply for a permit to keep the animal. A permit may be issued upon the owner's agreement to comply with permit conditions. Permit conditions include, among other requirements, maintaining the animal in an enclosure that will prevent the animal from endangering others, posting a sign warning of the designation, and payment of a permit fee. An animal designated potentially dangerous must be muzzled and leashed at all times when off the owner's property. The owner of an animal designated dangerous must maintain liability insurance. The ordinance also provides for revocation of a permit and imposes restrictions on future animal ownership against an owner whose animal violates permit conditions. Permit fees are intended to offset the cost of investigating and permitting animals designated PDA/DA.

Under the ordinance, the Animal Services Director will issue a written notice explaining the basis for denying or revoking a permit to keep an animal that has been designated PDA/DA. The animal's owner may request a hearing to challenge a permit denial or revocation, in which event an impartial hearing officer will take evidence, hear testimony, and issue a proposed written decision. The Animal Services Director will issue a final order based on that decision. The animal's owner may appeal that order by filing a petition for writ of mandate in Superior Court.

CONSEQUENCE OF NEGATIVE ACTION:

Unless the County Ordinance Code is revised, the Animal Services Department will be required to continue to hold time-consuming and expensive hearings each time it wishes to designate an animal as PDA/DA, and animal owners will continue to be able to obtain a new trial in Superior Court to appeal the designation, increasing the Department's costs of enforcement.

CHILDREN'S IMPACT STATEMENT:

Per the Center for Disease Control (CDC) children ages 5 – 9 are often victims of dog bites.

ATTACHMENTS

Ord 2020-04 - Dangerous Animals

ORDINANCE NO. 2020-04

(DANGEROUS ANIMALS)

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

SECTION I. SUMMARY. This ordinance amends the County Ordinance Code to revise procedures for designating animals as potentially dangerous or dangerous.

SECTION II. Chapter 416-18 is added to the County Ordinance Code, to read:

Chapter 416-18
DANGEROUS ANIMALS

Article 416-18.2. General.

416-18.202 Definitions. For purposes of this chapter, the following words and phrases have the following meanings:

- (a) A “dangerous” animal means an animal that demonstrates any of the following behavior:
 - (1) An animal that, when unprovoked, inflicts severe injury on or kills a human being who is conducting himself or herself peacefully and lawfully. For this definition, a person is peaceably and lawfully upon the private property of an owner or possessor of the animal when he or she is on the property in the performance of any duty imposed upon him or her by law, or when he or she is on the property upon express or implied invitation.
 - (2) An animal designated as a potentially dangerous animal that, after its owner has been notified of this designation, exhibits any of the behaviors described in the definition of “potentially dangerous” animal set forth in this article.
 - (3) An animal that attacks livestock off the property of the attacking animal’s owner.
- (b) A “potentially dangerous” animal means an animal that demonstrates any of the following behavior:
 - (1) An animal that, on two separate occasions within a 36-month period, engages in any unprovoked behavior that requires a defensive action by a person to prevent bodily injury when the person and the animal are off the property of the animal’s owner.
 - (2) An animal that, when unprovoked, bites a person causing an injury that is not a “severe injury” as defined in this chapter.

- (3) An animal that, on two separate occasions within a 36-month period, when unprovoked, seriously bites, inflicts injury, or otherwise causes injury to a domestic animal off the property of the attacking animal's owner.
- (4) An animal that, when unprovoked and off the property of the animal's owner, engages in behavior that causes the death of a domestic animal or causes injury to a domestic animal that is so severe that a veterinarian recommends euthanasia due to the severity of the injuries caused by the attack.
- (c) A "severe injury" means any physical injury to a human being that results in muscle tears or disfiguring lacerations, or requires multiple sutures or corrective or cosmetic surgery. (Ord. 2020-04 § 2, 2017-12 § 2, 2005-24 § 2, 87-74 § 5, 80-97 § 2.)

416-18.204 Obligations of Animal Owner.

- (a) An owner or possessor of a dog shall at all times prevent the dog from (1) biting or physically harassing a person engaged in a lawful act, and (2) interfering with the lawful use of public or private property.
- (b) An owner or possessor of a dog shall at all times prevent the dog from causing injury to another domestic animal while the domestic animal is lawfully upon public or private property.
- (c) A person with knowledge that an animal has bitten or attacked a human being must promptly report that fact to the animal services department. (Ord. 2020-04 § 2, 2017-12 § 2, 2005-24 § 2, 87-74 § 5, 80-97 § 2.)

416-18.206 Law Enforcement Animals. This chapter does not apply to a trained animal assisting a peace officer engaged in law enforcement duties. (Ord. 2020-04 § 2, 2017-12 § 2, 2005-24 § 2, 87-74 § 5, 80-97 § 2.)

Article 416-18.4. Procedures.

416-18.402 Potentially Dangerous and Dangerous Animal Designations.

- (a) The animal services director may determine that an animal is potentially dangerous or dangerous. Within 15 days after determining that an animal is potentially dangerous or dangerous, the animal services director will issue an order designating the animal potentially dangerous or dangerous. The order will specify the reasons for the designation. If applicable, the order will also inform the owner that he or she may apply for a permit to keep the animal, the deadline for applying, the permit conditions that may be imposed, and the owner's right to appeal the designation.
- (b) The animal services director will consider all of the following factors in determining whether an animal is potentially dangerous or dangerous:

- (1) Whether an injury to a person by the animal was caused or contributed to by the actions of that person, including acts of physical abuse, tormenting, teasing, or assaulting the animal.
- (2) Whether a person injured by the animal was committing a trespass or other tort upon premises occupied by the owner or keeper of the animal, or was committing or attempting to commit a crime.
- (3) Whether an injury to a domestic animal was caused or contributed to by the actions of the domestic animal, including acts of teasing, tormenting, abusing, or attacking the animal.
- (4) Whether a person injured by the animal had gained uninvited and unauthorized entry onto fenced or indoor property of the animal's owner or keeper. As used in this section, "unauthorized entry" does not include entry into a fenced residential front yard unless the yard is locked or posted to prohibit entry.
- (5) Whether an injury to a person by the animal was caused while the animal was protecting or defending a person within the immediate vicinity of the animal from an unjustified attack or assault. (Ord. 2020-04 § 2, 2017-12 § 2, 2005-24 § 2, 87-74 § 5, 80-97 § 2.)

416-18.404 Permits to Keep Potentially Dangerous or Dangerous Animals.

- (a) Application. If an owner wishes to keep an animal that has been designated potentially dangerous or dangerous, the owner must apply for and obtain a permit to keep the animal. The owner must apply for the permit within the time specified in the final order designating the animal potentially dangerous or dangerous. The permit application must include:
 - (1) The name and address of the animal's owner, and the names and addresses of two persons who may be contacted in the case of emergency;
 - (2) An accurate description of the animal for which the permit is requested, including the number of the County-issued license for that animal;
 - (3) The address where the animal will be located;
 - (4) The purpose for which the animal will be kept;
 - (5) An application fee;
 - (6) An agreement to comply with all permit conditions; and
 - (7) Such other information as the animal services director may require.

- (b) Order on Application. Within 30 days after receiving a completed application for a permit to keep an animal designated potentially dangerous or dangerous, the animal services director will issue an order granting or denying the permit. If the order denies the permit, the order will specify the reasons for denying the permit and state that the owner has a right to appeal the permit denial.
- (c) Permit Denial. The animal services director may deny an application for a permit if the director determines (1) the animal poses an undue risk to public safety, or (2) the animal's owner lacks sufficient resources or ability to keep the animal in a manner that does not pose a threat to public safety, or (3) the animal's owner does not agree to comply with all permit conditions.
- (d) Permit Issuance. The animal services director may issue a potentially dangerous or dangerous animal permit if the director finds all of the following conditions are satisfied:
 - (1) The animal's owner has facilities to adequately secure, feed, house, and maintain the animal.
 - (2) Possession and maintenance of the animal at the owner's location is not likely to endanger the peace, quiet, health, safety, or comfort of persons in the vicinity of the location.
 - (3) Possession and maintenance of the animal at the owner's location is not likely to be detrimental to agriculture, native wildlife, or the public peace, health, or safety.
 - (4) Possession and maintenance of the animal at the owner's location has not resulted in, and is not likely to result in, the animal being subjected to neglect, suffering, cruelty, or abuse.
 - (5) The animal's owner has not had a potentially dangerous or dangerous animal permit revoked, and has not been found to have violated this division or any law regulating animals within the previous three years.
 - (6) Possession of the animal at the owner's location will not violate any law, ordinance, or regulation.
 - (7) The animal's owner agrees to comply with all of the permit conditions.
- (e) Permit Conditions. The animal services director will impose conditions on a permit to keep a dangerous or potentially dangerous animal as provided in this section.
 - (1) A potentially dangerous animal permit and a dangerous animal permit shall include all of the following conditions:
 - (A) The animal's owner must comply with all relevant state laws and ordinances.
 - (B) The animal must be properly licensed and vaccinated at all times.

- (C) The permit is nontransferable.
- (D) The owner or keeper of the animal may not be a minor.
- (E) The animal may not be possessed or maintained at any location other than that specified in the permit.
- (F) The animal's owner must display on the property where the animal is kept a sign containing a warning that there is a potentially dangerous or dangerous animal on the premises. The dimensions, colors, lettering, and graphics of the sign must comply with standards established by the animal services director. The sign must be located where it will be visible to the general public.
- (G) The animal may never be at large, as defined in Section 416-4.402, and must be securely maintained at all times.
- (H) The animal's owner shall immediately notify the animal services department if the animal is at large, has attacked another animal, has bitten a human being, or has died.
- (I) If the animal is not securely confined indoors, it must be confined as follows, unless the animal services director modifies the conditions of confinement where warranted:
 - (i) The animal shall be confined in an enclosure consisting of a fence or structure suitable to prevent the entry of young children, and suitable to confine a potentially dangerous or dangerous animal as determined by the animal services department. The enclosure shall be securely locked, have secure sides and bottom sufficient to prevent the animal from escaping, and shall be of sufficient size to provide the animal with adequate exercise area.
 - (ii) When off the property of the animal's owner or keeper, the animal shall be muzzled and leashed with a substantial leash not to exceed six feet in length and under the control of a responsible adult who is familiar with and in control of the animal.
 - (iii) When being transported, the animal shall be humanely confined in a vehicle so that it can neither escape nor inflict injury on passersby.
- (J) The animal shall not be allowed to endanger the peace, health, or safety of people, domestic animals or native wildlife.
- (K) The animal shall not be subject to neglect, suffering, cruelty, or abuse.

- (L) The location where the animal is possessed or maintained must be kept clean and sanitary; and the animal must be provided with proper and adequate food, water, ventilation, shelter and care at all times.
 - (M) An employee of the animal services department must be allowed at any reasonable time to inspect the animal and the place where the animal is located.
 - (N) The animal's owner must pay all fees required in accordance with the animal services department's fee schedule adopted by resolution of the board of supervisors.
 - (O) The animal's owner must allow and pay for the animal to be sterilized and have a microchip implanted by the animal services department for identification purposes.
- (2) A potentially dangerous animal permit shall also include all of the following conditions:
- (A) The potentially dangerous animal must complete an obedience course approved by the animal services director, at the owner's expense, within 60 days after the animal is released to its owner, or within a reasonable time as authorized by the animal services director.
 - (B) The permittee shall notify the animal services department within 48 hours after the potentially dangerous animal is deceased, sold, transferred or permanently removed from the location designated on the permit, and provide the name, address, and phone number of the animal's new owner and the animal's new location.
- (3) A dangerous animal permit shall also include all of the following conditions:
- (A) A dangerous animal securely confined in an enclosure shall not be tethered.
 - (B) Unless a dangerous animal is securely confined indoors or in an outdoor enclosure on the property where the animal is maintained as described in subsection (e)(I)(i) of this section, the animal may only be removed for purposes of obtaining veterinary care, being sold or given away, or to comply with any provision of law or a directive of the animal services director.
 - (C) Within 30 days after the animal is designated dangerous, the animal's owner must give written notice, with a copy to the animal services director, of the animal's dangerous designation to the local police and fire departments, the local branch of the U.S. Post Office, and all utility companies that provide services to the premises where the animal is kept.

- (D) The animal's owner must have in force at all times liability insurance from an insurer licensed in the state of California, in a single incident amount of not less than \$100,000 for each animal, for injury to or death of a person, or loss or damage to property caused by or resulting from an act of the animal. Liability insurance shall not be canceled unless the owner ceases to own the animal. The owner shall provide to the animal services director a certificate of insurance issued by the insurer stating that the foregoing insurance is in place. The owner shall also provide documentation from the insurer warranting that the insurer will provide the county at least 30 days advance notice of cancellation of insurance.
- (E) The permittee shall give the animal services department at least 48 hours advance notice of the sale, transfer or permanent removal of the animal to a location not designated in the permit, and provide the name, address, and phone number of the animal's new owner and the animal's new location.
- (f) Term of Permit. A potentially dangerous or dangerous animal permit is valid for one year from the date of its issuance, unless the animal services director approves a longer term.
- (g) Removal of Potentially Dangerous Designation. The animal services director will remove the "potentially dangerous" designation from an animal if there are no additional instances of the behavior described in the definition of "potentially dangerous" animal within the 36-month period after the date of designation. The animal services director may, in his or her discretion, remove the "potentially dangerous" designation earlier than 36 months after the date of designation.
- (h) Permit Renewal. An application to renew a permit issued under this chapter must be filed at least 30 days before the permit expires. No person holding a potentially dangerous or dangerous animal permit has the right to an automatic renewal of the permit. Failure to renew a permit before its expiration will result in a late fee, may result in an administrative fine or infraction citation, or the animal may be impounded and humanely destroyed.
- (i) Fees. Animal permit application fees, permit fees, late fees, impound fees, inspection fees, microchip fees, and sterilization fees will be in amounts established by the board of supervisors in the animal services department's fee schedule. An inspection fee for evaluating the facilities where an animal designated potentially dangerous or dangerous is maintained will be charged to the animal's owner for each inspection deemed necessary following the initial investigation.
- (j) Permit Revocation. If the owner of an animal designated potentially dangerous or dangerous violates a permit condition, the animal services director may, in addition to administrative penalties under Article 416-4.8, issue an order revoking the permit and impounding the animal. If the animal services director determines the animal poses an undue threat to public safety, the animal may be euthanized. The order revoking the permit will specify whether the animal is to be euthanized.

(k) Prohibition of Future Ownership.

- (1) If the owner of an animal designated potentially dangerous or dangerous violates a permit condition, the animal services director may, in addition to other penalties provided in this chapter, issue an order prohibiting the owner from owning an animal of the same species for up to five years after the date of the original designation.
- (2) A person who owns, possesses, keeps, or harbors an animal designated potentially dangerous or dangerous without a permit may be subject to restrictions on ownership of other animals of the same species for a period of five years. (Ord. 2020-04 § 2, 2017-12 § 2, 2005-24 § 2, 87-74 § 5, 80-97 § 2.)

416-18.406 Hearings.

- (a) Appeal. An animal owner may appeal an order that: designates the owner's animal potentially dangerous or dangerous; denies a permit to keep an animal designated potentially dangerous or dangerous; revokes a permit; imposes penalties for a violation of this chapter; or requires that an animal be euthanized.
- (b) Hearing Request. An appeal of an order must be filed with the animal services department within 15 days after the date of the issuance of the order. If no request for appeal is received within 15 days after the date of issuance of the order, then the order is final.
- (c) Notice of Hearing. Upon receipt of a timely request for a hearing, the animal services director will schedule a hearing before an impartial hearing officer and provide written notice to the owner of the date, time, and location of the hearing at least five days before the hearing date.
- (d) Hearing Procedures.
 - (1) Evidence. At the hearing, the animal's owner and animal services department employees will be given the opportunity to present oral and written testimony and other evidence, and to present oral and written argument. The hearing need not be conducted according to technical judicial rules relating to evidence, witnesses and discovery. Any relevant evidence may be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule that might make improper the admission of the evidence over objection in civil actions.
 - (2) Transcript of Hearing. Oral testimony at the hearing will not be transcribed by a court reporter unless the animal owner arranges and pays for a court reporter to be present at the hearing.
 - (3) Decision. Within 15 days after the conclusion of the hearing, the hearing officer will issue a written proposed decision affirming, revising, or reversing the order.

The proposed decision will be based on the record and include a statement of the factual and legal basis of the decision.

(e) Procedures After Hearing.

- (1) The animal services director will issue a final order after considering the hearing officer's proposed decision. Within 15 days after receiving the hearing officer's proposed decision, the animal services director will send to the owner a notice of the final order and a copy of the hearing officer's proposed decision.
- (2) If the final order designates the animal as potentially dangerous or dangerous, then the owner may keep the animal only after applying for and obtaining a permit, as provided in this chapter. The animal services director retains discretion to accept or deny a permit to keep the animal.
- (3) If the final order revokes a permit, then within 10 days of the date of the notice of order the owner of the animal shall surrender the animal to the animal services department or place the animal outside of Contra Costa County with permission from the new jurisdiction.
- (4) If the final order after hearing overturns the animal services director's order, then any bond obtained by the animal owner shall be released and, if applicable, the animal shall be returned to the custody of the owner.

(f) Appeal of Final Order to the Superior Court. A final order issued under this chapter may be appealed to the Superior Court in accordance with Code of Civil Procedure section 1094.5.

(g) Written Notices. All notices, orders, and decisions issued under this chapter shall be sent by first class mail to the animal's owner at the address identified on the application for the permit to keep the potentially dangerous or dangerous animal, if any, or at the address identified on the animal's license with the County. The animal's owner shall promptly notify the animal services department of any change of address. (Ord. 2020-04 § 2, 2017-12 § 2, 2005-24 § 2, 87-74 § 5, 80-97 § 2.)

416-18.408 Restrictions on Animal Ownership by Convicted Felons.

(a) A person who has been convicted of a felony under the laws of the United States, of the state of California, or any other state, government, or country, who owns, purchases, receives, or has in his or her possession or under his or her custody or control an animal that poses a danger to public health, safety, or welfare if misused by a convicted felon is guilty of a misdemeanor, unless the person possesses a current, valid permit for that animal as provided in this section. A convicted felon under this section does not include felons whose convictions were set aside pursuant to Penal Code Section 1203.4.

- (1) "Misuse" by a convicted felon means use of an animal in a threatening or aggressive manner, or in the commission of a crime.

- (2) An animal whose owner is in violation of this section shall be impounded, and may be euthanized, at the owner's expense.
 - (3) An animal that poses a danger to public health, safety, or welfare if misused by a convicted felon under this section means any of the following:
 - (A) A dog weighing more than 20 pounds;
 - (B) An animal that has been designated potentially dangerous or dangerous under this chapter;
 - (C) An animal designated by the animal services director as posing a danger to public health, safety, or welfare if misused by a convicted felon based upon the following factors:
 - (i) The nature of any complaints regarding the animal,
 - (ii) The strength of the animal, including jaw strength,
 - (iii) The animal's tolerance for pain,
 - (iv) The animal's tendency to refuse to terminate an attack,
 - (v) The animal's potential propensity to bite humans or other domestic animals,
 - (vi) The animal's potential for unpredictable behavior,
 - (vii) The animal's aggressiveness, and
 - (viii) The likelihood that a bite by the animal will result in severe injury.
- (b) Felon Prohibited Animal Permit.
- (1) A convicted felon who wishes to own, purchase, receive, or have in his or her possession or under his or her custody or control a dog weighing more than 20 pounds, or an animal that the animal services director designates as posing a danger to public health, safety, or welfare if misused by a convicted felon as provided in this section, may apply for a prohibited animal permit to own, keep, or maintain that animal.
 - (2) If there is probable cause to believe that an animal poses a danger to public health, safety, or welfare if misused by a convicted felon, the animal services director may order the animal impounded until any required permit is obtained.
 - (3) If the animal services director designates an animal as posing a danger to public health, safety, or welfare if misused by a convicted felon, written notice of this designation shall be mailed to the animal's owner.

- (4) The owner of an animal designated as posing a danger to public health, safety, or welfare if misused by a convicted felon, must apply for a prohibited animal permit and pay an application fee within 15 calendar days after the mailing of the written notice of designation.
 - (5) The animal services director may deny a prohibited animal permit if he or she determines that the animal poses a danger to public health, safety, or welfare, or may condition the issuance of the permit upon the permittee's written agreement to comply with conditions of ownership to be determined by the animal services director. These conditions of ownership may include, but are not limited to, the permit conditions imposed for animals designated potentially dangerous or dangerous under this chapter.
 - (6) The animal services director may revoke a prohibited animal permit if there is probable cause to believe that the convicted felon's continued ownership of the animal poses a danger to public health, safety, or welfare.
- (c) This section does not apply to any assistance dog, including guide dogs, signal dogs, and service dogs, trained or in training to assist a qualified individual with a disability. (Ord. 2020-04 § 2, 2017-12 § 2, 2005-24 § 2, 87-74 § 5, 80-97 § 2.)

416-18.410 Animals Designated by Other Jurisdictions. Any person who wishes to bring into the County an animal that has been designated potentially dangerous or dangerous, or an equivalent designation, by another jurisdiction shall report the designation to the animal services department before entering the County and shall apply for a permit to keep the animal in the County. An animal that has previously been determined to be potentially dangerous or dangerous, or the equivalent, by another jurisdiction may not be present in the County unless the animal's owner complies with the potentially dangerous or dangerous animal permit requirements under this chapter. Animals in violation of this section are subject to impoundment and humane destruction by injection after notice to the animal's owner and, if requested, a hearing under this chapter, except that the only issues for hearing are whether the animal ever received a potentially dangerous, dangerous, or equivalent designation in another jurisdiction, and whether the animal's owner complied with the permit requirements under this chapter. (Ord. 2020-04 § 2, 2017-12 § 2, 2005-24 § 2, 87-74 § 5, 80-97 § 2.)

Article 416-18.6 Enforcement

416-18.602 Enter and Inspect Private Property. To the extent allowed by law, whenever necessary to enforce any provision of this chapter, an authorized employee of the animal services department may enter and inspect private property. (Ord. 2020-04 § 2, 2017-12 § 2, 2005-24 § 2, 87-74 § 5, 80-97 § 2.)

416-18.604 Seize and Impound Animal. An authorized employee of the animal services department may seize and impound, at the discretion of the animal services director, any animal designated potentially dangerous or dangerous until a permit is obtained or pending the outcome of any hearing.

- (a) The owner of an animal impounded pursuant to this chapter shall be charged for all impoundment costs and fees unless a final determination is made that the animal is not potentially dangerous or dangerous.
- (b) No impounded animal designated potentially dangerous or dangerous shall be released to the custody of its owner unless all costs and fees assessed pursuant to this division have been paid and all permit conditions have been satisfied. (Ord. 2020-04 § 2, 2017-12 § 2, 2005-24 § 2, 87-74 § 5, 80-97 § 2.)

416-18.606 Require Bond. If an investigation is conducted regarding whether an animal should be designated potentially dangerous or dangerous, or regarding whether an animal already so designated has violated permit conditions, then during the investigation the animal services director may require the animal's owner to post a bond to secure the release of the animal to the owner's possession during the investigation. The animal services director may order the release of an animal under investigation only if the director first determines the animal does not pose an undue risk to public safety and the owner has the ability to prevent the animal from being at large and from posing a threat to public safety. (Ord. 2020-04 § 2, 2017-12 § 2, 2005-24 § 2, 87-74 § 5, 80-97 § 2.)

416-18.608 Other Remedies. The County may seek compliance by any remedy allowed under this Code, including but not limited to revocation, administrative fines, infraction citations, and any other remedy allowed by law. (Ord. 2020-04 § 2, 2017-12 § 2, 2005-24 § 2, 87-74 § 5, 80-97 § 2.)

416-18.610 Other Actions. Nothing in this chapter limits the right of any person or law enforcement officer to take any other action against a potentially dangerous or dangerous animal or its owner that is otherwise permitted or provided by law. (Ord. 2020-04 § 2, 2017-12 § 2, 2005-24 § 2, 87-74 § 5, 80-97 § 2.)

SECTION III. Article 416-12.4 is deleted from the County Ordinance Code.

SECTION IV. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days after passage must be published once with the names of supervisors voting for or against it in the Contra Costa Times, a newspaper published in this County.

PASSED ON _____ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Board Chair

By: _____
Deputy

[SEAL]

ORDINANCE NO. 2020-04

KSK:

H:\Animal Services\Dangerous Animals\Revised Dangerous Animal Ordinance 2020-04 FINAL.docx



**Contra
Costa
County**

To: Board of Supervisors
From: PUBLIC PROTECTION COMMITTEE
Date: February 25, 2020

Subject: APPOINTMENTS TO THE CY2020 COMMUNITY CORRECTIONS PARTNERSHIP & EXECUTIVE COMMITTEE

RECOMMENDATION(S):

1. APPOINT the individuals identified in Exhibit A to serve on the 2020 Community Corrections Partnership (CCP), pursuant to Penal Code § 1230(b)(2); and
2. APPOINT the individuals identified in Exhibit B to serve on the 2020 Community Corrections Partnership Executive Committee, pursuant to Penal Code § 1230.1(b).

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

In 2011, the California Legislature passed Assembly Bill 109 (Chapter 15, Statutes of 2011) which transferred responsibility for supervising certain lower-level inmates and parolees from the California Department of Corrections and Rehabilitation to counties. Assembly Bill 109 (AB 109) realigned three major areas of the criminal justice system. On a prospective basis, the legislation: (1) transferred the location of incarceration for lower-level offenders (specified nonviolent, non-serious, non-sex offenders) from state prison to local county jail and provides for an expanded role for post-release supervision for

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Paul Reyes,
(925)335-1096

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

these offenders; (2) transferred responsibility for post-release supervision of lower-level offenders (those released from prison after having served a sentence for a non-violent, non-serious, and non-sex offense) from the state to the county level by creating a new category of supervision called Post-Release Community Supervision (PRCS); and (3) transferred the custody responsibility for parole and PRCS revocations to local jail, administered by county sheriffs.

AB109 also created an Executive Committee of the local Community Corrections Partnership (CCP) and tasked it with recommending a Realignment Plan (Plan) to the county Board of Supervisors for implementation of the criminal justice realignment. The membership of the Community Corrections Partnership is identified in statute as the following:

1. Chief Probation Officer (Chair)
2. Presiding Judge (or designee)
3. County supervisor, CAO, or a designee of the BOS
4. District Attorney
5. Public Defender
6. Sheriff
7. Chief of Police
8. Head of the County department of social services
9. Head of the County department of mental health
10. Head of the County department of employment
11. Head of the County alcohol and substance abuse programs
12. Head of the County Office of Education
13. CBO representative with experience in rehabilitative services for criminal offenders
14. Victims' representative

Later in 2011, the Governor signed Assembly Bill 117 (Chapter 39, Statutes of 2011), which served as "clean up" legislation to AB 109. Assembly Bill 117 (AB 117) changed, among other things, the composition of the local CCP-Executive Committee. The CCP-Executive Committee is currently identified in statute as the following:

1. Chief Probation Officer (Chair)
2. Presiding Judge (or designee)
3. District Attorney
4. Public Defender
5. Sheriff
6. A Chief of Police
7. The head of either the County department of social services, mental health, or alcohol and drug services (as designated by the board of supervisors)

Although AB 109 and AB 117 collectively place the majority of initial planning activities for Realignment on the local CCP, it is important to note that neither piece of legislation cedes powers vested in a county Board of Supervisors' oversight of and purview over how AB 109 funding is spent. Once the Plan is adopted, the Board of Supervisors can choose to implement that Plan in any manner it may wish.

Today's recommended actions were approved by the Public Protection Committee (PPC) at the February 3, 2020 meeting. The Committee recommends an appointment term of one-year for all non ex-officio seats and will continue to make appointment/reappointment recommendations to the Board of

Supervisors annually.

ATTACHMENTS

Exhibit A - Community Corrections Partnership Membership

Exhibit B - Community Corrections Partnership Executive Committee Membership

EXHIBIT A - 2020 COMMUNITY CORRECTIONS PARTNERSHIP

<u>Seat</u>	<u>Appointee</u>	<u>Term Expiration</u>
Chief Probation Officer (<i>Chair</i>)	Todd Billeci	<i>ex-officio</i>
Presiding Judge (<i>or designee</i>)	Jim Paulsen (<i>designee of Presiding Judge</i>)	<i>ex-officio</i>
County supervisor, CAO, or a designee of the BOS	David J. Twa, County Administrator	December 31, 2020
District Attorney	Diana Becton	<i>ex-officio</i>
Public Defender	Robin Lipetzky	<i>ex-officio</i>
Sheriff	David O. Livingston	<i>ex-officio</i>
Chief of Police	Tamany Brooks, City of Antioch	April 30, 2020
<i>Chief of Police*</i>	<i>Brian Addington, City of Pittsburgh</i>	<i>December 31, 2020</i>
Head of the County department of social services	Kathy Gallagher, Employment and Human Services Director	<i>ex-officio</i>
Head of the County department of mental health	Suzanne Tavano, Director of Behavioral Health Services	<i>ex-officio</i>
Head of the County department of employment	Donna Van Wert, Executive Director-Workforce Development Board	<i>ex-officio</i>
Head of the County alcohol and substance abuse programs	Fatima Matal Sol, Director of Alcohol and Other Drugs	<i>ex-officio</i>
Head of the County Office of Education	Lynn Mackey, County Superintendent of Schools	<i>ex-officio</i>
CBO representative with experience in rehabilitative services for criminal offenders	Patrice Guillory	December 31, 2020
Victim's Representative	Shannon Mahoney, DA Victim/Witness Services Program	December 31, 2020

*Starting in May following Chief Brooks' term expiration

EXHIBIT B - 2020 COMMUNITY CORRECTIONS PARTNERSHIP EXECUTIVE COMMITTEE

<u>Seat</u>	<u>Appointee</u>	<u>Term Expiration</u>
Chief Probation Officer (<i>Chair</i>)	Todd Billeci	<i>ex-officio</i>
Presiding Judge (<i>or designee</i>)	Jim Paulsen (<i>designee of Presiding Judge</i>)	<i>ex-officio</i>
District Attorney	Diana Becton	<i>ex-officio</i>
Public Defender	Robin Lipetzky	<i>ex-officio</i>
Sheriff	David O. Livingston	<i>ex-officio</i>
Chief of Police	Tamany Brooks, City of Antioch	April 30, 2020
<i>Chief of Police**</i>	<i>Brian Addington, City of Pittsburgh</i>	<i>December 31, 2020</i>
Representative approved by BOS from the following CCP members:	Kathy Gallagher, Employment and Human Services Director	December 31, 2020
*Head of the County department of social services		
*Head of the County department of mental health		
*Head of the County alcohol and substance abuse programs		
**Starting in May following Chief Brooks' term expiration		



Contra
Costa
County

To: Board of Supervisors
From: Diane Burgis, District III Supervisor
Date: February 25, 2020

Subject: APPOINTMENT TO THE DIABLO MUNICIPAL ADVISORY COUNCIL

☒ APPROVE ☐ OTHER
☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

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

Contact: Lea Castleberry
925-252-4500

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

APPOINT the following individuals to the Diablo Municipal Advisory Council as recommended by Supervisor Diane Burgis.

Ray Brant
Diablo, CA 94528
Term Expiration: December 31, 2020

Kathy Urbelis
Diablo, CA 94528
Term Expiration: December 31, 2020

Jeff Eorio
Diablo, CA 94528
Term Expiration: December 31, 2022

Leonard Becker
Diablo, CA 94528
Term Expiration: December 31, 2022

Greg Isom
Diablo, CA 94528
Term Expiration: December 31, 2022

FISCAL IMPACT:

None.

BACKGROUND:

Established on December 19, 2006 via Resolution No. 2006/791, the purpose of the Council is to advise the Board of Supervisors on discretionary land use matters affecting the Diablo community, such as land use designations, general plan amendments, environmental impact reports, negative declarations, zoning-variance applications and building permit applications for additions or remodeling projects which would affect the exterior dimensions of the residence and for which noticed public hearings are required or could be required by the County's Planning Agency.

The Council shall also represent the community before the County Planning Commission, the Zoning Administrator and the County Board of Supervisors on such land use, planning and zoning matters. The Council will advise in accordance with the policies and of the General Plan, including sections 3-129 and 3-138. It is understood that the Board of Supervisors is the final decision making authority and that the Council shall serve solely in an advisory capacity. In addition, the Council may : Advise the Board of Supervisors on local government services as requested by the Board; provide input and reports to the Board, county staff, or any other county hearing body on issues of concern to the community; serve as a liaison between the community and the County Supervisor representing Diablo. Except as specified above, the Council may not represent the Diablo community to any state, county, city, special district, or school district, agency or commission, or any other organization on any matter concerning the community.

The Council consists of 5 members, each of whom shall be a current elected member of the Diablo Community Services District Board of Directors.

Pursuant Resolution 2007/166, this board order appoints the elected Diablo CSD members as the Diablo

MAC members.



**Contra
Costa
County**

To: Board of Supervisors
From: Diane Burgis, District III Supervisor
Date: February 25, 2020

Subject: REAPPOINTMENT TO COUNTY SERVICE AREA, P-6 DISCOVERY BAY CITIZEN ADVISORY COMMITTEE

RECOMMENDATION(S):

REAPPOINT Joseph Selby to the Appointee 3 seat and Richard Kane to the Appointee 5 seat on County Service Area, P-6 Discovery Bay Citizen Advisory Committee to a term expiring December 31, 2021, as recommended by Supervisor Diane Burgis.

FISCAL IMPACT:

None.

BACKGROUND:

The term for these seats expired December 31, 2019. Applications were accepted and the recommendation to reappoint the above individuals was then determined.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

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

Contact: Lea Castleberry
925-252-4500

By: , Deputy

cc:



**Contra
Costa
County**

To: Board of Supervisors
From: Karen Mitchoff, District IV Supervisor
Date: February 25, 2020

Subject: Reappoint Wendell Snyder to the District IV Seat on the IHSS Public Authority Advisory Committee

RECOMMENDATION(S):

REAPPOINT the following individual to the District IV Seat on the In Home Supportive Services (IHSS) Public Authority Advisory Committee, for a four year term which expires on March 6, 2024:

Wendell Snyder
Martinez, CA 94553

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Lisa Chow, (925)
521-7100

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

By: , Deputy

cc:

FISCAL IMPACT:

None.

BACKGROUND:

The in-Home Supportive Services Public Authority Advisory Committee serves as an advisory council to the In Home Support Services Public Authority (IHSS), which is administered by the Employment and Human Services Department (EHSD). IHSS provides specialized support services to residents who are frail, elderly, blind, or disabled. Public Authority has an Advisory Committee whose membership is composed of individuals who are current or past users of personal assistance services paid for through public or private funds and professional representatives from the Community.

CONSEQUENCE OF NEGATIVE ACTION:

The District IV seat will become vacant.



Contra Costa County

To: Board of Supervisors
From: Federal D. Glover, District V Supervisor
Date: February 25, 2020

Subject: APPOINT Laura Griffin to the Contra Costa County Mental Health Commission, District V - Consumer Seat

RECOMMENDATION(S):

APPOINT the following individual to the District V - Consumer Seat on the Contra Costa County Mental Health Commission with a term expiring July 1, 2022, as recommended by Supervisor Federal D. Glover.

Laura Griffin

FISCAL IMPACT:

None.

BACKGROUND:

The Contra Costa County Mental Health Commission was established by order of the Contra Costa County Board of Supervisors on June 22, 1993, pursuant to the Welfare & Institutions Code 5604, also known as the Bronzan-McCorquodale Act, Stats. 1992, c. 1374 (A.B. 14). The primary purpose of the Commission is to serve in an advisory capacity to the Board of Supervisors and to the Mental Health Division and its staff. Commissioners are appointed by members of the County Board of Supervisors from each of the five districts for a term of three years. Each district has a consumer of mental health services, family member and an at-large representative on the Commission, for a total of 15 members plus a representative from the Board of Supervisors.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Vincent Manuel (925)
6084200

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

The position would remain vacant.

CHILDREN'S IMPACT STATEMENT:

None.



**Contra
Costa
County**

To: Board of Supervisors
From: INTERNAL OPERATIONS COMMITTEE
Date: February 25, 2020

Subject: RECOMMENDATION FOR APPOINTMENT TO THE HAZARDOUS MATERIALS COMMISSION

RECOMMENDATION(S):

APPOINT Audrey Comeaux (Richmond) to the General Public seat and REAPPOINT Tim Bancroft (Danville) to the General Public Alternate seat on the Hazardous Materials Commission to terms that will expire on December 31, 2023.

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: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Julie DiMaggio Enea
(925) 335-1077

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

By: , Deputy

cc: Hazardous Materials Program, IOC Staff

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 terms of the General Public and Alternate seats expired on December 31, 2019. The bylaws of the Commission provide that the General Public seat and Alternate be appointed by the Board of Supervisors. The Commission advertised for these seats (attached) and interviewed seven candidates for the positions. The Commission met on December 5, 2019 and voted unanimously to recommend Audrey Comeaux for the General Public seat and Tim Bancroft for the Alternate seat. Their applications, and the application of the other five candidates, are attached.

The Internal Operations Committee reviewed and approved these nominations on February 10, 2020.

ATTACHMENTS

HMC Applications



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

First Name

Audrey

Last Name

Comeaux

Home Address - Street

City

Zip Code

Phone (best number to reach you)

Email

Resident of Supervisorial District:

1

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

San Jose State University

Chemistry

☒ Yes

☐ No

Penn State University

Psychology of Leadership

☐ Yes

☒ No

☐ Yes

☒ No

Other Training Completed:

Pharmacy Technician

Board, Committee or Commission Name

Seat Name

County Hazardous Materials Commission

General Public Seat

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.

My continued desire to serve my community and ensure that District 1 has adequate representation on the Hazardous Materials Commission.

Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application)

During my employment at EBMUD, I worked as a Wastewater Control Inspector for 12 years. During that time I inspected industrial and commercial facilities for compliance with federal and state EPA compliance regarding the discharge of regulated pollutants of concern. Also, as a Wastewater Control Representative, I managed industrial discharge permits which assured that dischargers complied with the EBMUD Wastewater Discharge Ordinance, along with federal, state and local regulations.
During my tenure on the West County Wastewater District Board of Directors, the Board adopted its first Environmental Justice Policy.

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 boards on which you have served.

In 2014, I was elected to the West County Wastewater District Board of Directors and served until 2018.

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)

Please check one: ☐ 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 relationships?

Please check one: ☐ Yes ☒ No

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:

Audrey L. Cornejo

Date:

8-30-19

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

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' 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.

Audrey L. Comeaux
Email: audrey@ebmud.org
Cell: (925) 938-1111

Public Service

Board Member	West County Wastewater District	Richmond, CA	2014-2018
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Education

Bachelor of Arts	San Jose State University	Chemistry	San Jose, CA
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Employment

2004-2016	East Bay Municipal Utility District (EBMUD)	Oakland, CA
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Wastewater Control Representative

Managed wastewater discharge permits for industrial, commercial, and institutional stakeholders to ensure compliance with the EBMUD Wastewater Control Ordinance, in conjunction with state and federal pre-treatment programs regarding discharge limits and pollution prevention. Reviewed, evaluated, and monitored pollutants of concern in wastewater processes and discharges, and recommended permit terms and conditions using appropriate analytical studies, technical information and other standards. Mitigated the impacts of pollutants such as FOG (fats, oil & grease), mercury, metals, household hazardous wastes, and bio-solids.

Managed 10 EBMUD sponsored Pharmaceutical Take-Back sites for the safe disposal of expired and unused residential medication.

1995-2004	East Bay Municipal Utility District (EBMUD)	Oakland, CA
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Wastewater Control Inspector

Performed varied and difficult inspection including contacts with various agencies to investigate and explain the District's wastewater source control program.

Collected and inspected samples of wastewater and water of commercial, industrial, and institutional permitted accounts concerning water pollution control laws and regulations. Investigated the source of illegal waste discharges entering the District's wastewater collection system. Performed physical, chemical, biological, and bacteriological tests on samples collected. Prepared written, oral, tabular, and graphical reports, prepared and issued Notices of Violation.

1991-1995

East Bay Municipal Utility District

Oakland, CA

Laboratory Technician II

Performed physical, chemical, biological and bacteriological analyses of water, wastewater, industrial waste, and related materials. Assisted chemists on analytical projects; maintained QA/QC records; collected and preserved samples, prepared standard chemical solutions: reagents, stains, and bacteriological media.

Prepared glassware for sample collection; sterilized bacteriological glassware and media; prepared sample collection kits.

Collected and analyzed water samples, throughout the EBMUD water distribution area, for compliance with state and federal water quality standards.

Application Form

Submit Date: Aug 14, 2019

Profile

Timothy

First Name

A

Middle Initial

Bancroft

Last Name

Home Address

Danville

City

Suite or Apt

CA

State

94526

Postal Code

Primary Phone

Email Address

Which supervisorial district do you live in?

☒ District 2

Education

Select the option that applies to your high school education *

☒ High School Dipoloma

College/ University A

Name of College Attended

San Jose State University

Degree Type / Course of Study / Major

B.S./Chemical Engineering

Degree Awarded?

☒ Yes ☐ No

College/ University B

Name of College Attended

California State University Chico

Timothy A Bancroft

Degree Type / Course of Study / Major

B.S. / Chemistry

Degree Awarded?

☒ Yes ☐ No

College/ University C

Name of College Attended

Modesto Junior College

Degree Type / Course of Study / Major

A.S./Physical Science

Degree Awarded?

☒ Yes ☐ No

Other schools / training completed:

Course Studied

Hours Completed

Certificate Awarded?

☐ Yes ☐ No

Board and Interest

Which Boards would you like to apply for?

Hazardous Materials Commission: Submitted

Seat Name

Alternate to General Public Seat

Have you ever attended a meeting of the advisory board for which you are applying?

☒ Yes ☐ No

If you have attended, how many meetings have you attended?

10

Please explain why you would like to serve on this particular board, committee, or commission.

I wish to serve my local community in the area of Hazardous Materials, Environmental Justice, and the protection of the public.

Qualifications and Volunteer Experience

I would like to be considered for appointment to other advisory boards for which I may be qualified.

☒ Yes ☐ No

Are you currently or have you ever been appointed to a Contra Costa County advisory board, commission, or committee?

☒ Yes ☐ No

List any volunteer or community experience, including any advisory boards on which you have served.

I currently hold the position as the Alternate Member to the General Public Seat Member on the Hazardous Materials Commission

Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application)

I have over fifteen years of Environmental, Hazardous Materials, and related Chemical Engineering experience including an extensive regulatory background focusing on hazardous materials handling, waste treatment, and code compliance in the Biopharmaceutical, Semiconductor and Renewal Energy industries.

[Tim Bancroft - IES Resume.pdf](#)

Upload a Resume

Conflict of Interest and Certification

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 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 undersand that all information in this application is publicly accessible. I understand 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.

☒ **I Agree**

TIMOTHY BANCROFT, P.E.

Principal

Chemical Engineering

PROFESSIONAL EXPERIENCE

Mr. Bancroft has over fifteen years of Environmental, Hazardous Materials and related Chemical Engineering experience, including an extensive regulatory background focusing on hazardous materials handling, waste treatment and code compliance (e.g., Uniform & International Building, Fire and Mechanical Codes.). His experience has involved conducting compliance audits, developing regulatory guidelines, and performing building occupancy and related chemical process plan reviews. He has actively participated on code rewrite and adoption committees. In addition, Mr. Bancroft has engineering design experience in hazardous materials and specialty gas systems, as well as planning and design for biopharmaceutical laboratories and manufacturing facilities.

PROJECT EXPERIENCE

- ◆ Consultant to Major Corporations: Applied Materials, Amgen, Abbott, Novartis, Genentech, Roche, Headway Technology, California State and UC Systems, Princeton University, Bayer, Gallo Winery, & Tesla Motors
- ◆ Assistant Instructor Pipe Trades Training Center – Local 393 – Toxic Gas Piping, Process Piping, High Purity Piping.
- ◆ Permitting and regulatory requirements for SPCC plans, HMBPs, HMIS, RMPs, USTs, ASTs, SWPPP, wastewater discharge permits, air quality discharge permits, and the Toxic Gas Ordinance (TGO)
- ◆ I.C.C., California State Fire Marshal, NFPA, certification and experience with the requirements of the International Fire, Building, Mechanical, and Electrical codes
- ◆ Experience with the implementation of NFPA standards, the 2016 CBC, CFC, CMC, BAAQMD, EPA, The Resource Conservation and Recovery Act (RCRA), local Bay Area City regulatory codes, OSHA safe practice requirements, and GMP standards
- ◆ Mechanical design of exhausted systems such as chemical hoods, valve manifold boxes, gas cabinets, and biological safety cabinets
- ◆ Regulation and design of Biosafety areas (CDC levels) in Microbiological, Biomedical Laboratories
- ◆ Mechanical design of process piping distribution systems, instrumentation and controls, P&ID's, & PLC's
- ◆ Mechanical design of Hazardous Occupancy areas including explosion control & rated electrical classification
- ◆ Extensive experience with analytical laboratory equipment, Liquid & Gas chromatography, HPLC, GC, MS.
- ◆ Experience handling, storing, dispensing, and permitting of controlled chemical substances including the precursor compliance program, Flammable, Corrosive, Highly Toxic, Pyrophoric, Solids, Liquids & Gases.



EDUCATION

B.S. Chemical Engineering
San Jose State University
B.S. Chemistry
California State University, Chico

PROFESSIONAL REGISTRATION

State of California Registered
Professional Engineer, Chemical,
License No. CH6225, NCEES record
#46770.
40-Hour Hazardous Waste Site Worker
CFR Section 1910.120(c)(9),
Management and Supervision of
Hazardous Waste Operators per CFR
1910.120(c)(4), and as a Qualified
Trainer per CFR 1910.120(c)(5).
State of California Qualified Industrial
Storm Water Practitioner (QISP)

YEARS AT IES

Principal in 2001

PROFESSIONAL AFFILIATIONS

National Fire Protection Association
(NFPA)
International Society Pharmaceutical
Engineering (ISPE)
Contra Costa County Hazardous
Materials Commission, (Public Seat,
Alternate Commissioner)

ABOUT IES

Founded in Silicon Valley in 1995, Integrated Engineering Services (IES) is an engineering and design firm specializing in innovative designs for the Microelectronics, Green Tech, and Life Sciences industries. Our experienced team of professionals provides cost-effective and timely solutions that meet our clients' engineering and business objectives—from project inception through completion and on-going operations.

IESengineering.net

SANTA CLARA OFFICE: 70 Saratoga Avenue, Suite 200, Santa Clara, CA 95051 • 408-261-3500
ATLANTA OFFICE: 2 Ravinia Drive, Suite 1580, Atlanta, GA 30346 • 678-783-3016





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

Emily Smathers

BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

First Name	Last Name	
Alan (Len)	Welsh	
Home Address - Street	City	Zip Code
1	Kensington	94707
Phone (best number to reach you)	Email	
Resident of Supervisorial District:	1	

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
Rugers University	B.A. Sociology and Spanish (double major)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
U.C. Berkeley	M.S. Environmental Health Sciences	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
U.C. Hastings College of the Law	J.D., Law	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Other Training Completed:

City College SF, UC Berkeley, undergrad premed sciences/biochemistry, 3 years of study

Board, Committee or Commission Name

Contra Costa County Hazardous Materials Commission

Seat Name

General Public

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.

I am very concerned about the ongoing need to regulate polluting and potentially polluting operations, and especially in connection with groundwater and estuary pollution, in the county and in the state. At Cal/OSHA I was heavily involved in the agency's efforts to regulate oil refineries, including those in Contra Costa County. At Cal/OSHA I had a reputation for developing labor/management/environmental consensus on environmental regulations proposed for adoption, and as a result I achieved consensus-based adoption of several first-in-the-nation standards and amendments that have been emulated by Federal OSHA and other state OSH agencies ever since. I believe I can add significant value by bringing opposing parties together for win-win improvement in protecting the environment of Contra Costa County and neighboring areas.

Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application)

My entire career since 1980 has been in the field of environmental law and regulation. Though I've mostly concentrated on environmental issues related to occupational health, there has always been significant overlap between general environmental and occupational environmental issues in my work, and enforcement of the Cal/OSHA hazardous waste operations standard from the time it was adopted in 1991 until I left the agency was a significant part of my work. Much of my work at Cal/OSHA focused on protecting the most vulnerable workers—in this sense it has been all about environmental justice. For example, I drafted and successfully proposed to the Cal/OSHA Standards Board for emergency adoption in 2005 the nation's first outdoor heat illness protection standard. The primary motivation for and focus of that standard was protecting agricultural workers, who are among the poorest, most disadvantaged, and most unprotected workers in the state. Please see my resume.

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 boards on which you have served.

Kensington Police Protection and Community Services District Board of Directors, 2/2013 through 12/2018—3-years as Board President, 1/2015 through 12/2017. President, Stitch in Time Animal Rescue, a 501(c)(3) non-profit organization, since 1/2018; over 10 years' prior experience in animal rescue working with Good Newz Pittie Pups Rescue, Rocket Dog, and others.

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)

Please check one: ☐ 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 relationships?

Please check one: ☐ Yes ☒ No

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:

Don Welsh

Date:

7/10/2019

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

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' 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.

Len Welsh

Kensington, CA 94707

Education

M.S., Environmental Health Sciences, University of California, Berkeley, 1979-1984. Thesis Title: "The relationship of hearing loss to on-the-job noise exposure of San Francisco firefighters"

J.D., Hastings College of the Law, 1980-1983

U.C. Berkeley, course work in biochemistry, 1978-1979

City College of San Francisco, 1977-1978, course work in calculus, physical, chemical, and biological sciences

B.A., Sociology and Spanish, Rutgers University, 1973-1977

Bar Memberships

State Bar of California; U.S. District Courts, Northern and Southern Districts of California

Recent Accomplishments

- Spearheaded the complete re-design of State Compensation Insurance Fund's newly launched Loss Prevention Program, 2013 to present.
- Developed strategy for and orchestrated the California adoption of the nation's first comprehensive standard to protect Ironworkers at reinforcing steel construction projects, 2017-2018.

Major Cal/OSHA Accomplishments

Standards Adoption/amendment:

- Nation's first anti-needlestick protection added to Bloodborne Pathogens Standard, 1998.
- Nation's first Heat Illness Prevention Standard, adopted 2005, amended 2006 and 2010.
- California's first Concrete and Masonry Silica Dust Control Standard, adopted 2008.
- Nation's only Aerosol Transmissible Disease and Zoonotics Standards, adopted, 2009.
- Nation's only Diacetyl (artificial butter flavoring) Exposure Control Standard adopted, 2010.
- Over 30 exposure limits (PELs) for toxics amended or adopted for the first time since 2000.

Administrative:

- Obtained salary parity with Cal/OSHA safety engineers for Cal/OSHA industrial hygienists, 2007.
- Spearheaded creation of a new funding structure for Cal/OSHA that replaced General Fund support with assessments on workers' compensation premium/premium equivalent, 2008.
- Implemented statewide heat illness prevention program, consisting of partnerships with major industry organizations for training and education, together with intelligence-driven, targeted enforcement and professionally-contracted media strategies, 2005 through 2010.
- Negotiated a compromise at the Governor's Office between the California Air Resource Board and the Occupational Safety and Health Standards Board to avert a major legal conflict over retrofitting of off-road construction vehicles to reduce particulate emissions, 2009.

Legislative:

- Negotiated a legislative compromise on AB 1208 (Migden), requiring use of anti-stick needles in healthcare settings, so that the hospital industry and SEIU could agree on a workable approach, 1998.
- Negotiated language in SB 783 (Torlakson) revising safety requirements for amusement rides, 2007.
- Drafted AB 2774 (Swanson) and negotiated its final wording with the author and major stakeholders, resulting in fundamental redefinition of “serious” citations issued by Cal/OSHA, 2010.

Work Experience

Baker & Welsh, LLC

Principal Consultant, policy, rulemaking, and legislation, August 2018 to present

Len Welsh, Attorney

Legal Affairs and Litigation Management Consultant, June 2012 to present

State Compensation Insurance Fund

Consultant to the President for Workplace Safety, February 2012 to present

Board of Directors, Kensington Police Protection and Community Services District

Director and Three-term President, January 2012 through 2018

Department of Industrial Relations, Office of the Director:

Special Counsel and Acting Chief Counsel, April 2011 to June 2012

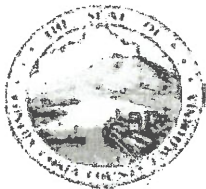
Division of Occupational Safety and Health (Cal/OSHA):

Chief: October 2007 to April 2011, confirmed by CA Senate in 2008

Acting Chief: April 2003 to October 2007

Staff Counsel, Special Counsel, and Deputy Chief, 1986-1987, 1990-2003

Foreign Language: Spanish—fluent writing, functionally fluent speaking



Contra
Costa
County



Print Form

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

First Name

Glenn

Last Name

Goldbeck

Home Address - Street

City

Moraga

Zip Code

94556

Phone (best number to reach you)

Email

Resident of Supervisorial District:

2

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

University of California, Davis

Chemical Engineering

☒ Yes

☐ No

University of California, Berkeley Extension

Hazardous Materials Management

☐ Yes

☒ No

University of San Francisco

Economics

☐ Yes

☒ No

Other Training Completed:

40-hr OSHA 29 CFR 1910.120; AHERA Asbestos Control TSCA Title II

Board, Committee or Commission Name

Hazardous Materials Commission

Seat Name

General Public

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.

As a Contra Costa County resident, I would like to help guide future or revised current policies associated with the creation, movement and disposal of hazardous materials within our County. I believe my background will support informed and balanced policy recommendations to the Board. Meeting various concerned groups and understanding their concerns would be interesting.

Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application)

Resume attached. Brief applicable summary of qualifications:

CA Registered Professional Chemical Engineer with experience with Hazardous Materials Management, California Registered Environmental Assessor (inactive), Hazardous Materials Management Certificate from UCB Extension (240 Hours).

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 boards on which you have served.

None.

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)

Please check one:

☐ 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 relationships?

Please check one:

☐ Yes

☒ No

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:

Glenn Goldbeary

Date:

7/25/19

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

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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.

Glenn E. Goldbeck, P.E.

P r o f e s s i o n a l E x p e r i e n c e

Owner – California Wholesale Energy Markets Consultancy

Nov. 2017 – Present

Community Choice Aggregation – Energy Procurement

Provide wholesale energy procurement consulting and implementation support within the California wholesale energy markets. Services include: 1. Power procurement and portfolio management services including energy and storage resources and contracts 2. Load forecasting, analysis and bidding 3. California Independent System Operator (CAISO), California Public Utilities Commission (CPUC) and Federal Energy Regulatory Commission (FERC) market design and advocacy 4. Risk management activities including development and implementation of Congestion Revenue Rights (CRRs), Virtual Bid hedging and other energy related strategies 5. Procurement related regulatory compliance and reporting

PG&E Manager – STES Planning & Strategy

Oct. 2015 – Nov 2017

Energy Policy & Procurement – Short Term Electric Supply

Managed staff (5) and efforts associated with the following areas: Risk and regulatory compliance monitoring; STES internal procedures, operational metrics and specialized automated reporting; Energy Resource Recovery Account (ERRA) Least Cost Dispatch testimony, workpapers and coordination; Real-Time Automated Communications development and implementation; operational and risk review aspects of new Power Purchase Agreements (PPAs); and wholesale market policy and design advocacy.

PG&E Energy Trading Consultant (Principal, 2005)

2001 – Sept. 2015

Energy Procurement – Short Term Electric Supply (STES)

Developed and advocated policies and positions related to the ISO market design and redesign efforts and developed recommendations on associated implementation strategies. Created external support for positions with CAISO, CPUC, FERC and other market participants; issues included resource adequacy, CRRs, Locational Marginal Prices (LMPs), market mitigation, congestion management. Have been a testimony witness at FERC and have presented positions at the CAISO and CPUC forums many times. Developed and implemented convergence bidding strategies and continued to defend quarterly with the CPUC Procurement Review Group. Participated and helped guide storage management, optimization and future procurement efforts.

Supported the post-bankruptcy re-establishment of PG&E's electric procurement in 2003. Participated in the development of trading optimization and support tools. Established daily procurement targets. Developed strategies, testimony, responses, data and analysis to support FERC refunds and CPUC procurement reasonableness proceedings. These efforts included FERC Show Cause proceedings associated with market gaming.

PG&E Energy Trading Representative - Energy Trading Consultant

4 yrs

Gas and Electric Supply - Utility Electric Supply (UES)

Participated in the development of the UES Energy Trading department needed to support PG&E's market and operational activities with the California Power Exchange (PX) and CAISO. Functions included the forecasting, bidding, scheduling and real time operations activities for PG&E's electric demand (15,000MW) and must take generation (6,000MW). Post implementation work included operational analysis, procurement optimization, hydro optimization, scheduling and dispatch. Principle energy buyer for PX day ahead energy.

PG&E Senior Business Analyst

2 yrs

Distribution Business Unit (DBU) - Information Technology

Developed and implemented project management processes and procedures for information technology projects within DBU. Performed analysis, developed and communicated recommendations on cross-project integration and effective project management issues. Evaluated and audited Information Technology (IT) projects. Outage Information System (OIS), Automated Meter Reading (AMR), Field Automation System (FAS), Work Management (WM). Prepared testimony for CPUC hearings.

PG&E Cost & Performance Engineer

2 yrs

Nuclear Power Generation - Budget & Performance Management

Responsible for the establishment and monitoring of business unit and Diablo Canyon Power Plant (DCPP) performance targets in the areas of operations, costs, regulatory performance, and strategic initiatives. Efforts included industry benchmarking, performance analysis, progress reporting, and on-line communications.

PG&E Senior Project Management Engineer

2 yrs

Nuclear Power Generation (NPG) - Nuclear Business & Financial Management

Facilitated the implementation of the NPG integrated planning process. Efforts included: the nuclear strategic planning program, project and contract management for specialized planning software, department budget coordinator, PG&E corporate benchmarking facilitator, and NPG IT Applications Evaluator. Matrixed Team member of Client Satisfaction, Dept. Redesign, Office Technology, NPG Information Technology.

Glenn E. Goldbeck, P.E. (cont.)

PG&E Senior Business Coordinator

2 yrs

Engineering and Construction Business Unit (ENCON) - Business Planning

Supervised group of three and managed the development and implementation of an integrated management planning system throughout ENCON. Team member on the development of the ENCON Business Plan and ENCON Client Survey. Conducted numerous planning presentations, workshops and training courses. Participated as ENCON representative on the PG&E benchmarking team and efforts.

PG&E Steam Generation Environmental Engineer

2 yrs

Electric Supply Business Unit - Power Generation - Steam Generation

Developed and coordinated fuel oil related quality, safety and environmental issues for PG&E power plants. Responsibilities included regulatory oversight, guidance and support to power plants for fuel oil transportation (tanker and pipeline), storage, inspections, characterization, management and use. Reviewed, analyzed, and established PG&E positions on proposed legislation & regulations; Interpreted and identified management/operational changes required by new regulations. Represented PG&E with Electric Power Research Institute (EPRI) and oil spill coops. Maintained interfaces with regulatory agencies and industry groups. Position entailed extensive field visits.

PG&E Lead Project Management Engineer

4 yrs

Nuclear Power Generation - Nuclear Services

Supervised a group of five and participated and supervised in the development and implementation of a comprehensive management information system whereby all nuclear work efforts were represented by quantifiable objectives and routinely monitored through schedule plans and performance indicators. The integrated planning system was recognized by Institute of Nuclear Power Operations (INPO) "Good Practice" for implementation at all nuclear facilities (award). Conducted numerous training classes, presentations and workshops on management planning and effectiveness. Provided project managers support in the development and analysis project schedules, cost plans, resource plans, manpower plans and status reports using Formal PG&E Project Management. Supervised the project, consultants and contracts for the design and development of computer programs to automate the production of action plans/performance indicators.

PG&E Project Management Engineer

3 yrs

Nuclear Power Generation - Nuclear Services

Supported project managers and project participants in the development and analysis of detailed project schedules, cost plans, resource plans, manpower plans and status reports. Supported the engineering and construction phases of DCPD projects. Conducted numerous training classes, presentations and workshops on formal project management. Developed systems and software used to track, monitor and approve Nuclear Power Generation consultant contract expenditures. Supported and supervised in the development and implementation of PG&E's first PC based budgeting system.

TOSCO Corporation - Process/Project Engineer

3 yrs

Avon/Golden Eagle Refinery (125,000 BPD Capacity)

Managed the project, consultants and contracts for the engineering evaluation and design by Fluor Corporation of gas and electric energy conservation projects for all major refinery process units. Total engineering budget of \$3.5 million, responsible for the direction of nine engineers.

Managed the project, consultants and contracts for the engineering evaluation and design by Flaregas Corporation of a refinery-wide flare system modification necessary to double the capacity of the existing system. Engineering budget of \$550,000, responsible for the direction of five engineers.

Developed and implemented process to determine and report daily, all refinery storage tank hydrocarbon emissions to BAAQMD. Designed and installed numerous projects to mitigate refinery fugitive air emissions.

E d u c a t i o n / P r o f e s s i o n a l D e v e l o p m e n t

B.S. Chemical Engineering - University of California, Davis

Registered Professional Chemical Engineer, California #4476

Registered Environmental Assessor, California #06077/inactive

Application Form

Profile**Erika**

First Name

Michelotti

Middle Initial

Last Name

Home Address

Suite or Apt

Martinez

City

CA

State

94553

Postal Code

Home:

Primary Phone

Email Address

Which supervisorial district do you live in?☒ District 5

Education**Select the option that applies to your high school education ***☒ High School Dipoloma

College/ University A**Name of College Attended**

Willamette University

Degree Type / Course of Study / Major

BA/Environmental Science

Degree Awarded?☒ Yes ☐ No

College/ University B**Name of College Attended**

UC Santa Barbara

Degree Type / Course of Study / Major

Master of environmental science and management

Degree Awarded?

☒ Yes ☐ No

College/ University C

Name of College Attended

Degree Type / Course of Study / Major

Degree Awarded?

☐ Yes ☐ No

Other schools / training completed:

Course Studied

40 HR HAZWOPPER

Hours Completed

40

Certificate Awarded?

☒ Yes ☐ No

Board and Interest

Which Boards would you like to apply for?

Hazardous Materials Commission: Submitted

Seat Name

General Public

Have you ever attended a meeting of the advisory board for which you are applying?

☐ Yes ☒ No

If you have attended, how many meetings have you attended?

Please explain why you would like to serve on this particular board, committee, or commission.

I have a passion and have dedicated my career to protecting human health and the environment and I would like to get involved locally. My experience as a regulator in other parts of the state have taught me the importance of local involvement and the value of an individual who can examine situations from a variety of perspectives. I feel my education and professional experience have prepared me to be a voice for my community.

Qualifications and Volunteer Experience

I would like to be considered for appointment to other advisory boards for which I may be qualified.

☒ Yes ☐ No

Are you currently or have you ever been appointed to a Contra Costa County advisory board, commission, or committee?

☐ Yes ☒ No

List any volunteer or community experience, including any advisory boards on which you have served.

Empower work volunteer, Co-treasurer of the City of Fremont Employee Association, Board member of Goleta Valley Beautiful, Secretary of Air and Waste Management Association Central Coast Chapter,

Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application)

Please see attached resume.

[resume_2019.docx](#)

Upload a Resume

Conflict of Interest and Certification

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 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 undersand that all information in this application is publicly accessible. I understand 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.

☒ **I Agree**

Erika Michelotti

1001 1001 1001 1001 1001 1001 1001 1001 1001 1001

TECHNICAL EXPERIENCE

Hazardous Materials Inspector, City of Fremont, Fremont, CA, 2016 - Present

- Conduct official inspections to assess compliance pursuant to state and federal laws including California Accidental Release Program, California Fire Code, hazardous waste control law, above ground petroleum storage tanks act, underground storage tanks, and hazardous materials
- Process permit applications and issue permits for repair work and new facilities
- Reviews hazardous materials business plans to ensure compliance with governing regulations

Hazardous Materials Specialist, Santa Barbara County, Santa Barbara, CA, 2016 - 2017

- Conduct official inspections to assess compliance pursuant to state and federal laws including hazardous waste control law, above ground petroleum storage tanks act, underground storage tanks, and hazardous materials
- Provide Countywide technical emergency response to hazardous material spills, leaks, and other reported hazardous material emergencies
- Perform inspections of underground storage tanks (UST) and associated ancillary equipment. Performs the review and evaluation of construction plans submitted for new installation, modification and removal
- Author publications to explain Santa Barbara County, State and Federal regulations to the public

Environmental Scientist II, Associate Project Manager, URS, Santa Barbara, CA, 2014 - 2016

- Environmental regulatory reporting and permit applications for air quality, hazardous waste, and storm water
- Utilized scientific principles, theories, and existing technologies to develop technical solutions to a wide range of difficult problems
- Interpreted and records data, conduct analyses, compare findings to relevant studies for local, state, and federal regulations to ensure compliance
- Conducted environmental compliance audits for air, water, fire code, and hazardous waste
- Award: URS Central Coast Quality Management System Award for "attention to detail and promoting quality"

Graduate and Post- Graduate, Los Alamos National Laboratory, Los Alamos, NM, 2011 - 2014

- Perform field work including soil, water, and air sample collection
- Participate in Emergency Response Drills to predict dispersion of chemicals and suggest appropriate responses
- Develop statistically defensible and cost effective sample collection and analysis plans
- Communicate environmental surveillance data and concepts in presentations and publications
- Research the aeolian transport of radionuclides in soil resulting in multiple publications in peer reviewed journals

Life Science Social Technician, New Mexico Environment Department, Santa Fe, NM, Summer 2008

- Collected water samples as part of a regional analysis of PCBs and plutonium in storm water runoff

LEADERSHIP EXPERIENCE

Co-Treasurer of the City of Fremont Employee Association, CA 2019- Present

Volunteer Empower Work, CA 2018- Present

Vice President of Public Relations, Mission Chapter of Toastmasters International, CA 2016 - 2017

Secretary, Channel Islands Chapter of Air and Waste Management Association, CA, 2017

Conflict Resolution and Mediation Training, Conflict Resolution Center, Santa Barbara, CA, 2016

Member, URS Quality Management Systems Committee, Santa Barbara, CA, 2015 -2016

Board of Directors, Goleta Valley Beautiful, Goleta, CA, 2014

Web Content Coordinator, Center for Marine Assessment and Planning, Santa Barbara, CA, 2012

Teaching Assistant, Willamette Biology Department, Salem, OR, 2009

International Peer Coach, Tokyo International University of America, Salem, OR, 2008 - 2009

PUBLICATIONS

- Michelotti E. et al., 2013. "Comprehensive Air Monitoring Report for Measurements during the Las Conchas Fire at Los Alamos National Laboratory." Los Alamos National Laboratory.
- Michelotti E. et al., 2013. "Modeling Aeolian Transport of Soil-Bound Plutonium: Considering Infrequent but Normal Environmental Disturbances is Critical in Estimating Future Dose." Journal of Environmental Radioactivity. 120: 73-80.
- Michelotti E. et al., 2012. "Validation Test for CAP88 Predictions of Tritium Dispersion at Los Alamos National Laboratory." Operational Radiation Safety.
- Michelotti E. and Green A., 2012. "Test of Clean Air Act Assessment Package-1988 Predictions of Oxidized Tritium for Los Alamos National Laboratory." Los Alamos National Laboratory.
- Michelotti E. and Cruz R., 2010. "Student Summary of Environmental Surveillance at Los Alamos during 2009." Los Alamos National Laboratory.
- Michelotti E. and Liguori S., 2009. "Environmental Surveillance at Los Alamos during 2008." Los Alamos National Laboratory.

PRESENTATIONS

- Michelotti E. 2016 "The Power of Fear". Toastmasters Division E Contest.
- Michelotti E., Eisele B., & Whicker J.J., 2012. "Modeling Aeolian Transport of Los Alamos National Laboratory Derived Plutonium." Student display at the 2012 American Planning Association California Conference.
- Michelotti E. and Liguori S., 2009. "Environmental Surveillance Report 2008." Presentation to the Northern New Mexico Citizens Advisory Board.

SKILLS & INVOLVEMENT

Certifications: Aboveground Petroleum Tank Inspector, California Underground Storage Tank Inspector, CFC Fire Inspector 1A Classes, First Responder, ICS, National Incident Management System, 40 HAZWOPER

Computer: Adobe, Aloha, EdgeSoft, Envision Connect, Microsoft Office Suite, Web Site Design

Involvement: Air and Waste Management Association, Backpacking, Homesteading, Toastmasters, Triathletes

EDUCATION

Master of Environmental Science and Management, Bren School of Environmental Science & Management - University of California, Santa Barbara, 2013

Focus: Pollution Prevention and Remediation and Water Resource Management

Group Project: Santa Ynez River Water Conservation District: Water Supply Management Recommendations

- o Constructed a model (currently in use) to determine system reliability as a function of supply and demand
- o Assessed impacts of new water quality regulations and climate change on system reliability and resilience

Bachelor of Arts in Earth and Environmental Science, Willamette University, 2011

Thesis Topic: Evaluation of Approaches to Himalayan Blackberry Removal in Riparian Habitat

International Education: Semester at University of Eastern Finland, Joensuu 2010

Awards: Haynes-McDale Academic Scholarship, Lamp of Knowledge Award for Academic Achievement

Application Form

Profile

DAVID

First Name

L

Middle Initial

WYATT

Last Name

Home Address

Suite or Apt

OAKLEY

City

CA

State

94561

Postal Code

Primary Phone

Email Address

Which supervisorial district do you live in?

☒ District 3

Education

Select the option that applies to your high school education *

☒ High School Dipoloma

College/ University A

Name of College Attended

UC Davis Extension

Degree Type / Course of Study / Major

Certification/Hazardous Materials Management

Degree Awarded?

☒ Yes ☐ No

College/ University B

Name of College Attended

Degree Type / Course of Study / Major

Degree Awarded?

☐ Yes ☐ No

College/ University C

Name of College Attended

Degree Type / Course of Study / Major

Degree Awarded?

☐ Yes ☐ No

Other schools / training completed:

Course Studied

Hours Completed

Certificate Awarded?

☐ Yes ☐ No

Board and Interest

Which Boards would you like to apply for?

Hazardous Materials Commission: Submitted

Seat Name

General Public Seat

Have you ever attended a meeting of the advisory board for which you are applying?

☐ Yes ☐ No

If you have attended, how many meetings have you attended?

2

Please explain why you would like to serve on this particular board, committee, or commission.

Born and raised in East County, I've always wanted to give back and help where and when I can. I have worked with hazardous materials for the last 30 years in both public and private sectors. I am very interested in the safe handling and management of hazardous materials and wastes. I believe my experience can be of assistance to the Commission.

Qualifications and Volunteer Experience

I would like to be considered for appointment to other advisory boards for which I may be qualified.

☐ Yes ☒ No

Are you currently or have you ever been appointed to a Contra Costa County advisory board, commission, or committee?

☐ Yes ☒ No

List any volunteer or community experience, including any advisory boards on which you have served.

My experience as a community volunteer is limited to youth sports. I've coached, refereed, and umpired baseball, basketball, and club level and high school soccer. I was a board member and registrar of AJAX East Bay Soccer Club in Brentwood for four years, all of which was as a volunteer.

Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application)

I believe my 13 years of private and 18 years of public work experience relating to environmental, health and safety allows me to better understand some of the complex projects and initiatives that the Commission may work on.

[David Wyatt Resume 7-2019.pdf](#)

Upload a Resume

Conflict of Interest and Certification

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 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 undersand that all information in this application is publicly accessible. I understand 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.

☒ **I Agree**

David Wyatt

Oakley, California 94561

PROFILE:

A hazardous materials professional with a wide range of experience in environmental compliance, waste management, manufacturing, pollution prevention, and health and safety. Proven leadership skills involving managing, developing and motivating teams to achieve their objectives. Demonstrated analytical, design, and problem solving skills.

ACCOMPLISHMENTS:

- Led team to design and implement residential recycled water fill station as a drought response. Then managed the program where more than 55,000 visits to the fill station and 16 million gallons of recycled water were provided to residents between May and October 2015. The program continues today even when not in drought conditions.
- Developed and implemented a public program to collect unwanted or expired pharmaceuticals at 13 local police departments. The program has properly disposed of more than 135,000 pounds of medications from Contra Costa County residents since 2009.
- Developed and implemented a retail collection program for universal wastes at eight hardware stores. Since 2008, the retail program has collected more than 525,000 feet of fluorescent lamps, 155,000 pounds of household batteries, and over 22,000 compact fluorescent lamps (CFL's) from the public.

CAREER SUMMARY:

12/2006 to Household Hazardous Waste Program Supervisor
Present Central Contra Costa Sanitary District - Martinez, California

Responsibilities:

- Plan, negotiate, and administer contracts for a variety of services.
- Produce annual regulatory reports to County and State agencies, as well as local programs.
- Receive and interpret laboratory data from hazardous waste and environmental samples; apply results to regulatory requirements
- Assist other public agencies and members of the public with waste management issues.
- Prepare and administer the HHW program budget; identifying personnel and capital equipment and improvement needs; forecast if additional funds are needed for equipment, materials, and supplies; administer the approved budget; monitor and approve expenditures.
- Review, recommend, and comment on legislation pertaining to hazardous materials, hazardous wastes, pharmaceutical disposal, and residential recycled water.

- Maintain a safe working environment for staff, the public, and the environment while handling hazardous materials that are corrosive, flammable, and poisonous; identify highly reactive and explosive compounds that require special handling; prepare and issue emergency response directives to mitigate the hazardous situations.

10/2001 to Senior Household Hazardous Waste Technician
12/2006 Central Contra Costa Sanitary District - Martinez, California

Responsibilities:

- Hazardous Waste Management – Categorization, labeling, manifesting, shipping and reporting.
- HHW Program reporting for Mt. View Sanitary District, the District's partner agency.
- Implementation of the District's Mercury Thermometer Exchange Program.
- Liaison between District Management and emergency response personnel.
- Supervise facility and contract staff in the absence of supervisor.
- Conduct safety tailgates and ensure compliance with District safety directives.
- Regulatory reporting including: Hazardous Material Business Plan, CalRecycle Form 303 reporting, CCCSD's HHW Annual Report and assist with the CCCSD's and MVSD's pollution prevention plan
- Interact with regulating agencies and the public on a continuous basis
- CESQG program administrator
- Ensure facility compliance with 49CFR, Title 22, CIWMB, Title 8, and District regulations and directives
- Conduct accident investigations

3/1995 to Health, Safety & Environmental Specialist
10/2001 Loctite Corporation (Dexter, Henkel)– Adhesive & Coating Systems - Bay Point, CA

Responsibilities:

- Emergency Response Team – Team Leader/Incident Commander/Response Member
- Perform monthly safety meetings and training
- Confined Space Supervisor
- Hazardous Materials Management – profiling and shipment of hazardous wastes
- SWPPP and NPDES sampling, monitoring and reporting
- Facility and TSD Environmental, Health & Safety audits
- Generation of MSDSs for products produced for foreign and domestic trade
- Establish and oversee the contractor safety program
- Manage facility PPE Program
- Perform process hazard analysis, job hazard analysis, management of change reviews, and root cause analysis
- TSCA compliance reviews and notification
- DOT / IATA / IMDG compliance
- Ergonomic review and implementation

9/1988 to Environmental Technician
3/1995 Dexter Hysol Aerospace - Bay Point, CA

PROFESSIONAL CERTIFICATIONS / TRAINING:

Certified Occupational Health and Safety Technologist (OHST), expired
Certified DOT, IATA, IMDG
HAZCAT 4-day Basic Training – Haztech Systems
40 hour HAZWOPER and related annual 8-hour refreshers
Emergency Response – Incident Commander and Operations Level
Certified First Aid / CPR

PROFESSIONAL ORGANIZATIONS:

North American Hazardous Materials Management Association

EDUCATION:

1995 to 1997 UC Davis Extension - Hazardous Materials Management Certification



Contra
Costa
County



Print Form

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

First Name

Neil

Last Name

Bellenie

Home Address - Street

1

City

Concord

Zip Code

94518

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
University of Surrey	Physics and Chemistry	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Cranfield University	Post Grad Operations and Business	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No

Other Training Completed:

Board, Committee or Commission Name

The Contra Costa County Hazardous Materials Commission

Seat Name

Public seat

Have you ever attended a meeting of the advisory board for which you are applying?

☐ No

☒ Yes

If yes, how many?

1

Please explain why you would like to serve on this particular board, committee, or commission.

I am very interested in protecting our environment. The correct policy and actions on hazardous materials is a key part of ensuring human activity and environmental protection can co-exist in a sustainable manner. The Hazmat commission is an important part of this. Serving on the commission is a meaningful way of serving our community.
I currently volunteer for a non profit organization focused on helping entrepreneurs develop their CleanTech focused companies. (The Cleantech Open, <https://www.cleantechopen.org>). I see these 2 activities as complementary ways for me to help in an aspect of modern life that is crucial to us all.

Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application)

My resume is attached. Here are some key points in my qualifications:
BS in Chemistry and Physics.
Post graduate studies in operations, manufacturing and business.
Many years work experience in the industrial gases and chemicals industry developing physical systems for the safe and environmentally responsible delivery and abatement of hazardous materials used in the semiconductor industry.
Executive Business Development experience working with global companies.
I am a US Citizen, I came to California in 1995 from the UK.

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 boards on which you have served.

I am the Mentor Chair for The CleanTech Open. Since 2005 Cleantech Open (CTO) has trained over 1200 early-stage clean technology startup entrepreneurs through its annual business accelerator. A majority of CTO alumni have survived the merciless technology startup "valley of death" and gone on to raise \$1.2 billion and create over 3,000 clean economy jobs.

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)

Please check one: ☐ Yes ☒ No

If Yes, please identify the nature of the relationship:

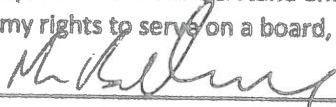
Do you have any financial relationships with the county, such as grants, contracts, or other economic relationships?

Please check one: ☐ Yes ☒ No

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: 08/22/2019

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

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' 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.

Neil Bellenie

Email:

Global Strategic Business Leadership

- Created \$200m + of direct business by leading multi disciplinary teams to define, develop and deliver new Products and Services solutions to strategic semiconductor customers' that leveraged my company's technical, IP, business and operational resources.
- Enabled \$500m + of business via formal joint development and qualification programs with key semiconductor OEMs.
- Develop and deploy long-range penetration strategies for existing and new Products and Services.
- Drive global product and technology development via long-range joint roadmaps with lighthouse customers.
- Lead international business, operations, technology and services teams of >100 personnel to success, meeting the customers' satisfaction metrics in all areas

Professional Experience

CleanTech Open. Mentor Chair.

2017 to date

Recruiting, and training experienced entrepreneurs and technologists to volunteer as Mentors to Startups in the CleanTech (Energy, Environment etc) space. 400 + Mentors and 50 Startups per year.

Lam Research. Senior Business Manager.

2013 to 2017

Developed new hi-tech materials, critical to Lams products, and developed their international supply chains to ensure reliable, lowest cost supply.

The Munras Group. Vice President.

2010 to date

Consultancy focusing on: Enterprise turn-around and right-sizing, industry insights to Private Equity and other investors, startup venture strategic plan development. Business Development consultancy services to the semiconductor capital equipment and renewable energy market sectors.

Quantum Clean Technologies. Global Account Manager, OEM.

2012 to 2013

Business Development activities with Global OEM customers. Created strategic account plans that created new opportunities via capabilities and services development and that protected current business.

Edwards Vacuum Inc. (BOC Edwards). Vice President – Technology & Business Development.

2008 to 2009

Directed product marketing, product management, business development and applications teams for all Edwards' products for the semiconductor and solar PV markets. Exceeded business targets of >\$150m annually.

- Drove development of solutions by aligning development roadmaps with the customer needs.
- Member of global solar energy strategy team. Restructured product ranges, sales, service and technical support teams. Grew revenue 300% in a year.
- Drove share at OEM and end-user accounts via key product penetrations.
- Member of the Senior Management Team.

BOC Edwards. Vice President - Intel Global Account.

2005 to 2008

Created and deployed strategic account plans covering long-range product and technology development programs, engineering and service support, IP development and protection, competitive positioning and sales resources. Exceeded annual sales targets of >\$100m. The global account team had >100 personnel. I was responsible for all aspects of our worldwide business with this major strategic customer.

- Increased market share and developed new business opportunities worth >\$36m annually.
- Member of the Senior Management team.

Neil Ballantine

Email:

Concord, CA (925) 948 5154

- Negotiated \$300+ million, 3 year supply contract.
- Ensured customer satisfaction by driving excellence in execution in all areas of interaction.

Vice President - OEM Accounts.

2000 to 2005

Created and deployed penetration and go to market strategies to maximize the company's complex market position with OEM customers.

- Created and directed BOC Edwards' product and business strategy with the semiconductor OEMs via aligned product and technology roadmaps and establishing and achieving business objectives.
- Enabled >\$500m annual end user market by qualifying end user products with the OEMs.
- Negotiated multi year, global scope supply and services contracts. Value of >\$100 million annually.
- Managed and protected The BOC Group's IP position.
- Created a joint market development and communications program with largest OEM customer, creating multiple channels to market and enhancing our market position.
- Member of M&A team.
- Member of global semiconductor strategy development group.

Global Account Manager, Applied Materials.

1995 to 2000

Created Strategic Account global support team and best practices. Managed all aspects of our relationship with this strategic customer, direct sales ~\$100 million annually.

- Increased market share via targeted penetrations and product qualifications.
- Established multilateral relationships that resulted in opportunities in new business areas.
- Negotiated multi year, global scope supply and services contracts. Value of >\$100 million annually.
- Member of global semiconductor strategy development group.

International Service Business Manager. Sussex, UK.

1992 to 1994

Lead the Services strategy development and implementation, including marketing, business development, operations, and customer service contracts.

- Once implemented, the global services strategy transformed the company's services offering into a profitable, strategic differentiator. Service sales grew from \$50m to > \$100m annually.

Education

Cranfield School of Management.

Fellowship in Manufacturing Management

Postgraduate Diploma in management with an emphasis on operations & manufacturing.

University of Surrey B.Sc. Hon.s degree - Chemical Physics

Publications

Patent US 7500822 [B2 Combined vacuum pump load-lock assembly](#)



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: February 25, 2020

Subject: California Office of Emergency Services County Victim Grant Appropriation Adjustments

RECOMMENDATION(S):

APPROVE Appropriation and Revenue Adjustment No.005048 authorizing revenue and expenditure adjustments due to additional funding received from California Office of Emergency Services (Cal OES) County Victims (XC) grant for the amount \$205,862, in the Employment and Human Services Department.

FISCAL IMPACT:

This action will establish the revenue and expenditure budgets related to California Office of Emergency Services County Victim Program (Cal OES XC) in the Employment and Human Services Department as a result of a \$205,862 Revenue Agreement with Cal OES. Cal OES is 100% federally funded.

BACKGROUND:

In November 2019, Contra Costa County Employment and Human Services Department submitted an application to the California Office of Emergency Services for continuing the Cal OES County Victim program from January 1, 2020 through December 31, 2020. The grant subaward XC19020070 was awarded in the amount of \$411,724. This Appropriation Adjustment reflects 6 months of the program to be applied to FY19/20.

CONSEQUENCE OF NEGATIVE ACTION:

Appropriations will not be properly allocated.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF
SUPERVISORS**

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

ATTESTED: February 25, 2020

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

Contact:
925-608-4887

By: , Deputy

cc:

ATTACHMENTS

TC24/27_AP005048

CONTRA COSTA COUNTY
ESTIMATED REVENUE ADJUSTMENT/
ALLOCATION ADJUSTMENT
TC/24

AUDITOR-CONTROLLER USE ONLY:

FINAL APPROVAL NEEDED BY:

☒ BOARD OF SUPERVISORS

☒ COUNTY ADMINISTRATOR

☒ AUDITOR-CONTROLLER

2020 FEB -4 P 3:42

ACCOUNT CODING		DEPARTMENT: Depts. 0503, EHSD CAL OES GRANT		
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE	<DECREASE>
5317	9569	OTHER FEDERAL AID	205,862.00	
TOTALS			205,862.00	0.00

APPROVED

AUDITOR – CONTROLLER

By: [Signature] Date 2/5/20

COUNTY ADMINISTRATOR

By: _____ Date _____

BOARD OF SUPERVISORS

YES:

NO:

By: _____ Date _____

EXPLANATION OF REQUEST

To increase estimated revenue for federal grant funding for California Office of Emergency Services (Cal OES) XC Grant. Cal OES XC grant will reflect additional contracted Community Based Organizations. See AIR 40624.

A. Hermanson 2/4/2020

PREPARED BY: Alicja Hermanson
TITLE: EHSD, Departmental Fiscal Officer
DATE: 2/4/2020

REVENUE ADJ.
JOURNAL NO.

RAOO 5048

**CONTRA COSTA COUNTY
APPROPRIATION ADJUSTMENT/
ALLOCATION ADJUSTMENT
T/C-27**

AUDITOR-CONTROLLER USE ONLY:

FINAL APPROVAL NEEDED BY:

- ☒ BOARD OF SUPERVISORS
☒ COUNTY ADMINISTRATOR
☒ AUDITOR-CONTROLLER

2020 FEB -4 P 3:42

ACCOUNT CODING		DEPARTMENT: Dept 0503, EHSD - AAS - CAL OES XC		
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>	INCREASE
5317	1011	PERMANENT SALARIES		16,950.50
5317	1042	FICA		1,262.00
5317	1044	RETIREMENT EXPENSE		4,761.00
5317	1060	EMPLOYEE GROUP INSURANCE		1,588.00
5317	1063	UNEMPLOYMENT INSURANCE		9.00
5317	1070	WORK COMP		522.00
5317	1015	DEF COMP		38.00
5317	2340	OTHER INTRDPTMNTL CHARGES		32,967.00
5317	2310	NON CNTY PROF SPCLZD SVCS		147,764.50
			0.00	205,862.00

APPROVED

AUDITOR – CONTROLLER

By:  Date 2/5/20

COUNTY ADMINISTRATOR

By: _____ Date _____

BOARD OF SUPERVISORS

YES:

NO:

By: _____ Date _____

EXPLANATION OF REQUEST

To increase estimated expenses for federal grant California Office of Emergency Services (Cal OES) XC. Increase in expenses is due to revenue increase. See AIR 40624.

A. Hermanson 2/4/2020

PREPARED BY: Alicja Hermanson
 TITLE: EHSD, Departmental Fiscal Officer
 DATE: 2/4/2020

APPROPRIATION APOO 5048
 ADJ. JOURNAL NO.



**Contra
Costa
County**

To: Board of Supervisors
From: LEGISLATION COMMITTEE
Date: February 25, 2020

Subject: 2020 State Legislative Platform Amendment: Seeking Budget Appropriation for Contra Costa CARES

RECOMMENDATION(S):

ADOPT an amendment to the 2020 State Legislative Platform to authorize the advocacy of a FY 2020-21 state budget appropriation request for the Contra Costa CARES program, as recommended by the Legislation Committee (Supervisors Mitchoff and Burgis).

AUTHORIZE Board Members, the County's federal and state advocates, and the County Administrator, or designee, to prepare and present information, position papers, and testimony in support of the revised Adopted 2020 State Legislative Platform.

FISCAL IMPACT:

There is no additional fiscal impact anticipated to be incurred from the advocacy for the funding. The State Budget appropriation request, if successful, could bring additional resources to Contra Costa County.

BACKGROUND:

The 2020 State Legislative Platform was adopted by the Board of Supervisors at their January 14, 2020 meeting. (See the following link: <https://www.contracosta.ca.gov/2859/Legislation>.) The Platform contains the County's legislative engagement and advocacy program for the year. The adopted 2020 State Platform contains three County-sponsored bill proposals and one County-sponsored state budget appropriation request (related to state trust lands).

☒ APPROVE

☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR

☒ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: L. DeLaney,
925-335-1097

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

By: , Deputy

cc:

Subsequent to the Platform adoption by the Board of Supervisors, staff to the Legislation Committee was notified about a request to amend the adopted Platform to include an additional County-sponsored FY 2020-21 State Budget appropriation request for the funding of Contra Costa CARES. A State Budget appropriation would support the CARES program for all income-eligible adult undocumented immigrants for 3 years as a pilot project to demonstrate effectiveness and test implementation strategies in anticipation of expansion of coverage throughout California. Dr. William Walker, legislative consultant to Health Services Department, provided the Contra Costa CARES Funding Committee's Proposed Final Recommendations. (

BACKGROUND: (CONT'D)

Attachment A.)

At their February 10, 2020 meeting, the Legislation Committee received the report from Dr. Walker, took testimony, and directed staff to send this matter to the Board of Supervisors with a recommendation to support at their next available meeting.

An amendment to the adopted 2020 State Platform to add a second state budget appropriation request would require additional advocacy efforts from our contracted state advocates, Nielsen Merksamer Parrinello Gross & Leoni, LLP.

ATTACHMENTS

Attachment A

CONTRA COSTA CARES FUNDING COMMITTEE PROPOSED FINAL RECOMMENDATIONS

These recommendations were developed for and agreed to by the Funding Committee of CARES which includes Kaiser Permanente, John Muir Health, Sutter Health and Contra Costa Health Services. These recommendations were crafted to reflect a longer-term approach to continuing the CARES program. These recommendations are sequenced from the immediate short-term to a much longer-term timeline which eventually results in statewide coverage expansion for all undocumented adults. Each subsequent recommendation builds on the previous one, expanding coverage to more and more individuals as more stable and additional funding is potentially available for the CARES Program.

1. Continue hospital/health system and Contra Costa County funding for CARES through 2020 at current levels. Hospitals will take the recommendation for continued funding forward for governance approval at each of their organizations. The County will include funding for CARES as part of its annual budget process.
2. Make annual presentation to hospital/health systems executive leadership in coordination with the Hospital Council and to the Contra Costa County Board of Supervisors about the impact of the CARES program on the community and the safety net.

AND

3. Explore with Contra Costa state legislative delegation the possibility of a special appropriations in the California State Budget for FY 21 (July 1, 2020 – June 30, 2021) to support the CARES program for all income-eligible adult undocumented immigrants for 3 years as a pilot project to demonstrate effectiveness and test implementation strategies in anticipation of expansion of coverage throughout California.

AND

4. Engage community-wide efforts to design and pass local ballot measures to help fund health and social services which could potentially include fully funding the CARES program until state coverage is available.
5. Support efforts by the Administration and the Legislature to expand coverage to undocumented adults statewide.

CONTRA COSTA CARES

FUNDING COMMITTEE

FUNDING AND PATIENTS SERVED:

1. According to the best estimates, there are approximately 51,000 – 77,500 individuals in Contra Costa County ineligible for coverage due to immigration status as identified by two different reports: 2016 CalSIM Regional Remaining Uninsured Projections Report and 2017 Public Policy Institute of California. The UC Berkeley Labor Center indicates that a majority of undocumented and uninsured adults would qualify for a program like CARES. “Most Californians who are both undocumented and uninsured have incomes below the Medi-Cal threshold.”
2. Since its inception in November 2015, CARES has enrolled 8,020 individuals:
 - 208 patients are 19-25 years old;
 - 7,442 patients are 26-64 years old; and
 - 370 patients are over 65 years.
3. Currently, as of October 19, 2019, there are 3,669 individuals enrolled in CARES:
 - 103 patients are 19-25 years old;
 - 3,400 patients are 26-64 years old; and
 - 166 patients are over 65 years.
4. CARES participants are served by three community health centers: Brighter Beginnings, La Clinica de la Raza and LifeLong Medical Care. The community health centers provide a medical home for CARES participants. In addition to CARES, the participating community health centers serve additional uninsured and undocumented individuals not covered by CARES or any other public or private programs.

According to the OSHPD Annual Report of Community Clinics for 2018, the three community health center CARES providers reported the following numbers of total uninsured patients without insurance at their sites in Contra Costa County:

- Brighter Beginnings – 913 uninsured patients (total patients reported: 2,612)
 - La Clinica de la Raza – 2,848 uninsured patients (total patients reported: 20,021)
 - LifeLong Medical Care – 3,760 uninsured patients (total patients reported: 21,321).
5. Since its inception in November 2015, CARES has been funded by three hospital/health systems (John Muir Health, Kaiser Permanente and Sutter Health) and by Contra Costa County. To date, a total of \$4,499,880 has been contributed to support the program including a \$5,000 one-time contribution by Walgreens in 2017-2018. Currently each hospital/health system provides a \$250,000 contribution and Contra Costa County provides \$750,000 annually, matching the total contributions of the hospital/health systems.
 6. The hospital/health systems have donated a total of \$2,873,000 to date for CARES to support the community health centers and the safety net in Contra Costa County.
 7. Additionally, Kaiser Permanente and John Muir Health have provided a total of \$20,300 in 2017 through 2019 for an annual evaluation of the CARES program. Along with funding received from The California Wellness Foundation in 2018 and 2019, a total of \$44,282 has been spent in the last two years for the annual CARES evaluation.
 8. As of today, \$3,830,764.00 has been paid out to the community health centers for services to CARES participants since the initiation of the program.
 - Brighter Beginnings - \$356,020.00 from CARES
 - La Clinica de la Raza - \$1,824,900.00 from CARES
 - LifeLong Medical Care - \$1,649,844.00 from CARES
 9. \$669,116.00 in CARES funding remains to be distributed as of 10/31/2019
 - Brighter Beginnings - \$23,576.00
 - La Clinica de la Raza - \$177,016.00
 - LifeLong Medical Care - \$468,524.00
 10. 100% of all funds contributed by the health systems and by Contra Costa County go directly toward direct services to patients seen at the community health centers.

11. Community health centers are paid \$28.00/per member/per month or \$336.00/year for each patient enrolled in CARES – a fee that has remained constant since the inception of the program despite ever-increasing services costs. This fee is well below the average cost per visit that the community health centers receive from the Medi-Cal program.
12. Contra Costa Health Plan and the Contra Costa Community Clinic Consortium provide program and financial support to the CARES program at no cost to CARES or its funders.
13. At the same time, Contra Costa County has provided services to an additional 12,015 and 13, 712 unduplicated, uninsured patients in FY18 and FY19 respectively, for direct, outpatient medical services. Additional undocumented and uninsured patients are seen via telehealth services, complementary services and inpatient services.
14. Contra Costa County's cost for uncompensated care for the uninsured in FY 19 was \$56.6M and is provided through the following programs: Global Payment Program (GPP) of the 1115 waiver, sliding fee scale program, discount program, charity care program, and Policy 1030 (referral of community clinic patients in need of specialty services who are ineligible for Basic Health Services).

IMPACT OF CARES PROGRAM:

1. Enrollment in CARES has increased from approximately 2,500 patients in 2017 to more than 3,600 in 2019 despite pressures and fear generated by negative public charge and immigration discussions.
2. CARES provides medical homes for its participants and helps connect them to other needed health and social services in the community as well as other benefit programs that they might be eligible for.
3. Since the program's inception in November 2015, CARES participants have made 26,988 visits of which 1,525 CARES patients have had 6 or more visits; 64% of enrolled patients have had 1 or more visits.
4. Of the 26,988 visits made by CARES participants since its inception, an estimated 6,000 visits have been for chronic conditions - approximately 4,500 visits have been related to diabetes, 1,132 visits have been related to hypertension and 446 visits have been related to depression.
5. CARES impact analysis over the last 3 years has shown that only 9% of emergency room visits by CARES patients were avoidable compared to the industry standard of 13.7%.

6. CARES is an important partnership in Contra Costa County of all health and hospital systems which is not duplicated in any other county in California and directly supports the Contra Costa safety net and the community health centers in particular.
7. CARES program allows data sharing across all health and hospital systems through the administrative and financial functions provided by Contra Costa Health Plan (CCHP).
8. CARES is aligned with the Contra Costa County Board of Supervisors Welcoming Resolution.

WHAT COULD BE LOST IF CARES IS REDUCED OR ENDS:

1. Loss of access to coverage for primary care which could result in people waiting longer for necessary medical care, potentially resulting in preventable illnesses and higher costs.
2. Loss of medical homes for CARES participants.
3. Loss of CARES could result in an increase in emergency room visits.
4. Possible further loss of 'trust' in health institutions and exacerbation of fear of immigration and public charge.
5. Community health centers will lose up to \$1.5M annually – funding that goes directly to patient care for the uninsured and undocumented without any administrative or indirect costs charged directly to the program – if the CARES Program ends. A smaller loss would depend on how much CARES funding is reduced.

PUBLIC POLICY IMPACT AND FUTURE INITIATIVES:

1. Beginning in January 2020, 19-26 years old undocumented residents will be covered by Medi-Cal thereby reducing the number of individuals eligible for CARES. In 2019, that represented 103 CARES patients.
2. Previously, the State Legislature covered undocumented children (SB 75) in the Medi-Cal program. It is our understanding from the Acting Director of CDHCS that the Governor and Legislature will propose that the next population to be enrolled in Medi-Cal will be undocumented adults over 65 (currently represented by 166 patients enrolled in CARES).

3. We anticipate that the newly created California Health for All Californians Commission which will begin meeting in late January 2020 will consider as one of its first actions further coverage expansion to the remaining uninsured in California.
4. The Contra Costa County Board of Supervisors has formed an Ad Hoc Committee to explore the possibility of putting a measure on the November 2020 ballot that would increase the local sales tax for investment in health and social service programs. If such a measure were to pass, we anticipate that funding could be available to support the CARES program.
5. There is also a statewide initiative on the November 2020 ballot to change the way businesses are taxed under Prop. 13. If this initiative were to pass, then it is anticipated that counties will receive substantial new revenue which Contra Costa County could choose to use for the CARES program.
6. CCHS and CCRMC funding challenges have been raised due to the future status of the 1115 waiver, the Global Payment Program (GPP) and funding of CalAIM. Additionally, a recent CMS Draft Guidance on Fiscal Accountability calls into question the viability of Medi-Cal funding through the use of Intergovernmental Transfers, the MCO Tax and the Hospital Quality Tax Fund (HQAF). Currently CCHS estimates a budget shortfall for CCRMC and CCHP in the \$30M range for the coming fiscal year.
7. Other federal policy decisions could also create more vulnerabilities and have a negative impact on the program and its participants including proposals on public charge and an atmosphere of fear about immigration as well as funding restrictions on CalFresh.
8. It would be advised for Contra Costa Community Clinic Consortium to make annual presentations to the hospital/health systems executive leadership in collaboration with the Hospital Council and to the Contra Costa County Board of Supervisors about the impact of CARES on the community and on the safety net; and how CARES supports advances in public policy to expand coverage to the uninsured in Contra Costa County.



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: February 25, 2020

Subject: County Probation Officer-Exempt Position (Position Adjustment Resolution 25581)

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 25581 to add one County Probation Officer-Exempt (unrepresented) position in the Probation Department.

FISCAL IMPACT:

The fully loaded cost is approximately \$36,500 per month. The cost is budgeted within the Probation Department and is 100% general fund cost.

BACKGROUND:

The County Administrator has conducted a recruitment to replace the incumbent County Probation Officer, who is retiring. The County Probation Officer leads approximately 350 personnel with a budget of \$77 million, and is charged with implementing pragmatic administrative and policy initiatives according to the strategic plan. As the legal landscape of probation administration continues to change in California, the Chief Probation Officer will continue to play a major role in working with the District Attorney's Office, the Supervisor Court, and the County Board of Supervisors, and the various local law enforcement agencies in Contra Costa County to deliver new policies and procedures that serve the best interest of the public, particularly those on juvenile probation. This action provides for a short period of cross-training/mentoring as the newly chosen County Probation Officer establishes themselves with the leadership in Contra Costa County.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

Contact: Dianne Dinsmore, Human Resources Director (925) 335-1766

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

ATTESTED: February 25, 2020

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

By: , Deputy

cc: Dianne Dinsmore, Human Resources Director

CONSEQUENCE OF NEGATIVE ACTION:

There will be no opportunity for cross-training and mentoring for the new County Probation Officer.

ATTACHMENTS

P300 No. 25581 - County Probation Officer-Exempt

POSITION ADJUSTMENT REQUEST

NO. 25581
DATE 2/10/2020

Department Probation Department

Department No./

Budget Unit No. 0308 Org No. 3000 Agency No. 30

Action Requested: ADD one County Probation Officer-Exempt (7AA1) position in the Probation Department effective March 2, 2020.

Proposed Effective Date: 3/2/2020

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 _____

Net County Cost _____

Total this FY _____

N.C.C. this FY _____

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% General Fund

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

Lisa Driscoll, County Finance Director

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Lisa Driscoll, County Finance Director

2/10/2020

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 2/10/2020

ADD one County Probation Officer-Exempt (7AA1) position in the Probation Department effective March 2, 2020.

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

Effective: ☐ Day following Board Action.

☒ 3/2/2020(Date)

Dianne Dinsmore

2/19/2020

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

2/20/2020

☒ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: _____

Lisa Driscoll, County Finance Director

(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:



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 25, 2020

Subject: Add one Supervising Accountant position and cancel one vacant Accountant III position in the Public Works Department

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No.22572 to add one (1) Supervising Accountant (SAHJ) (represented) position at salary plan and grade ZA5 1703 (\$6,895 - \$8,381) and cancel one (1) vacant Accountant III (SATA) (represented) position number 13484 at salary plan and grade ZB5 1576 (\$6,080 - \$7,391) in the Public Works Department.

FISCAL IMPACT:

This action will result in an additional annual cost of \$16,162, which will be funded by Roads and Special Districts funds. Pension costs are estimated to be \$3,000 of the total annual cost impact.

BACKGROUND:

The Public Works Finance Division has one Supervising Accountant who is the subject matter expert for the Road Funds, Land Development, and Special District's accounting and is also responsible for project and fund accounting, tracking and reimbursement of all road-related funding from federal, state, and local sources, managing various audits, and preparing the

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Adrienne Todd, (925)
313-2108

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

By: , Deputy

cc: Kirsten Hardeman

BACKGROUND: (CONT'D)

annual road report. In addition to these responsibilities, the Supervising Accountant supervises seven (7) staff who perform the daily accounting functions related to these areas. The current Supervising Accountant incumbent will be retiring at the beginning of September 2020.

Since this position is specialized and has only been performed by one person, a certain level of expertise is required to succeed in this position and cross training with existing staff is not adequate, given the demands and workloads. Failure to ensure compliance with funding sources or to complete the annual report could jeopardize current and future road fund awards/allocations.

An employment list for the Supervising Accountant will be available in January 2020 and it is expected that the position be filled immediately. The requested addition of a full-time Supervising Accountant will allow an ample amount of time for cross training.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Public Works Department will not have an adequately trained incumbent or staff to meet the work demands.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

AIR 40649 P300 22572

POSITION ADJUSTMENT REQUEST

NO. 22572
DATE 12/23/2019

Department Public Works

Department No./
Budget Unit No. 0650 Org No. 4503 Agency No. 65

Action Requested: ADOPT Position Adjustment Resolution No. xxxxx to add one (1) full-time Supervising Accountant (SAHJ) (represented) position at salary plan and grade ZA5 1703 (\$6,895-8,381) and cancel one (1) vacant Accountant III (SATA) (represented) position number 13484 at salary plan and grade ZB5 1576 (\$6,080-\$7,391) in the Public Works Department.

Proposed Effective Date: _____

Classification Questionnaire attached: Yes ☐ No ☒ / Cost is within Department's budget: Yes ☒ No ☐

Total One-Time Costs (non-salary) associated with request: _____

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

Total annual cost 16162

Net County Cost 0

Total this FY 4040

N.C.C. this FY 0

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Roads and Special Districts Funds.

Department must initiate necessary adjustment and submit to CAO.

Use additional sheet for further explanations or comments.

Brian M. Balbas

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

L. Strobel

1/8/2020

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 2/3/2020

Add one (1) Supervising Accountant (SAHJ) (represented) position at salary plan and grade ZA5 1703 (\$6,895 - \$8,381) and cancel one (1) vacant Accountant III (SATA) (represented) position number 13484 at salary plan and grade ZB5 1576 (\$6,080 - \$7,391)

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

2/3/2020

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE _____

☐ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: _____

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED ☐ DISAPPROVED ☐

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

DATE _____

BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:

REQUEST FOR PROJECT POSITIONS

Department _____

Date 2/4/2020

No. _____

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

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

USE ADDITIONAL PAPER IF NECESSARY



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 25, 2020

Subject: Library Lease and Service Agreement with the City of Brentwood, and Revisions to the County's Standard Form Library Lease and Service Agreement

RECOMMENDATION(S):

AUTHORIZE the County Librarian, or designee, to execute a Library Lease and Service Agreement with the City of Brentwood for the operation of the Brentwood Library located at 104 Oak Street, Brentwood.

APPROVE changes to the form of the County's standard form Library Lease and Service Agreement.

FISCAL IMPACT:

No fiscal impact. The proposed changes to language in the Library Lease and Service Agreement relate to how the County and cities share responsibility for purchasing, maintaining and replacing equipment reflect current and historical practices. The proposed changes to the indemnification language of the Library Lease and Service Agreement are consistent with State law related to design immunity.

BACKGROUND:

The County took occupancy of the newly constructed Brentwood Library on September 17, 2018, shortly before the library opened to the public. The County has been providing library services at the library since it opened to the public on September 29, 2018. The lease for the Brentwood Library incorporates changes to the standard form library lease that was approved by the Board of Supervisors in 2010. Staff

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Stacey Sinclair, 925.
957-2464

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

recommends that these changes be incorporated into the County's standard form Library Lease and Service Agreement. The first set of changes is to language that describes each jurisdiction's responsibilities for purchasing, maintaining and replacing equipment used in library operations, primarily technology-related equipment. The second set of changes is to the indemnity provisions, which hold each entity responsible for its own actions.

Changes to Cost Sharing Related to Equipment

The cost sharing contemplated by the original terms of the Library Lease and Service Agreement, which required cities to pay for all technology-related equipment housed in the library, proved to be too burdensome for the cities and inconsistent with the manner in which the County acquires technology-related equipment for libraries.

In order to rectify the issues raised by requiring cities to pay for consumable technology (public/staff computers, scanners, printers, digital lobby signage, WiFi network, servers, etc.), the County Librarian recommends that the language be revised to reflect current practices. The recently negotiated library lease with the City of Brentwood reflects the proposed changes to the Library Lease and Service Agreement. Under the revised agreement, the County is responsible for the cost of replacing consumable technology throughout the County Library system.

Over the last 20 years, cities have invested significantly in replacing old and outdated library buildings with new and modern facilities, and have generally paid for the infrastructure for technology (CAT6 cabling, audiovisual in meeting rooms, security gates, self-check machines, WiFi Access Points and cabling, telephones and security cameras). As a result, cities are bearing more of the cost of library operations. By assuming responsibility for the cost of consumable technology throughout the County Library system, the County is ensuring that library users throughout the County enjoy equal access to digital media.

Changes to Indemnity Provisions

The original Library Lease and Service Agreement includes "mutual" indemnification language. This means the city and the County are each indemnifying the other for liabilities that arise as a result of the acts of the indemnifying party. The original language provides that the County's indemnification of the city does not apply to the extent the liability is caused or contributed to by the structural, mechanical or other failure of buildings owned or maintained by the city. The new language clarifies that the County's indemnification of the city also does not extend to the extent liability is caused by the design of city-owned buildings or the city-owned fixtures in those buildings.

This clarification is required because the Board of Supervisors has no oversight authority over the design of city-owned buildings or the design or installation of city-owned fixtures. As a result, the risk associated with design and fixture decisions properly rests with the city that has oversight authority. In the case of the Brentwood Library, the City elected to install, without the County's consent, a wooden archway over the entrance to the children's room, which has the potential to be viewed a climbing structure. However, the reality that the city is responsible for its design/fixture decisions is applicable Countywide.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to approve the Library Lease and Service Agreement with the City of Brentwood may reduce library services in the City of Brentwood. Failure to approve the proposed changes to the standard form library lease related to cost sharing will result in a continuing inconsistency between the terms of the agreement and actual practice. Failure to approve the proposed changes to the indemnification language could expose the County to liability that should properly be borne by the city.

ATTACHMENTS

Lease & Service Agreement

LIBRARY LEASE

and

SERVICE AGREEMENT

Between

COUNTY OF CONTRA COSTA

and

THE CITY OF BRENTWOOD

September 17, 2018

LIBRARY LEASE AND SERVICE AGREEMENT

BETWEEN

COUNTY OF CONTRA COSTA AND THE CITY OF BRENTWOOD

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EXHIBITS

Exhibit A	Legal Description of Property
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**LIBRARY LEASE
And
SERVICE AGREEMENT**

This lease and service agreement (“**Lease**”) is dated September 17, 2018 (the “**Effective Date**”), and is between the City of Brentwood, California, a municipal corporation (the “**City**”), and the County of Contra Costa, a political subdivision of the State of California (the “**County**”).

Recitals

- A. The City owns that certain property located at 104 Oak Street, Brentwood, California, as more particularly described in Exhibit A – Legal Description of Property (the “**Property**”).
- B. The Property has been improved with a building (the “**Building**”), a parking lot, and landscaping.
- C. The entire Building, with the exception of the area marked “Café” on the floor plan attached as Exhibit B –Floor Plan, is used to provide Library Services, as defined below, and is the “**Library**” or the “**Premises**.”
- D. The City and County are parties to a lease dated October 24, 2016, under which the County leased from the City a portion of the building located at 35 Oak Street, Brentwood, California, as the temporary site of the Brentwood library while the Building was under construction (the “**Temporary Lease**”). The Temporary Lease terminated on September 28, 2018. The County took occupancy of the Building on the Effective Date.
- E. The City and the County agree that the presence of a public library in a community enhances the quality of life in that community. The City and the County therefore desire to work cooperatively to permit the County to operate the Library as a public library. Toward this end, the City desires to lease the Library to the County and the County desires to lease the Library from the City on the terms set forth herein.

The parties therefore agree as follows:

AGREEMENT

1. **DEFINITIONS.** The following terms have the following meanings:

“**Actual Hours**” means the number of hours of Library Services that the County will provide each week in a Fiscal year at the Library and is the sum of Base Hours and Extra Hours.

“**Base Hours**” means the number of hours of Library Services that the County will provide each week in a Fiscal Year to all County-operated libraries. The County is responsible for the cost of providing Library Services during Base Hours.

“Community Library Manager” means the person designated as the on-site manager by the Librarian.

“Components” means computers, charging stations (e.g., laptop kiosks), mobile devices, printers, scanners, monitors, keyboards, and related equipment and software used in the Library by the public and staff.

“Data Communication Equipment” means routers, switches, servers, uninterrupted power supply (UPS) and wireless access points.

“Data Communication Services” means broadband and wireless access.

“Extra Hours” means the number of hours of Library Services that the City elects to obtain from the County each week at the Library that are in excess of Base Hours. The City is responsible for the cost of Extra Hours.

“Fiscal Year” means a twelve-month period beginning July 1.

“Lease Supplement” means a supplement to this Lease in substantially the form of Exhibit C – Form of Lease Supplement.

“Librarian” means the person designated by the County as the County Librarian.

“Library Services” includes lending books and other media to the public, offering programs to the public, and providing collection management and technical services in the course of operating a library. Except as otherwise provided herein, Library Services does not include maintenance of the Building.

“Meeting Rooms” are rooms in the Library that are used for meetings and/or events. The location of Meeting Rooms is shown on Exhibit B. Meeting Rooms may be used for library and other City business; and may be reserved by community groups in accordance with City guidelines.

“Specialized Equipment” means equipment that supports library operations that is not otherwise defined in this Lease, including, but not limited to, book security gates, self-check machines, remote lockers, self-service library access system (e.g., Open+) and any automated material handling equipment used at the Library.

2. **EFFECTIVENESS**. This Lease supersedes and replaces the Temporary Lease.

3. **LEASE OF LIBRARY**. The City hereby leases to the County and the County hereby leases from the City, the Library.

4. **CONSIDERATION**. In exchange for the use of the Library, the County shall perform Library Services and related activities at the Library during the Term of this Lease. No rent is due or payable from the County to the City during the Term of this Lease.

5. **TERM.** The “**Initial Term**” of this Lease begins on the Effective Date and ends June 30, 2019.

A. **Automatic Renewal.** The Lease will automatically renew on a yearly basis unless written notice is given by either party of their intent to terminate the Lease at least one year in advance in accordance with Section 5.B., Termination, below. Each annual renewal period is a “**Renewal Term.**” Each Renewal Term will automatically commence on the day following the last day of the prior Term. Upon commencement of a Renewal Term, the “Term” of this Lease will be deemed to mean the Initial Term and each Renewal Term.

B. **Termination.** Either party may terminate this Lease at any time by giving the other party written notice at least one year prior to the proposed termination date. In the event of termination, the County shall leave the Premises and all City Materials, as defined in Section 11.B below, in good working order, and shall remove only County Materials, as defined in Section 11.A below.

6. **USE.**

A. **County’s Use of Library.** The County may use the Library for the purpose of providing Library Services for the public and related activities.

B. **City’s Use of Library.** The City may use the Library (including Meeting Rooms) during and outside the Library’s normal operating hours, so long as such use does not interfere directly with normal community library functions. The City is entirely responsible for any use of the Library that it schedules and shall hold harmless and indemnify the County, its officers, agents and employees for such use as provided for in Section 13, Indemnification. The City shall establish use guidelines for the use of Meeting Rooms, schedule use of the Meeting Rooms, and collect and retain any fees.

Any use of the Library scheduled by the City is subject to the City’s guidelines and the City’s rules and regulations. The City may not close the Library during its normal operating hours without the prior written consent of the Librarian.

C. **County’s Use of Meeting Rooms.** City and County Library staff will work cooperatively to schedule use of the Meeting Rooms. Library programs are to be given priority use of Meeting Rooms during library hours of operation, provided that a Library program may not displace a previously scheduled use of a Meeting Room. At no time will the County be charged for use of Meeting Rooms for Library programs.

D. **County’s Use of Parking Lot.** City may designate Library Staff parking areas. Alternately, Library staff may park within designated library parking areas subject to the same provisions or restrictions that apply to the general public.

7. **MAINTENANCE AND REPAIRS.** The City shall provide the maintenance and repairs described below in order to keep and maintain the Building in good order, condition, and repair. Maintenance and repairs are to be carried out in a manner that is at least consistent with the caliber of maintenance and repairs applied by the City to other City facilities, or as mutually agreed by the City and the County. City responsibilities for maintenance and repair include:

A. Exterior. All exterior building maintenance including but not limited to the roof, landscaping, hardscape, grounds, pest control, lighting and parking.

B. Interior. All interior building maintenance including but not limited to mechanical and electrical systems, including gas, electrical, water, plumbing, elevators, voice and data communication systems infrastructure, heating, ventilating, air-conditioning (HVAC) systems, pest control, and all interior lighting systems, including the replacement of all fixtures and bulbs.

C. Fixtures and Furnishings. Maintenance and replacement of Building fixtures and furnishings including shelving, lighting, furniture, carpeting, window treatments, and appliances.

D. Custodial Services. City shall notify the Community Library Manager prior to selecting a contractor to provide custodial services. Alternately, City may provide such service using City staff.

8. **CAPITAL IMPROVEMENTS**. If the City and County agree that capital improvements to the Building or the Property are necessary (such improvements, "**Capital Improvements**"), then (i) the City shall provide the Capital Improvements at its sole cost and expense, and (ii) the City shall coordinate the schedule associated with the construction of all Capital Improvements with the Librarian.

9. **ALTERATIONS; FIXTURES; SIGNS**. The County may make any lawful and proper minor alterations to the Library and may attach fixtures and signs in or upon the Property with the City's prior written approval. The County is responsible for the cost of such alterations and attachments. All alterations and attachments must comply with existing code requirements.

10. **OPERATIONS; HOURS; COSTS**.

A. Initial Period. For the Initial Term (i) the number of Base Hours the County will provide, (ii) the number of Extra Hours the City elects to obtain from the County, (iii) the resulting number of Actual Hours, and (iii) the cost to the City of the Extra Hours (such cost, the "**City's Obligation**") are set forth in Lease Supplement No. 1, which supplement is substantially in the form of Exhibit C.

B. Annual Modifications. For each Renewal Term, the Librarian will provide a Lease Supplement to the City in substantially the form of Exhibit C by March 31 of each year. The Lease Supplement will set forth (i) the number of Base Hours the County will provide in the upcoming Fiscal Year, (ii) the number of Extra Hours of Library Services the County anticipates that the City will elect to obtain from the County at the Library in the upcoming Fiscal Year (in the absence of more current information from the City, the County will assume the number of Extra Hours in the upcoming Fiscal Year will be equal to the number of Extra Hours then in effect), (iii) the resulting number of Actual Hours during which Library Services will be conducted at the Library in the upcoming Fiscal Year, and (iv) the cost of the City's Obligation.

C. City Election: Extra Hours. Within 60 days of receiving the Lease Supplement, the City shall notify the Librarian in writing if it intends to modify the number of Extra Hours at the Library in the upcoming Fiscal Year. Such modification may be based on fiscal or other considerations identified by the City.

1. Change in Extra Hours from Prior Fiscal Year. If the County receives a notice modifying the number of Extra Hours desired in the upcoming Fiscal Year within the time allotted, the parties shall use good faith efforts to finalize a revised Lease Supplement for the upcoming Fiscal Year before the July 1 start of that Fiscal Year. If the City fails to make a final determination regarding the number of Extra Hours before the start of the upcoming Fiscal Year, the Lease Supplement issued by the Librarian for the upcoming Fiscal Year will be effective until the City makes its final determination and a revised Lease Supplement for that Fiscal Year is executed. The final, revised, Lease Supplement will be effective upon its execution by the County and the City.

2. No Change in Extra Hours from Prior Fiscal Year. If the County does not receive a notice modifying the number of Extra Hours desired in the upcoming Fiscal Year within the time allotted, the County and the City shall each execute the original Lease Supplement issued by the Librarian for the upcoming Fiscal Year, which Lease Supplement will become effective on July 1 of the Fiscal Year to which it applies.

D. Invoices; Payment. The County will invoice the City quarterly for the cost of Extra Hours incurred in the prior quarter. The City shall pay the County the amount due to the County within thirty (30) days of receipt of the invoice. In no event is the City obligated to pay an amount greater than the amount identified as the City's Obligation in the Lease Supplement in effect for that Fiscal Year.

11. **OPERATIONS: COST OF UTILITIES.** The City shall pay for all utilities provided to the Premises, including gas, electricity, voice communication services, water, sewer, fire alarm, intrusion alarm, garbage, and recycling.

12. **OPERATIONS: TECHNOLOGY AND EQUIPMENT; COSTS.** The County and the City shall share responsibility for providing and maintaining technological equipment and services as follows:

A. Components. The County shall provide technology support at the Library, including determining the quantity, type, configuration, and location of all Components used in the Library. The County shall acquire Components for use in the Library and maintain them in good working order. The County is responsible for the cost of obtaining and maintaining Components in the Library.

B. Voice Communication System. The City, at its expense, shall acquire and provide voice communication equipment and on-going voice services to the Library.

C. Data Communication System. The County shall acquire and configure the Data Communication Equipment and select Data Communication Services for the Library to create the Library's data communication system. The City is responsible for the actual cost of obtaining and maintaining the Data Communication Equipment. To ensure the City is able to properly budget for the cost of the Data Communication Equipment, prior to placing an order for Data Communication Equipment, (i) the County will provide a written estimate of the cost of the Data Communication Equipment to the City, and (ii) must receive the City's written consent to the acquisition. At the parties' discretion, such writings may be in the form of emails. The City acknowledges that it is responsible for the actual cost of the Data Communication Equipment, even if it varies from the estimate through no fault of the County's.

1. Connection. The County will connect the Library's data communication system to the County Library wireless network. It is expressly understood and agreed that such wireless network is for the exclusive use of the County in providing Library Services. The City shall provide CAT5 or better Ethernet cabling throughout the Library and replace or upgrade as needed.

2. Monthly Cost. The County is responsible for the cost of the monthly usage fee for Data Communication Services.

D. Miscellaneous Equipment.

1. Fixtures. The County shall acquire any Specialized Equipment used in the Library. The City is responsible for the actual cost of obtaining and maintaining any Specialized Equipment. To ensure the City is able to properly budget for the cost of any Specialized Equipment, prior to placing an order for Specialized Equipment, (i) the County will provide a written estimate of the cost of the Specialized Equipment to the City, and (ii) must receive the City's written consent to the acquisition. At the parties' discretion, such writings may be in the form of emails. The City acknowledges that it is responsible for the actual cost of the Specialized Equipment, even if it varies from the estimate through no fault of the County's.

2. Copiers. The County shall provide, at its sole cost and expense, one or more copy machines for use by library staff at the Library. The County may provide, at its sole cost and expense, one or more copy machines for use by the public at the Library. The County shall also obtain, at its sole cost and expense, a maintenance contract for each such copy machine. Any revenue collected for the use of copy machines will be retained by the County.

3. Audio Visual Equipment. Should the City elect to procure any audio-visual equipment for use, either by the City or County, at the Library, the City shall provide such equipment, at its sole cost and expense. The City shall also maintain, at its sole cost and expense, any audio-visual equipment it procures. All such audio-visual equipment will be City Materials, as defined in Section 13(B) of this Lease.

E. Obsolescence Avoidance. The City and County are both responsible and shall work together in good faith to ensure that all equipment and technology services at the Library, including the voice communication system, the data communication System, Data Communication Services, and Specialized Equipment, and excluding copiers and Components, are adequate for the Library's needs and that costs that are the responsibility of the City are within the City's fiscal parameters and approved by the City in advance.

13. **OWNERSHIP OF CONTENTS.**

A. County. All books, furnishings, fixtures, equipment, and materials purchased by the County, or foundations or private or public fundraising efforts on behalf of the County, are owned by the County. Together, these books, materials, furnishings, fixtures, and equipment are the "**County Materials.**"

B. City. All books, furnishings, fixtures, equipment and materials purchased by the City, or foundations or private or public fundraising efforts on behalf of the City, are owned by the City. Together, these books, materials, furnishings, fixtures, and equipment are the “**City Materials.**” City Materials will be identified in the County’s Integrated Library System.

C. Replacement of FF&E. From time to time, City and County will jointly determine if City-owned furnishings, fixtures and equipment need repair or replacement, or, if applicable, a schedule for replacing City-owned furnishings, fixtures and equipment. The City shall carry out, and bear the cost of, such repair or replacement as soon as is practically and fiscally possible.

D. Public Art. The City is responsible for the selection, cost, maintenance, installation, and removal of, and any liability for, all interior and exterior public art displayed at the Library.

14. INSURANCE

A. Liability Insurance

1. County. Throughout the Term, the County shall maintain in full force and effect, at its sole expense, either (i) comprehensive general liability insurance in commercially reasonable amounts, but in no event in an amount less than \$3,000,000 per occurrence, protecting and insuring against claims for bodily injury, death, property damage, and personal injury occurring within or resulting from use of the Property, or (ii) a general self-insurance program covering bodily injury, death, property damage, and personal injury occurring within or resulting from use of the Property. Any policy of insurance obtained by the County must (i) name the City, its officers, agents, and employees, as additional insureds, (ii) be endorsed to provide that the insurance is primary to and non-contributory to insurance carried by the City with respect to liability imposed on the County under this agreement, and (iii) contain a severability of interest clause.

2. City. Throughout the Term, the City shall maintain in full force and effect, at its sole expense, either (i) comprehensive general liability insurance in commercially reasonable amounts, but in no event in an amount less than \$3,000,000 per occurrence, protecting and insuring against claims for bodily injury, death, property damage, and personal injury occurring within or resulting from use of the Property, or (ii) a general self-insurance program covering bodily injury, death, property damage, and personal injury occurring within or resulting from use of the Property. Any policy of insurance obtained by the City must (i) name the County, its officers, agents, and employees, as additional insureds thereunder, (ii) be endorsed to provide that the insurance is primary to and non-contributory to insurance carried by the County with respect to liability imposed on the City under this agreement, and (iii) contain a severability of interest clause.

B. Property Insurance.

1. County. Throughout the Term, the County shall maintain in full force and effect, at its sole expense, fire insurance and a standard “all risk” policy covering the County-owned property within the Library, and any other personal property owned by the County located at the Property. Such coverage must (i) contain a waiver of subrogation endorsement in favor of the City, and (ii) cover loss or

damage to the County-owned property in the amount of the full replacement value. Covered perils are to include fire, all risk, vandalism, malicious mischief, and sprinkler leakage.

2. City. Throughout the Term, the City shall maintain in full force and effect, at its sole expense, fire insurance and a standard "all risk" policy covering all structures and improvements at the Property and any personal property owned by the City located at the Property. Such coverage must contain a waiver of subrogation endorsement in favor of the County. Covered perils are to include fire, all risk, vandalism, malicious mischief and sprinkler leakage.

C. Workers Compensation and Employers Liability. Both parties shall maintain in full force and effect Workers Compensation Insurance or self-insurance, and Employers Liability Insurance or self-insurance with limits that conform to legal requirements.

15. **INDEMNIFICATION**

A. By County. County shall indemnify, defend and hold the City harmless from the County's share of any and all claims, costs and liability for any damage, injury or death of or to any person or the property of any person, including attorneys' fees, caused by the willful misconduct or the negligent acts, errors, or omissions of the County, its officers, agents or employees in using the Property pursuant to this Lease, except to the extent caused or contributed to by (i) the structural, mechanical, or other failure of buildings owned or maintained by the City, (ii) the design of the Library, (iii) City-owned fixtures in the Library, and/or (iv) the negligent acts, errors, or omissions of the City, its officers, agents or employees.

B. By City. The City shall indemnify, defend and hold the County harmless from City's share of any and all claims, costs and liability for any damage, injury or death of or to any person or the property of any person, including attorneys' fees, caused by the willful misconduct or the negligent acts, errors or omissions of the City, its officers, agents or employees with respect to the Property, or the City's performance under this Lease, the City's use of the Property, the structural, mechanical or other failure of buildings owned or maintained by the City, the design of the Library, or City-owned fixtures in the Library, except to the extent caused or contributed to by the negligent acts, errors, or omissions of the County, its officers, agents, or employees. The City is responsible for all claims that result from the design of the Library and from City-owned fixtures in the Library, except for any claims resulting from a change in the design of the Library that is requested by the County and approved by the Board of Supervisors after the date of this Lease.

16. **HAZARDOUS MATERIAL**. The City warrants to the County that the City does not have any knowledge of the presence of Hazardous Material (as defined below) or contamination of the Building or Property in violation of environmental laws. The City shall defend, save, protect and hold the County harmless from any loss arising out of the presence of any Hazardous Material on the Property that was not brought to the Property by or at the request of the County, its agents, contractors, invitees or employees. The City acknowledges and agrees that the County has no obligation to clean up or remediate, or contribute to the cost of clean-up or remediation, of any Hazardous Material unless such Hazardous Material is released, discharged or spilled on or about the Property by the County or by any of County's agents, employees, contractors, invitees or other representatives. The obligations of this Section shall survive the expiration or earlier termination of this Lease.

“Hazardous Material” means any substance, material or waste, including lead based paint, asbestos and petroleum (including crude oil or any fraction thereof), that is or becomes designated as a hazardous substance, hazardous waste, hazardous material, toxic substance, or toxic material under any federal, state or local law, regulation, or ordinance.

17. **DEFAULT.** The occurrence of any of the following events is a default (“**Default**”) under this Lease:

A. By County. If the County fails to operate the Library as a public library and such failure continues for thirty (30) days after receipt of a written notice of failure from the City to the Librarian with a copy to the County Administrator; provided, however, that the County will have additional time, up to an additional one hundred twenty (120) days, if its failure is due to circumstances beyond its reasonable control, including, without limitation, failure of the County’s Board of Supervisors to adopt a budget, work stoppages, and acts of God.

B. By City. The City’s failure to perform any of its obligations under this Lease if such failure is not remedied within thirty (30) days after receipt of a written notice of failure from the County to the City specifying the nature of the breach in reasonably sufficient detail; provided, however, if such breach cannot reasonably be remedied within such thirty (30) day period, then a Default will not be deemed to occur until the occurrence of the City’s failure to perform within the period of time that may be reasonably required to remedy the breach, up to an aggregate of one hundred twenty (120) days, provided the City commences curing such breach within thirty (30) days after receipt of the notice of the breach and thereafter diligently proceeds to cure such breach.

18. **REMEDIES**

A. By County. Upon the occurrence of a Default by the City, the County may (i) terminate this Lease and quit the Premises, or (ii) suspend operation of Library Services until the default is cured.

B. By City. Upon the occurrence of a Default by the County, the City may, after giving the County written notice of the Default, and in accordance with due process of law, reenter and repossess the Premises and remove all persons and property from the Premises.

19. **MISCELLANEOUS.**

A. Use of Volunteers. Volunteers are vital and welcome in enhancing the level of service offered in providing Library Services. The City’s Volunteer Coordinator shall work with the County’s library volunteer coordinator to recruit and schedule volunteers to assist with community library operation. Volunteers will be utilized to perform services as mutually agreed upon by the County and the City.

B. Assignment and Sublease. The County does not have the right to assign this Lease or sublease the Premises or any part thereof at any time during the Term.

C. Quiet Enjoyment. Provided the County is following the material terms of this Lease, the City shall warrant and defend the County in its quiet enjoyment and possession of the Premises during the Term.

D. Waste. The County shall not commit, or suffer to be committed, any waste upon the Premises.

E. Surrender of Premises. On the last day of the Term, or earlier termination of this Lease, the County shall peaceably and quietly leave and surrender the Library to the City, in good condition, ordinary wear and tear, and damage by casualty, condemnation, acts of God, and the City's failure to make repairs required of the City excepted. Upon termination of this Lease, the County shall remove the County Materials from the Premises within one hundred eighty (180) days, unless otherwise agreed to in writing by the City.

F. Holding Over. Any holding over after the Term of this Lease is a tenancy from month to month and is subject to the terms of this Lease.

G. Notices. Any notice required or permitted under this Lease must be in writing and sent by facsimile with written transmission confirmation, overnight delivery service or registered or certified mail, postage prepaid and directed as follows:

To City: City Manager
 150 City Park Way,
 Brentwood, CA 94513
 Phone: (925) 516-5440
 Facsimile: (925) 516-5441

To County: County Librarian
 Contra Costa County
 777 Arnold Drive, Suite 210,
 Martinez, CA 94553
 Phone: (925) 608-7700
 Facsimile: (925) 608-7761

With a copy to: Real Estate Manager
 Contra Costa County
 Public Works Department
 255 Glacier Drive
 Martinez, CA 94553
 Phone: (925) 313-2000
 Facsimile: (925) 646-0288

Either party may at any time designate in writing a substitute address for that set forth above, and thereafter notices are to be directed to such substituted address. If sent in accordance with this Section, all written notices will be deemed effective (i) upon confirmed facsimile transmission, (ii) the next

business day, if sent by overnight courier, and (iii) three days after being deposited in the United States Postal system.

H. Time is of the Essence. Time is of the essence in fulfilling all terms and conditions of this Lease.

I. Governing Law. The laws of the State of California govern all matters arising out of this Lease.

J. Severability. In the event that any provision herein contained is held to be invalid or unenforceable in any respect, the validity and enforceability of the remaining provisions of this Lease will not in any way be affected or impaired.

[Remainder of Page Intentionally Left Blank]

K. Entire Agreement; Construction; Modification. Neither party has relied on any promise or representation not contained in this Lease. All previous conversations, negotiations, and understandings are of no further force or effect.

This Lease is not to be construed as if it has been prepared by one of the parties, but rather as if both parties have prepared it. This Lease may be modified only by a writing signed by both parties.

The parties are executing this Lease on the date set forth in the introductory paragraph.

COUNTY

COUNTY OF CONTRA COSTA, a
political subdivision of the State of
California

By:

Melinda S. Cervantes
County Librarian

CITY

CITY OF BRENTWOOD, a
municipal corporation of the State of
California

By:



Terrence Grindall
Interim City Manager


RECOMMENDED FOR APPROVAL:

By

Brian M. Balbas
Public Works Director

APPROVED AS TO FORM:

By:



Damien Brower
City Attorney

By

Jessica Dillingham
Principal Real Property Agent

APPROVED AS TO FORM:

SHARON L. ANDERSON, COUNTY COUNSEL

By:

Kathleen M. Andrus
Deputy County Counsel

EXHIBIT A

Legal Description of Property

PARCEL THREE:

Portion of Lots 28, 29, 30, 31 and 32 in Block "L", as designated on the Map entitled "Map of Brentwood, Contra Costa County, California", which Map was filed in the Office of the Recorder of the County of Contra Costa, State of California, on September 1, 1981 in Volume A of Maps, at Page 11, described as follows:

Beginning at the intersection of the southeast line of Oak Street with the southwest line of Third Street, as said Streets are designated on said Map (A Maps 11); thence from said point of beginning, South $54^{\circ} 23'$ West, along said Oak Street, 50.25 feet; thence South $35^{\circ} 37'$ East, 81 feet; thence North $54^{\circ} 23'$ East, 4 inches; thence South $35^{\circ} 37'$ East, 44 feet to the southeast line of said Lot 28; thence North $54^{\circ} 23'$ East, along said southeast line 49.719 feet, more or less, to the southwest line of said Third Street; thence North $35^{\circ} 37'$ West, along said Third Street, 125 feet to the point of beginning.

A.P.No. 013-120-017

PARCEL TWO:

Portion of Lots 28, 29, 30, 31 and 32 in Block "L", as designated on the Map entitled "Map of Brentwood, Contra Costa County, California", which Map was filed in the Office of the Recorder of the County of Contra Costa, State of California, on September 1, 1981 in Volume A of Maps, at Page 11, described as follows:

Beginning on the southeast line of Oak Street, distant thereon South $54^{\circ} 23'$ West, 50.25 feet from the southwest line of Third Street, as said Streets are designated on said Map (A Maps 11); thence from said point of beginning, South $35^{\circ} 37'$ East, 81 feet; thence North $54^{\circ} 23'$ East, 4 inches, thence South $35^{\circ} 37'$ East, 44 feet to the southeast line of said Lot 28; thence South $54^{\circ} 23'$ West, along said southeast line, 100.083 feet, more or less, to the most southerly corner of said Lot 28; thence North $35^{\circ} 37'$ West, along the southwest line of said Lots 28, 29, 30, 31 and 32, 125 feet to the southeast line of said Oak Street; thence North $54^{\circ} 23'$ East, along said Oak Street, 89.75 feet to the point of beginning.

A.P.No. 013-120-018





EXHIBIT C

Form of Lease Supplement

LEASE SUPPLEMENT No. []

This Lease Supplement No. [] is dated _____ and supplements the Lease dated _____ (the "Lease") between the City of _____, a municipal corporation of the State of California (the "City"), and the County of Contra Costa, a political subdivision of the State of California (the "County").

Unless otherwise defined herein, capitalized terms have the meanings given to such terms in the Lease.

1. The number of Base Hours to be provided by the County in the Fiscal Year beginning July 1, 20__, is ____.
2. The number of Extra Hours to be provided in the Fiscal Year beginning July 1, 20__ is ____.
3. The number of Actual Hours to be provided in the Fiscal Year beginning July 1, 20__ is ____.
4. The City's Obligation for the Fiscal Year beginning July 1, 20__ is \$_____.
5. This Lease Supplement No. [] is effective in accordance with the terms of the Lease.

COUNTY

COUNTY OF CONTRA COSTA, a
political subdivision of the State of
California

By: _____
Melinda S. Cervantes
County Librarian

CITY

CITY OF Brentwood, a
municipal corporation of the State of
California

By: _____
Name
City Manager



**Contra
Costa
County**

To: Board of Supervisors

From: Anna Roth, Health Services Director

Date: February 25, 2020

Subject: Submission of Grant Application #28-911 to the State of California, Business, Consumer Services and Housing Agency for the HHAP Program

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to submit an application on behalf of the County to the State of California, Business, Consumer Services and Housing Agency (BCSH) for the Homeless Housing, Assistance, and Prevention (HHAP) Program, to pay the County an amount not to exceed \$5,208,141, for the Health, Housing and Homeless Services Division to provide supportive housing services for homeless individuals and families in Contra Costa County for the period from April 1, 2020 through June 30, 2025.

FISCAL IMPACT:

Submission of this application could result in an amount not to exceed \$5,208,141 in funding from State of California, BCSH. (No County match is required)

BACKGROUND:

On July 31, 2019, Governor Newsom signed into law the HHAP program (Assembly Bill 101, Chapter 159, Statutes of 2019). The HHAP program is a block grant program designed to provide jurisdictions with one-time grant funds to support regional coordination and expand or develop local capacity to address their immediate homelessness challenges informed by a best-practices framework focused on moving homeless

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Lavonna Martin,
925-608-6701

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

By: , Deputy

cc: L Walker, M Wilhelm

BACKGROUND: (CONT'D)

individuals and families into permanent housing and supporting the efforts of those individuals and families to maintain their permanent housing.

Approval to submit this application will allow County to receive funds to provide housing support to homeless individuals and families in Contra Costa County through June 30, 2025.

CONSEQUENCE OF NEGATIVE ACTION:

If this application is not approved, the County will not receive HHAP funding to support homeless individuals and families.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 25, 2020

Subject: Amendment #74-535-4 with R.E.A.C.H. Project

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #74-535-4 with R.E.A.C.H. Project, a non-profit corporation, effective January 1, 2020, to amend Contract #74-535-3 to increase the payment limit by \$115,000, from \$135,000 to a new payment limit of \$250,000, with no change in the term of July 1, 2019 through June 30, 2020.

FISCAL IMPACT:

This Contract is funded 100% by CalWORKs Alcohol and Other Drugs Services (No Rate increase)

BACKGROUND:

In August 2019, the County Administrator approved and the Purchasing Manager executed Contract #74-535-3 with R.E.A.C.H. Project, to provide drug abuse prevention and treatment services to Medi-Cal eligible County residents, for the period from July 1, 2019 through June 30, 2020.

Approval of Contract Amendment Agreement #74-535-4 will allow the Contractor to continue to provide additional drug abuse prevention and treatment services, through June 30, 2020.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Suzanne Tavano,
925-957-5212

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

By: , Deputy

cc: E Suisala , M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, County patients will not receive additional drug abuse prevention and treatment services from Contractor's facility.

CHILDREN'S IMPACT STATEMENT:

This prevention and treatment program supports the following Board of Supervisors' community outcomes: "Children Ready For and Succeeding in School"; "Families that are Safe, Stable, and Nurturing"; and "Communities that are Safe and Provide a High Quality of Life for Children and Families". Expected program outcomes include addicted youth being provided an opportunity to prevent or recover from the effects of alcohol or other drug use, become self-sufficient, and return to their families as productive individuals.



Contra Costa County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 25, 2020

Subject: Contract #27-791-8 with Cotiviti, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #27-791-8 with Cotiviti, Inc., doing business in California as Cotiviti I, Inc., a corporation, in an amount not to exceed \$236,631, to provide a license to use healthcare encounter data software and consultation services for Contra Costa Health Plan, for the period November 1, 2019 through October 31, 2020.

FISCAL IMPACT:

This Contract is funded 100% by Contra Costa Health Plan Enterprise Fund II. (Rate increase)

BACKGROUND:

On November 6, 2018, the Board of Supervisors approved Contract #27-791-7 with Verscend Technologies, Inc., for the provision of consultation and technical assistance with regard to data analysis services for Healthcare Effectiveness Data and Information Set (HEDIS) projects and annual reports for the period from November 1, 2018 through October 31, 2019.

However, the Contractor then informed the County that it changed its name in August 2018. Therefore, on April 6, 2019 Consent #C.58 was approved by the Board of Supervisors to clarify the name of the Contractor to read, Cotiviti, Inc., doing business in California as Cotiviti I, Inc..

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Sharon Mackey,
925-313-6104

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

By: , Deputy

cc: F Carroll, M Wilhelm

BACKGROUND: (CONT'D)

Approval of Contract #27-791-8 will allow the Contractor to provide software and consultation services, and to license software to County, through October 31, 2020.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, Contractor will not provide services, and the Contra Costa Health Plan will not be able to meet its contractual and State requirements.

ATTACHMENTS



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 25, 2020

Subject: APPROVE and AUTHORIZE Advertisement for Construction Bids for Annual Job Order Contracts, Countywide.

RECOMMENDATION(S):

- (1) APPROVE the design and bid documents, including the plans and specifications for typical work, contract, General Conditions, Technical Specifications, and the Construction Task Catalog for Job Order Contracts (JOC) 012, 013, 014, 015 & 016.
- (2) AUTHORIZE the Public Works Director, or designee, to solicit bids to be received on or about March 26, 2020 and issue bid addenda, as needed, for clarifications of the bid documents, provided the involved changes do not significantly increase the construction cost estimate.
- (3) DIRECT the Clerk of the Board to publish, at least 14 calendar days before the bid opening date, the Notice to Contractors in accordance with Public Contract Code Section 22037, inviting bids for this project.
- (4) DIRECT the Public Works Director, or designee, to send notices by email or fax and by U.S. Mail to the construction trade journals specified in Public Contract Code Section 22036 at least 15 calendar days before the bid opening.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Ramesh Kanzaria
925-957-2480

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

By: , Deputy

cc:

FISCAL IMPACT:

JOC work orders will only be issued when there is an approved project and funding. The contract value can range from a minimum of \$25,000 to a maximum of \$5 million. The maximum contract value of \$5 million per annual JOC contract is a maximum limit based on Public Contract Code Section 20128.5 (not actual appropriated dollars), and it is possible that the limit may not be reached. Having this limit allows for efficiency and flexibility in accomplishing work up to the maximum statutory limit.

BACKGROUND:

To be efficient in delivering projects, the County has employed a variety of project delivery methods. One such method is Public Contract Code (PCC) Section 20128.5 which authorizes counties to award one or more individual annual contracts for repair, remodeling, or other repetitive work to be done according to unit prices. Once an annual contract is awarded, individual projects are then done through written job orders performed by the job order contractor at the unit prices bid for the annual contract. Such Job Order Contracting (JOC) is a project delivery tool that has been proven to reduce costs, save time, and increase productivity.

The County had executed a Consulting Services Agreement with The Mellon Group, Inc. dba The Mellon Group ("Gordian") to provide JOC Program development and implementation services for various County projects. As part of the Agreement, Gordian also develops and maintains a JOC catalog, also known as a unit price book that contained individual construction tasks for all aspects of the repair, remodeling, and other repetitive work including general conditions, driveways, parking lots, and other construction-related components. The Board of Supervisors amended the Consulting Services Agreement with Gordian on April 27, 2017 to extend the termination date to July 28, 2020, to continue to support the JOC program.

Since 2015, the Contra Costa Board of Supervisors have approved the use of annual JOC contracts for maintenance, repair, and remodeling projects. On November 10, 2015, the Board of Supervisors awarded three contracts in the amount of \$2,000,000 each to Sea Pac Engineering (JOC 001), John F. Otto (JOC 002), and Mark Scott Construction (JOC 003). The Board also approved Change Order No. 1 to increase the contract amount of each of these 3 JOC's by \$2,500,000 to a new contract amount of \$4,500,000 each. All these JOC contracts have expired.

On February 14, 2017, the Board of Supervisors authorized the Public Works Director to solicit bids for job order contracts. On April 18, 2017, job order construction contracts were awarded to the four lowest responsive bidders in the amount of \$2,500,000 each to Federal Solutions Group (JOC 004), Aztec Consultants (JOC 005), Mark Scott Construction (JOC 006), and Anderson Group (JOC 007). The Board approved Change Order No. 1 to increase the contract amount of Aztec Consultants and Mark Scott by \$2,000,000 to a new contract amount of \$4,500,000 each. All these JOC contracts have expired.

On September 11, 2018, the Board of Supervisors authorized the Public Works Director to solicit bids for job order contracts. On November 13, 2018, the Board of Supervisors awarded the job order construction contracts to the three lowest bidders in the amount of \$2,500,000 each to Mark Scott (JOC 008), Staples Construction (JOC 009), and Aztec Consultants (JOC 010). The Board approved Change Order No. 1 to increase the contract amount by \$2,400,000 to each of these 3 current JOC's. Mark Scott's contract is expiring on May 8, 2020, Staples Construction's contract is expiring on March 24, 2020 and Aztec Consultant's contract is expiring on April 22, 2020.

With current JOC's expiring over the next couple of months, we need Board approval to start solicitation of bids for new Job Order Contracts 012, 013, 014, 015 & 016.

California Environmental Quality Act (CEQA) requirements will be determined and addressed on a

project-by-project basis as projects occur. If annual JOC contracts are ultimately awarded under this solicitation, each will be a term of 12 months. The County reserves the right to award one or more of Job Order Contracts 012, 013, 014, 015 & 016. The County is not required to award all five contracts and is not required to award any contract if the bid pricing is unfavorable.

CONSEQUENCE OF NEGATIVE ACTION:

The JOC program has been a valuable construction project delivery tool for projects. If JOC bid solicitation is not approved and authorized, the County will not have the resources to complete deferred maintenance projects in the Facilities Lifecycle Improvement Program (FLIP) and other County construction projects involving repair, remodeling, and other repetitive work.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 25, 2020

Subject: Contract #76-567-3 with Robert Schick, D.C.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #76-567-3 with Robert Schick, D.C., an individual, in an amount not to exceed \$314,800 to provide chiropractic services at Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers, for the period January 1, 2020 through December 31, 2022.

FISCAL IMPACT:

This Contract is funded 100% by Hospital Enterprise Fund I. (Rate increase)

BACKGROUND:

In November 2018, the County Administrator approved and the Purchasing Services Manager executed Contract #76-567-2 with Robert Schick, D.C., to provide chiropractic services at CCRMC and Contra Costa Health Centers, for the period January 1, 2019 through December 31, 2019.

Approval of Contract #76-567-3 will allow Contractor to continue to provide chiropractic services at CCRMC and Contra Costa Health Centers through December 31, 2022.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Samir Shah, M.D.,
925-370-5525

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

By: , Deputy

cc: K Cyr, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring chiropractic services at CCRMC and Contra Costa Health Centers will not have access to Contractor's services.



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 25, 2020

Subject: Construction Contract for Bisso Data Center Improvements Project at 2380 Bisso Lane, Concord (WH527B)

RECOMMENDATION(S):

APPROVE the Design, Plans and Specification for the above project.

DETERMINE that the bid submitted by Aztec Consultants, complied with the requirements of the County's Outreach Program for this project, as provided in the project specifications, and FURTHER DETERMINE that Aztec Consultants, submitted the best responsive and responsible bid for this project.

AWARD the construction contract for the above project to Aztec Consultants in the amount of \$983,900 and DIRECT that the Public Works Director, or designee, prepare the contract.

DIRECT that Aztec Construction, shall submit two good and sufficient security bonds (performance and payment bonds) in the amount of \$983,900 each.

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

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Ramesh Kanzaria
925-957-2480

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

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

ORDER that, in accordance with the project specifications and upon signature of the contract by the Public Works Director, or designee, any bid bonds posted by the bidders are exonerated and any checks or cash submitted for bid security shall be returned.

AUTHORIZE the Public Works Director, or designee, to sign any escrow agreements prepared for this project to permit the direct payment of retention into escrow or the substitution of securities for moneys withheld by the County to ensure performance under the contract, pursuant to Public Contract Code Section 2230.

AUTHORIZE the Public Works Director, or designee, to order changes or additions to the work pursuant to Public Contract Code Section 20142.

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

FISCAL IMPACT:

100% Hospital Enterprise Fund

BACKGROUND:

The project consists of improvements to an existing data center facility. The data center is currently non-operational. Scope of this project is primarily electrical upgrades and specialized cooling for new data center equipment. It will include, but not be limited to, installation and anchoring of 25 owner furnished cabinet assemblies (88.5"x30"x48"), procurement and installation of two (2) redundant, parallel uninterrupted power supplies (150kbs/480V), power distribution units, busways and supporting infrastructure including conduit, conductors and associated structural supports and bracing. Demolition and modification of existing electrical equipment and circuits will be required. In addition, scope will include procurement and installation of row based, air-cooled, precision cooling systems.

The construction cost estimate was \$850,000 and the general prevailing wage rates will be the minimum rates paid on this project. Bids were received and opened by the Public Works Department on January 30, 2020, and the bid results are as follows:

<u>BIDDER</u>	<u>BASE BID</u>
Aztec Consultants	\$983,900
Contra Costa Electric	\$1,242,395
Tri-Technic Inc.	\$1,319,875

The Public Works Director recommends that the Board award the construction contract for this project to Aztec Consultants, the lowest responsible and responsive bidder, in the amount of \$983,900.

CONSEQUENCE OF NEGATIVE ACTION:

If the Project is not approved, the new data center electrical/HVAC improvement work will not be completed and Health Services will not be able to utilize the leased data center facility at 2380 Bisso Lane in Concord for the 12 years remaining on the lease.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 25, 2020

Subject: Clarification of Board Order Item C.36 with Kirsten Schick, D.C.

RECOMMENDATION(S):

APPROVE clarification of Board action on November 19, 2019 (C.36) which authorized the Health Services Director to execute Contract #76-566-3 with Kirsten Schick, D.C., an individual, to correct the payment limit from an amount not to exceed \$403,200 to reflect the intent of the parties in which the payment limit should reflect an amount not to exceed \$472,050.

FISCAL IMPACT:

This Contract is funded 100% by Hospital Enterprise Fund I (Rate increase)

BACKGROUND:

On November 19, 2019, the Board of Supervisors approved Contract #76-566-3 with Kirsten Schick, D.C., to provide chiropractic services at Contra Costa Regional Medical Center for the period January 1, 2020 through December 31, 2022.

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 \$472,050 instead of \$403,200.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Samir Shah, M.D.,
925-370-5525

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

By: , Deputy

cc: K Cyr, M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this correction is not approved, Contractor's payment limit will not be corrected.



**Contra
Costa
County**

To: Board of Supervisors
From: Deborah R. Cooper, Acting Clerk-Recorder
Date: February 25, 2020

Subject: Voting System Contract Amendment #2

RECOMMENDATION(S):

APPROVE and AUTHORIZE the County Clerk-Recorder, or designee, to execute contract amendment #2 with Dominion Voting Systems, Inc., to increase the payment limit by \$404,973 to a new payment limit of \$5,361,700 for two additional HiPro InterScan scanners for processing ballots, with no change in the contract term of March 1, 2018 through December 31, 2023.

FISCAL IMPACT:

The cost of the additional HiPro InterScan scanners is \$348,700 and is budgeted and appropriated for FY 2018-19. The increase in licensing and maintenance of the adjusted equipment is \$56,272.12. The overall cost of the amendment is \$404,972.12, bringing the not to exceed value of the contract to \$5,361,699.12. The cost will be paid from elections capital replacement funds within the County General Fund, dedicated to this purpose. A portion of the cost will be able to be reimbursed by the State and returned to the Elections Capital Replacement Fund.

BACKGROUND:

On March 1, 2018 the County and Dominion Voting Systems, Inc., entered into a Voting System and Services Agreement to replace the County's previous election system. In October 2018, the County amended the contract to exchange certain voting system components and purchase ballot scanners and

☒ APPROVE
 ☐ OTHER
☒ RECOMMENDATION OF CNTY ADMINISTRATOR
 ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Scott O. Konopsek,
925-335-7808

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

remote voter software. Given the increase in voters who receive their ballots by mail, additional high-speed scanners are needed to process the volume of ballots anticipated in the 2020 elections.

CONSEQUENCE OF NEGATIVE ACTION:

Should the Board elect not to approve the contract amendment, the County would not be able to scan ballots and report election returns in as timely manner as expected by voters, media, and candidates. The County would incur additional overtime costs to meet statutory reporting deadlines.



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: February 25, 2020

Subject: Amend Contract with CoCoKids, Inc. for the Emergency Child Care Bridge Program

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with CocoKids, Inc., a non-profit public benefit corporation of California, effective March 1, 2020 to increase the payment limit by \$491,942 to a new payment limit of \$1,399,220 to provide additional Emergency Child Care Bridge program for Foster Children services, with no change to term July 1, 2019 through June 30, 2020.

FISCAL IMPACT:

This will increase department expenditures by \$491,942 for a total department expenditure of \$1,399,220, funded by 83% by State Capped Allocation funds and 17% Federal Title IV-E funding.

BACKGROUND:

The lack of access to childcare for potential eligible families seeking to take in a foster child is one of the top barriers to placing young foster children with families. The passage of Senate Bill (SB) 89, established the Emergency Child Care Bridge Program for Foster Children (Bridge Program). The contract provided Bridge Program services during Fiscal 2018-2019 and this contract represents a renewal contract for Fiscal 2019-2020. The contractor provides Bridge Program services that include six-month payment

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF
SUPERVISORS**

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ATTESTED: February 25, 2020

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

Contact: Gina
Chenoweth

By: , Deputy

cc:

BACKGROUND: (CONT'D)

(or voucher) for childcare, as well as assistance from childcare navigator for eligible relative caregivers, eligible families or parenting youth in foster care. The contractor also provides trauma-informed care training and coaching to childcare providers who care for children in foster care.

The purpose of this program is to increase the number of foster children successfully placed in home-based family care, increase capacity of childcare programs to meet the needs of foster children in their care, and maximize funding to support the childcare needs of eligible families.

A contract amendment, increasing this contract by \$232,980 to a new payment limit of \$907,278, was approved by the Board of Supervisors at its October 8, 2019 meeting (c.68). This contract amendment will increase the payment limit due to the County receiving additional funds from the State for rollover dollars not spent in 2018-2019. The rollover allocation was issued on December 3, 2019 reference CFL 19-20-52.

CONSEQUENCE OF NEGATIVE ACTION:

Availability of ideal placement of foster children with eligible families may be limited.

CHILDREN'S IMPACT STATEMENT:

This contract supports all five of the community outcomes established in the Children's Report Card: 1) "Children Ready for and Succeeding in School"; 2) "Children and Youth Healthy and Preparing for Productive Adulthood"; 3) "Families that are Economically Self Sufficient"; 4) "Families that are Safe, Stable and Nurturing"; and 5) "Communities that are Safe and Provide a High Quality of Life for Children and Families" by providing safe housing and support to assist youth in foster care.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 25, 2020

Subject: Contract #77-268 with Choice In Aging

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute, on behalf of the County Contract #77-268 with Choice In Aging, a non-profit corporation, in an amount not to exceed \$2,000,000, to provide Community Based Adult Services (CBAS) services to Contra Costa Health Plan (CCHP) Medi-Cal Members for the period February 1, 2020 through January 31, 2021.

FISCAL IMPACT:

This Contract is funded 100% by CCHP Enterprise Fund II.

BACKGROUND:

Under Contract #77-268, Contractor will provide CBAS services to CCHP Medi-Cal Members for the period February 1, 2020 through January 31, 2021.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialty health care services for CCHP Medi-Cal Members will not be provided.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: February 25, 2020

Contact: Sharron Mackey,
925-313-6104

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

By: , Deputy

cc: K Cyr, M Wilhelm



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 25, 2020

Subject: Contract #77-123-1 with Behavioral Health Works, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #77-123-1 with Behavioral Health Works, Inc., a corporation, in an amount not to exceed \$550,000, to provide applied behavioral analysis (ABA) services to Contra Costa Health Plan (CCHP) Members, for the period March 1, 2020 through February 28, 2022

FISCAL IMPACT:

This Contract is funded 100% by CCHP Enterprise Fund II. (No Rate increase)

BACKGROUND:

On March 27, 2018, the Board of Supervisors approved Contract #77-123 with Behavioral Health Works, Inc., for the provision of ABA services for CCHP Members for the period March 1, 2018 through February 29, 2020.

Approval of Contract #77-123-1 will allow the Contractor to continue to provide ABA services to CCHP Members through February 28, 2022.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialty health care services for CCHP members will not be provided.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: February 25, 2020

Contact: Sharron Mackey,
925-313-6104

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

By: , Deputy

cc: K Cyr, M Wilhelm



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 25, 2020

Subject: AUTHORIZE Purchase Orders with AT&T and Presidio Networked Solutions Group, LLC with Key Government Finance, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Chief Information Officer, Department of Information Technology, purchase orders with AT&T and Presidio Networked Solutions Group, LLC., and a third-party lease agreement with Key Government Finance, Inc., in an amount not to exceed \$1,233,362, for the purchase of Cisco computer equipment, switches, software, and support for a five year term from the delivery of shipments, Countywide.

FISCAL IMPACT:

The cost of \$1,233,362 is charged back to user departments through the Department of Information Technology's billing process.

BACKGROUND:

The Department of Information Technology is purchasing Cisco computer equipment, Smartnet Solution Support, Endpoint Base and Subscription Licenses for the maintenance of the County's AT&T phone system, and radio systems. Key Government Finance, Inc. is a financing partner of Cisco Systems, Inc. The interest rate for this financing schedule is no to exceed 2.0%. The amount needed to cover the principal and interest has been budgeted for the fiscal year 2019/2020.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to maintain these critical systems may result in reduced capacity, system failure, and interrupted business and emergency operations.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Des Gebre (925)
957-2492

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: February 25, 2020

Subject: APPROVE purchase order amendment with Lehr Auto Electric, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Public Works Director, an amendment to the purchase order with Lehr Auto Electric, Inc., to extend the term from January 31, 2020, through January 31, 2021, with no change to the payment limit, Countywide. (100% Internal Service Fund)

FISCAL IMPACT:

This change order does not make any funding modifications.

BACKGROUND:

Public Works Fleet Services purchases lights, consoles, electrical switching,

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Ted Lavelle (925)
313-7077

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

electronics, wiring, and other parts to outfit County vehicles. Originally bid on Bidsync #1711-266, Lehr Auto Electric, Inc. was awarded a purchase order with an initial two year term beginning February 1, 2018 and three possible one year extensions. This request is to execute one of the extensions.

CONSEQUENCE OF NEGATIVE ACTION:

If this change order is not approved, the purchase of parts to outfit County vehicles from Lehr Auto Electric, Inc. will discontinue.



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 25, 2020

Subject: AUTHORIZE Purchase Orders with AT&T and Presidio Networked Solutions Group, LLC., and a third-party lease agreement with Key Government Finance, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Chief Information Officer, Department of Information Technology, purchase orders with AT&T and Presidio Networked Solutions Group, LLC., and a third-party lease agreement with Key Government Finance, Inc., in an amount not to exceed \$399,806, for the purchase of Cisco computer equipment, routers, software, and support for a three year term from the delivery of shipments, Countywide.

FISCAL IMPACT:

The cost of \$399,806 is charged back to user departments through the Department of Information Technology's billing process.

BACKGROUND:

The Department of Information Technology is purchasing Cisco computer equipment, Smartnet Solution Support, Endpoint Base, and Subscription Licenses for the maintenance of the County's AT&T phone system, and radio systems. Key Government Finance, Inc. is a financing partner of Cisco Systems, Inc. The interest rate for this financing schedule is no to exceed 2.0%. The amount needed to cover the principal and interest has been budgeted for the fiscal year 2019/2020.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to maintain these critical systems may result in reduced capacity, system failure, and interrupted business and emergency operations.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Des Gebre (925)
957-2492

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

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: David O. Livingston, Sheriff-Coroner
Date: February 25, 2020

Subject: Purchase Order - Surtec, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Sheriff-Coroner, a purchase order with Surtec Inc., in the amount of \$422,500 to supply the County's detention facilities with custodial supplies/specialty products and janitorial equipment repair for the period March 1, 2020 through February 28, 2021.

FISCAL IMPACT:

\$422,500. 100% General Fund; Budgeted.

BACKGROUND:

Surtec Inc., supplies the solutions for the 40 specialized disinfectant dispensers which are installed in all 3 detention facilities. These are dispensers with locks, specifically for the jail environment to keep the inmates from having physical contact with the chemicals. This vendor carries the majority of the cleaning solutions used in facilities that keeps the County detention facilities in compliance with the strict requirements of the Board of Corrections' annual facility inspections and of the State's regulations.

CONSEQUENCE OF NEGATIVE ACTION:

The Sheriff's Office may be unable to acquire needed janitorial products to service the county adult detention facilities.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Alycia Rubio,
925-335-1529

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

By: , Deputy

cc: Paul Reyes, Heike Anderson, Alycia Rubio



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 25, 2020

Subject: Contract #72-118-1 with TRC Solutions, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #72-118-1 including changes to the County's Standard Indemnification clause with TRC Solutions, Inc., a corporation, in an amount not to exceed \$54,300, to conduct an assessment of potentially hazardous waste at the Keller Canyon Landfill, for the period from February 1, 2020 through January 31, 2021.

FISCAL IMPACT:

This Contract is funded 100% by Keller Canyon Mitigation Funds.

BACKGROUND:

The purpose of this contract is to investigate the potential presence of radioactive and hazardous landfill waste at the Keller Canyon Landfill, reported to originate from the Hunters Point Shipyard, and assess community concerns. Contractor's services will include but are not limited to: (1) meet with Environmental Health Division (EHD) staff to present findings from the final Forensic Audit Technical Memorandum; (2) provide the Final Community Participation Plan; (3) facilitate a public meeting to present the draft Work Plan and obtain community input before producing the final Work Plan; (4) meet with EHD to define

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Jocelyn Stortz,
925-608-5540

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

By: , Deputy

cc: L Walker, M Wilhelm

BACKGROUND: (CONT'D)

and align the community input and revisions to the Work Plan; and (5) provide suggestions on the next steps.

On September 25, 2018, the Board of Supervisors approved Contract #72-118 with TRC Solutions, Inc. to conduct an assessment of potentially hazardous waste in the Keller Canyon Landfill, for the period October 1, 2018 through September 30, 2019.

Approval of Contract #72-188-1, will allow the Contractor to continue to conduct an assessment of potentially hazardous waste in the Keller Canyon Landfill, through January 31, 2021. This contract contains modifications to the County Standard Indemnification Clause.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, potential hazardous materials at the Keller Canyon Landfill might not be addressed and remediated.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 25, 2020

Subject: Contract #26-563-13 with Total Renal Care, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #26-563-13 with Total Renal Care, Inc., a corporation, in an amount not to exceed \$1,074,500, to provide blood treatment services including dialysis therapies for inmates at the Martinez Adult Detention Facility, for the period from January 27, 2020 through June 26, 2023.

FISCAL IMPACT:

This contract is funded 100% Hospital Enterprise Fund I. (Rate increase)

BACKGROUND:

Historically, blood services have been very complicated to obtain for inmates at the County's Martinez Adult Detention Facility, compromising the health of seriously ill inmates. This contract will allow inmates to receive blood services at the Martinez Detention Facility at a cost approximately 60% less than transporting inmates to outside vendors. This Contractor has been providing services to the County since 2006.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Jaspreet Benepal,
925-370-5101

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

By: , Deputy

cc: L Walker, M Wilhelm

BACKGROUND: (CONT'D)

>On January 23, 2018, the Board of Supervisors approved Contract #26-563-10 (as amended by Amendment Agreement #26-563-11) with Total Renal Care, Inc., to provide blood services including, dialysis therapies for inmates at the Martinez Detention Facility for the period from January 27, 2018 through January 26, 2020.

Approval of Contract #26-563-13 will allow the Contractor to continue providing blood services, through June 26, 2023.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, County inmates will not receive blood treatment services at Martinez Detention Center from this Contractor.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 25, 2020

Subject: Purchase Order with Becton Dickinson and Company

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a Purchase Order with Becton Dickinson and Company (BD), in an amount not to exceed \$271,872 for the purchase of reagents for the BD Totalys SlidePrep products and clinic laboratory supplies for the Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers, for the period from April 1, 2020 through March 31, 2025.

FISCAL IMPACT:

100% funding is included in the Hospital Enterprise Fund I budget.

BACKGROUND:

This Purchase Order is for reagents, cytology products and other clinic laboratory supplies that are used to diagnose or screen for cancer. These products are specific for the BD Totalys SlidePrep and can only be purchased through Becton Dickinson.

CONSEQUENCE OF NEGATIVE ACTION:

If this Purchase Order is not approved, then the Pathology Unit at CCRMC will not be able to test for cancer.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Jaspreet Benepal,
925-370-5101

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

By: , Deputy

cc: Jasmine Campos, Marcy Wilhelm



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 25, 2020

Subject: Contract #27-777-5 with Nazak Mozaffarieh, O.D.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #27-777-5 with Nazak Mozaffarieh, O.D., dba Eyes & Smiles Optometry, a sole proprietor, in an amount not to exceed \$250,000, to provide optometry services to Contra Costa Health Plan (CCHP) members, for the period from April 1, 2020 through March 31, 2022.

FISCAL IMPACT:

This Contract is funded 100% by CCHP Enterprise Fund II. (Rate increase)

BACKGROUND:

On February 6, 2018, the Board of Supervisors approved Contract #27-777-4, with Nazak Mozaffarieh, O.D., for the period from April 1, 2018 through March 31, 2020, for the provision of optometry services to CCHP members.

Approval of Contract #27-777-5 will allow the Contractor to continue to provide additional optometry services through March 31, 2022.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialized health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Sharron Mackey,
925-313-6104

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

By: , Deputy

cc: Kimberley Mullen, Marcy Wilhelm



Contra Costa County

To: Board of Supervisors
 From: Anna Roth, Health Services Director
 Date: February 25, 2020

Subject: Amendment #77-264-1 with Amara Hospice, LLC (dba Bridge Hospice Bay Area)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #77-264-1 with Amara Hospice, LLC (dba Bridge Hospice Bay Area), a limited liability company, effective March 1, 2020, to amend Contract #77-264 to increase the payment limit by \$400,000, from \$800,000 to a new payment limit of \$1,200,000 to provide additional hospice services for Contra Costa Health Plan (CCHP) members with no change in the original term of January 1, 2020 through December 31, 2020.

FISCAL IMPACT:

This Contract is funded 100% by CCHP Enterprise Fund II.

BACKGROUND:

On September 24, 2019, the Board of Supervisors approved #77-264 with Amara Hospice, LLC (dba Bridge Hospice Bay Area) to provide hospice services to CCHP members for the period from January 1, 2020 through December 31, 2020.

Approval of Amendment Agreement #77-264-1, will allow the Contractor to provide additional hospice services to CCHP members, through December 31, 2020.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Sharron Mackey,
 925-313-6104

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

By: , Deputy

cc: Kimberley Mullen, Marcy Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, CCHP members will not receive the benefits of hospice services from the Contractor.



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 25, 2020

Subject: Amendment #25-071-8 with Public Health Foundation Enterprises, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment/Extension Agreement #25-071-8 with Public Health Foundation Enterprises, Inc., a non-profit corporation, effective January 1, 2020, to amend Contract #25-071-7, to increase the payment limit by \$9,613,553, from \$5,804,385 to a new payment limit of \$15,417,938, and to extend the termination date from June 30, 2020 to June 30, 2021, to provide additional coordinated entry, outreach, shelter, transitional and permanent supportive housing for homeless youth and adults in Contra Costa County.

FISCAL IMPACT:

This Amendment is funded by 28% Federal funds, 54% State Funds, 15% Local Grants including Contra Costa Employment and Human Services Department, Housing Authority of Contra Costa County, and 3% County General Fund.

BACKGROUND:

On July 23, 2019, the Board of Supervisors approved Contract #25-071-7 with Public Health Foundation Enterprises, Inc. for the provision of shelter, transitional and permanent supportive housing program for homeless youth and adults in Contra Costa County, for the period from July 1, 2019 through June 30, 2020.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Lavonna Martin,
925-608-6701

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

By: , Deputy

cc: E Suisala , M Wilhelm

BACKGROUND: (CONT'D)

Approval of Contract Amendment/Extension Agreement #25-071-8 will allow the Contractor to provide additional emergency shelter and respite services to homeless youth and adult clients through June 30, 2021.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, County's homeless clients will experience longer wait times for shelter and respite services.

ATTACHMENTS



Contra
Costa
County

To: Board of Supervisors
From: Diane Burgis, District III Supervisor
Date: February 25, 2020

Subject: 2019 ANNUAL REPORT FOR THE BETHEL ISLAND MUNICIPAL ADVISORY COUNCIL

RECOMMENDATION(S):

ACCEPT the 2019 Annual Report for the Bethel Island Municipal Advisory Council, as recommended by Supervisor Diane Burgis.

FISCAL IMPACT:

None.

BACKGROUND:

On June 18, 2002, the Board of Supervisors adopted Resolution No. 2002/377, which requires that each regular and ongoing board, commission, or committee shall annually report to the Board of Supervisors on its activities, accomplishments, membership attendance, required training/certifications (if any), and proposed work plan or objectives for the following year, on the second Tuesday of December.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Lea Castleberry
925-252-4500

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

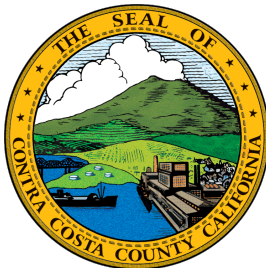
By: , Deputy

cc:

ATTACHMENTS

2019 Annual Report for Bethel Island
MAC

Bethel Island Municipal Advisory Council



Mark Whitlock, Chair

Supervisor Diane Burgis,
District III

Lea Castleberry, Deputy Chief of Staff
3361 Walnut Blvd., Ste 140
Brentwood, CA 94513
(925) 252-4500
Lea.Castleberry@bos.cccounty.us

*The Bethel Island Municipal Advisory Council serves as an advisory body to the
Contra Costa County Board of Supervisors and the County Planning Agency.*

2019 Annual Report to the Board of Supervisors

Prepared by:
Office of Supervisor Diane Burgis, Lea Castleberry

Submitted by:
Mark Whitlock, Chairperson

Activities and Accomplishments

The primary goals of the Bethel Island MAC in 2019 were to increase community awareness and participation at the monthly MAC meetings and to represent the community's interests, concerns and voice for the Board of Supervisors.

The MAC received informative presentations and provided thoughtful feedback on matters that impact Bethel Island and look forward to receiving additional updates in 2019:

- Jan: Delta Coves Development Update
- Feb: Bethel Island Road Lane Configuration by Public Works
- Apr: Stops Sign at Bethel Island Road and Sandy Lane by Public Works
- Nov: Emergency Preparedness by the Office of Emergency Services

The MAC's activities and efforts have resulted in improvements and changes in 2019:

- A successful Community Clean-Up Day was held September 14, 2019. Mount Diablo Resource Recovery donated dumpster bins and staff time for the event and Bethel Island Municipal Improvement District provided the location and staff resources to make the event run smoothly. The community cleanup was free of charge to all rate paying Bethel Island residents.
- Hosted the 2019 Bethel Island Health and Safety Fair
- Continuing to work on projects for the community with the PG&E Mitigation Funds.

Bethel Island MAC
2019 Annual Report and 2020 Work Plan

- Funded and Established with PG&E Mitigation Funds, a “Bethel Island Welcome Sign”.
- Continuing to work on the installation of the “Dry Hydrant” program.
- Continuing to promote and expand the Heart Safe Communities program.
- Continuing to work with the Sheriff’s Department, East Contra Costa Fire Protection District and California Highway Patrol on safety concerns within the Bethel Island community.
- Participating in the quarterly East County Community Disaster Committee.

The MAC receives monthly reports from the following agencies:

- California Highway Patrol – Officer Donnie Thomas
- Contra Costa Sheriff’s Department – Tony Fontenot, Crime Prevention Specialist
- East Contra Costa Fire Protection District – Battalion Chief, Ross Macumber
- Office of Supervisor Diane Burgis – Lea Castleberry, Deputy Chief of Staff

The MAC has become a place where Bethel Island residents can receive updated information on services provided by Contra Costa County and/or other local agencies such as public health, safety, welfare, public works and planning.

2019 Membership

Chair, Mark Whitlock
Vice Chair, Phil Kammerer
Councilmember, Pam Allen
Councilmember, Belinda Bittner
Councilmember, Rob Brunham

Attendance in 2019

January – No Absences
February – No Absences
March – No Absences
April – No Absences
May – No Absences
June – Councilmember Bittner Absent
July – No Absences
August – No absences
September – Councilmember Allen Absent
October – Meeting Cancelled
November – No Absences
December – Meeting Cancelled

MAC Work Plan and Objectives for 2020

The Bethel Island MAC priorities for 2020 will continue to provide the community with the opportunity to communicate with the various County Departments.

We will work to schedule pertinent and informative speak presentations at the monthly meetings.

We will continue to work on items including:

1. Reflective Address Signs
2. Code Enforcement Priorities
3. Dry Hydrants
4. Outreach to the local mobile home parks
5. Heart Safe Communities Program
6. Transportation Outreach
7. Public Safety Outreach

The Bethel Island MAC is scheduled to meet on the 2nd Tuesday of the month at 6:00p.m. at the Bethel Island Municipal Improvement District Office located at 3085 Stone Road.



Contra
Costa
County

To: Board of Supervisors
From: Diane Burgis, District III Supervisor
Date: February 25, 2020

Subject: 2019 ANNUAL REPORT FOR THE BYRON MUNICIPAL ADVISORY COUNCIL

RECOMMENDATION(S):

ACCEPT the 2019 Annual Report for the Byron Municipal Advisory Council, as recommended by Supervisor Diane Burgis.

FISCAL IMPACT:

None.

BACKGROUND:

On June 18, 2002, the Board of Supervisors adopted Resolution No. 2002/377, which requires that each regular and ongoing board, commission, or committee shall annually report to the Board of Supervisors on its activities, accomplishments, membership attendance, required training/certification (if any), and proposed work plan or objectives for the following year, on the second Tuesday of December.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Lea Castleberry
925-252-4500

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

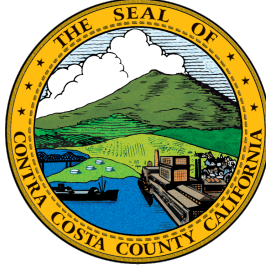
By: , Deputy

cc:

ATTACHMENTS

2019 Annual Report for Byron
MAC

Byron Municipal Advisory Council



Linda Thuman, Chair

Supervisor Diane Burgis,
District III

Lea Castleberry, Deputy Chief of Staff
3361 Walnut Blvd., Ste 140
Brentwood, CA 94513
(925) 252-4500
Lea.Castleberry@bos.cccounty.us

*The Byron Municipal Advisory Council serves as an advisory body to the
Contra Costa County Board of Supervisors and the County Planning Agency.*

2019 Annual Report to the Board of Supervisors

Prepared by:
Office of Supervisor Diane Burgis, Alicia Nuchols

Submitted by:
Linda Thuman, Chairperson

Activities and Accomplishments

The primary goal of the Byron MAC in 2019 was to continue to be the connection between the residents of Byron with the County.

During the 2019 Byron MAC meetings the following presentations were made to the community.

- Byron Airport Update
- Byron Sand Mine Proposal and Tour
- Presentation of State Route 239 by Contra Costa Transportation Authority

During 2019 the Byron MAC activities and efforts included:

- A successful Community Clean-Up Day held on October 5, 2019. The Mt. Diablo Recovery Resources company brought multiple dumpsters and the event was free of charge to all rate paying residents of Byron.
- Byron MAC continued to send a representative to the monthly Code Enforcement meetings held at the Supervisor's office to discuss and set code enforcement priorities for the Byron community. Significant improvement in enforcement and compliance was completed throughout the year.

Members in 2019

- Chair Linda Thuman
- Vice Chair Mike Nisen
- Councilmember Dennis Lopez
- Councilmember Steve Larsen
- Councilmember Ron Schmit

Attendance in 2019

January- Meeting cancelled
February- All members present
March- Councilmember Father Ron Schmit
April- Meeting cancelled
May- Councilmember Father Ron Schmit
June- All members present
July- Councilmember Lopez
August- All members present
September- All members present
October- Meeting cancelled
November- No Quorum
December- Meeting cancelled

Work Plan and Objectives for 2020

The Byron MAC's priorities for 2020 will continue to be to provide the Byron community with the opportunity to communicate with the various County Departments.

We will work to schedule pertinent and informative speaker presentations at the monthly meetings.

We will continue to work on:

- 1.) Code Enforcement Priorities
- 2.) Promote Community Identity
- 3.) Annual Clean-Up Day

The Byron MAC is scheduled to meet on the 4th Tuesday of the month at 6:00p.m. at St. Anne's Church.



Contra
Costa
County

To: Board of Supervisors
From: Diane Burgis, District III Supervisor
Date: February 25, 2020

Subject: 2019 ANNUAL REPORT FOR THE KNIGHTSEN TOWN ADVISORY COUNCIL

RECOMMENDATION(S):

ACCEPT the 2019 Annual Report for the Knightsen Town Advisory Council, as recommended by Supervisor Diane Burgis.

FISCAL IMPACT:

None.

BACKGROUND:

On June 18, 2002, the Board of Supervisors adopted Resolution No. 2002/377, which requires that each regular and ongoing board, commission, or committee shall annually report to the Board of Supervisors on its activities, accomplishments, membership attendance, required training/certification (if any), and proposed work plan or objectives for the following year, on the second Tuesday of December.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Lea Castleberry
925-252-4500

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

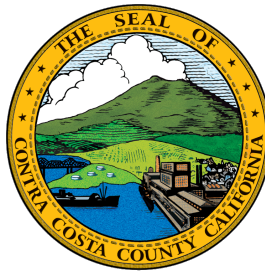
By: , Deputy

cc:

ATTACHMENTS

2019 Annual Report for Knightsen
TAC

Knightsen Town Advisory Council



Kim Carone, Chair

**Supervisor Diane Burgis,
District III**

Lea Castleberry, Deputy Chief of Staff
3361 Walnut Blvd., Ste 140
Brentwood, CA 94513
(925) 252-4500
Lea.Castleberry@bos.cccounty.us

*The Knightsen Town Advisory Council serves as an advisory body to the
Contra Costa County Board of Supervisors and the County Planning Agency.*

2019 Annual Report to the Board of Supervisors

Prepared by:
Office of Supervisor Diane Burgis, Lea Castleberry

Submitted by:
Kim Carone, Chairperson

Activities and Accomplishments

The Knightsen TAC was a vacant board January 2019 – April 2019. The new board consists of 4 new board members and 1 former Knightsen TAC member.

The primary goals of the Knightsen TAC in 2019 were to increase community awareness and participation at the monthly TAC meetings and to represent the community's interests, concerns and voice for the Board of Supervisors.

The TAC received informative presentations and provided thoughtful feedback on matters that impact Knightsen and look forward to receiving additional updates in 2020:

- Oct: John Kopchik, Director, Conservation and Development Department regarding the DRAFT County Ag Policies.

The TAC's activities and efforts have resulted in improvements and changes in 2019:

- A successful Community Clean-Up Day was held October 12, 2019. The Mount Diablo Resource and Recovery donated dumpster bins and staff time for the event. The community cleanup was free of charge to all rate paying residents of Knightsen.
- Continuing to work on reflective address signs throughout community
- Continuing to work with the Sheriff's Department, East Contra Costa Fire Protection District and California Highway Patrol on safety concerns within the Knightsen community.

The TAC receives monthly reports from the following agencies:

- California Highway Patrol – Officer Donnie Thomas
- Contra Costa Sheriff's Department – Tony Fontenot, Crime Prevention Specialist
- East Contra Costa Fire Protection District – Fire Chief Brian Helmick
- Knightsen Community Services District
- Office of Supervisor Diane Burgis – Lea Castleberry, Deputy Chief of Staff

The TAC has become a place where Knightsen residents can receive updated information on services provided by Contra Costa County and/or other local agencies such as public health, safety, welfare, public works and planning.

2019 Membership

Chair, Kim Carone (*Appointed April 2019*)
Vice Chair, Andrew Steudle (*Appointed April 2019*)
Councilmember, Debbie Allsup (*Appointed October 2019*)
Councilmember, Maria Jehs (*Appointed October 2019*)
Councilmember, Karen Reyna (*Appointed April 2019*)
Councilmember Carol Stone (*Appointed April 2019 and passed away July 2019*))

Attendance in 2019

January – No KTAC Board
February – No KTAC Board
March – No KTAC Board
April – No KTAC Board
May – All Members Present (1 open seat)
June – Carol Stone (1 open seat)
July – All Members Present (2 open seats)
August – Meeting Cancelled
September – Meeting Cancelled
October – All Members Present
November – Meeting Cancelled
December – Kim Carone

TAC Work Plan and Objectives for 2020

The Knightsen TAC priorities for 2020 will continue to provide the community with the opportunity to communicate with the various County Departments.

We will work to schedule pertinent and informative speak presentations at the monthly meetings.

We will continue to work on items including:

1. Reflective Address Signs
2. Code Enforcement Priorities
3. Transportation Outreach
4. Public Safety Outreach
5. Downtown Beautification
6. Knightsen Community Events

The Knightsen TAC is scheduled to meet on the 3rd Tuesday of the month at 7:30p.m. at the Knightsen Farm Bureau located at 3020 Second Street in Knightsen.



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: February 25, 2020

Subject: Ratify East Contra Costa Fire Protection District Ordinance No. 2019-02, implementing the 2019 California Fire Code with local amendments

RECOMMENDATION(S):

1. RATIFY East Contra Costa Fire Protection District Ordinance No. 2019-02 with attached modifications, implementing the 2019 California Fire Code with local amendments in the unincorporated portion of the District's service area.
2. DIRECT the Clerk of the Board of Supervisors to provide a certified copy of this Board Order to the East Contra Costa Fire Protection District within 15 days of this ratification, pursuant to Health and Safety Code section 13869.7.

FISCAL IMPACT:

None

BACKGROUND:

The Board of Directors of the East Contra Costa Fire Protection District adopted Ordinance No. 2019-02, adopting the 2019 California Fire Code, with local amendments. The District requested that the Board of Supervisors ratify the District's adoption of the ordinance so that the District can implement the 2019 Fire Code, with local amendments, in the unincorporated portion of the District's service area. Ratification by the Board of Supervisors is required by State law for the District's code adoption ordinance to be effective in the unincorporated portion of the District's service area. This Board Order modifies the District's

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Jaon Crapo,
925-674-7722

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

ordinance by providing for the retention of the Board of Supervisor's discretion for final County approval of entitlements, completion of development improvements, and issuance of County stop work orders within the unincorporated area of the County.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board of Supervisors does not approve the recommended actions, the East Contra Costa Fire Protection District will not be able to implement District Ordinance No. 2019-02 within the unincorporated portion of the District's service area.

ATTACHMENTS

ECCFPD Letter Requesting Ratification

ECCFPD 2019 Fire Code Adoption Ordinance

Modifications to ECCFPD 2019 Fire Code Ordinance

EAST CONTRA COSTA FIRE PROTECTION DISTRICT

Brian Helmick
Fire Chief



SERVING THE COMMUNITIES OF:

*Bethel Island
Brentwood
Byron*

*Discovery Bay
Knightsen
Morgan Territory
Oakley*

December 12, 2019

Bryan Montgomery
City Manager
City of Oakley
3231 Main Street
Oakley, CA 94561

David Twa
County Administrator
Contra Costa County
651 Pine Street, 10th Floor
Martinez, CA 94553

Terrence Grindall
Interim City Manager
City of Brentwood
150 City Park Way
Brentwood, CA 94513

Re: East Contra Costa Fire District Local Amendments to 2019 California Fire Code

Dear Sirs:

The East Contra Costa Fire Protection District (District) has adopted the 2019 California Fire Code with local amendments (Fire Code). Pursuant to Cal. Health and Safety Code section 13869.7, the District adopted findings demonstrating that its changes to the Fire Code are reasonably necessary because of local climatic, geological, or topographical conditions. In compliance with Section 13869.7, on October 9, 2019, the District provided the findings and a copy of the proposed ordinance adopting the amended Fire Code to the cities and county where the ordinance will apply. The cities and counties were given the opportunity to provide comments at that time.

On November 13, 2019, the District called a public hearing and introduced the ordinance at its Board meeting. At the District's December 11, 2019 Board meeting, the District held the public hearing and voted to adopt the ordinance. The District is now, by way of this letter, transmitting the adopted ordinance to your agencies. According to Cal. Health and Safety Code section 13869.7, each city council and the County Board of Supervisors must ratify, modify or deny the adopted ordinance and transmit its decision to the District within 15 days of its determination. If your agencies ratify the adopted ordinance, they must file a copy of the District's findings, any findings of your agency, and the adopted ordinance, with the Department of Housing and Community Development. Please contact me if you have any questions or concerns.

Sincerely,



Brian Helmick
Fire Chief, ECCFPD

**EAST CONTRA COSTA FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS
STATE OF CALIFORNIA**

* * *

ORDINANCE NO. 2019-02

ADOPTING THE 2019 CALIFORNIA FIRE CODE WITH AMENDMENTS

The Board of Directors of the East Contra Costa Fire Protection District (District) hereby ordains as follows:

SECTION 1. ADOPTION OF THE CALIFORNIA FIRE CODE.

The District hereby adopts the 2019 California Fire Code (California Code of Regulations, Title 24, Part 9 [based on the 2018 International Fire Code published by the International Code Council]), including Chapters 1-12 and 20-80, Appendix B, Appendix BB, Appendix C, Appendix CC, Appendix D, Appendix F, Appendix H, and Appendix I, as amended by the changes, additions and deletions set forth in this ordinance. The 2019 California Fire Code, with the changes, additions, and deletions set forth this ordinance, is adopted by this reference as though fully set forth in this ordinance. As of the effective date of this ordinance, the provisions of the Fire Code are controlling and enforceable within the limits of each jurisdiction.

SECTION 2. AMENDMENTS TO THE CALIFORNIA FIRE CODE.

The 2019 California Fire Code is amended by the changes, additions and deletions set forth in this Section 2. Chapter and Section numbers used below are those of the 2019 California Fire Code.

Chapter 1. Scope and Administration.

Section 101.1 is amended to read:

101.1 Title. This code is the Fire Code of the East Contra Costa Fire Protection District, and is hereinafter referred to as "this code".

Section 102.1 is amended to add item 5, to read:

5. Where not otherwise limited by law, the provisions of this code shall apply to vehicles, ships, and boats that are permanently affixed to a specific location within the boundaries of this jurisdiction.

Section 105.6 is amended to read:

105.6 Required operational permits. The Fire Code Official, or his/her delegee, is authorized to issue operational permits for the operations set forth in Chapter 1, Sections 105.6.1 through 105.6.51.

Section 105.6.31 is amended to read:

105.6.31 Motor Fuel Dispensing Facilities. An operational permit is required for the operation of automotive, marine, and fleet motor fuel dispensing facilities, as well as for sites that allow mobile fueling from a service provider to the general public.

Section 105.7 is amended to read:

105.7 Required construction permits. The Fire Code Official is authorized to issue construction permits for the operations set forth in Chapter 1, Sections 105.7.1 through 105.7.25.

Section 105.7 is amended by adding sections 105.7.26 through 105.7.31 as follows:

105.7.26 Access for fire apparatus. Plans shall be submitted and a permit is required to install, improve, modify, or remove public or private roadways, driveways, and bridges for which District access is required by the Fire Code. A permit is required to install a gate across a fire apparatus access road pursuant to Section 503.

105.7.27 Construction, alteration, or renovation of a building for which a building permit is required. Plans shall be submitted to the Fire Code Official for all land developments or for the construction, alteration, or renovation of a building within the jurisdiction where a building permit is required.

Exception: Non-sprinklered Group R-3 Occupancies and Accessory Dwelling Units meeting the definition of Government Code Section 65852.2, as may be amended from time to time, unless the main dwelling has fire sprinklers, where work does not involve a substantial addition or expansion.

105.7.28 Medical gas systems. A construction permit is required for the installation of or modification to a medical gas system pursuant to Section 5306.

105.7.29 Refrigeration equipment. A permit is required to install a mechanical refrigeration unit or system regulated by Chapter 6 and/or the California Mechanical Code.

105.7.30 Land Development, Subdivisions. Plans shall be submitted to the Fire Code Official for all land developments or improvements proposed within the jurisdiction that involve the subdivision of land.

105.7.31 Water supply for fire protection. Plans shall be submitted to the Fire Code Official for the purpose of determining whether adequate water supplies, fire hydrants, and associated systems are provided for all facilities, buildings or portions of buildings either constructed or moved into the District pursuant to Section 507.

Section 105.8 is added to read:

105.8 Responsibility of permittee. Construction permits shall be presumed by the Fire District to incorporate all of the work that the applicant or the applicant's agent, employees, or contractors shall carry out. Work performed shall be in accordance with the approved plans and with all requirements of this code and any other laws or regulations applicable thereto. No District approval shall relieve or exonerate any person from the responsibility of complying with the provisions of this code nor shall any vested rights be created for any work performed in violation of this code.

Section 109.1 is amended to read: 109.1 Board of Appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the Fire Code Official relative to the application and interpretation of this code, there is hereby created a board of appeals. The board of appeals is comprised of the Board of Directors.

Section 109.2 is amended to read: 109.2 Limitations on Authority. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The board shall not have the authority to waive requirements of this code.

Section 110.4 is amended to read:

110.4 Violation penalties. Every person who violates any provision of this fire code is guilty of an infraction or misdemeanor in accordance with Health and Safety Code Section 13871 and Government Code Section 53069.4, as may be amended from time to time. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense. The application of the aforesaid penalty shall not be held to prevent the enforced removal of prohibited conditions.

Section 112.4 is amended to read:

112.4 Failure to comply. Any person who continues any work after having been served with a stop work order is subject to citation, except any work that a person is directed by the Fire Code Official to perform to remove a violation or unsafe condition.

Chapter 2. Definitions.

Section 202 is amended by adding the following definitions to that section:

All-weather driving surface. A roadway with a minimum surface finish of one layer of asphalt or concrete that is designed to carry the imposed weight loads of fire apparatus.

Board of Directors. The Board of Directors of the East Contra Costa Fire Protection District is the governing body of the District.

Cost of Abatement. Includes all expenses incurred by the jurisdiction in its work of abatement and administrative costs pursuant to Section 321 of this code.

Defensible Space. The area within the perimeter of a parcel providing the key point of defense from an approaching wildland or escaping structure fire.

District. The District is the East Contra Costa Fire Protection District.

Driveway. A private roadway that provides access to no more than two (2) single-family dwellings.

Fire Code Official. In the District, the Fire Code Official is the Fire Chief, or other designated authority charged with the administration and enforcement of the code, or a duly authorized representative.

Firebreak. A continuous strip of land upon and from which all rubbish, weeds, grass or other growth that could be expected to burn has been abated or otherwise removed in order to prevent extension of fire from one area to another.

Firetrail. A graded firebreak of sufficient width, surface, and design to provide access for personnel and equipment to suppress and to assist in preventing a surface extension of fires.

Nuisance Fire Alarm. The activation of any fire protection or alarm system which results in the response of the District and is caused by malfunction, improper maintenance, negligence, or misuse, of the system by an owner, occupant, employee, or agent, or any other activation not caused by excessive heat, smoke, fire, or similar activating event.

Priority Hazard Zone. An area where the threat from wildfire is severe due to proximity to open space, topography, degree of space, density of homes and/or amount of vegetation (native and ornamental), and/or other conditions favorable to fast moving fires.

Reduced Fuel Zone. The area that extends from thirty (30) feet to one hundred (100) feet away from the structure, or to the property line, whichever is closer to the structure.

Response time. The elapsed time from receipt of call to the arrival of the first unit on scene.

Rubbish. Waste matter, litter, trash, refuse, debris, and dirt on streets or private property in the jurisdiction which is, or when dry may become, a fire hazard.

Rural area. An area generally designated for agricultural or open space uses with parcels more than 10 acres (4.046873ha) in size.

Running time. The calculated time difference between leaving the first-due station and arriving on the emergency scene.

Rural residential area. An area generally designated for single family residential use with parcels between three (1.2140619ha) and 10 (4.046873ha) acres in size.

Sprinkler Alarm and Supervisory System (SASS). A Dedicated Function Fire Alarm System located at the protected premise installed specifically to monitor sprinkler water-flow alarm, valve supervisory, and general trouble conditions where a Building Fire Alarm is not required.

Streets. Includes alleys, parkways, driveways, sidewalks, and areas between sidewalks and curbs, highways, public right of ways, private road, trails, easements, and fire trails.

Substantial Addition or Expansion. Addition, expansion, remodel, or renovation of any structure where the addition of new fire area exceeds fifty percent of the existing fire area. For the purposes of this definition, areas of a building in which construction elements including walls and roof assemblies were demolished and rebuilt are considered new fire area.

Temporary fire department access road for construction. An approved temporary roadway for emergency vehicle use during construction of residential subdivision projects.

Temporary fire department access road for construction of one (1) residential (R3) unit. A temporary roadway for emergency vehicle use during construction of an individual residential (R3) structure where a fire department access road is required as part of the project.

Temporary water supply. Water stored for firefighting purposes in an approved aboveground tank during combustible construction.

Tree litter. Any limbs, bark, branches and/or leaves in contact with other vegetation or left to gather on the ground.

Weeds. Weeds are both a fire hazard that may endanger life and property, and an eyesore, leading to the deterioration of property values. Weeds means vegetation growing upon streets, sidewalks, or private property in the jurisdiction, including any of the following:

1. Vegetation that bears seeds of a downy or wingy nature;
2. Vegetation that is not pruned or is otherwise neglected so as to attain such large growth as to become, when dry, a fire menace to adjacent improved property;
3. Dry, dead or dying grasses and vegetation more than three inches in height, including cut vegetation that has not been mulched;
4. Vegetation that is otherwise noxious or dangerous;
5. Poison oak and poison ivy when the conditions of growth constitute a menace to public health; or
6. Dry grass, stubble, brush, litter, or other flammable materials which endangers the public safety by creating a fire hazard.

Chapter 3. General Precautions Against Fire.

Section 304.1.2 is amended to read:

304.1.2 Vegetation. Weeds, grass, vines or other growth capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises and shall be mitigated in accordance with Section 321. Vegetation clearance requirements in urban-wildland interface areas shall be in accordance with Chapter 49.

Section 304.3.5 is added to read:

304.3.5 Clothes Dryers. Clothes dryers shall be frequently cleaned to maintain the lint trap, mechanical and heating components, vent duct and associated equipment free from accumulations of lint and combustible materials.

Section 321 is added to Chapter 3, to read:

Section 321 Exterior Fire Hazard Control.

321.1 General.

321.1.1 Jurisdictional Authority. The Board of Directors, retains its power and rights to act pursuant to Part 5 (commencing with Section 14875), Division 12, of the Health and Safety Code, as may be amended from time to time, to clear or order the clearing of rubbish, litter or other flammable material where such flammable material endangers the public safety by creating a fire hazard. Fire hazard abatement will be conducted in accordance with the provisions of said Part 5 and this ordinance. In the application of the provisions of said Part 5 to fire hazard abatement proceedings under this ordinance and the Fire Protection District Law of 1987, the terms "Board of Supervisors" or "Board," when used in Part 5, means the District Board of Directors of this jurisdiction under this section; and the "officer[s]" designated in Health and Safety Code Section 14890 are the employees of the jurisdiction.

321.1.2 Contract for Services. The Board of Directors reserves and retains the power to award contract(s) for fire hazard abatement work.

321.2 Weeds and Rubbish a Public Nuisance. The Board hereby declares that all weeds growing upon private property or streets in this jurisdiction and all rubbish on private property or streets in this jurisdiction are public nuisances. Such weed nuisance is seasonal and recurrent.

321.3 Minimum Weed Abatement Standards.

321.3.1 Prohibition. No person who has any ownership or possessory interest in or control of parcel of land shall allow to exist thereon any hazardous rubbish, weeds, trees, or other vegetation that constitutes a fire hazard. Destruction by burning within this jurisdiction is unlawful unless the written permission of the Fire

Code Official is first obtained, and all other applicable permits are obtained from appropriate governing agencies or jurisdictions.

321.3.2 Specific Requirements. The Fire Code Official is authorized to enforce the minimum abatement standards for land in residential, rural and/or rural residential area, business, industrial areas, or land which is unused or vacant as outlined in this Section. The Fire Code Official is authorized to enforce additional or more stringent abatement on certain properties due to site-specific issues with terrain, regrowth, location, land use, or fire related history. The Fire Code Official is authorized to enter upon private property to do so, to the extent allowed by law.

321.3.2.1 Parcels Five Acres or Less in Size. All weeds must be maintained at a height of no more than 3 inches. Weeds and grasses must be mowed, with material mulched and scattered or raked and bagged, and removed from the parcel, or disked (see Section 321.4.2.10). All combustible rubbish or debris, including but not limited to: cardboard boxes, pallets, trash, wood rounds/chunks, rubble, etc., must be removed from the parcel. Parcels may require additional abatement during the season due to the regrowth of weeds and other flammable vegetation.

321.3.2.2 Parcels Greater than Five Acres in Size. All parcels greater than five acres in size must have 30-foot fuelbreaks and 15-foot crossbreaks (see Sections 321.4.2.8 and 321.4.2.9). Crossbreaks should divide the parcel into approximately 5-acre sections. Fence lines may require hand mowing/weed eating to ensure completion of fuelbreak. When terrain is too steep or rugged for a tractor, a hand mowed fuelbreak may be required. All cut material should be mulched and scattered or raked, bagged and removed from parcel.

321.3.2.3. Fuelbreaks Along Roadways. Fuelbreaks along roadways are required as part of the property line. Road right-of-ways shall be cleared to a minimum of 10 feet horizontally from the edge of driving surface and 13 feet 6 inches vertically.

321.3.2.4. Active Pastureland. Active pastureland shall be provided with 15-foot wide fuelbreaks and crossbreaks if a sufficient number of animals are present to steadily reduce height of grasses during the summer months to 3 inches or less by the end of August, irrespective of parcel size. If this requirement cannot be met, 30-foot fuelbreaks and crossbreaks shall be required.

321.3.2.5. Active Cropland. Active cropland shall be provided with 15-foot fuelbreaks or crossbreaks if the crop is to be harvested by mid-June. If there is to be a later harvest, 30-foot fuelbreaks shall be required.

321.3.2.6. Orchards. Orchards are to be maintained by complete abatement, including grasses under tree branches (see Section 321.4.2.7). This may require pruning of lower branches to allow equipment access.

321.3.2.7. Tree Litter. Tree litter (eucalyptus leaves and bark, coniferous needles, leaves, fallen branches, etc.) shall be removed from the base of trees, tree stems, and limbs within 10 feet of the ground and maintained throughout the fire season.

321.3.2.8. 30-Foot Fuelbreaks. 30-foot fuelbreaks, where required, shall be provided around all structures, combustible storage, trees, shrubs and brush, along ridgelines, fence lines, ditches, and along the sides of, but not in, creeks. Fuelbreaks and crossbreaks are a continuous strip of disked or dozed ground following as closely as possible to the property line, and along one side of all fence lines, ditches, and on top of all ridgelines. Remove from the property all debris, rubble, junk, piles of dirt, etc., which would obstruct or impede vehicles and/or equipment used for abatement work or fire suppression operations.

321.3.2.9. Mowed Fuelbreaks. Mowed fuelbreaks shall be 60 feet wide and mowed crossbreaks 30 feet wide due to ability of the remaining surface material to support a fire growth.

321.3.2.10. Disking Quality. All disking work, including fuelbreaks, shall be completed so that all weeds, grasses, crops and other vegetation or organic material, which could be expected to burn, shall be completely turned under to the point that there is not sufficient exposed fuel to maintain or allow the spread of fire.

321.4 Abatement Procedures. The Fire Code Official may order the abatement of the weeds and rubbish described in Sections 304.1.2 and 321, and recover related costs, in accordance with the procedures set forth in Health and Safety Code sections 14875-14922, as may be amended from time to time.

321.5 Alternate Mitigation. In lieu of ordering abatement as provided in Section 321.5, the Fire Code Official of this jurisdiction may order the preparation of firebreaks/fuelbreaks around parcels of property where combustible weeds, crops, or brush are present. In determining the proper width for firebreaks/fuelbreaks, the Fire Code Official will consider the height of the growth, weather condition, topography, and the accessibility to the property for fire protection equipment. The procedure set forth in Section 321.5 for the abatement of weeds and rubbish shall apply to the preparation of firebreaks/fuelbreaks.

321.6 Subsurface Fires. It is the duty of each person, firm, corporation, or association not to permit a peat fire in or a fire involving combustible vegetable matters under the surface of the natural ground to remain upon the property. It is hereby declared that it is the duty of any person as herein defined to take all necessary precautions to extinguish any subsurface fire involving peat or vegetable material at the owner's own cost and expense.

321.7 Liability in Relation to Fires. The liability of all persons in relation to fires is governed by Health and Safety Codes sections 13000-13011, as may be amended from time to time.

Chapter 4. Emergency Planning and Preparedness.

Section 401.5.1 is added to read:

401.5.1 Nuisance Fire Alarm fee. A fee may be charged for false and/or nuisance fire alarms in accordance with a fee schedule adopted by the Board of Directors.

Chapter 5. Fire Service Features.

Section 503.2.1 is amended by adding the following exception:

Exception: A minimum 16-foot-wide driveway is acceptable for access to one or two single-family dwellings.

Section 507.2.3 is added to read:

507.2.3 Suburban and rural water supply storage. Swimming pools and ponds shall not be considered water storage for the purposes of Section 507.1.

Chapter 6. Building Services and Systems.

Section 603.2.1 is added to read:

603.2.1 Sparks from chimneys. A chimney that is used with either a fireplace or heating appliances in which solid or liquid fuel is used shall be maintained with an approved spark arrester that is listed for use with the appliance.

Chapter 9. Fire Protection Systems.

Section 901.6.3.2 is amended to read:

901.6.3.2 Records. Records of all system inspections, tests, and maintenance required by the referenced standards shall be maintained in paper form and/or by a third party electronic record keeping service and/or electronically as chosen by the fire district.

Section 902 is amended to add:

Substantial Addition or Expansion

Section 903.2.1.1 is amended to read:

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided for fire areas containing Group A-1 occupancies and intervening floors of the building where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The fire area contains a multi-theater complex.

Section 903.2.1.3 is amended to read:

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided for fire areas containing Group A-3 occupancies and intervening floors of the building where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet.

2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 10,000 square feet, contains more than one fire area containing exhibition and display rooms, and is separated into two or more buildings by fire walls of less than four-hour fire resistance rating without openings.

Section 903.2.1.4 is amended to read:

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided for fire areas containing Group A-4 occupancies where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

Section 903.2.1.8 is added to read:

903.2.1.8 Group B. An automatic sprinkler system shall be provided for Group B occupancies where the fire area exceeds 5,000 square feet.

Section 903.2.3 is amended to read:

903.2.3 Group E. An automatic sprinkler system shall be provided for new Group E occupancies as follows:

1. Throughout all Group E fire areas greater than 2,000 square feet in area.

Exception: An automatic sprinkler system is not required in any Group E Day Care Facility less than 5,000 square feet.

2. Throughout every portion of educational buildings below the lowest level of exit discharge serving that portion of the building.

Exception: An automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area where every classroom throughout the building has at least one exterior exit door at ground level.

3. In rooms or areas with special hazards such as laboratories, vocational shops and other such areas where hazardous materials in quantities not exceeding the maximum allowable quantity are used or stored.
4. Throughout any Group E structure greater than 4,000 square feet in area, which contains more than one fire area, and which is separated into two or more buildings by fire walls of less than four-hour fire resistance rating without openings.
5. For public school state-funded construction projects see Section 903.2.19.

Section 903.2.4 is amended in its entirety, to read:

903.2.4 Group F

903.2.4.1 Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 fire area exceeds 5,000 square feet.
2. A Group F-1 fire area is located more than two stories above grade plane.
3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.
4. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeding 2,500 square feet (230 m²).

903.2.4.1.1. Woodworking operations. An automatic sprinkler system shall be provided throughout all Group F-1 occupancy fire areas that contain woodworking operations in excess of 2,500 square feet in area (232 m²) that generate finely divided combustible waste or use finely divided combustible materials. A fire wall of less than 4-hour fire-resistance rating without openings, or any fire wall with openings, shall not be used to establish separate fire areas.

903.2.4.2 Group F-2. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-2 occupancy greater than 5,000 square feet.

Section 903.2.7 is amended to read:

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds 5,000 square feet.
2. A Group M fire area is located more than two stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.
4. A Group M occupancy used for the display and sale of upholstered furniture or mattresses exceed 5,000 square feet (464 m²).
5. The structure exceeds 10,000 square feet, contains more than one fire area containing a Group M occupancy, and is separated into two or more buildings by fire walls of less than 4-hour fire- resistance rating without openings.

Section 903.2.8 is amended to read:

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all Group R occupancies, *including manufactured and mobile homes.*

Section 903.2.8.2 is added, to read:

903.2.8.2 Group R-3 Substantial Addition or Expansion. An automatic sprinkler system shall be provided throughout all existing Group R-3 dwellings where a

substantial addition or expansion occurs and the new total fire area of the structure exceeds 3,600 square feet.

Exception: If a sprinkler system is required by the local building department regardless of the size of the addition or expansion, a sprinkler system shall be installed in accordance with the appropriate standard.

Section 903.2.9 is amended to read:

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 5,000 square feet.
2. A Group S-1 fire area is located more than two stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.
4. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeding 2,500 square feet (230 m²).

Section 903.2.9.1 is amended to read:

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the California Building Code, as shown:

1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 5,000 square feet.
2. Buildings no more than one story above grade plane, with a fire area containing a repair garage exceeding 5,000 square feet.
3. Buildings with repair garages servicing vehicles parked in basements.
4. A Group S-1 fire area used for the repair of commercial motor vehicles where the fire area exceeds 5,000 square feet (464 m²).

Section 903.2.10 is amended in its entirety, to read:

903.2.10 Group S-2.

903.2.10.1 Group S-2 enclosed parking garages. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code where either of the following conditions exists:

1. Where the fire area of the enclosed parking garage exceeds 5,000 square feet.
2. Where the enclosed parking garage is located beneath other occupancy groups.

903.2.10.2 Group S-2 Low Hazard Storage. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-2 occupancy exceeding 5,000 square feet.

Exception. Open air canopy structures constructed of non-combustible materials.

Section 903.3.1.1.3 is added to read:

903.3.1.1.3 Undeclared Use. In buildings of undeclared use with floor to structure height greater than 14 feet (4256 mm), the fire sprinkler system shall be designed to conform to Extra Hazard Group I design density. In buildings of undeclared use with floor to structure height less than 14 feet (4256 mm), the fire sprinkler system shall be designed to conform to Ordinary Group II design density. Where a subsequent occupancy requires a system with greater capability, it shall be the responsibility of the owner and/or the occupant to upgrade the system.

Section 903.3.1.3 is amended to read:

903.3.1.3.1 Pipe limitations. Where chlorinated polyvinyl chloride (CPVC) pipe is installed above the insulation or is otherwise located in an unconditioned space, such as in an attic space, or a garage without conditioned living space above, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.

Section 903.3.5.3 is added to read:

903.3.5.3 Non-permissible water supply storage. Swimming pools and ponds shall not be considered water storage for the purposes of Section 903.3.5.

Section 903.4.2 is amended to read:

903.4.2 Alarms. One approved audible and visual device shall be connected to every automatic sprinkler system at an approved location. Such sprinkler water flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Audible and visual alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

Section 903.6.1 and 903.6.2 are added to read:

903.6.1 Substantial Addition or Expansion. An automatic sprinkler system shall be provided throughout all existing buildings where a substantial addition or expansion occurs and the total fire area of the structure exceeds 5,000 square feet. Group R-3 substantial additions or expansions shall comply with Section 903.2.8.2.

903.6.2 Change of occupancy classification. Any existing building that undergoes a change of occupancy classification into a higher hazard category shall comply with the requirements of Section 903.2. Relative hazard categories of occupancy groups shall be established based upon the Heights and Areas Hazard Categories of Table 1012.4 of the current edition of the International Existing Building Code, as published by the International Code Council. The requirements of Section 903.2 shall not be required when a change of occupancy classification is made to an equal or lesser hazard category. Group L occupancies

shall be considered a relative hazard of 1 (highest hazard). Group R-3 occupancies shall be considered a relative hazard of 4 (lowest hazard).

Section 907.4.4 is added to read:

907.4.4 Monitoring of other fire systems. In buildings equipped with a fire alarm system or sprinkler alarm and supervisory service (SASS) system, where other fire suppression or extinguishing systems are installed in the building (including but not limited to commercial kitchen suppression systems, pre-action fire suppression systems, dry chemical systems, and clean agent systems), these other suppression systems shall be monitored by the SASS dedicated function fire alarm system and transmitted as a specific signal to the Central Station. The system shall be monitored in compliance with Section 907.6.6.

Section 907.5.2.3.1 is amended to read:

907.5.2.3.1 Public and common areas. Visible alarm notification appliances shall be provided in public use areas and common use areas, including but not limited to:

1. Sanitary facilities including restrooms, bathrooms, shower rooms and locker rooms.
2. Corridors, hallways, and aisles with shelving and/or fixtures obstructing the required light intensity for that area.
3. Music practice rooms.
4. Band rooms.
5. Gymnasiums.
6. Multipurpose rooms.
7. Occupational shops.
8. Occupied rooms where ambient noise impairs hearing of the fire alarm.
9. Lobbies.
10. Meeting/Conference rooms.
11. Classrooms.
12. Medical exam rooms.
13. Open office areas.
14. Sales floor areas.
15. Break or lunch rooms.
16. Copy or work rooms.
17. Computer server rooms exceeding 200 sq. ft.
18. File or Storage rooms exceeding 200 sq. ft.

Section 907.6.6 is amended to read:

907.6.6 Monitoring of fire alarm systems. A fire alarm system required by this chapter, or by the California Building Code, shall be monitored by a UL-listed central station service in accordance with NFPA 72 and this code.

Exception: Monitoring by a UL listed central station is not required for:

1. Single and multiple station smoke alarms required by section 907.2.11

2. Group I-3 occupancies shall be monitored in accordance with section 907.2.6.3.4
3. Residential Day Care Facilities (occupancy load of 14 or less)
4. One and two family dwellings
5. Residential Care Facilities licensed by the state with an occupant load of 6 or less.
6. Occupancies with a local fire alarm system that will give an audible and visible signal at a constantly attended location, as approved by the Fire Code Official.

Section 907.6.6.4 is added to read:

907.6.6.4 Certification. New fire alarm systems shall be UL-Certified. A Certificate of Completion and other documentation as listed in NFPA 72 shall be provided for all new fire alarm system installations. It is the responsibility of the building owner or owner's representative to obtain and maintain a current and valid Certificate.

Section 907.6.6.4.1 is added to read:

907.6.6.4.1 Posting of Certificate. The UL Certificate shall be posted in a durable transparent cover within 3 feet of the fire alarm control panel within 45 days of the final acceptance test/inspection.

Chapter 50. Hazardous Materials – General Provisions.

Section 5001.5.3 is added to read:

5001.5.3 Emergency response support information. Floor plans, material safety data sheets, Hazardous Materials Management Plans (HMMP), Hazardous Material Inventory Statements (HMIS), and other information must be stored at a readily accessible location, as determined by the Fire Code Official. This location may be in cabinets located outside of facilities or buildings. Information may be required to be maintained in a specific electronic media format to facilitate computer aided dispatching.

Chapter 56. Explosives and Fireworks.

Section 5601.1.3 is amended to read:

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling, and use of fireworks are prohibited within the jurisdiction of the District.

Exceptions:

1. The use of fireworks for fireworks displays, pyrotechnics before a proximate audience, pyrotechnic special effects in motion pictures, television, theatrical, or group entertainment productions as allowed by Title 19, Division 1, Chapter 6 Fireworks reprinted in Section 5608 and the Health and Safety Code Division 11.
2. Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices.

Section 5601.2.2 is amended to read:

5601.2.2 Sale and retail display. No person shall construct a retail display or offer for sale any explosives, explosive materials, or fireworks within the jurisdiction.

Exception: Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices.

Section 5601.2.4 is amended as follows:

5601.2.4 Financial responsibility. Before a permit is issued pursuant to Section 5601.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$2,000,000 or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The Fire Code Official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.

Exception: Fireworks in accordance with California Code of Regulations, Title 19, Division 1, Chapter 6. See Section 5608.

Section 5601.9 is added, to read:

5601.9 Prohibited and Limited Acts. The storage of explosive materials is prohibited in all zoning districts except districts zoned for industrial or agricultural uses. In districts where the storage of explosive materials is permitted, the quantities of explosives and distances shall be in accordance with California Fire Code Section 5601.8.

Chapter 57. Flammable and Combustible Liquids.

Section 5704.2.9.6.1 is amended to read:

5704.2.9.6.1 Locations where above-ground tanks are prohibited. The storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited in all zoning districts except districts zoned for commercial, industrial, or agricultural uses.

Exception: Protected above-ground tanks for the purpose of emergency power generator installations in areas zoned commercial, industrial, agricultural, central business district, rural or rural residential area, and for facilities on an individual basis consistent with the intent of this provision. Tank size shall not exceed 500 gallons (1892.706L) for Class I or II liquids, or 1,000 gallons (3785.412L) for Class III liquids.

Section 5706.2.4.4 is amended to read:

5706.2.4.4 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks is prohibited in all zoning districts except district zoned for commercial, industrial, or agricultural use.

Chapter 58. Flammable Gases and Flammable Cryogenic Fluids.

Section 5806.2 is amended to read:

5806.2 Limitation. The storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited in any area which is zoned for other than industrial use.

Exception: Liquid hydrogen fuel systems in compliance with section 5806.3 or 5806.4.

Chapter 61. Liquefied Petroleum Gases.

Section 6103.2.1.7 is amended in its entirety to read:

6103.2.1.7 Use for food preparation. Individual portable L-P containers used, stored, or handled inside a building classified as a Group A, Group B, or Group M occupancy for the purposes of cooking, food display, or a similar use, shall be limited in size to one quart capacity and shall be of an approved type. The number of portable containers permitted will be at the discretion of the Fire Code Official. LP-gas appliances used for food preparation shall be listed for such use in accordance with the International Fuel Gas Code, the California Mechanical Code, and NFPA 58.

Section 6104.2 is amended to read:

6104.2 Maximum capacity within established limits. The storage of liquefied petroleum gas is prohibited in any central business district and in all zoning districts except districts zoned for commercial, industrial, rural, or agricultural uses. The aggregate capacity of any one installation used for the storage of liquefied petroleum gas shall not exceed a water capacity of 2,000 gallons (7570 L).

Chapter 80. Referenced Standards

Chapter 80 is amended by adding the following referenced standards:

NFPA 3 (2015): Recommended Practice for Commissioning of Fire Protection and Life Safety Systems

NFPA 4 (2015): Standard for Integrated Fire Protection and Life Safety System Testing

NFPA 850 (2015): Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations.

Chapter 80 is further amended by amending the NFPA 13D (2016) (Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes) standard as follows:

Section 7.7.1 is added, to read:

7.7.1 Where chlorinated polyvinyl chloride (CPVC) pipe is installed above the normal insulation in an unconditioned space, such as in an attic space, or a garage without conditioned living space above, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.

Section 8.3.5.1.2 is amended to read:

8.3.5.1.2 Where fuel-fired equipment is below or on the same level as occupied areas of the dwelling unit, at least one quick-response intermediate temperature sprinkler shall be installed above the equipment or at the wall separating the space with the fuel-fired equipment from the occupied space. In unconditioned spaces, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.

Appendix B. Fire-Flow Requirements for Buildings.

Section B105.2 is amended by amending the exception to read:

Exceptions:

1. Group B, S-2, and U occupancies having a floor area not exceeding 1,000 square feet, primarily constructed of noncombustible exterior walls with wood or steel roof framing, having a Class A roof assembly, with uses limited to the following or similar uses:
 - 1.1 California State Parks buildings of an accessory nature (restrooms).
 - 1.2 Safety roadside rest areas, (SRRA), public restrooms.
 - 1.3 Truck inspection facilities, (TIF), CHP office space and vehicle inspection bays.
 - 1.4 Sand/salt storage buildings, storage of sand and salt.
2. A reduction in required fire-flow of 50 percent, as approved by the Fire Code Official, when the building is provided with an approved automatic sprinkler system and installed in accordance with Section 903.3.1.1. The resulting fire-flow shall be not less than 1,500 gallons per minute (5678L/min) for the prescribed duration as specified in Table B105.1.

Appendix D. Fire Apparatus Access Roads is added and amended to read:

Section D102.1 is amended to read:

D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with an asphalt, concrete or other approved *all-weather driving surface* capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (33,566 kg) in accordance with Caltrans Design Standard HS- 20-44.

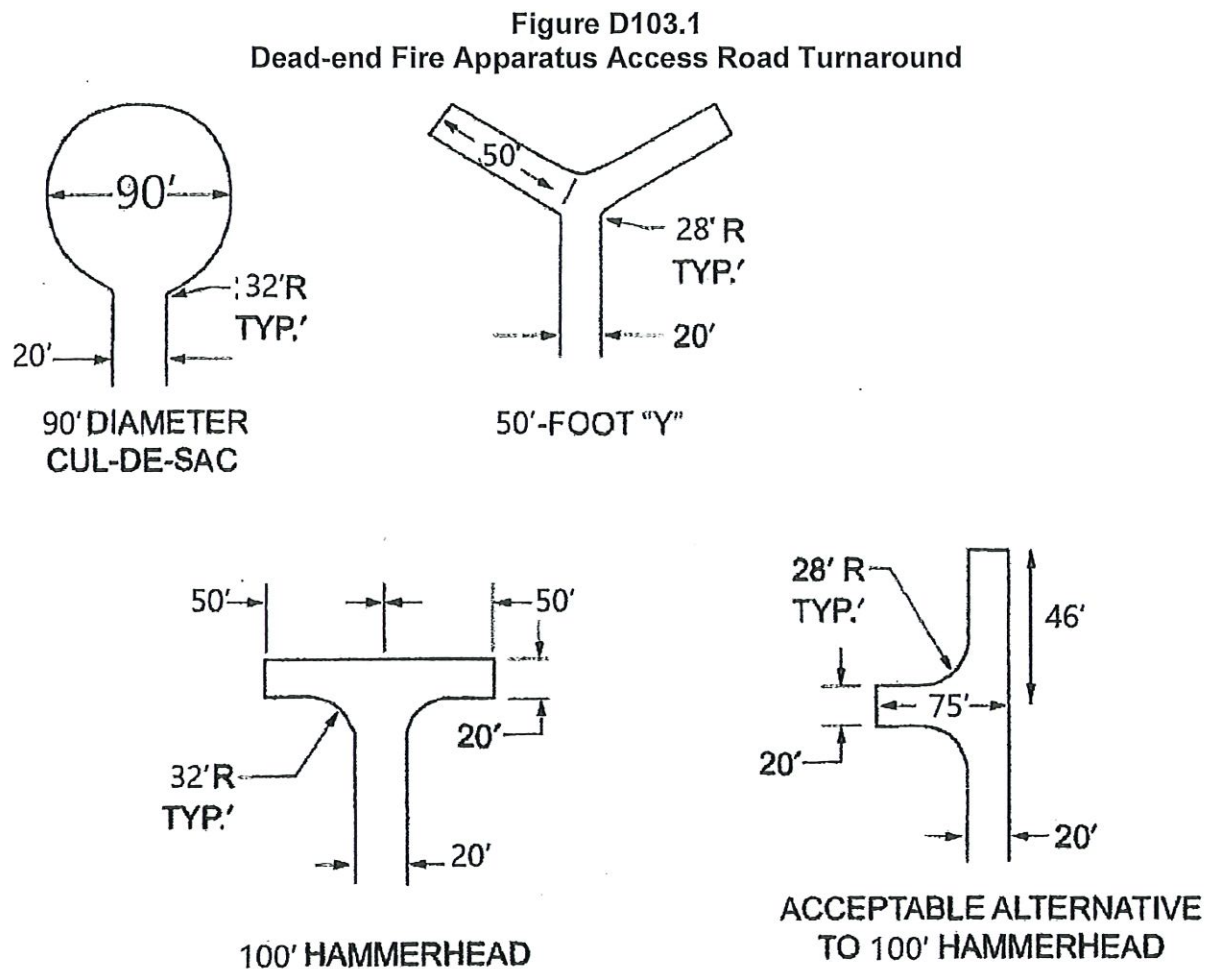
Exception: *Driveways* serving one or two single-family *dwelling*s may be constructed of an alternate surface material, providing the imposed weight load design minimums are met and the grade does not exceed 10 percent.

Section D103.1 is amended to read:

D103.1 Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 20 feet, exclusive of shoulders (see Figure D103.1).

[Intentionally blank]

Figure D103.1 is amended to read:



Section D103.2 is amended to read:

D103.2 Grade. Fire department access roadways having a grade of between 16 percent and 20 percent shall be designed to have a finished surface of grooved concrete sufficient to hold a 44,000 pound (19,958 kg) traction load. The grooves in the concrete surface shall be ½ inch (13 mm) wide by ½ inch (13 mm) deep and 1 ½ inch (38 mm) on center and set at a 30 to 45-degree angle across the width of the roadway surface. No grade shall exceed 20 percent, nor shall the cross slope exceed 8%, unless authorized in writing by the Fire Code Official.

Section D103.3 is amended to read:

D103.3 Turning radius. Based on a minimum unobstructed width of 20 feet, a fire apparatus access roadway shall be capable of providing a minimum standard turning radius of 25 feet (7,620 mm) inside and 45 feet (13,716 mm) outside.

Table D103.4 is amended to read:

**Table D103.4
REQUIREMENTS FOR DEAD-END FIRE APPARATUS
ACCESS ROADS**

LENGTH (feet)	MINIMUM WIDTH (feet)	TURNAROUNDS REQUIRED
0 – 150	20a	None required
151 – 750	20a	100-foot Hammerhead, 50-foot "Y", 75-foot Shunt or 90-foot-diameter cul-de-sac in accordance with figure D103.1
Over 750	Special approval required	

- a. A *driveway* with a minimum width of 16 feet is acceptable for access to no more than two single-family *dwelling*s.
- b. Any fire apparatus access roadway or *driveway* that is approved to be less than 20 feet wide and to exceed 750 feet in length shall have outsets or turnouts every 300 feet along the length of the road or driveway, or at locations approved by the Fire Code Official. Each outset or turnout shall be of the following dimensions: an 8-foot-wide turnout that extends at least 40 feet in length.

Section D103.5 is amended as follows:

Criteria 9. is added to Section D103.5, to read:

9. All gates shall be installed and located a minimum of 30 feet off the street.

Section D106.1 is amended to delete the exception and read:

D106.1 Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 *dwelling units* shall be provided with two separate and *approved* fire apparatus access roads and shall meet the requirements of Section D104.

Section D106.2 is deleted in its entirety.

SECTION 3. REPEAL OF PRIOR FIRE CODE.

This ordinance repeals and replaces the Fire District's Ordinance No. 2017-02.

SECTION 4. REFERENCES TO PRIOR FIRE CODE.

Unless superseded and expressly repealed by this ordinance, references in District forms, documents, and regulations to the chapters and sections of the 2017 Fire Code of the District shall be construed to apply to the corresponding provisions contained within the 2019 Fire Code of the District.

SECTION 5. VALIDITY.

The District Board of Directors declares that if any part of this ordinance or of the 2019 California Fire Code as adopted and amended herein is declared for any reason to be invalid, it is the intent of the District Board of Directors that all other portions will remain valid.

SECTION 6. MORE RESTRICTIVE REQUIREMENTS.

If requirements more restrictive than those in this fire code are adopted by the incorporated cities of Brentwood or Oakley, or for the unincorporated communities of Bethel Island, Discovery Bay, Knightsen, Byron, Marsh Creek, or Morgan Territory, those requirements will apply only within the jurisdiction adopting those requirements.

SECTION 7. FINDINGS

The District, by Resolution No. 2019-37, adopted findings based on local climatic, geological and topographical conditions existing within the District that support the modifications to the 2019 California Fire Code as set forth in this ordinance. The specific findings supporting each modification to the California Fire Code are shown on the chart attached to this ordinance as Exhibit A.

SECTION 8. EFFECTIVE DATE.

This ordinance becomes effective 30 days after passage, and within 15 days of passage shall be published once in the Brentwood Press, a newspaper published in this District. This ordinance shall be published in a manner satisfying the requirements of Government Code section 25124, with the names of Directors voting for and against it.

INTRODUCED at a regular meeting of the District Board of Directors held on the 13th day of November, 2019.

PASSED AND ADOPTED at a regular meeting of the District Board of Directors held on the 11th day of December, 2019 by the following roll call vote.

AYES: Langro, Nash, Oftedal, Smith, Young

NOES:

ABSENT:

ABSTAIN:

ATTEST



Brian Oftedal
President, Board of Directors



Brian Helmick
Clerk of the Board

**CONTRA COSTA COUNTY MODIFICATIONS TO
EAST CONTRA COSTA FIRE PROTECTION DISTRICT ORDINANCE NO. 2019-02**

1. § 102 – Applicability. This section is modified to clarify that it does not mandate the performance or non-performance of any act by the County and its planning agency, officers, and employees, and to clarify that the District has no legal authority to prescribe the governmental discretion and actions of the County and its officers and employees. County staff is hereby directed to cooperate to the greatest reasonable extent (subject to applicable County and State rules and regulations) with the District concerning the subjects of this section and District Ordinance No. 2019-02.
2. § 112 – Stop Orders. This section as modified and clarified does not mandate the county building inspector or other County official or agency to issue any stop work orders or to perform or not perform any act, and with this clarification is the same as § 102 above.
3. § 503 – Fire Apparatus Access Roads. This section is modified to clarify that nothing in it shall prevent the County from legislating, taking administrative action, and/or occupying this area of regulation to the extent allowed by law. This modification is made to retain the County’s ability to require uniform unincorporated area regulations such as public road improvements, widths, and access.
4. § 505 – Premises Identification. This section is modified to clarify that the County fully retains its authority pursuant to law to determine unincorporated area street names and addresses.
5. § 507 – Fire Protection Water Supplies. This section is modified in the same manner as § 503 except limited to the reservation of County discretion involving the provision of water for domestic use.
6. Section 3 – Repeal of Prior Fire Code. This section is modified to clarify that District Ordinance No. 2019-02 supersedes Contra Costa County Ordinance No. 2019-37 only with respect to those portions of the District located within the unincorporated area of Contra Costa County.
7. Section 6 – More Restrictive Requirements. This section is modified to clarify that nothing in it shall prevent the County from legislating in and/or occupying an area of regulation as hereinabove provided or otherwise allowed by law. In part, this modification is made to retain the County’s ability to require uniform unincorporated area regulations.
8. Modified Ordinance Ratification. In ratifying District Ordinance No. 2019-02, the Board of Supervisors has not reviewed and passed upon any “Findings of Necessity” that may have been prepared by the District, nor has it reviewed and passed upon the scope of the District’s Health and Safety Code regulatory authority.
9. Enforcement. The Chief of the East Contra Costa Fire Protection District is authorized to enforce East Contra Costa Fire Protection District Ordinance No. 2019-02 within those portions of the District located within the unincorporated area of Contra Costa County. (Health and Saf. Code, § 13869.7(h)(1)(A).)



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: February 25, 2020

Subject: January 2020 Operations Update of the Employment and Human Services Department, Community Services Bureau

RECOMMENDATION(S):

ACCEPT the January 2020 Operations Update of the Employment and Human Services Department, Community Services Bureau as recommended by the Employment and Human Services Director.

FISCAL IMPACT:

There is no fiscal impact.

BACKGROUND:

The Employment and Human Services Department submits a monthly report to the Contra Costa County Board of Supervisors (BOS) to ensure communication and updates to the County Administrator and BOS regarding any and all issues pertaining to the Head Start Program and Community Services Bureau.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Elaine Burres
608-4960

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

By: , Deputy

cc:

ATTACHMENTS

CSB Jan 2020 CAO Report

CSB Jan 2020 HS Financial

CSB Jan 2020 EHS Financial

CSB Jan 2020 EHS CC Partnership Financial
Report

CSB Jan 2020 Credit Card Report

CSB Jan 2020 LIHEAP

CSB Jan 2020 CACFP Nutrition Report

CSB Jan 2020 Nutrition Report

CSB Jan 2020 HS Children's Menu



To: David Twa, Contra Costa County Administrator
From: Kathy Gallagher, EHSD Director
Subject: Community Services Monthly Report
Date: January 2020

News /Accomplishments

- Community Services Bureau (CSB) staff are gearing up for the Federal Focus Area Two review the week of February 10. Seven reviewers will be on site for five days to visit 56 classrooms, interview staff, parents and Board members, and review data to inform quality management systems and program services.
- In partnership with Counseling Options and Parent Education (COPE), EHSD's Children and Families Services, Child Abuse Prevention Council, the County Office of Education, Health Services and First 5, CSB celebrated January as Positive Parenting Awareness Month (PPAM). PPAM brings awareness to the critical role that parenting education plays in lives of families and the importance of de-stigmatization of the services they receive. CSB distributed calendars with family focused events, fun activities and resources to families at our directly operated centers, partner sites, and to community partners. Additionally, on Tuesday, January 21, the Board of Supervisors proclaimed January as Positive Parenting Awareness Month and presented a resolution to the collaborative partners.
- In December, Lifelong and La Clinica Dental vans visited centers in East and West County, and provided dental exams to a total to 93 children. Providing regular dental exams and referrals to families is a critical part of preventive health care. CSB is honored to be able to provide these services, and look forward to expanding them to all of our families during the Annual Give Kids a Smile Day, which will be held on February 21, 2020.
- In collaboration with Teachstone, CSB started two CLASS (Classroom Assessment Scoring System®) Coaching Services for Early Head Start (EHS) teachers at our Partner sites. Teachstone is an organization that offers in-person and online training and coaching programs to improve student-teacher interactions. Angela Beeck, Teachstone Consultant, will offer an in-person training on *Making the Most of Classroom Interaction* (MMCI), to one of the groups, while the other group receives an online training on *My TeachStone Direct*. Both teaching teams are excited about the opportunity and look forward to bringing their learnings into the classroom.
- The Partner's Unit conducted a training for all EHS Family Child Care providers. The training was held on Saturday, January 11, 2020. It included a refresher on all content areas, such as, Comprehensive Services, Education, Services for children with disabilities/Mental Health and Child Safety. The Partner team also provided guidance to Family Child Care providers on the Federal Focus Area Two Protocols.
- The Economic Opportunity Council (EOC) is preparing for its annual Roundtable event for the 2020-2021 awardees of the Community Services Block Grant Funds on February 24. With the number of attendees growing each year, this year the Roundtable will be


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held at 500 Ellinwood in Pleasant Hill. The purpose of this event is to network, create a system of care among the subcontractors, and to share Census 2020 Outreach activities.

- On January 2, 2020, CSB was notified by the Department of Community Services and Development (CSD) of a federal spending package which proposes an increase in 2020-2021 Community Services Block Grant funding. CSBG funds will be used to support existing programs that serve Contra Costa residents in four (4) areas: Employment/Job Training, Housing/Shelter, Food/Nutrition, and Comprehensive Health Services.

I. Status Updates:

a. Caseloads, workload (all programs)

- o Head Start enrollment: 100.15%
- o Early Head Start enrollment: 99.68%
- o Early Head Start Child Care Partnership # 1 enrollment: 97.22%
- o Early Head Start Child Care Partnership # 2 enrollment: 100.53%
- o Head Start Average Daily Attendance: 74.8 %
- o Early Head Start Average Daily Attendance: 77.21%
- o Early Head Start Child Care Partnership (CCP) Attendance:
 - CCP 1: 84.46%
 - CCP 2: 73.80%
- o Stage 2: 530 families and 665 children
- o CAPP: 118 families and 224 children
 - In total: 648 families and 889 children
 - Incoming transfers from Stage 1: 18 families and 33 children
- o LIHEAP: 418 households have been assisted
- o Weatherization: 8 households have been assisted

b. Staffing:

- o During the month of January, CSB hired a Master Teacher, Infant/Toddler Associate Teacher, and a Child Nutrition Food Services Transporter. An Associate Teacher was promoted through the competitive County process to Teacher-Project.
- o Interviews were conducted to fill a vacant Comprehensive Services Manager-Project position and for a County temporary Translator to interpret to and from Spanish during parent meetings. The Bureau continues to interview to build its substitute teaching pool.
- o CSB is working with HR to open recruitment to fill vacant Administrative Services Assistant II and III positions.

c. Union:

- o Business agents for both Local 1 Site Supervisors Unit and the Line Staff Unit requested separate meeting to discuss matters specific to their members. Meetings are scheduled in late February 2020.

cc: Policy Council Chair
Administration for Children and Families
Program Specialist, Chris Pflaumer

II. Emerging Issues and Hot Topics:

- CSB has over 30 active vacancies and continues to struggle to find qualified teaching staff. Per the Department and Board's request, County Human Resources conducted a salary comparison study of teaching staff, nutrition worker and building services worker positions to determine CSB's comparability throughout the region. We are awaiting the results.
- The US Supreme Court ruled to uphold the public charge immigration rules proposed by the administration and although we do not know the timeline, there is concern that it will have impacts on the families we serve. Head Start is no longer included as one of the programs to be considered a "public charge", we understand that many of our families depend on the services that are included such as CalFresh and MediCal. EHSD released a press release stating that we are committed to continuing to support the needs of the communities we serve.

cc: Policy Council Chair
Administration for Children and Families
Program Specialist, Chris Pflaumer

CONTRA COSTA COUNTY - COMMUNITY SERVICES BUREAU

HEAD START PROGRAM

BUDGET PERIOD JANUARY - DECEMBER 2019

AS OF DECEMBER 2019

DESCRIPTION	DECEMBER YTD Actual	Total Budget	Remaining Budget	100% %YTD
a. PERSONNEL	\$ 4,321,206	\$ 4,450,813	\$ 129,607	97%
b. FRINGE BENEFITS	2,743,204	2,769,062	25,858	99%
d. EQUIPMENT	-	24,000	24,000	0%
e. SUPPLIES	281,824	235,500	(46,324)	120%
f. CONTRACTUAL	2,664,098	2,843,120	179,022	94%
g. CONSTRUCTION	-	-	-	0%
h. OTHER	4,381,976	5,688,329	1,306,353	77%
I. TOTAL DIRECT CHARGES	\$ 14,392,307	\$ 16,010,824	\$ 1,618,517	90%
j. INDIRECT COSTS	900,853	903,555	2,702	100%
k. TOTAL-ALL BUDGET CATEGORIES	\$ 15,293,160	\$ 16,914,379	\$ 1,621,219	90%
<i>In-Kind (Non-Federal Share)</i>	<i>\$ 4,285,227</i>	<i>\$ 4,228,595</i>	<i>\$ (56,632)</i>	<i>101%</i>

CONTRA COSTA COUNTY - COMMUNITY SERVICES BUREAU

HEAD START PROGRAM

BUDGET PERIOD JANUARY - DECEMBER 2019

AS OF DECEMBER 2019

1	2	3	4	5	6
	Actual Dec-19	Total YTD Actual	Total Budget	Remaining Budget	100% % YTD
a. Salaries & Wages (Object Class 6a)					
Permanent 1011	356,987	3,988,093	4,010,723	22,630	99%
Temporary 1013	40,371	333,112	440,090	106,978	76%
a. PERSONNEL (Object class 6a)	397,358	4,321,206	4,450,813	129,607	97%
b. FRINGE (Object Class 6b)	218,513	2,743,204	2,769,062	25,858	99%
d. EQUIPMENT (Object Class 6d)	-	-	24,000	24,000	-
e. SUPPLIES (Object Class 6e)					
1. Office Supplies	5,009	77,319	65,000	(12,319)	119%
2. Child and Family Services Supplies (Includes classroom Suppli	326	72,688	80,000	7,312	91%
4. Other Supplies					
Health and Safety Supplies	-	-	1,000	1,000	0%
Computer Supplies, Software Upgrades, Computer Replacem	-	114,616	60,000	(54,616)	191%
Health/Safety Supplies	-	3,807	7,000	3,193	54%
Mental helath/Diasabilities Supplies	-	-	1,000	1,000	
Miscellaneous Supplies	-	11,818	12,000	182	98%
Emergency Supplies	-	198	1,000	802	20%
Employee Morale	-	1,379	2,500	1,121	55%
Household Supplies	-	-	6,000	6,000	0%
TOTAL SUPPLIES (6e)	5,334	281,824	235,500	(46,324)	120%
f. CONTRACTUAL (Object Class 6f)					
1. Adm Svcs (e.g., Legal, Accounting, Temporary Contracts)	4,846	151,548	95,000	(56,548)	160%
Estimated Medical Revenue from Medi-Cal (Org 1432 - credit)	-	(226,139)	(630,000)	(403,861)	36%
Health Consultant	5,120	40,260	55,000	14,740	73%
5. Training & Technical Assistance - PA11					
Interaction	-	-	-	-	
Diane Godard (\$50,000/2)	-	9,125	9,000	(125)	101%
Josephine Lee (\$35,000/2)	2,970	5,782	5,000	(782)	116%
Susan Cooke (\$60,000/2)	-	13,708	15,000	1,292	91%
7. Delegate Agency Costs					
First Baptist Church Head Start PA22	376,321	2,025,741	2,194,788	169,047	92%
First Baptist Church Head Start PA20	-	-	8,000	8,000	0%
8. Other Contracts					
FB-Fairgrounds Partnership (Wrap)	19,439	55,415	74,212	18,797	75%
FB-Fairgrounds Partnership	63,954	143,829	163,600	19,771	88%
FB-E. Leland/Mercy Housing Partnership	-	10,800	20,000	9,200	54%
Martinez ECC (18 HS slots x \$225/mo x 12/mo)	9,090	97,178	108,000	10,823	90%
Tiny Toes	2,727	10,454	72,720	62,267	14%
YMCA of the East Bay (20 HS slots x \$225/mo x 12/mo)	-	326,400	652,800	326,400	50%
f. CONTRACTUAL (Object Class 6f)	484,467	2,664,098	2,843,120	179,022	94%
h. OTHER (Object Class 6h)					
2. Bldg Occupancy Costs/Rents & Leases	58,193	520,494	576,000	55,506	90%
(Rents & Leases/Other Income)	-	-	-	-	
4. Utilities, Telephone	9,746	136,584	164,000	27,416	83%
5. Building and Child Liability Insurance	-	1,733	3,000	1,267	58%
6. Bldg. Maintenance/Repair and Other Occupancy	1,070	305,240	387,000	81,760	79%
8. Local Travel (55.5 cents per mile effective 1/1/2012)	1,153	35,046	62,000	26,954	57%
9. Nutrition Services					
Child Nutrition Costs	29,289	310,553	322,000	11,447	96%
(CCFP & USDA Reimbursements)	(17,435)	(158,840)	(85,000)	73,840	187%
13. Parent Services					
Parent Conference Registration - PA11	-	2,075	10,000	7,925	21%
Parent Resources (Parenting Books, Videos, etc.) - PA11	-	831	1,000	169	83%
PC Orientation, Trainings, Materials & Translation - PA11	-	825	7,600	6,775	11%
Policy Council Activities	156	2,217	2,000	(217)	111%
Male Involvement Activities	-	-	500	500	0%
Parent Activities (Sites, PC, BOS luncheon) & Appreciation	9,120	10,282	7,000	(3,282)	147%
Child Care/Mileage Reimbursement	1,581	6,499	7,500	1,001	87%
14. Accounting & Legal Services					
Auditor Controllers	-	3,987	5,000	1,013	80%
Data Processing/Other Services & Supplies	1,658	15,903	16,500	597	96%
15. Publications/Advertising/Printing					
Outreach/Printing	-	-	100	100	0%
Recruitment Advertising (Newspaper, Brochures)	-	50	1,400	1,350	4%
16. Training or Staff Development					
Agency Memberships (WIPFLI, Meeting Fees, NHSA, NAEYI	343	42,151	41,959	(192)	100%
Staff Trainings/Dev. Conf. Registrations/Memberships - PA11	4,098	103,442	99,785	(3,657)	104%
17. Other					
Site Security Guards	-	17,775	47,000	29,225	38%
Dental/Medical Services	-	-	2,000	2,000	0%
Vehicle Operating/Maintenance & Repair	8,099	112,793	145,000	32,207	78%
Equipment Maintenance Repair & Rental	7,268	159,529	205,000	45,471	78%
Dept. of Health and Human Services-data Base (CORD)	833	9,175	9,500	325	97%
Field Trips	-	-	30,000	30,000	0%
Other Operating Expenses (Facs Admin/Other admin)	181,616	502,348	543,205	40,857	92%
Other Departmental Expenses	324,432	2,241,284	3,077,280	835,996	73%
h. OTHER (6h)	621,221	4,381,976	5,688,329	1,306,353	77%
I. TOTAL DIRECT CHARGES (6a-6h)	1,726,894	14,392,307	16,010,824	1,618,517	90%
j. INDIRECT COSTS	-	900,853	903,555	2,702	100%
k. TOTALS (ALL BUDGET CATEGORIES)	1,726,894	15,293,160	16,914,379	1,621,219	90%
Non-Federal Share (In-kind)	431,723	4,285,227	4,228,595	(56,632)	101%

CONTRA COSTA COUNTY - COMMUNITY SERVICES BUREAU

EARLY HEAD START PROGRAM

BUDGET PERIOD JANUARY - DECEMBER 2019

AS OF DECEMBER 2019

DESCRIPTION	December YTD Actual	Total Budget	Remaining Budget	100% % YTD
a. PERSONNEL	\$ 253,896	\$ 294,506	\$ 40,610	86%
b. FRINGE BENEFITS	167,375	146,451	(20,924)	114%
d. EQUIPMENT	-	-	-	0%
e. SUPPLIES	19,921	17,300	(2,621)	115%
f. CONTRACTUAL	742,281	2,049,140	1,306,859	36%
g. CONSTRUCTION	-	-	-	0%
h. OTHER	750,705	1,133,075	382,370	66%
I. TOTAL DIRECT CHARGES	\$ 1,934,178	\$ 3,640,472	\$ 1,706,294	53%
j. INDIRECT COSTS	34,182	50,672	16,490	67%
k. TOTAL-ALL BUDGET CATEGORIES	\$ 1,968,360	\$ 3,691,144	\$ 1,722,784	53%
<i>In-Kind (Non-Federal Share)</i>	<i>\$ 494,777</i>	<i>\$ 922,786</i>	<i>\$ 428,009</i>	<i>54%</i>

CONTRA COSTA COUNTY - COMMUNITY SERVICES BUREAU

EARLY HEAD START PROGRAM

BUDGET PERIOD JANUARY - DECEMBER 2019 AS OF DECEMBER 2019

1	2	3	4	5	6
	Actual Dec-19	Total YTD Actual	Total Budget	Remaining Budget	100% % YTD
Expenditures					
a. Salaries & Wages (Object Class 6a)					
Permanent 1011	21,844	238,428	243,399	4,971	98%
Temporary 1013	108	15,469	51,107	35,638	30%
a. PERSONNEL (Object class 6a)	21,952	253,896	294,506	40,610	86%
b. FRINGE (Object Class 6b)	16,270	167,375	146,451	(20,924)	114%
d. EQUIPMENT (Object Class 6d)	-	-	-	-	
e. SUPPLIES (Object Class 6e)					
1. Office Supplies	179	5,598	4,000	(1,598)	140%
2. Child and Family Serv. Supplies/classroom St	-	8,878	7,700	(1,178)	115%
4. Other Supplies	-	-	-	-	
Computer Supplies, Software Upgrades, Con	-	3,821	3,500	(321)	109%
Miscellaneous Supplies	-	1,580	2,000	420	79%
Household Supplies	34	44	100	56	44%
e. SUPPLIES (Object Class 6e)	213	19,921	17,300	(2,621)	115%
f. CONTRACTUAL (Object Class 6f)					
2. Health/Disabilities Services	-	-	-	-	
Health Consultant	1,280	3,780	7,800	4,020	48%
Other Health/Dental Services Costs	-	-	-	-	
5. Training & Technical Assistance - PA11					
Interaction	-	-	5,500	5,500	0%
Diane Godard	-	-	7,500	7,500	0%
Josephine Lee (\$35,000/2)	-	2,886	5,000	2,114	58%
Susan Cooke (\$60,000/2)	-	1,725	6,500	4,775	27%
8. Other Contracts					
FB-Fairgrounds Partnership	33,835	110,895	130,140	19,245	85%
FB-E. Leland/Mercy Housing Partnership	23,230	86,310	135,800	49,490	64%
Apiranet	-	413,000	862,040	449,040	48%
Apiranet HVI	-	(159,882)	350,000	509,882	-46%
Cameron School	16,160	40,400	96,960	56,560	42%
Crossroads	11,615	129,975	161,540	31,565	80%
Martinez ECC	8,080	113,192	121,960	8,768	93%
YMCA	-	-	158,400	158,400	0%
f. CONTRACTUAL (Object Class 6f)	94,200	742,281	2,049,140	1,306,859	36%
h. OTHER (Object Class 6h)					
2. Bldg Occupancy Costs/Rents & Leases	632	1,571	1,800	229	87%
(Rents & Leases/Other Income)	-	-	-	-	
4. Utilities, Telephone	273	3,045	2,700	(345)	113%
5. Building and Child Liability Insurance	-	-	-	-	
6. Bldg. Maintenance/Repair and Other Occupa	44	2,694	2,300	(394)	117%
8. Local Travel (55.5 cents per mile)	40	2,674	4,100	1,426	65%
9. Nutrition Services	-	-	-	-	
Child Nutrition Costs	-	-	300	300	0%
13. Parent Services					
Parent Conference Registration - PA11	-	-	4,000	4,000	0%
PC Orientation, Trainings, Materials & Trans	-	1,280	4,000	2,720	32%
Policy Council Activities	-	-	-	-	
Parent Activities (Sites, PC, BOS luncheon)	-	1,198	1,400	202	86%
Child Care/Mileage Reimbursement	195	885	700	(185)	126%
14. Accounting & Legal Services					
Auditor Controllers	-	-	500	500	0%
Data Processing/Other Services & Supplies	519	4,604	3,000	(1,604)	153%
15. Publications/Advertising/Printing					
Recruitment Advertising (Newspaper, Brochu	-	-	100	100	
16. Training or Staff Development					
Agency Memberships (WIPFLI, Meeting Fee	107	133	2,200	2,067	6%
Staff Trainings/Dev. Conf. Registrations/Mer	15,771	24,945	48,244	23,299	52%
17. Other					
Site Security Guards	-	1,628	2,000	372	
Vehicle Operating/Maintenance & Repair	243	10,986	14,000	3,014	78%
Equipment Maintenance Repair & Rental	-	2,407	5,000	2,593	48%
Dept. of Health and Human Services-data Ba	-	-	1,000	1,000	
Other Operating Expenses (Facs Admin/Oth	31,695	51,134	60,000	8,866	85%
Other Departmental Expenses	25,716	641,521	975,731	334,210	
h. OTHER (6h)	75,236	750,705	1,133,075	382,370	66%
i. TOTAL DIRECT CHARGES (6a-6h)	207,871	1,934,178	3,640,472	1,706,294	53%
j. INDIRECT COSTS	(23,735)	34,182	50,672	16,490	67%
k. TOTALS - ALL BUDGET CATEGORIES	184,137	1,968,360	3,691,144	1,722,784	53%
Non-Federal Match (In-Kind)	55,241	494,777	922,786	428,009	54%

CONTRA COSTA COUNTY-COMMUNITY SERVICES BUREAU

EARLY HEAD START- CC PARTNERSHIP #1

BUDGET PERIOD JULY 2019 - JUNE 2020

AS OF DECEMBER 2019

DESCRIPTION	DECEMBER YTD Actual	Total Budget	Remaining Budget	50% % YTD
a. PERSONNEL	\$ 102,648	\$ 305,109	\$ 202,461	34%
b. FRINGE BENEFITS	66,701	212,143	145,442	31%
c. TRAVEL	-	7,000	7,000	0%
d. EQUIPMENT	-	-	-	0%
e. SUPPLIES	2,569	24,100	21,531	11%
f. CONTRACTUAL	141,922	460,020	318,098	31%
g. CONSTRUCTION	-	-	-	0%
h. OTHER	34,052	65,984	31,932	52%
I. TOTAL DIRECT CHARGES	\$ 347,890	\$ 1,074,356	\$ 726,466	32%
j. INDIRECT COSTS	13,157	64,073	50,916	21%
k. TOTAL-ALL BUDGET CATEGORIES	\$ 361,047	\$ 1,138,429	\$ 777,382	32%
<i>In-Kind (Non-Federal Share)</i>	<i>\$ 86,031</i>	<i>\$ 289,444</i>	<i>\$ 203,413</i>	<i>30%</i>

CONTRA COSTA COUNTY-COMMUNITY SERVICES BUREAU

EARLY HEAD START- CC PARTNERSHIP #1

BUDGET PERIOD JULY 2019 - JUNE 2020

AS OF DECEMBER 2019

1	2	3	4	5	6
	Actual Dec-19	Total YTD Actual	Total Budget	Remaining Budget	50% YTD
Expenditures					
a. Salaries & Wages (Object Class 6a)					
Permanent 1011	18,166	102,648	291,762	189,114	35%
Temporary 1013	-	-	13,347	13,347	
TOTAL PERSONNEL (6a)	18,166	102,648	305,109	202,461	34%
b. FRINGE BENEFITS (Object Class 6b)					
Fringe Benefits	12,398	66,701	212,143	145,442	31%
TOTAL FRINGE (6b)	12,398	66,701	212,143	145,442	31%
c. Travel (Object Class 6c)					
1. Out-of-Town Travel	-	-	7,000	7,000	0%
TOTAL TRAVEL (6c)	-	-	7,000	7,000	0%
e. SUPPLIES (Object Class 6e)					
1. Office Supplies	785	945	2,100	1,155	45%
2. Child and Family Services Supplies (Incl.classroom Sup	-	1,304	15,000	13,696	9%
3. Other Supplies					
Computer Supplies, Software Upgrades, Computer Re	-	260	3,700	3,440	7%
Miscellaneous Supplies	9	37	200	163	18%
Household Supplies	9	23	3,100	3,077	1%
TOTAL SUPPLIES (6e)	802	2,569	24,100	21,531	11%
f. CONTRACTUAL (Object Class 6f)					
1. Adm Svcs (e.g., Legal, Accounting, Temporary Contrac	-	47	1,700	1,653	3%
2. Other Contracts					
COCOKids (52 slots x \$505 x 12 months)	26,260	101,000	315,120	214,120	32%
Loss of Subsidy	-	-	10,000	10,000	0%
Children and Family Supplies (Diapers, wipes, etc)	2,418	4,514	12,000	7,486	38%
First Baptist (20 slots x \$505 x 12 months)	16,160	36,360	121,200	84,840	30%
TOTAL CONTRACTUAL (6f)	44,838	141,922	460,020	318,098	31%
h. OTHER (Object Class 6h)					
1. Bldg Occupancy Costs/Rents & Leases	1,393	11,501	15,500	3,999	74%
2. Utilities, Telephone	311	2,188	5,000	2,812	44%
3. Bldg. Maintenance/Repair and Other Occupancy	5	252	1,400	1,148	18%
4. Local Travel (58 cents per mile effective 1/1/2019)	9	14	1,200	1,186	1%
5. Parent Services					
Parent Activities (Sites, PC, BOS luncheon, including f	-	-	500	500	0%
6. Accounting & Legal Services					
Auditor Controllers	-	-	200	200	0%
7. Training or Staff Development					
Staff Trainings/Dev. Conf. Registrations/Memberships	66	66	18,907	18,841	0%
8. Other					
Equipment Maintenance Repair & Rental	335	784	800	16	98%
Other Operating Expenses (CSD Admin/Facs Mgt. Allc	6,210	19,246	22,477	3,231	86%
TOTAL OTHER (6h)	8,329	34,052	65,984	31,932	52%
I. TOTAL DIRECT CHARGES (6a-6h)	84,535	347,890	1,074,356	726,466	32%
j. INDIRECT COSTS	-	13,157	64,073	50,916	21%
k. TOTALS - ALL BUDGET CATEGORIES	84,535	361,047	1,138,429	777,382	32%
Non-Federal Match (In-Kind)	21,134	86,031	289,444	203,413	30%

SUMMARY CREDIT CARD EXPENDITURE
CREDIT CARD REPORT - VISA/U.S. BANK
December 2019

Fund Org	Acct. code	Amount	Program	Purpose/Description
1432	2102	248.00	HS Basic Grant	Books, Periodicals
1464	2102	998.33	EHS-Child Care Partnership #2	Books, Periodicals
		1,246.33		
1432	2131	38.04	HS Basic Grant	Minor Furniture/Equipment
1464	2300	(693.87)	EHS-Child Care Partnership #2	Transportation & Travel
		(655.83)		
1432	2467	125.00	HS Basic Grant	Training & Registration
1432	2467	125.00	HS Basic Grant	Training & Registration
1432	2467	125.00	HS Basic Grant	Training & Registration
1432	2477	378.55	HS Basic Grant	Educational Supplies
1464	2477	1,495.59	EHS-Child Care Partnership #2	Educational Supplies
		2,249.14		
1432	2479	62.76	HS Basic Grant	Other Special Dpmtal Exp
1464	2479	224.45	EHS-Child Care Partnership #2	Other Special Dpmtal Exp
1464	2479	19.51	EHS-Child Care Partnership #2	Other Special Dpmtal Exp
		306.72		
1432	2490	(71.76)	HS Basic Grant	Misc Services/Supplies
1432	2490	166.74	HS Basic Grant	Misc Services/Supplies
1432	2490	358.54	HS Basic Grant	Misc Services/Supplies
1464	2490	23.91	EHS-Child Care Partnership #2	Misc Services/Supplies
		477.43		
	TOTAL	\$ 3,623.79		

**CAO Monthly Report
CSBG and Weatherization Programs
Year-to-Date Expenditures
As of December 31, 2019**

1. 2019 LIHEAP WX

Contract # 19B-5005

Term: Oct. 1, 2018 - June 30, 2020

Amount: WX \$ 981,523

Total Contract	\$ 981,523
Expenditures	(981,523)
Balance	<u>\$ -</u>
Expended	<u>100%</u>

2. 2019 LIHEAP ECIP/EHA 16

Contract # 19B-5005

Term: Oct. 1, 2018 - June 30, 2020

Amount: EHA 16 \$ 862,398

Total Contract	\$ 773,398
Expenditures	(756,984)
Balance	<u>\$ 16,414</u>
Expended	<u>98%</u>

3. 2017 Department of Energy (DOE)

Contract # 17C-4004

Term: June 1, 2018 - June 30, 2020

Amount: \$ 476,486

Total Contract	\$ 402,486
Expenditures	(284,277)
Balance	<u>\$ 118,209</u>
Expended	<u>71%</u>

4. 2019 COMMUNITY SERVICES BLOCK GRANT (CSBG)

Contract # 19F-4007

Term: Jan. 1, 2019 - Dec. 31, 2019

Amount: \$ 850,578

Total Contract	\$ 850,578
Expenditures	(682,750)
Balance	<u>\$ 167,828</u>
Expended	<u>80%</u>




EMPLOYMENT & HUMAN SERVICES DEPARTMENT
 COMMUNITY SERVICES BUREAU
 CHILD NUTRITION FOOD SERVICES
 CHILD and ADULT CARE FOOD PROGRAM MEALS SERVED
 FY 2016-2017

	2017
Month covered	May
Approved sites operated this month	15
Number of days meals served this month	22
Average daily participation	711
Child Care Center Meals Served:	
Breakfast	13,256
Lunch	15,638
Supplements	12,340
Total Number of Meals Served	41,234

EMPLOYMENT & HUMAN SERVICES DEPARTMENT
 COMMUNITY SERVICES BUREAU
 CHILD NUTRITION FOOD SERVICES
 CHILD and ADULT CARE FOOD PROGRAM MEALS SERVED
 FY 2019-2020

Month covered	2019 November
Approved sites operated this month	13
Number of days meals served this month	18
Average daily participation	619
Child Care Center Meals Served:	
Breakfast	8,766
Lunch	11,144
Supplements	7,088
Total Number of Meals Served	26,998
Claim Reimbursement Total	\$63,440

January 2020 - COMMUNITY SERVICES BUREAU PRESCHOOL MENU

	<p>ALL BREAKFAST & LUNCH SERVED WITH 1% LOW-FAT MILK</p> <p>*Indicates vegetable included in main dish</p> <p>WATER IS OFFERED THROUGHOUT THE DAY</p>		<p>2</p> <p><u>BREAKFAST</u></p> <p>1/2 c. Fresh Pear Slices 1/3 c. Bran Cereal</p> <p><u>LUNCH</u></p> <p>*SPINACH SALAD WITH HARD BOILED EGG</p> <p>1 ea. Hard Boiled Egg 1/4 c. Baby Spinach/Italian Dressing 1/8 c. Shredded Carrots 1 ea. Fresh Tangerine 1/2 sl. W.W. Bread</p> <p><u>PM SNACK</u></p> <p>1 ea. String Cheese 2 pkgs. Ritz Crackers</p>	<p>3</p> <p><u>BREAKFAST</u></p> <p>1 ea. Fresh Banana 1/3 c. Cheerios</p> <p><u>LUNCH</u></p> <p>1.5 ozs. TURKEY HAM & SWISS CHEESE</p> <p>Mayo & Mustard Dressing 1/4 c. Lettuce Leaf 1/4 c. Tomato Slices 1 ea. Fresh Kiwi 1 sl. W.W. Bread</p> <p><u>PM SNACK</u></p> <p>1/2 c. Cucumber & Carrot Sticks Ranch Dressing 6 ea. Wheat Thin Crackers</p>
<p>6</p> <p><u>BREAKFAST</u></p> <p>1 ea. Fresh Apple 1/3 c. Bran Cereal</p> <p><u>LUNCH</u></p> <p>3/4 c. *VEGETABLE CHILI (kidney beans, bulgur wheat & tomatoes) 1/2 ea. Fresh Pear 1 ea. W.W. Tortilla</p> <p><u>PM SNACK</u></p> <p>1 pkg. Goldfish Crackers 1/2 c. 1% Milk</p>	<p>7</p> <p><u>BREAKFAST</u></p> <p>1 ea. Fresh Orange 1/3 c. Corn Chex Cereal</p> <p><u>LUNCH</u></p> <p>1 serv. CHICKEN ENCHILADA CASSEROLE WITH WHOLE GRAIN TORTILLA CHIPS</p> <p>1/4 c. Jicama Sticks 1 ea. Fresh Kiwi</p> <p><u>PM SNACK</u></p> <p>1/4 c. Low-Fat Plain Yogurt 1/2 c. Mixed Fruit</p>	<p>8</p> <p><u>BREAKFAST</u></p> <p>1/2 c. Applesauce 1/2 sl. W. W. Cinnamon Toast</p> <p><u>LUNCH</u></p> <p>2 1/3 c. GROUND TURKEY & SPAINISH RICE</p> <p>1/4 c. Broccoli Florets/Ranch Dressing 1 ea. Fresh Tangerine</p> <p><u>PM SNACK</u></p> <p>1 pkg. Animal Crackers 1/2 c. 1% Milk</p>	<p>9</p> <p><u>BREAKFAST</u></p> <p>1/2 c. Pineapple Tidbits 1/2 ea. W.W. Bagel/Cream Cheese</p> <p><u>LUNCH</u></p> <p>1 c. MAC & CHEESE WITH WHOLE GRAIN NOODLES</p> <p>1/4 c. Leafy Greens & Red Bell Strips Vinaigrette Dressing 1/4 c. Fresh Pear Slices</p> <p><u>PM SNACK</u></p> <p>1/3 c. Friends Trail Mix (kix, cheerios, corn chex, raisins, pretzels, & dried apricots) 1/2 c. 1% Milk</p>	<p>10</p> <p><u>BREAKFAST</u></p> <p>1 ea. Fresh Banana 1/3 c. Kix Cereal</p> <p><u>LUNCH</u></p> <p>3/4 c. TUNA SALAD (tuna, eggs, mayo, relish, celery, & onions) 1/4 c. Baby Carrots (No Dressing) 1/2 ea. Fresh Apple 1 sl. W.W. Bread</p> <p><u>PM SNACK - ANTS ON A LOG</u></p> <p>1/4 c. Celery Sticks 1 tbsp. Sunbutter (Raisins) 1/2 c. 1% Milk</p>
<p>13</p> <p><u>BREAKFAST</u></p> <p>1 ea. Fresh Red Apple 1/3 c. Rice Chex Cereal</p> <p><u>LUNCH</u></p> <p>3/8 c. REFRIED BEAN BURRITO 1/2 oz. Shredded Cheese 1/4 c. Mexicali Corn 1 ea. Fresh Tangerine 1 ea. W.W. Tortilla</p> <p><u>PM SNACK</u></p> <p>2 pkgs. Ritz Crackers 1/2 c. 1% Milk</p>	<p>14</p> <p><u>BREAKFAST</u></p> <p>1 ea. Fresh Orange 1/3 c. Kix Cereal</p> <p><u>LUNCH</u></p> <p>1/2 c. BBQ CHICKEN 1/4 c. Rainbow Slaw 1/2 ea. Fresh Pear 1/2 ea. W.W. Hamburger Bun</p> <p><u>PM SNACK</u></p> <p>1 ea. Fresh Banana/Sunbutter 1/2 c. 1% Milk</p>	<p>15</p> <p><u>BREAKFAST</u></p> <p>1/2 c. Pineapple Tidbits 1/2 ea. W.W. Bagel/ Cream Cheese</p> <p><u>LUNCH</u></p> <p>3/4 c. * RED POZOLE SOUP (chicken breast , tomato paste, hominy, cabbage, & cilantro) 1 ea. Fresh Kiwi 5 ea. Corn Tortilla Chips</p> <p><u>PM SNACK</u></p> <p>1/2 c. Mango Chunks 1/2 c. 1% Milk</p>	<p>16</p> <p><u>BREAKFAST</u></p> <p>1 ea. Fresh Banana 1/4 c. Oatmeal with Raisins</p> <p><u>LUNCH</u></p> <p>1/2 c. *MARINATED BLACK BEAN SALAD 1/2 oz. Shredded Cheddar Cheese 1/2 ea. Fresh Apple 1 ea. W.G. Corn Tortilla</p> <p><u>PM SNACK</u></p> <p>1 ea. Mozzarella String Cheese 6 ea. Wheat Thin Crackers</p>	<p>17</p> <p><u>BREAKFAST</u></p> <p>1 ea. Fresh Orange 1/3 c. Corn Chex Cereal</p> <p><u>LUNCH</u></p> <p>1.5 ozs. ROASTED TURKEY Mayo & Mustard Dressing 1/4 c. Green Leaf Lettuce 1/4 c. Tomato Slices 1/2 ea. Fresh Pear 1 sl. W.W. Bread</p> <p><u>PM SNACK</u></p> <p>1 pkg. GoldFish Pretzel Crackers 1/2 c. 1% Milk</p>
<p>20</p> 	<p>21</p> <p><u>BREAKFAST</u></p> <p>1 ea. Fresh Orange 1/3 c. Rice Chex Cereal</p> <p><u>LUNCH</u></p> <p>1 ea. SUNBUTTER & JELLY SANDWICH</p> <p>1 oz. Cheese Stick 1/4 c. Baby Carrots (No Dressing) 1 ea. Fresh Apple 1 sl. W.W. Bread</p> <p><u>PM SNACK</u></p> <p>1 pkg. Graham Crackers 1/2 c. 1% Milk</p>	<p>22</p> <p><u>BREAKFAST</u></p> <p>1 ea. Fresh Banana 1 sl. Raisin Bread</p> <p><u>LUNCH</u></p> <p>1.5 ozs. TURKEY ROLL UP Low-Fat Cream Cheese 1/4 c. Broccoli Florets/Ranch Dressing 1/4 c. Fresh Pear Slices 1 ea. W.W. Tortilla</p> <p><u>PM SNACK</u></p> <p>1 pkgs. Animal Crackers 1/2 c. 1% Milk</p>	<p>23</p> <p><u>BREAKFAST</u></p> <p>1 ea. Fresh Tangerine 1/3 c. Cornflake Cereal</p> <p><u>LUNCH</u></p> <p>1/2 c. BLACK BEAN FEISTA 1/4 c. Jicama Sticks 1 ea. Fresh Kiwi 5 ea. Corn Tortilla Chips</p> <p><u>PM SNACK</u></p> <p>2 pkgs. Wheatworth Crackers 1/2 c. 1% Milk</p>	<p>24</p> <p><u>BREAKFAST</u></p> <p>1 ea. Fresh Banana 1/3 c. Rice Chex Cereal</p> <p><u>LUNCH</u></p> <p>1.5 ozs. TURKEY WRAP Low-Fat Cream Cheese 1/4 c. Baby Spinach & Bell Pepper Strips 1/2 ea. Fresh Apple 1 ea. W.W. Tortilla</p> <p><u>PM SNACK</u></p> <p>2 pkgs. Ritz Crackers 1/2 c. 1% Milk</p>
<p>27</p> <p><u>BREAKFAST</u></p> <p>1 ea. Fresh Tangerine 1/3 c. Bran Cereal</p> <p><u>LUNCH</u></p> <p>1 ea. * VEGGIE PITA POCKET (shredded cheese, hard boiled egg, toss salad mix, & cucumbers) Ranch Dressing 1 ea. Fresh Kiwi 1/2 ea. W.W. Pita Bread</p> <p><u>PM SNACK</u></p> <p>1/4 c. Celery Sticks 1 tbsp. Sunbutter 1/2 c. 1% Milk</p>	<p>28</p> <p><u>BREAKFAST</u></p> <p>1 ea. Fresh Banana 1/3 c. Cornflake Cereal</p> <p><u>LUNCH</u></p> <p>1.5 ozs. SLICED TURKEY BREAST Honey Mustard Dressing 1/4 c. Broccoli Florets/Ranch Dressing 1/2 ea. Fresh Pear 1/2 ea. W.W. Bun</p> <p><u>PM SNACK</u></p> <p>5 ea. Corn Tortilla Chips/Salsa 1/2 c. 1% Milk</p>	<p>29</p> <p><u>BREAKFAST</u></p> <p>1 ea. Fresh Orange 1/3 c. Rice Chex Cereal</p> <p><u>LUNCH</u></p> <p>1/2 c. CHIKEN FAJITA 1/4 c. Carrot Sticks/Hummus 1/2 ea. Fresh Apple 1/4 c. Brown Rice</p> <p><u>PM SNACK</u></p> <p>1/2 c. Roasted Purple Cauliflower 6 ea. Wheat Thin Crackers</p>	<p>30</p> <p><u>BREAKFAST</u></p> <p>1/2 c. Mango Chunks 1/3 c. Kix Cereal</p> <p><u>LUNCH</u></p> <p>2 tbsps. SUNBUTTER 1 tbsp. Jelly 1 ea. String Cheese 1/4 c. Zucchini Sticks/Ranch Dressing 1 ea. Fresh Cutie</p> <p><u>PM SNACK</u></p> <p>1 pkgs. Cheese-Its Crackers 1/2 c. 1% Milk</p>	<p>31</p> <p><u>BREAKFAST</u></p> <p>1 ea. Fresh Banana 1/3 c. Corn Chex Cereal</p> <p><u>LUNCH</u></p> <p>1.5 ozs. CHICKEN TERIYAKI 1/4 c. Roasted Broccoli 1/2 ea. Fresh Pear 1/4 c. Garlic Rice</p> <p><u>PM SNACK</u></p> <p>1 ea. Hard Boiled Egg 1 ea. Fresh Orange</p>



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: February 25, 2020

Subject: 2018-2019 Program Year Workforce Development Board of Contra Costa Advisory Board Annual Report

RECOMMENDATION(S):

ACCEPT the Workforce Development Board of Contra Costa County Advisory Body Annual Report for Program Year 2018-2019.

FISCAL IMPACT:

There is no fiscal impact.

BACKGROUND:

The Workforce Development Board (WDB) is a 25-member, business lead body whose members are appointed by the Contra Costa County Board of Supervisors to shape and strengthen local and regional workforce development efforts. The WDB brings together leaders from business, economic development, education, labor, community-based organizations, and public agencies to align a variety of resources and organizations to enhance the competitiveness of the local workforce and support economic vitality in the region. The WDB promotes a workforce development system that meets the needs of business, job seekers, and workers, to support a strong and vibrant economy in Contra Costa County.

The WDB approved this Annual Report for submission to the Board of Supervisors at the January 8, 2020 Executive Meeting.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Elaine Burres
608-4960

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

By: , Deputy

cc:

ATTACHMENTS

WDBCCC Advisory Body Annual
Report



ADVISORY BODY ANNUAL REPORT

Advisory Body Name: Workforce Development Board Contra Costa County
Advisory Body Meeting Time/Location: 3:00 PM / 4071 Port Chicago Highway, Concord CA 94520
Chair (during the reporting period): Bhupen Amin, WDB Board Chair
Staff Person (during the reporting period): Donna Van Wert, Executive Director
Reporting Period: Program Year 2018 -2019

I. Activities

(estimated response length: 1/2 page)

Describe the activities for the past year including areas of study, work, special events, collaborations, etc.

Business Forums/Business Expo/Career Fairs

- Northern Waterfront Forum – May 10, 2019 - Goal of 18,000 New Jobs by 2035
- The Hidden Workforce Forum (DEA) – February 19, 2019 – Disability Awareness about 80+ Attendees
- Hidden Untapped Talent Forum – November 7, 2018 – 150+ attendees includes 80 employers
- AMBay Area Summit – April 30, 2019
- East Bay Innovation Awards - March 28, 2019
- San Ramon Chamber Business Expo – March 21, 2019
- West Contra Costa Economic Summit – October 24, 2018
- Alameda County Reentry Expo – September 10, 2018
- West Contra Costa Career Fair March 20, 2019 (Collaboration w/ Contra Costa College, San Pablo EDC, EDD, etc.
- West County Detention Facility Job Fair – March 28, 2019 – 47 inmates attended
- Marsh Creek Detention Facility Job Fair – April 11, 2019 – 46 inmates attended
- Alameda County Sheriffs Re-entry Expo– September 18, 2018
- San Quentin Prison Readiness Resource Fair -2018 & 2019 –40 Inmates attended;25 employers & CBO participated

Onsite Recruitments (OSR) Concord AJCC/Employer Outreach

- 53+ OSR's in partnership with EDD
- 500+ Job Seekers attended
- 159+ Job Placements from the OSR's
- Outreached to 2198 employers
- Outreach efforts produced 1882 job openings

II. Accomplishments

(estimated response length: 1/2 page)

Describe the accomplishments for the past year, particularly in reference to your work plan and objectives.

The WDBCCC developed 3 main goals for our 2017-2020 work plan: 1) **Increase employer engagement;** 2) **utilize priority industries and pathways to inform strategies and coordination with business, education and other stakeholders;** and 3) **improve services, outcomes and tracking of priority population placements.**

Under the federally funded Workforce Innovation and Opportunity Act, the Workforce Development Board of Contra Costa County provided services to over 11,000 residents across Contra Costa County; 304 adults and dislocated workers and 240 youth between the ages of 14 and 24, received individualized career services; 88 of which received classroom training; 163 received Metrix learning (online self-paces curricula in business, technology and medical fields).

The WDB business services staff outreached to over 2,000 employers; serviced over 1800 job openings; and hosted over 53 on-site recruiting events serving over 500 job seekers and resulting in over 159 job placements.

The WDB went through a major reconfiguration of our service delivery model in 2018-2019. After an expensive RFP process, Rubicon Programs was awarded the service delivery contract and through a unique and innovative model, the Contra Costa Workforce Collaborative (CCWC), has increased our capacity to deliver services throughout the County. The CCWC is comprised of ten community based organizations and educational institutions throughout the County. We have also increased our capacity to serve and track priority populations through the successful awards of both a regional 1) Disability Employment Accelerator Grant and 2) Prison 2 Employment grant. These funding sources have afforded the WDB the opportunity to engage on a much deeper level with organizations serving these populations, and increased our ability to serve, track and provide job placement through increased employer engagement forums focusing on these populations.

III. Attendance/Representation

(estimated response length: 1/4 page)

Describe your membership in terms of seat vacancies, diversity, level of participation, and frequency of achieving a quorum at meetings.

Local workforce development board structure and size:

In order for boards to be more strategic and to benefit the overall operation of the workforce system, the Workforce Innovation and Opportunity Act of 2014 (WIOA) substantially changed Local Board composition. WIOA reduced the number of required board members while maintaining a business and industry majority with a business chairperson and increasing representation from labor and employment and training organizations.

To meet the categorical membership percentages, and ensure multiple stakeholder representation, the WDB recommended a board of no less than nineteen (19) and no more than twenty-five (25) members.

Category	Required Percentage	Minimum	Maximum
Representatives of Business	>50%	10	13
Representatives of workforce	20%	4	5
Representatives of Education & Training	N/A (5 seats total)	5	5
Additional Seats from WIOA constituencies	N/A	0	2
TOTAL	100%	19	25

Seat terms shall be staggered and of four years' duration. The term of each seat will commence on July 1st and terminate on June 30th for calendar years later.

The Standing Committee (Executive, Youth and Business Economic & Development, Full Board), works to shape and strengthen local and regional workforce development efforts and provides information and assistance to the Board in carrying out the activities related to each committee's specified area.

IV. Training/Certification

(estimated response length: 1/4 page)

Describe any training that was provided or conducted, and any certifications either received, as a requirement or done on an elective basis by members. NOTE: Please forward copies of any Training certifications to the Clerk of the Board.

Upon appointment, all advisory body appointees and staff must view and certify that they have viewed both training programs.

- **Brown Act and Better Governance Ordinance**
- **AB 1234 Ethics Orientation**

V. Proposed Work Plan/Objectives for Next Year

(estimated response length: 1/2 page)

Describe the advisory body's workplan, including specific objectives to be achieved in the upcoming year.

The WDB will continue to focus on our priority goals developed in 2017 with continued focus on increasing our employer engagement, utilizing our priority industries to inform training strategies and pathway development, and serving and tracking our work with priority populations.

As laid out in our 2019 strategic plan update and modification, in the next year we will be prioritizing the following:

- ✓ Through a state funded SB1 regional proposal we will be supporting MC3 certified pre-apprenticeship training programs with a focus on recruiting women into the trades
- ✓ Through our state funded regional Prison to Employment grant we will be working closely with our local probation departments and the California Department of Corrections and Rehabilitation to support employment and training strategies for individuals on parole and probation
- ✓ Building relationships with CalFRESH and Child Support Services to support employment and training strategies for individuals receiving CalFRESH and non-custodial parents
- ✓ We will continue our work serving individuals with disabilities focusing on intellectual and developmental disabilities
- ✓ We will be prioritizing serving English language learners.



**Contra
Costa
County**

To: Board of Supervisors
From: Deborah R. Cooper, Acting Clerk-Recorder
Date: February 25, 2020

Subject: Refund Overpayment of Documentary Transfer Tax

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Auditor-Controller to issue a refund of overpayment of documentary transfer tax totaling an amount not to exceed \$2140 to specified parties.

FISCAL IMPACT:

The recommendation will result in a reduction of \$2139.50 to the County General Fund: \$1274.35 is from the 2018-19 fiscal year and \$865.15 is from the 2019-20 fiscal year.

BACKGROUND:

The County Clerk-Recorder received an excess payment of documentary transfer tax or should not have collected transfer tax from the following parties in the amounts listed in the table that follows:

☒ APPROVE
 ☐ OTHER
☒ RECOMMENDATION OF CNTY ADMINISTRATOR
 ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Laura Wilson,
925-335-7921

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

First American Title Company 600 Rock Rose Lane San Ramon, CA 94582	Series #2019-0064575	\$463.10
eRecording Partners Network 400 Second Avenue South Minneapolis, MN 55401	Series #2019-0085555	\$811.25
eRecording Partners Network 400 Second Avenue South Minneapolis, MN 55401	Series #2019-0201710	\$737.00
eRecording Partners Network 400 Second Avenue South Minneapolis, MN 55401	Series #2019-0218384	\$27.50
eRecording Partners Network 400 Second Avenue South Minneapolis, MN 55401	Series #2019-0224962	\$100.65

CONSEQUENCE OF NEGATIVE ACTION:

Failure to reimburse the parties would cause them to pay more than legally required for documentary transfer tax.



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 25, 2020

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: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

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 FEBRUARY 25, 2020

[illegible]



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: February 25, 2020

Subject: Quarterly Report of the Post Retirement Health Benefits Trust Agreement Advisory Body

RECOMMENDATION(S):

ACCEPT quarterly report of the Post Retirement Health Benefits Trust Agreement Advisory Body.

FISCAL IMPACT:

No specific fiscal impact. This is a quarterly report of the County's assets in the Public Agency Retirement Services (PARS) Public Agencies Post-Retirement Health Care Plan Trust.

BACKGROUND:

On December 14, 2010, the Board of Supervisors directed the formation of a Post Retirement Health Benefits Trust Agreement Advisory Body (consisting of the County Administrator, County Finance Director, Treasurer-Tax Collector, Auditor-Controller, and Health Services Finance Director).

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

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, Russell Watts, Treasurer-Tax Collector, Patrick Godley, HSD Chief Financial Officer

BACKGROUND: (CONT'D)

At its meeting of August 4, 2011, the body discussed and reviewed final report formats with HighMark Capital Management and made recommendations regarding a final standardized quarterly report. The attached report is in the standardized format.

The following is the investment summary for the period ending December 31, 2019:

Investment Summary	Fourth Quarter 2019
Beginning Value	\$311,460,604.92
Net Contributions/Withdrawals	5,004,716.01
Fees Deducted	-49,746.46
Income Received	6,441,322.71
Market Appreciation	8,414,955.37
Net Change in Accrued Income	120,240.59
Market Value	\$331,392,093.14

Additional Materials -

A Post Retirement Health Benefits Trust Agreement Advisory Body web-page can be found at the following address: <http://ca-contracostacounty.civicplus.com/index.aspx?NID=2915>. The page describes the function of the body, posts quarterly meeting materials, and all pertinent trust and plan documents.

ATTACHMENTS

Quarterly Report (Q4, 2019)

PARS: County of Contra Costa

Fourth Quarter 2019

**Presented by
Andrew Brown, CFA**

HIGHMARK 2020 FORECAST

2020	
GDP	1.9% - 2.5%
S&P500 earnings	\$172 – \$178
Unemployment	3.70%
Core PCE Inflation	1.7% - 2.0%
Fed Funds Target	1.25% - 1.75%

Asset Allocation Committee

Key Global Investment Themes

Global Economy Resets	<ul style="list-style-type: none"> • Economic growth decelerating as the cycle ages and geopolitical tensions increase • Corporate profit growth weak, margins under pressure from tariffs and higher labor costs • Soft landing expected as manufacturing weakness may be bottoming • US consumer confidence remains healthily / acting as a stabilizer
Monetary Policy Accommodative	<ul style="list-style-type: none"> • Global central banks have retreated to easing bias as economy slows under tighter financial conditions • The Fed responded to market fears of slowing economic growth with 3 cuts in 2019 • Weak inflation provides cover opportunity for Fed to lower rates • Proactively easing policy may extend the cycle, but limits counter measures central banks can deploy during contractions
Leverage Increasing	<ul style="list-style-type: none"> • Deleveraging in the household sector offset by increasing debt burden in public and corporate sectors • US budget deficit over 4% of GDP (uncommon outside of recessions and war time) • High debt levels will weigh on economic growth potential • Debt saturation followed by rate normalization will increase risk of credit events – possible rescission trigger
Trade Tensions Thaw	<ul style="list-style-type: none"> • US / China make progress on trade negotiations with partial “phase one” deal • Headlines on progress or setbacks will continue to sway sentiment • Administration incentivized not to risk economic harm as election approaches • Trade war will loom over corporate investment decisions without permanent resolution
Political Climate	<ul style="list-style-type: none"> • US presidential election year will highlight the increasing polarity in Washington • Democratic candidates range from progressive to centrist representing a wide spectrum of policy perspectives • An increase in probability of a progressive candidate taking office may be met with worry by investors • The likelihood of major policy changes in either direction is low under the expectation of a divided congress
China Transitions	<ul style="list-style-type: none"> • Global growth highly levered to emergence of Chinese middle class • Economy being weaned off investment spending to become more reliant on consumption • Government reigning in excessive credit expansion, yet needs to reengage stimulus to maintain a “safe” deceleration • Hard landing would have significant ripple effects across the global economy

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DISCUSSION HIGHLIGHTS

U.S. Economic and Market Overview

Equity markets around the world saw strong 2019 gains and positive 10-year returns following the “Lost Decade” of the 2000s. Meanwhile, the “phase one” trade deal with China lowered trade tensions but left many details unanswered. With the 2020 election in view, investors began assessing potential winners and losers, particularly in the banking and energy sectors. Manufacturing activity hit a 10-year low and mid-western job growth was soft, raising the possibility that the key “swing states” of 2016 will be in play again this year.

Key Takeaways:

- U.S. and foreign data releases in the fourth quarter raised hopes that the worst of the global economic slowdown may be behind us.
- Manufacturing doldrums remain an area of concern, particularly if contagion to the consumer sector occurs.
- The Federal Reserve’s expected pause in rate adjustments allows investors to shift attention to politics and the potential impact of the 2020 election on markets.
- Looking ahead to the 2020s, we expect fixed income and equity returns to be lower than those recorded in the banner year of 2019.
- Geopolitical tensions from Iran to Ukraine to North Korea may lead to market volatility.

Asset classes across the spectrum recorded positive returns in 2019 with nearly every asset class finishing in the green. Stocks, corporate bonds, REITs, and even gold recorded gains benefiting investors of all persuasions. Even Treasuries—which typically decline when risk assets such as stocks rally—ended the year with a gain of 6.8%.¹ What is surprising about the bumper crop of winners last year is the contrast, from a fundamental perspective, between 2018 and 2019.

In 2018, investors should have been encouraged by corporate earnings up 20%², inflation-adjusted GDP growth above long-term averages at 3%, and the stimulative impact of corporate tax cuts and deregulation of multiple industries and sectors. Yet in the midst of these buy-side signals, the S&P 500 lost -4.4% for the year. Among the suspects cited for lackluster market returns were trade tensions and Fed rate hikes.

¹ As measured by the Bloomberg Barclays US Government Index.

² Source: FactSet Earnings Insight

Fast forward to 2019, where corporate earnings flatlined at 0.3% according to FactSet, GDP growth fell to long-term averages of around 2%, and some progress - but no resolution was made to trade disputes with China and Europe. In the midst of these sell-side signals, the S&P 500 rallied to fresh highs—seemingly daily as the year drew to a close—and finished 2019 up 31.5%. The Fed’s dovish about-face, resulting in three rate cuts in 2019, has been key to understanding the animal spirits in the market. But it should be noted that the S&P 500 had already jumped nearly 20% even before the first rate cut following the Fed’s July 30-31 meeting.

The second half of 2019 saw data releases that helped assuage investor concerns over the summer that economic recession might be on the horizon. These included a Treasury yield curve returning from the inversion brink, a pickup in residential housing starts, and consumer sentiment that, while down from earlier peaks, had yet to hit levels consistent with predicting an upcoming recession. Investors also cheered the USMCA trade deal, which could add as much as 35 basis points to future GDP growth ³.

The “phase one” deal with China was also welcomed, but more as a promising start of a period of risk reduction and a sign of a renewed willingness on both sides to work together rather than as a resolution of numerous outstanding issues. Hopefully, “phase two” will supply more details that investors can use to determine the impact of a trade thaw. For now, “phase one” does little to resolve ongoing corporate concerns over global supply chain management and whether to increase capital expenditures on plant and equipment.

November 2020

With the Fed expected to take a pause from making rate adjustments, investors are beginning to pay attention to politics and the impact of the election on markets and the economy. On the slate for November is the presidential election, as well as congressional elections for all 435 seats in the U.S. House of Representatives and 35 of the 100 senatorial seats. While the last few months have seen headlines about U.S.-China trade relations, Democratic party candidate jockeying and impeachment proceedings, 2020 may be a year when voters demand that the candidates offer specific policies rather than vague wish lists.

While it is early in the election cycle, and voters may already be fatigued, most observers anticipate that if the Republican party maintains the presidency, the administration would continue to seek increased defense spending, possibly act on prior infrastructure plans, and most likely continue aggressive trade policies with China and potentially, Europe. If current trade policies continue with President Trump’s re-election, capital expenditure and business investment spending could suffer as a result of a spike in trade tensions.

3 As measured by the Bloomberg Barclays US Government Index.

The possibility of a Democratic administration also concerns investors because of the widely varying proposals of the Democratic hopefuls and little clarity on who the final candidate will be. The differences between tax changes proposed by, for example, candidates Sanders and Biden are dramatic, as are defense spending goals with Buttigieg planning to raise and Warren seeking to cut. That said, there are several areas where the Democratic candidates broadly agree while differing in the details:

- roll back some or all of the 2017 Tax Cut and Jobs Act;
- increase tax rates for wealthy individuals; and
- change current banking and energy policies.

Banking and energy appear at this stage of the campaign to offer the clearest expectations of the potential impact of a Democratic presidency on specific market sectors. Two of the candidates, Sanders and Warren, would bring back the 1933 Glass-Steagall Act which separated retail banking and investment banking. While Glass-Steagall was repealed by Democratic President Bill Clinton in 1999, lack of Glass-Steagall protection has often been cited by Democratic politicians as one cause of the Great Recession. Forcing banks to unwind the changes they have made to balance sheets and operations over the last 20 years would almost certainly result in lower profitability for the financial sector.

The Democratic candidates also have plans for the oil patch, including ending new oil and natural gas leases on Federal lands, ending offshore drilling, enacting carbon taxes and, for Warren and Sanders, banning oil and natural gas extraction through fracking. These proposals could exacerbate current slowdowns in an energy sector already suffering from stubbornly low oil prices and a significant debt overhang. According to Moody's Investor Services, the exploration and production sector holds some \$93 billion in debt—nearly all of it below-investment grade—that will be coming due next year. If a fracking ban is implemented, the cash flow needed to service or refinance this debt will be even more constrained, further compounding the daunting task of refinancing below-investment grade paper. A fracking ban could also lead to layoffs and lost employment in the oil and natural gas sector.

Beyond banking and energy, the technology sector might also see increased regulatory oversight in a Democratic administration. While past administrations, in particular President Obama's, welcomed the expertise—and lobbying—of tech heavyweight companies, a Democratic winner in November may want to follow the lead of several European nations which are pursuing legislative changes, designed for tighter antitrust enforcement, data privacy rules, and regulatory scrutiny of multinational technology and social media firms. These tech companies, which dramatically outperformed the U.S. stock market in 2019, may see new and unwelcome domestic pressures.

Prospects for Legislative Success

Perhaps heartening to investors is the likelihood that many of the more progressive Democratic proposals would face little chance of passage in a post-election Senate with a Republican majority. Even in the unlikely event of a Democratic takeover of the Senate majority, many of the Warren-Sanders initiatives might struggle to achieve the majority of votes needed to pass.

If the Democratic party selects a moderate candidate and is successful in gaining the Presidency, a Democrat-led House of Representatives and a Republican Senate may find areas where compromise is achievable. Infrastructure spending and a solution to health care costs that continue to soar as the U.S. population ages may be two of the challenges that a divided Congress could successfully tackle.

Market Overview/Performance Discussion

Total Plan

The County of Contra Costa OPEB Plan returned 4.7% net of investment fees in the fourth quarter, which slightly exceeded the County's Plan benchmark target of 4.56%. Investment performance in the quarter was solid from both an absolute and relative performance standpoint. In every category where the Plan implements 'active' management, returns exceeded benchmark targets. Within large cap equity, four of the five managers outperformed the Russell 1000 Index in the quarter, with three managers ranking in the top quartile of their respective Morningstar peer universe rankings. The top equity returning fund for the quarter was the Victory RS Small Cap Growth Fund who returned 13.46% and ranked in the 8th percentile of the small cap growth peer universe. The strong relative outperformance also extended to the fixed income segment where the internally managed fixed income strategy returned 0.52% which would have ranked in the top quartile of the Morningstar US Fund Intermediate Core-Plus Bond Universe – if it were a mutual fund. Two of the three international equity managers outperformed the MSCI-EAFE Index in the quarter. Additionally, the Alternative asset class segment saw three of the Plan's four managers beat the Plan benchmark target. The primary detractor for the Plan in the quarter was asset allocation. The Plan began the quarter with an underweight to equities, and moreover maintained an overweight to REIT equity. REITs turned in a disappointing fourth quarter, returning -1.1%. The underweight to stocks stemmed from concerns over the U.S. and China trade relations, and from Brexit. As the quarter progressed, we increased equities to almost a neutral target allocation. However, the underweight to equities that was maintained for the majority of the quarter, was a detractor.

Domestic Equity

- **The Plan's large cap equity segment returned 9.38% in the quarter, which exceeded the Russell 1000 Index return of 9.04%.**
 - The iShares Russell 1000 ETF 9.0% in the quarter.
 - The Columbia Contrarian Core Fund returned 9.21% in the quarter, which outperformed the benchmark. The Fund ranked in the 23rd percentile of the Morningstar U.S. Large Cap Blend Universe.
 - The Harbor Capital Appreciation Fund returned 12.45% in the quarter, which exceeded the Russell 1000 Growth Index's return of 10.62%. The Fund ranked in the 9th percentile of the Morningstar U.S. Large Growth Universe.
 - The T. Rowe Price Growth Stock Fund returned 10.08% in the quarter, which trailed the Russell 1000 Growth Index. The Fund ranked in the 36th percentile of the Morningstar U.S. Large Growth Universe.
 - The Dodge and Cox Stock Fund gained 10.09% in the quarter, and outperformed the Russell 1000 Value Index's return of 7.41%. The Fund ranked in the 6th percentile of the Morningstar U.S. Large Value Universe.
 - The Vanguard Growth and Income Fund registered a 8.79% return in the quarter, which trailed the S&P 500 Index. The Fund ranked in the 47th percentile of the Morningstar U.S. Large Blend Universe.
 - In December, the iShares S&P500 Value ETF was added to the Plan. For the month, the Fund returned 2.94%.

Domestic Equity

- **The mid cap equity segment returned 7.02% in the quarter, which was in-line with the Russell Mid Cap Index return of 7.06%.**
 - The iShares Russell Mid Cap ETF returned 7.04% in the quarter.
- **The small cap equity segment returned 10.10% in the quarter, which outperformed the Russell 2000 Index return of 9.94%.**
 - The iShares Russell 2000 ETF returned 9.92% in the fourth quarter.
 - The Victory RS Small Cap Growth Fund returned 13.46% in the quarter, which outpaced the Russell 2000 Growth Index return of 11.39%. The fund ranked in the 8th percentile of the Morningstar U.S. Small Growth Universe.
 - The Undiscovered Managers Behavioral Value Fund returned 7.29% in the quarter, and underperformed the Russell 2000 Value Index's return of 8.49%. The Fund ranked in the 69th percentile of Morningstar's U.S. Small Value Universe.

Real Estate

The Vanguard REIT ETF returned 0.6% which ranked in the 36th percentile of Morningstar's U.S. Fund Real Estate Universe

International/Global Equity

- **The Plan's international/global equity segment returned 8.86% in the quarter. This return outperformed the MSCI EAFE Index return of 8.17% but slightly trailed the MSCI ACWI Index return of 8.95%.**
 - The iShares MSCI EAFE Index ETF returned 8.1% in the quarter.
 - The Dodge & Cox International Stock Fund returned 10.61% in the quarter and outperformed the MSCI EAFE Index. The Fund ranked in the 12th percentile of the Foreign Large Value Universe as measured by Morningstar.
 - The MFS International Growth Fund returned 9.03% in the quarter which outperformed the MSCI EAFE Index. The Fund ranked in the 58th percentile for foreign large growth managers as measured by Morningstar.
 - The iShares MSCI ACWI Index ETF returned 8.93% in the quarter.
 - The American Funds New Perspective Fund recorded a 10.15% return in the quarter, which exceeded the MSCI ACWI Index and ranked in the 17th percentile within the Morningstar World Large Stock Universe
 - The MFS Global Equity R6 Fund returned 7.36%, which lagged the benchmark and ranked in the 71st percentile of the Morningstar World Large Stock Universe.
 - The Hartford Schrodgers Emerging Market Equity Fund returned 11.32% during the quarter and underperformed the MSCI Emerging Market benchmark return of 11.84%. The Fund ranked in the 42nd percentile of the Morningstar Diversified Emerging Market Universe.

Fixed Income

The Bloomberg Barclays Aggregate Bond Index returned 8.7% in 2019, the best performance for this index since 2002, seventeen years ago! Interest rates in 2019 ended the year 103 basis points lower at the one year maturity, and 62 basis points lower in the thirty-year. The significant declines in interest rates resulted in a total return for the U.S. Treasury sector of 6.9%, while all other sectors outperformed their Treasury counterparts. Investment grade corporate bonds delivered returns of 14.5%, outperforming Treasuries by 676 basis points, while non-investment grade bonds outperformed Treasuries by 934 basis points. However, most of that outstanding performance last year is due to the sell-off in the fourth quarter of 2018, which resulted in a return of exactly one basis point for the index in 2018. The sell-off resulted from concerns over slowing growth, U.S. versus China trade disputes, and tight monetary policy. When those concerns, especially regarding monetary policy, began to diminish, interest rates declined and corporate bond spreads fell even more. However, it's unlikely that we will have a repeat of last year's performance since we are starting from a much higher base. Rather than project another year of performance like 2019, it is probably best to think of the returns as an average for the last two years as an average of the 8.7% return in 2019, and the 0.01% return in 2018, which would be about 4.3% per year, much closer to the long term average.

In late 2018, after nine consecutive 25 basis point increases in the fed funds rate beginning in 2015, the market sent an unmistakable message to the federal reserve that it had gone far enough toward tighter credit conditions. However, despite market warnings, the central bank indicated that they were going to raise rates several more times in 2019, and that the reduction in their Treasury holdings was on "autopilot", meaning that the sale of securities would continue indefinitely. As a result risk assets sold off sharply in the fourth quarter of 2018 and the S&P 500 plummeted -13.5%, high-yield bonds fell -4.5%, and the 10-year Treasury yield reached nearly 3.25%. As interest rates continued to rise, the Federal Reserve got the message that the economy wasn't healthy enough to withstand any more tightening and, in fact, rates needed to be lowered. The Federal Reserve then cut rates in three successive quarter point increments to the current level of 1.50% to 1.75%, while risk assets recovered quickly in the first quarter. For the remainder of the year, including the fourth quarter, risk assets continued a modest recovery while Treasury rates returned to where they were prior to the sell-off.

After the robust returns earlier in the year, fourth quarter returns were quite modest. The Bloomberg Barclays Aggregate Index gained only 0.2% in the quarter, helped by a 1.2% return from investment grade corporate bonds, and 0.7% from mortgage-backed securities. U.S. Treasury returns were mixed as the yield curve steepened, resulting in a return of -0.8% for the Treasury sector as 1-year rates fell 18 basis points, while the 5-year yield increased 15 basis points, and the 30-year bond yield increased 28 basis points. Investment grade bond spreads averaged +101 at year-end, +58 bp below the long term average, while non-investment grade bonds averaged +360 bp, +198 bp below average.

Fixed Income (Cont.)

- **The Plan's fixed income segment returned 0.37% in the quarter, which slightly exceeded the Bloomberg Barclays Aggregate Index return of 0.18%.**
 - The separately managed fixed income portfolio returned 0.52% which beat the benchmark. The portfolio would have ranked approximately in the 9th percentile of the Morningstar U.S. Intermediate Term Core-Plus Bond Universe.
 - The PIMCO Total Return Bond Fund posted a -0.3% return in the quarter, which ranked in the 94th percentile of Morningstar's U.S. Intermediate-Term Core-Plus Bond Universe. The Fund underperformed the Index.
 - The Prudential Total Return Bond Fund returned 0.35% in the quarter. This ranked in the 51st percentile of Morningstar's U.S. Intermediate-Term Core-Plus Bond Universe and outperformed the benchmark.

Alternative Investments

The Alternatives portion of the Plan returned 2.88% and outperformed the Wilshire Liquid Alternative Index return of 1.55%. Three of the four managers generated returns in excess of the benchmark. For the second quarter in a row, the Eaton Vance Global Macro Fund was the strongest performing manager returning 3.09%. Results were positive across all global regions. Eastern Europe was the top contributor, driven by strength in rates and currencies. A long bond position in Ukraine (unhedged) performed well as the central bank cut interest rates by 3%. Latin America and the Middle East/Africa region was the next largest contributor. In Latin America a sovereign credit long position in Barbados, where the government and external creditors reached a debt restructuring deal was additive to performance. Western Europe and Asia were favorable to performance as the region's top position was a long position in Icelandic equities, which rallied after the central bank reduced interest rates in an effort to increase aggregate demand. Two detractors to performance included a short position in the New Zealand Dollar and a short position in the South African Rand.

The Blackrock Strategic Income Fund generated a 1.61% return for the fourth quarter. Positive performance was driven by their macro strategy (+37 bps), absolute return (+30 bps), structured credit (+21 bps), European credit (+18 bps) and emerging market debt positions (+16 bps). The strategy was long mortgages which provided strong absolute returns in the quarter. The Fund reduced duration in the quarter, moving from 3.7 years to 3 years, which cost the strategy roughly 30 basis points in performance. The team also reduced investment grade corporate exposure as spreads tightened and the sector was viewed as slightly expensive by the team.

Alternative Investments (Cont.)

The Blackrock Event Driven Fund posted a 1.42% return for the quarter, resulting in a peer ranking of 35 in the Morningstar Market Neutral category. Hard catalysts were the largest contributor (+1.50%) for the quarter, while soft catalyst situations contributed 16bps and credit detracted 5bps respectively. The fund increased exposure to hard catalyst situations from 86% of long market value in Q3 to 91% given the robust opportunity set in mergers and acquisitions. The remaining 9% was allocated to 5% soft catalyst situations and 4% to credit opportunities. We should continue to see the majority of exposure and returns coming by way of M&A with opportunities presenting themselves in soft catalyst and credit strategies.

The Western Asset Macro Opportunities Fund returned 5.96% leading the alternative managers. Long foreign currency positions to the Brazilian Real, the Russian Ruble, and the Mexican Peso were positive for the fund as all of these currencies strengthen against the dollar. Emerging market debt holdings also were additive to performance, specifically positions in Argentina, Russia, and Mexico. Overall EM debt gains were aided by continued easing with central banks in Turkey, Brazil, Mexico, and Russia. Mexican credit benefitted from the progress made on the USMCA trade agreement. Investment grade and high-yield credit exposure to the financial and energy sectors aided performance as well. The only area where the fund saw any decline in value was in Peripheral Europe

Alternative Investments (Cont'd)

- The alternative investment segment returned 2.88% in the fourth quarter, which exceeded the Wilshire Liquid Alternatives Index return of 1.55%.
 - The BlackRock Strategic Income Opportunity Fund returned 1.61%, which exceeded the benchmark, and ranked in the 42nd percentile of Morningstar's Non-Traditional Bond Universe.
 - The Eaton Vance Global Macro Absolute Return Fund gained 3.09% which ranked in the 12th percentile of Morningstar's Non-Traditional Universe
 - The Western Asset Macro Opportunities Fund returned 5.96% in the fourth quarter and ranked in the 1st percentile of Morningstar's Non-Traditional Universe.
 - The BlackRock Event Driven Equity Fund returned 1.42% in the quarter and ranked in the 34th percentile of the Morningstar US Fund Market Neutral Universe

Asset allocation/Manager Changes

As the quarter progressed, and perceived risks associated with the trade war and Brexit diminished, we increased the equity allocation by 2%. We did end the quarter at a slight underweight to equities (-0.75%)

In December, we implemented an overweight to domestic large cap value stocks, relative to large cap growth stocks. The 2.5% overweight to large cap value was implemented through the purchase of the iShares S&P 500 Value ETF. We believe large cap growth stocks are expensive on a relative basis. Valuation dispersion are near all-time levels, favoring value.

Manager Watch List

<i>Name of Fund</i>	<i>Date on watch list</i>	<i>Date exiting watch list</i>	<i>Recommendation</i>	<i>Rationale</i>
<i>Columbia Contrarian Core Fund</i>	3Q 2018		Remove from watch list	Originally, the Annualized return trailed the benchmark return on a 3-year basis, triggering inclusion on the manager watch list. The manager delivered strong performance over the course of 2019, outperforming the Russell 1000 Index and ranking in the 10 th percentile of the Morningstar U.S. Large Cap Blend Universe.
<i>Dodge & Cox International</i>	3Q 2018		Retain on watch	We are encouraged by the performance of the Plan by outperforming the EAFE Index benchmark for the calendar year period of 2019, and ranking in the Morningstar Foreign Large Value Universe in the 7 th percentile for the calendar year period. We would anticipate removing this fund from watch list in the next few quarters.

Asset Allocation

Period Ending December 31, 2019

Asset Allocation	9/30/2019 Market Value	9/30/2019 % of Total	12/31/2019 Market Value	12/31/2019 % of Total	Target Allocation
Large Cap Equities					
Columbia Contrarian Core Inst3	9,324,664	3.0%	10,183,866	3.1%	--
iShares Russell 1000 ETF	23,960,808	7.7%	26,750,689	8.1%	--
Vanguard Growth & Income Adm	9,369,321	3.0%	10,192,831	3.1%	--
Dodge & Cox Stock Fund	7,945,384	2.6%	6,627,109	2.0%	--
iShares S&P 500 Value ETF	--	--	3,312,612	1.0%	--
Harbor Capital Appreciation Retirement	3,778,001	1.2%	3,699,738	1.1%	--
T. Rowe Price Growth Stock Fund	3,812,540	1.2%	3,341,079	1.0%	--
Total Large Cap Equities	\$ 58,190,719	18.7%	\$ 64,107,923	19.4%	19.0%
		<i>Range</i>		<i>Range</i>	13-32%
Mid Cap Equities					
iShares Russell Mid-Cap ETF	17,053,224	5.5%	19,945,990	6.0%	--
Total Mid Cap Equities	\$ 17,053,224	5.5%	\$ 19,945,990	6.0%	6.0%
		<i>Range</i>		<i>Range</i>	2-10%
Small Cap Equities					
iShares Russell 2000 ETF	12,314,536	4.0%	15,168,745	4.6%	--
Undiscovered Managers Behavioral Val R6	6,257,824	2.0%	6,579,864	2.0%	--
Victory RS Small Cap Growth R6	6,097,132	2.0%	7,206,361	2.2%	--
Total Small Cap Equities	\$ 24,669,491	7.9%	\$ 28,954,971	8.8%	9.0%
		<i>Range</i>		<i>Range</i>	4-12%
International Equities					
DFA Large Cap International I	4,798,325	1.5%	5,183,101	1.6%	--
iShares MSCI EAFE ETF	11,917,519	3.8%	13,158,949	4.0%	--
Dodge & Cox International Stock Fund	4,852,772	1.6%	5,367,675	1.6%	--
MFS® International Growth R6	4,712,302	1.5%	5,137,894	1.6%	--
Hartford Schroders Emerging Mkts Eq Y	3,993,421	1.3%	5,068,577	1.5%	--
Total International Equities	30,274,338	9.7%	\$ 33,916,197	10.3%	10.0%
		<i>Range</i>		<i>Range</i>	4-20%
Global Equities					
MSCI iShares ACWI Index ETF	10,980,048	3.5%	11,603,627	3.5%	--
American Funds New Perspective R6	4,662,061	1.5%	5,135,216	1.6%	--
MFS Global Equity FD CL R5 #4818	4,670,500	1.5%	5,014,223	1.5%	--
Total Global Equities	\$ 20,312,609	6.5%	\$ 21,753,065	6.6%	8.0%
		<i>Range</i>		<i>Range</i>	4-12%

Asset Allocation

Period Ending December 31, 2019

Asset Allocation	9/30/2019 Market Value	9/30/2019 % of Total	12/31/2019 Market Value	12/31/2019 % of Total	Target Allocation
Real Estate					
Vanguard Real Estate ETF	15,797,762	5.1%	15,269,615	4.6%	--
	\$ 15,797,762	5.1%	\$ 15,269,615	4.6%	4.0%
		<i>Range</i>		<i>Range</i>	<i>0-8%</i>
Fixed Income					
Core Fixed Income Holdings	86,568,212	27.8%	92,045,705	27.8%	--
PIMCO Total Return Instl Fund	18,852,721	6.1%	19,720,114	6.0%	--
Prudential Total Return Bond Q	18,886,670	6.1%	19,762,579	6.0%	--
Total Fixed Income	\$ 124,307,604	40.0%	\$ 131,528,397	39.8%	43.0%
		<i>Range</i>		<i>Range</i>	<i>30-50%</i>
Alternatives					
BlackRock Event Driven Equity Instl	4,688,205	1.5%	4,073,852	1.2%	--
BlackRock Strategic Income Opps K	3,917,401	1.3%	3,280,172	1.0%	--
Eaton Vance Glb Macr Absolt Retrn R6	3,902,460	1.3%	3,243,916	1.0%	--
Western Asset Macro Opportunities IS	3,125,540	1.0%	3,311,843	1.0%	--
Total Alternatives	\$ 15,633,605	5.0%	\$ 13,909,784	4.2%	0.0%
		<i>Range</i>		<i>Range</i>	<i>0-10%</i>
Cash					
Money Market	4,635,731	1.5%	1,300,389	0.4%	--
Total Cash	\$ 4,635,731	1.5%	\$ 1,300,389	0.4%	1.0%
		<i>Range</i>		<i>Range</i>	<i>0-5%</i>
TOTAL	\$ 310,875,084	100.0%	\$ 330,686,331	100.0%	100.0%

Investment Summary

Period Ending December 31, 2019

Investment Summary	Fourth Quarter 2019	Year to Date 2019
Beginning Value	311,460,604.92	\$ 260,226,787.74
Net Contributions/Withdrawals	5,004,716.01	20,914,785.10
Fees Deducted	-49,746.46	-196,492.99
Income Received	6,441,322.71	11,448,085.44
Market Appreciation	8,414,955.37	38,915,024.12
Net Change in Accrued Income	120,240.59	83,903.73
Ending Market Value*	\$ 331,392,093.14	\$ 331,392,093.14 *

Investment Summary	Fourth Quarter 2018	Year to Date 2018
Beginning Value	275,858,092.90	\$ 254,664,786.12
Net Contributions/Withdrawals	4,992,580.98	20,833,234.72
Fees Deducted	-48,392.18	-193,402.20
Income Received	5,833,237.10	9,681,815.66
Market Appreciation	-26,299,750.76	-24,826,725.70
Net Change in Accrued Income	-108,980.30	67,079.14
Ending Market Value*	\$ 260,226,787.74	\$ 260,226,787.74 *

*Ending Market Value differs from total market value on the previous page due to differences in reporting methodology. The above ending market value is reported as of trade date and includes accruals. The Asset Allocation total market value is reported as of settlement date.

Investment Strategy

As of December 31, 2019

Tactical Asset Allocation

Asset Class	% Portfolio Weighting			Rationale
	Target	Current Portfolio	Over/Under Weighting	
Cash	1.0%	0.5%	-0.5%	
Fixed Income	43.0%	40.0%	-3.0%	<ul style="list-style-type: none"> We forecast the Fed Funds rate to be between 1.25% - 1.75% at the end of 2020. This forecast implies that the Fed will either cut rates one time, or stand pat for 2020. Economic data, while soft, will likely not warrant a cut. The trillions of dollars of global sovereign debt trading at negative yields will likely keep a bid in the fixed income markets. Inflation expectations seem to be anchored at 2%.
Alternatives	0.0%	4.25%	+4.25%	<ul style="list-style-type: none"> Cash currently offers a low competitive rate of return. If the Fed does not lower interest rates, fixed income returns may disappoint. While we are not forecasting the 8% return from alternatives in 2019 to be repeated in 2020, we may seek to increase our allocation to alternatives over the course of 2020.
Real Estate (REITS)	4.0%	4.5%	+0.5%	<ul style="list-style-type: none"> REIT equity was the strongest performing asset class through September 2019. REITs sold off modestly in the fourth quarter. We believe REIT fundamentals are still supported by positive employment trends, consumer spending, and GDP growth. REITs have historically performed well in late-cycle periods.
Global Equity	8.0%	6.5%	-1.5%	<ul style="list-style-type: none"> A variety of global economic readings are still indicating a deceleration in global growth. However, during the quarter (and in January 2020) events indicating that a thaw in the trade war between the U.S. and China are encouraging signs that might support the case for an increase in global growth. The early news reports surrounding the Coronavirus are not encouraging, but it is too soon to take any action.
International (Developed)	10.0%	8.5%	-1.5%	<ul style="list-style-type: none"> Purchasing manager readings are still tepid globally. However as mentioned above, with a Phase I deal signed between the U.S. and China, it is reasonable to think that global trade could pick up. Valuations are more attractive internationally versus the U.S. The risks surrounding 'Brexit' seemed to have diminished as well throughout the quarter. The uncertainty around a potential rebound in growth keeps this allocation at a slight underweight.
International (Emerging)	0.0%	1.5%	+1.5%	<ul style="list-style-type: none"> Trade war risks have diminished somewhat with the signing of a Phase 1 deal with China. Emerging market corporate earnings are facing ongoing pressure from slowing global growth and a strong dollar. Valuation spreads relative to developed market equities are not reflecting the more difficult environment and outlook facing emerging market companies.
Total Domestic Equity	34.0%	34.25%	+0.25%	
Large Cap	19.0%	19.5%	+0.5%	<ul style="list-style-type: none"> Large cap equities are currently trading at an 18X forward PE ratio, which is slightly overvalued versus historical valuation levels. We estimate earnings for 2020 will show a mid-single digit growth rate. In the most recent quarter we increased our allocation to large cap equities however by overweighting large cap value. Valuation dispersion between value and growth stocks is at or near all-time levels.
Mid Cap	6.0%	6.0%	-	<ul style="list-style-type: none"> Mid-Cap valuations are currently at a 17X PE ratio. We are at a neutral allocation.
Small Cap	9.0%	8.75%	-0.25%	<ul style="list-style-type: none"> We see small cap equities as offering low double digit earnings growth, with relatively cheap valuations compared to large cap stocks. The higher Beta/higher leverage levels that small caps offer temper some of our enthusiasm.

Selected Period Performance
PARS/COUNTY OF CONTRA COSTA PRHCP
Account 6746038001
Period Ending: 12/31/2019

	3 Months	Year to Date (1 Year)	1 Year	3 Years	5 Years	Inception to Date 02/01/2011
Cash Equivalents	.40	2.07	2.07	1.51	.97	.55
<i>Lipper Money Market Funds Index</i>	.38	1.98	1.98	1.42	.88	.49
Fixed Income ex Funds	.52	9.20	9.20	4.21	3.40	3.80
Total Fixed Income	.37	9.32	9.32	4.41	3.48	3.90
<i>BBG Barclays US Aggregate Bd Index</i>	.18	8.72	8.72	4.03	3.05	3.46
Total Equities	8.27	27.99	27.99	12.37	9.10	9.63
Large Cap Funds	9.38	30.19	30.19	14.83	11.37	12.23
<i>Russell 1000 Index</i>	9.04	31.43	31.43	15.05	11.48	13.09
Mid Cap Funds	7.02	30.21	30.21	11.92	8.79	10.33
<i>Russell Midcap Index</i>	7.06	30.54	30.54	12.06	9.33	11.76
Small Cap Funds	10.10	26.59	26.59	10.38	9.49	11.58
<i>Russell 2000 Index</i>	9.94	25.53	25.53	8.59	8.23	10.40
International Equities	8.86	25.20	25.20	11.78	7.15	6.01
<i>MSCI AC World Index</i>	8.95	26.60	26.60	12.44	8.41	8.26
<i>MSCI EAFE Index</i>	8.17	22.01	22.01	9.56	5.67	5.03
<i>MSCI EM Free Index</i>	11.84	18.42	18.42	11.57	5.61	2.45
REIT Funds	.56	28.88	28.88	8.33	7.11	9.63
<i>Wilshire REIT Index</i>	-1.14	25.76	25.76	7.63	6.87	9.90
Alternatives	2.88	8.33	8.33	1.03	.65	
<i>Dynamic Alternatives Index</i>	1.55	6.66	6.66	2.38	.80	.31
Total Managed Portfolio	4.72	18.67	18.67	8.20	6.11	6.51
Total Account Net of Fees	4.70	18.60	18.60	8.12	6.02	6.40
<i>Contra Costa Policy Benchmark</i>	4.56	18.46	18.46	8.15	6.18	6.93

Inception Date: 02/01/2011

* Benchmark from February 1, 2011 to June 30, 2013: 18% Russell 1000 Index, 6% Russell Midcap Index, 8% Russell 2000 Index, 8% MSCI ACWI Index, 10% MSCI EAFE Index, 45% Barclays Aggregate Index, 4% DJ Wilshire REIT Index, 1% Citigroup 3 Month T Bill Index. From July 1, 2013 to June 30, 2015: 17% Russell 1000 Index, 6% Russell Midcap Index, 8% Russell 2000 Index, 7% MSCI AC World US Index, 9% MSCI EAFE Index, 38% Barclays Aggregate Index, 4% DJ Wilshire REIT Index, 10% HFRI FOF Market Defensive Index, 1% Citigroup 3 Month T-Bill Index. From July 1, 2015 to September 30, 2019: 17% Russell 1000 Index, 6% Russell Midcap Index, 8% Russell 2000 Index, 7% MSCI AC World Index, 9% MSCI EAFE Index, 38% Barclays Aggregate Index, 4% DJ Wilshire REIT Index, 10% Wilshire Liquid Alternative Index, 1% Citigroup 3 Month T-Bill Index. From October 1, 2019: 43% BBG Barclays US Aggregate Bd Index, 1% FTSE 3 Month T-Bill Index, 8% MSCI AC World Index, 10% MSCI EAFE Index, 19% Russell 1000 Index, 9% Russell 2000 Index, 6% Russell Midcap Index, 4% Wilshire REIT Index. ** Dynamic Alternatives Index represents the HFRI FOF Market Defensive Index from 07/01/2013 until 06/30/2015, and then the Wilshire Liquid Alternatives Index from 07/01/2015 forwards. Returns are gross-of-fees unless otherwise noted. Returns for periods over one year are annualized. The information presented has been obtained from sources believed to be accurate and reliable. Past performance is not indicative of future returns. Securities are not FDIC insured, have no bank guarantee, and may lose value.

COUNTY OF CONTRA COSTA

For Period Ending December 31, 2019

LARGE CAP EQUITY FUNDS											
Fund Name	Inception	3-Month Return	Rank	YTD Return	Rank	1-Year Return	Rank	3-Year Return	Rank	5-Year Return	Rank
Columbia Contrarian Core Inst3	(7/13)	9.21	23	33.08	10	33.08	10	13.94	48	10.69	40
Vanguard Growth & Income Adm	(12/16)	8.79	47	29.77	51	29.77	51	14.35	41	11.33	22
Dodge & Cox Stock	(10/14)	10.09	6	24.83	58	24.83	58	11.13	31	9.72	13
iShares S&P 500 Value ETF	(12/19)	9.88	8	31.71	5	31.71	5	11.31	28	9.35	24
T. Rowe Price Growth Stock I		10.08	36	30.98	61	30.98	61	20.22	30	14.38	19
Harbor Capital Appreciation Retirement		12.45	9	33.39	39	33.39	39	21.77	17	14.68	15
Russell 1000 TR USD		9.04	--	31.43	--	31.43	--	15.05	--	11.48	--
iShares Russell 1000 ETF	(3/15)	9.00	36	31.26	30	31.26	30	14.90	28	11.35	21
MID CAP EQUITY FUNDS											
iShares Russell Mid-Cap ETF	(3/15)	7.04	43	30.31	21	30.31	21	11.90	18	9.17	18
Russell Mid Cap TR USD		7.06	--	30.54	--	30.54	--	12.06	--	9.33	--
SMALL CAP EQUITY FUNDS											
Undiscovered Managers Behavioral Val R6	(9/16)	7.29	69	23.34	30	23.34	30	5.90	19	8.26	8
Russell 2000 Value TR USD		8.49	--	22.39	--	22.39	--	4.77	--	6.99	--
Victory RS Small Cap Growth R6	(2/19)	13.46	8	38.38	8	38.38	8	20.10	12	11.83	20
Russell 2000 Growth TR USD		11.39	--	28.48	--	28.48	--	12.49	--	9.34	--
iShares Russell 2000 ETF	(3/15)	9.92	17	25.42	35	25.42	35	8.56	23	8.24	29
INTERNATIONAL EQUITY FUNDS											
Dodge & Cox International Stock		10.61	12	22.77	7	22.77	7	7.66	33	3.67	62
MFS International Growth R6		9.03	58	27.31	60	27.31	60	15.47	18	9.70	12
MFS Global Equity R6	(3/15)	7.36	71	30.66	17	30.66	17	13.61	31	9.22	29
iShares MSCI EAFE ETF	(3/15)	8.10	63	21.94	45	21.94	45	9.50	46	5.61	45
iShares MSCI ACWI ETF	(3/15)	8.93	37	26.70	45	26.70	45	12.70	39	8.62	38
American Funds New Perspective R6	(3/15)	10.15	17	30.48	19	30.48	19	16.79	13	11.45	10
DFA Large Cap International I	(12/18)	8.02	64	22.04	43	22.04	43	9.52	45	5.65	42
MSCI EAFE NR USD		8.17	--	22.01	--	22.01	--	9.56	--	5.67	--
MSCI ACWI NR USD		8.95	--	26.60	--	26.60	--	12.44	--	8.41	--
Hartford Schroders Emerging Mkts Eq F	(11/12)	11.32	42	22.32	30	22.32	30	13.40	18	7.05	16
MSCI EM Free Index		11.84	--	18.42	--	18.42	--	11.57	--	5.61	--

Data Source: Morningstar, SEI Investments

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COUNTY OF CONTRA COSTA

For Period Ending December 31, 2019

REIT EQUITY FUNDS											
Fund Name	Inception	3-Month Return	Rank	YTD Return	Rank	1-Year Return	Rank	3-Year Return	Rank	5-Year Return	Rank
Vanguard Real Estate ETF	(6/17)	0.60	36	28.91	30	28.91	30	8.36	46	7.17	39
Wilshire REIT Index		-1.14	--	25.76	--	25.76	--	7.63	--	6.87	--
BOND FUNDS											
Core Fixed Income Portfolio		.52	9	9.20	21	9.20	21	4.21	15	3.40	9
PIMCO Total Return Instl		-0.30	94	8.26	73	8.26	73	4.31	36	3.25	45
PGIM Total Return Bond R6	(5/16)	0.35	51	11.13	7	11.13	7	5.62	2	4.33	3
BBgBarc US Agg Bond TR USD		0.18	--	8.72	--	8.72	--	4.03	--	3.05	--
ALTERNATIVE FUNDS											
BlackRock Event Driven Equity Instl	(3/19)	1.42	34	7.29	13	7.29	13	6.64	1	4.48	--
BlackRock Strategic Income Opps K	(7/13)	1.61	42	7.82	36	7.82	36	4.05	32	3.09	42
Eaton Vance Glb Macr Absolt Retrn R6	(7/13)	3.09	12	9.82	18	9.82	18	3.50	47	3.42	31
Western Asset Macro Opportunities IS	(2/19)	5.96	1	16.80	1	16.80	1	8.37	2	6.62	1
Dynamic Alternatives Index		1.55	--	6.66	--	6.66	--	2.38	--	0.80	--

Data Source: Morningstar, SEI Investments

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COUNTY OF CONTRA COSTA

For Period Ending December 31, 2019

LARGE CAP EQUITY FUNDS															
Fund Name	Inception	2019 Return	Rank	2018 Return	Rank	2017 Return	Rank	2016 Return	Rank	2015 Return	Rank	2014 Return	Rank	2013 Return	Rank
Columbia Contrarian Core Inst3	(7/13)	33.08	10	-8.81	82	21.89	28	8.77	73	3.25	7	13.14	27	36.04	15
Vanguard Growth & Income Adm	(12/16)	29.77	51	-4.61	31	20.80	54	12.12	24	2.03	16	14.16	13	32.74	37
Dodge & Cox Stock	(10/14)	24.83	58	-7.07	31	18.33	24	21.28	6	-4.49	62	10.40	54	40.55	2
iShares S&P 500 Value ETF	(12/19)	31.71	5	-9.09	57	15.19	61	17.17	25	-3.24	42	12.14	24	31.69	45
T. Rowe Price Growth Stock I		30.98	61	-0.89	37	33.84	15	1.58	63	10.93	--	8.83	--	39.20	--
Harbor Capital Appreciation Retirement		33.39	39	-0.96	37	36.68	5	-1.04	--	10.99	--	9.93	--	37.66	--
Russell 1000 TR USD		31.43	--	-4.78	--	21.69	--	12.05	--	0.92	--	13.24	--	33.11	--
iShares Russell 1000 ETF	(3/15)	31.26	30	-4.91	37	21.53	37	11.91	27	0.82	30	13.08	28	32.93	35
MID CAP EQUITY FUNDS															
iShares Russell Mid-Cap ETF	(3/15)	30.31	21	-9.13	30	18.32	27	13.58	61	-2.57	30	13.03	8	34.50	46
Russell Mid Cap TR USD		30.54	--	-9.06	--	18.52	--	13.80	--	-2.44	--	13.22	--	34.76	--
SMALL CAP EQUITY FUNDS															
Undiscovered Managers Behavioral Val R6	(9/16)	23.34	30	-15.20	49	13.53	11	20.97	80	3.52	1	5.83	25	37.72	--
Russell 2000 Value TR USD		22.39	--	-12.86	--	7.84	--	31.74	--	-7.47	--	4.22	--	34.52	--
Victory RS Small Cap Growth R6	(2/19)	38.38	8	-8.66	70	37.05	--	0.88	--	0.09	--	9.36	--	49.22	--
Russell 2000 Growth TR USD		28.48	--	-9.31	--	22.17	--	11.32	--	-1.38	--	5.60	--	43.30	--
iShares Russell 2000 ETF	(3/15)	25.42	35	-11.02	36	14.66	24	21.36	43	-4.33	44	4.94	44	38.85	35
INTERNATIONAL EQUITY FUNDS															
Dodge & Cox International Stock		22.78	7	-17.98	81	23.94	72	8.26	2	-11.35	98	0.08	9	26.31	8
DFA Large Cap International I	(12/18)	22.04	43	-14.14	44	25.37	48	3.16	23	-2.86	72	-5.24	49	20.69	39
MFS International Growth R6		27.31	60	-8.79	9	32.58	31	2.79	6	0.40	52	-5.01	57	13.94	78
MFS Global Equity R6	(3/15)	30.66	17	-9.51	50	24.04	41	7.43	27	-1.34	48	4.08	33	27.93	34
iShares MSCI EAFE ETF	(3/15)	21.94	45	-13.83	37	24.94	58	0.96	47	-0.90	46	-5.04	46	22.62	18
iShares MSCI ACWI ETF	(3/15)	26.70	45	-9.15	45	24.35	39	8.22	21	-2.39	62	4.64	28	22.91	63
American Funds New Perspective R6	(3/15)	30.48	19	-5.56	18	29.30	16	2.19	77	5.63	6	3.56	40	27.23	38
MSCI EAFE NR USD		22.01	--	-13.79	--	25.03	--	1.00	--	-0.81	--	-4.90	--	22.78	--
MSCI ACWI NR USD		26.60	--	-9.41	--	23.97	--	7.86	--	-2.36	--	4.16	--	22.80	--
Hartford Schroders Emerging Mkts Eq F	(11/12)	22.32	30	-15.42	45	40.96	--	10.41	--	-12.68	--	-4.61	--	-2.28	--
MSCI EM PR USD		15.42	--	-16.63	--	34.35	--	8.58	--	-16.96	--	-4.63	--	-4.98	--

Data Source: Morningstar, SEI Investments

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COUNTY OF CONTRA COSTA

For Period Ending December 31, 2019

REIT EQUITY FUNDS															
Fund Name	Inception	2019 Return	Rank	2018 Return	Rank	2017 Return	Rank	2016 Return	Rank	2015 Return	Rank	2014 Return	Rank	2013 Return	Rank
Vanguard Real Estate ETF	(6/17)	28.91	30	-5.95	58	4.95	57	8.53	17	2.37	65	30.29	33	2.42	27
Wilshire US REIT TR USD		25.76	--	-4.84	--	4.18	--	7.24	--	4.23	--	31.78	--	1.86	--
BOND FUNDS															
Fixed Income Core Portfolio		9.20	21	.14	24	3.49	59	3.63	37	0.78	14	4.74	70	-1.40	41
PIMCO Total Return Instl		8.26	73	-0.26	30	5.13	17	2.60	82	0.73	11	4.69	72	-1.92	78
PGIM Total Return Bond R6	(5/16)	11.13	7	-0.63	46	6.71	3	4.83	21	0.09	40	7.25	7	-0.91	42
BBgBarc US Agg Bond TR USD		8.72	--	0.01	--	3.54	--	2.65	--	0.55	--	5.97	--	-2.02	--
ALTERNATIVE FUNDS															
BlackRock Strategic Income Opps K	(7/13)	7.82	36	-0.47	46	4.97	37	3.65	--	-0.30	--	3.89	--	3.28	--
BlackRock Event Driven Equity Instl	(3/19)	7.29	13	5.49	11	7.14	9	4.29	37	-1.56	--	10.40	--	32.30	--
Eaton Vance Glb Macr Absolt Retrn R6	(7/19) (EGMSX)	9.82	18	-3.13	78	4.21	--	4.00	--	2.63	--	3.03	--	-0.24	--
Western Asset Macro Opportunities IS	(2/19)	16.80	1	-5.42	94	15.21	1	6.57	25	1.57	13	8.11	5	--	--
Dynamic Alternatives Index		6.66	--	-4.24	--	5.07	--	2.29	--	-5.19	--	6.39	--	0.54	--

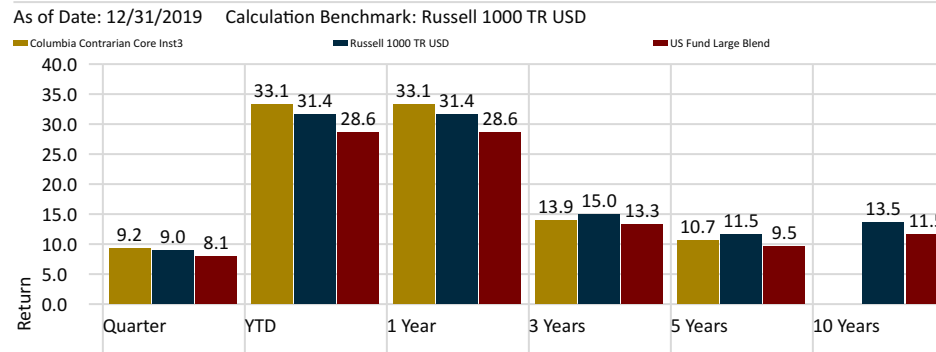
Data Source: Morningstar, SEI Investments

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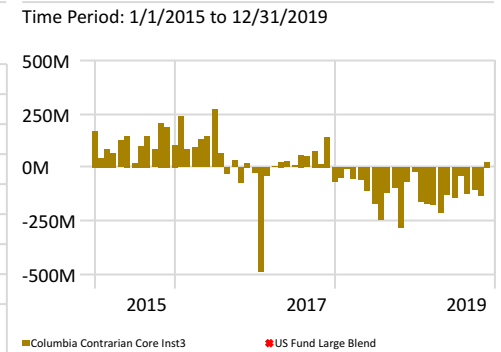
Key Information

Morningstar Category	US Fund Large Blend
Morningstar Rating Overall	★★★
Inception Date	11/8/2012
Expense Ratio	0.64
Fund Size (Mil)	10,332.12
Portfolio Date	11/30/2019
Manager Name	Guy W. Pope

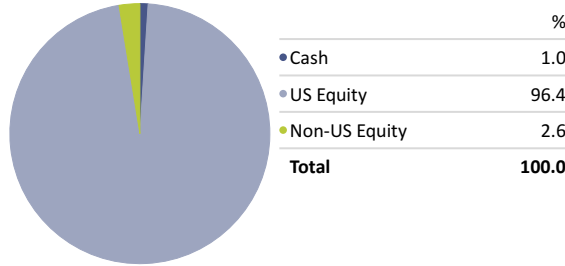
Returns



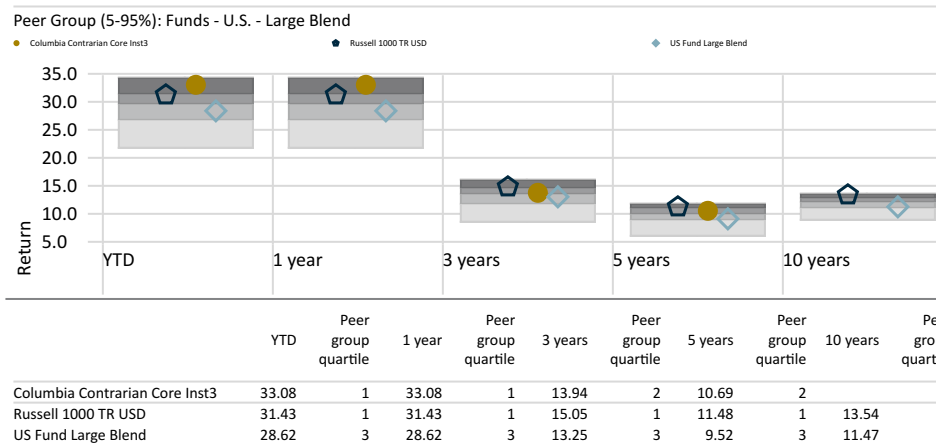
Monthly Estimated Fund-Level Net Flow



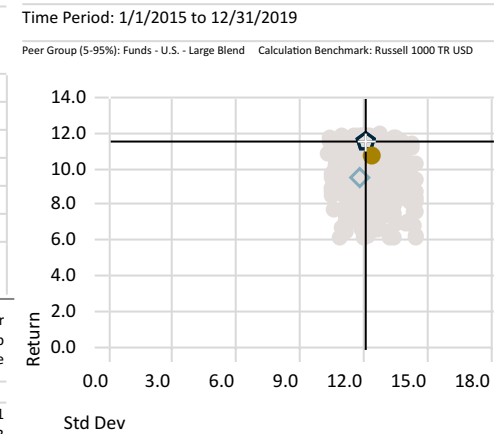
Asset Allocation



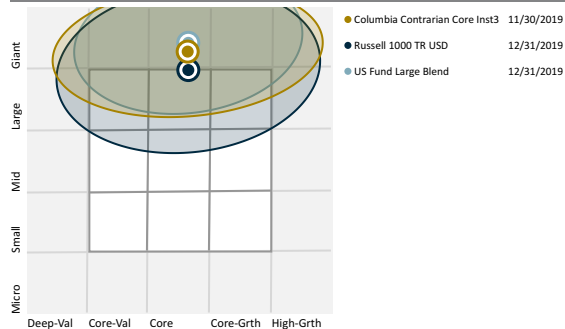
Performance Relative to Peer Group



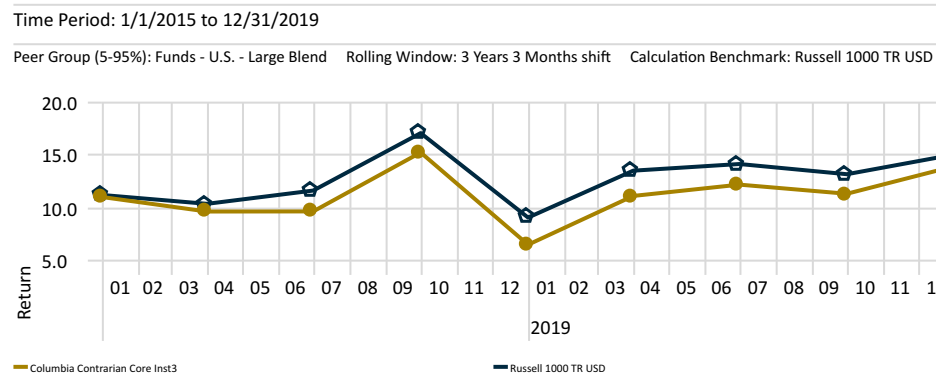
Risk-Reward



Holdings-Based Style Map



Rolling Returns



Columbia Contrarian Core Inst3 - Risk

Time Period: 1/1/2015 to 12/31/2019

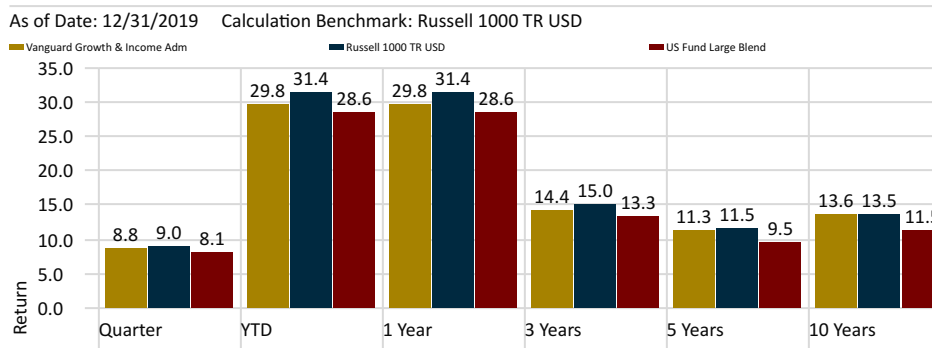
Calculation Benchmark: Russell 1000 TR USD

	Inv	Bmk1
Return	10.69	11.48
Std Dev	12.39	12.07
Downside Deviation	1.68	0.00
Alpha	-0.81	0.00
Beta	1.01	1.00
R2	97.11	100.00
Sharpe Ratio (arith)	0.77	0.86
Tracking Error	2.11	0.00

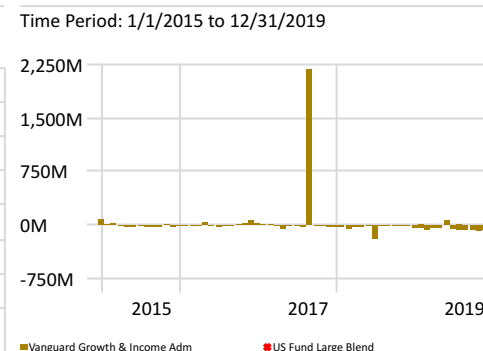
Key Information

Morningstar Category	US Fund Large Blend
Morningstar Rating Overall	★★★★
Inception Date	5/14/2001
Expense Ratio	0.23
Fund Size (Mil)	12,029.59
Portfolio Date	9/30/2019
Manager Name	Multiple

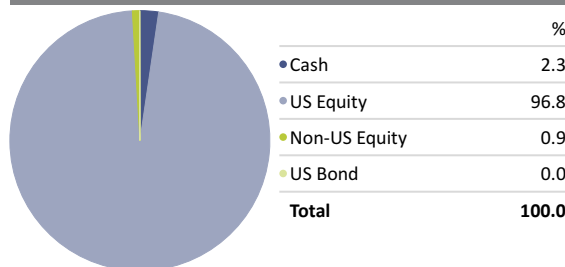
Returns



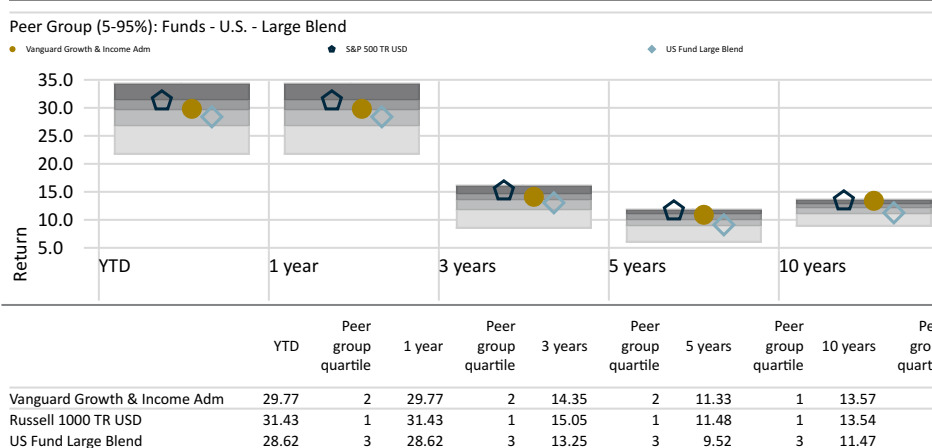
Monthly Estimated Fund-Level Net Flow



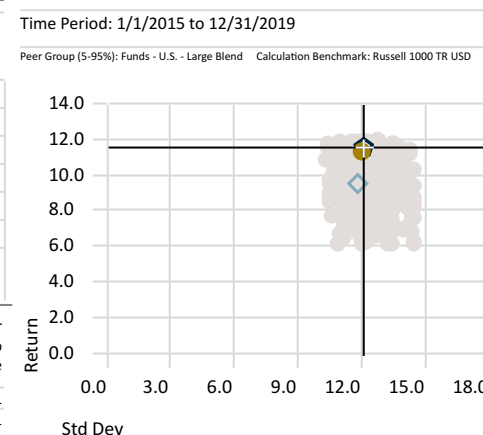
Asset Allocation



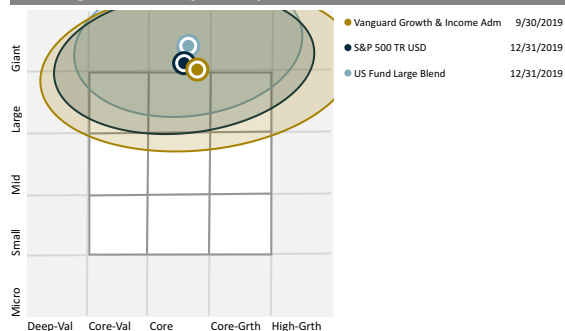
Performance Relative to Peer Group



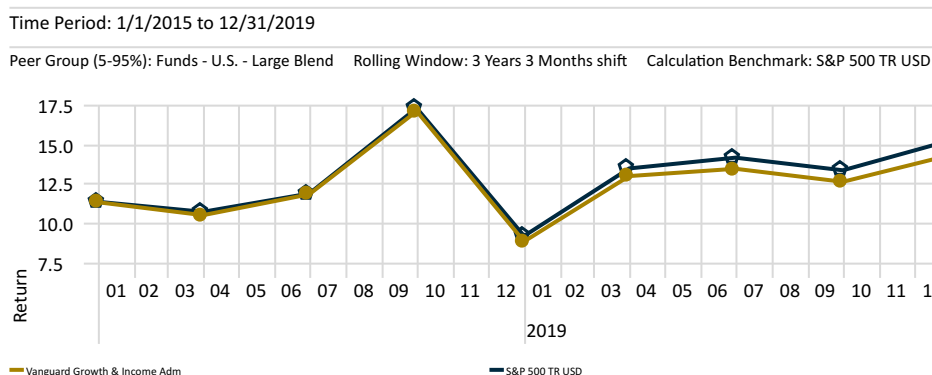
Risk-Reward



Holdings-Based Style Map



Rolling Returns



Vanguard Growth & Income Adm - Risk

Time Period: 1/1/2015 to 12/31/2019

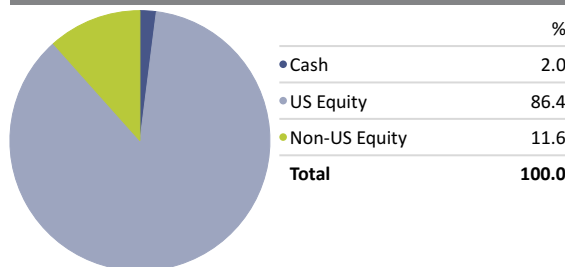
Calculation Benchmark: S&P 500 TR USD

	Inv	Bmk1
Return	11.33	11.70
Std Dev	11.94	11.98
Downside Deviation	0.69	0.00
Alpha	-0.26	0.00
Beta	0.99	1.00
R2	99.34	100.00
Sharpe Ratio (arith)	0.86	0.88
Tracking Error	0.97	0.00

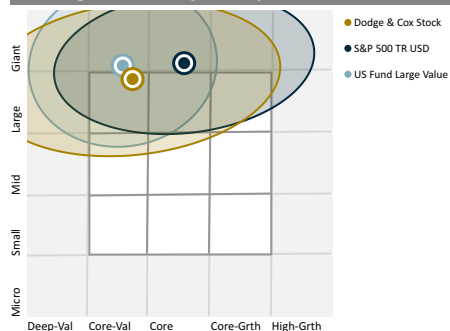
Key Information

Morningstar Category	US Fund Large Value
Morningstar Rating Overall	★★★★
Inception Date	1/4/1965
Expense Ratio	0.52
Fund Size (Mil)	74,585.37
Portfolio Date	9/30/2019
Manager Name	Multiple

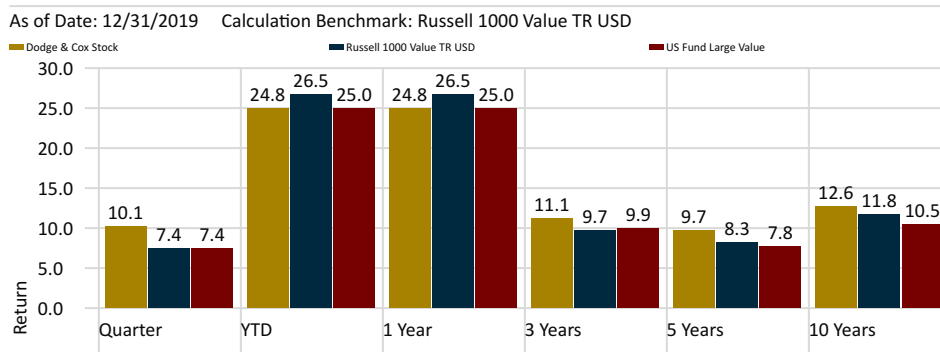
Asset Allocation



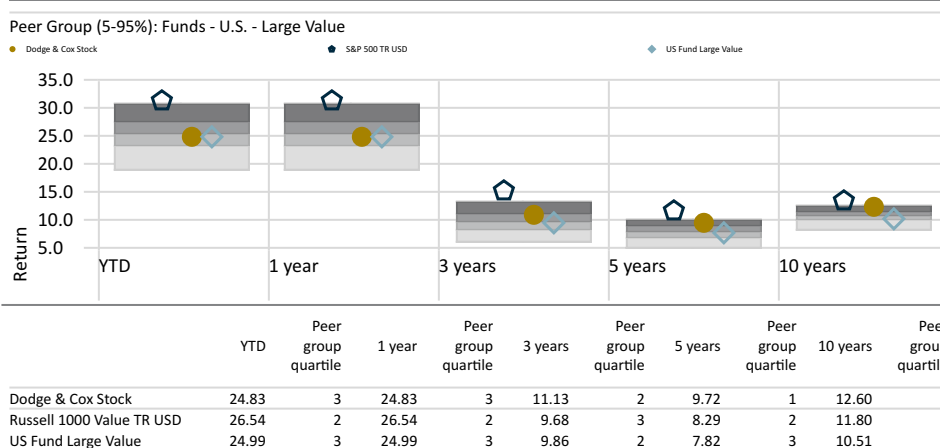
Holdings-Based Style Map



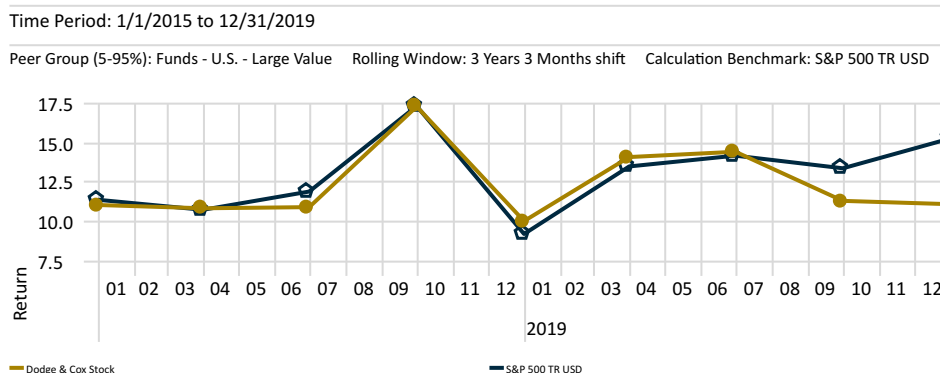
Returns



Performance Relative to Peer Group



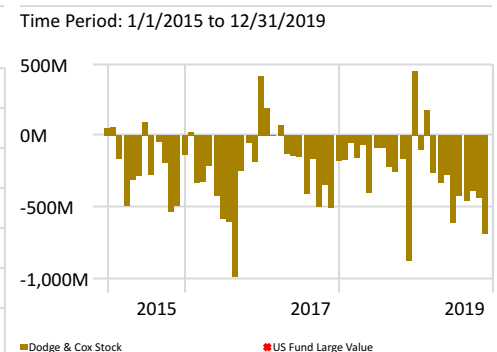
Rolling Returns



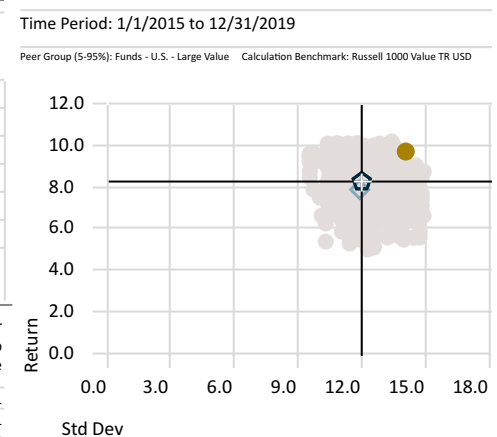
Dodge & Cox Stock

DODGX

Monthly Estimated Fund-Level Net Flow



Risk-Reward



Dodge & Cox Stock - Risk

Time Period: 1/1/2015 to 12/31/2019

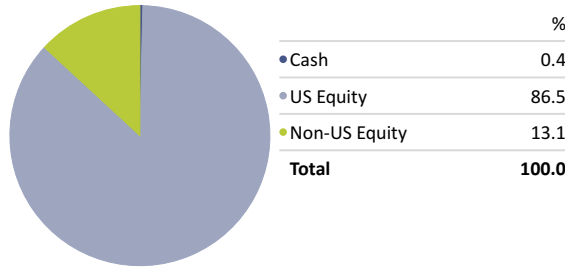
Calculation Benchmark: S&P 500 TR USD

	Inv	Bmk1
Return	9.72	11.70
Std Dev	14.05	11.98
Downside Deviation	3.60	0.00
Alpha	-2.58	0.00
Beta	1.10	1.00
R2	87.40	100.00
Sharpe Ratio (arith)	0.61	0.88
Tracking Error	5.12	0.00

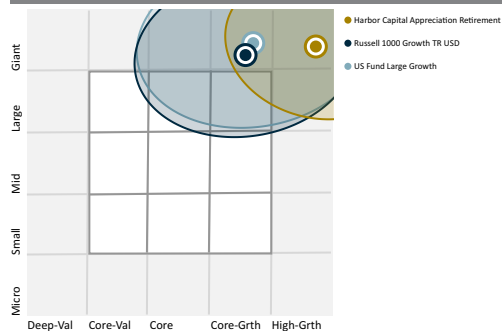
Key Information

Morningstar Category	US Fund Large Growth
Morningstar Rating Overall	★★★★
Inception Date	3/1/2016
Expense Ratio	0.58
Fund Size (Mil)	32,858.72
Portfolio Date	9/30/2019
Manager Name	Multiple

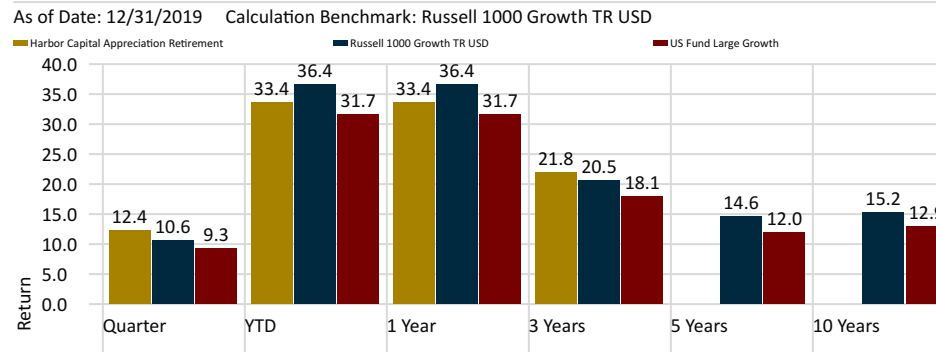
Asset Allocation



Holdings-Based Style Map



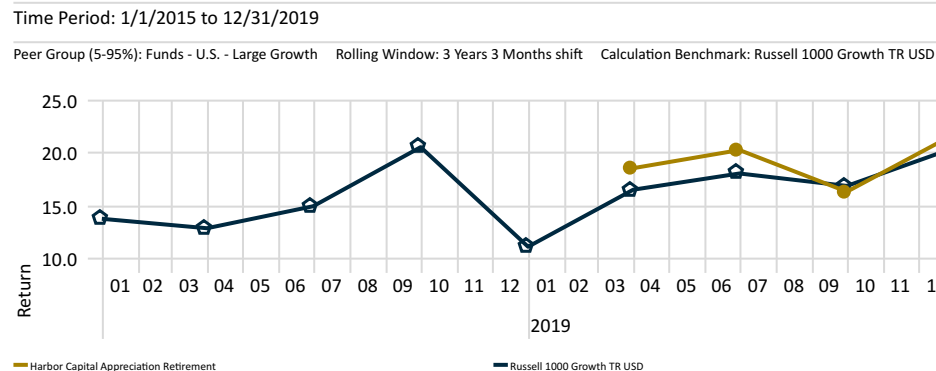
Returns



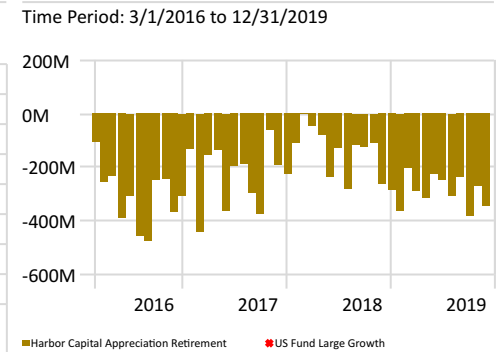
Performance Relative to Peer Group



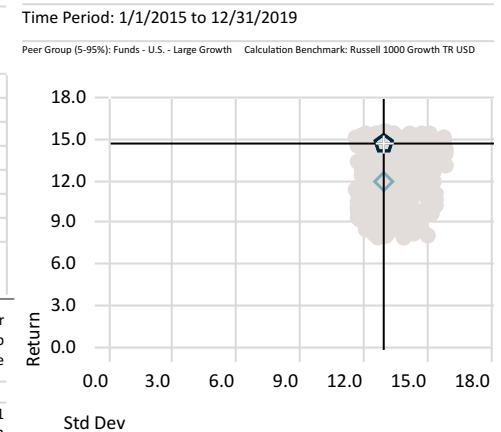
Rolling Returns



Monthly Estimated Fund-Level Net Flow



Risk-Reward



Harbor Capital Appreciation Retirement - Risk

Time Period: 1/1/2015 to 12/31/2019

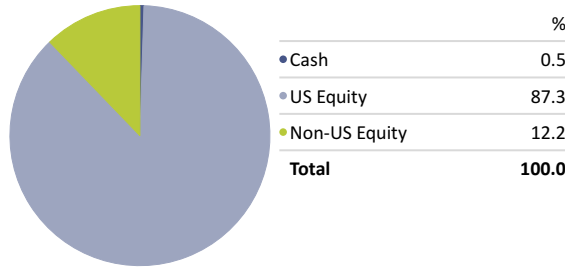
Calculation Benchmark: Russell 1000 Growth TR USD

	Inv	Bmk1
Return		14.63
Std Dev		12.92
Downside Deviation		0.00
Alpha		0.00
Beta		1.00
R2		100.00
Sharpe Ratio (arith)		1.05
Tracking Error		0.00

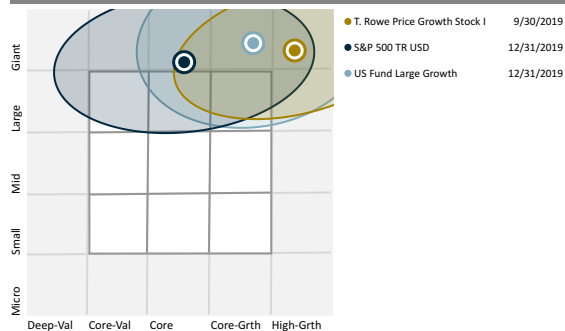
Key Information

Morningstar Category	US Fund Large Growth
Morningstar Rating Overall	★★★★
Inception Date	8/28/2015
Expense Ratio	0.52
Fund Size (Mil)	59,494.08
Portfolio Date	9/30/2019
Manager Name	Joseph B. Fath

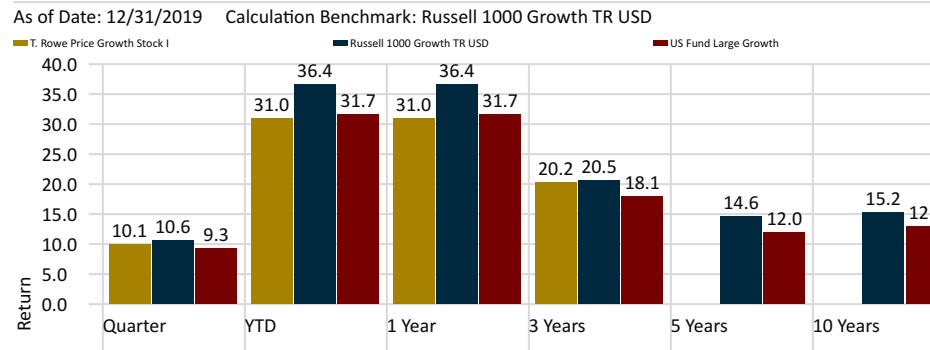
Asset Allocation



Holdings-Based Style Map



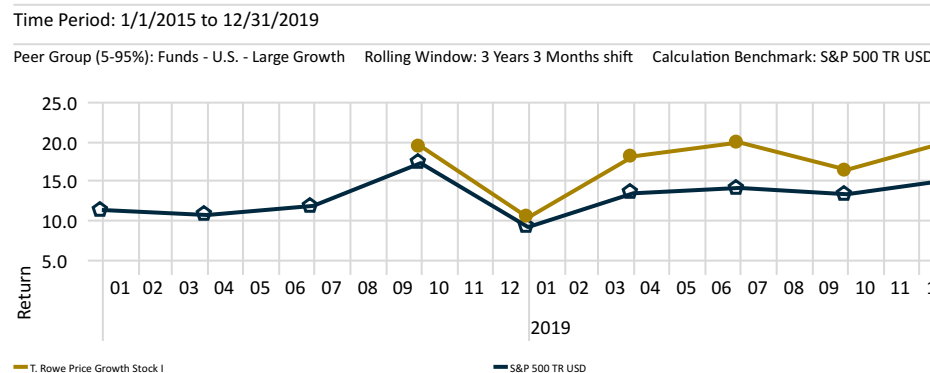
Returns



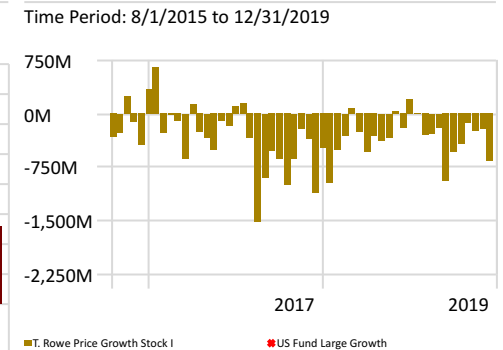
Performance Relative to Peer Group



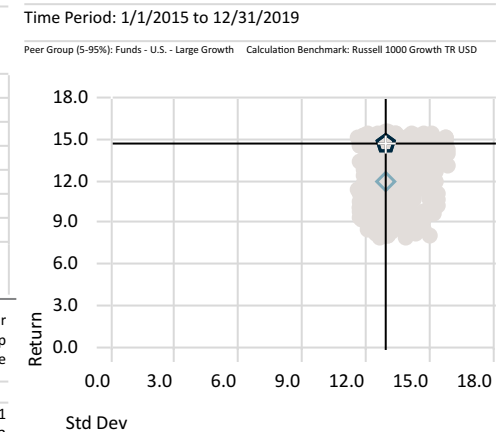
Rolling Returns



Monthly Estimated Fund-Level Net Flow



Risk-Reward



T. Rowe Price Growth Stock I - Risk

Time Period: 1/1/2015 to 12/31/2019

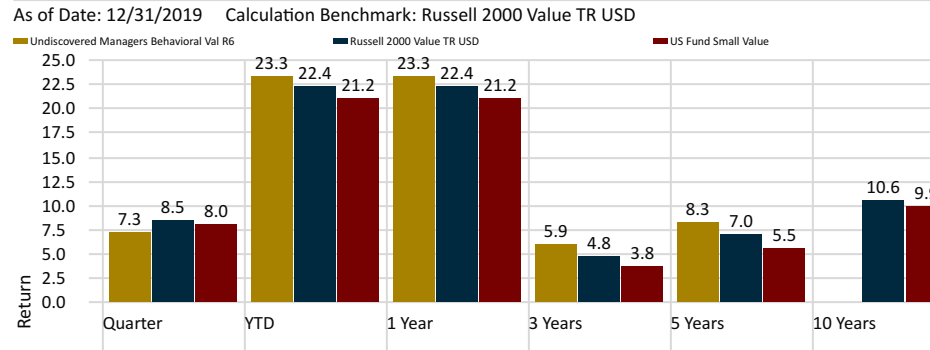
Calculation Benchmark: S&P 500 TR USD

	Inv	Bmk1
Return		11.70
Std Dev		11.98
Downside Deviation		0.00
Alpha		0.00
Beta		1.00
R2		100.00
Sharpe Ratio (arith)		0.88
Tracking Error		0.00

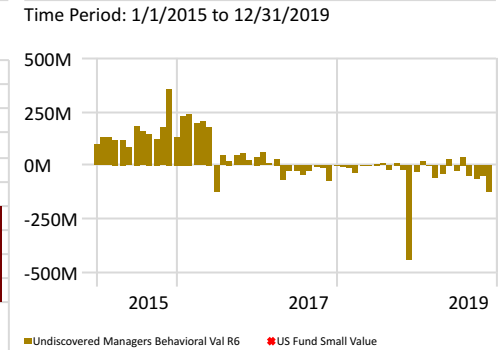
Key Information

Morningstar Category	US Fund Small Value
Morningstar Rating Overall	★★★★★
Inception Date	4/30/2013
Expense Ratio	0.80
Fund Size (Mil)	5,281.94
Portfolio Date	11/30/2019
Manager Name	Multiple

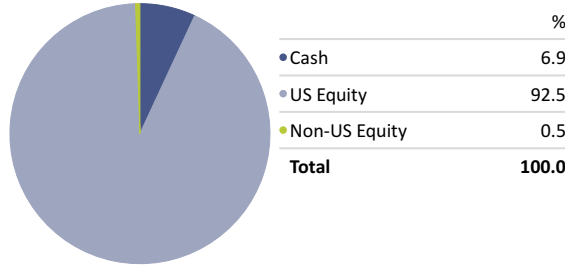
Returns



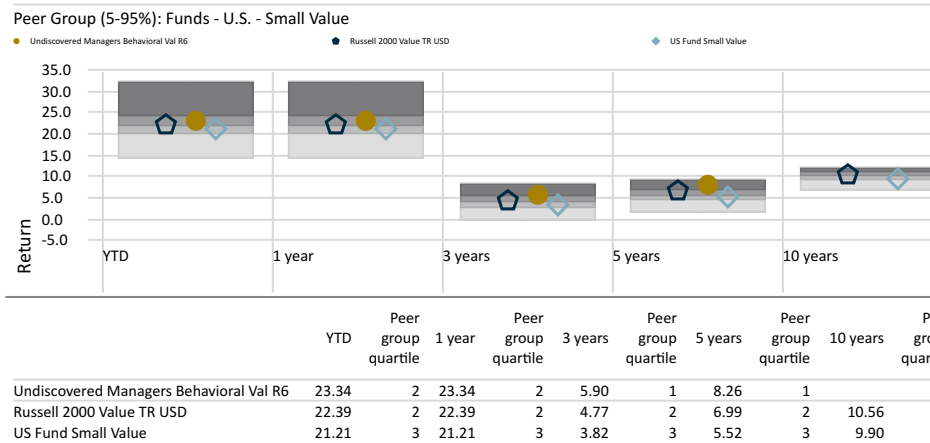
Monthly Estimated Fund-Level Net Flow



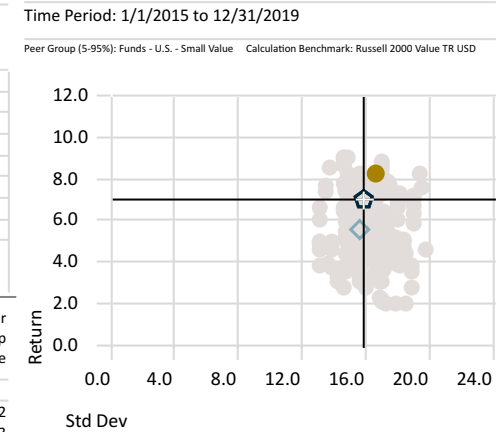
Asset Allocation



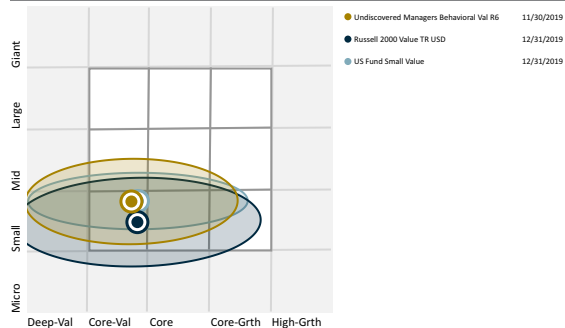
Performance Relative to Peer Group



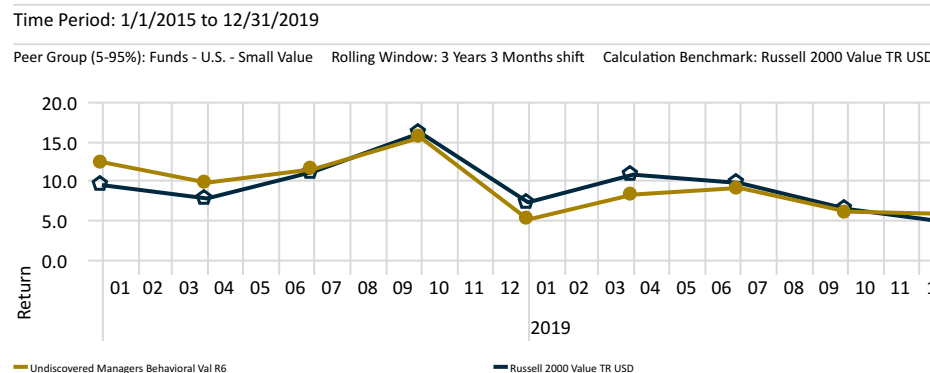
Risk-Reward



Holdings-Based Style Map



Rolling Returns



Undiscovered Managers Behavioral Val R6 - Risk

Time Period: 1/1/2015 to 12/31/2019

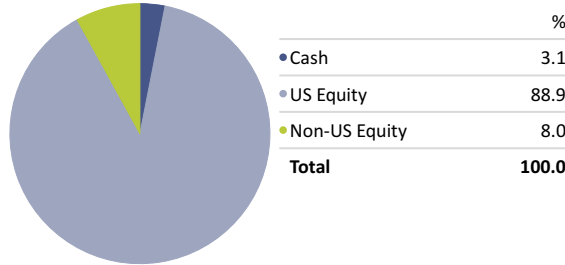
Calculation Benchmark: Russell 2000 Value TR USD

	Inv	Bmk1
Return	8.26	6.99
Std Dev	16.55	15.88
Downside Deviation	3.84	0.00
Alpha	1.39	0.00
Beta	0.99	1.00
R2	89.93	100.00
Sharpe Ratio (arith)	0.43	0.37
Tracking Error	5.26	0.00

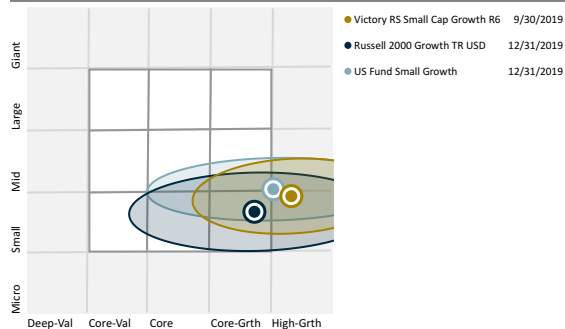
Key Information

Morningstar Category	US Fund Small Growth
Morningstar Rating Overall	
Inception Date	7/12/2017
Expense Ratio	1.06
Fund Size (Mil)	2,334.82
Portfolio Date	9/30/2019
Manager Name	Multiple

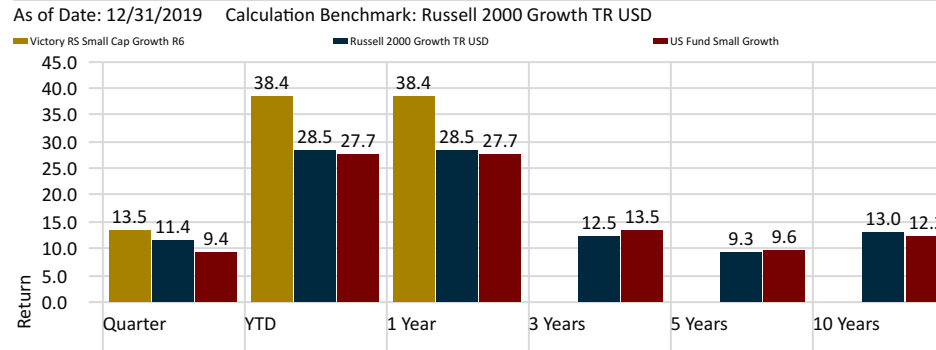
Asset Allocation



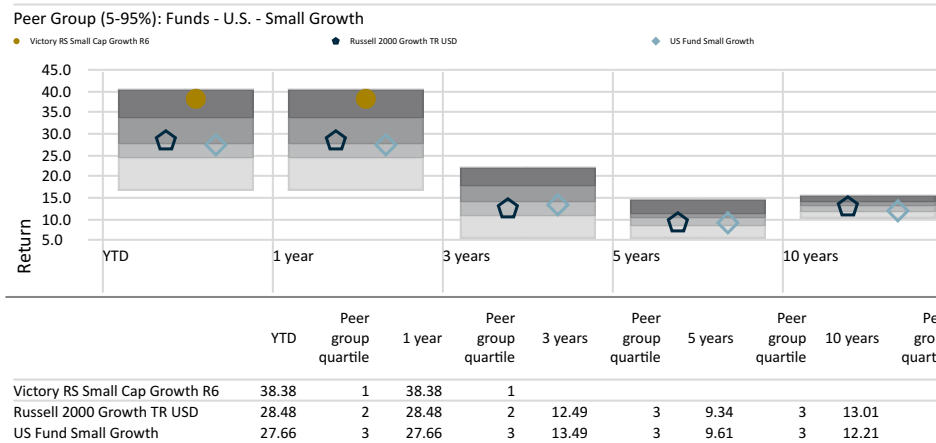
Holdings-Based Style Map



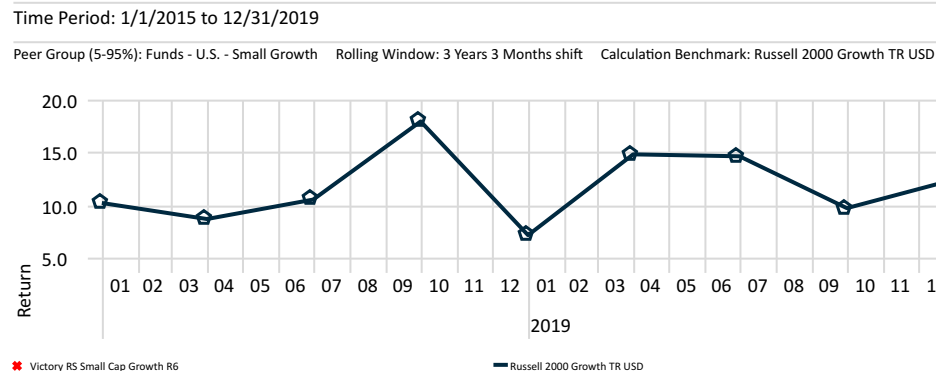
Returns



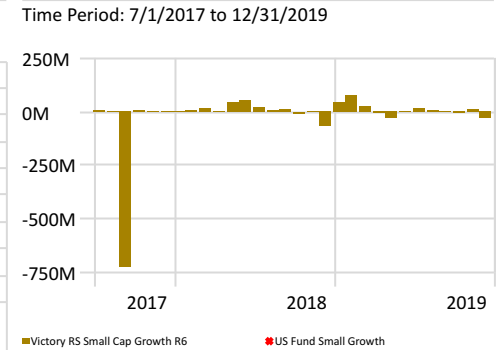
Performance Relative to Peer Group



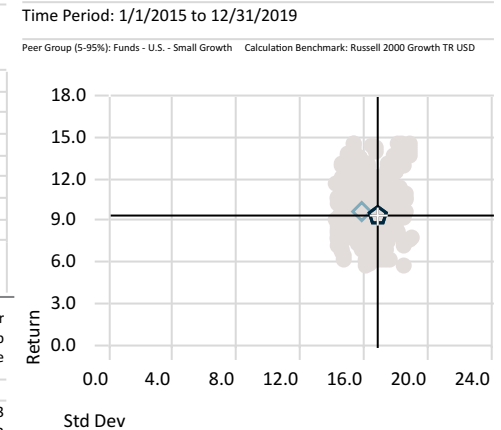
Rolling Returns



Monthly Estimated Fund-Level Net Flow



Risk-Reward



Victory RS Small Cap Growth R6 - Risk

Time Period: 1/1/2015 to 12/31/2019

Calculation Benchmark: Russell 2000 Growth TR USD

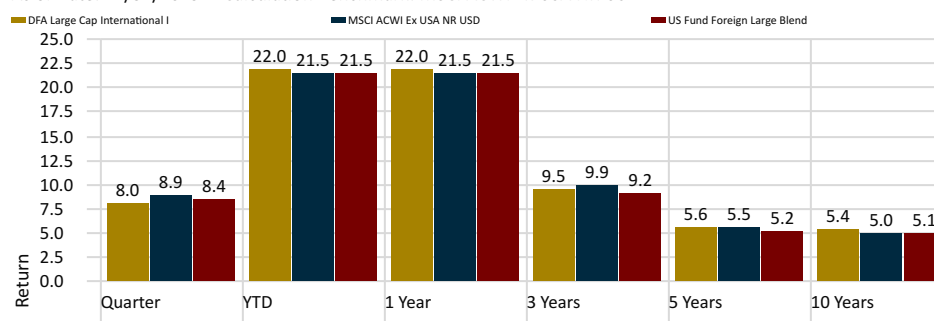
	Inv	Bmk1
Return		9.34
Std Dev		16.90
Downside Deviation		0.00
Alpha		0.00
Beta		1.00
R2		100.00
Sharpe Ratio (arith)		0.49
Tracking Error		0.00

Key Information

Morningstar Category	US Fund Foreign Large Blend
Morningstar Rating Overall	★★★
Inception Date	7/17/1991
Expense Ratio	0.23
Fund Size (Mil)	5,476.82
Portfolio Date	11/30/2019
Manager Name	Multiple

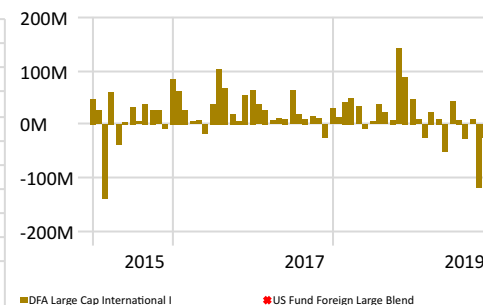
Returns

As of Date: 12/31/2019 Calculation Benchmark: MSCI ACWI Ex USA NR USD

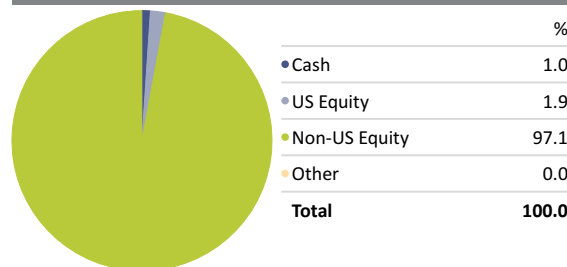


Monthly Estimated Fund-Level Net Flow

Time Period: 1/1/2015 to 12/31/2019

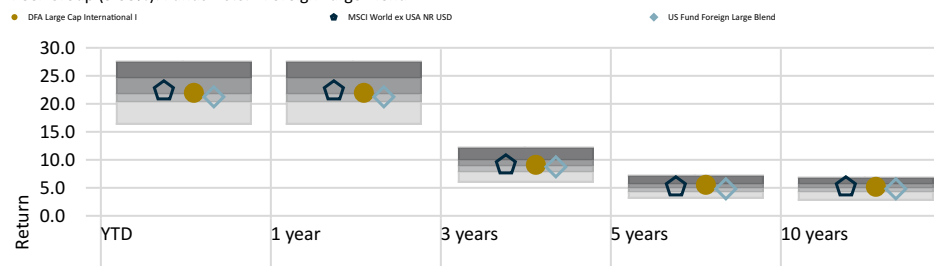


Asset Allocation



Performance Relative to Peer Group

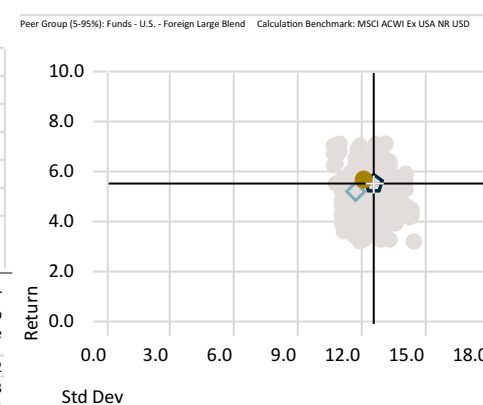
Peer Group (5-95%): Funds - U.S. - Foreign Large Blend



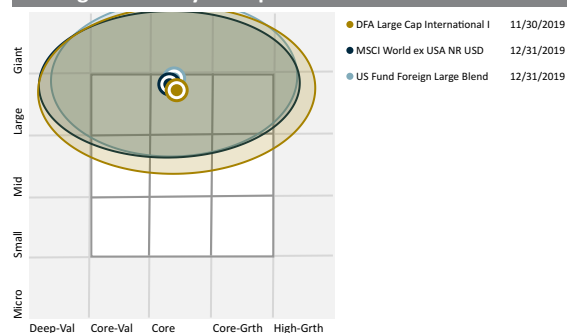
	YTD	Peer group quartile	1 year	Peer group quartile	3 years	Peer group quartile	5 years	Peer group quartile	10 years	Peer group quartile
DFA Large Cap International I	22.04	2	22.04	2	9.52	2	5.65	2	5.44	2
MSCI ACWI Ex USA NR USD	21.51	3	21.51	3	9.87	2	5.51	2	4.97	3
US Fund Foreign Large Blend	21.46	3	21.46	3	9.17	2	5.20	3	5.05	3

Risk-Reward

Time Period: 1/1/2015 to 12/31/2019



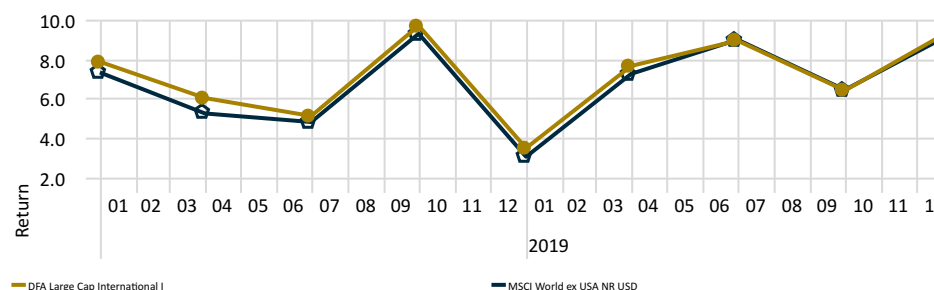
Holdings-Based Style Map



Rolling Returns

Time Period: 1/1/2015 to 12/31/2019

Peer Group (5-95%): Funds - U.S. - Foreign Large Blend Rolling Window: 3 Years 3 Months shift Calculation Benchmark: MSCI World ex USA NR USD



DFA Large Cap International I - Risk

Time Period: 1/1/2015 to 12/31/2019

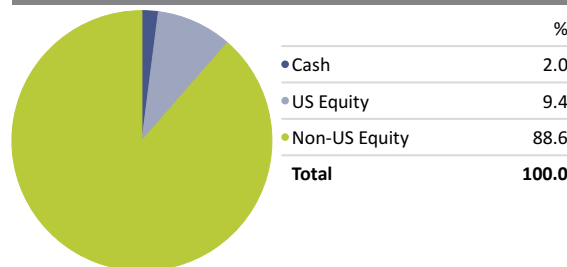
Calculation Benchmark: MSCI World ex USA NR USD

	Inv	Bmk1
Return	5.65	5.42
Std Dev	12.05	12.15
Downside Deviation	1.26	0.00
Alpha	0.30	0.00
Beta	0.98	1.00
R2	97.92	100.00
Sharpe Ratio (arith)	0.38	0.36
Tracking Error	1.75	0.00

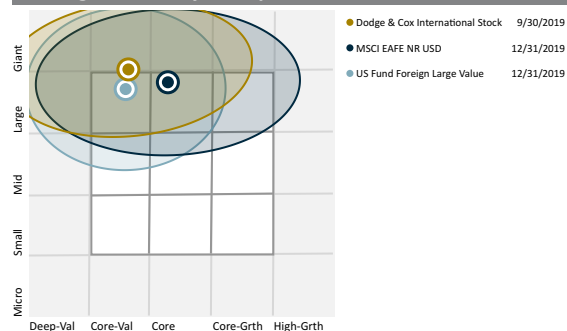
Key Information

Morningstar Category	US Fund Foreign Large Value
Morningstar Rating Overall	★★★
Inception Date	5/1/2001
Expense Ratio	0.63
Fund Size (Mil)	50,227.95
Portfolio Date	9/30/2019
Manager Name	Multiple

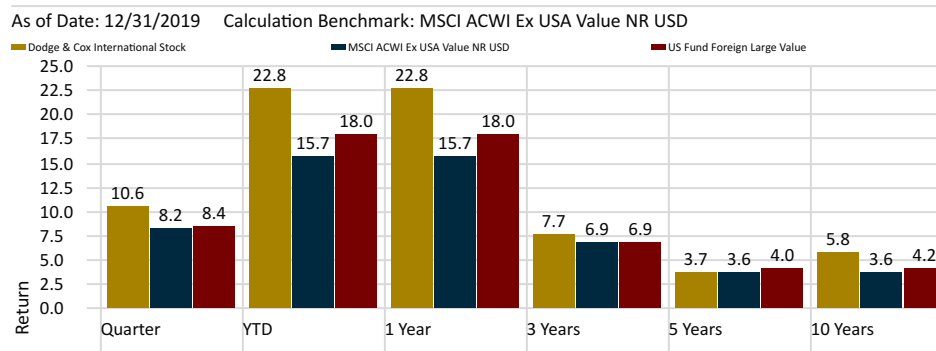
Asset Allocation



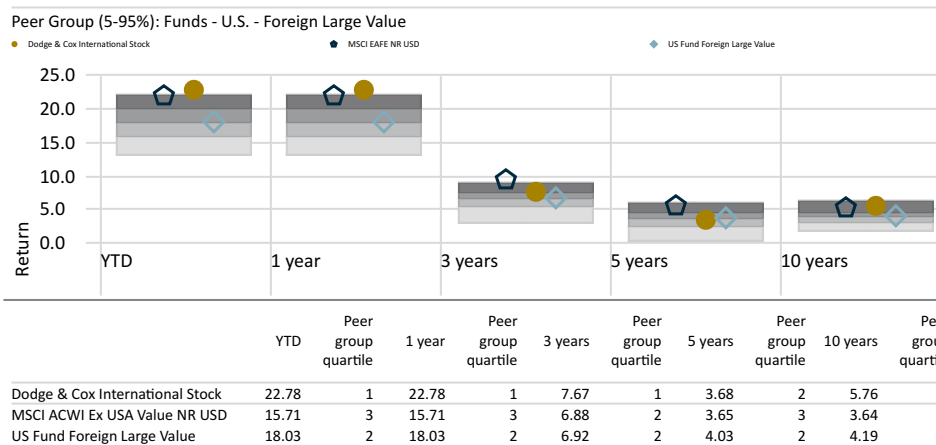
Holdings-Based Style Map



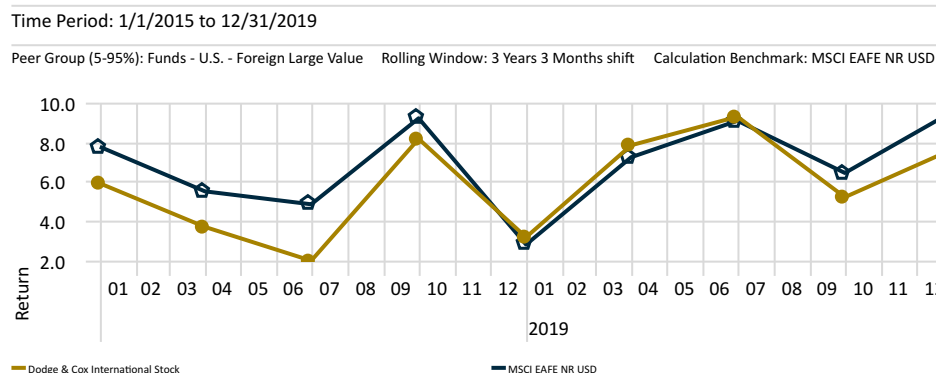
Returns



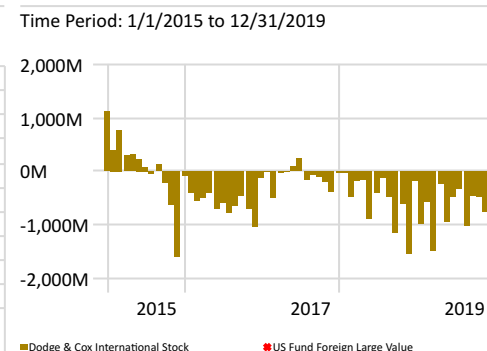
Performance Relative to Peer Group



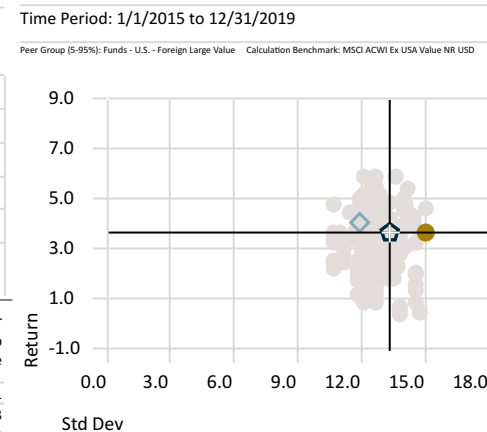
Rolling Returns



Monthly Estimated Fund-Level Net Flow



Risk-Reward



Dodge & Cox International Stock - Risk

Time Period: 1/1/2015 to 12/31/2019

Calculation Benchmark: MSCI EAFE NR USD

	Inv	Bmk1
Return	3.68	5.67
Std Dev	14.96	12.23
Downside Deviation	3.94	0.00
Alpha	-2.32	0.00
Beta	1.15	1.00
R2	88.50	100.00
Sharpe Ratio (arith)	0.17	0.37
Tracking Error	5.40	0.00

Key Information

Morningstar Category: US Fund Foreign Large Growth

Morningstar Rating Overall: ★★★★★

Inception Date: 5/1/2006

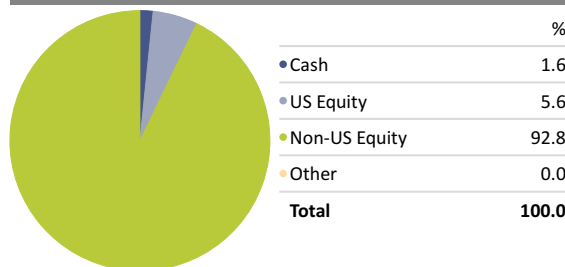
Expense Ratio: 0.77

Fund Size (Mil): 11,338.58

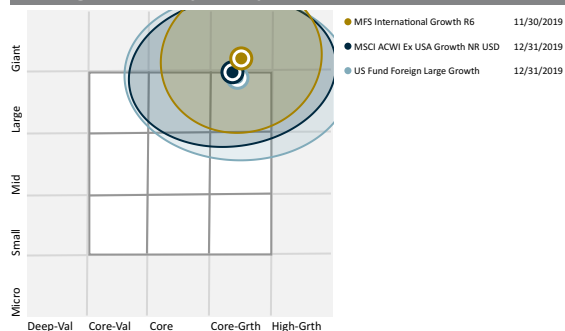
Portfolio Date: 11/30/2019

Manager Name: Multiple

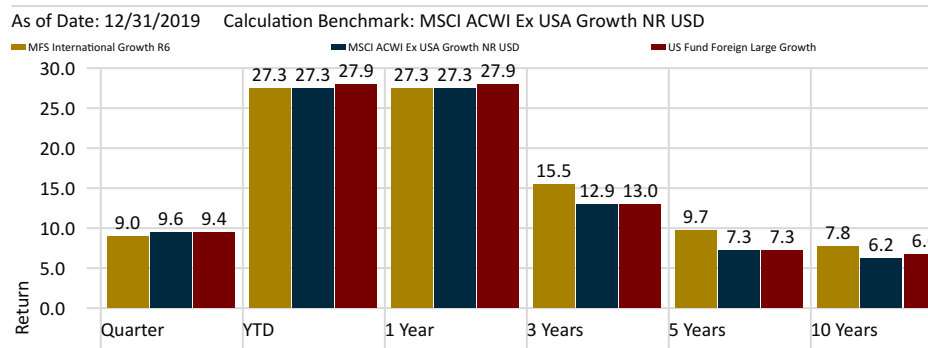
Asset Allocation



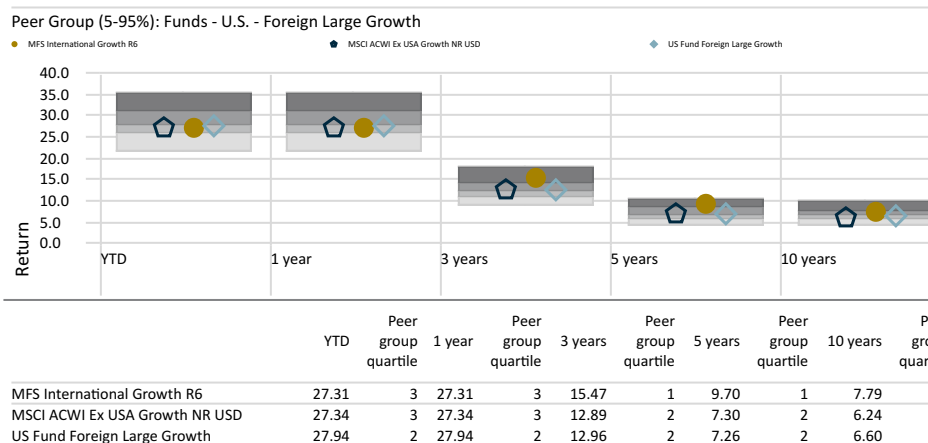
Holdings-Based Style Map



Returns



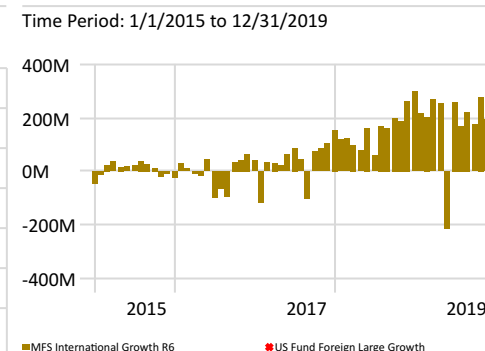
Performance Relative to Peer Group



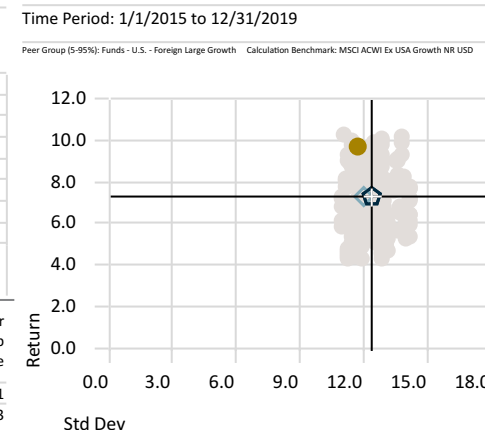
Rolling Returns



Monthly Estimated Fund-Level Net Flow



Risk-Reward



MFS International Growth R6 - Risk

Time Period: 1/1/2015 to 12/31/2019

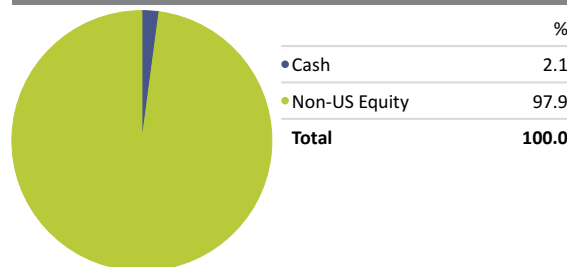
Calculation Benchmark: MSCI ACWI Ex USA Growth NR USD

	Inv	Bmk1
Return	9.70	7.30
Std Dev	11.65	12.37
Downside Deviation	1.71	0.00
Alpha	2.71	0.00
Beta	0.92	1.00
R2	94.52	100.00
Sharpe Ratio (arith)	0.74	0.50
Tracking Error	2.92	0.00

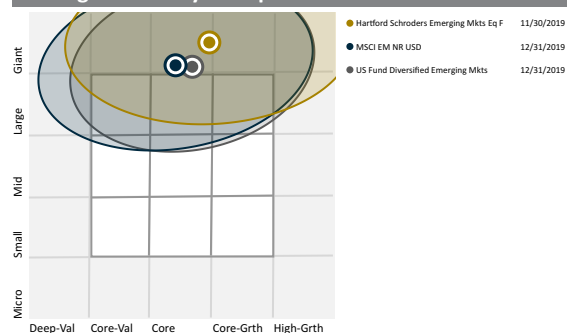
Key Information

Morningstar Category: US Fund Diversified Emerging Mkts
Morningstar Rating Overall:
Inception Date: 2/28/2017
Expense Ratio: 1.10
Fund Size (Mil): 4,116.51
Portfolio Date: 11/30/2019
Manager Name: Multiple

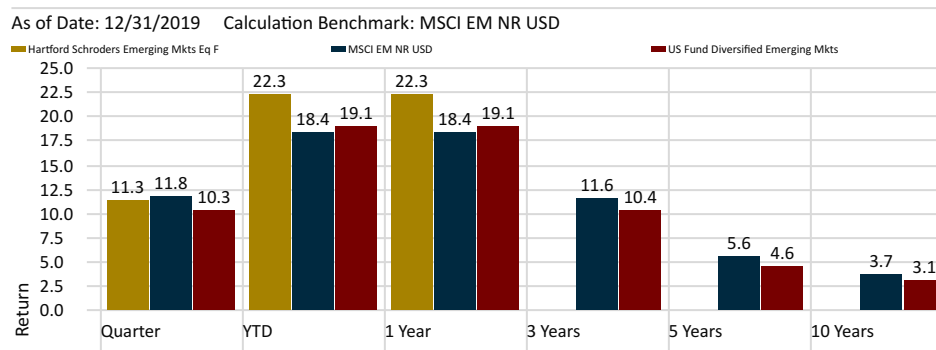
Asset Allocation



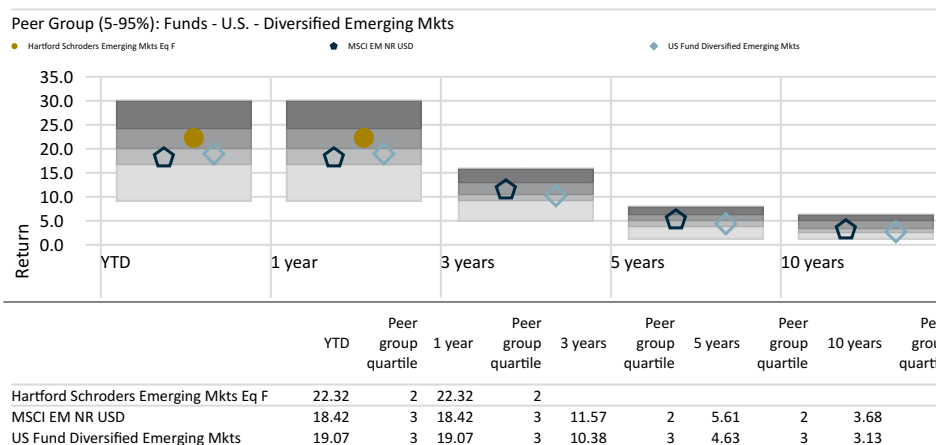
Holdings-Based Style Map



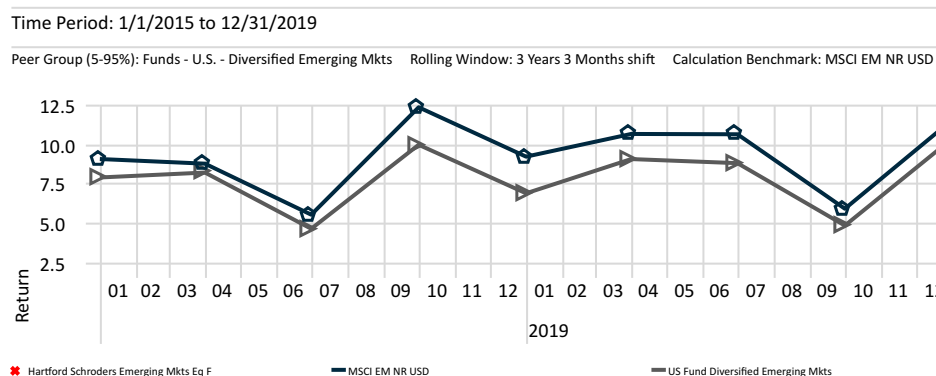
Returns



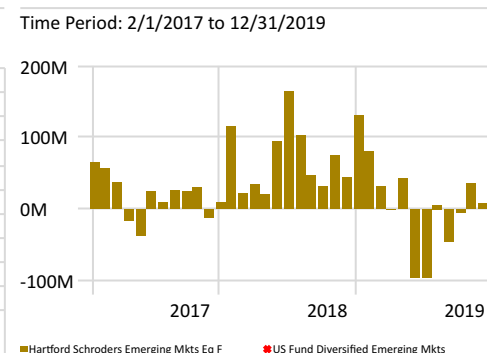
Performance Relative to Peer Group



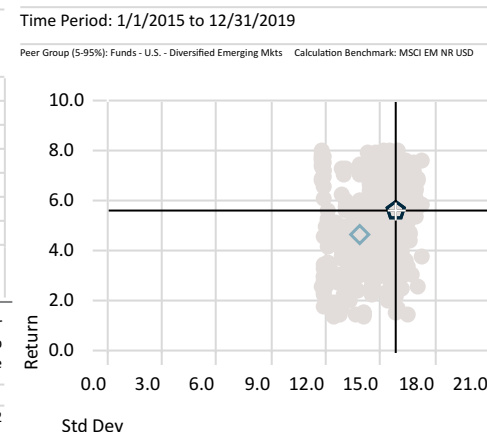
Rolling Returns



Monthly Estimated Fund-Level Net Flow



Risk-Reward



Hartford Schroders Emerging Mkts Eq F - Risk

Time Period: 1/1/2015 to 12/31/2019

Calculation Benchmark: MSCI EM NR USD

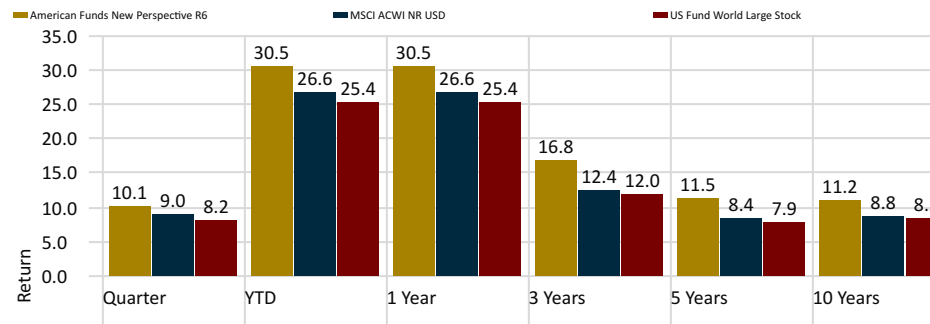
	Inv	Bmk1
Return		5.61
Std Dev		15.79
Downside Deviation		0.00
Alpha		0.00
Beta		1.00
R2		100.00
Sharpe Ratio (arith)		0.29
Tracking Error		0.00

Key Information

Morningstar Category: US Fund World Large Stock
 Morningstar Rating Overall: ★★★★★
 Inception Date: 5/1/2009
 Expense Ratio: 0.42
 Fund Size (Mil): 100,504.52
 Portfolio Date: 12/31/2019
 Manager Name: Multiple

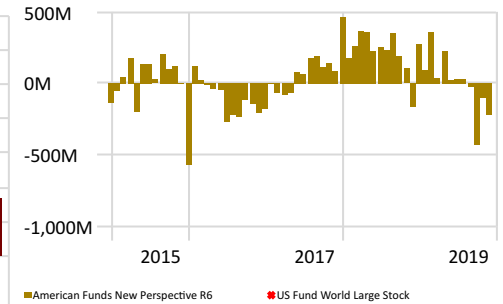
Returns

As of Date: 12/31/2019 Calculation Benchmark: MSCI ACWI NR USD

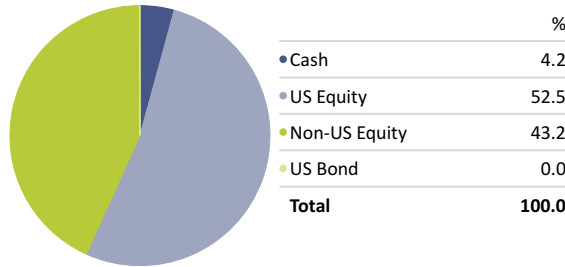


Monthly Estimated Fund-Level Net Flow

Time Period: 1/1/2015 to 12/31/2019

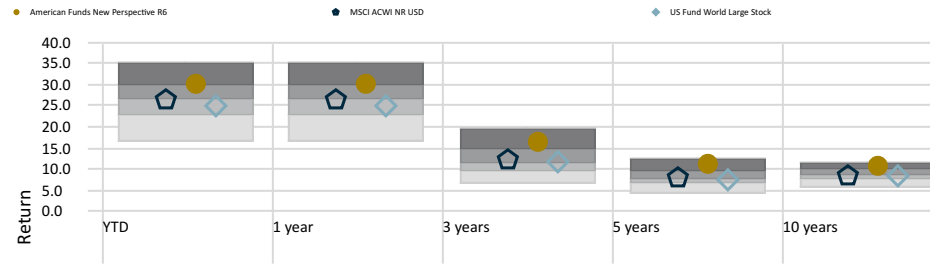


Asset Allocation



Performance Relative to Peer Group

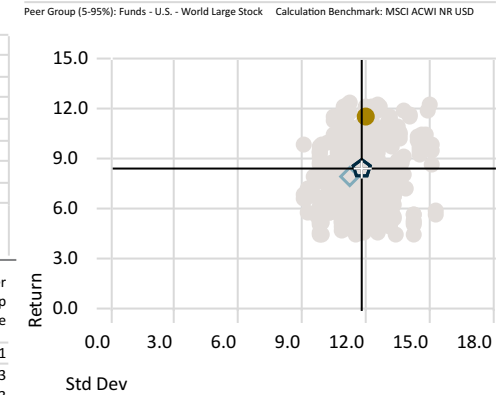
Peer Group (5-95%): Funds - U.S. - World Large Stock



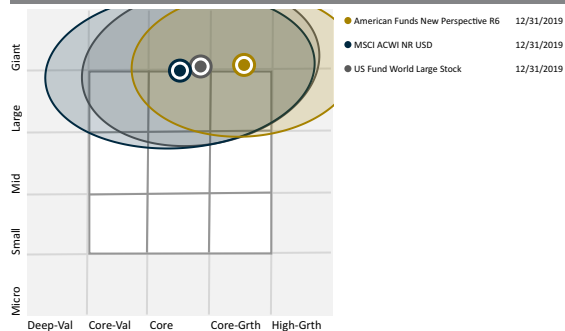
	YTD	Peer group quartile	1 year	Peer group quartile	3 years	Peer group quartile	5 years	Peer group quartile	10 years	Peer group quartile
American Funds New Perspective R6	30.48	1	30.48	1	16.79	1	11.45	1	11.15	1
MSCI ACWI NR USD	26.60	2	26.60	2	12.44	2	8.41	2	8.79	3
US Fund World Large Stock	25.36	3	25.36	3	11.96	2	7.87	3	8.47	3

Risk-Reward

Time Period: 1/1/2015 to 12/31/2019



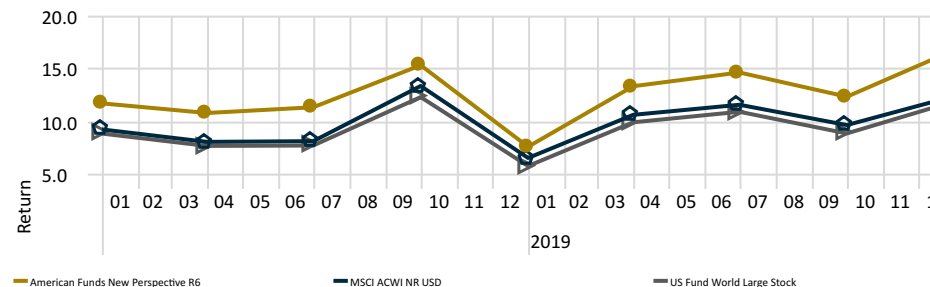
Holdings-Based Style Map



Rolling Returns

Time Period: 1/1/2015 to 12/31/2019

Peer Group (5-95%): Funds - U.S. - World Large Stock Rolling Window: 3 Years 3 Months shift Calculation Benchmark: MSCI ACWI NR USD



American Funds New Perspective R6 - Risk

Time Period: 1/1/2015 to 12/31/2019

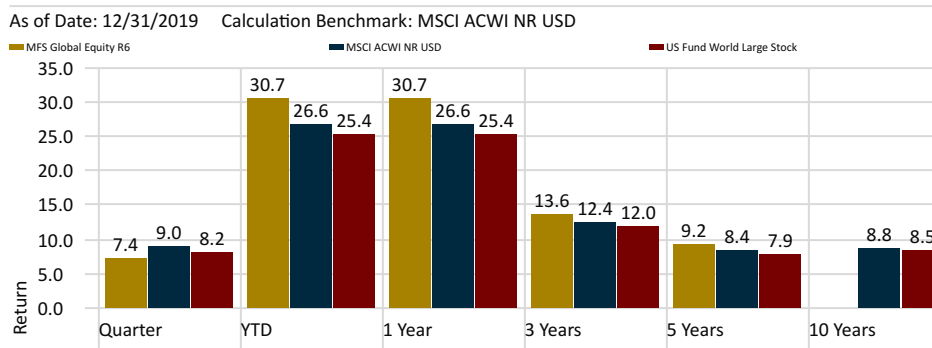
Calculation Benchmark: MSCI ACWI NR USD

	Inv	Bmk1
Return	11.45	8.41
Std Dev	11.95	11.78
Downside Deviation	1.77	0.00
Alpha	2.95	0.00
Beta	0.98	1.00
R2	93.75	100.00
Sharpe Ratio (arith)	0.87	0.62
Tracking Error	3.00	0.00

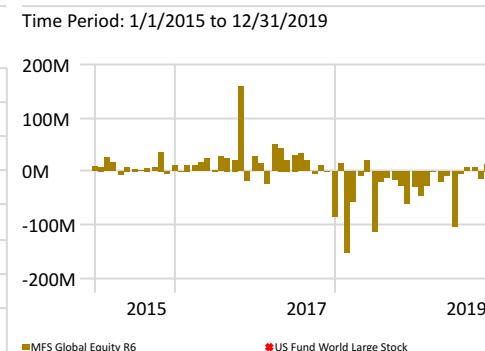
Key Information

Morningstar Category	US Fund World Large Stock
Morningstar Rating Overall	★★★★
Inception Date	6/1/2012
Expense Ratio	0.81
Fund Size (Mil)	3,180.06
Portfolio Date	11/30/2019
Manager Name	Multiple

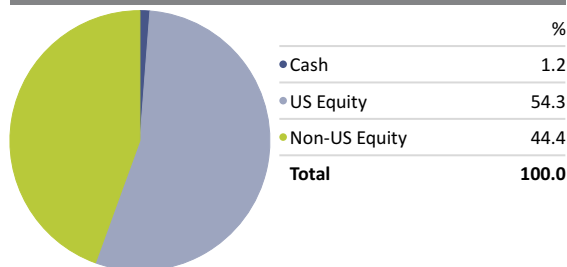
Returns



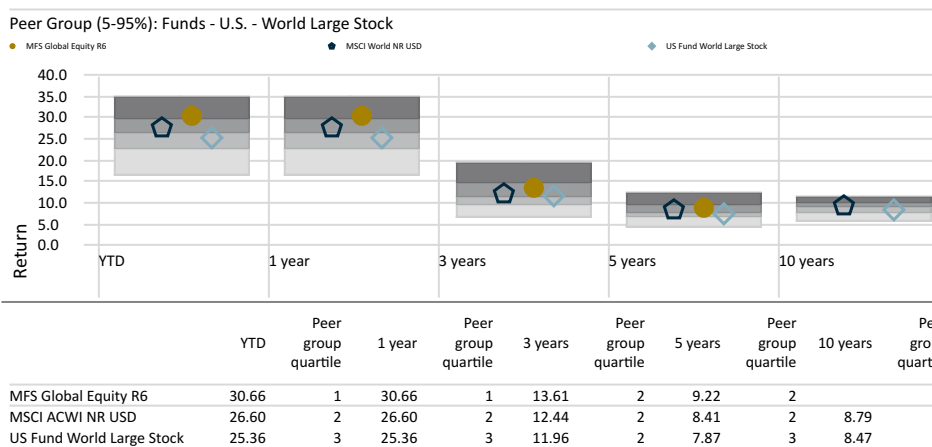
Monthly Estimated Fund-Level Net Flow



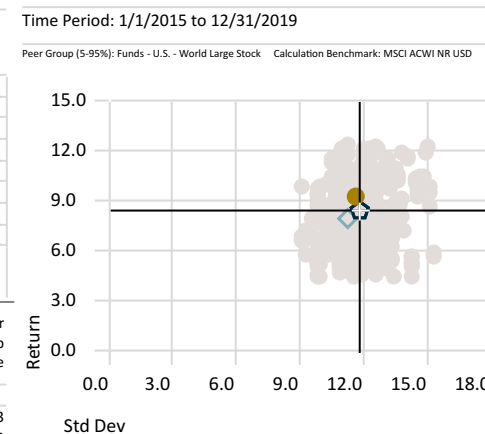
Asset Allocation



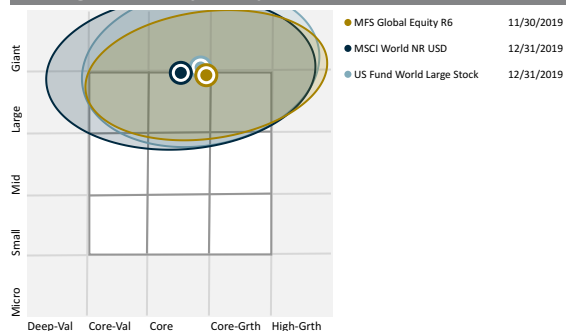
Performance Relative to Peer Group



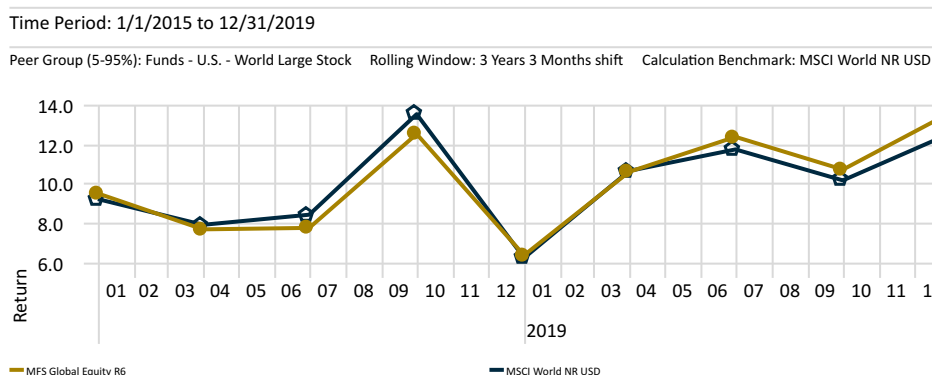
Risk-Reward



Holdings-Based Style Map



Rolling Returns



MFS Global Equity R6 - Risk

Time Period: 1/1/2015 to 12/31/2019

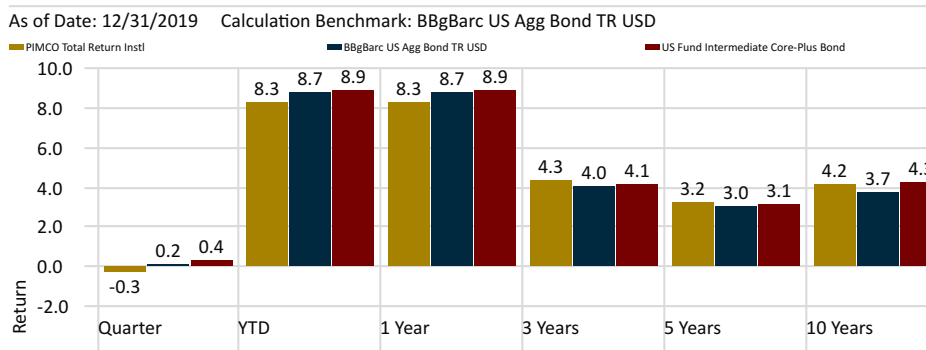
Calculation Benchmark: MSCI World NR USD

	Inv	Bmk1
Return	9.22	8.74
Std Dev	11.60	11.68
Downside Deviation	1.72	0.00
Alpha	0.71	0.00
Beta	0.97	1.00
R2	94.72	100.00
Sharpe Ratio (arith)	0.70	0.65
Tracking Error	2.69	0.00

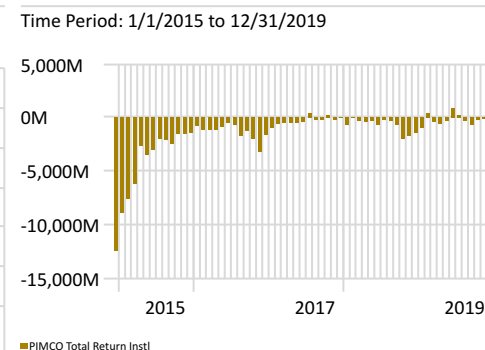
Key Information

Morningstar Category	US Fund Intermediate Core-Plus Bond
Morningstar Rating Overall	★★★
Inception Date	5/11/1987
Expense Ratio	0.71
Fund Size (Mil)	67,096.16
Portfolio Date	9/30/2019
Manager Name	Multiple

Returns

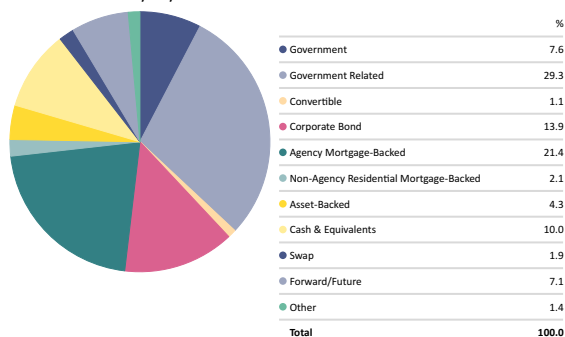


Monthly Estimated Fund-Level Net Flow

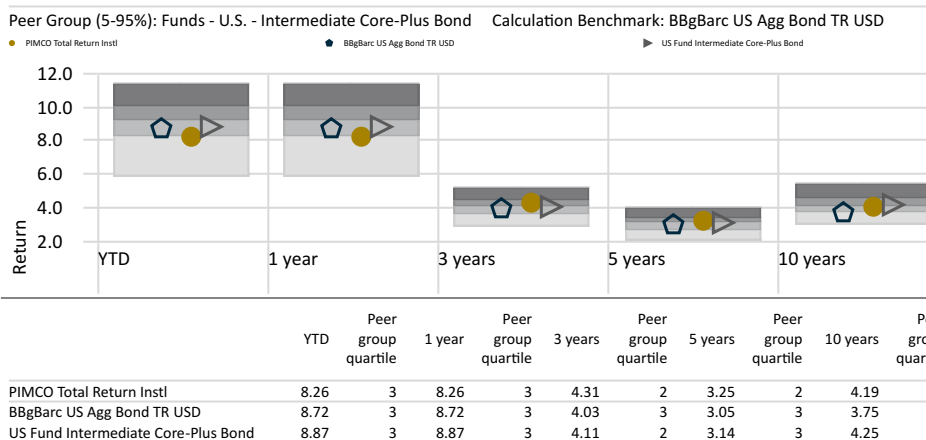


PIMCO Total Return Instl - Fixed-Inc Sectors (Morningstar)

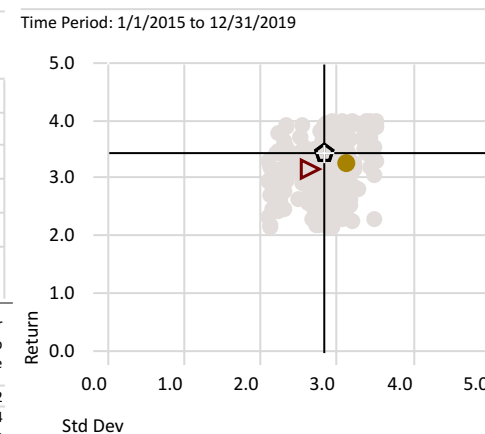
Portfolio Date: 9/30/2019



Performance Relative to Peer Group



Risk-Reward



Morningstar Style Box - PIMCO Total Return Instl

Portfolio Date: 9/30/2019

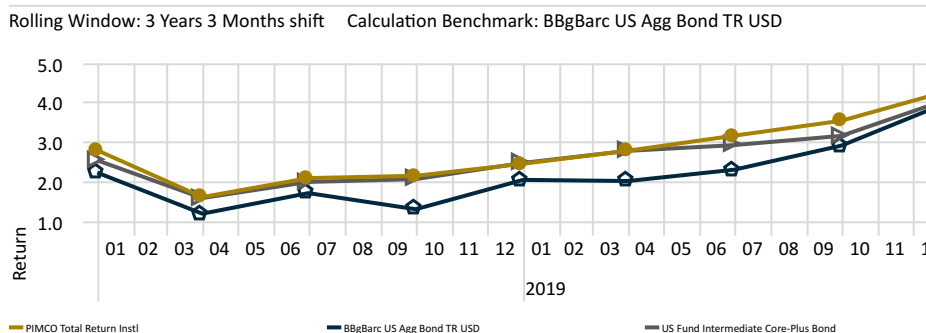
Morningstar Fixed Income Style Box™ Fixed-Income Stats

Average Eff Duration	5.6
Average Eff Maturity	7.7
Average Coupon	4.1
Average Price	112.1

Not Available

Rolling Returns

Time Period: 1/1/2015 to 12/31/2019



PIMCO Total Return Instl - Risk

Time Period: 1/1/2015 to 12/31/2019

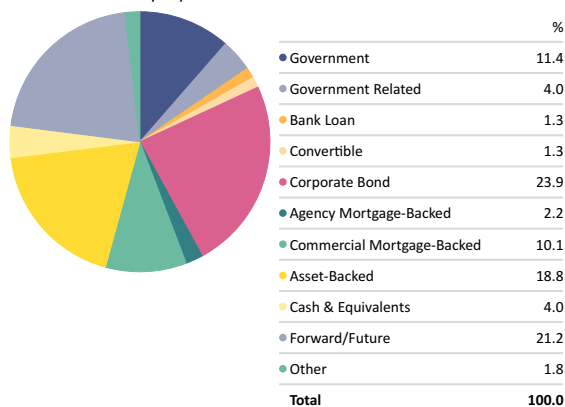
	Inv	Bmk1
Return	3.25	3.05
Std Dev	3.13	3.06
Downside Deviation	1.03	0.00
Alpha	0.33	0.00
Beta	0.93	1.00
R2	81.96	100.00
Information Ratio (geo)	0.14	
Tracking Error	1.34	0.00

Key Information

Morningstar Category	US Fund Intermediate Core-Plus Bond
Morningstar Rating Overall	★★★★★
Inception Date	12/27/2010
Expense Ratio	0.39
Fund Size (Mil)	53,149.40
Portfolio Date	11/30/2019
Manager Name	Multiple

PGIM Total Return Bond R6 - Fixed-Inc Sectors (Morning

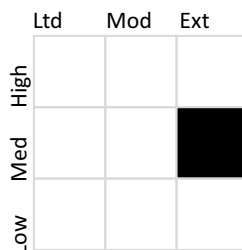
Portfolio Date: 11/30/2019



Morningstar Style Box - PGIM Total Return Bond R6

Portfolio Date: 11/30/2019

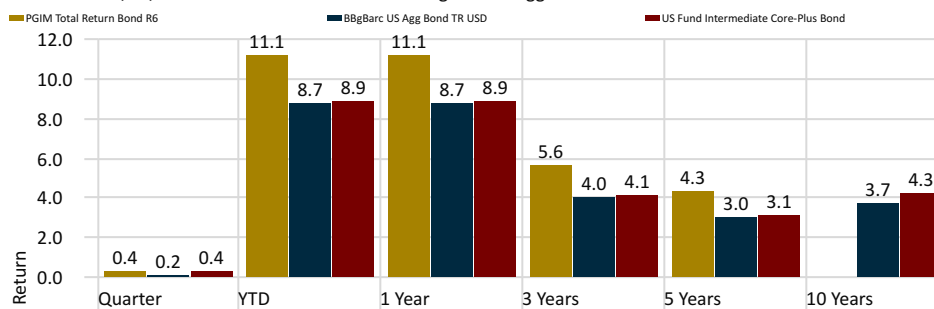
Morningstar Fixed Income Style Box™ Fixed-Income Stats



Average Eff Duration	6.4
Average Eff Maturity	-
Average Coupon	3.9
Average Price	105.5

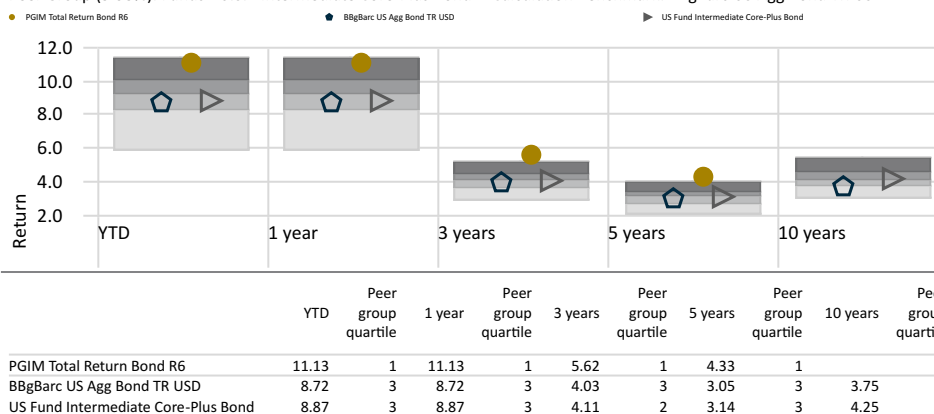
Returns

As of Date: 12/31/2019 Calculation Benchmark: BBgBarc US Agg Bond TR USD



Performance Relative to Peer Group

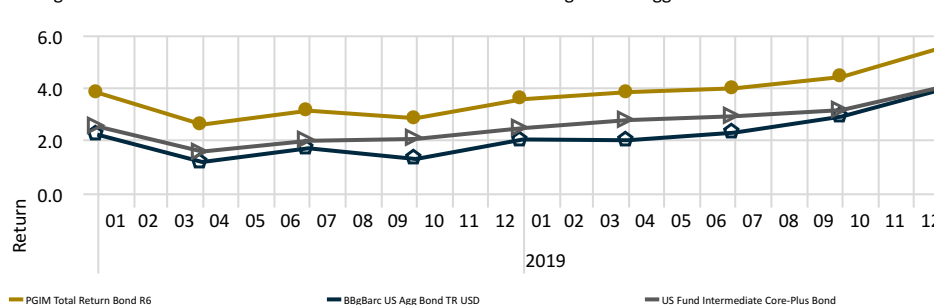
Peer Group (5-95%): Funds - U.S. - Intermediate Core-Plus Bond Calculation Benchmark: BBgBarc US Agg Bond TR USD



Rolling Returns

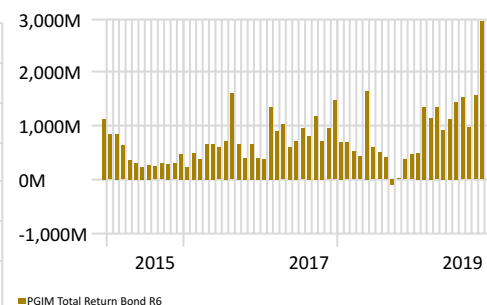
Time Period: 1/1/2015 to 12/31/2019

Rolling Window: 3 Years 3 Months shift Calculation Benchmark: BBgBarc US Agg Bond TR USD



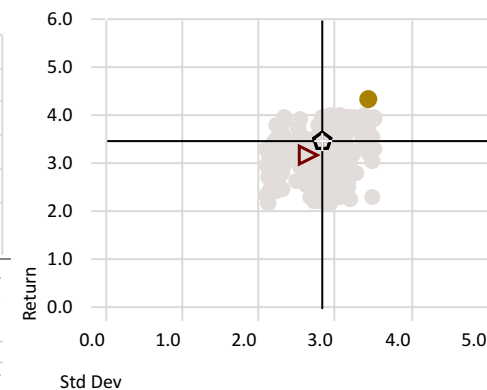
Monthly Estimated Fund-Level Net Flow

Time Period: 1/1/2015 to 12/31/2019



Risk-Reward

Time Period: 1/1/2015 to 12/31/2019



PGIM Total Return Bond R6 - Risk

Time Period: 1/1/2015 to 12/31/2019

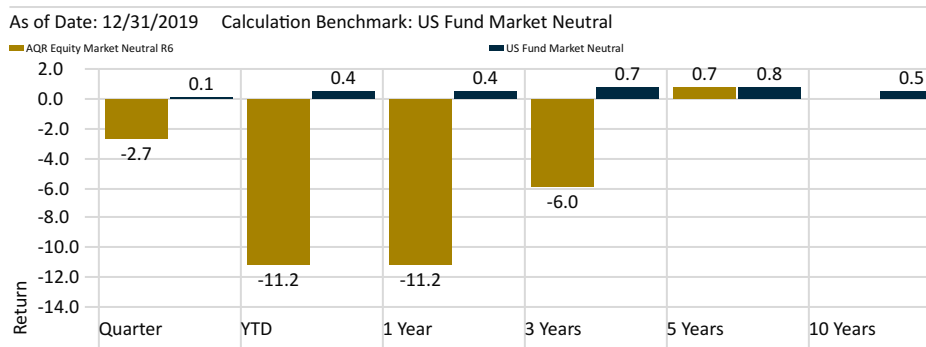
Calculation Benchmark: BBgBarc US Agg Bond TR USD

	Inv	Bmk1
Return	4.33	3.05
Std Dev	3.42	3.06
Downside Deviation	0.54	0.00
Alpha	1.11	0.00
Beta	1.07	1.00
R2	91.81	100.00
Information Ratio (geo)	1.25	
Tracking Error	1.00	0.00

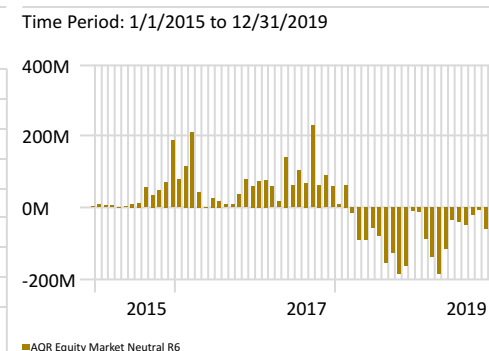
Key Information

Morningstar Category US Fund Market Neutral
Morningstar Rating Overall ★★
Inception Date 10/7/2014
Expense Ratio 1.97
Fund Size (Mil) 260.75
Portfolio Date 9/30/2019
Manager Name Multiple

Returns

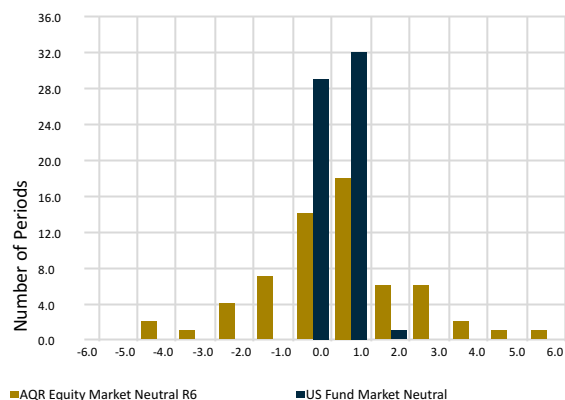


Monthly Estimated Fund-Level Net Flow



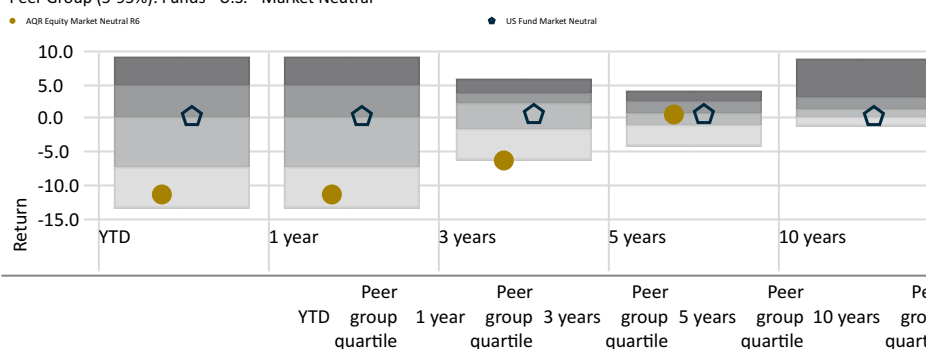
Return Distribution - AQR Equity Market Neutral R6

Time Period: Since Inception to 12/31/2019



Performance Relative to Peer Group

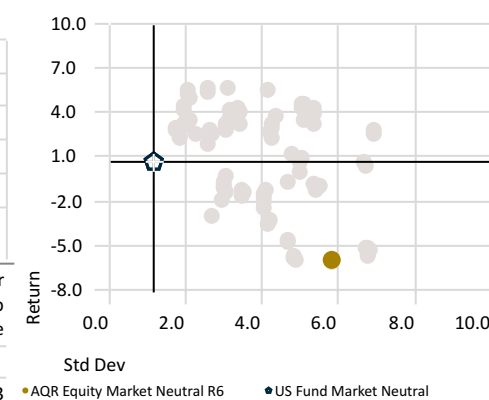
Peer Group (5-95%): Funds - U.S. - Market Neutral



	YTD	Peer group quartile	1 year	Peer group quartile	3 years	Peer group quartile	5 years	Peer group quartile	10 years	Peer group quartile
AQR Equity Market Neutral R6	-11.17	4	-11.17	4	-5.98	4	0.70	3		
US Fund Market Neutral	0.45	2	0.45	2	0.70	3	0.78	2	0.51	3

Risk-Reward

Time Period: 1/1/2017 to 12/31/2019



Correlation Matrix

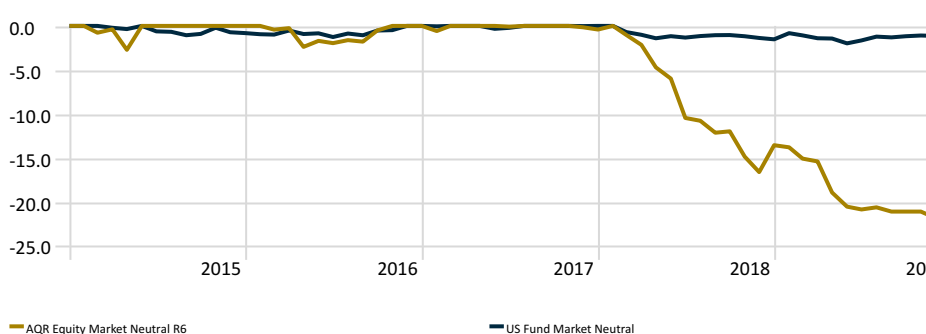
Time Period: 11/1/2014 to 12/31/2019

	1	2	3
1 AQR Equity Market Neutral R6	1.00		
2 BBgBarc US Agg Bond TR USD	0.13	1.00	
3 S&P 500 TR (1989)	-0.13	-0.16	1.00

■ 1.00 to 0.80 ■ 0.80 to 0.60 ■ 0.60 to 0.40 ■ 0.40 to 0.20 ■ 0.20 to 0.00
 ■ 0.00 to -0.20 ■ -0.20 to -0.40 ■ -0.40 to -0.60 ■ -0.60 to -0.80 ■ -0.80 to -1.00

Drawdown

Time Period: 1/1/2015 to 12/31/2019



AQR Equity Market Neutral R6 - Risk

Time Period: Since Inception to 12/31/2019

Calculation Benchmark: US Fund Market Neutral

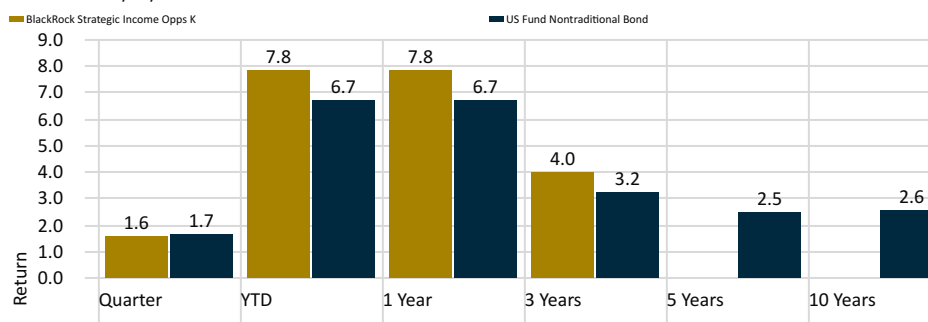
	Inv	Bmk1	+/- Bmk1
Return	1.57	0.82	0.76
Std Dev	6.54	1.28	5.26
Downside Deviation	4.01	0.00	4.01
Alpha	1.21	0.00	1.21
Beta	2.06	1.00	1.06
R2	16.79	100.00	-83.21
Sharpe Ratio (arith)	0.08	-0.20	0.27
Tracking Error	6.24	0.00	6.24

Key Information

Morningstar Category	US Fund Nontraditional Bond
Morningstar Rating Overall	★★★★
Inception Date	3/28/2016
Expense Ratio	0.74
Fund Size (Mil)	34,190.37
Portfolio Date	10/31/2019
Manager Name	Multiple

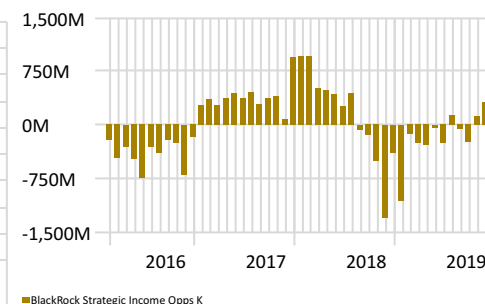
Returns

As of Date: 12/31/2019 Calculation Benchmark: US Fund Nontraditional Bond



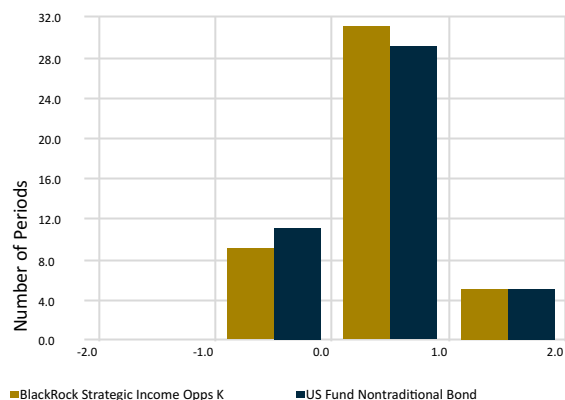
Monthly Estimated Fund-Level Net Flow

Time Period: 3/1/2016 to 12/31/2019



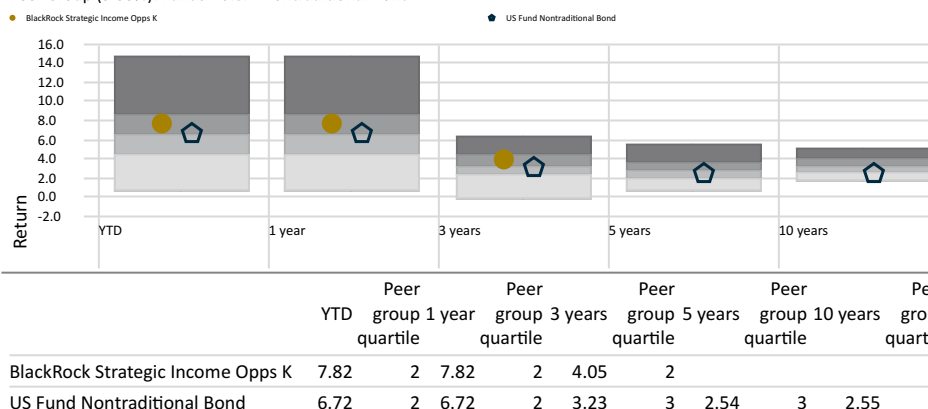
Return Distribution - BlackRock Strategic Income Opps K

Time Period: Since Inception to 12/31/2019



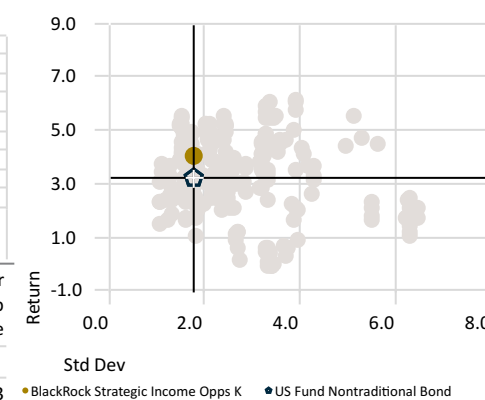
Performance Relative to Peer Group

Peer Group (5-95%): Funds - U.S. - Nontraditional Bond



Risk-Reward

Time Period: 1/1/2017 to 12/31/2019



Correlation Matrix

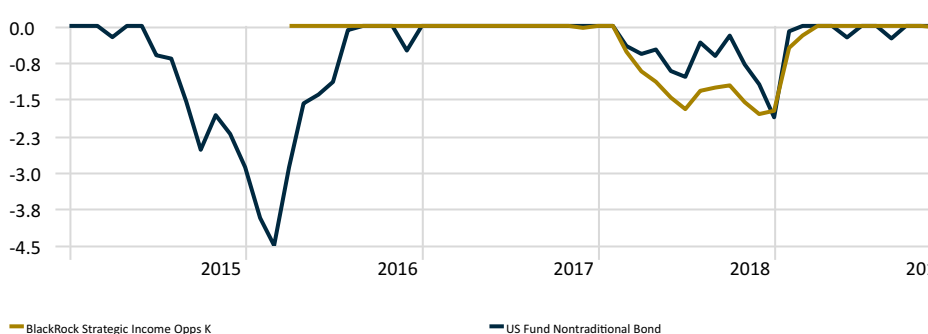
Time Period: 4/1/2016 to 12/31/2019

	1	2	3
1 BlackRock Strategic Income Opps K	1.00		
2 BBgBarc US Agg Bond TR USD	0.25	1.00	
3 S&P 500 TR (1989)	0.57	-0.15	1.00

1.00 to 0.80 0.80 to 0.60 0.60 to 0.40 0.40 to 0.20 0.20 to 0.00
 0.00 to -0.20 -0.20 to -0.40 -0.40 to -0.60 -0.60 to -0.80 -0.80 to -1.00

Drawdown

Time Period: 1/1/2015 to 12/31/2019



BlackRock Strategic Income Opps K - Risk

Time Period: Since Inception to 12/31/2019

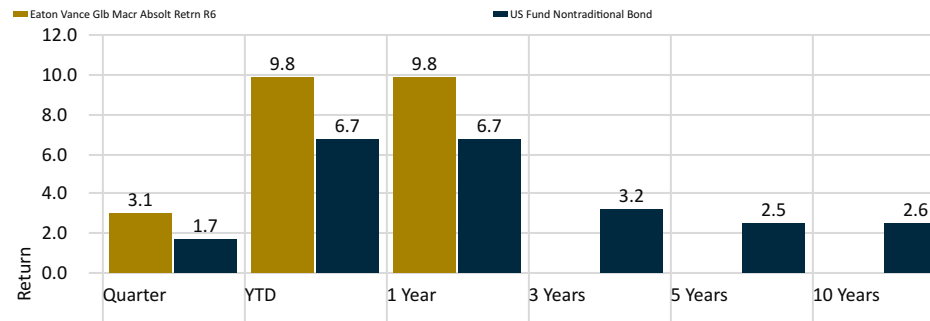
	Inv	Bmk1	+/- Bmk1
Return	4.37	3.82	0.55
Std Dev	1.67	1.83	-0.15
Downside Deviation	0.68	0.00	0.68
Alpha	1.19	0.00	1.19
Beta	0.72	1.00	-0.28
R2	62.74	100.00	-37.26
Sharpe Ratio (arith)	1.75	1.30	0.45
Tracking Error	1.17	0.00	1.17

Key Information

Morningstar Category	US Fund Nontraditional Bond
Morningstar Rating Overall	
Inception Date	5/31/2017
Expense Ratio	0.72
Fund Size (Mil)	3,538.54
Portfolio Date	10/31/2019
Manager Name	Multiple

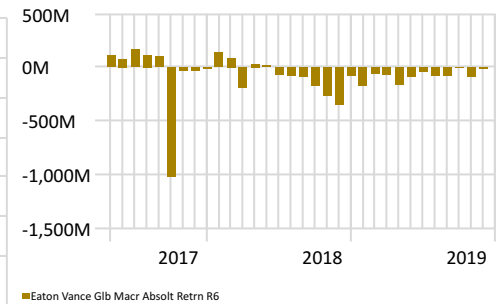
Returns

As of Date: 12/31/2019 Calculation Benchmark: US Fund Nontraditional Bond



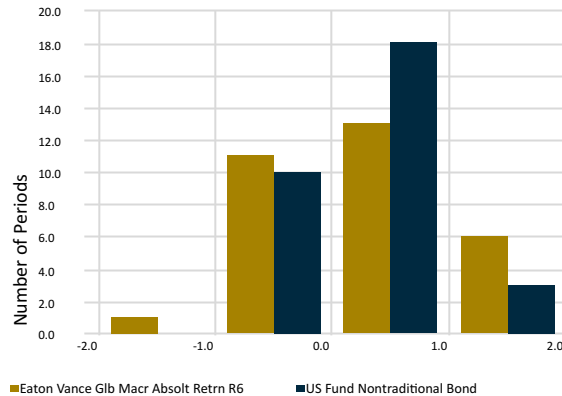
Monthly Estimated Fund-Level Net Flow

Time Period: 5/1/2017 to 12/31/2019



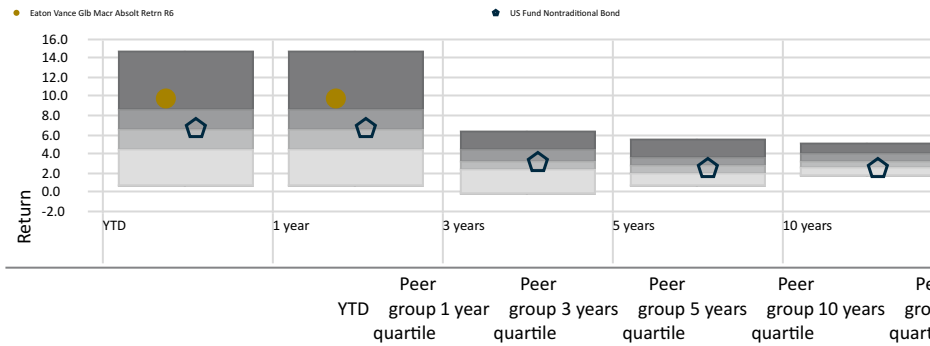
Return Distribution - Eaton Vance Glb Macr Absolt Retrn R6

Time Period: Since Inception to 12/31/2019



Performance Relative to Peer Group

Peer Group (5-95%): Funds - U.S. - Nontraditional Bond



Correlation Matrix

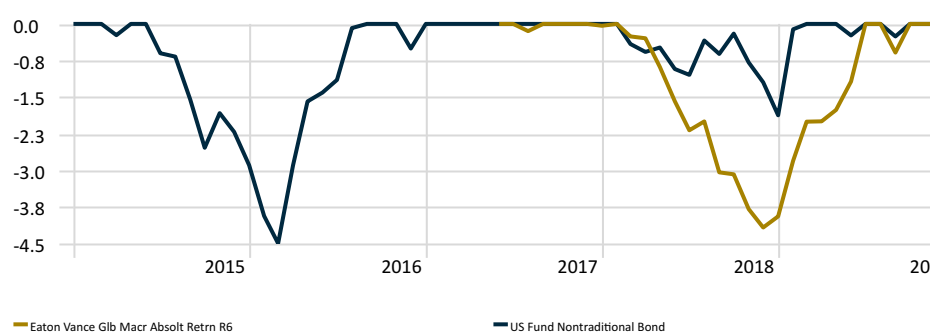
Time Period: 6/1/2017 to 12/31/2019

	1	2	3
1 Eaton Vance Glb Macr Absolt Retrn R6	1.00		
2 BBgBarc US Agg Bond TR USD	-0.03	1.00	
3 S&P 500 TR (1989)	0.39	-0.17	1.00

1.00 to 0.80 0.80 to 0.60 0.60 to 0.40 0.40 to 0.20 0.20 to 0.00
 0.00 to -0.20 -0.20 to -0.40 -0.40 to -0.60 -0.60 to -0.80 -0.80 to -1.00

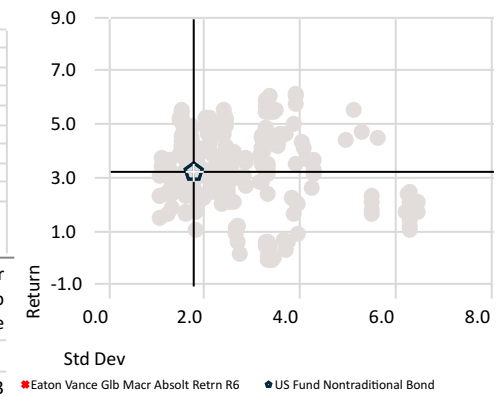
Drawdown

Time Period: 1/1/2015 to 12/31/2019



Risk-Reward

Time Period: 1/1/2017 to 12/31/2019



Eaton Vance Glb Macr Absolt Retrn R6 - Risk

Time Period: Since Inception to 12/31/2019

Calculation Benchmark: US Fund Nontraditional Bond

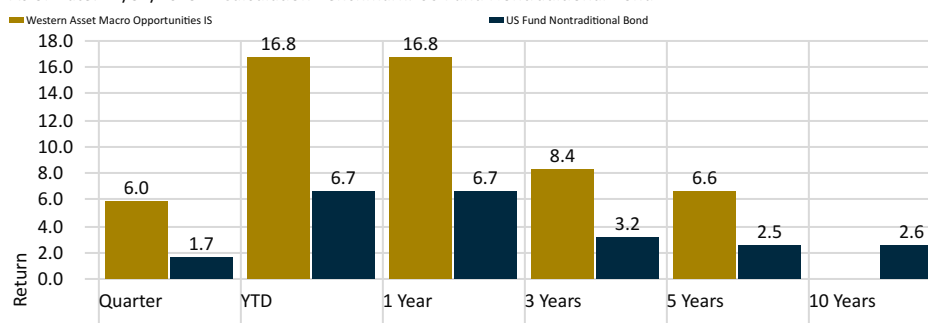
	Inv	Bmk1	+/- Bmk1
Return	3.15	2.77	0.37
Std Dev	2.51	1.89	0.62
Downside Deviation	1.14	0.00	1.14
Alpha	0.47	0.00	0.47
Beta	0.90	1.00	-0.10
R2	45.73	100.00	-54.27
Sharpe Ratio (arith)	0.51	0.48	0.03
Tracking Error	1.86	0.00	1.86

Key Information

Morningstar Category	US Fund Nontraditional Bond
Morningstar Rating Overall	★★★★★
Inception Date	8/30/2013
Expense Ratio	1.21
Fund Size (Mil)	1,702.11
Portfolio Date	11/30/2019
Manager Name	Multiple

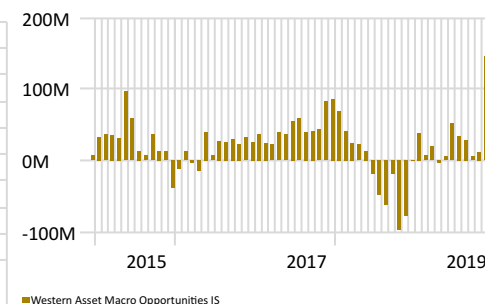
Returns

As of Date: 12/31/2019 Calculation Benchmark: US Fund Nontraditional Bond



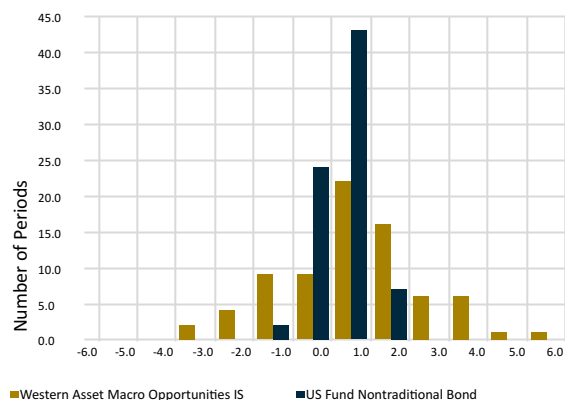
Monthly Estimated Fund-Level Net Flow

Time Period: 1/1/2015 to 12/31/2019



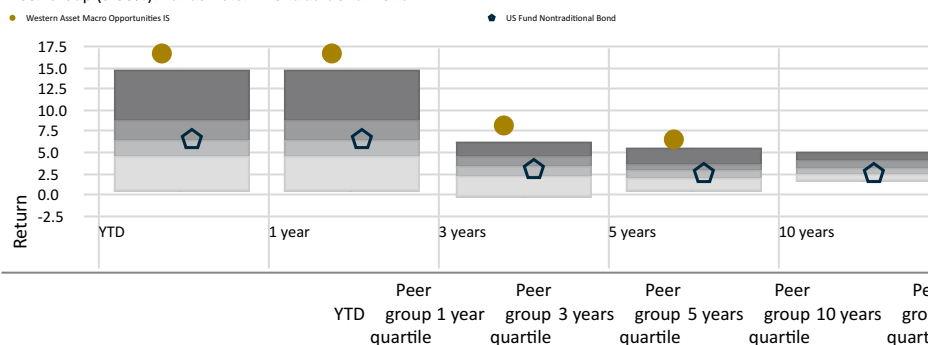
Return Distribution - Western Asset Macro Opportunities IS

Time Period: Since Inception to 12/31/2019



Performance Relative to Peer Group

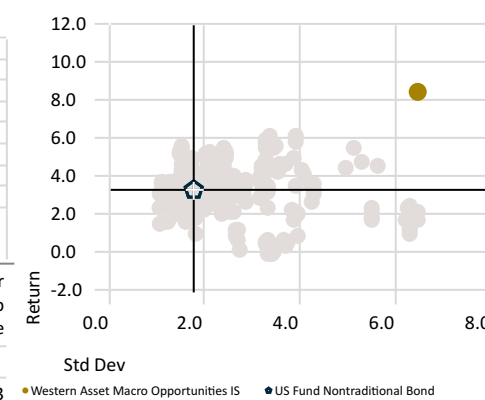
Peer Group (5-95%): Funds - U.S. - Nontraditional Bond



Western Asset Macro Opportunities IS	16.80	1	16.80	1	8.37	1	6.62	1		
US Fund Nontraditional Bond	6.72	2	6.72	2	3.23	3	2.54	3	2.55	3

Risk-Reward

Time Period: 1/1/2017 to 12/31/2019



Correlation Matrix

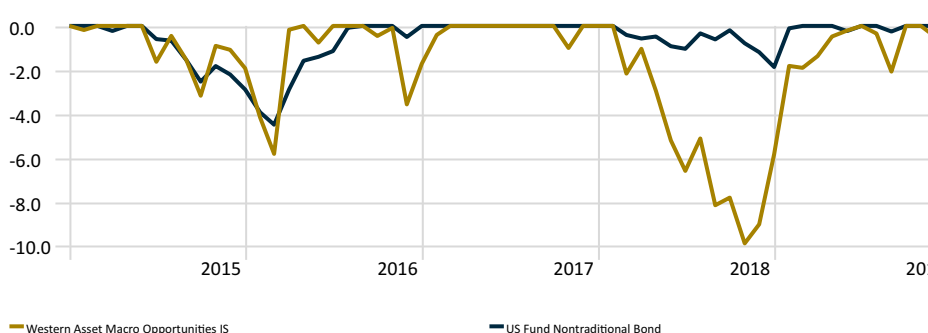
Time Period: 9/1/2013 to 12/31/2019

	1	2	3
1 Western Asset Macro Opportunities IS	1.00		
2 BBgBarc US Agg Bond TR USD	0.23	1.00	
3 S&P 500 TR (1989)	0.40	-0.12	1.00

1.00 to 0.80 0.80 to 0.60 0.60 to 0.40 0.40 to 0.20 0.20 to 0.00
 0.00 to -0.20 -0.20 to -0.40 -0.40 to -0.60 -0.60 to -0.80 -0.80 to -1.00

Drawdown

Time Period: 1/1/2015 to 12/31/2019



Western Asset Macro Opportunities IS - Risk

Time Period: Since Inception to 12/31/2019

Calculation Benchmark: US Fund Nontraditional Bond

	Inv	Bmk1	+/- Bmk1
Return	7.42	2.37	5.05
Std Dev	6.20	2.01	4.19
Downside Deviation	2.66	0.00	2.66
Alpha	3.15	0.00	3.15
Beta	2.24	1.00	1.24
R2	52.42	100.00	-47.58
Sharpe Ratio (arith)	1.05	0.74	0.31
Tracking Error	4.96	0.00	4.96



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 25, 2020

Subject: Memorandum of Understanding #28-910 for Emergency Medical and Health Disaster Response Mutual Aid and Mutual Assistance with Counties in California

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Officer acting as the Medical Health Operational Area Coordinator (MHOAC), or designee, to execute the California Statewide Memorandum of Understanding (MOU) #28-910 for Emergency Medical and Health Disaster Response Mutual Aid and Mutual Assistance, through June 30, 2029.

FISCAL IMPACT:

There is no Net County Cost associated with signing this MOU.

BACKGROUND:

The Medical Mutual Aid/Assistance system for California strictly follows the California Department of Public Health's statewide Public Health and Medical Emergency Operations Manual (EOM). Compliant with the State Emergency Management System (SEMS) and the Incident Command System (ICS), the EOM dictates the pathway for situational awareness and resource requests during a disaster, from the event to the county/operational area, region, and state.

The County of Contra Costa (County) belongs to California Medical Mutual Aid Region II (Region II). In addition to the County, the Region II operational areas and local public health jurisdictions

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Chris Farnitano,
925-408-1547

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

By: , Deputy

cc: Marcy Wilhelm

BACKGROUND: (CONT'D)

are: City of Berkeley, the City and County of San Francisco, and the Counties of Alameda, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Mateo, San Benito, Santa Clara, Santa Cruz, Solano, and Sonoma.

Contra Costa signed an agreement between the counties in Region II to formalize the medical and health mutual aid/assistance program. Since signing the Region II MOU Contra Costa has responded to disasters within Region II and to counties outside of the region to support the medical and health needs of Counties in need. It is anticipated that Contra Costa would request assistance from counties within Region II prior to seeking assistance from counties outside of the region. In the event of an earthquake where many, if not all, of the counties within the region could be impacted, assistance would be needed and requested from jurisdiction outside of the impacted counties.

Unfortunately, in recent years disasters in California have overwhelmed local emergency medical and health response systems and have exhausted mutual aid/assistance from counties within the medical and health mutual aid/assistance regions. The medical and health mutual assistance program has recently seen extensive use supporting major incidents in California. The Oroville Dam incident, Santa Rosa/Napa Fires last fall, the Thomas Fire in Ventura and Santa Barbara Counties, the mudslides in Montecito, and the major fires in Redding and Mendocino County have all relied upon medical and health mutual assistance as a significant part of the response. Medical and health mutual assistance is becoming a routine aspect of disaster response in California.

Operationally, the Medical Health Operational Area Coordination (MHOAC) program functions very well. However, there have been significant challenges when it comes to reimbursing providers who supply these resources. These disasters have required assistance from counties outside of the region throughout the state. This was especially evident with request for environmental health and mental health mutual assistance. Contra Costa County sent Medical and Health personnel including the Contra Costa Medical Reserve Corps and county Environmental Health inspectors to support health response activities in response to the Paradise Fire, which is outside of the Region II's mutual aid/assistance region.

Currently, there is no agreement between the counties and local health jurisdictions for sharing resources and/or financial responsibility for reimbursement outside of one's assigned region. Further, the lack of pre-event agreements to share emergency medical and health resources between counties and local health beyond regional boundaries during a disaster prevents the impacted county from quickly qualifying and/or obtaining potential recovery costs from the State or the Federal Emergency Management Agency (FEMA).

CONSEQUENCE OF NEGATIVE ACTION:

This statewide MOU would allow impacted counties to request and unimpacted counties to share resources during a disaster, seek reimbursement, in accordance with state and federal disaster relief fund requirements. A statewide MOU would enable an expedited process to access needed resources outside of the existing regional medical and health mutual aid/assistance areas when necessary. Having an MOU in place between all counties in California for medical and health emergency and disaster response, clarifies the process and makes it easier for both the requesting and responding counties to meet the needs of the communities impacted by the events. An MOU provides for a clear process to receive funds and get reimbursement for services rendered during an emergency.



Contra
Costa
County

To: Board of Supervisors
From: Deborah R. Cooper, Clerk-Recorder
Date: February 25, 2020

Subject: ACCEPT CANVASS OF VOTES FOR POLICE SERVICE ELECTIONS IN CSA-P6

RECOMMENDATION(S):

Accept the Canvass of Votes for the February 11, 2020 Special Elections for Police Services Measures in the following County Service Areas:

- P-6, Zone 2902, Supervisorial District 5 - Unincorporated area of Lafayette passed
- P-6, Zone 2905, Supervisorial District 5 - Unincorporated area of Lafayette passed
- P-6, Zone 3113, Supervisorial District 1 - Unincorporated area of El Sobrante passed

FISCAL IMPACT:

None

BACKGROUND:

For the election results, see the attached Certificates of the County Clerk, providing results of the February 11, 2020 Special Election for County Service Areas:

P-6 Zone 1007, Resolution No. 2019/644
P-6 Zone 2905, Resolution No. 2019/646
P-6 Zone 3113, Resolution No. 2019/648

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Rosa Mena,
925.335.7806

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Where each landowner of the affected area was allowed one vote for each acre or portion thereof. Each Resolution, so as to authorize a special tax on said properties, located in unincorporated areas in Lafayette and El Sobrante, to maintain present level of police protection services and provide additional funding for increased police protection services.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board of Supervisors does not accept the Canvass of Votes, Zone 1007, Zone 2905 and Zone 3113 will not be formed.

ATTACHMENTS

2-11-20 Election Results

DEBORAH R. COOPER
COUNTY CLERK



SCOTT O. KONOPASEK
ASSISTANT COUNTY REGISTRAR

CONTRA COSTA COUNTY
REGISTRATION-ELECTION DEPARTMENT
555 ESCOBAR STREET
MARTINEZ, CALIFORNIA 94553

February 12, 2020

TO: Department of Conservation and Development
Attention: Jennifer Cruz

FROM: Deborah R. Cooper, County Clerk-Recorder
By: Rosa Mena, Elections Processing Supervisor

SUBJECT: CANVASS OF VOTE-POLICE SERVICE AREA P-6, ZONE 1007,
SUBDIVISION 9466

Enclosed please find the result of Canvass of Votes of the Police Service Area P-6, Zone 1007, Subdivision 9466 Election held on February 11, 2020.

**CERTIFICATE OF COUNTY CLERK AS TO THE RESULTS OF THE CANVASS
OF THE POLICE SERVICE AREA P-6, ZONE 1007,
SUBDIVISION 9466 SPECIAL ELECTION**

State of California }
 }
County of Contra Costa } ss.

I, DEBORAH R. COOPER, County Clerk of Contra Costa County, State of California, do hereby certify that I did canvass the return of the votes cast in the February 11, 2020 Special Election. I further certify that the statement of the votes cast, to which this certificate is attached shows the whole number of votes cast in said County and the whole number of votes cast for and against the measure in said County and in each respective precinct therein, and that the totals of the respective columns and the totals as shown for and against the measure are full, true and correct.

WITNESS my hand and Official Seal this 12th day of February, 2020.

DEBORAH R. COOPER, County Clerk



By R Da Mene

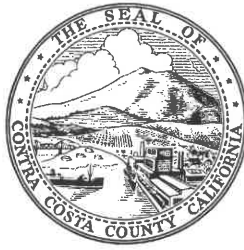
**CONTRA COSTA POLICE SERVICE AREA P-6,
ZONE 1007, SUBDIVISION 9466**

OFFICIAL CANVASS

The Election was conducted on February 11, 2020, by Landowners of the effected area. Each Landowner was allowed one vote for each acre or portion thereof.

<u>Total Landowners</u>	<u>Voted</u>	<u>Yes</u>	<u>No</u>
1	1	1	0

DEBORAH R. COOPER
COUNTY CLERK



SCOTT O. KONOPASEK
ASSISTANT COUNTY REGISTRAR

CONTRA COSTA COUNTY
REGISTRATION-ELECTION DEPARTMENT
555 ESCOBAR STREET
MARTINEZ, CALIFORNIA 94553

February 12, 2020

TO: Department of Conservation and Development
Attention: Jennifer Cruz

FROM: Deborah R. Cooper, County Clerk-Recorder
By: Rosa Mena, Elections Processing Supervisor

SUBJECT: CANVASS OF VOTE-POLICE SERVICE AREA P-6, ZONE 2905,
SUBDIVISION 9429

Enclosed please find the result of Canvass of Votes of the Police Service Area P-6, Zone 2905, Subdivision 9429 Election held on February 11, 2020.

**CERTIFICATE OF COUNTY CLERK AS TO THE RESULTS OF THE CANVASS
OF THE POLICE SERVICE AREA P-6, ZONE 2905,
SUBDIVISION 9429 SPECIAL ELECTION**

State of California }
 }
County of Contra Costa }

ss.

I, DEBORAH R. COOPER, County Clerk of Contra Costa County, State of California, do hereby certify that I did canvass the return of the votes cast in the February 11, 2020 Special Election. I further certify that the statement of the votes cast, to which this certificate is attached shows the whole number of votes cast in said County and the whole number of votes cast for and against the measure in said County and in each respective precinct therein, and that the totals of the respective columns and the totals as shown for and against the measure are full, true and correct.

WITNESS my hand and Official Seal this 12th day of February, 2020.

DEBORAH R. COOPER, County Clerk



By RD Mend

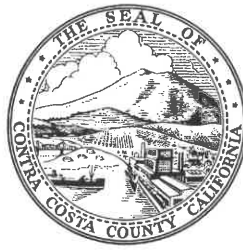
**CONTRA COSTA POLICE SERVICE AREA P-6,
ZONE 2905, SUBDIVISION 9429**

OFFICIAL CANVASS

The Election was conducted on February 11, 2020, by Landowners of the effected area. Each Landowner was allowed one vote for each acre or portion thereof.

<u>Total Landowners</u>	<u>Voted</u>	<u>Yes</u>	<u>No</u>
1	8	8	0

DEBORAH R. COOPER
COUNTY CLERK



SCOTT O. KONOPASEK
ASSISTANT COUNTY REGISTRAR

CONTRA COSTA COUNTY
REGISTRATION-ELECTION DEPARTMENT
555 ESCOBAR STREET
MARTINEZ, CALIFORNIA 94553

February 12, 2020

TO: Department of Conservation and Development
Attention: Jennifer Cruz

FROM: Deborah R. Cooper, County Clerk-Recorder
By: Rosa Mena, Elections Processing Supervisor

SUBJECT: CANVASS OF VOTE-POLICE SERVICE AREA P-6, ZONE 3113,
SUBDIVISION 9465

Enclosed please find the result of Canvass of Votes of the Police Service Area P-6, Zone 3113, Subdivision 9465 Election held on February 11, 2020.

**CERTIFICATE OF COUNTY CLERK AS TO THE RESULTS OF THE CANVASS
OF THE POLICE SERVICE AREA P-6, ZONE 3113,
SUBDIVISION 9465 SPECIAL ELECTION**

State of California }
 }
County of Contra Costa } ss.

I, DEBORAH R. COOPER, County Clerk of Contra Costa County, State of California, do hereby certify that I did canvass the return of the votes cast in the February 11, 2020 Special Election. I further certify that the statement of the votes cast, to which this certificate is attached shows the whole number of votes cast in said County and the whole number of votes cast for and against the measure in said County and in each respective precinct therein, and that the totals of the respective columns and the totals as shown for and against the measure are full, true and correct.

WITNESS my hand and Official Seal this 12th day of February, 2020.

DEBORAH R. COOPER, County Clerk



By RDa Mene

**CONTRA COSTA POLICE SERVICE AREA P-6,
ZONE 3113, SUBDIVISION 9465**

OFFICIAL CANVASS

The Election was conducted on February 11, 2020, by Landowners of the effected area. Each Landowner was allowed one vote for each acre or portion thereof.

<u>Total Landowners</u>	<u>Voted</u>	<u>Yes</u>	<u>No</u>
1	2	2	0



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 25, 2020

Subject: Memorandum of Understanding #74-537-3 with Contra Costa Family Justice Alliance

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Memorandum of Understanding #74-537-3 with Contra Costa Family Justice Alliance (dba Family Justice Center), a non-financial agreement, to allow the Behavioral Health Services Division (BHSD) to provide older adult senior peer counseling services at the Family Justice Center, for the period from January 1, 2020 through December 31, 2020.

FISCAL IMPACT:

This is a non-financial agreement

BACKGROUND:

On January 22, 2019, the Board of Supervisors approved Memorandum of Understanding #74-537-2 for the implementation of the BHSD's Older Adult Mental Health Program's Senior Peer Counseling Program which trains and supervises older adult volunteers to work with seniors throughout Contra Costa County, for the period from January 1, 2019 through December 31, 2019.

Approval of Memorandum of Understanding #74-537-3 will allow BHSD to continue to provide its peer counseling services through December 31, 2020. This agreement includes mutual indemnification to hold harmless both parties for any claims arising out of the performance of this Contract.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Suzanne Tavano,
925-957-5212

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

By: , Deputy

cc: E Suisala , M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this agreement is not approved, the seniors will not have access to these services at Family Justice Center sites in Concord and Richmond.



Contra Costa County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: February 25, 2020

Subject: Payment for Services Provided by Cardionet, LLC

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Auditor-Controller, or designee, to pay \$6,097 to Cardionet, LLC, a limited liability company, for the provision of cardiac monitoring services at Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers during the month of October 2018.

FISCAL IMPACT:

This Contract is funded 100% by Hospital Enterprise Fund I.

BACKGROUND:

On October 23, 2017, the Board of Supervisors approved Contract #26-784-5 (as amended by Amendment Agreement #26-784-6) with Cardionet, LLC, for the provision of cardiac monitoring services at CCRMC and Contra Costa Health Centers for the period from November 1, 2017 through October 31, 2018. The Contractor provided services during the month of October 2018 and did not send an invoice in a timely manner and the contract expired before payment could be applied against it. The total services billed were \$191,097.00 and the contract payment limit was \$185,000 leaving an unpaid balance for services requested and provided outside of the contract payment limit of \$6,097.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Japreet Benepal,
925-370-5100

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

By: , Deputy

cc: K Cyr, M Wilhelm

BACKGROUND: (CONT'D)

Therefore, the County has determined that Cardionet, LLC is entitled to payment for the reasonable value of their services under the equitable relief theory of quantum meruit. That theory provides that where a person has been asked to provide services without a valid contract, and the provider does so to the benefit of the recipient, the provider is entitled to recover the reasonable value of those services.

CONSEQUENCE OF NEGATIVE ACTION:

If this request is not approved, Cardionet, LLC will not be paid for services provided at CCRMC outside of the contract payment limit rendered in good faith.

ATTACHMENTS



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: February 25, 2020

Subject: Election of Retirement Board Member Numbers 3, 7, and 7 Alternate

RECOMMENDATION(S):

1. ACKNOWLEDGE that the terms of office of the appointed Member 5, 6, and 9 seats and the Alternate to Members 4, 5, 6 & 9 seat held by Jerry Holcombe, Supervisor Candace Andersen, John Phillips, and Jay Kwon, respectively, on the Contra Costa County Employees' Retirement Association Board of Trustees (Retirement Board) will expire on June 30, 2020, and that there is a standing referral to the Board's Internal Operations Committee to recruit to fill, by Board of Supervisors appointment, any vacancies that occur in seats 4, 5, 6 and 9 of the Retirement Board, and their Alternate.
2. ACKNOWLEDGE that the Board of Supervisors, on January 7, 2020, reappointed Supervisor Candace Andersen to the Member 6 seat of the Retirement Board to a new three-year term that will expire on June 30, 2023.
2. ACKNOWLEDGE that the terms of office of the elected Member 3, 7, and 7 Safety Alternate seats on the Retirement Board held by Todd Smitley, William Pigeon, and Donald Finley, respectively, will also expire on June 30, 2020.
3. ADOPT Resolution No. 2020/63 calling and noticing election of Retirement Board Members No. 3 (general), 7 and 7 Alternate (safety members of the Association) for three-year terms beginning on

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Julie DiMaggio Enea
(925) 335-1077

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

By: , Deputy

cc: County Administrator's Office, County Clerk-Elections Division, Retirement Board

RECOMMENDATION(S): (CONTD)

July 1, 2020, as recommended by the Contra Costa County Employees' Retirement Association Board.

FISCAL IMPACT:

None.

BACKGROUND:

The terms of office of the following members of the Contra Costa County Employees' Retirement Association Board will expire on June 30, 2020 : Todd Smithey (General Member - Number 3), William Pigeon (Safety Member of the Association - Number 7), and Donalds Finley (Safety Member of the Association - Number 7 Alternate). The general members of the Association may elect the Number 3 member and the safety members of the Association may elect the Number 7 and 7 Alternate members, as provided in the attached Resolution.

Government Code Section 31520.1 (a) provides in part: "The second and third members of the board shall be members of the association, other than safety members, elected by those members within 30 days after the retirement system becomes operative in a manner determined by the board of supervisors," and "The seventh member shall be a safety member of the association elected by the safety members. The eighth member shall be a retired member elected by the retired members of the association in a manner to be determined by the board of supervisors. The alternate member shall be that candidate, if any, for the seventh member from the group under Section 31470.2 or 31470.4, or any other eligible safety member in a county if there is no eligible candidate from the groups under Sections 31470.2 and 31470.4, which is not represented by a board member who received the highest number of votes of all candidates in that group, and shall be referred to as the alternate seventh member. If there is no eligible candidate there may not be an alternate seventh member."

Government Code section 31520.1 also provides in part: "(b)...The alternate seventh member provided for by this section shall vote as a member of the board only if the second, third, seventh, or eighth member is absent from a board meeting for any cause, or if there is a vacancy with respect to the second, third, seventh, or eighth member, the alternate seventh member shall fill the vacancy until a successor qualifies. The alternate seventh member shall sit on the board in place of the seventh member if a member of the same service is before the board for determination of his or her retirement. (c) The alternate seventh member shall be entitled to both of the following:

- (1) The alternate seventh member shall have the same rights, privileges, responsibilities, and access to closed sessions as the second, third, seventh, and eighth member.
- (2) The alternate seventh member may hold positions on committees of the board independent of the second, third, seventh, or eighth member and may participate in the deliberations of the board or any of its committees to which the alternate seventh member has been appointed whether or not the second, third, seventh, or eighth member is present."

Nominations for the elected seats shall be on forms provided by the County Clerk starting on Monday, February 24, 2020 and filed in that office not later than 5 p.m. on March 20, 2020. Election Day is fixed as Tuesday, June 16, 2020. Any Ballot reaching the County Clerk's Office after 5 p.m. on Tuesday, June 16, 2020 shall be voided and not counted.

Nominations for the appointed Board of Supervisors #5, 6, and 9 seats and the Alternate to Seats 4, 5, 6 & 9 seat shall be pursuant to a recruitment to be conducted by the Internal Operations Committee on

behalf of the Board of Supervisors, this spring.

CONSEQUENCE OF NEGATIVE ACTION:

Inaction by the Board would result in a delay of election of the 3, 7, and 7 Alternate members of the Contra Costa County Employees' Retirement Association Board.

ATTACHMENTS

Resolution 2020/63

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

Adopted this Resolution on 02/25/2020 by the following vote:

AYE: ☐
NO: ☐
ABSENT: ☐
ABSTAIN: ☐
RECUSE: ☐



Resolution No. 2020/63

**In the Matter of the Election of Retirement Board Members Number 3, 7, and 7 Alternate Calling and Noticing Election
(Government Code Section 31520.0 and 31523)**

The Contra Costa County Board of Supervisors acting in its capacity as the Governing Board of the County of Contra Costa and all districts of which it is the ex-officio governing Board **RESOLVES THAT:**

1. The term of office of members 3, 7, and 7 alternate of the Contra Costa County Employees' Retirement Association Board will be completed as of June 30, 2020. The members are as follows:

<u>Member No.</u>	<u>Name</u>
3	Todd Smithey, General Member
7	William Pigeon, Safety Member
7 Alternate	Donald Finley, Safety Alternate

The appropriate members of the Retirement Association may elect someone to fill these offices for a three-year term beginning July 1, 2020 as provided below.

2. Nominations shall be on forms provided by the County Clerk starting on Monday, February 24, 2020 and filed in that office not later than 5 p.m. on March 20, 2020. The Clerk shall have ballots printed with the nominees' names and with blank spaces for write-in candidates. The Clerk shall have a ballot mailed no later than May 18, 2020 to each member of the appropriate group of the Retirement Association as of April 1, 2020 with a ballot envelope in which to enclose the ballot when voted, imprinted "Retirement Board Ballot" or similar words, together with a postage paid, Business reply envelope addressed to the County Clerk for mailing the ballot envelope to that office, and with instructions that the ballot shall be marked and returned to the County Clerk before 5 p.m. on election day. (See No. 3 below.)
3. Election Day is hereby fixed as Tuesday, June 16, 2020. Any Ballot reaching the County Clerk's Office after 5 p.m. on Tuesday, June 16, 2020 shall be voided and not counted.
4. Notice of election and nomination procedure shall be given by the Clerk by publishing a copy of this resolution at least once in the Contra Costa Times, West Contra Costa Times, San Ramon Valley Times, and the Ledger Post Dispatch at least ten days before the last day for receiving nominations. (See No 2 above.)
5. On Wednesday, June 17, 2020, the County Clerk shall cause all valid ballots to be publicly opened, counted, and tallied by an Election Board, which shall forthwith certify the return to this Board; and this Board shall declare the winners elected, or arrange for a run-off election in case of a tie.
6. If the County Clerk receives no valid nominations for the position, he shall so inform this Board which shall call a new election therefore; and if the Clerk receives only one nomination for any of these positions, he shall so notify this Board which shall declare that person elected to that position in accordance with Government Code Section 31523(c).

I hereby certify that this 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: Julie DiMaggio Enea (925)
335-1077**

ATTESTED: February 25, 2020

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

By: , Deputy

cc: County Administrator's Office, County Clerk-Elections Division, Retirement Board



Contra
Costa
County

To: Board of Supervisors
From: Sharon L. Anderson, County Counsel
Date: February 25, 2020

Subject: APPROVE AND AUTHORIZE CONFLICT WAIVER WITH LIEBERT CASSIDY WHITMORE

RECOMMENDATION(S):

APPROVE and AUTHORIZE the County Counsel, or her designee, to execute on behalf of the County a conflict waiver acknowledging a potential conflict of interest and consenting to Liebert Cassidy Whitmore continuing to represent the County in labor negotiations while, at the same time, representing the Town of Danville in an unrelated matter involving the investigation of the conduct of a County employee.

FISCAL IMPACT:

There is no financial impact.

BACKGROUND:

The County has a relationship with Liebert Cassidy Whitmore (LCW) in the area of labor negotiations. The Town of Danville has asked LCW to represent the Town by providing advice and counsel related to a complaint by a Town employee against a County employee who provides services to the Town. LCW has advised the County that the firm's representation of the Town in this matter is not adverse to the County's at present, but that there is the potential for

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/25/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: February 25, 2020

Contact: Kate Andrus,
925-335-1824

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

a conflict of interest. LCW has also advised the County that (i) if an actual conflict arises, the firm will inform the County and the Town and seek additional conflict waivers, and (ii) different members of the firm represent the County and the Town and that an ethical wall exists between the attorneys representing the different agencies.

A copy of the letter from LCW asking for the County's consent is attached.

CONSEQUENCE OF NEGATIVE ACTION:

If the conflict waiver is not granted, LCW could not provide advice and counsel to the Town in the investigation of the complaint against a County employee.

ATTACHMENTS

Conflict Waiver

February 13, 2020

CONFIDENTIAL AND ATTORNEY-CLIENT PRIVILEGED

VIA EMAIL

Cynthia.Schwerin@cc.cccounty.us

Cynthia Schwerin
Contra Costa County
651 Pine Street
Martinez, CA 94553

Re: *Informed Written Consent*
Client-Matter: DA010/008

Dear Ms. Schwerin:

Thank you for your call and email recently regarding our firm's representation of the Town of Danville ("Town") regarding an investigation into the conduct of a Contra Costa County ("County") employee who works for the Town pursuant to the enclosed Contract for Law Enforcement Services.

The State Bar of California requires that an attorney obtain informed written consent to represent two clients in the certain situations. Specifically, Rule of 1.7 of the Rules of Professional Conduct provides in relevant part:

- (a) A lawyer shall not, without informed written consent* from each client and compliance with paragraph (d), represent a client if the representation is directly adverse to another client in the same or a separate matter.
- (b) A lawyer shall not, without informed written consent* from each affected client and compliance with paragraph (d), represent a client if there is a significant risk the lawyer's representation of the client will be materially limited by the lawyer's responsibilities to or relationships with another client, a former client or a third person,* or by the lawyer's own interests.

...

- (d) Representation is permitted under this rule only if the lawyer complies with paragraphs (a), (b), and (c), and:

Re: *Informed Written Consent*

February 13, 2020

Page 2

- (1) the lawyer reasonably believes* that the lawyer will be able to provide competent and diligent representation to each affected client;
- (2) the representation is not prohibited by law; and
- (3) the representation does not involve the assertion of a claim by one client against another client represented by the lawyer in the same litigation or other proceeding before a tribunal.

To comply with the requirements of this Rule, and to fulfill our understanding of our ethical obligations, we hereby disclose to you the following information:

The Town has asked us to provide legal services in the form of advice and counsel regarding a complaint by a Town employee against a County employee who provides services to the Town's police department. This letter is to inform you that our firm also provides legal services to the County in other matters. Although our representation of the Town in this matter is not directly adverse to the County at this time, it is our assessment that the representation has the potential to become adverse because the Town and County (collectively, the "Parties") may ultimately have adverse interests with respect to the County employee at issue. In addition, our representation of the Town in this matter may expose the County to liability associated with alleged County employee misconduct.

At this time, we do not believe that our representation of the Town will be materially limited by our responsibilities to or relationship with the County. However, if, at any time, we determine that our representation of the Town in this matter will be materially limited by our responsibilities to or relationship with the County, we will advise the Parties of that fact and obtain additional informed written consent before proceeding.

Despite the potentially adverse nature of this matter, at this time, we reasonably believe that we will be able to provide competent and diligent representation both the Town and the County in this and other matters in which we represent each agency. However, if either the Town or the County assert a claim against the other in connection with this matter, we will be precluded from representing the Town and County against one another. Should this occur, it may be necessary for the Parties to individually obtain legal representation other than Liebert Cassidy Whitmore.

In order for us to assist the Town in providing advice and counsel with respect to the employee complaint at issue, both the Town and the County must indicate their understanding of their potentially adverse interests, as described above. For purposes of Rule 1.7, "informed consent" means a person's agreement to a proposed course of conduct after the lawyer has communicated and explained (i) the relevant circumstances and (ii) the material risks, including any actual and reasonably foreseeable adverse consequences of the proposed course of conduct.

Re: *Informed Written Consent*

February 13, 2020

Page 3

“Informed written consent” means that the disclosures and the consent must be in writing within the meaning stated in Evidence Code section 250. (See Rule 1.0.1(e)-(e-1), (n).)

If you have any questions about this matter, please let me know. Otherwise, I am requesting that the County sign and return to us a copy of this letter and the enclosed Consent to Representation acknowledging that you have been advised of Rule 1.7 and the potential for conflicts associated with your interests; that you have been advised of our past and/or present relationship with the County; and that you consent to Liebert Cassidy Whitmore’s representation of the Town with respect to our advice and counsel concerning its employee’s complaint against a County employee.

Very truly yours,

LIEBERT CASSIDY WHITMORE



Suzanne Solomon

SS: pjk
Encls.

Re: *Informed Written Consent*

February 13, 2020

Page 4

CONSENT TO REPRESENTATION

Liebert Cassidy Whitmore has explained to the undersigned that there exist potential adverse interests inherent in its representation of the Town of Danville in providing it with advice and counsel regarding a Town employee's complaint against an employee of Contra Costa County. The County understands that it has a right to and has been encouraged to consult independent counsel before signing this consent. The County nevertheless consents to Liebert Cassidy Whitmore's representation of the Town in connection with the above-described matter.

Dated: _____

By: _____