

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

To slow the spread of COVID-19, the Health Officer's Shelter Order of May 18, 2020, prevents public gatherings ([Health Officer Order](#)). In lieu of a public gathering, the Board of Supervisors meeting will be accessible via television and live-streaming to all members of the public as permitted by the Governor's Executive Order N29-20. Board meetings are televised live on Comcast Cable 27, ATT/U-Verse Channel 99, and WAVE Channel 32, and can be seen live online at www.contracosta.ca.gov.

PERSONS WHO WISH TO ADDRESS THE BOARD DURING PUBLIC COMMENT OR WITH RESPECT TO AN ITEM THAT IS ON THE AGENDA MAY CALL IN DURING THE MEETING BY DIALING 888-251-2949 FOLLOWED BY THE ACCESS CODE 1672589#.

All telephone callers will be limited to two (2) minutes apiece. The Board Chair may reduce or eliminate the amount of time allotted per telephone caller at the beginning of each item or public comment period depending on the number of calls 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.

**EMERGENCY MEETING
AGENDA
June 2, 2020**

9:30 A.M. Convene and Call to Order

D.1 Public Comment

- D.2** CONSIDER adopting a resolution proclaiming or ratifying the existence of a local emergency in Contra Costa County, and consider adopting an order imposing or extending a curfew in Contra Costa County, due to civil unrest. (David Twa, County Administrator)

GENERAL INFORMATION

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

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

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

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

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

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

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

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

www.co.contra-costa.ca.us

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 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
CCCPCFD (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 (CCCPCFD) 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 Syndrome
HOME Federal block grant to State and local governments designed exclusively to create affordable housing for low-income households
HOPWA Housing Opportunities for Persons with AIDS Program
HOV High Occupancy Vehicle
HR Human Resources
HUD United States Department of Housing and Urban Development
IHSS In-Home Supportive Services
Inc. Incorporated
IOC Internal Operations Committee
ISO Industrial Safety Ordinance
JPA Joint (exercise of) Powers Authority or Agreement
Lamorinda Lafayette-Moraga-Orinda Area
LAFCo Local Agency Formation Commission
LLC Limited Liability Company
LLP Limited Liability Partnership
Local 1 Public Employees Union Local 1
LVN Licensed Vocational Nurse
MAC Municipal Advisory Council
MBE Minority Business Enterprise
M.D. Medical Doctor
M.F.T. Marriage and Family Therapist
MIS Management Information System
MOE Maintenance of Effort
MOU Memorandum of Understanding
MTC Metropolitan Transportation Commission
NACo National Association of Counties
NEPA National Environmental Policy Act
OB-GYN Obstetrics and Gynecology

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



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: June 2, 2020

Subject: CURFEW

RECOMMENDATION(S):

1. ADOPT a resolution proclaiming or ratifying the existence of a local emergency in Contra Costa County due to civil unrest.
2. ADOPT an order imposing or extending a curfew in Contra Costa County due to civil unrest.

FISCAL IMPACT:

No impact to the General Fund is anticipated by this action. Proclaiming a local emergency could give rise to state or federal assistance.

BACKGROUND:

On May 25, 2020, George Floyd tragically died while being detained by a Minneapolis police officer, who kneeled on Mr. Floyd's neck and did not respond to his requests for help. Protestors have gathered throughout the country in response to his death.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **06/02/2020** ☐ 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: June 2, 2020

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

Contact: David Twa

By: , Deputy

cc:

BACKGROUND: (CONT'D)

The majority of protestors have acted peacefully and lawfully. But some protests throughout the country and in surrounding cities such as Walnut Creek, San Francisco, Oakland, and San Jose have resulted in civil unrest, including looting and rioting, causing injuries and significant property damage, including to public facilities. In Oakland on May 29, people blocked streets, shut down the Bay Bridge, and looted various businesses. Violence there resulted in the death of a Federal Protective Service Officer. In San Francisco on May 30, looters broke into the Westfield Centre and other retail businesses in the Union Square area, several fires were set, and buildings were defaced. In San Jose on May 29 and 30, there was looting and rioting in the downtown area. In Walnut Creek on May 31, a woman was shot in the arm while looting occurred at Broadway Plaza. Bay Area Rapid Transit stations in Concord, Lafayette, Pleasant Hill, and Walnut Creek were shut down. This civil unrest has resulted in conditions of extreme peril to the safety of persons and property, including to public facilities, within the County.

Proclaiming a local emergency authorizes counties and other local jurisdictions to impose curfews within designated boundaries to provide for the protection of life and property. The cities of Walnut Creek, Danville, Lafayette, and Pleasant Hill have imposed curfews. The Board will consider whether to ratify or proclaim the local emergency and to extend or impose the curfew, and if so, the duration of the curfew, and its geographic scope.

CONSEQUENCE OF NEGATIVE ACTION:

CHILDREN'S IMPACT STATEMENT:

ATTACHMENTS

Resolution No. 2020/155

BOS Curfew-Countywide

**BOARD OF SUPERVISORS RESOLUTION PROCLAIMING EXISTENCE
OF A LOCAL EMERGENCY**

Resolution No. 2020/155

IN THE MATTER OF Proclaiming the Existence of a Local Emergency (Gov. Code, § 8630)

The Board of Supervisors of Contra Costa County RESOLVES as follows:

Contra Costa County Ordinance Code Chapter 42-2 empowers the Board of Supervisors to proclaim the existence or threatened existence of a local emergency when the County is affected or likely to be affected by a public calamity.

The Board of Supervisors has been requested by the Director of Emergency Services of the County to proclaim the existence of a local emergency therein.

The Board of Supervisors finds as follows:

1. Conditions of disaster or extreme peril to the safety of persons and property, including to public facilities, have arisen within the County, caused by civil unrest, commencing in the County on or about May 31, 2020. Civil unrest in the form of riots and looting have arisen from protests in response to the tragic death of an unarmed man, George Floyd, in Minneapolis, Minnesota, while being detained by a police officer. The majority of protestors have acted peacefully and lawfully. But some protests throughout the nation, including in cities such as Walnut Creek, San Francisco, Oakland, and San Jose, have given rise to injuries, looting, and property destruction.

2. These conditions, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this County, and will require the combined forces of other political subdivisions to combat.

3. These conditions fit the circumstances described in Government Code section 8558.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists throughout the County; and

IT IS FURTHER PROCLAIMED AND ORDERED that, during the existence of the local emergency, the powers, functions, and duties of the emergency organization of this County shall be those prescribed by state law, and by ordinances and resolutions of this County, and by the County of Contra Costa Emergency Operations Plan, as approved by the Board of Supervisors on June 16, 2015.

PASSED on June 2, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

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

By: _____
Deputy Clerk

**EMERGENCY ORDER IMPOSING A CURFEW
WITHIN THE COUNTY OF CONTRA COSTA DUE TO CIVIL UNREST**

WHEREAS, on June 2, 2020, the Board of Supervisors of the County of Contra Costa proclaimed, pursuant to Government Code section 8630 and Contra Costa County Ordinance Code Chapter 42-2, the existence of a local emergency because the County of Contra Costa ("County") is affected or likely to be affected by a public calamity due to conditions of disaster or of extreme peril to the safety of persons and property arising as a result of civil unrest in the County.

WHEREAS, Government Code Section 8634 authorizes the Board of Supervisors to promulgate orders and regulations necessary to provide for the protection of life or property during a local emergency, including imposing a curfew where necessary to preserve the public order and safety.

WHEREAS, there exists imminent danger to life and property during the hours of darkness, and it is especially difficult to preserve public safety during these hours.

WHEREAS, a curfew is necessary to preserve the public order and safety in the County.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. A curfew is imposed Countywide, within the unincorporated and incorporated areas of the County.
2. The hours of curfew are between 8:00 p.m. and 5:00 a.m. of the following day.
3. No person, except as set forth in Section 4, below, shall be upon a public street, avenue, boulevard, place, walkway, alley, park or any public area or unimproved private property within the boundaries of the County between 8:00 p.m. and 5:00 a.m. of the following day.
4. This Order shall not apply to peace officers, firefighters, and National Guard deployed to the area, individuals traveling to and from work, people experiencing homelessness and without access to a viable shelter, and individuals seeking medical treatment.
5. This Order shall be effective immediately as of June 2, 2020, commencing at 8:00 p.m. and extending until the termination of this Order. The County Administrator is authorized to amend and terminate this Order in accordance with Government Code Section 8634.

Any violation of this Order is a misdemeanor as provided by Government Code section 8665 and any applicable state or local law, and violators may be subject to immediate arrest.

In the event that the terms of the County's curfew order are more stringent (e.g., that the start time is earlier or the end time is later) than any city's curfew order within the County, the County's curfew order will apply within that city and supersede the city's order to that extent.

Dated: June 2, 2020

County of Contra Costa