

CALENDAR FOR THE BOARD OF SUPERVISORS
CONTRA COSTA COUNTY
AND FOR SPECIAL DISTRICTS, AGENCIES, AND AUTHORITIES GOVERNED BY THE BOARD
**BOARD CHAMBERS, ADMINISTRATION BUILDING, 1025 ESCOBAR STREET
MARTINEZ, CALIFORNIA 94553-1229**

DIANE BURGIS, CHAIR, 3RD DISTRICT
FEDERAL D. GLOVER, VICE CHAIR, 5TH DISTRICT
JOHN GIOIA, 1ST DISTRICT
CANDACE ANDERSEN, 2ND DISTRICT
KAREN MITCHOFF, 4TH DISTRICT

MONICA NINO, CLERK OF THE BOARD AND COUNTY ADMINISTRATOR, (925) 655-2075

To slow the spread of COVID-19, in lieu of a public gathering, the Board meeting will be accessible via television and live-streaming to all members of the public as permitted by Government Code Section 54953(e). 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#**. To indicate you wish to speak on an agenda item, please push "#2" on your phone. Access via Zoom is also available via the following link: <https://ems8.intellor.com/join/Qb8GjIRXPo>. To indicate you wish to speak on an agenda item, please "raise your hand" in the Zoom app.

Meetings of the Board are closed-captioned in real time. Public comment generally will be limited to two minutes. Your patience is appreciated. A Spanish language interpreter is available to assist Spanish-speaking callers.

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 online at www.contracosta.ca.gov.

**AGENDA
October 5, 2021**

9:00 A.M. Convene, call to order and opening ceremonies.

Inspirational Thought- *"The only limits you have are the limits you believe."* ~Wayne Dyer, motivational speaker

CONSIDER CONSENT ITEMS (Items listed as C.1 through C.75 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 proclaiming the month of October 2021 as Head Start Awareness Month. (Aaron Alarcon-Bowen, Executive Director, Community Services Bureau)

DISCUSSION ITEMS

- D.1** HEARING on the 2021 redistricting process; provide overview of the redistricting process; review communities of interest and supervisorial mapping proposals submitted by the public; provide over/under population data; review the criteria for adopting district maps; receive input from the public; and receive direction from the Board of Supervisors. (David Twa, County Administrator's Office)
- D.2** CONSIDER adopting Resolution 2021/327 to authorize the Board, in all its capacities, its subcommittees, and its advisory bodies to continue teleconference meetings under Government Code section 54953 (e) and make related findings; DETERMINE that these bodies will hold virtual meetings for the next 30 days; CONSIDER directing the Planning Commission, Merit Board, and Assessment Appeals Board to consider implementing Government Code section 54953 (e) at their next meeting; and take related actions. (Mary Ann McNett Mason, County Counsel)
- D.3** CONSIDER electing 2022 officers of the Board of Supervisors. (Supervisor Burgis)
- D.4** ACCEPT update on COVID-19; and PROVIDE direction to staff. (Dr. Ori Tzvieli and Erika Jessen, Deputy Director)
- D.5** HEARING to consider adopting Traffic Resolution No. 2021/4506 approving and authorizing an 18-month temporary overnight road closure of Carquinez Scenic Drive (Road No. 2191B) between the city limits of Martinez and extending westerly to McEwen Road (Road No. 2784), daily from sunset to sunrise the following day, beginning October 5, 2021, and ending March 31, 2023, to prevent illegal and criminal activity, as recommended by the Public Works Director, Martinez area. (No fiscal impact) (Monish Sen, Public Works Department)
- D.6** HEARING to consider the proposed formation of Zone 214 within County Service Area P-6 (Police Services) for Subdivision No. 9467 in the Bay Point area of the County for County File #SD17-9467. (100% Developer fees) (Jennifer Cruz, Department of Conservation and Development)
- D.7** HEARING to consider adopting Resolution No. 2021/307 and Ordinance No. 2021-29, authorizing the levy of a special tax for police protection services in Zone 214 of County Service Area P-6 for Subdivision No. 9467 (County File #SD17-9467) in the Bay Point area of the County, and fixing an election on December 7, 2021, to obtain voter approval. (100% Developer fees) (Jennifer Cruz, Department of Conservation and Development)

D.8 HEARING to consider the proposed formation of Zone 1517 within County Service Area P-6 (Police Services) for Subdivision No. 9547 in the unincorporated Walnut Creek area of the County for County File #SD20-9547. (100% Developer fees) (Jennifer Cruz, Department of Conservation and Development)

D.9 HEARING to consider adopting Resolution No. 2021/310 and Ordinance No. 2021-30 authorizing the levy of a special tax for police protection services in Zone 1517 of County Service Area P-6 for Subdivision No. 9547 (County File #SD20-9547) in the unincorporated Walnut Creek area of the County, and fixing an election on December 7, 2021 to obtain voter approval. (100% Developer fees) (Jennifer Cruz, Department of Conservation and Development)

D. 10 CONSIDER Consent Items previously removed.

D. 11 PUBLIC COMMENT (2 Minutes/Speaker)

D. 12 CONSIDER reports of Board members.

Closed Session

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

Agency Negotiators: Monica Nino.

Employee Organizations and Unrepresented Employees: 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; Teamsters Local 856; and all unrepresented employees.

B. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Gov. Code § 54956.9(d)(1))

1. *Architectural Preservation Foundation of Contra Costa County, et al. v. Contra Costa County, et al.*, Contra Costa County Superior Court Case No. N17-0946

C. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Gov. Code, § 54956.9(d)(2): [Two potential cases.]

ADJOURN in memory of
John McTigue
former Chief Deputy District Attorney

CONSENT ITEMS

Road and Transportation

- C. 1** ADOPT Resolution No. 2021/288 approving and authorizing the Public Works Director, or designee, to fully close the northbound lanes of Danville Boulevard between Orchard Lane and Jackson Way, Jackson Way at the intersection with Danville Boulevard, on Sunday, November 28, 2021, from 4:30 p.m. through 6:30 p.m., for the purpose of the Annual Alamo Tree Lighting Festival, Alamo area. (No fiscal impact)
- C. 2** APPROVE the Franklin Canyon Road Safety Improvements Project and take related actions under the California Environmental Quality Act, and AUTHORIZE the Public Works Director, or designee, to advertise the Project, Martinez area. (92% Highway Safety Improvement Program Funds, 8% Local Road Funds)
- C. 3** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute an amendment with Dewberry Engineers Inc. (dba Dewberry | Drake Haglan), acknowledging the Assignment and Assumption Agreement between Drake, Haglan & Associates, Inc., and Dewberry Engineers Inc., effective September 28, 2019, with no change to the original payment limit of \$250,000 or the term May 21, 2019 through May 7, 2022, for on-call civil engineering services, Countywide. (No fiscal impact)
- C. 4** ACCEPT the 2019–2021 Report of Real Estate Acquisition Acceptances dated July 1, 2019 through June 30, 2021, approved by the Public Works Director, as submitted, Alamo, Antioch, Brentwood, Byron, Clayton, Concord, Martinez, Pleasant Hill, Richmond and San Pablo areas. (No fiscal impact)

Engineering Services

- C. 5** ADOPT Resolution No. 2021/294 accepting completion of improvements for subdivision SD15-09423 for a project developed by 2200 Central Street, LLC, as recommended by the Public Works Director, North Richmond area. (No fiscal impact)

Special Districts & County Airports

- C. 6** APPROVE and AUTHORIZE the Chief Engineer, Contra Costa County Flood Control and Water Conservation District, or designee, to execute on behalf of the Contra Costa Clean Water Program, a contract amendment with Larry Walker Associates, Incorporated, to increase the payment limit by \$615,000 to a new payment limit of \$915,000 for Countywide stormwater quality services necessary to comply with federal and state stormwater permit requirements issued under the

National Pollutant Discharge Elimination System Permit, with no change to the term of January 5, 2021 through December 31, 2023, Countywide. (100% Stormwater Utility Assessment Funds)

- C. 7** APPROVE and AUTHORIZE the Chief Engineer, Contra Costa County Flood Control and Water Conservation District, or designee, to execute on behalf of the Contra Costa Clean Water Program, a contract amendment with Geosyntec Consultants, Inc., to increase the payment limit by \$480,000 to a new payment limit of \$680,000 for Countywide stormwater quality services necessary to comply with federal and state stormwater permit requirements issued under the National Pollutant Discharge Elimination System Permit, with no change to the term of February 1, 2021 through January 31, 2024, Countywide. (100% Stormwater Utility Assessment Funds)
- C. 8** APPROVE and AUTHORIZE the Director of Airports, or designee, to execute an amendment to the May 12, 2021, contract with W.E. Lyons Construction Company for the construction of the new Aircraft Rescue and Firefighting facility, terminal, and administrative office at Buchanan Field Airport, to increase the payment limit by \$263,335 to a new payment limit of \$13,253,335. (66% Federal Aviation Administration, 34% Airport Enterprise Fund)
- C. 9** APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Robert (“Bob”) Hawkins and Richard Finkle for a modernized, medium south-facing hangar at Buchanan Field Airport effective October 1, 2021 in the monthly amount of \$490.00, Pacheco area (100% Airport Enterprise Fund).
- C. 10** Acting as the governing body of the Contra Costa County Flood Control and Water Conservation District, APPROVE and AUTHORIZE the Chief Engineer, or designee, to execute the Local Project Sponsor Agreement with the Contra Costa Water District in an amount not to exceed \$850,000 from a California Department of Water Resources Integrated Regional Water Management Plan Grant for the Three Creeks Parkway Restoration Project, Brentwood area. (35% Integrated Regional Water Management Plan Grant Funds, 38% Flood Control Drainage Area 130 Funds, and 27% other Local, State and Federal Grant Funds)
- C. 11** ADOPT Resolution No. 2021/312 declaring October 2021 as Creek and Channel Safety Awareness Month, ACCEPT the status report from the Public Works Department and the Flood Control and Water Conservation District on the Creek and Channel Safety Awareness Program, and DIRECT the Public Works Department and the Flood Control and Water Conservation District to continue with implementation and the annual campaign of a Countywide sustainable Creek and Channel Safety Awareness Program, as recommended by the Chief Engineer, Flood Control and Water Conservation District, Countywide. (100% Flood Control Zone 3B Funds)

Claims, Collections & Litigation

- C. 12** DENY claims filed by Farmers Insurance Exchange, Maguaya Flemings, Linda Mayfield, Gary and Gabrielle Schneider and State Farm, THC-Orange County, LLC (dba Kindred Hospital-San Francisco Bay Area), and Travelers Insurance.

Honors & Proclamations

- C. 13** ADOPT Resolution No. 2021/319 proclaiming the month of October 2021 as Head Start Awareness Month, as recommended by the Employment and Human Services Director.

Appointments & Resignations

- C. 14** APPOINT Joaquin Lopez to the Alternate Seat of the Alamo Municipal Advisory Council for a term ending December 31, 2024, as recommended by Supervisor Andersen.
- C. 15** APPROVE the medical staff appointments and reappointments, additional privileges, advancements, and voluntary resignations as recommend by the Medical Staff Executive Committee, and by the Health Services Director.
- C. 16** APPOINT, in lieu of election, Emma Mendonsa and Katie Wadsworth to the Board of Trustees of Reclamation District 2122 (Winter Island) for terms of four years, as recommended by the County Administrator.
- C. 17** ACCEPT resignation from Ben Miyaji from the Arts and Culture Commission; DECLARE the At Large Seat #2 vacant for a term ending June 30, 2023, and DIRECT the Clerk of the Board to post the vacancy, as recommended by the County Administrator's Office.
- C. 18** APPOINT Laura Rodriguez to the Discretionary Representative 4 West County seat, Hannah Michaelson to the Community Representative 3 Central/South County seat, and John Moon to the Public Agency Representative 3 Central/South County seat on the Local Child Care Planning Council for terms ending April 30, 2022, April 30, 2024, and April 30, 2022, respectively, as recommended by the Family and Human Services Committee.
- C. 19** APPOINT Audra Carrion to At-Large Seat 1 for a term ending September 30, 2022, and REAPPOINT Carol Carrillo to Sector Seat 4 - Child Abuse Prevention Council, REAPPOINT Dr. Allyson Mayo to Sector Seat 5 - Mental Health seat, and REAPPOINT Jenny Tsang to At-Large Seat 3 on the Family and Children's Trust Committee, for terms ending September 30, 2023 as recommended by the Family and Human Services Committee.

- C. 20 APPOINT Victor Ortiz to Member-at-Large Seat 2 on the Alcohol and Other Drugs Advisory Board for a term ending June 30, 2024, as recommended by the Family and Human Services Committee.
- C. 21 REAPPOINT Rhonda Butler to At-Large Seat #3, Gerald Richards to At-Large Seat #9, Jagit Bhambra to At-Large Seat #11, Dennis Yee to At-Large Seat #14, Brian O'Toole to At-Large Seat #16 and Jill Kleiner to At-Large Seat #19 on the Contra Costa Advisory Council on Aging for terms ending on September 30, 2023, as recommended by the Family and Human Services Committee.

Personnel Actions

- C. 22 ADOPT Position Adjustment Resolution No. 25811 to add two Mental Health Specialist II (represented) positions in the Health Services Department. (20% Federal SAMHSA, 80% MHSA)
- C. 23 ADOPT Position Adjustment Resolution No. 25809 to cancel two Clinical Psychologist (represented) positions and add two permanent full-time Mental Health Clinical Specialist (represented) positions in the Health Services Department. (Hospital Enterprise Fund I, Cost savings)
- C. 24 ADOPT Position Adjustment Resolution No. 25810 to cancel two Community Health Worker I (represented) positions and add two permanent full-time Substance Abuse Counselor (represented) positions in the Health Services Department. (100% Residential Substance Abuse Treatment grant)

Grants & Contracts

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

- C. 25 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Public Health Foundation Enterprises, Inc. (DBA Heluna Health), to pay the County up to \$23,639 for the County's participation in the FoodNet Expanded Case Exposure Ascertainment Project to study foodborne bacteria for the period August 1, 2021 through July 31, 2022. (No County match)
- C. 26 APPROVE and AUTHORIZE the Health Services Director, or designee, to accept a grant award with the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, to pay the County up to \$499,896 for the Contra Costa Health Service's Opioid Multiagency Response Initiative for the period September 30, 2021 through September 29, 2022. (No County match)

- C. 27** ADOPT Resolution No. 2100/474 to approve and authorize the Employment and Human Services Director, or designee, to execute a revenue contract amendment with the California Department of Community Services and Development to change the term end date to December 31, 2021 with no change to the payment limit of \$1,115,537. (100% Federal)
- C. 28** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to accept funding in the amount of \$102,400 and execute an agreement with Contra Costa County Office of Education for the Quality Matters programs for the period October 1, 2021 through June 30, 2022. (100% funded by Contra Costa County Office of Education)
- C. 29** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Antioch Unified School District, to pay the County up to \$330,000 to provide mental health services to students referred to the District's HOPE program for the period July 1, 2021 through June 30, 2022. (No County match)
- C. 30** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with the Bay Area Air Quality Management District, to extend the termination date from December 31, 2021 to June 30, 2022 with no change in the amount of up to \$100,000 payable to the County for the Green and Healthy Homes Program for monitoring of retrofit improvements in the homes of high-risk Contra Costa Health Plan members with asthma. (No County match)
- C. 31** ADOPT Resolution No. 2021/303 to approve and authorize the Employment and Human Services Director, or designee, to accept funding in an amount not to exceed \$6,500 from the California Health Advocates to provide the Senior Medicare Patrol program for the period June 1, 2021 through May 31, 2022. (100% Federal)
- C. 32** ADOPT Resolution No. 2021/305 approving and authorizing the Sheriff-Coroner or designee, to apply for and accept the California Department of Parks and Recreation, Division of Boating and Waterways Financial Aid Program Agreement in the amount of \$738,249 for marine patrol and boating regulation enforcement for the period July 1, 2022 through the end of available funding. (100% State)
- C. 33** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a grant agreement with Public Health Foundation Enterprises, Inc. (dba Heluna Health), to pay the County up to \$250,000 for the provision of COVID-19 and respiratory viral panel testing for the Community Sentinel Surveillance Project for the period August 1, 2021 through July 31, 2022. (No County match)

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

- C. 34** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Suresh K. Sachdeva, M.D., Professional Corporation, in an amount not to exceed \$360,000 to provide pediatric primary care services to Contra Costa Health Plan members and County recipients for the period October 1, 2021 through September 30, 2024. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 35** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Public Health Foundation Enterprises, Inc., to increase the payment limit by \$272,502 to a new payment limit of \$1,146,242 and extend the termination date from October 31, 2021 to January 31, 2022 for the COVID-19 Adult Ambassador Program to continue promoting testing in underserved areas of the County. (100% American Rescue Plan Act)
- C. 36** APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute an agreement with the California Department of Food and Agriculture to reimburse the County in an amount not to exceed \$67,223 for regulatory compliance and enforcement activities related to the Sudden Oak Death Program for the period July 1, 2021 through June 30, 2022. (100% State)
- C. 37** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Credentials Services, Inc. (dba VerifPoint), in an amount not to exceed \$120,000 to provide credentialing services for healthcare providers at Contra Costa Health Plan for the period October 1, 2021 through September 30, 2024. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 38** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order with Kovarus, Inc., in an amount not to exceed \$373,313 to renew Citrix licenses and support and maintenance services for the period October 31, 2021 through October 30, 2022. (100% Hospital Enterprise Fund I)
- C. 39** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Aspen Surgery Services, LLC, in an amount not to exceed \$1,600,000 to provide ambulatory surgery services to Contra Costa Health Plan members for the period October 1, 2021 through September 30, 2022. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 40** APPROVE and AUTHORIZE the County Counsel, or designee, to execute, on behalf of Contra Costa County, a contract for specialized legal services with Wendel Rosen, LLP, effective September 21, 2021, as recommended by the County Counsel. (100% Various Funds)

- C. 41** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment agreement with Contra Costa Eye Medical Center, Inc., to modify the rates for Contra Costa Health Plan Commercial members from Medi-Cal rates to Medicare rates, to continue providing ophthalmology services for all Contra Costa Health Plan recipients with no change to the payment limit of \$300,000 and no change to the original term of April 1, 2021 through March 31, 2024. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 42** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a purchase order with Clear Labs, Inc., in an amount not to exceed \$2,000,000 for the purchase of testing reagents and kits for SARS-CoV-2 and other pandemic virus whole genome sequencing at the Contra Costa County Public Health Laboratory for the period September 1, 2021 through August 30, 2022. (100% Federal Center for Disease Control Epidemiology and Laboratory Capacity Grant)
- C. 43** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Planned Parenthood Shasta-Diablo, Inc. (dba Planned Parenthood Northern California), in an amount not to exceed \$4,000,000 to provide obstetrics, gynecology, family planning and mental health services for Contra Costa Health Plan members for the period October 1, 2021 through September 30, 2022. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 44** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Selena Ellis, M.D., in an amount not to exceed \$240,000 to provide neurology electromyography services for Contra Costa Health Plan members for the period October 1, 2021 through September 30, 2024. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 45** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Siri Sunderi Cheng, M.D., in an amount not to exceed \$500,000 to provide otolaryngology services for Contra Costa Regional Medical Center and Health Center patients for the period October 1, 2021 through September 30, 2022. (100% Hospital Enterprise Fund I)
- C. 46** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Addiction Research and Treatment, Inc., to increase the payment limit by \$186,441 to a new payment limit of \$6,106,269, to provide additional methadone treatment services to County residents with no change in the term July 1, 2021 through June 30, 2022. (50% Federal Drug Medi-Cal; 50% Mental Health Realignment)
- C. 47** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Harmonic Solutions, Inc., to increase the payment limit by \$27,148 to a new payment limit of \$1,217,291 to provide additional methadone maintenance treatment services to County residents with no change in the term of July 1, 2021 through June 30, 2022. (50% Federal Drug

Medi-Cal; 50% Drug Medi-Cal Realignment)

- C. 48** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Aaron K. Hayashi, M.D., Inc., in an amount not to exceed \$2,115,000 for the provision of radiology service at Contra Costa Regional Medical Center and Health Centers for the period October 1, 2021 through September 30, 2024. (100% Hospital Enterprise Fund I)
- C. 49** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Contra Costa Interfaith Transitional Housing Inc. (dba Hope Solutions), in an amount not to exceed \$218,000 to provide housing advocacy services for people with HIV for the period July 1, 2021 through June 30, 2022. (100% Housing Opportunities for Persons With AIDS)
- C. 50** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Behavior Treatment & Analysis, Inc., to increase the payment limit by \$1,000,000 to a new payment limit of \$3,000,000 to provide additional applied behavioral analysis services to Contra Costa Health Plan members for the period July 1, 2021 through June 30, 2023. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 51** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment with Gigi Walker (dba Walker's Auto Body & Fleet Repair), effective October 5, 2021, to increase the payment limit by \$200,000 to a new payment limit of \$600,000 to provide on-call collision and auto body repair services to County vehicles, with no change to the term of June 1, 2018 through May 31, 2022, Countywide. (100% Fleet Internal Service Fund)
- C. 52** APPROVE and AUTHORIZE the County Clerk-Recorder, or designee, to execute a contract with Admiral Security Services, Inc., in an amount not to exceed \$25,000 to provide election-related security services. (100% State)
- C. 53** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with the County of San Mateo, in an amount not to exceed \$293,585 to provide after-hours call coverage for the Behavioral Health Access Line for the period July 1, 2021 through June 30, 2022. (100% County General Fund)
- C. 54** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with James Pak, M.D., Incorporated, to increase the payment limit by \$90,000 to a new payment limit of \$240,000 with no change in the term March 1, 2021 to February 28, 2022 for additional anesthesiology services at Contra Costa Regional Medical and Health Centers. (100% Hospital Enterprise Fund I)

- C. 55** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Kaiser Foundation Health Plan, Inc., to add data exchange requirements for the provision of additional Medi-Cal services for Contra Costa Health Plan members enrolled in the Kaiser Health Plan with no change to the contract payment limit of \$600,000,000 or the term. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 56** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Etwaru Eye Center, in an amount not to exceed \$750,000 to provide ophthalmology services to Contra Costa Health Plan members and County recipients for the period October 1, 2021 through September 30, 2024. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 57** APPROVE and AUTHORIZE the County Probation Officer, or designee, to execute an Interagency Agreement with the Contra Costa County Office of Education, in an amount not to exceed \$456,377 to provide student educational programs for youth enrolled in the Briones Youth Academy that graduated from Mt. McKinley High School for the period July 1, 2021 through June 30, 2022. (100% State)
- C. 58** APPROVE and AUTHORIZE the County Probation Officer, or designee, to execute a contract with the County of Sonoma for the placement of wards in their facility at the rate of \$300 per ward per day for the period October 1, 2021 through September 30, 2023. (100% State)
- C. 59** APPROVE and AUTHORIZE the County Probation Officer, or designee, to execute a contract with the Construction Trades Workforce Initiative in an amount not to exceed \$230,000 to provide pathways to career success of the Briones Youth Academy students in the union construction trades and to establish a comprehensive Multi-Craft Core Curriculum Pre-Apprenticeship Program for the period of November 15, 2021 through November 14, 2024. (100% State)
- C. 60** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with John Muir Magnetic Imaging Center, in an amount not to exceed \$1,121,000 to provide diagnostic imaging services for Contra Costa Health Plan members for the period September 1, 2021 through August 31, 2023. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 61** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Genomic Health, Inc., in an amount not to exceed \$400,000 to provide outside laboratory testing services to Contra Costa Health Plan members for the period September 1, 2021 through August 31, 2023. (100% Contra Costa Health Plan Enterprise Fund II)

- C. 62** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Agfa Healthcare Corporation, in an amount not to exceed \$4,282,363 to provide a Radiology Picture Archiving and Communications System to the Health Services Department for the period October 5, 2021 through October 4, 2026. (100% Hospital Enterprise Fund I)
- C. 63** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with 3M Health Information Systems, Inc, in an amount not to exceed \$296,277 to provide software license and support services to the Health Services Department for the period October 5, 2021 through October 4, 2024. (100% Hospital Enterprise Fund I)
- C. 64** APPROVE AND AUTHORIZE the Director of Risk Management to execute a contract with Mobile-Med Health Solutions, Inc., "Mobile-Med" for COVID-19 testing and related services for the period August 27, 2021 to August 27, 2022 in an amount not to exceed \$2,000,000. (100% General Fund)

Other Actions

- C. 65** APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to renew Cardroom License Number 6, known as "California Grand Casino", currently located at 5988 Pacheco Blvd., Pacheco area, for the period November 26, 2021 through November 25, 2022. (No fiscal impact)
- C. 66** ADOPT Resolution No. 2021/290 extending the Contra Costa County Abandoned Vehicle Abatement Program and Fee for 10 years to April 30, 2032 and authorizing the Contra Costa County Abandoned Vehicle Abatement Service Authority to take all actions necessary to place a tax measure on the June 7, 2022 election ballot to extend the fee, as recommended by the Contra Costa County Abandoned Vehicle Abatement Service Authority. (100% Abandoned Vehicle Abatement Service Authority funds)
- C. 67** ADOPT Resolution No. 2021/292 consenting to including certain unincorporated territory of Contra Costa County in the Livermore Valley Wine Heritage District formed by the City of Livermore, as recommended by Supervisor Burgis.
- C. 68** APPROVE AND AUTHORIZE the County Auditor-Controller to transfer cash balances of approximately \$600 in fund 831200 Office of Revenue Collection Trust and approximately \$77,100 in fund 832700 Office of Revenue Parking Collection to fund 100300/0005, County General Fund-General Purpose Revenue, and to inactivate both funds. (100% General Fund)
- C. 69** ACCEPT the Annual Report on Revolving and Cash Difference Funds, Overage Fund, and Shortages for fiscal year 2020-2021, as recommended by the County Auditor-Controller.

- C. 70** APPROVE amended Conflict of Interest Code for the Learner-Centered School, Inc., as recommended by County Counsel.
- C. 71** APPROVE and AUTHORIZE the Auditor-Controller, or designee, to pay an amount not to exceed \$8,914 to Steris Corporation, for repair and maintenance services on infection prevention equipment at Contra Costa Regional Medical Center and Health Centers for the period March 1, 2021 through May 31, 2021. (100% Hospital Enterprise Fund I)
- C. 72** APPROVE and AUTHORIZE the Auditor-Controller, or designee, to pay an amount not to exceed \$31,683 to Amador Institute, Inc., for mental health services rendered to recipients of the CalWORK's Program for the period January 1, 2021 through March 31, 2021. (100% CalWORKs)
- C. 73** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Contra Costa Medical Career College, Inc., to provide supervised field instruction at Contra Costa Behavioral Health program sites for clerical/administrative externship students for the period October 1, 2021 through September 30, 2025. (No fiscal impact)
- C. 74** APPROVE amendments to the Conflict of Interest Code for the Acalanes Union High School District, including the list of designated positions, as recommended by County Counsel.
- C. 75** APPROVE and AUTHORIZE the Health Service Director, or designee to execute contract amendment with City of San Pablo, to modify the hours of operations and extend the term from September 30, 2021 to December 31, 2021 for the County's use of the City's Davis Park Multi-Purpose Room for COVID-19 vaccination and testing services. (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 1025 Escobar Street, First Floor, 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, 1025 Escobar Street, First Floor, Martinez, CA 94553.

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) 655-2000. An assistive listening device is available from the Clerk, First Floor.

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) 655-2000, 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, 1025 Escobar Street, Martinez, California.

Subscribe to receive to the weekly Board Agenda by calling the Office of the Clerk of the Board, (925) 655-2000 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.contracosta.ca.gov

STANDING COMMITTEES

To slow the spread of COVID-19 and in lieu of a public gathering, if the Board's STANDING COMMITTEES meet they will provide public access either telephonically or electronically, as noticed on the agenda for the respective STANDING COMMITTEE meeting.

The **Airport Committee** (Supervisors Diane Burgis and Karen Mitchoff) meets quarterly on the second Wednesday of the month at 11:00 a.m. at the Director of Airports Office, 550 Sally Ride Drive, Concord.

The **Family and Human Services Committee** (Supervisors Candace Andersen and Diane Burgis) meets on the fourth Monday of the month at 9:00 a.m. in Room 110, County Administration Building, 1025 Escobar Street, Martinez.

The **Finance Committee** (Supervisors Karen Mitchoff and John Gioia) meets on the first Monday of the month at 9:00 a.m. in Room 110, County Administration Building, 1025 Escobar Street, Martinez.

The **Hiring Outreach Oversight Committee** (Supervisors Federal D. Glover and John Gioia) meets quarterly on the first Monday at 10:30 a.m.. in Room 110, County Administration Building, 1025 Escobar 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 110, County Administration Building, 1025 Escobar Street, Martinez.

The **Legislation Committee** (Supervisors Diane Burgis and Karen Mitchoff) meets on the second Monday of the month at 1:00 p.m. in Room 110, County Administration Building, 1025 Escobar 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 110, County Administration Building, 1025 Escobar Street, Martinez.

The **Sustainability Committee** (Supervisors John Gioia and Federal D. Glover) meets on the fourth Monday of the month at 1:00 p.m. in Room 110, County Administration Building, 1025 Escobar Street, Martinez.

The **Transportation, Water & Infrastructure Committee** (Supervisors Candace Andersen and Diane Burgis) meets on the second Monday of the month at 9:00 a.m. in Room 110, County Administration Building, 1025 Escobar Street, Martinez.

Airports Committee	December 8, 2021	11:00 a.m.	See above
Family & Human Services Committee	October 25, 2021	9:00 a.m.	See above
Finance Committee	November 1, 2021	9:00 a.m.	See above
Hiring Outreach Oversight Committee	December 6, 2021	10:30 a.m.	See above
Internal Operations Committee	October 11, 2021	10:30 a.m.	See above
Legislation Committee	October 11, 2021	1:00 p.m.	See above
Public Protection Committee	October 25, 2021	10:30 a.m.	See above
Sustainability Committee	November 22, 2021	1:00 p.m.	See above
Transportation, Water & Infrastructure Committee	October 11, 2021	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
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
ECCPCFD 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
ORJ Office of Reentry and Justice
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: Monica Nino, County Administrator
Date: October 5, 2021

Subject: PUBLIC HEARING on the required supervisorial Redistricting to provide an overview of the Redistricting process

RECOMMENDATION(S):

See attached PDF Board Order.

FISCAL IMPACT:

.

BACKGROUND:

.

CONSEQUENCE OF NEGATIVE ACTION:

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: David Twa,
925-383-7493

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

ATTACHMENTS

Board Order

Attachment A

Attachment B

Attachment C



Contra
Costa
County

To: Board of Supervisors

From: Monica Nino, County Administrator

Date: October 5, 2021

Subject: PUBLIC HEARING on the required supervisorial Redistricting to provide an overview of the Redistricting process

Recommendations:

1. OPEN Public Hearing on the Contra Costa County Board of Supervisors 2021 redistricting process; RECEIVE report on the 2021 redistricting process; RECEIVE testimony; and CLOSE the Public Hearing; and
2. ACCEPT the report from David Twa, representing the County Administrator's Office and from staff of the Department of Conservation and Development (DCD) GIS division, on redistricting efforts to date; receive a report on the analysis of the 2020 Official Census Data as modified by the California State Adjusted Redistricting data; review over/under population numbers for existing supervisorial districts; provide summary of Community of Interests proposals submitted to date by the public; review supervisorial district map proposals submitted to date by the public; review the criteria for adopting redistricting maps; obtain public input on Community of Interest suggestions and on suggested supervisorial district maps; and
3. DIRECT David Twa, representing the County Administrators Office and the DCD GIS Mapping staff to continue to provide training to staff and the public on the District modules and the public submission portal that allows members of the public to submit their Community of Interest suggestions and to submit their proposed supervisorial redistricting maps; to publish notices and prepare for public workshops hosted by the individual supervisors, to provide background on the redistricting process, present potential boundary changes (map alternatives), answer questions and receive input from the public; to continue outreach to the public on the redistricting process; and
4. DIRECT David Twa, representing the County Administrator's Office and the DCD GIS Mapping staff to return to the Board on October 19, 2021 at 6:15 PM for the next Redistricting Public Hearing to update the Board on public input received to date on Community of interest suggestions and on suggested supervisorial district maps; review over/under population numbers; present publicly drawn maps received to date; review the criteria for adopting redistricting maps; present three to six conceptual drafts of possible supervisorial maps; update the Board and the public on Supervisorial District Workshops planned for October 23, 2021 through October 28, 2021; and receive direction from the Board of Supervisors on next steps.

Fiscal Impact:

The County Administrator's Office, Department of Conservation and Development (DCD), County Counsel and Clerk Recorder's offices will incur staff and other costs in order to facilitate the 2021 Board redistricting process, including preparing map alternatives, arranging, and conducting Public Hearings/Workshops/training sessions, preparing public notices and other public outreach materials, and to maintain a webpage dedicated to the 2021 redistricting process. Total costs are estimated to be \$300,000.

Background:

On August 10, 2021, the Board of Supervisors conducted the first Public Hearing on adjustment of Supervisorial district boundaries for 2021. The Board accepted reports from David Twa, representing the County Administrator's Office, Kristine Solseng from DCD GIS Mapping staff, and Debi Cooper from County Clerk Recorder, on the 2021 Board of Supervisors redistricting efforts to date, including development of the www.CoCoRedistricting.org website; DistrictR Mapping program; Community of Interests forms; and public outreach.

California law (Elections Code section 21500 et. seq.) requires the Board of Supervisors to approve Supervisorial district boundaries following each federal decennial census so that district boundaries are "substantially equal in population." (Elec. Code, § 21500(a).) The state block-level redistricting database, which is based on official 2020 U.S. Census data, must be used to determine Supervisorial district boundaries. The boundaries will remain in effect until redistricting following the next decennial census. The Board must adopt the new district boundaries no later than **December 15, 2021.**

The U.S. Census Bureau normally would have released the official data necessary for the County to begin the redistricting process by April 1, 2021, the year following completion of the census. However, the official data was not released until August 12, 2021, in 'Legacy' data format. Legacy data provides a breakdown of population changes in a summary format that often requires either a third party or a data expert to download and analyze the data sets. Legacy data may provide an approximate breakdown of population changes for the County and the Supervisorial districts.

However, it is the California State Adjusted Redistricting data that is required to be used for redistricting. That data was released on September 20, 2021 and showed Contra Costa County population increased from 1,049,025 in 2010 to 1,168,064 in 2020. This increase in population of 119,039 represented a 11.35% increase in population, but the increase was not evenly distributed across the County, or the Supervisorial Districts as shown below:

Contra Costa County Population and Deviation from the Mean

	2010 Population	Growth	2020 Population	Deviation
Supervisor District 1 John Gioia	203,437	21,861	225,298	(3.56%)
Supervisor District 2 Candace Andersen	218,917	24,862	243,779	4.35%
Supervisor District 3 Diane Burgis	203,711	36,560	240,271	2.85%
Supervisor District 4 Karen Mitchoff	219,216	10,442	229,658	(1.69%)
Supervisor District 5 Federal Glover	<u>203,744</u>	<u>25,314</u>	<u>229,058</u>	<u>(1.95%)</u>
Total	1,049,025	119,039	1,168,064	7.91%
Equal Population	209,805		233,613	

While the goal is to create districts that are substantially equal in population, the law recognizes that there are many reasons why some deviation in population between districts will occur in order to meet all Federal and State legal requirements, including the California Fair Maps Act requirements, such as respecting the geographic integrity of a city, or of a census designated place, or of a local Community of Interest. Because of this a deviation of plus or minus 5% is generally acceptable as long as other legal requirements are met. The current deviation range in Contra Costa County between the greatest plus District deviation (+4.35%) to the greatest minus District deviation (-3.56%) as shown on the Table below (7.91%) and is within the legal requirements.

2020 Over/Under Population	Over/Under	2020 Population	Deviation	
Supervisor District 1 John Gioia	-8,315	225,298	-3.56%	3.56%
Supervisor District 2 Candace Andersen	10,166	243,779	4.35%	4.35%
Supervisor District 3 Diane Burgis	6,658	240,271	2.85%	
Supervisor District 4 Karen Mitchoff	-3,955	229,658	-1.69%	
Supervisor District 5 Federal Glover	-4,555	229,058	-1.95%	
Equal Population	-0-	1,168,064	7.91%	7.91%
		233,613		

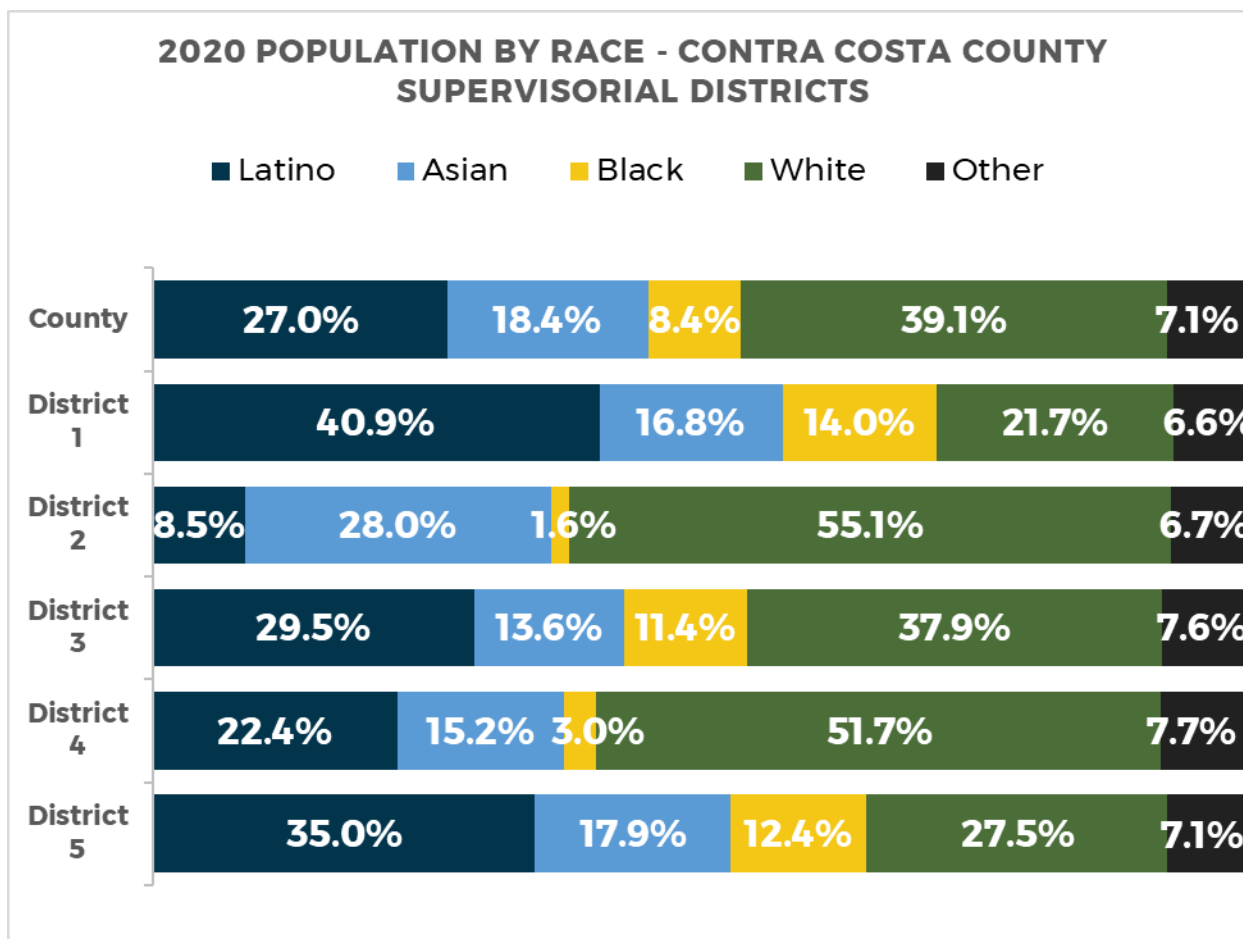
Population Breakdown by Race and Ethnicity

Contra Costa County’s racial and ethnic composition has continued to become more diverse since the 2010 census, with the most increase in the Asian population, an increase of 65,639 people, or 44.1%. The following chart outlines Countywide demographic changes over the past decade based on the 2020 Census data.

County Population by Race/Ethnicity

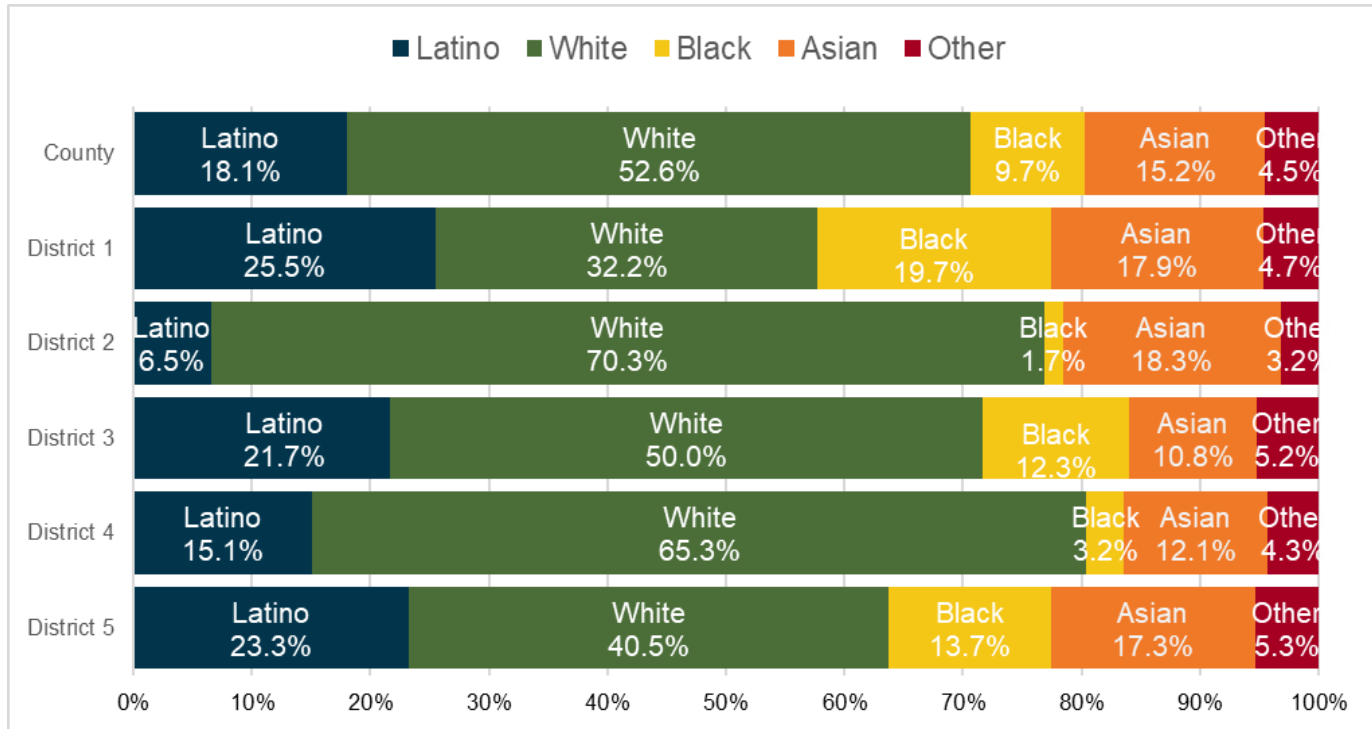
	2010	2020	Population Change	Percent Change
Latino	255,560	314,900	59,340	23.2%
White	500,923	455,421	(45,502)	-9.1%
Black	93,604	97,994	4,390	4.7%
Asian	148,881	214,520	65,639	44.1%
Other	50,057	83,092	33,035	66.0%
Total	1,049,025	1,165,927	116,902	11.1%

All five Supervisorial districts have become more diverse over the past decade. The following chart shows the race and ethnicity of each Supervisorial district based on the 2020 census data.



The Fair Maps Act requires counties to provide the Citizen Voting Age Population (CVAP) and racial and ethnic breakdown by district on any proposed draft map. Given that citizenship status was not asked during the 2020 census, the Statewide Database publishes a census block level allocation of the CVAP population based on the American Community Survey 2015-2019 five-year block groups. The following chart outlines the race and ethnicity as a percentage of the Citizen Voting Age Population by district.

CITIZEN VOTING AGE POPULATION BY SUPERVISORIAL DISTRICT



Community Online Workshops

At the August 10, 2021, Board of Supervisors first public hearing on Redistricting, the Board directed staff to provide training to members of the public on the Dedicated Redistricting Website and how they could use the DistrictR modules to submit Community of Interest suggestions and draw potential Supervisorial district maps for consideration by the Board of Supervisors.

On September 15, 2021 at 2:00 PM the County hosted Community Online Technical Workshop # 1. The County hosted the online technical workshop for the public to learn how the online mapping application works. This Community Workshop was conducted online and attended by eight members of the public. After a welcoming introduction by Chair Diane Burgis, DistrictR trainers Luis Pablo Delgado and Maggie Basinger explained how the DistrictR Mapping system worked and gave examples of how to draft suggested Community of Interests and Supervisorial District Maps. The complete video will be available on our dedicated redistricting Website, www.CoCoRedistricting.org.

As of September 27, 2021, members of the public have used the DistrictR Mapping program to create two Community of Interest Maps and four Drafts of proposed Supervisorial Maps, along with public comment on

the Community of Interests or District Maps. All submissions as of September 27, 2021 are included as **Attachment A.**

Two additional Community Online Mapping Workshops are scheduled: one is **scheduled for October 13, 2021, at 4:00 PM,** to be conducted in **Spanish,** presented by DistrictR, online; and one is **scheduled for October 14, 2021, at 2:00 PM,** to be conducted in English, presented by DistrictR, online.

Staff was also directed to establish locations for public Supervisorial workshops, and the following dates and locations have been scheduled:

Saturday, October 23, 2021, at 9:00 AM, at the San Ramon City Hall, 7000 Bollinger Canyon Road, San Ramon 94583.

Supervisor Candace Andersen will host a redistricting workshop to provide background on the redistricting process, present potential boundary changes (map alternatives), answer questions and receive input. Depending on COVID-19 restrictions, this workshop may be in-person, or by Zoom, call-in, or some combination of those alternatives.

Sunday, October 24, 2021, at 12:00 noon, County Board Chambers, 1025 Escobar Street, Martinez 94553, by Zoom only.

Supervisor Diane Burgis will host a redistricting workshop to provide background on the redistricting process, present potential boundary changes (map alternatives), answer questions and receive input. Depending on COVID-19 restrictions, this workshop will be by Zoom only.

Monday, October 25, 2021, at 7:00 PM, at the Pleasant Hill Community Center – Perera Pavilion, 320 Civic Drive, Pleasant Hill 94523.

Supervisor Karen Mitchoff will host a redistricting workshop to provide background on the redistricting process, present potential boundary changes (map alternatives), answer questions and receive input. Depending on COVID-19 restrictions, this workshop may be in-person, or by Zoom, call-in, or some combination of those alternatives.

Tuesday, October 26, 2021, at 7:00 PM County Board Chambers, 1025 Escobar Street, Martinez 94553, by Zoom only.

Supervisors Diane Burgis and Federal Glover will jointly host a redistricting workshop to provide background on the redistricting process, present potential boundary changes (map alternatives), answer questions and receive input. Depending on COVID-19 restrictions, this workshop will be by Zoom only.

Wednesday, October 27, 2021, at 6:30 PM, at the San Pablo City Hall, 1000 Gateway Avenue, San Pablo 94806.

Supervisor John Gioia will host a redistricting workshop to provide background on the redistricting process, present potential boundary changes (map alternatives), answer questions and receive input. Depending on COVID-19 restrictions, this workshop may be in-person, or by Zoom, call-in, or some combination of those alternatives.

Thursday, October 28, 2021, at 7:00 PM, County Board Chambers, 1025 Escobar Street, Martinez 94553, by Zoom only.

Supervisor Federal Glover will host a redistricting workshop to provide background on the redistricting process, present potential boundary changes (map alternatives), answer questions and receive input. Depending on COVID-19 restrictions, this workshop will be by Zoom only.

Interdepartmental Leadership Group

The County Administrator's office has established an interdepartmental leadership group to provide oversight/management of the redistricting process. The leadership group is comprised of the County Administrator, or designee, Department of Conservation & Development (DCD), County Counsel, Department of Information and Technology, and the Clerk-Recorder.

Public Outreach

A Redistricting webpage on the County's website, in multiple languages, was established as of August 04, 2021, and is the primary portal for public information and access. The public may use the website to provide feedback and comments. The Website will remain on the County's homepage for ten years and can be accessed at www.CoCoRedistricting.org.

The interactive features accessible on the Website will enable the public and all interested parties to draw and submit their own Supervisorial district map proposals and Community of Interest suggestions. Our public outreach will use electronic or web-based communication to the greatest extent possible, including the new dedicated website with areas for comments, public access to maps, census data tabulation, record of comments, and regular bi-weekly updates. The current public outreach includes press releases to local newspapers, public notices on the County website, CCTV, contact with City Managers, the Mayor's Conference, and community groups. These outreach efforts provide multiple avenues for the public to provide comments, including, but not limited to, letters, email, and website comments. This direct outreach to targeted groups/communities is designed to ensure their awareness and participation in the process.

Susan Shiu, Director of the Office of Communications and Media, and her staff have been very active as part of the redistricting public outreach, including Media coverage and news releases to the major news outlets and numerous email messaging to our redistricting Subscribers list. Currently, we have 254 subscribers, including online signups, Census grantees, City managers and others. Our dedicated redistricting Website, www.CoCoRedistricting.org, has received 3,327 views to date, while Social Media Outreach has included 69,942 overall views on Twitter and Nextdoor. The complete redistricting Communications Report is included as **Attachment B**.

Public Hearings and Ordinance or Resolution Adoption

Redistricting is currently adopted by an ordinance. However, SB 594 was signed by the Governor on September 27, 2021, and allows Counties to adopt Supervisorial districts by resolution and further provides that adoption occurs on the date the resolution is passed.

State law requires at least four (4) public hearings, and at least one public hearing or public workshop must be held on a Saturday, on a Sunday, or after 6:00 PM on a weekday (Monday through Friday).

The late release of the Official California State Adjusted Redistricting Data has required the County to establish a condensed timeline and expedited, outreach strategy to meet the December 15, 2021, Deadline for adoption of the Supervisorial districts.

Current Schedule:

On August 10, 2021, at 9:00 AM, the County Board conducted the First Public Hearing. At that time, the Board provided an overview of the redistricting process; reviewed the new dedicated redistricting website; received information about communities of interest and explanation on how to submit draft maps once Census Data was available; described planned public outreach and availability of mapping software training; received input from the public; and provided direction to staff.

On September 15, 2021, the County hosted an online technical workshop for the public to learn how to use the online mapping applications. (See discussion above).

On October 5, 2021, at 9:00 AM, the Board will conduct the Second Public Hearing on the process for revising Supervisorial district boundaries. The purpose of the Public Hearing will be to provide an overview of the redistricting process; review community of interest and district map proposals submitted by the public to date; obtain further input on proposals submitted by the public; receive County staff's presentation of over/under population percentages for each district; review the criteria for adopting new district boundaries/maps; receive input from the public; and receive direction from the Board of Supervisors.

On October 13, 2021, at 4:00 PM, the County will host the second Technical Workshop for the public to learn how the online mapping application works. This workshop will be in **Spanish** and presented online by District Staff.

On October 14, 2021, at 2:00 PM, the County will host the third Technical Workshop for the public to learn how the online mapping application works. This workshop will be presented online by District Staff.

On October 19, 2021, at 6:15 PM, the Board will conduct the Third Public Hearing to receive an update on public input received to date and provide opportunity for the public to provide additional suggestions on Community of Interest and Supervisorial Districts; staff will present publicly drawn maps received to date; review the criteria for adopting redistricting maps; present several conceptual drafts of Supervisorial maps and receive direction from the Board of Supervisors.

Between October 23 – 28, 2021 there will be six individual Supervisor's Workshops hosted by the individual District Supervisor(s), to provide background on the redistricting process, present potential boundary changes (map alternatives), answer questions and receive input from the public; Depending on COVID-19 restrictions, these workshops may be in-person, by Zoom, by call-in, or some combination of those alternatives. (See Schedule above).

On November 9, 2021, the Board will conduct the Fourth Public Hearing at 9:00 AM to receive a report on Workshops held in Supervisorial districts; provide update on additional public input received on Community of Interest suggestions; staff will present publicly drawn maps received to date; review the criteria for adopting redistricting maps; review conceptual drafts of supervisorial maps; introduce ordinance to repeal ordinance setting existing Supervisorial district boundaries and waive first reading; and receive direction from the Board of Supervisors.

November 23, 2021, the Board will conduct the Fifth Public Hearing at 9:00 AM to receive an update on additional public input received on Community of Interest suggestions; review publicly drawn maps received; review the criteria for adopting redistricting maps; review a proposed Final Supervisorial district map; receive public input; adopt ordinance to repeal ordinance setting existing Supervisorial district boundaries; and Board of Supervisors to consider selection of final map.

December 15, 2021 - Statutory deadline to complete redistricting (CA Elections Code section 21501(a)(2)).

Consequence of Negative Action:

The County is required to hold a minimum of four Public Hearings before adoption of the required redistricting of Supervisorial districts. The current schedule meets those requirements. Failure to schedule at least four Public Hearings may result in the County not being in compliance with the legal requirements for approving Supervisorial district boundaries.



Contra Costa County Redistricting Update Community Input Summary

Redistricting is the once-a-decade process of redrawing the boundaries for Supervisorial districts after the U.S. Census.

The County is committed to a robust public outreach process. The following public comments have been submitted through September 27, 2021.

Key Takeaways:

1. Much of the public comment received through the Districtr portal centers on communities of interest in District 2. The following outlines key issues related to District 2:
 - Diablo and Blackhawk should be part of District 2 as they are part of the San Ramon Valley
 - Lamorinda should be kept together and in District 2
 - Portions of unincorporated Contra Costa County in Lafayette Schools should be with Lafayette and in District 2.
2. The remainder of the comments centered on keeping all cities or specific portions of a city together
 - a. The Democratic Party of Contra Costa County asked that all cities be kept intact
 - b. One COI submission (Kate) indicated Downtown Walnut Creek and adjacent neighborhoods should be in the same district.

Districtr Redistricting Comment Portal: Community of Interest Maps

- C2632: Northern Waterfront
- C2635: Downtown Walnut Creek
- Note: Ag Core was submitted by staff as an example

Districtr Redistricting Comment Portal: District Maps

- P4715: Ron's District Map
- P4717: Ron's #2 Map
- P4925: Ron's #3
- P4926: Add Blackhawk and Diablo to District 2

Districtr Redistricting Comment Portal: Written Testimony

- W4783 - District 2

Online Forms

- No Submissions

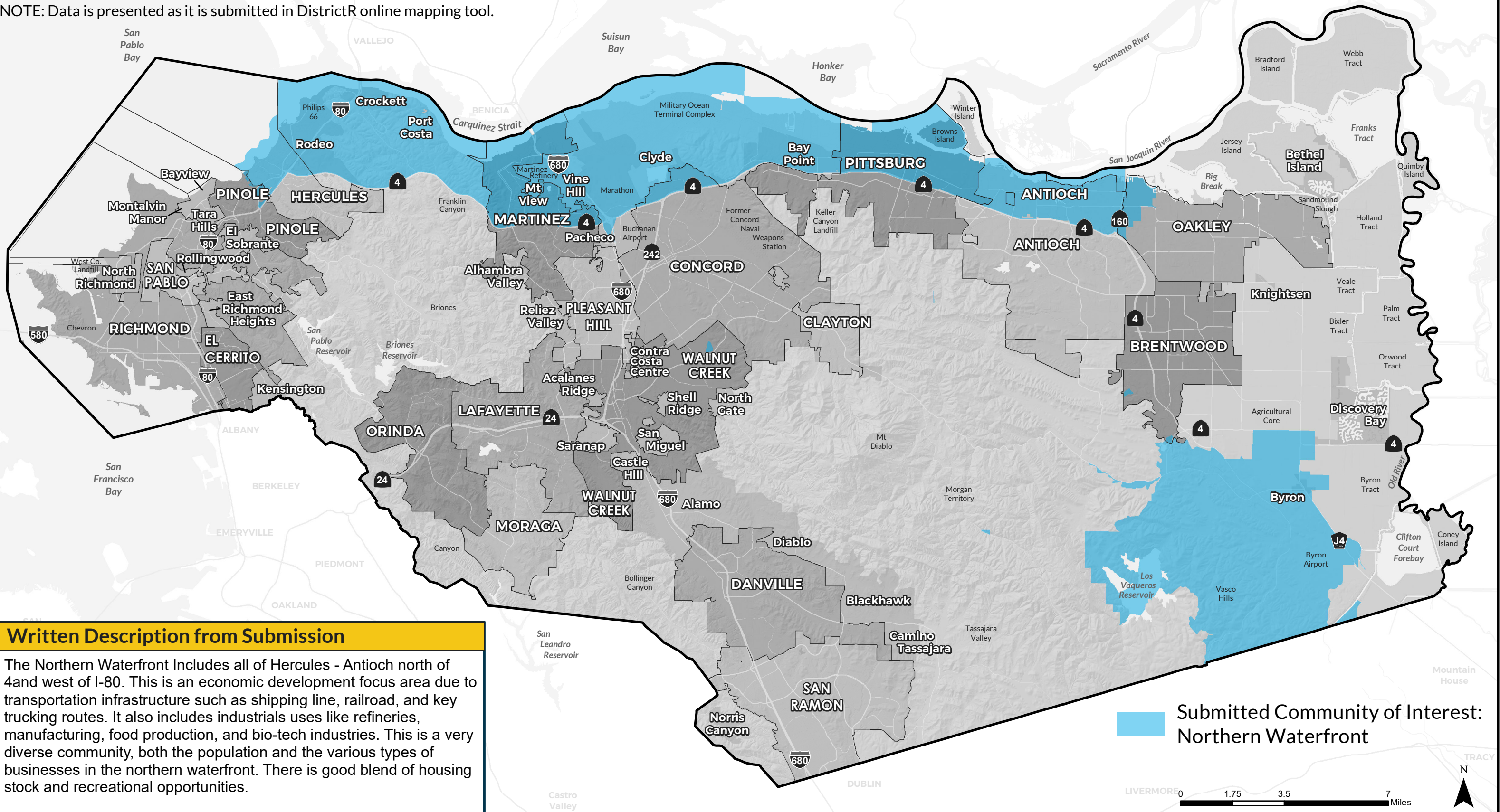
Emails and Letter

- Letter from the Democratic Party of Contra Costa County via Supervisor Gioia
- Email to Roger Chelemedos via Supervisor Andersen.

CONTRA COSTA COUNTY

Community of Interest Submission c2632 Northern Waterfront

NOTE: Data is presented as it is submitted in DistrictR online mapping tool.



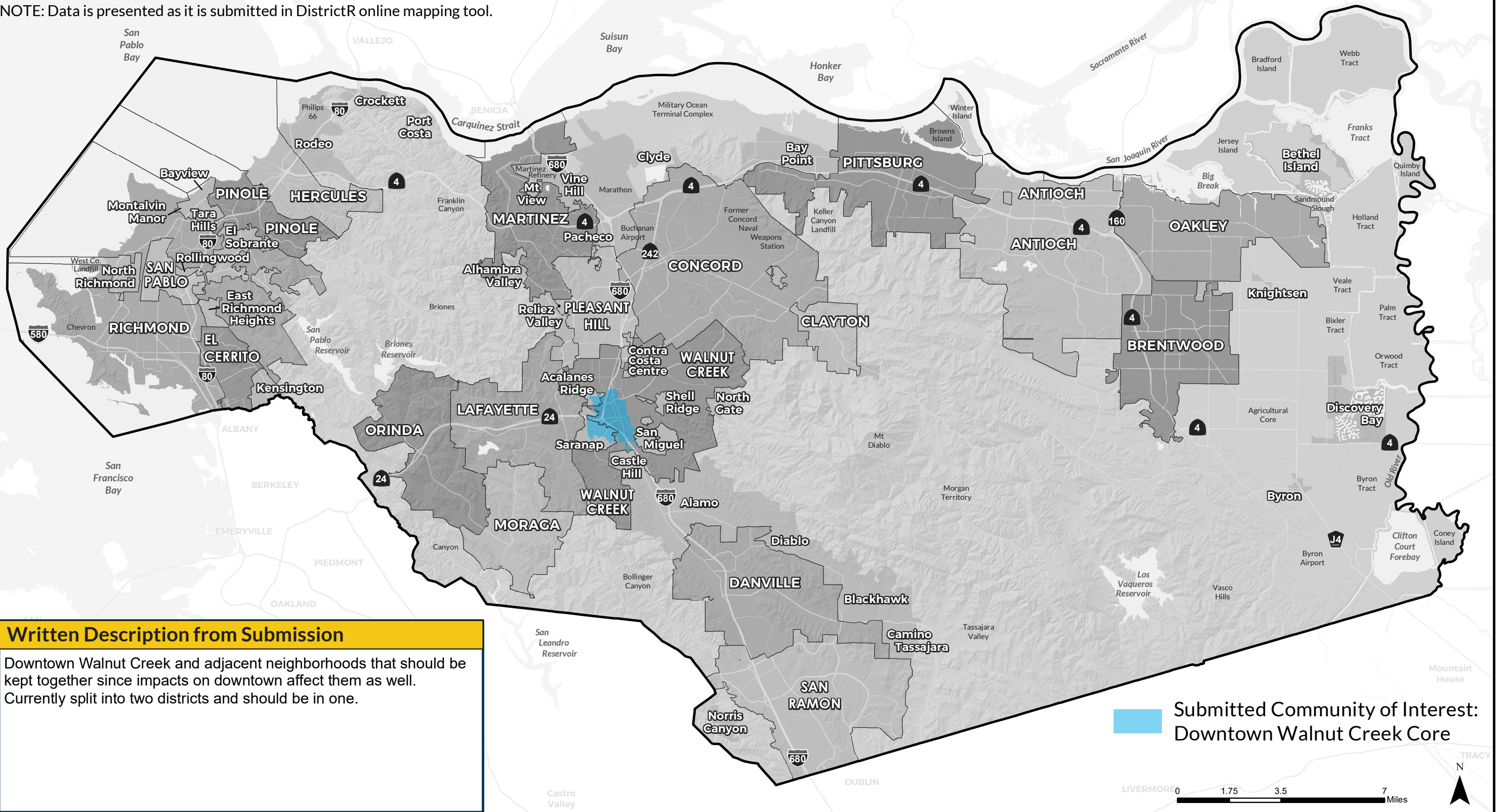
Written Description from Submission

The Northern Waterfront Includes all of Hercules - Antioch north of 4 and west of I-80. This is an economic development focus area due to transportation infrastructure such as shipping line, railroad, and key trucking routes. It also includes industrial uses like refineries, manufacturing, food production, and bio-tech industries. This is a very diverse community, both the population and the various types of businesses in the northern waterfront. There is good blend of housing stock and recreational opportunities.

CONTRA COSTA COUNTY

Community of Interest Submission c2635 Downtown Walnut Creek Core

NOTE: Data is presented as it is submitted in DistrictR online mapping tool.



Written Description from Submission

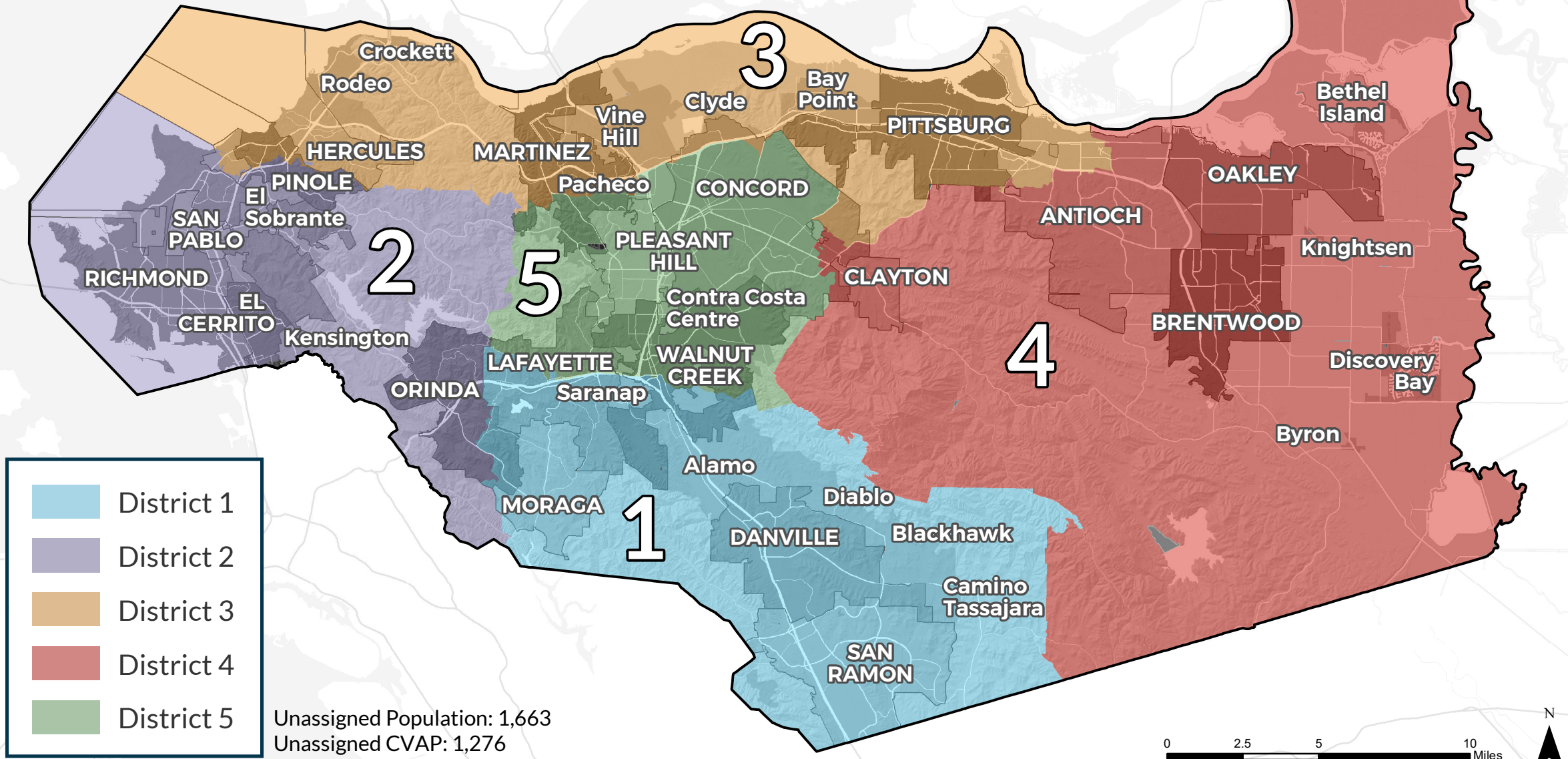
Downtown Walnut Creek and adjacent neighborhoods that should be kept together since impacts on downtown affect them as well. Currently split into two districts and should be in one.

Submitted Community of Interest:
Downtown Walnut Creek Core



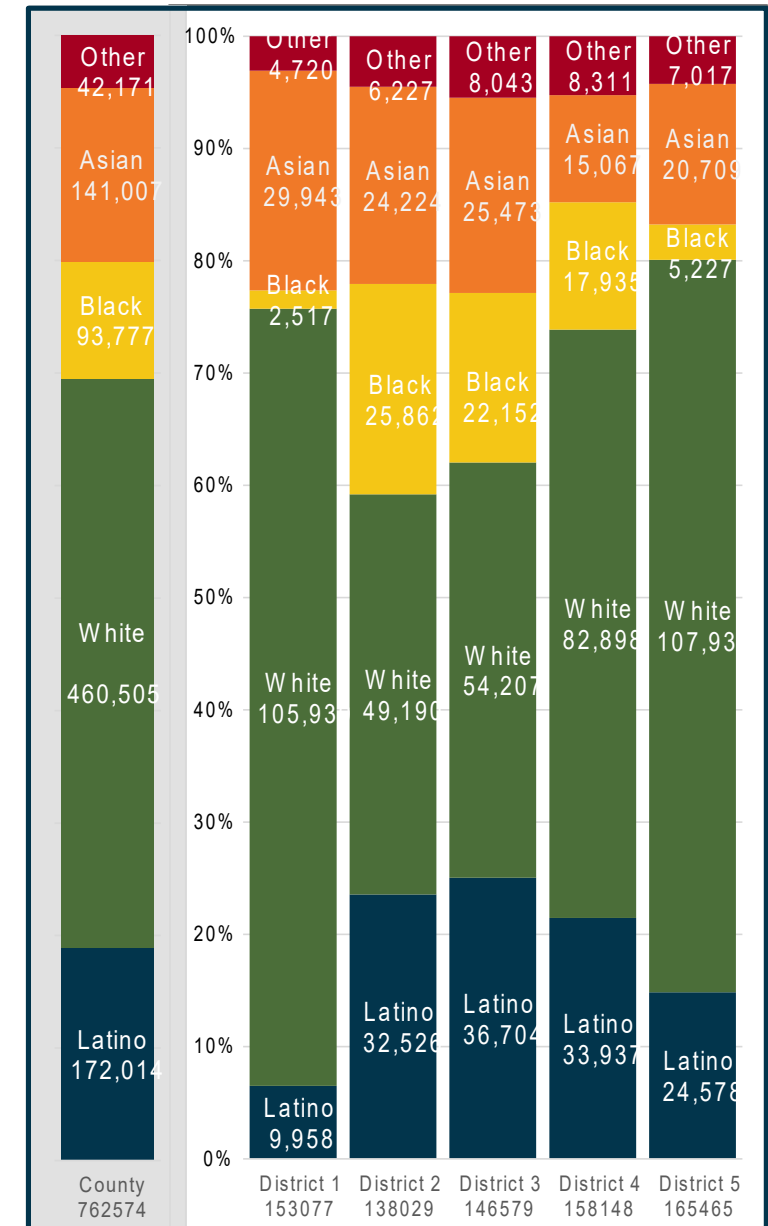
CONTRA COSTA COUNTY

NOTE: Data is presented as it is submitted in DistrictR online mapping tool.
District names may differ from current district names.
Not all blocks may be assigned a district. Calculations are based on assigned blocks only, except County CVAP



Unassigned Population: 1,663
Unassigned CVAP: 1,276

Citizen Voting Age Population (CVAP) by Race and Ethnicity



Prepared by the Department of Conservation and Development - GIS Group for the October, 5, 2021 Board of Supervisors Public Hearing.
Data Source: 2021 California State Redistricting Data, Adjusted P.L 94-171 Redistricting Data and block level Citizen Voting Age Population (CVAP), DistrictR Online Mapping tool submissions

Concept Total Variation

2.09%

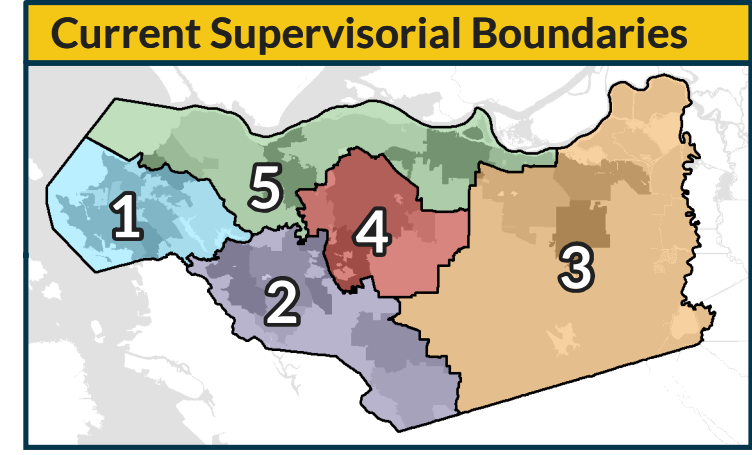
2021 Population
Population: 1,168,064
Equal Distribution: 233,613
Citizen Voting Age Population (CVAP): 762,574

Population by District

District	Population	Variance	Percent
District 1	234,713	1,100	0.47%
District 2	232,974	(639)	-0.27%
District 3	231,071	(2,542)	-1.09%
District 4	231,689	(1,924)	-0.82%
District 5	235,954	2,341	1.00%

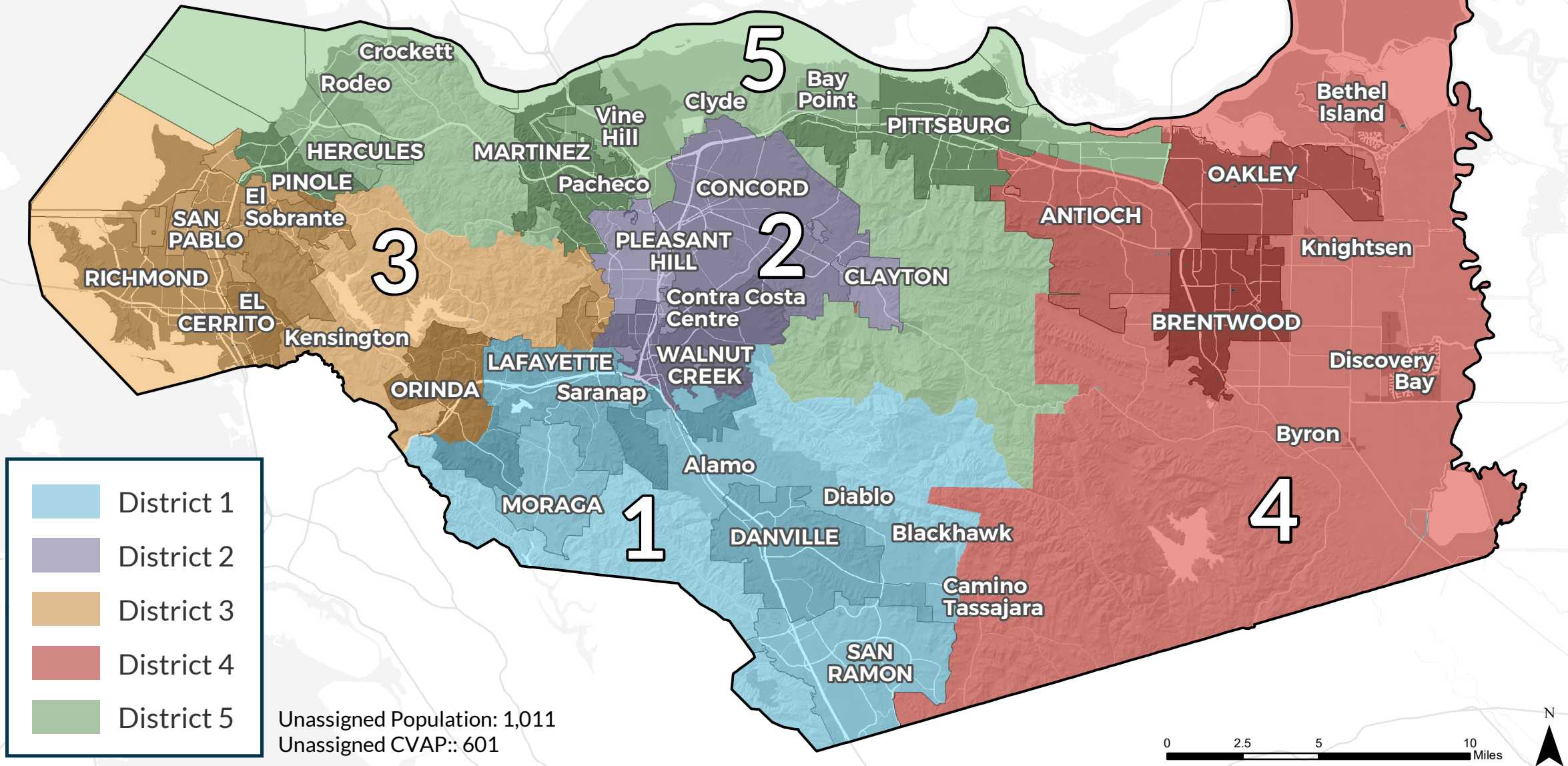
Written Description from Submission

This plan keeps communities of interest within a single supervisorial district. Very importantly, the plan places the Blackhawk/Alamo/Diablo area in the same district with the cities of Danville and San Ramon. Blackhawk/Alamo/Diablo are contiguous with Danville and/or San Ramon and residents of those three areas shop and dine in Danville and San Ramon. This entire district is upper-middle class from an economic standpoint and is populated by a large percentage of college-educated residents who have professional occupations.



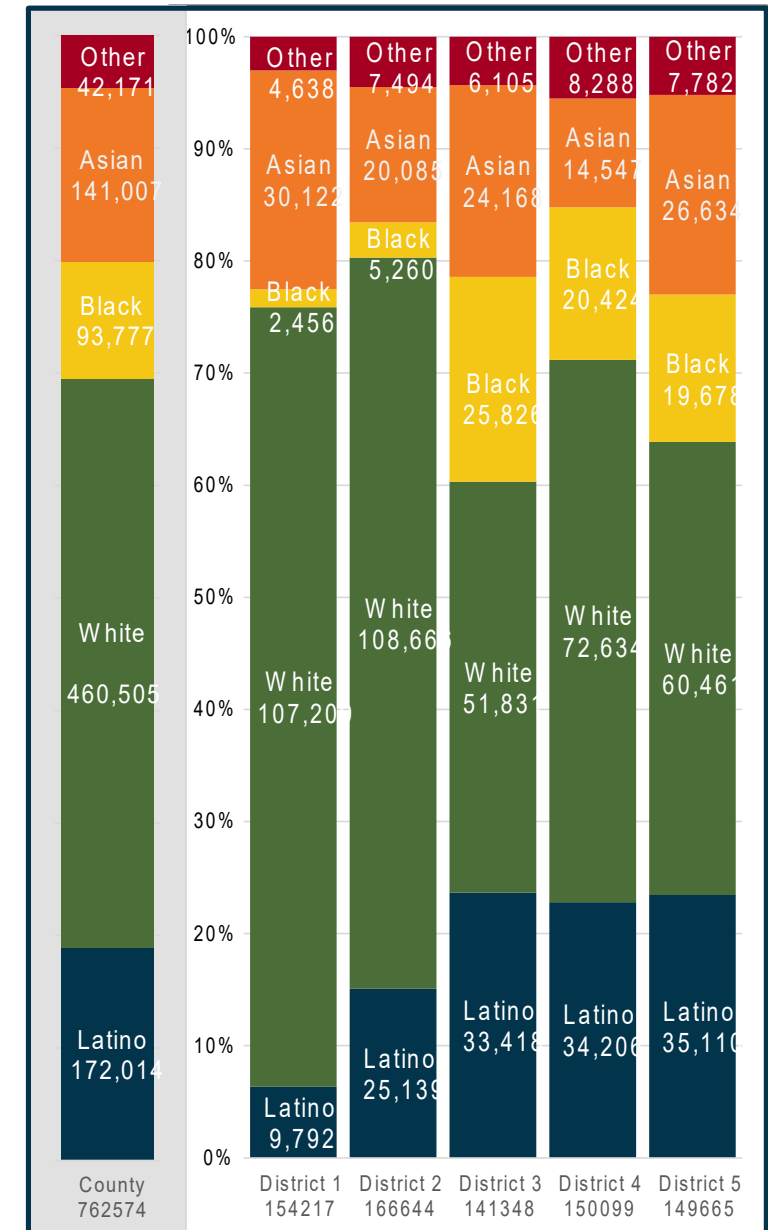
CONTRA COSTA COUNTY

NOTE: Data is presented as it is submitted in Districtr online mapping tool.
District names may differ from current district names.
Not all blocks may be assigned a district. Calculations are based on assigned blocks only, except County CVAP



Unassigned Population: 1,011
Unassigned CVAP:: 601

Citizen Voting Age Population (CVAP) by Race and Ethnicity



Prepared by the Department of Conservation and Development - GIS Group for the October 5, 2021 Board of Supervisors Public Hearing.
Data Source: 2021 California State Redistricting Data, Adjusted P.L 94-171 Redistricting Data and block level Citizen Voting Age Population (CVAP), Districtr online mapping submission

Concept Total Variation

4.27%

2021 Population

Population: 1,168,064
Equal Distribution: 233,613
Citizen Voting Age Population (CVAP): 762,574

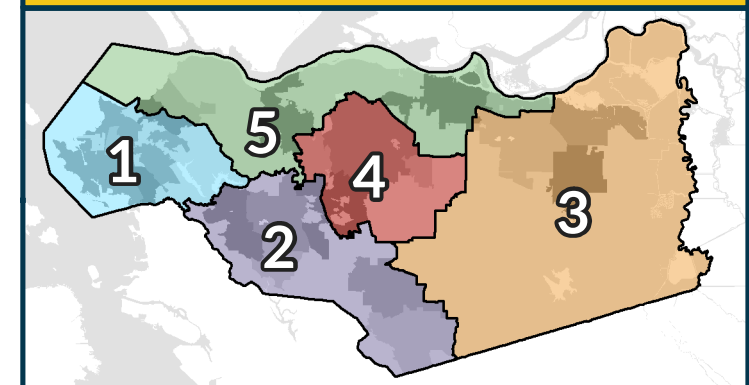
Population by District

District	Population	Variance	Percent
District 1	235,865	2,252	0.96%
District 2	236,831	3,218	1.38%
District 3	236,870	3,257	1.39%
District 4	226,887	(6,726)	-2.88%
District 5	230,600	(3,013)	-1.29%

Written Description from Submission

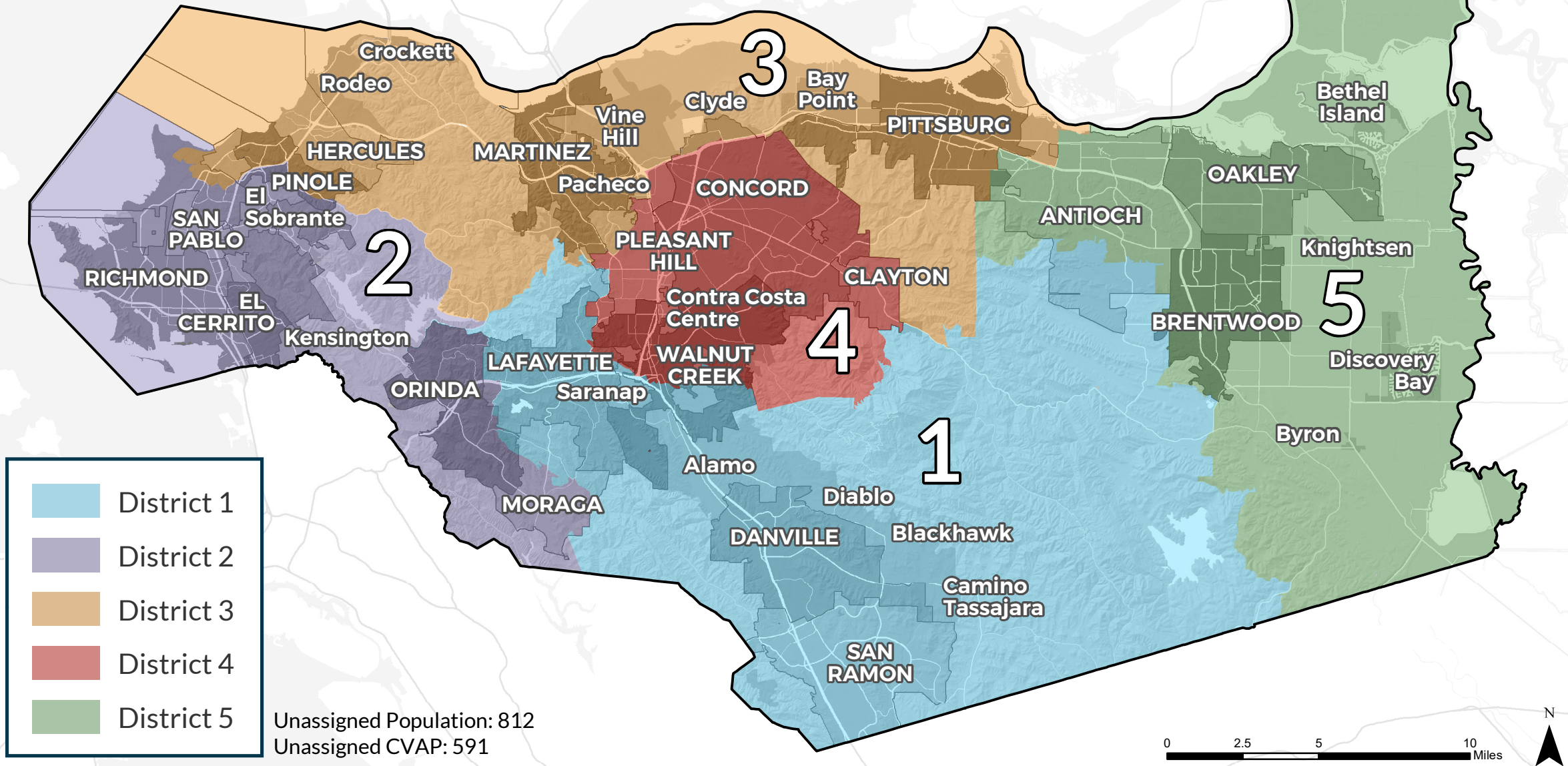
This plan largely maintains each city jurisdiction completely within one supervisorial district. It also brings Blackhawk/Alamo/Diablo into the same district as Danville and San Ramon, which is an imperative. These three areas are contiguous with the cities of Danville and/or San Ramon and completely identify with the two cities. Shopping, dining, and leisure time is primarily spent in Danville and San Ramon.

Current Supervisorial Boundaries



CONTRA COSTA COUNTY

NOTE: Data is presented as it is submitted in DistrictR online mapping tool.
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Not all blocks may be assigned a district. Calculations are based on assigned blocks only, except County CVAP

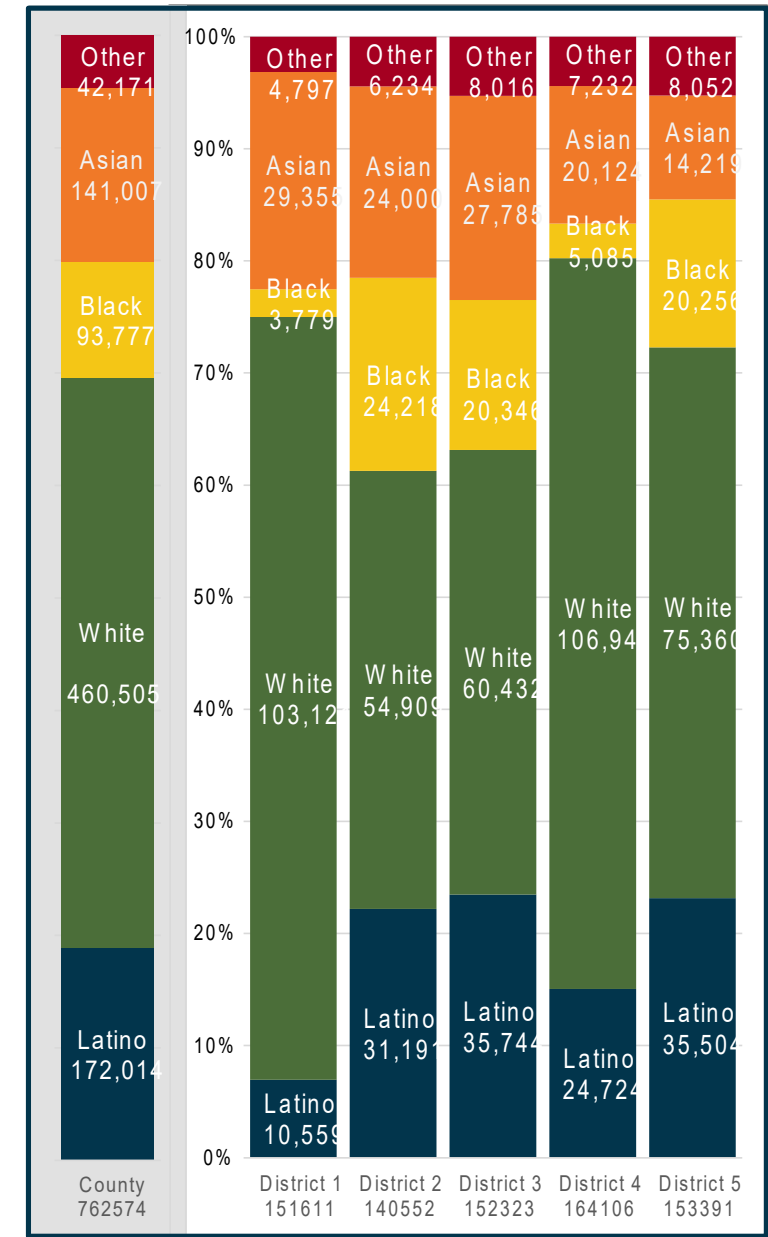


- District 1
- District 2
- District 3
- District 4
- District 5

Unassigned Population: 812
Unassigned CVAP: 591



Citizen Voting Age Population (CVAP) by Race and Ethnicity



Prepared by the Department of Conservation and Development - GIS Group for the October 5, 2021 Board of Supervisors Public Hearing.
Data Source: 2021 California State Redistricting Data, Adjusted P.L 94-171 Redistricting Data and block level Citizen Voting Age Population (CVAP), DistrictR online mapping submissions

Concept Total Variation

0.38%

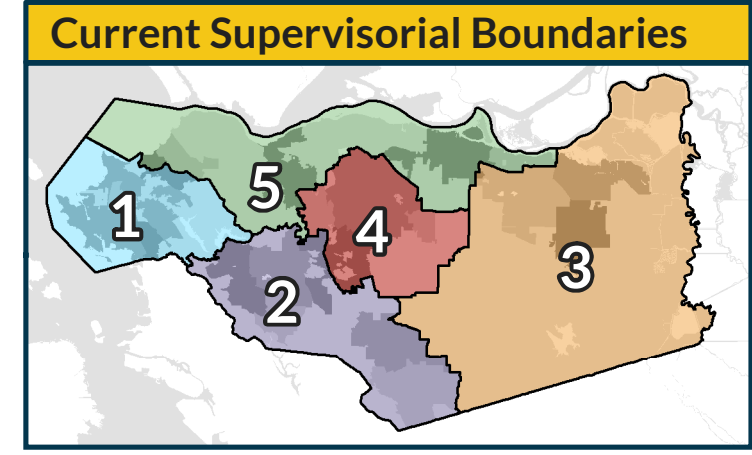
2021 Population
Population: 1,168,064
Equal Distribution: 233,613
Citizen Voting Age Population (CVAP): 762,574

Population by District

District	Population	Variance	Percent
District 1	233,070	(543)	-0.23%
District 2	233,494	(119)	-0.05%
District 3	233,349	(264)	-0.11%
District 4	233,374	(239)	-0.10%
District 5	233,965	352	0.15%

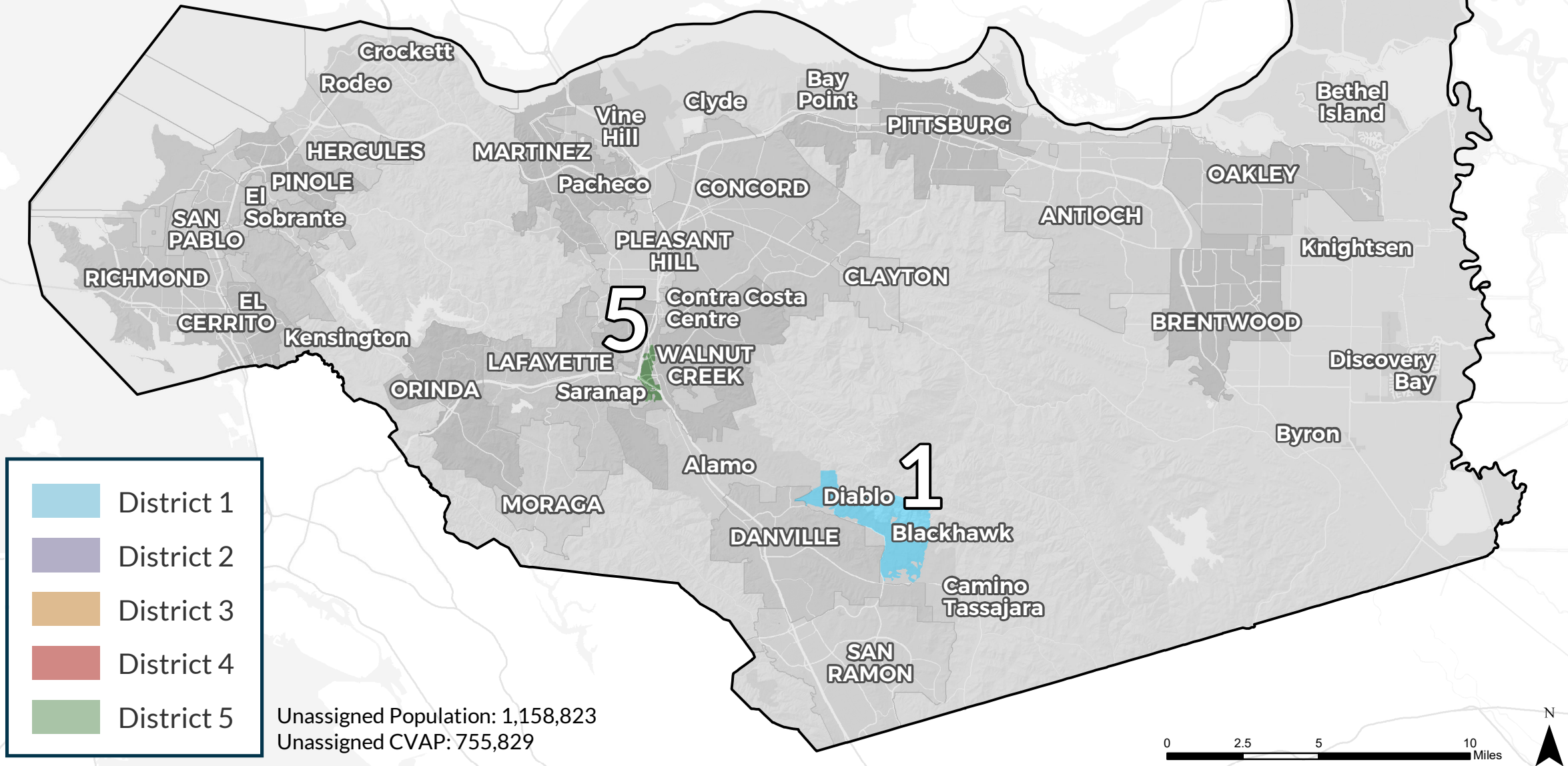
Written Description from Submission

This plan places Blackhawk, Diablo, Alamo, Round Hill into the same district as Danville and San Ramon, which are communities of common interests. Any redistricting plan MUST place these communities in the same district.



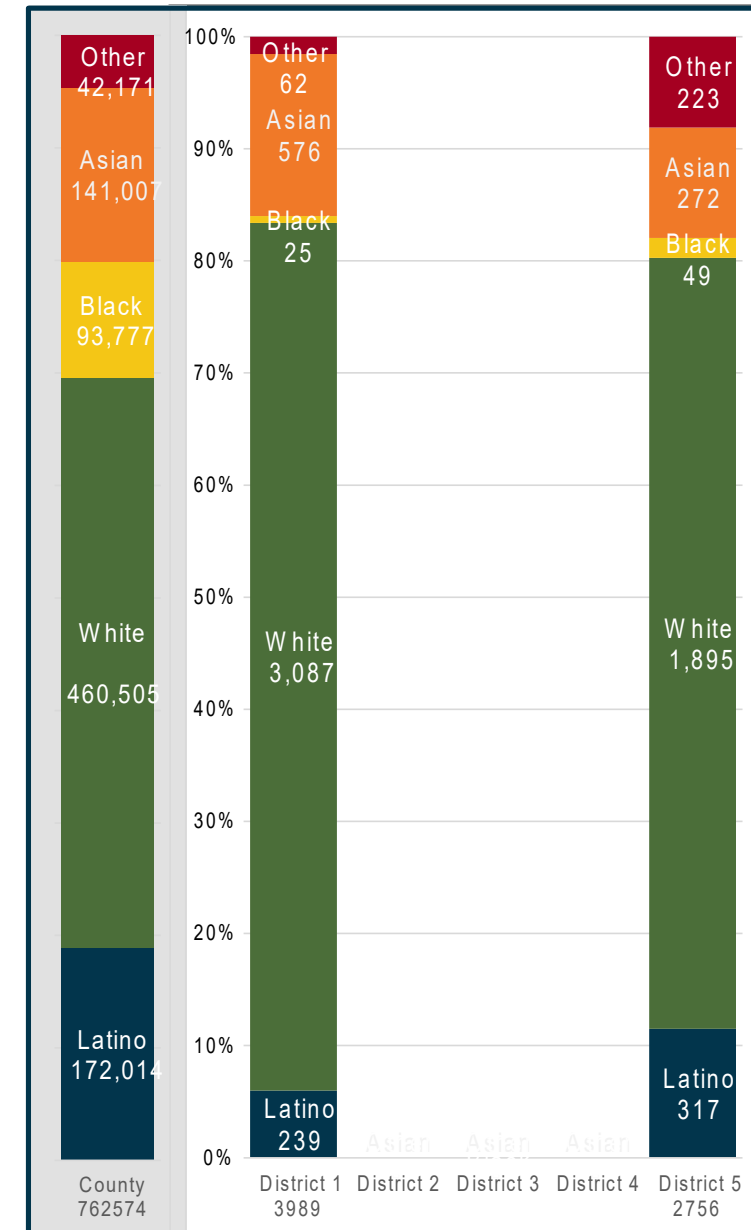
CONTRA COSTA COUNTY

NOTE: Data is presented as it is submitted in DistrictR online mapping tool.
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Unassigned Population: 1,158,823
Unassigned CVAP: 755,829

Citizen Voting Age Population (CVAP) by Race and Ethnicity



Prepared by the Department of Conservation and Development - GIS Group for the October 5, 2021 Board of Supervisors Public Hearing.
Data Source: 2021 California State Redistricting Data, Adjusted P.L 94-171 Redistricting Data and block level Citizen Voting Age Population (CVAP), DistrictR online mapping submission

Concept Total Variation

NA

2021 Population

Population: 1,168,064
Equal Distribution: 233,613
Citizen Voting Age Population (CVAP): 762,574

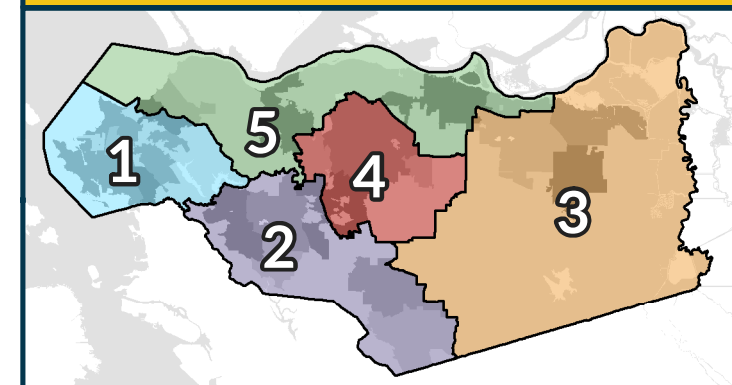
Population by District

District	Population	Variance	Percent
District 1	5,019	(228,594)	-97.85%
District 2	0	(233,613)	-100.00%
District 3	0	(233,613)	-100.00%
District 4	0	(233,613)	-100.00%
District 5	4,222	(229,391)	-98.19%

Written Description from Submission

Add Blackhawk & Diablo to District 2 and shift a piece of Walnut Creek to District 4

Current Supervisorial Boundaries



District 2

Basic Info

Submitter: DON TATZIN
Location: Lafayette
Submitted on: 9/17/2021
Type: written
ID: w4783

Written Testimony

Having lived here for more than forty years, I think the current District 2 boundaries make the most sense of any I have seen. I would like to ensure that Lamorinda remains together.

Tags

[Proceed to Submit a Comment](#)

Comments & Feedback

No comments have been submitted.



We are the Party for and by the People

August 4, 2021

Honorable John M. Gioia
Contra Costa County Board of Supervisors
1025 Escobar St.
Martinez, CA 94553

Dear Supervisor Gioia,

You will shortly be reviewing the required redistricting of the Supervisorial Electoral Districts. The overwhelming principle we hope you will consider is to take into consideration the Communities of Interest to provide a proper reflection of the people. In this regard, the Democratic Party of Contra Costa County has discussed this matter and, by a unanimous vote, advises you that the fundamental basis of a Community of Interest starts with the maintenance of boundaries of the incorporated cities of the county, all of which have come together historically to present to the state a genuine community of interest by its very formation. We have attached the resolution for your information.

Therefore, we request, in consideration of the district lines to be established, that no incorporated city be divided such as is currently done with Pinole, Antioch and Walnut Creek.

As no city is larger than the average projected size of 230,000 residents and whereas you have the flexibility to arrange districts with up to net 10 per cent variation in total, the goal of not dividing any city is within reasonable achievement. We look forward to your accomplishment of this consideration in reflecting the above Communities of Interest.

Thank you,

Katie Ricklefs
Chair, Democratic Party of Contra Costa County

Redistricting: Cities in Contra Costa County are to be undivided

Whereas the unity of cities is a major contributor to the development of political and social communities of interest in accordance with Democratic values;

Therefore, be it resolved that the Democratic Party of Contra Costa County requests and encourages the Board of Supervisors of Contra Costa County to direct staff and abide by a policy that, in the redistricting of Supervisorial Districts, no city shall be divided, unless there is a prior vote of the City's Council to accept a division; and

Be it further resolved that the Democratic Party of Contra Costa County will communicate this resolution to elected officials on the Board of Supervisors of Contra Costa County.

Submitted by Honorable Edi Birsan, District 4

Approved by DPCCC Membership, July 15, 2021

From: Roger Chelemedos (Email address deleted)

Date: Saturday, September 4, 2021 at 5:46 AM

To: Supervisor Candace Andersen <SupervisorAndersen@bos.cccounty.us>

Subject: Redistricting

Dear Supervisor Andersen,

I live in Lafayette on Reliez Valley Road and our area is in Federal Glover's district #5. As a part of the redistricting discussions, I think it is widely accepted that this area (extending your supervisorial territory through Grayson Rd) should be in your district. No offense to district 5, but this area has much more in common with your constituents than we do in more eastern Contra Costa County. Seems to be a holdover from 20+ years ago when this area was aligned more closely with Pleasant Hill.

While this county area may never annex into the City of Lafayette, we are in Lafayette school districts and participate in Lafayette Parks and Recreation

Thank you,
Roger Chelemedos

Redistricting Public Outreach Communications Report



Media Coverage (as of September 27, 2021)

- **East County Today**, 8/5/2021: [Contra Costa County Launches Redistricting Process First Public Hearing](#)
- **Patch**, 8/6/2021: [Once-In-A-Decade Redistricting Process Kicks Off Tuesday In CoCo](#)
- **KALW**, 8/8/2021: [Contra Costa County Invites Public To Help With Redistricting Process](#)
- **Claycord**, 8/8/2021: [Contra Costa County To Host First Hearing For Supervisorial Redistricting Process](#)
- **Danville San Ramon**, 8/11/2021: [County Supervisors Hold First Public Hearing in Local Redistricting Process](#)

Redistricting News Releases

August 5, 2021 [Contra Costa County Launches Redistricting Process First Public Hearing on August 10, 2021 \(PDF\)](#)

August 13, 2021 [Census Bureau Releases First Local Data that Forms the Basis for the County's Redistricting Process \(PDF\)](#)

Email Messaging to Redistricting Subscriber List

Total 254 Subscribers:

- Redistricting Subscribers (online sign ups): 60
- Census Grantee and Interested Party: 175
- City Manager List: 25
- Redistricting Key Staff: 11

Note: Total of all subgroups is 271 because some people are in more than one subgroup.

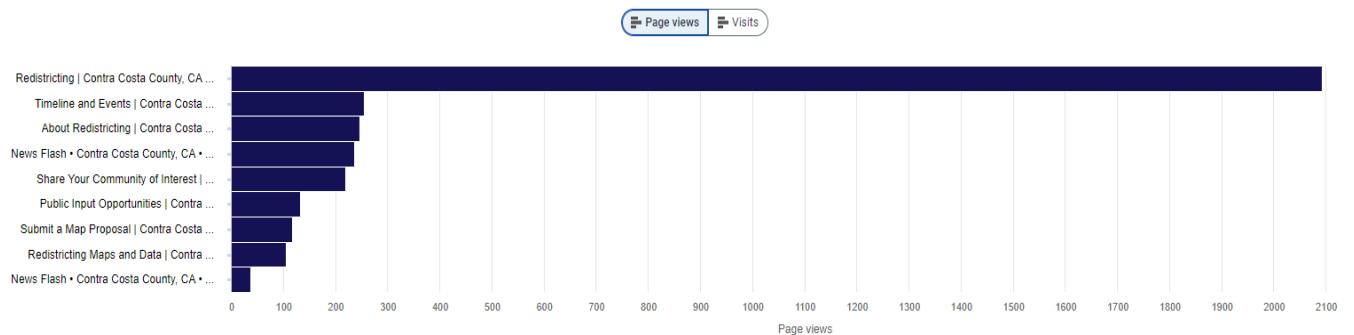
The average **Open Rate** (the percentage of contacts who opened an email compared to how many contacts were sent the email) is **39.5%**.

The average **Click-through Rate** (measures the proportion of the unique contacts who opened an email and then clicked on any link in the email) is **18%**.

CoCoRedistricting.org and County Website

Overall Website Outreach & Engagement (August 4, 2021 – September 27, 2021):

- Overall Total of Website Page Views, including views of News Releases online: **3,327**
- CoCoRedistricting.org Homepage received the most views, followed by Timeline and Events, About Redistricting, News Flash, and Share Your Community of Interest.



Social Media Outreach

Overall Total of Twitter and Nextdoor Views and Engagements/Reactions: **69,942**

Twitter Postings

Twitter Posts	Total
Impressions (times people saw tweets on twitter)	12,889
Engagements (times people interacted with tweets)	350
Total	13,239

Nextdoor Postings

Nextdoor Posts	Total
Impressions (number of residents who viewed and opened a post in their Nextdoor newsfeed or email)	56,660
Reactions (times people interacted with post)	43
Total	56,703

CONTRA COSTA COUNTY

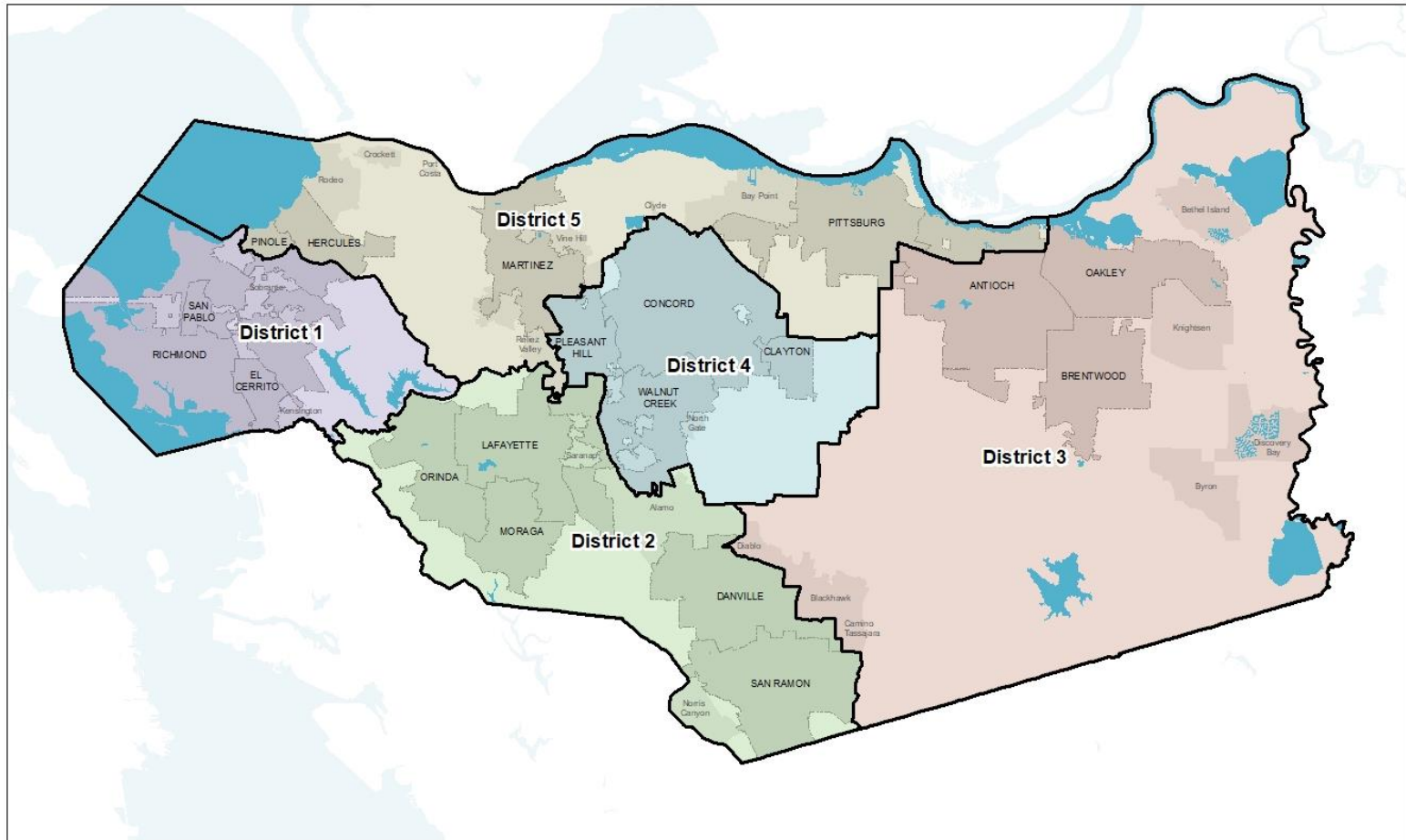
BOARD OF SUPERVISORS REDISTRICTING

**PUBLIC HEARING # 2
October 5, 2021**

Contra Costa County Redistricting

- ❑ **Redistricting is necessary to comply with Equal Protection Clause, 14th Amendment, U.S. Constitution, “one person, one vote”**
- ❑ **Board redistricting last occurred in 2011 (Ord. 2011-15)**
- ❑ **In Contra Costa County, the Board of Supervisors is responsible for drawing supervisorial districts. This must be done using Official U.S. Census data, that was released on September 20, 2021.**

2011 BOARD REDISTRICTING MAP



GOVERNING LAW

- **14TH Amendment, Equal Protection Clause, U.S. Constitution – “one person, one vote”**
- **California Elections Code, Sections 21500-21509**
- **Voting Rights Act of 1965**
- **AB 849 & SB 1108 & SB 594**

CALIFORNIA LAW

MANDATORY REQUIREMENTS

- **Strict Time Limits** – Elections Code section 21501 requires that the boundaries of the supervisorial districts shall be adopted by the board no later than **December 15, 2021**
- Before adopting a final map, the board shall hold at least **four** (4) Public Hearings
- One before draft maps are drawn
- At least two (2) after the maps are drawn
- At least one on a Saturday, Sunday or after 6:00 PM Monday through Friday
- Public Hearings at a fixed time regardless of other agenda items, but Board may first conclude any item being discussed

Redistricting Public Hearing Schedule

AUGUST 10, 2021 @ 9:00 AM	<u>Redistricting Public Hearing #1</u>
September 20, 2021	Release of California State Adjusted 2020 Census Redistricting Data
October 5, 2021 @ 9:00 AM	<u>Public Hearing #2</u>
October 19, 2021 @ 6:15 PM	<u>Public Hearing #3</u>
October 23 – 28, 2021	<u>District Workshops</u>
November 9, 2021 @ 9:00 AM	<u>Public Hearing #4</u>
November 23, 2021 @ 9:00 AM	<u>Public Hearing #5</u>
December 15, 2021	Statutory Deadline to complete Redistricting

Redistricting Individual Supervisorial workshop Schedule

- Saturday, October 23, 2021 @ 9:00 AM at the San Ramon City Hall, 7000 Bollinger Canyon Road, San Ramon 94583 Hosted by Supervisor Candace Andersen

- Sunday, October 24, 2021 @ 12:00 NOON County Board chambers, 1025 Escobar Street, Martinez 94553 by zoom only Hosted by Supervisor Diane Burgis

- Monday, October 25, 2021 @ 7:00 PM at the Pleasant Hill Community Center – Perera Pavilion, 320 Civic Drive, Pleasant Hill 94523 Hosted by Supervisor Karen Mitchoff

- Tuesday, October 26, 2021 @ 7:00 PM County Board chambers, 1025 Escobar Street, Martinez 94553 by zoom only Hosted by Supervisors Diane Burgis & Federal Glover

- Wednesday, October 27, 2021 @ 6:30 PM at the San Pablo City Hall, 1000 Gateway Avenue, San Pablo 94806 Hosted by Supervisor John Gioia

- Thursday, October 28, 2021 @ 7:00 PM County Board chambers, 1025 Escobar Street, Martinez 94553 zoom only Hosted by Supervisor Federal Glover

Community Online Workshop Schedule

- ❑ First Community Workshop was conducted by Districtr on September 15, 2021
- ❑ October 13, 2021 at 4:00 PM presented in Spanish & Hosted by Districtr
- ❑ October 14, 2021 at 2:00 PM Hosted by Districtr
- ❑ These are Technical Workshops intended for the public to learn how the online mapping application works and how to submit Suggestions for Community of Interests or suggestions for Supervisorial District maps
- ❑ More information is available at www.CoCoRedistricting.org

CALIFORNIA FAIR MAPS ACT

RANKED PRIORITIES

- ❑ To the extent practicable, supervisorial districts shall be geographically contiguous. Areas that meet only at the points of adjoining corners, are separated by water and not connected by a bridge, tunnel or regular ferry service are not contiguous.
- ❑ Geographic integrity of any local neighborhood or local Community of Interest (COI) shall be respected in a manner that minimizes its division.
- ❑ To the extent practicable, geographic integrity of a city or census designated place shall be respected in a manner that minimizes its division.
- ❑ Supervisorial district boundaries should be easily identifiable and understandable by residents. To the extent practicable, supervisorial districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the county.
- ❑ To the extent practicable, and where it does not conflict with the preceding criteria in this subdivision, supervisorial districts shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.
- ❑ The Board of Supervisors shall not adopt supervisorial district boundaries for the purpose of favoring or discriminating against a political party.

Community of Interest

- A “community of interest” is a population that shares common social or economic interests that should be included within a single supervisorial district for purposes of effective and fair representation.
- A “Community of interest” can be almost anything, but must be identifiable by a specific geographic area

GUIDING PRINCIPLES / CRITERIA

- **When possible maintain communities of interest together in a single district and avoid splitting communities.**
- **Communities of interest may be defined by existing boundaries for**
 - **Cities**
 - **School Districts**
 - **Special Districts**
 - **Unincorporated communities**
- **Examples of Community of Interests:**

Examples of Communities of Interest

- Urban and rural interests
- Housing patterns and living conditions (urban, suburban, rural)
- Cultural, religious, and language characteristics
- Communication and transportation networks
- Transportation hubs / centers
- Redevelopment areas
- School districts / attendance areas
- Congressional or State legislative districts
- Income levels
- Educational backgrounds
- Age demographics, household size / family size
- Group quarters, housing owners vs. renters
- Policy issues (concerns about crime, education, etc.)
- Employment and economic patterns (How are community residents employed? What is the economic base of the community?)
- Health and environmental conditions
- Work opportunities
- Social interests
- Community centers
- Parks / dog parks
- Media markets
- Occupations and lifestyles

POPULATION GROWTH

- ❑ Official 2020 U.S. Census data must be used as basis for the Board's redistricting
- ❑ Census 2020 redistricting data was scheduled to be released by April 1, 2021 – however, the data was not released until August 12, 2021 in "Legacy" format.
- ❑ The California Official Redistricting Database is responsible for redistricting data and was released on September 20, 2021 and included incarcerated population reallocation numbers

Contra Costa County Population & Deviation from the Mean

2020 over/under population			2020 Population	Deviation	
	Over/Under				
Supervisor district 1 John Gioia	-8,315		225,298	-3.56%	3.56%
Supervisor district 2 Candace Andersen	10,166		243,779	4.35%	4.35%
Supervisor district 3 Diane Burgis	6,658		240,271	2.85%	
Supervisor district 4 Karen Mitchoff	-3,955		229,658	-1.69%	
Supervisor district 5 Federal Glover	-4,555		229,058	-1.95%	
Equal Population	-0-		1,168,064	7.91%	7.91%
			233,613		

Contra Costa County represents the State's Overall Demographic Makeup

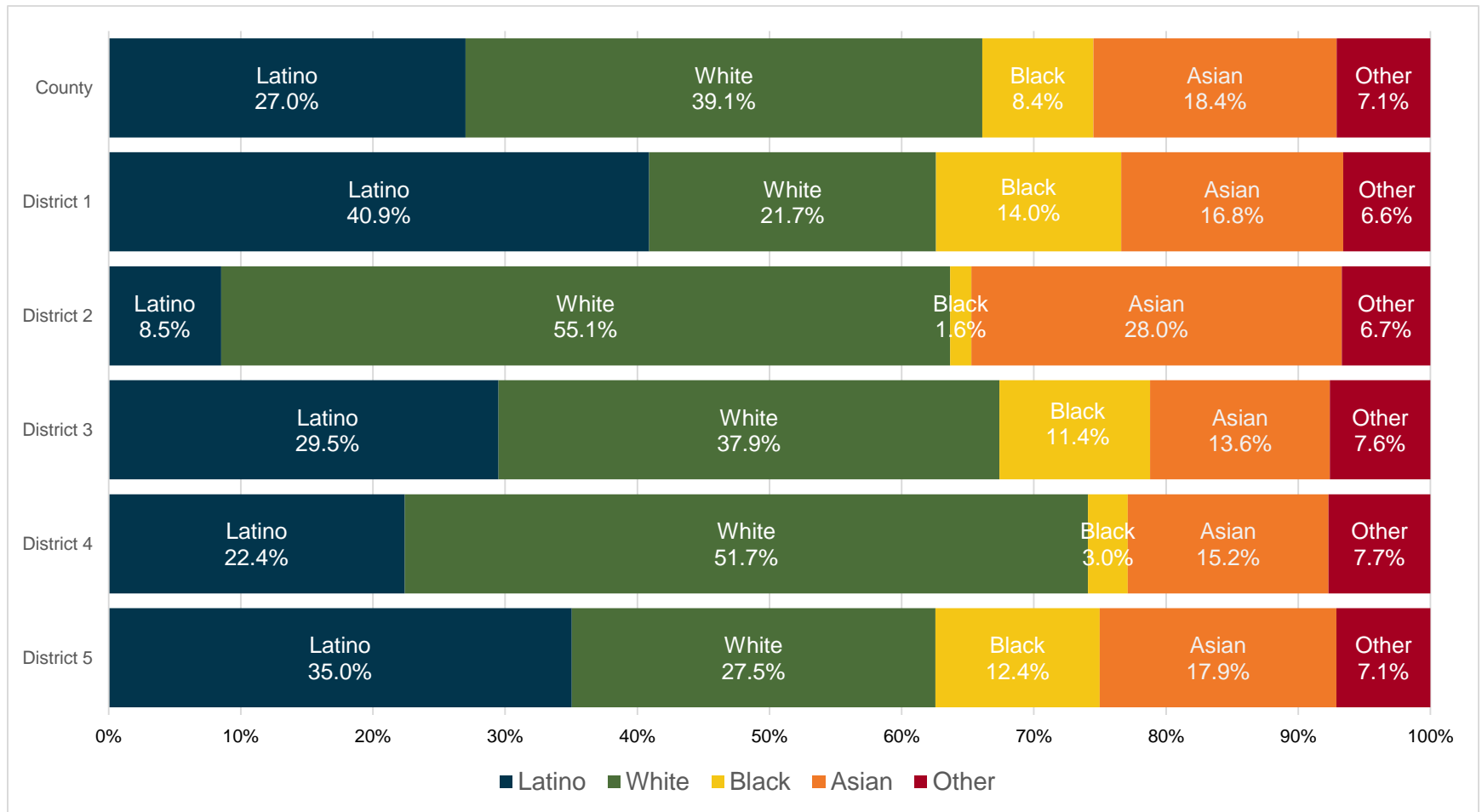
According to a SF Chronicle analysis of 2020 Census Data, San Diego County best represents the state's overall demographic makeup when considering its share of white, Hispanic, Black and Asian residents, as well as the number of adults. Data on other non-Hispanic race groups or on other Data such as income are not collected as part of the 2020 Census.

The Article said that Contra Costa County had the fourth smallest deviation based on:

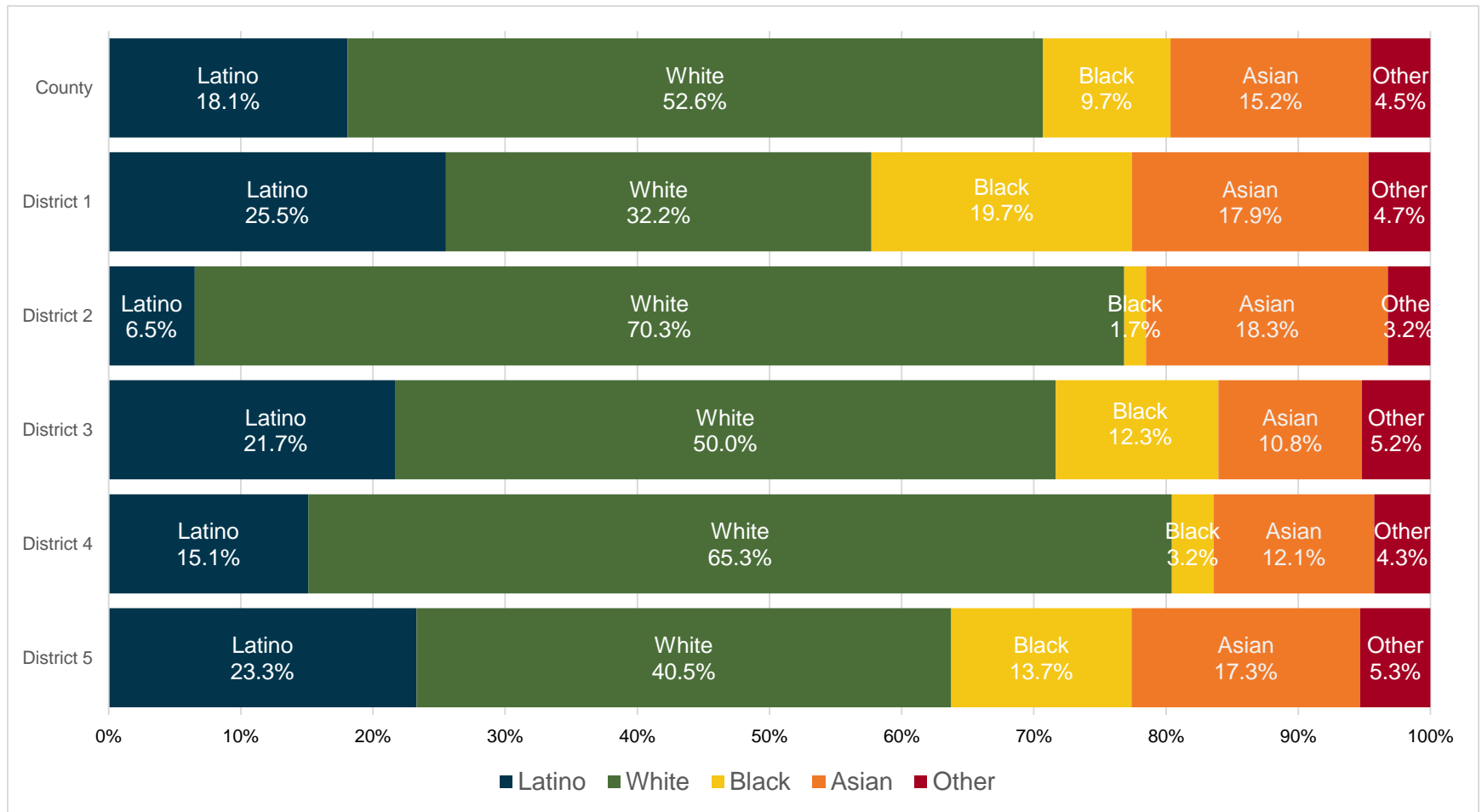
	Share of Population	Difference from State
□ White	39%	+4%
□ Asian	18%	+3%
□ Hispanic	27%	-12%
□ Black	8%	+3%
□ Adults	77%	-1%

SF Chronicle by Nami Sumida August 29, 2021

All Supervisorial districts have become more diverse over the past decade



CITIZEN VOTING AGE POPULATION BY SUPERVISORIAL DISTRICT

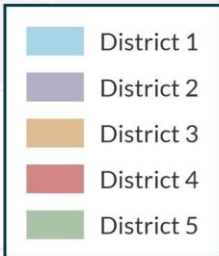
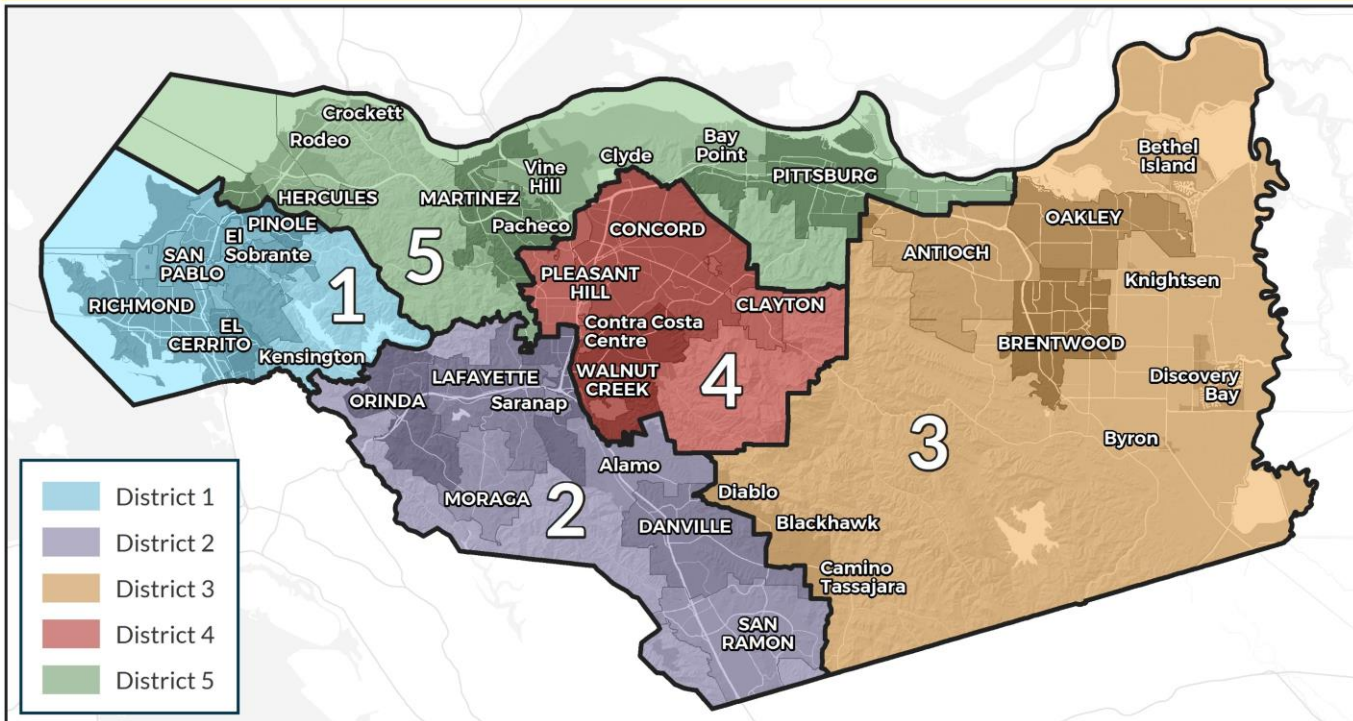


DATA ANALYSIS & MAPPING

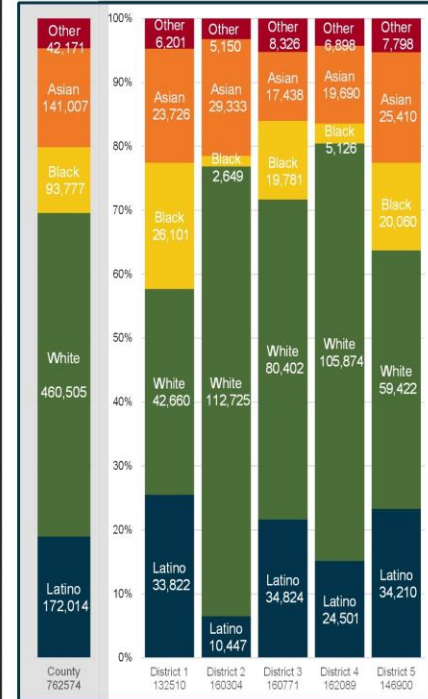
- ❑ Existing Department of Conservation and Development (DCD) staff and resources, including GIS mapping program, are used to map district boundaries
- ❑ On September 20, 2021 the California Official Census Data was available, & DCD began mapping district boundary alternatives
- ❑ However, the Fair Maps Act prohibits the County from releasing any County Draft Proposals of district boundary alternatives until October 12, 2021 (21 days after the Official Data was available)

CONTRA COSTA COUNTY

DRAFT - 2021 Supervisorial Districts
Current (2011) Districts Overview Map and Data



Citizen Voting Age Population (CVAP) by Race and Ethnicity



Prepared by the Department of Conservation and Development - GIS Group for the October 5, 2021 Board of Supervisors Public Hearing.
Data Source: 2021 California State Redistricting Data, Adjusted P.L. 94-171 Redistricting Data and block level Citizen Voting Age Population (CVAP)

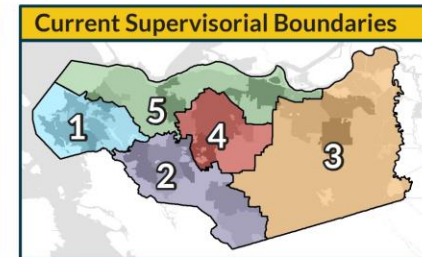
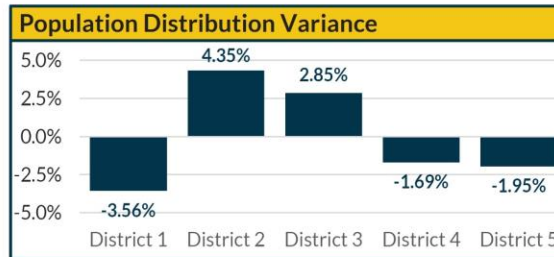
Total Variation

7.91%

2021 Population
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Population by District

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District 4	229,658	(3,955)	-1.69%
District 5	229,058	(4,555)	-1.95%



County's District Mapping Program

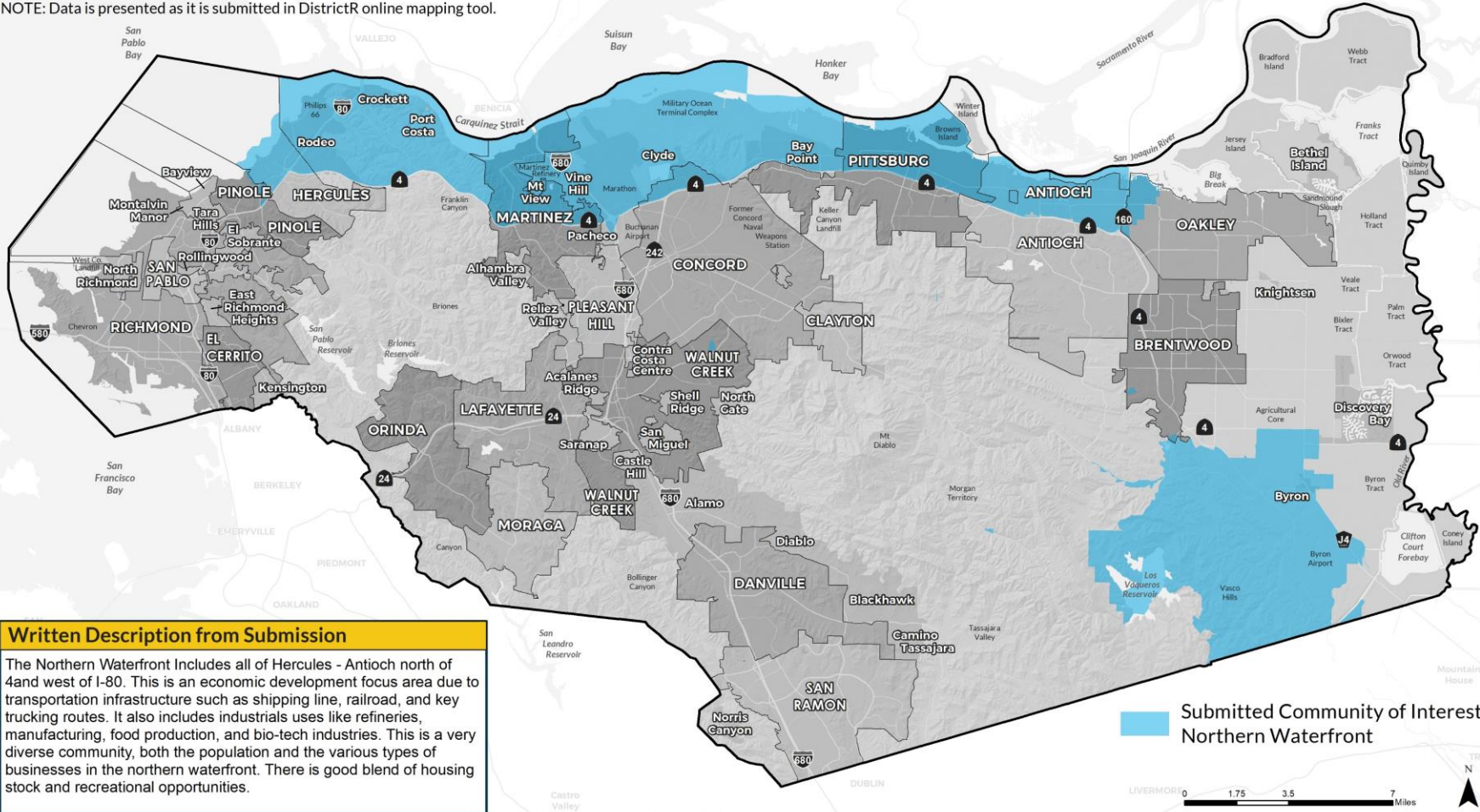
- Allows members of the public:
 - Draw map proposals for Community of Interests or proposals for Supervisorial Districts
 - Submit their proposals to the Board of Supervisors
 - Explain why Community of Interests should not be split between supervisorial districts
 - Make comments on Community of Interests or maps submitted by others

WWW.CoCoRedistricting.org

CONTRA COSTA COUNTY

Community of Interest Submission c2632
Northern Waterfront

NOTE: Data is presented as it is submitted in DistrictR online mapping tool.



Written Description from Submission

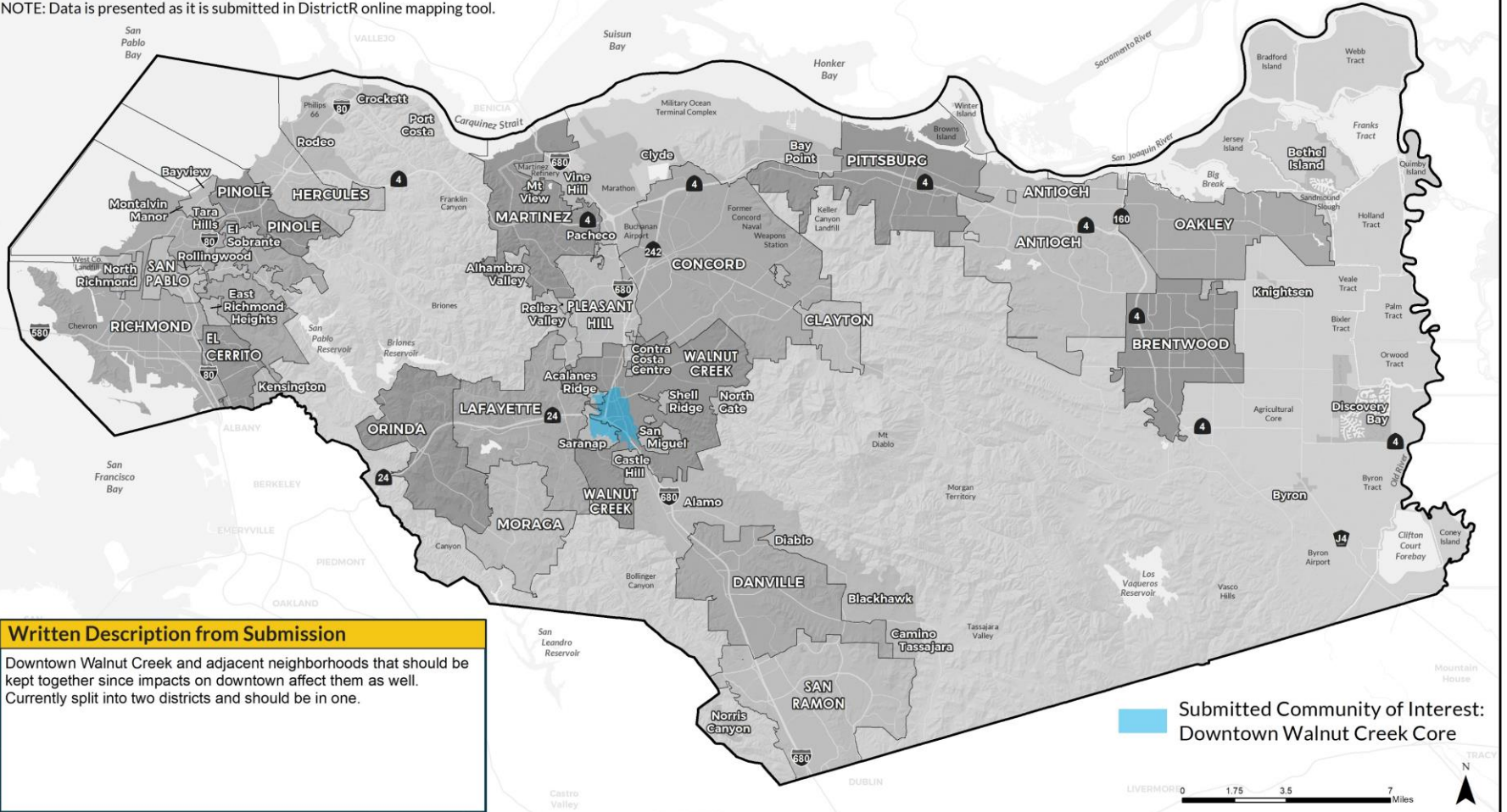
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Prepared by the Department of Conservation and Development - GIS Group for the October, 5, 2021 Board of Supervisors Public Hearing.
Data Source: DistrictR Online Mapping tool submissions

CONTRA COSTA COUNTY

Community of Interest Submission c2635
Downtown Walnut Creek Core

NOTE: Data is presented as it is submitted in DistrictR online mapping tool.



Written Description from Submission

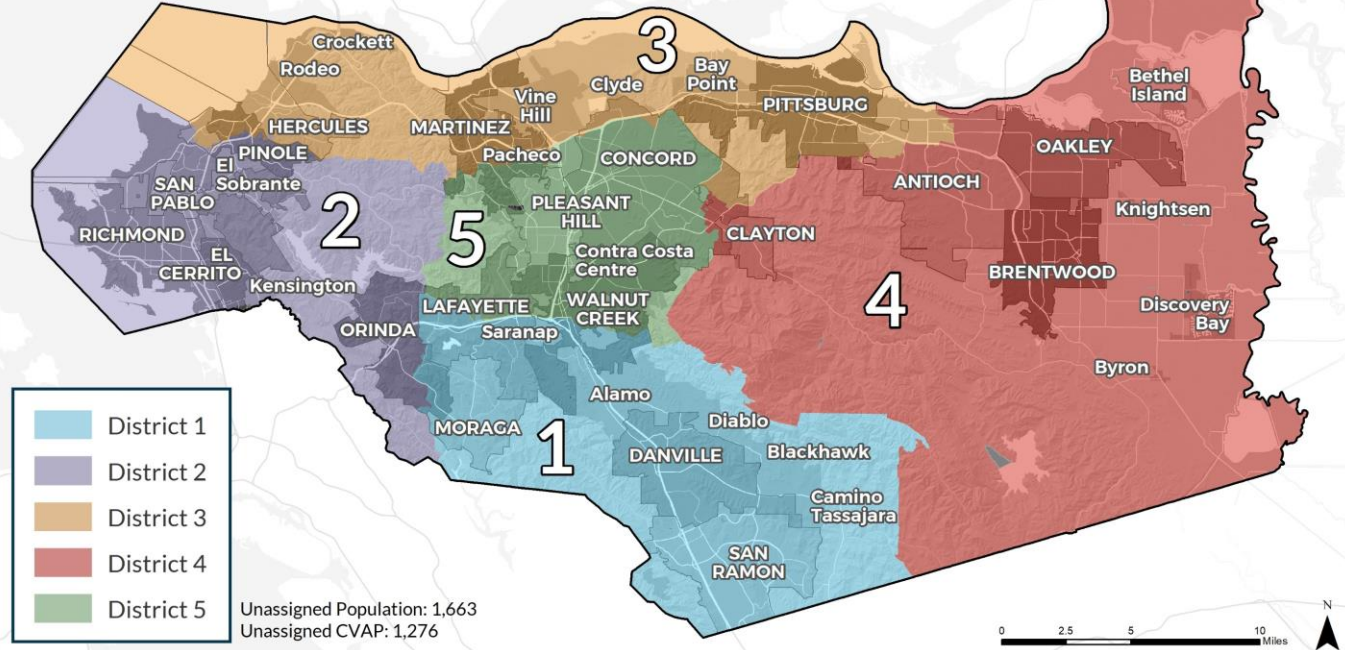
Downtown Walnut Creek and adjacent neighborhoods that should be kept together since impacts on downtown affect them as well. Currently split into two districts and should be in one.

Prepared by the Department of Conservation and Development - GIS Group for the October, 5, 2021 Board of Supervisors Public Hearing.
Data Source: DistrictR Online Mapping tool submissions

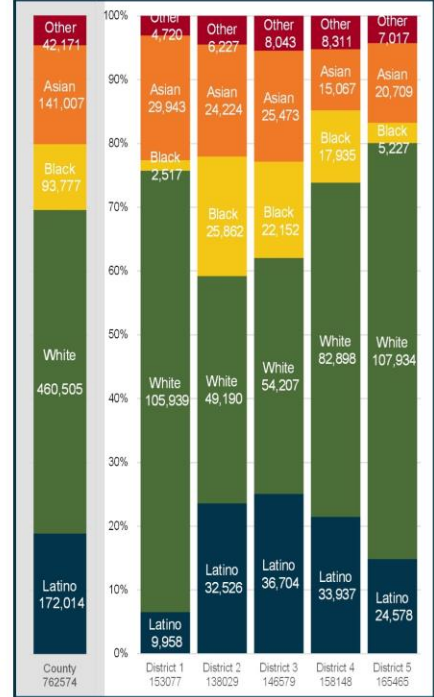
CONTRA COSTA COUNTY

Community Submission p4715
Ron's District Map Overview Map and Data

NOTE: Data is presented as it is submitted in DistrictR online mapping tool.
District names may differ from current district names.
Not all blocks may be assigned a district. Calculations are based on assigned blocks only, except County CVAP



Citizen Voting Age Population (CVAP) by Race and Ethnicity



Prepared by the Department of Conservation and Development - GIS Group for the October, 5, 2021 Board of Supervisors Public Hearing.
Data Source: 2021 California State Redistricting Data, Adjusted P.L. 94-171 Redistricting Data and block level Citizen Voting Age Population (CVAP), DistrictR Online Mapping tool submissions

Concept Total Variation

2.09%

2021 Population

Population: 1,168,064
Equal Distribution: 233,613
Citizen Voting Age Population (CVAP): 762,574

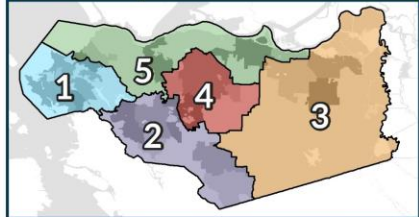
Population by District

District	Population	Variance	Percent
District 1	234,713	1,100	0.47%
District 2	232,974	(639)	-0.27%
District 3	231,071	(2,542)	-1.09%
District 4	231,689	(1,924)	-0.82%
District 5	235,954	2,341	1.00%

Written Description from Submission

This plan keeps communities of interest within a single supervisorial district. Very importantly, the plan places the Blackhawk/Alamo/Diablo area in the same district with the cities of Danville and San Ramon. Blackhawk/Alamo/Diablo are contiguous with Danville and/or San Ramon and residents of those three areas shop and dine in Danville and San Ramon. This entire district is upper-middle class from an economic standpoint and is populated by a large percentage of college-educated residents who have professional occupations.

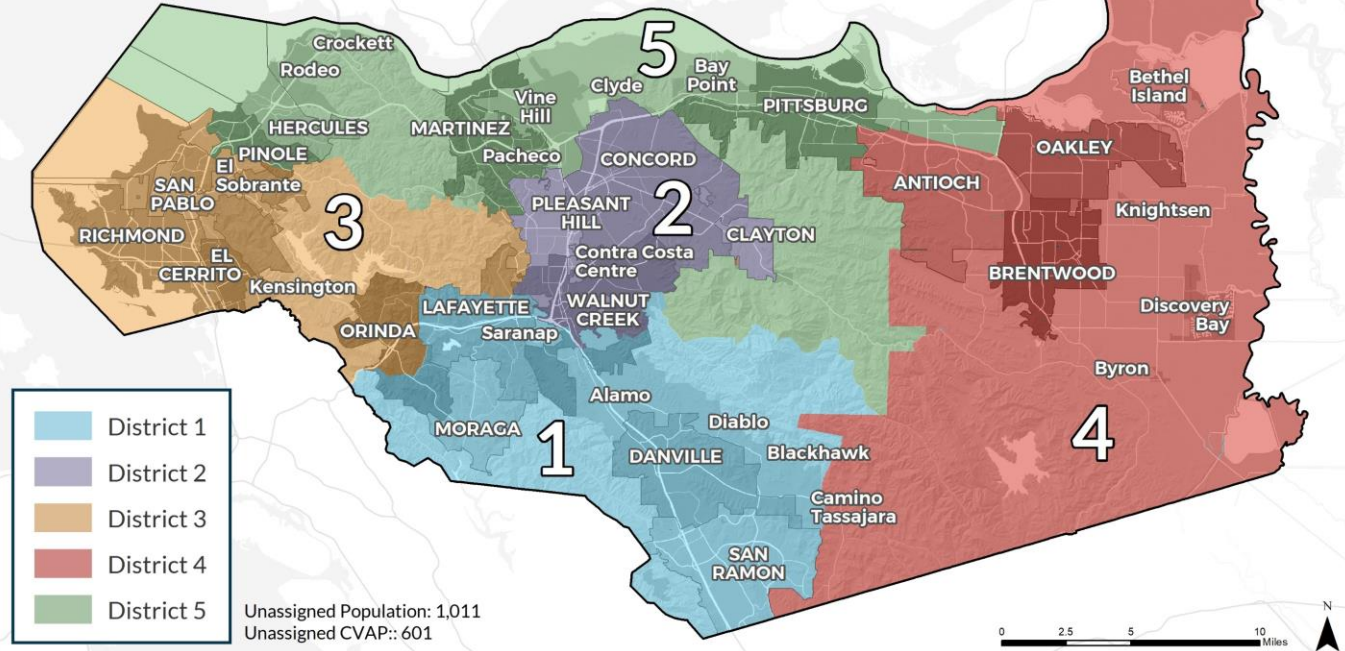
Current Supervisorial Boundaries



CONTRA COSTA COUNTY

Community Submission p4717
Ron's #2 Map - Overview Map and Data

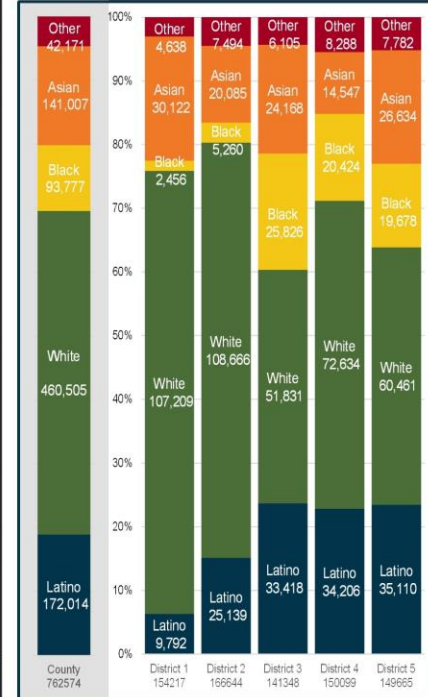
NOTE: Data is presented as it is submitted in District online mapping tool.
District names may differ from current district names.
Not all blocks may be assigned a district. Calculations are based on assigned blocks only, except County CVAP



Unassigned Population: 1,011
Unassigned CVAP:: 601

Prepared by the Department of Conservation and Development - GIS Group for the October 5, 2021 Board of Supervisors Public Hearing.
Data Source: 2021 California State Redistricting Data, Adjusted P.L 94-171 Redistricting Data and block level Citizen Voting Age Population (CVAP), District online mapping submission

Citizen Voting Age Population (CVAP) by Race and Ethnicity



Concept Total Variation

4.27%

2021 Population

Population: 1,168,064
Equal Distribution: 233,613
Citizen Voting Age Population (CVAP): 762,574

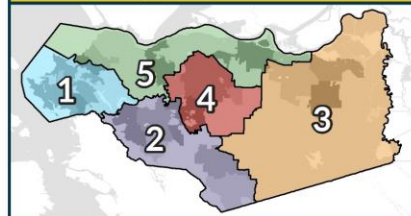
Population by District

District	Population	Variance	Percent
District 1	235,865	2,252	0.96%
District 2	236,831	3,218	1.38%
District 3	236,870	3,257	1.39%
District 4	226,887	(6,726)	-2.88%
District 5	230,600	(3,013)	-1.29%

Written Description from Submission

This plan largely maintains each city jurisdiction completely within one supervisorial district. It also brings Blackhawk/Alamo/Diablo into the same district as Danville and San Ramon, which is an imperative. These three areas are contiguous with the cities of Danville and/or San Ramon and completely identify with the two cities. Shopping, dining, and leisure time is primarily spent in Danville and San Ramon.

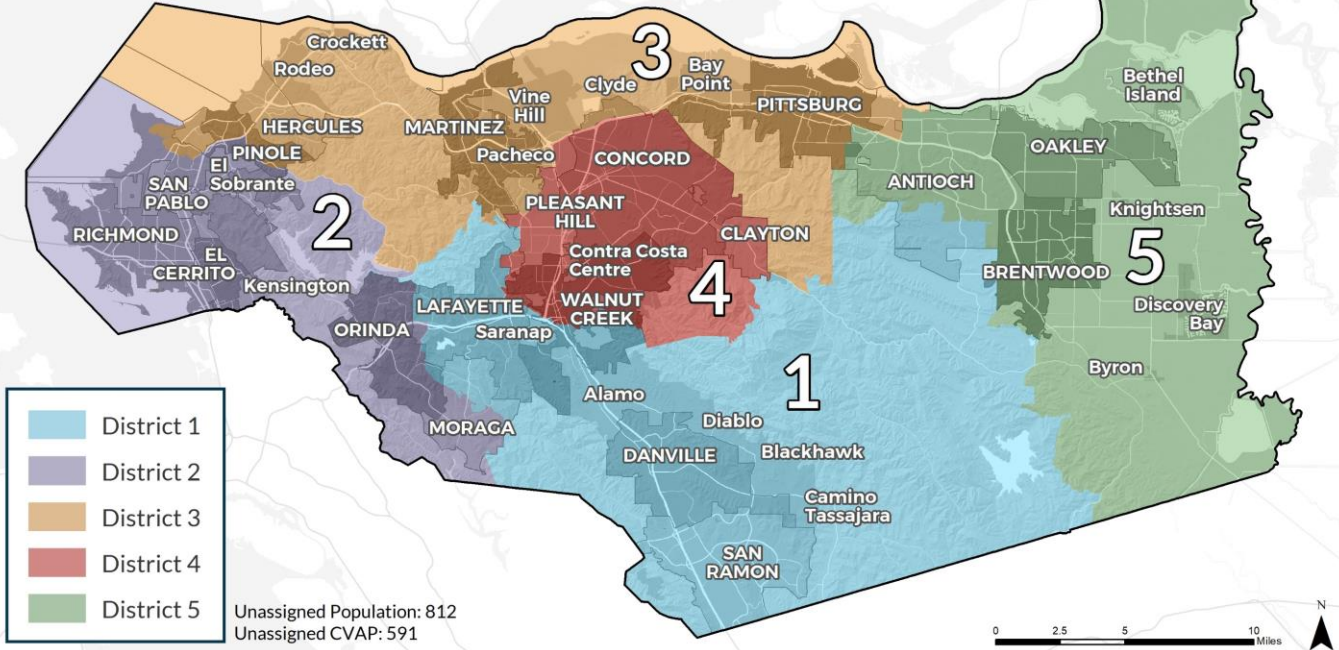
Current Supervisorial Boundaries



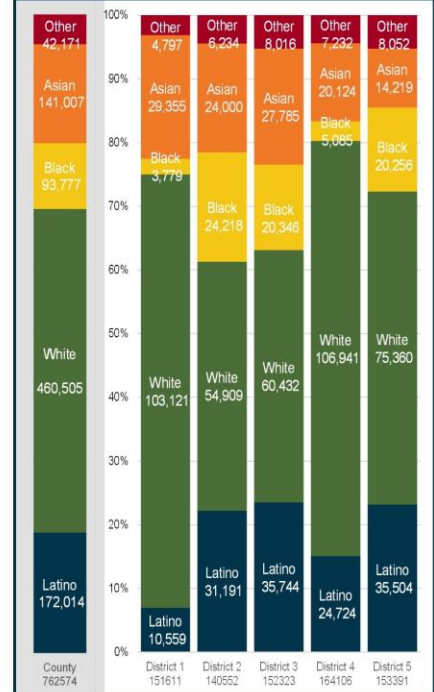
CONTRA COSTA COUNTY

Community Submission p4925
Ron's #3 - Overview Map and Data

NOTE: Data is presented as it is submitted in DistrictR online mapping tool.
District names may differ from current district names.
Not all blocks may be assigned a district. Calculations are based on assigned blocks only, except County CVAP



Citizen Voting Age Population (CVAP) by Race and Ethnicity



Prepared by the Department of Conservation and Development - GIS Group for the October 5, 2021 Board of Supervisors Public Hearing.
Data Source: 2021 California State Redistricting Data, Adjusted P.L. 94-171 Redistricting Data and block level Citizen Voting Age Population (CVAP), DistrictR online mapping submissions

Concept Total Variation

0.38%

2021 Population

Population: 1,168,064
Equal Distribution: 233,613
Citizen Voting Age Population (CVAP): 762,574

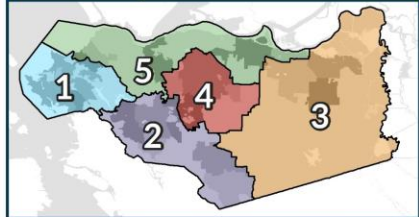
Population by District

District	Population	Variance	Percent
District 1	233,070	(543)	-0.23%
District 2	233,494	(119)	-0.05%
District 3	233,349	(264)	-0.11%
District 4	233,374	(239)	-0.10%
District 5	233,965	352	0.15%

Written Description from Submission

This plan places Blackhawk, Diablo, Alamo, Round Hill into the same district as Danville and San Ramon, which are communities of common interests. Any redistricting plan MUST place these communities in the same district.

Current Supervisorial Boundaries

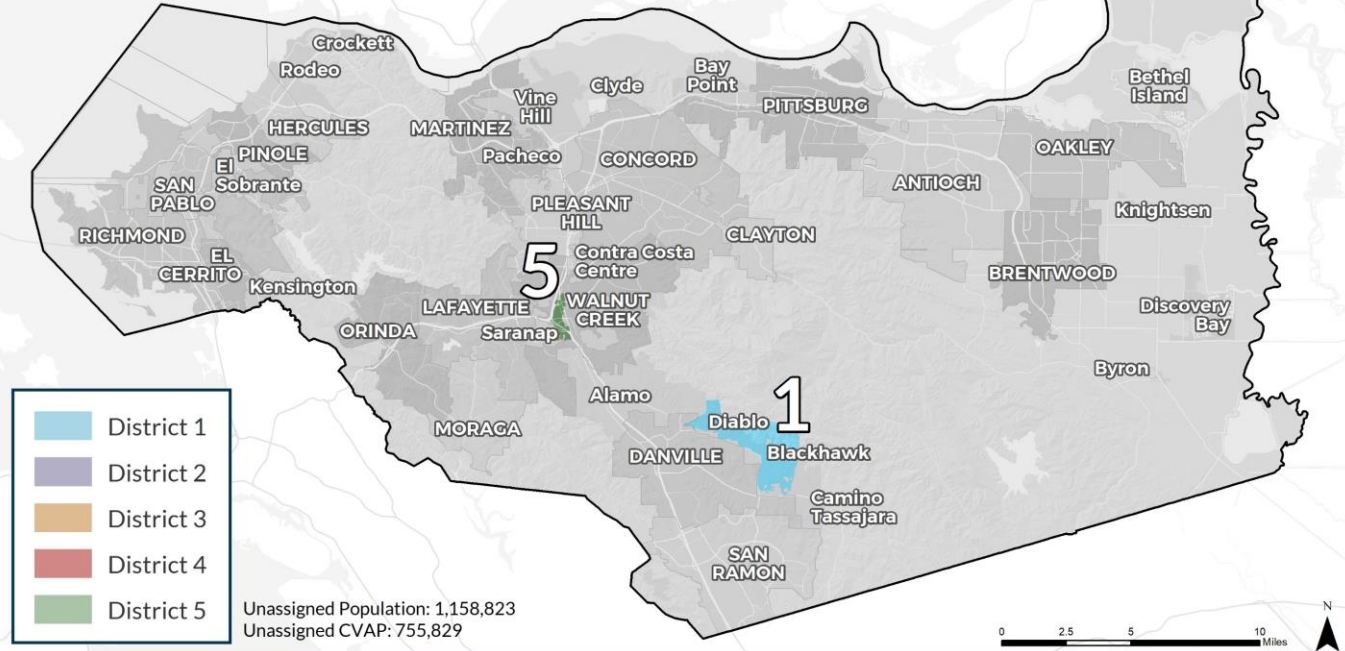


CONTRA COSTA COUNTY

Community Submission p4926

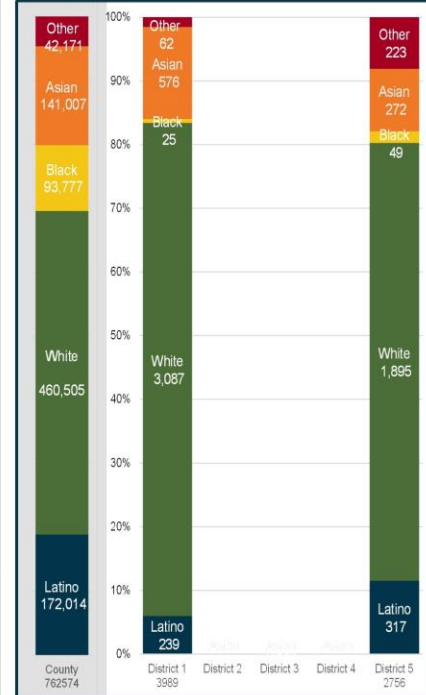
Add Blackhawk & Diablo to District 2 - Overview Map and Data

NOTE: Data is presented as it is submitted in DistrictR online mapping tool. District names may differ from current district names. Not all blocks may be assigned a district. Calculations are based on assigned blocks only, except County CVAP



Unassigned Population: 1,158,823
Unassigned CVAP: 755,829

Citizen Voting Age Population (CVAP) by Race and Ethnicity



Prepared by the Department of Conservation and Development - GIS Group for the October 5, 2021 Board of Supervisors Public Hearing.
Data Source: 2021 California State Redistricting Data, Adjusted P.L. 94-171 Redistricting Data and block level Citizen Voting Age Population (CVAP), DistrictR online mapping submission

Concept Total Variation

NA

2021 Population

Population: 1,168,064
Equal Distribution: 233,613
Citizen Voting Age Population (CVAP): 762,574

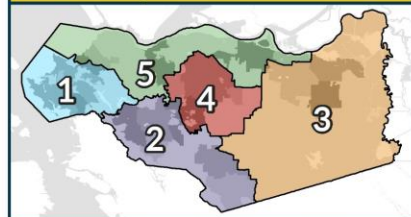
Population by District

District	Population	Variance	Percent
District 1	5,019	(228,594)	-97.85%
District 2	0	(233,613)	-100.00%
District 3	0	(233,613)	-100.00%
District 4	0	(233,613)	-100.00%
District 5	4,222	(229,391)	-98.19%

Written Description from Submission

Add Blackhawk & Diablo to District 2 and shift a piece of Walnut Creek to District 4

Current Supervisorial Boundaries



Public Comment Submitted as of September 27, 2021

□ **August 4, 2021 Katie Ricklefs Chair, Democratic Party of Contra Costa County**

You will shortly be reviewing the required redistricting of the Supervisorial Electoral Districts. The overwhelming principle we hope you will consider is to take into consideration the Communities of Interest to provide a proper reflection of the people. In this regard, the Democratic Party of Contra Costa County has discussed this matter and, by a unanimous vote, advises you that the fundamental basis of a Community of Interest starts with the maintenance of boundaries of the incorporated cities of the county, all of which have come together historically to present to the state a genuine community of interest by its very formation. We have attached the resolution for your information.

□ **September 4, 2021 Roger Chelemedos**

I live in Lafayette on Reliez Valley Road and our area is in Federal Glover's district #5. As a part of the redistricting discussions, I think it is widely accepted that this area (extending your supervisorial territory through Grayson Rd) should be in your district. No offense to district 5, but this area has much more in common with your constituents than we do in more eastern Contra Costa County. Seems to be a holdover from 20+ years ago when this area was aligned more closely with Pleasant Hill. While this county area may never annex into the City of Lafayette, we are in Lafayette school districts and participate in Lafayette Parks and Recreation


□ **September 17, 2021 Don Tatzin Comments**

Having lived here for more than forty years, I think the current District 2 boundaries make the most sense of any I have seen. I would like to ensure that Lamorinda remains together.

Contra Costa County Dedicated Redistricting Website Submission Gallery


View Type

Card View List View Icon View



Add Blackhawk & Diablo to District 2
Michael Young - Contra Costa
9/24/2021
Type: plan | ID: p4926
Supervisorial Districts

Comments: 0




Ron's #3
Ronald Banducci - Danville
9/24/2021
Type: plan | ID: p4925
Supervisorial Districts

Comments: 0




District 2
DON TATZIN - Lafayette
9/17/2021
Type: written | ID: w4783

Comments: 0



Ron's #2 Map
Ronald Banducci - Danville/Contra Costa County
9/15/2021
Type: plan | ID: p4717
Supervisorial Districts

Comments: 0



Ron's District Map
Ronald Banducci - Danville/Contra Costa County
9/15/2021
Type: plan | ID: p4715
Supervisorial Districts

Comments: 0



Downtown Walnut Creek Core
Kate
8/9/2021
Type: coi | ID: c2635


Comments: 0



Northern Waterfront Economic Development
Federal Glover - Pittsburg
8/9/2021
Type: coi | ID: c2632

#northernwaterfront
#economicdevelopment
#diversity

Comments: 0



Ag Core
Example Farmer - Ag Core Area
8/4/2021
Type: coi | ID: c2535

Comments: 0

Public Outreach

- **GOAL:** to encourage public participation through
 - Media outreach
 - Good government, civil rights, civic engagement & community groups
 - Live translation, if requested 72 hours in advance of meeting
 - Publication of notices on the internet
 - Publication of notices of required public hearings five days before hearing
 - Publication of a draft map at least seven days before adoption
 - Publication of relevant demographic data
 - Receipt of maps or testimony from the public in writing or electronically

PUBLIC OUTREACH

“ensure transparent process, providing exceptional public access to information”

- ❑ Established Redistricting webpage on County website as primary portal for public information/access with up-to-date information and ability for public to provide feedback and comments
- ❑ Subject to any modifications required by COVID 19 The County Administrator’s Office and DCD provides support virtual or in person for County wide public workshops to provide background, present boundary changes, answer questions, and receive input
- ❑ Other outreach efforts include: press releases, public notice in newspapers, CCTV, civic engagement and community groups active in the County as well as other strategies

PUBLIC OUTREACH

“ensure transparent process, providing exceptional public access to information”

□ Redistricting Communications Report

■ Email Messaging subscribers	254
■ Dedicated Redistricting Website Reviews	3,327
■ Twitter & Nextdoor Posts	69,942

- The Complete Redistricting Communications Report is available (Attachment B to the October 5 Public Hearing Board Order)

December 15, 2021 Deadline

- ❑ **The California Supreme Court extended the time for the California Redistricting Commission to complete its work to December 27, 2021 (it was December 15, 2021).**
- ❑ **SB 594 was signed by the Governor on September 24th. This bill adjusts the State deadlines to account for the later redistricting deadline.**
- ❑ **However, neither action impacts the statutory deadline of December 15, 2021 for the County to complete its redistricting of the Board districts.**
- ❑ **Per SB 594, The Secretary of State is required to have signature-in-lieu of filing fee petitions available 7 days after the redistricting deadline (January 3rd). The number of required signatures is reduced by the proportionate reduction in the signature collection period.**

BOARD REDISTRICTING 2021

QUESTIONS?



Contra
Costa
County

To: Board of Supervisors
From: Mary Ann Mason, County Counsel
Date: October 5, 2021

Subject: Authorizing Teleconference Meetings (AB 361, Government Code § 54953(e))

RECOMMENDATION(S):

1. CONSIDER adopting Resolution 2021/327 to authorize the Board, in all its capacities, its subcommittees, and its advisory bodies to conduct teleconference meetings under Government Code section 54953 (e) and make related findings;
2. DETERMINE that these bodies will hold virtual meetings for the next 30 days; and
3. CONSIDER directing the Planning Commission, Merit Board, and Assessment Appeals Board to consider implementing Government Code section 54953 (e) at their next meeting DIRECT the County Administrator/Clerk of the Board and staff to the various advisory bodies to take actions as needed to implement the intent and DIRECT the County Administrator/Clerk of the Board to return this matter to the Board within 30 days for reconsideration as to all bodies covered by the resolution.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Mary Ann McNett Mason, County Counsel, (925) 655-2200

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Mary Ann McNett Mason, County Counsel, Monica Nino, Clerk of the Board of Supervisors

FISCAL IMPACT:

This is an administrative action with no direct fiscal impact.

BACKGROUND:

When the COVID-19 pandemic began, Governor Newsom issued an executive order that allowed local agencies to meet remotely without complying with all teleconferencing requirements of the Brown Act. Executive Order N-29-20 suspended certain non-emergency teleconferencing rules, including the requirements that each teleconference location be listed on the agenda and be physically accessible to the public during the meeting and that the public must be given an opportunity to comment at each teleconference location. Since March 2020, the Board of Supervisors and its advisory bodies met virtually, as authorized by Executive Orders N-29-20, N-35-20, N-08-21 and N-15-21. This authority expired September 30, 2021.

New legislation known as Assembly Bill 361, amended the teleconferencing provision of the Brown Act, Government Code section 54953. Effective October 1, 2021, section 54953, subsection (e), authorizes a local agency to use special teleconferencing rules when a legislative body of a local agency holds a meeting during a state of emergency declared by the state and either A) state or local health officials have imposed or recommended measures to promote social distancing, or B) the legislative body is meeting to determine whether, or has determined, by majority vote, that meeting in person would present imminent risks to the health or safety of meeting attendees.

When a legislative body uses the emergency teleconferencing provisions under section 54953 (e), the following rules apply:

- The agency must provide notice of the meeting and post an agenda as required by the Brown Act and Better Government Ordinance, but the agenda does not need to list each teleconference location or be physically posted at each teleconference location.
- The agenda must state how members of the public can access the meeting and provide public comment.
- The agenda must include an option for all persons to attend via a call-in or internet-based service option.
- The body must conduct the meeting in a manner that protects the constitutional and statutory rights of the public.
- If there is a disruption in the public broadcast of the meeting or of the call-in or internet-based meeting service, the legislative body must stop the meeting and take no further action on agenda items until public access and ability to comment is restored.
- Local agencies may not require public comments to be submitted in advance of the meeting and must allow virtual comments to be submitted in real time.
- The body must allow a reasonable amount of time per agenda item to permit members of the public to comment, including time to register or otherwise be recognized for the purposes of comment.
- If the body provides a timed period for all public comment on an item, it may not close that period before the time has elapsed.
- The body must reconsider the circumstances of the state of emergency and the findings in support of emergency teleconference meetings every 30 days

- AB 361 sunsets on January 1, 2024.

A Board resolution authorizing teleconferencing under section 54953 (e) is attached. It would determine that the State has declared a state of emergency related to COVID-19 and find that social distancing recommendations are in place and that there is an imminent risk of harm to the public, staff and officials if live meetings are conducted. If adopted, for the next 30 days the resolution would require the Board of Supervisors, in all its capacities, its subcommittees, and all of the board-governed advisory bodies (unless otherwise noted) to hold teleconference meetings consistent with the above described rules. Resolution 2021/327 would direct the County Planning Commission, the Merit Board, and the Assessment Appeals Board to consider implementing teleconferencing under section 54953 (e) at their next meeting.

If the Board wishes to continue teleconferencing under section 54953 (e), every 30 days after adopting resolution 2021/327 the Board must reconsider the circumstances of the state of emergency and find that one or both of the following circumstances exists: the state declared emergency continues to directly impact the ability of members to safely meet in person, or state or local officials continue to impose or recommend measures to promote social distancing. If the state declared emergency no longer exists, or if the Board does not make these findings by majority vote, then it and its committees and advisory bodies will no longer be exempt from the Brown Act's non-emergency teleconferencing rules. The attached resolution directs the County Administrator to return no later than 30 days after the resolution is adopted with an item for the Board to consider whether to continue meeting under the provisions of Government Code section 54953 (e).

CONSEQUENCE OF NEGATIVE ACTION:

The Board, in all its capacities, its committees, and its advisory bodies would not conduct teleconference meetings under the provisions of Government Code section 54953 (e), added by Assembly Bill 361, commencing October 5.

ATTACHMENTS

Resolution 2021/327

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

Adopted this Resolution on 10/05/2021 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2021/327

A RESOLUTION OF THE CONTRA COSTA COUNTY BOARD OF SUPERVISORS, IN ITS CAPACITY AS THE GOVERNING BOARD OF THE COUNTY, THE CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT, THE HOUSING AUTHORITY OF THE COUNTY OF CONTRA COSTA, THE CONTRA COSTA COUNTY FLOOD CONTROL AND IMPROVEMENT DISTRICT AND THE CONTRA COSTA COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY, AUTHORIZING TELECONFERENCE MEETINGS UNDER GOVERNMENT CODE SECTION 54953 (e) (AB 361)

Recitals

- A. On March 4, 2020, Governor Gavin Newsom proclaimed the existence of a state of emergency in California under the California Emergency Services Act, Gov. Code § 8550 et seq.
- B. On March 10, 2020, the Board of Supervisors found that due to the introduction of COVID-19 in the County, conditions of disaster or extreme peril to the safety of persons and property had arisen, commencing on March 3, 2020. Based on these conditions, pursuant to Government Code section 8630, the Board adopted Resolution No. 2020/92, proclaiming the existence of a local emergency throughout the County.
- C. On March 17 and 21, 2020, Governor Newsom issued Executive Orders N-29-20 and N 35-20, which suspended the teleconferencing rules set forth in the California Open Meeting law, Government Code section 54950 et seq. (the Brown Act), provided certain requirements were met and followed.
- D. On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which clarified the suspension of the teleconferencing rules set forth in the Brown Act and further provided that those provisions would remain suspended through September 30, 2021.
- E. On September 16, 2021, Governor Newsom signed Assembly Bill 361, which provides that under Government Code section 54953(e), a legislative body subject to the Brown Act may continue to meet using teleconferencing without complying with the non-emergency teleconferencing rules in Government Code section 54953(b)(3) if a state declared state of emergency exists and either state or local officials have imposed or recommended measures to promote social distancing or meeting in person would present imminent risks to health and safety of meeting attendees.
- F. On September 20, 2021, Governor Newsom issued Executive Order N-15-21, which suspended the provisions of Assembly Bill 361 until October 1, 2021.
- G. On September 20, 2021, the Contra Costa County Health Officer issued recommendations for safely holding public meetings that include recommended measures to promote social distancing.
- H. Among the Health Officer's recommendations: (1) on-line meetings (teleconferencing meetings) are strongly recommended as those meetings present the lowest risk of transmission of SARS-CoV-2, the virus that causes COVID-19; (2) if a local agency determines to hold in-person meetings, offering the public the opportunity to attend via a call-in option or an internet-based service option is recommended when possible to give those at higher risk of an/or higher concern about COVID-19 an alternative to participating in person; (3) a written safety protocol should be developed and followed, and it is recommended that the protocol require social distancing – i.e., six feet of separation between attendees – and face masking of all attendees; (4) seating arrangements should allow for staff and members of the public to easily maintain at least six-foot distance from one another at all practicable times.

- I. The California Department of Public Health (CDPH) and the federal Centers for Disease Control and Prevention (CDC) caution that the Delta variant of COVID-19, currently the dominant strain of COVID-19 in the country, is more transmissible than prior variants of the virus, may cause more severe illness, and even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations.
- J. The emergence of the Delta variant has led to a severe rise of COVID-19 infections, hospitalizations and deaths in Contra Costa County in the past two months. The Delta variant became the predominant strain among samples sequenced in Contra Costa County and California in early July 2021, and currently represents over 95% of samples sequenced both at the Contra Costa County Public Health lab and per reports of statewide sequencing.
- K. As of September 13, 2021, the seven-day rolling average of new cases in the County was 223 cases per day, a case rate that is in the “high” community transmission tier, the most serious of the CDC’s community transmission tiers.
- L. In the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the Contra Costa County Board of Supervisors, acting in all of its capacities, intends to invoke the provisions of Government Code section 54953 (e), added by Assembly Bill 361, related to teleconferencing.

NOW, THEREFORE, the Contra Costa County Board of Supervisors, in its capacity as the governing board of the County, the Contra Costa County Fire Protection District, the Housing Authority of the County of Contra Costa, the Contra Costa County Flood Control and Improvement District, and the Contra Costa County In-Home Supportive Services Public Authority, and on behalf of all resolves as follows:

1. The Board of Supervisors finds that the state of emergency proclaimed by Governor Newsom on March 4, 2020 remains in place.
2. The Board of Supervisors finds that the Contra Costa County Health Officer has strongly recommended that public meetings be held by teleconferencing as those meetings present the lowest risk of transmission of SARS-CoV-2, the virus that causes COVID-19.
3. The Board of Supervisors finds that in person meetings of the Board of Supervisors would present imminent risks to the health or safety of the public, staff and officials attending meetings, in light of the high case rate of COVID-19 infections in the County.
4. As authorized by Assembly Bill 361, effective immediately and for the next 30 days the Board of Supervisors, acting in all its capacities, and all its subcommittees will use teleconferencing for meetings in accordance with the provisions of Government Code section 54953(e).
5. These findings apply to all advisory bodies, committees, and commissions established by the Board in all its capacities, including but not limited to municipal advisory councils and the Measure X Community Advisory Body, except as provided in Section 6. Effective immediately, and for the next 30 days, such bodies shall use teleconferencing for meetings in accordance with the provisions of Government Code section 54953 (e).
6. The Assessment Appeals Board, Merit Board, and Planning Commission, are directed to consider implementation of Government Code section 54953 (e) at their next meeting and are strongly encouraged to use teleconferencing for their meetings in accordance with the provisions of Government Code section 54953 (e) for the next 30 days.
7. The County Administrator/Clerk of the Board and staff to the various Board advisory bodies are authorized and directed to take all actions necessary to implement the intent and purpose of this resolution, including conducting open and public meetings in accordance with Government Code section 54953(e) and all other applicable provisions of the Brown Act.
8. The County Administrator/Clerk of the Board is directed to return to the Board acting in all of its capacities, no later than 30 days after this resolution is adopted, with an item to reconsider the state of emergency and whether to continue meeting virtually under the provisions of Government Code section 54953 (e) and to make required findings as to all bodies covered by this resolution.

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

**Contact: Mary Ann McNett Mason, County Counsel,
(925) 655-2200**

ATTESTED: October 5, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Mary Ann McNett Mason, County Counsel, Monica Nino, Clerk of the Board of Supervisors



Contra
Costa
County

To: Board of Supervisors
From: Monica Nino, County Administrator
Date: October 5, 2021

Subject: NOMINATION OF 2022 OFFICERS OF THE BOARD OF SUPERVISORS

RECOMMENDATION(S):

1. ELECT a Supervisor to be Chairperson of the Board of Supervisors for calendar year 2022 or until the selection of a successor, whichever occurs later.
2. ELECT a Supervisor to be Vice-Chairperson of the Board of Supervisors for calendar year 2022 or until the selection of a successor, whichever occurs later.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

At the first meeting of each calendar year, the Board of Supervisors reorganizes, updates its rules of procedure, establishes the list of standing and ad hoc committees and appoints board members to committees, and discusses prior year accomplishments and new year goals and challenges. Preparation for the annual reorganization meeting requires many weeks of staff effort, under the direction of the board chair.

The Board of Supervisors votes to select its officers following a nomination process. Although not a requirement, the Board has traditionally rotated the offices of Chair and Vice Chair among the five members, i.e., each member would serve

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Jami Morrill
925-655-2005

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

BACKGROUND: (CONT'D)

as Chair at least once during his/her term of office. This rotation has historically been interrupted only due to changes in membership or absence due to illness.

The Chair serves as presiding officer of the Board; rules on questions of procedure; nominates for Board approval representatives to Board committees whose appointment is not otherwise provided for; signs resolutions, ordinances, contracts, leases and other official documents approved by the Board; preserves order and decorum; and decides all questions of order. The Chair may consult with County Counsel in making such rulings. Decisions of the Chair may be overruled by a majority vote of the Board of Supervisors.

The Vice-Chair has and may exercise all powers and duties of the Chair at the meetings at which the Chair is absent.

If neither the Chair nor the Vice-Chair is present at a Board meeting, the Board members present selects one of their members to act as the Chair Pro Tempore. The Chair Pro Tempore shall have and exercise all the powers and duties of the Chair for that particular meeting only.

Because the reorganization requires substantial thought and planning, early selection of new year officers permits the incoming board chair to take an active role in planning for the annual reorganization.

CONSEQUENCE OF NEGATIVE ACTION:

Planning and administration of the annual board reorganization may take longer to implement if the 2022 board officers are not decided in the fall of 2021.



Contra
Costa
County

To: Board of Supervisors
From: Monica Nino, County Administrator
Date: October 5, 2021

Subject: Update on COVID -19

RECOMMENDATION(S):

ACCEPT update on COVID 19 and PROVIDE direction to staff. (Dr. Ori Tzvieli and Erika Jenssen, Deputy Director)

FISCAL IMPACT:

Administrative Reports with no specific fiscal impact.

BACKGROUND:

The Health Services Department has established a website dedicated to COVID-19, including daily updates. The site is located at: <https://www.coronavirus.cchealth.org/>

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Monica Nino

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: October 5, 2021

Subject: HEARING to consider adopting Traffic Resolution No. 2021/4506 for an 18-month temporary overnight road closure of Carquinez Scenic Dr., Martinez area.

RECOMMENDATION(S):

HEARING to consider adopting Traffic Resolution No. 2021/4506 approving and authorizing an 18-month temporary overnight road closure of Carquinez Scenic Drive (Road No. 2191B) between the city limits of Martinez and extending westerly to McEwen Road (Road No. 2784), daily from sunset to sunrise the following day, beginning October 5, 2021, and ending March 31, 2023, to prevent illegal and criminal activity, as recommended by the Public Works Director, Martinez area. (District V)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

Due to landslides in the early 1980s, the Board of Supervisors approved the closure of Carquinez Scenic Drive, between the Ozol Fuel Facility (owned by the United States of America) and the Contra Costa Brick Works Plant 9 (former property of TXI Operations and recently purchased by the East Bay Regional Park District). In 2004, the Board of Supervisors subsequently approved the temporary overnight closure of Carquinez Scenic Drive, from the the Martinez City Limit to the Ozol Fuel Facility, to prevent ongoing criminal and illegal activities on that portion of the

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

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Monish Sen,
925.313.2187

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

BACKGROUND: (CONT'D)

roadway. That temporary road closure has expired, and the East Bay Regional Park District has requested the reinstatement of the overnight road closure.

Therefore, the County Public Works Department, Sheriff's Office and the California Highway Patrol support continuing to prohibit overnight traffic along this section of Carquinez Scenic Drive. Public Works Department staff has determined that Carquinez Scenic Drive has not been designated as a through highway or arterial street, the overnight closure 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 that section of roadway.

Public Works Department staff has mailed notices of this hearing to the residents and owners, as shown on the last equalized assessment roll, of properties adjacent to the section of Carquinez Scenic Drive affected by this temporary overnight closure.

Therefore, the Public Works Department recommends that the Board of Supervisors adopt the traffic resolution allowing the overnight closure of this roadway.

CONSEQUENCE OF NEGATIVE ACTION:

Carquinez Scenic Drive would remain open overnight, allowing serious and continual criminal activities to occur along this segment of roadway.

ATTACHMENTS

Traffic Resolution 2021/4506

Letter from EBRPD

Letter from CHP

Letter from Sheriff's Dept.

Notices to Owners

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

Adopted this Traffic Resolution on October 5, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

TRAFFIC RESOLUTION NO. 2021/4506
Supervisorial District V

SUBJECT: ADOPT Traffic Resolution No. 2021/4506 for an 18-month temporary overnight closure of Carquinez Scenic Drive (Road No. 2191B) between the city limits of Martinez and extending westerly to McEwen Road (Road No. 2784), to prevent illegal and criminal activity, as recommended by the Public Works Director, Martinez area. (District V)

WHEREAS, the eastern portion of Carquinez Scenic Drive, which begins at the city limits of Martinez and extends westerly to McEwen Road, and has experienced serious and ongoing criminal activity between sunset and sunrise the following day;

WHEREAS, the East Bay Regional Park District has requested the closure of the western portion of Carquinez Scenic Drive;

WHEREAS, because vehicle traffic contributes to that criminal activity, the County Sheriff's Department and California Highway Patrol, and Public Works Department staff also recommend closure of Carquinez Scenic Drive;

WHEREAS, Public Works Department staff determined that: Carquinez Scenic Drive has not been designated as a through highway or arterial street; the overnight closure of Carquinez Scenic Drive 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 Carquinez Scenic Drive; and

WHEREAS, a public hearing has been held on this proposed closure of Carquinez Scenic Drive, 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.

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 County Sheriff's Department and California Highway Patrol, there is serious and continual criminal activity occurring overnight on Carquinez Scenic Drive (Road No. 2191B), between the city limits of Martinez and extending westerly to McEwen Road (Road No. 2784).

- B. The above-described section of Carquinez Scenic Drive has not been designated as a through highway or arterial street;
 - C. Vehicle traffic contributes to the overnight criminal activity on the above-described section of Carquinez Scenic Drive;
 - D. The closure of the above-described section of Carquinez Scenic Drive 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. 2021/4506 for an 18-month temporary overnight closure of Carquinez Scenic Drive (Road No. 2191B) between the city limits of Martinez and extending westerly to McEwen Road (Road No. 2784), to prevent illegal and criminal activity.

MO:sr

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

cc: California Highway Patrol
Sheriff Department

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

ATTESTED: _____
Monica Nino, Clerk of the Board of Supervisors and County Administrator

By _____, Deputy

TRAFFIC RESOLUTION NO. 2021/4506



February 11, 2020

Brian Balbas, Director
Contra Costa County
Public Works
255 Glacier Drive
Martinez, CA 94553

**RE: Carquinez Strait Regional Shoreline
Overnight Closure Approval for Carquinez Scenic Drive**

Dear Mr. Balbas:

The East Bay Regional Park District and Contra Costa County have worked cooperatively to secure Carquinez Scenic Drive from the Martinez city limits to the Ozol Fuel Facility by providing overnight closure of the road. Additionally, we secured an overnight closure of the road from McEwen Road in Port Costa to the former TXI facility. These closures enable the Park District to control vehicular access and have significantly reduced the amount of vandalism and illegal dumping that occurs after dark. In addition, the need for public safety patrol and response to illicit activities on the road has been greatly reduced.

On behalf of the Park District, I would like to request an administrative closure on Carquinez Scenic Drive from the Nejedly Staging Area in Martinez to McEwen in Port Costa, as allowed under California Vehicle Code Section 21104.1. We feel that this arrangement has been very successful in creating a safer environment for the residents of Martinez and Port Costa.

Please let me know what actions will be necessary to continue this closure. Thank you for your consideration in this manner.

Sincerely,

Michael Reeves
Chief of Land Acquisition
(510) 544-2607

Cc: Jerry Fahy, Assistant Public Works Director
Kristina Kelchner, Assistant General Manager
Dan Cunning, Unit Manager

Board of Directors

Ellen Corbett
President
Ward 4

Dee Rosario
Vice President
Ward 2

Colin Coffey
Treasurer
Ward 7

Beverly Lane
Secretary
Ward 6

Elizabeth Echols
Ward 1

Dennis Waespi
Ward 3

Ayn Wieskamp
Ward 5

Robert E. Doyle
General Manager

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

5001 Blum Road
Martinez, CA 94553
(925) 646-4980
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)



January 26, 2021

File No.: 320.15852

Contra Costa County Public Works Department
Transportation Engineering Division
255 Glacier Drive
Martinez, CA 94553-4825

Attention: Mr. Mark A. de la O, Civil Engineer

Dear Mr. de la O,

The California Highway Patrol supports the East Bay Regional Park District's request to close two segments of the Carquinez Scenic Drive during nighttime hours to reduce the dumping, littering, camping and other illegal activities occurring along this roadway. The two segments include the 1.6 mile segment of Carquinez Scenic Drive west of the Martinez city limits to the south end of East Bay Regional Park District's new George Miller Trail and the 0.7 mile segment of Carquinez Scenic Drive beginning 0.3 miles east of McEwen Road to the north end of East Bay Regional Park District's new George Miller Trail.

Provided our Department would be provided access to the road at all times, I would be in support of the Board of Supervisors making the findings as listed in California Vehicle Code section 21101.4 and approving the resolution for temporary overnight closure.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Moser".

B. MOSER, Captain
Commander
Contra Costa Area





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

July 20, 2021

Mr. Mark de la O
Contra Costa County Public Works
255 Glacier Drive, Martinez, California 94553

Mr. de la O,

I have received your request regarding support and endorsement for temporary road closure of a 1.6-mile segment of Carquinez Scenic Drive west of the Martinez city limits to the south end of East Bay Regional Park District's George Miller Trail and a 0.7-mile segment of Carquinez Scenic Drive beginning 0.3 miles east on McEwen Road to the north end of East Bay Regional Park District's George Miller Trail.

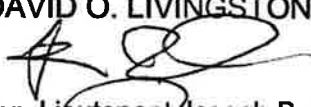
Geographically, the location and affected areas lend themselves to a plethora of various types of criminal activity. It does not seem unreasonable to exercise prevention measures such as temporary road closures which would restrict access to and hopefully reduce or prevent criminal activities in these areas.

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 currently 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


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



Contra Costa County Public Works Department

Brian M. Balbas, Director

Deputy Directors
Stephen Kowalewski, Chief
Allison Knapp
Warren Lai
Carrie Ricci
Joe Yee

September 15, 2021

East Bay Regional Park District
Land Acquisition Department
Attn: Sara Rieck
2950 Peralta Oaks Court
Oakland, CA 94605

RE: Overnight Closure of Carquinez Scenic Drive (Road No. 2191B)
Parcel No. 368-060-002, 368-060-001, 368-060-004, 368-160-001,
368-090-006, 368-100-001, 368-080-003, 368-160-002,
368-110-012, 368-090-005

Due to landslides in the early 1980s, the Contra Costa County Board of Supervisors approved the closure of Carquinez Scenic Drive, between the Ozol Fuel Facility (owned by the United States of America) and the Contra Costa Brick Works Plant 9 (former property of TXI Operations and recently purchased by the East Bay Regional Park District). However, the closure of that segment of Carquinez Scenic Drive resulted in many instances of illegal dumping and other criminal activity. Subsequently, the East Bay Regional Park District, which now owns the old TXI facility, requested overnight closure of a longer stretch of Carquinez Scenic Drive. On November 30, 2004, the County adopted Board Resolution 2004/4093, which allowed for the temporary overnight closure of Carquinez Scenic Drive, from the Martinez city limits to the Ozol Fuel Facility, owned by the United States of America.

As the temporary overnight closure had expired, the Contra Costa County Public Works Department received a letter dated February 11, 2020 from the East Bay Regional Park District requesting continuation of the temporary overnight closure of Carquinez Scenic Drive, between the city limits of Martinez and extending to McEwen Road. As allowed under Section 21101.4 of the California Vehicle Code, the roadway may be closed for a period of 18 months after a public hearing is held.

In response, the Public Works Department has prepared a traffic resolution for another 18-month closure of Carquinez Scenic Drive, as allowed under California Vehicle Code Section 21101.4, and has scheduled an open public hearing on October 5, 2021, at 9:00 a.m., Board of Supervisors' Chambers, 1025 Escobar Street, Martinez, California. The Contra Costa County Board of Supervisors will conduct this public hearing to consider adopting Traffic Resolution 2021/4506 for this temporary road closure.

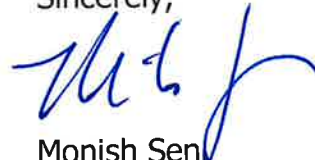
"Accredited by the American Public Works Association"

255 Glacier Drive Martinez, CA 94553-4825
TEL: (925) 313-2000 • FAX: (925) 313-2333
www.cccpublicworks.org

You may attend the hearing (remotely) and comment on the proposed roadway closure. Written comments submitted to the above address prior to October 1, 2021 will be entered in the meeting record.

Should you have any questions, please call Mark de la O a call at (925) 313-2234.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Monish Sen', written in a cursive style.

Monish Sen
Senior Traffic Engineer
Transportation Engineering

MS:MO:sr
G:\transeng\BOARD ORDERS\2021\CARQUINEZ SCENIC DRIVE (TR4506)\Notice to Owners.docx
C: Jerry Fahy, Transportation Engineering



Contra Costa County Public Works Department

Brian M. Balbas, Director

Deputy Directors
Stephen Kowalewski, Chief
Allison Knapp
Warren Lai
Carrie Ricci
Joe Yee

September 15, 2021

Tosco Corporation
c/o Conoco/Property Tax Dept-DC48
P.O Box 1539
Paso Robles, CA 93447

RE: Overnight Closure of Carquinez Scenic Drive (Road No. 2191B)
Parcel No. 368-110-010

Due to landslides in the early 1980s, the Contra Costa County Board of Supervisors approved the closure of Carquinez Scenic Drive, between the Ozol Fuel Facility (owned by the United States of America) and the Contra Costa Brick Works Plant 9 (former property of TXI Operations and recently purchased by the East Bay Regional Park District). However, the closure of that segment of Carquinez Scenic Drive resulted in many instances of illegal dumping and other criminal activity. Subsequently, the East Bay Regional Park District, which now owns the old TXI facility, requested overnight closure of a longer stretch of Carquinez Scenic Drive. On November 30, 2004, the County adopted Board Resolution 2004/4093, which allowed for the temporary overnight closure of Carquinez Scenic Drive, from the Martinez city limits to the Ozol Fuel Facility, owned by the United States of America.

As the temporary overnight closure had expired, the Contra Costa County Public Works Department received a letter dated February 11, 2020 from the East Bay Regional Park District requesting continuation of the temporary overnight closure of Carquinez Scenic Drive, between the city limits of Martinez and extending to McEwen Road. As allowed under Section 21101.4 of the California Vehicle Code, the roadway may be closed for a period of 18 months after a public hearing is held.

In response, the Public Works Department has prepared a traffic resolution for another 18-month closure of Carquinez Scenic Drive, as allowed under California Vehicle Code Section 21101.4, and has scheduled an open public hearing on October 5, 2021, at 9:00 a.m., Board of Supervisors' Chambers, 1025 Escobar Street, Martinez, California. The Contra Costa County Board of Supervisors will conduct this public hearing to consider adopting Traffic Resolution 2021/4506 for this temporary road closure.

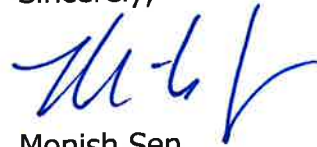
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255 Glacier Drive Martinez, CA 94553-4825
TEL: (925) 313-2000 • FAX: (925) 313-2333
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Should you have any questions, please call Mark de la O a call at (925) 313-2234.

Sincerely,



Monish Sen
Senior Traffic Engineer
Transportation Engineering



Contra Costa County Public Works Department

Brian M. Balbas, Director

Deputy Directors
Stephen Kowalewski, Chief
Allison Knapp
Warren Lai
Carrie Ricci
Joe Yee

September 15, 2021

John A. DeMartini Ranch LLC
P.O. Box 23555
Pleasant Hill, CA 94523

RE: Overnight Closure of Carquinez Scenic Drive (Road No. 2191B)
Parcel No. 368-050-002, 368-100-002

Due to landslides in the early 1980s, the Contra Costa County Board of Supervisors approved the closure of Carquinez Scenic Drive, between the Ozol Fuel Facility (owned by the United States of America) and the Contra Costa Brick Works Plant 9 (former property of TXI Operations and recently purchased by the East Bay Regional Park District). However, the closure of that segment of Carquinez Scenic Drive resulted in many instances of illegal dumping and other criminal activity. Subsequently, the East Bay Regional Park District, which now owns the old TXI facility, requested overnight closure of a longer stretch of Carquinez Scenic Drive. On November 30, 2004, the County adopted Board Resolution 2004/4093, which allowed for the temporary overnight closure of Carquinez Scenic Drive, from the Martinez city limits to the Ozol Fuel Facility, owned by the United States of America.

As the temporary overnight closure had expired, the Contra Costa County Public Works Department received a letter dated February 11, 2020 from the East Bay Regional Park District requesting continuation of the temporary overnight closure of Carquinez Scenic Drive, between the city limits of Martinez and extending to McEwen Road. As allowed under Section 21101.4 of the California Vehicle Code, the roadway may be closed for a period of 18 months after a public hearing is held.

In response, the Public Works Department has prepared a traffic resolution for another 18-month closure of Carquinez Scenic Drive, as allowed under California Vehicle Code Section 21101.4, and has scheduled an open public hearing on October 5, 2021, at 9:00 a.m., Board of Supervisors' Chambers, 1025 Escobar Street, Martinez, California. The Contra Costa County Board of Supervisors will conduct this public hearing to consider adopting Traffic Resolution 2021/4506 for this temporary road closure.

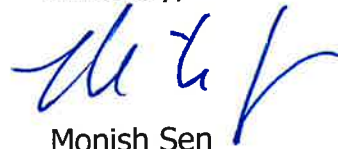
"Accredited by the American Public Works Association"

255 Glacier Drive Martinez, CA 94553-4825
TEL: (925) 313-2000 • FAX: (925) 313-2333
www.cccpublicworks.org

You may attend the hearing (remotely) and comment on the proposed roadway closure. Written comments submitted to the above address prior to October 1, 2021 will be entered in the meeting record.

Should you have any questions, please call Mark de la O a call at (925) 313-2234.

Sincerely,



Monish Sen
Senior Traffic Engineer
Transportation Engineering



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: October 5, 2021

Subject: HEARING TO CONSIDER THE PROPOSED FORMATION OF ZONE 214 IN THE COUNTY SERVICE AREA OF P-6 IN THE BAY POINT AREA OF THE COUNTY (DISTRICT V)

RECOMMENDATION(S):

1. OPEN the hearing on the proposed formation of Zone 214 within County Service Area P-6; CONSIDER all oral and written comments; and CLOSE the hearing.
2. DETERMINE whether a majority protest of the voters residing within the boundaries of proposed Zone 214 exists pursuant to Government Code Section 25217.1(b)(1). In the event that the Board determines a majority protest exists, TERMINATE the proceedings.
3. If the Board determines a majority protest does not exist, ADOPT Resolution No. 2021/306, attached hereto, establishing Zone 214 of County Service Area P-6 subject to voter approval of a special tax to fund police protection services within the zone.

FISCAL IMPACT:

The cost of establishing the Police Service District and the election is paid for by the developer of the subdivision.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Jennifer Cruz, (925)
655-2867

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Rosa Mena

BACKGROUND:

Per the conditions of approval for Subdivision No. 9467 (County File #SD17-9467), prior to recording the final map for the subdivision, the subdivider is required to establish a special police services tax district for the subdivision in order to provide additional funding to augment police services in the area of the subdivision. The property to be placed within the special tax district consists of a 0.62-acre site located at 255 N Bella Monte Avenue in the Bay Point area of the County.

On September 7, 2021, the Board granted conceptual approval for a December 7, 2021, ballot measure seeking approval of a special tax to fund an increase in the level of police protection services that is provided in the Bay Point area of the County.

On September 7, 2021, the Board approved Resolution No. 2021/269, as required by Government Code Section 25217, subdivision (b), as the first step in forming a new zone within County Service Area (CSA) P-6. The proposed zone would serve as the vehicle to collect special taxes within the proposed zone if a special tax measure is approved by voters on December 7, 2021.

Pursuant to Government Code Section 25217.1, subdivision (a), at the public hearing, the Board is required to hear and consider any protests to the formation of the zone. Pursuant to Government Code Section 25217.1, subdivision (b)(1), in the case of inhabited territory, if at the conclusion of the public hearing, the Board determines that more than 50 percent of the total number of voters residing within the proposed zone have filed written objections to the formation, then the Board shall determine that a majority protest exists and terminate the proceedings.

If there is no majority protest, the Board may continue the proceedings to form the zone by adopting Resolution No. 2021/306, which would establish Zone 214 subject to voter approval of the special tax. A separate hearing is also scheduled for October 5, 2021, to consider the adoption of an ordinance authorizing the levy of the tax.

CONSEQUENCE OF NEGATIVE ACTION:

Zone 214 would not be formed and the subdivider would be unable to comply with the conditions of approval of the project. The subdivider would be unable to record the final map for the subdivision.

ATTACHMENTS

Resolution 2021/306

Exhibit A - Legal Description

Exhibit B - Plat Map

Resolution No. 2021/269

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

Adopted this Resolution on 10/05/2021 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2021/306

IN THE MATTER OF CREATING ZONE 214 OF COUNTY SERVICE AREA P-6 IN THE BAY POINT AREA OF THE COUNTY

WHEREAS, this Board recognizes the need for increased police protection services in the above subject zone and the difficulty of funding the current or an increased level of services; and

WHEREAS, establishing the subject zone is a necessary step for the Board of Supervisors to seek voter approval of a special tax for increased police protection services in the zone area. Government Code Sections 25217 and 25217.1 establish procedures for the formation of a zone within a county service area;

NOW, THEREFORE, BE IT BY THE BOARD RESOLVED THAT:

1. It is in the public interest to provide an increased level of police protection services in the area of proposed Zone 214 of County Service Area P-6.
2. A majority protest against the proposed formation of Zone 214 does not exist, pursuant to Government Code Section 25217.1, subdivision (b).
3. Subject to voter approval of Ordinance No. 2021-29 on December 7, 2021, authorizing the levy of a special tax within proposed Zone 214, that portion of Contra Costa County Service Area P-6 described in Exhibit A attached hereto and shown in Exhibit B attached hereto is established as Zone 214 of County Service Area P-6, effective upon this Board's adoption of a resolution declaring the results of the December 7, 2021, election ("Effective Date").
4. No affected properties located in Zone 214 will be taxed for any existing bonded indebtedness or contractual obligations as a result of the formation of said zone.
5. On or after the Effective Date, the Clerk of this Board shall cause the filing of a statement of the creation of said zone to be made with the County Assessor and the State Board of Equalization (in Sacramento) pursuant to Government Code Sections 54900-54902. The filing shall include a map or plat indicating the boundaries of said zone.

I hereby certify that this 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: Jennifer Cruz, (925) 655-2867

ATTESTED: October 5, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Rosa Mena

EXHIBIT "A"

LEGAL DESCRIPTION

All that certain real property situate in the City of Pittsburg, County of Contra Costa, State of California, described as follows:

All of *PARCEL ONE* and *PARCEL TWO* as described in *Grant Deed* recorded November 13, 2020 as Record Series No. 2020-0274086, Contra Costa County Records, further described as follows:

Beginning at the southeast corner of said *PARCEL TWO (2020-0274086)*, also being a point on the westerly right-of-way line of Bella Monte Avenue; thence from said **Point of Beginning**, leaving last said right-of-way line and along the southerly boundary line of said *PARCEL TWO (2020-0274086)* North 90°00'00" West, 136.55 feet to the southwest corner of said *PARCEL TWO (2020-0274086)*; thence North 0°56'00" East, 200.02 feet to the northwest corner of said *PARCEL ONE (2020-0274086)* and a point on the southerly right-of-way line of Pullman Avenue; thence along the northerly boundary line of said *PARCEL ONE (2020-0274086)* and the southerly right-of-way line of Pullman Avenue South 89°43'00" East, 133.29 feet to a point on the westerly right-of-way line of Bella Monte Avenue; thence leaving the southerly right-of-way line of Pullman Avenue and along the westerly right-of-way line of Bella Monte Avenue South 0°00'00" East, 199.33 feet to the southeast corner of last said *PARCEL TWO (2020-0274086)* and the **Point of Beginning** of this description.

Containing an area of 26,939 Sq. Ft. more or less.



4/27/2021

LUIS TRUST
 096-050-016
 2007-0321638

SCALE 1" = 50'



52'
 49.28'

PULLMAN AVENUE

NEBRIAGA
 096-020-131
 2016-0129426
 31

THEBODEAU
 096-020-132
 2006-0191342
 32

IH4
 096-020-133
 2014-0136529
 33

TAYLOR
 096-020-134
 2020-0180429
 34

MENG
 096-020-135
 2020-0010575
 35

KHAN
 096-020-136
 2011-0045827
 36

SUBD 8703 BAY POINT INFILL RESIDENTIAL 458 M 47

S89°43'00"E 133.29'

PARCEL ONE
 2020-0274086

FORECAST LAND
 INVESTMENT LLC

PARCEL TWO
 2020-0274086

P.O.B.

N90°00'00"W 136.55'

N0°56'00"E 200.02'

S0°00'00"E 199.33'

50'

BELLA MONTE AVENUE

GIBSON AVENUE

52'

WEI
 096-020-168
 2012-0166338
 68

WILLIAMS
 096-020-169
 2017-0236181
 69

LEGEND

- BOUNDARY LINE
- LOT LINE
- P.O.B. POINT OF BEGINNING



Bellecci & Associates, inc.

Civil Engineering • Land Surveying

2290 Diamond Boulevard, Suite 100 Concord, CA 94520
 Phone (925) 885-4569 Fax (925) 885-4838

DATE: 04/27/2021

SCALE: 1" = 50'

PROJECT NO.: 20077

SHEET 1 OF 1

EXHIBIT B

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

Adopted this Resolution on 09/07/2021 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2021/269

RESOLUTION OF INTENTION TO FORM ZONE 214 OF COUNTY SERVICE AREA P-6 IN THE BAY POINT AREA

The Board of Supervisors of Contra Costa County RESOLVES:

1. The Board of Supervisors of Contra Costa County proposes the formation of new zone in the Bay Point area of County Service Area (CSA) P-6, pursuant to Article 8 of Chapter 2.3 of Part 2 of Division 2 of Title 3 of the California Government Code.
2. The boundaries of the territory to be included in the zone area are described in 'Exhibit A' and shown in 'Exhibit B', both of which are attached hereto and incorporated herein by this reference.
3. The formation of Zone 214 is proposed to provide the County of Contra Costa with a method of financing an increased level of police protection services to the area within the zone.
4. The proposed zone would provide a level of police protection services that exceeds the level of service outside the zone, and if approved by the voters, the proposed zone would generate additional revenue in the form of special taxes to fund the increase in this level of service.
5. The increase in the level of service would be financed through the levy of a voter-approved special tax on all taxable parcels within the zone.
6. The name proposed for the zone is "Zone 214" of CSA P-6.

NOW, THEREFORE, BE IT RESOLVED THAT at 9:00 a.m. on October 5, 2021, in the Chamber of the Board of Supervisors, County Administration Building, 1025 Escobar Street, Martinez, CA 94553, this Board will conduct a public hearing upon the proposed formation of Zone 214 of CSA P-6. The Clerk of the Board is hereby directed to give notice of the public hearing by (1) publishing a notice that complies with Government Code Section 25217, subdivision (d)(1), pursuant to Government Code Section 6061; (2) mailing the notice to all owners of property within the proposed zone; (3) mailing the notice to each city and special district that contains, or whose sphere of influence contains the proposed zone; and (4) verifying that the notice is posted in at least three public places within the territory of the proposed zone.

I hereby certify that this 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: Jennifer Cruz, (925) 655-2867

ATTESTED: September 7, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: October 5, 2021

Subject: HEARING TO CONSIDER ADOPTION OF PROPOSED SPECIAL TAX ORDINANCE AND AUTHORIZE ELECTION TO OBTAIN VOTER APPROVAL (DISTRICT V)

RECOMMENDATION(S):

1. OPEN hearing to consider adopting Ordinance No. 2021-29, authorizing the levy of a special tax for police protection services in Zone 214 of County Service area P-6 in the Bay Point area of the County; CONSIDER oral and written comments received; and CLOSE the public hearing.
2. ADOPT Ordinance No. 2021-29, attached hereto.
3. ADOPT Resolution No. 2021/307, attached hereto, authorizing an election in Zone 214 of County Service Area P-6 to consider approval of Ordinance No. 2021-29.
4. DIRECT the County Clerk, Elections Division, to conduct the election required by Government Code Sections 23027 and 53978. This election shall be held on December 7, 2021.

FISCAL IMPACT:

The cost of establishing the Police Service District and election is paid for by the developer of the subdivision.

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

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Jennifer Cruz, (925) 655-2867

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Rosa Mena

BACKGROUND:

Per the conditions of approval for Subdivision No. 9467 (County File #SD17-9467), prior to recording the final map for the subdivision, the subdivider is required to establish a special Police Services tax district for the purposes of providing additional funding to augment police services in the area of the subdivision. The property to be subdivided and placed within the proposed special tax district consists of a 0.62-acre site located at 255 N Bella Avenue in the Bay Point area of the County.

On September 7, 2021, the Board approved Resolution No. 2021/269, as required by Government Code Section 25217, subdivision (b), as the first step in forming a new zone within County Service Area (CSA) P-6 in the Bay Point area of the County. The proposed zone would serve as the vehicle to collect special taxes within the boundaries of the zone if a special tax measure is approved by registered voters within the zone area at the December 7, 2021, election.

The Board is scheduled to conduct a separate hearing on December 7, 2021, on the formation of the proposed zone. If the Board determines there is no majority protest to the formation of this new zone, and if the Board adopts Resolution No. 2021/306, establishing CSA P-6, Zone 214 subject to voter approval of the special tax, the next step in the process is the hearing on the adoption of a special tax ordinance, the adoption of that ordinance and adoption of a resolution submitting the tax measure to the voters.

In this action, the Board is asked to conduct the hearing on, and adopt, the special tax ordinance (Ordinance No. 2021-29), which would authorize the levy of a special tax for police protection services on all taxable parcels in the area of Zone 214 if a special tax ballot measure is approved by a two-thirds majority of the registered voters in the zone area. Resolution No. 2021/307, the adoption of which is also recommended, sets forth appropriate ballot language, directs the County Clerk, Elections Division, to conduct the aforementioned election as part of the December 7, 2021, election, and supplies appropriate ballot language.

CONSEQUENCE OF NEGATIVE ACTION:

The project developer would be unable to comply with the conditions of approval for the project. The developer would be unable to record the final map for the subdivision.

ATTACHMENTS

Resolution 2021/307

Exhibit A - Legal Description

Exhibit B - Plat Map

Exhibit C - Ordinance No. 2021-29

Resolution No. 2021/269

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

Adopted this Resolution on 10/05/2021 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2021/307

IN THE MATTER OF AUTHORIZING A SPECIAL TAX IN PROPOSED ZONE 214 OF COUNTY SERVICE AREA P-6

WHEREAS, this Board recognizes the need for increased police protection services in the above subject zone and the difficulty of funding the current or an increased level of services. Government Code Sections 50077 and 53978 establish procedures for voter authorization of a special tax in order to provide additional funding for police protection;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Ordinance No. 2021-29, adopted on this date, is to be presented for approval of the voters of proposed Zone 214 of County Service Area P-6 at the election to be held on December 7, 2021, according to the following ballot proposition:

"Shall Ordinance No. 2021-29, to provide additional funding for police protection services, be approved to authorize a special tax on property located in Zone 214 of County Service Area P-6 in the Bay Point area of the County, at an initial annual amount of \$200 per parcel for single-family, residential parcels, with higher and lower amounts for properties in other use categories identified in the ordinance, commencing with the tax year beginning July 1, 2022?"

2. The Contra Costa County Registrar of Voters is designated as the Election Official for this election, and the County Clerk, Elections Division, is hereby authorized and directed to provide all notices and take all other actions necessary to hold the election described in this resolution including, but not limited to, providing notices of times within which arguments for and against are to be submitted.

3. The County Administrator, or designee, shall serve as the Eligible Filer for purposes of filing necessary documents with the Elections Official to facilitate listing of the above ballot proposition.

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

ATTESTED: October 5, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Jennifer Cruz, (925) 655-2867

By: , Deputy

cc: Rosa Mena

EXHIBIT "A"

LEGAL DESCRIPTION

All that certain real property situate in the City of Pittsburg, County of Contra Costa, State of California, described as follows:

All of *PARCEL ONE* and *PARCEL TWO* as described in *Grant Deed* recorded November 13, 2020 as Record Series No. 2020-0274086, Contra Costa County Records, further described as follows:

Beginning at the southeast corner of said *PARCEL TWO (2020-0274086)*, also being a point on the westerly right-of-way line of Bella Monte Avenue; thence from said **Point of Beginning**, leaving last said right-of-way line and along the southerly boundary line of said *PARCEL TWO (2020-0274086)* North 90°00'00" West, 136.55 feet to the southwest corner of said *PARCEL TWO (2020-0274086)*; thence North 0°56'00" East, 200.02 feet to the northwest corner of said *PARCEL ONE (2020-0274086)* and a point on the southerly right-of-way line of Pullman Avenue; thence along the northerly boundary line of said *PARCEL ONE (2020-0274086)* and the southerly right-of-way line of Pullman Avenue South 89°43'00" East, 133.29 feet to a point on the westerly right-of-way line of Bella Monte Avenue; thence leaving the southerly right-of-way line of Pullman Avenue and along the westerly right-of-way line of Bella Monte Avenue South 0°00'00" East, 199.33 feet to the southeast corner of last said *PARCEL TWO (2020-0274086)* and the **Point of Beginning** of this description.

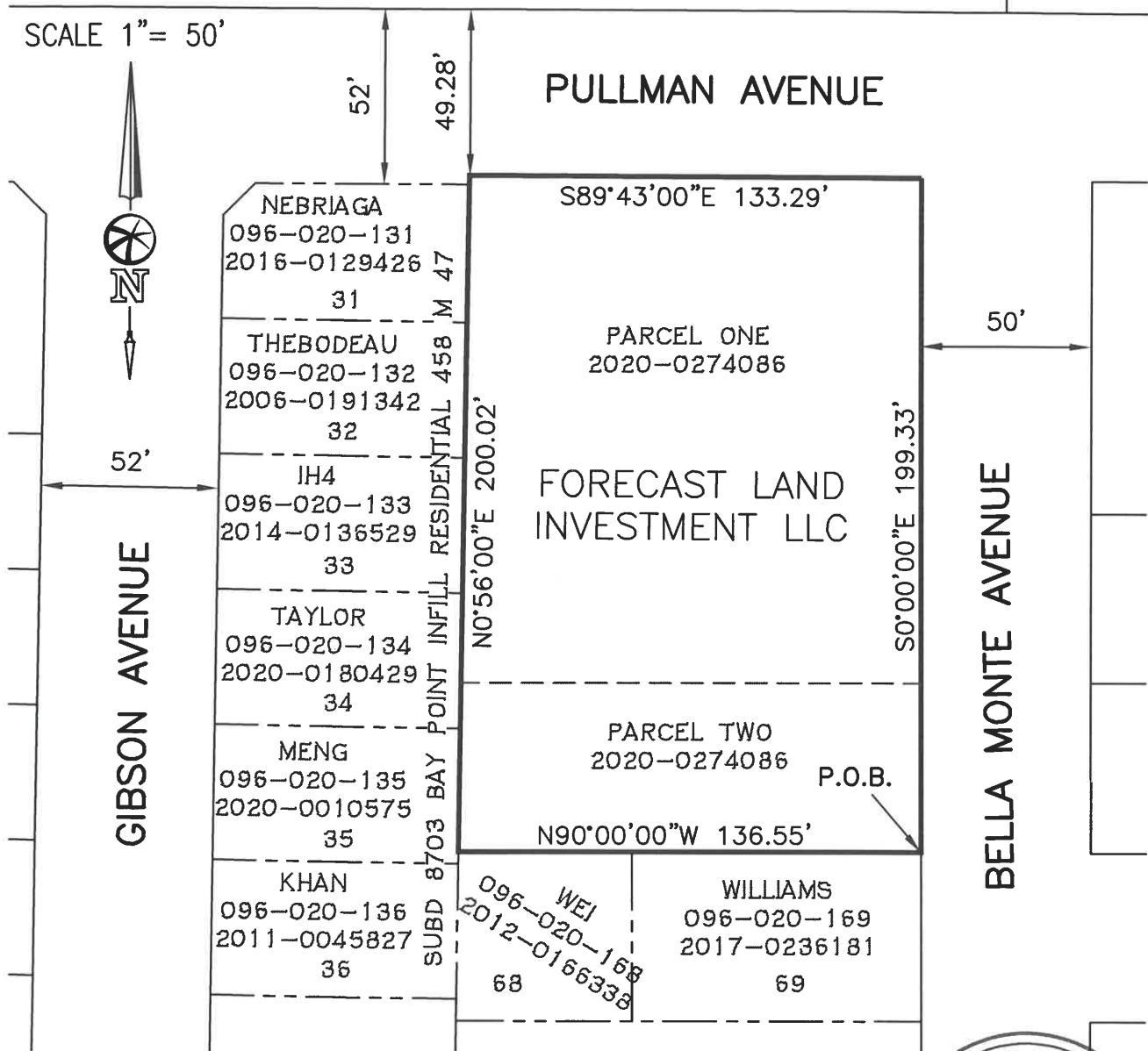
Containing an area of 26,939 Sq. Ft. more or less.



4/27/2021

LUIS TRUST
 096-050-016
 2007-0321638

SCALE 1" = 50'



LEGEND

- BOUNDARY LINE
- LOT LINE
- P.O.B. POINT OF BEGINNING



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DATE: 04/27/2021

PROJECT NO.: 20077

SCALE: 1" = 50'

SHEET 1 OF 1

EXHIBIT B

ORDINANCE NO. 2021-29
(Uncodified)

(An Ordinance of the Board of Supervisors of Contra Costa County)
Authorizing a Special Tax for Police Protection Services in Zone 214
of County Service Area P-6

The Contra Costa County Board of Supervisors ORDAINS as follows:

ARTICLE I. PURPOSE AND INTENT. It is the purpose and intent of this Ordinance to authorize the levy of a tax on parcels of real property on the secured property tax roll of Contra Costa County that are within Zone 214 of Contra Costa County Service Area No. P-6 in order to augment funding for police protection services.

This tax is a special tax within the meaning of Section 4 of Article XIII A of the California Constitution. Because the burden of this tax falls upon property, this tax also is a property tax, but this tax is not determined according to nor in any manner based upon the value of property; this tax is levied on a parcel and use of property basis. Insofar as not inconsistent with this Ordinance or with legislation authorizing special taxes and insofar as applicable to a property tax that is not based on value, such provisions of the California Revenue and Taxation Code and of Article XIII of the California Constitution as relate to *ad valorem* property taxes are intended to apply to the collection and administration of this tax (Article IV of this Ordinance), as authorized by law.

The revenues raised by this tax are to be used solely for the purposes of obtaining, furnishing, operating, and maintaining police protection equipment or apparatus, for paying the salaries and benefits of police protection personnel, and for such other police protection service expenses as are deemed necessary.

ARTICLE II. DEFINITIONS. The following definitions shall apply throughout the Ordinance:

1. "Parcel" means the land and any improvements thereon, designated by an assessor's parcel map and parcel number and carried on the secured property tax roll of Contra Costa County. For the purposes of the Ordinance, "parcel" does not include any land or improvements outside the boundaries of Zone 214 of County Service Area P-6 nor any land or improvements owned by any governmental entity.

2. "Fiscal year" means the period of July 1 through the following June 30.

3. Contra Costa County Service Area P-6 Zone 214 (hereinafter called "Zone") means that portion of unincorporated area of Contra Costa County located within the Zone's boundaries described and shown in Exhibits A and B attached hereto.

4. "Use Code" means the code number assigned by the Assessor of Contra Costa County in order to classify parcels according to use for *ad valorem* property tax purposes. A copy

of the Assessor’s use code classifications chart is attached hereto as Exhibit C and incorporated herein.

5. “Consumer Price Index” means the Consumer Price Index for all Urban Consumers (CPI-U) for the San Francisco-Oakland-San Jose Area (1982-84=100) as published by the U.S. Department of Labor, Bureau of Labor Statistics. If the Consumer Price Index is discontinued or revised, such other government index or computation with which it is replaced shall be used in order to obtain substantially the same result as would be obtained if the Consumer Price Index had not been discontinued of revised.

6. “Constant first year dollars” shall mean an actual dollar amount which, in years subsequent to the first fiscal year the tax is levied, shall have the same purchasing power as the base amount in first fiscal year dollars as measured by the Consumer Price Index. The base amount shall be the amount of tax per parcel as specified in Article III 1A herein. The adjustment from actual to constant dollars shall be made by use of the Consumer Price Index, as specified in Section III 1B herein.

ARTICLE III. AMOUNT AND LEVEL OF TAXES

1. The tax per year on each parcel in the Zone shall not exceed the amount applicable to the parcel as specified below.

A. For First Fiscal Year:

The tax per year for the first fiscal year (July 1, 2022 through June 30, 2023) shall be the Amount of Tax per Parcel for the Property Use Code Category as set forth in Exhibit D incorporated herein.

B. For Subsequent Fiscal Years:

In order to keep the tax on each parcel in constant first year dollars for each fiscal year subsequent to the first fiscal year, the tax per year shall be adjusted as set forth below to reflect any increase in the Consumer Price Index beyond the first fiscal year a tax is levied.

In July, the Board of Supervisors of Contra Costa County shall determine the amount of taxes to be levied upon the parcels in the Zone for the then current fiscal year as set forth below.

For each Property Use Category on Exhibit C, the tax per year on each parcel for each fiscal year subsequent to the first fiscal year shall be an amount determined as follows:

$$\begin{array}{l}
 \text{Tax Per Parcel} \\
 \text{For Then Current} \\
 \text{Fiscal Year}
 \end{array}
 =
 \begin{array}{l}
 \text{Tax Per Parcel} \\
 \text{For Previous} \\
 \text{Fiscal Year}
 \end{array}
 \times
 \begin{array}{l}
 \text{(Consumer Price Index} \\
 \text{for April of Immediately} \\
 \text{Preceding Fiscal Year)} \\
 \text{(Consumer Price Index} \\
 \text{For the first Fiscal Year} \\
 \text{Of Levy)}
 \end{array}$$

In no event shall the tax per parcel for any fiscal year be less than the amount established for the first fiscal year.

2. The taxes levied on each parcel pursuant to this Article shall be a charge upon the parcel and shall be due and collectible as set forth in Article IV, below. A complete listing of the amount of taxes on each Zone shall be maintained by the Sheriff-Coroner of the County of Contra Costa at Martinez, California, and be available for public inspection during the remainder of the fiscal year for which such taxes are levied.

ARTICLE IV. COLLECTION AND ADMINISTRATION.

1. Taxes as Liens Against the Property.

The amount of taxes for each parcel each year shall constitute a lien on such property, in accordance with Revenue and Taxation Code section 2187, and shall have the same effect as an *ad valorem* real property tax lien until fully paid.

2. Collection.

The taxes on each parcel shall be billed on the secured roll tax bills for *ad valorem* property taxes and shall be due the County of Contra Costa. Insofar as feasible and insofar as not inconsistent with this Ordinance, the taxes are to be collected in the same manner in which the County collects secured roll *ad valorem* property taxes. Insofar as feasible and insofar as not inconsistent with the Ordinance, the times and procedure regarding exemptions, due dates, installment payments, corrections, cancellations, refunds, late payments, penalties, liens, and collection for secured roll *ad valorem* property taxes shall be applicable to the collection of this tax. Notwithstanding anything to the contrary in the foregoing, as to this tax: 1) the secured roll tax bills shall be the only notices required for this tax, and 2) the homeowner and veterans exemptions shall not be applicable because such exemptions are determined by dollar amount value.

3. Costs of Administration by the County.

The reasonable costs incurred by the County officers collecting and administering this tax shall be deducted from the collected taxes.

ARTICLE V. ACCOUNTABILITY MEASURES.

1. Account.

Upon the levy and collection of the tax authorized by this ordinance, an account shall be created into which the proceeds of the tax will be deposited. The proceeds of the tax authorized by this Ordinance shall be applied only to the specific purposes identified in this Ordinance.

2. Annual Report.

An annual report that complies with the requirements of Government Code section 50075.3 shall be filed with the Board of Supervisors of Contra Costa County no later than January 1 of each fiscal year in which the tax is levied.

ARTICLE V. SEVERABILITY CLAUSE

If any article, section, subsection, sentence, phrase or clause of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The voters of the Zone hereby declare that they would have adopted the remainder of the Ordinance, including each article, section, subsection, sentence phrase or clause, irrespective of the invalidity of any other article, section, subsection, sentence, phrase or clause.

ARTICLE VI. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its confirmation by two-thirds of the voters voting within Zone 214 in an election to be held on December 7, 2021, so that taxes shall first be collected hereunder for the tax year beginning July 1, 2022. Within 15 days of passage, this Ordinance shall be published once, with the names of the Supervisors voting for and against it, in the Contra Costa Times, a newspaper of general circulation published in this County.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors, County of Contra Costa, State of California, on October 5, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: MONICA NINO, Clerk of the Board of Supervisors and County Administrator

By: _____
Deputy

Chair of the Board of Supervisors

[SEAL]

EXHIBIT "A"

LEGAL DESCRIPTION

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Containing an area of 26,939 Sq. Ft. more or less.



4/27/2021

LUIS TRUST
 096-050-016
 2007-0321638

SCALE 1" = 50'



52'
 49.28'

PULLMAN AVENUE

NEBRIAGA
 096-020-131
 2016-0129426
 31

THEBODEAU
 096-020-132
 2006-0191342
 32

IH4
 096-020-133
 2014-0136529
 33

TAYLOR
 096-020-134
 2020-0180429
 34

MENG
 096-020-135
 2020-0010575
 35

KHAN
 096-020-136
 2011-0045827
 36

SUBD 8703 BAY POINT INFILL RESIDENTIAL 458 M 47

S89°43'00"E 133.29'

PARCEL ONE
 2020-0274086

FORECAST LAND
 INVESTMENT LLC

PARCEL TWO
 2020-0274086

P.O.B.

N90°00'00"W 136.55'

N0°56'00"E 200.02'

S0°00'00"E 199.33'

50'

BELLA MONTE AVENUE

GIBSON AVENUE

52'

WEI
 096-020-168
 2012-0166338
 68

WILLIAMS
 096-020-169
 2017-0236181
 69

LEGEND

- BOUNDARY LINE
- LOT LINE
- P.O.B. POINT OF BEGINNING



Bellecci & Associates, inc.

Civil Engineering • Land Surveying

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DATE: 04/27/2021

PROJECT NO.: 20077

SCALE: 1" = 50'

SHEET 1 OF 1

EXHIBIT B

Exhibit C

Zone 214

REJECT AND CONFIRMATION CODES	USE CODES								RESPONSIBILITY CODES
	RESIDENTIAL	MULTIPLE	COMMERCIAL	COMMERCIAL	INDUSTRIAL	LAND	INSTITUTIONAL	MISCELLANEOUS	
REJECT CODES 0 Normal Sale 1 Sold Part of a Split 3 Sales With Other Parcels 4 Hidden Stamps 5 Investigate Sale 7 Restricted Sale 8 Assumption 9 No Exemption Change U Unrecorded Documents NOTE: Reject Codes 0 & 1 "identify" sales. They do not reject them. Such sales (when confirmed) are used in statistics. Sales with other codes ARE rejected & do not enter into statistics.	10 Vacant, Unbuildable	20 Vacant	30 Vacant Land	40 Boat Harbors (-4)	50 Vacant Land	60 Unassigned	70 Intermediate Care Facil. (Rehab, Skilled Nursing) (-7)	80 Mineral Rights (productive/non-productive)	1 Residential
	11 Single Family 1 Res on 1 Site & Duets without Common Areas	21 Duplex	31 Commercial Stores (not Supermarkets)	41 Supermarkets (not in shopping centers)	51 Industrial Park (with structures)	61 Rural, Residential Improved 1A up to 10A	71 Churches	81 Private Roads	2 Multiple Residential
	12 Single Family 1 Res on 2 or More Sites	22 Triplex	32 Small Grocery Stores (7-11, Mom & Pop, Quick-Stop)	42 Shopping Centers (all pcls incl vac for future shopping center)	52 Research and Development, with or without structures; flexible use	62 Rural, with or without Misc. Structures 1A up to 10A	72 Schools & Colleges (public or private, with or without improvements)	82 Pipelines and Canals	3 Commercial/Industrial
	13 Single Family 2 or More Res on 1 or More Sites	23 Fourplex	33 Office Buildings	43 Financial Bldgs. (Ins. & Title Companies, Banks, S & L)	53 Light Industrial	63 Urban Acreage 10A up to 40A	73 Acute Care Hospitals, with or without imp	83 State Board Assessed Parcels	4 Commercial/Industrial
	14 Single Family On other than Single Family Land	24 Combinations; e.g., Single and a Double, etc.	34 Medical; Dental	44 Motels, Hotels (-4) & Mobile Home Parks (-7)	54 Heavy Industrial (-5) Alpha	64 Urban Acreage 40A and over	74 Cemeteries (-7) & Mortuaries (-3)	84 Utilities, with or without bldgs (not assessed by SBE)	5 Commercial/Industrial
	15 Miscellaneous Improvements, 1 Site	25 Apartments, 5-12 units, inclusive	35 Service Stations; Car Washes; Bulk Plants, Mini Lube	45 Theaters	55 Mini-Warehouse (Public Storage)	65 Orchards, Vineyards, Row Crops, Irrig. Past. 10A up to 40A	75 Fraternal and Service Organizations; Group Homes, Shelters	85 Public and Private Parking	6 Land
	16 Misc. Imps. On 2 or More Sites; includes trees & vines	26 Apartments, 13-24 units, inclusive	36 Auto Repair	46 Drive-In Restaurants (Hamburger, Taco, etc)	56 Misc. Imps. including T&V on Light or Heavy Industrial	66 Orchards, Vineyards, Row Crops, Irrig. Past. 40A & over	76 Residential Care Facil. (Congregate Housing, Assisted Living) (-7)	86 Taxable Municipally-Owned Property (Section 11)	7 Commercial/Industrial
	17 Vacant, 1 Site (includes PUD sites)	27 Apartments, 25-59 units, inclusive	37 Community Facilities; Recreational; Swim Pool Assn.	47 Restaurants (not drive-in; inside service only)	57 Unassigned	67 Dry Farming, Farming, Grazing & Pasturing 10A up to 40A	77 Cultural Uses (Libraries, Museums)	87 Common Area pcls in PUD's (Open Spaces, Rec. Facilities)	8 Residential (Unparcelized Condos)
	18 Vacant, 2 or More Sites	28 Apartments, 60 units or more	38 Golf Courses	48 Multiple and Commercial; Miscellaneously Improved	58 Unassigned	68 Dry Farming, Farming, Grazing & Pasturing 40A & over	78 Parks and Playgrounds	88 Manufactured Hsng. (-4) Accessories, (-7) MH on local property tax Floating Homes (-8)	(88-8 = Floating Homes)
	19 Single Family Res, Detached, w/Common Area (normal subdiv. type PUD); Duets w/Common Area	29 Attached PUD's, Cluster Homes, Co-ops, Condos, Townhouses, etc. (-1,-2) Single Fam.	39 Bowling Alleys	49 Auto Agencies	59 Pipeline Rights-Of-Way	69 Agricultural Preserves	79 Government-owned, with or without bldgs (Fed, State, County, City, SFBART, EBRPD)	89 Other; Split parcels in different tax code areas	9 Unassigned
Q = PCOR Received C = SQ Received A = ADJ R = SQ Requested X = SVP (Sales Verification Program)	90 Awaiting Assignment								

ORDINANCE NO. 2021-29 ZONE 214

FOR FISCAL YEAR JULY 1, 2022, THROUGH JUNE 30, 2023

EXHIBIT D

<u>PROPERTY USE CODE CATEGORY</u>	<u>EXPLANATION</u>	<u>ANNUAL TAX PER PARCEL</u>
11	Single Family Residence – 1 residence, 1 site	\$200
12	Single Family Residence- 1 residence, 2 or more sites	\$200
13	Single Family Residence- 2 residences on 1 or more sites	\$200
14	Single Family Residence – other than single family land	\$200
15	Misc. Improvements – 1 site	\$200
16	Misc. Improvements – 2 or more sites	\$200
17	Vacant – 1 site	\$100
18	Vacant – 2 or more sites	\$100
19	Single Family Residence - Det. w/common area	\$200
20	Vacant – Multiple	\$100
21	Duplex	\$200
22	Triplex	\$200
23	Fourplex	\$200
24	Combination	\$200
25	Apartments (5-12 units)	\$400
26	Apartments (13-24 units)	\$400
27	Apartments (25-59 units)	\$600

28	Apartments (60+ units)	\$800
29	Attached PUDs: Cluster Homes, Condos, Etc.	\$200
30	Vacant – Commercial	\$100
31	Commercial Stores – Not Supermarkets	\$600
32	Small Grocery Stores (7-11, etc.)	\$600
33	Office Buildings	\$400
34	Medical, Dental	\$400
35	Service Stations, Car Wash	\$400
36	Garages	\$400
37	Community Facilities (recreational, etc.)	\$800
38	Golf Courses	\$400
39	Bowling Alleys	\$400
40	Boat Harbors	\$400
41	Supermarkets (not shopping centers)	\$600
42	Shopping Centers	\$800
43	Financial Buildings (Ins., Title, Banks, S&L)	\$400
44	Motels, Hotels & Mobile Home Parks	\$600
45	Theaters	\$600
46	Drive-In Theaters	\$400
47	Restaurants (not drive-in)	\$400
48	Multiple & Commercial	\$400

49	New Car Agencies	\$400
50	Vacant Land (not part of Ind. Park or P. & D.)	\$100
51	Industrial Park	\$800
52	Research & Development	\$400
53	Light Industrial	\$400
54	Heavy Industrial	\$400
55	Mini Warehouses (public storage)	\$600
56	Misc. Improvements	\$400
61	Rural, Res. Improvement 1A-10A	\$200
62	Rural, W/or w/o Structure 1A-10A	\$200
70	Convalescent Hospitals/Rest Homes	\$400
73	Hospitals	\$400
74	Cemeteries/Mortuaries	\$400
75	Fraternal & Service Organizations	\$400
76	Retirement Housing Complex	\$600
78	Parks & Playgrounds	\$800
85	Public & Private Parking	\$400
87	Common Area	\$400
88	Mobile Homes	\$200
89	Other (split parcels in different tax code areas)	\$200
99	Awaiting Assignment	\$200

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

Adopted this Resolution on 09/07/2021 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2021/269

RESOLUTION OF INTENTION TO FORM ZONE 214 OF COUNTY SERVICE AREA P-6 IN THE BAY POINT AREA

The Board of Supervisors of Contra Costa County RESOLVES:

1. The Board of Supervisors of Contra Costa County proposes the formation of new zone in the Bay Point area of County Service Area (CSA) P-6, pursuant to Article 8 of Chapter 2.3 of Part 2 of Division 2 of Title 3 of the California Government Code.
2. The boundaries of the territory to be included in the zone area are described in 'Exhibit A' and shown in 'Exhibit B', both of which are attached hereto and incorporated herein by this reference.
3. The formation of Zone 214 is proposed to provide the County of Contra Costa with a method of financing an increased level of police protection services to the area within the zone.
4. The proposed zone would provide a level of police protection services that exceeds the level of service outside the zone, and if approved by the voters, the proposed zone would generate additional revenue in the form of special taxes to fund the increase in this level of service.
5. The increase in the level of service would be financed through the levy of a voter-approved special tax on all taxable parcels within the zone.
6. The name proposed for the zone is "Zone 214" of CSA P-6.

NOW, THEREFORE, BE IT RESOLVED THAT at 9:00 a.m. on October 5, 2021, in the Chamber of the Board of Supervisors, County Administration Building, 1025 Escobar Street, Martinez, CA 94553, this Board will conduct a public hearing upon the proposed formation of Zone 214 of CSA P-6. The Clerk of the Board is hereby directed to give notice of the public hearing by (1) publishing a notice that complies with Government Code Section 25217, subdivision (d)(1), pursuant to Government Code Section 6061; (2) mailing the notice to all owners of property within the proposed zone; (3) mailing the notice to each city and special district that contains, or whose sphere of influence contains the proposed zone; and (4) verifying that the notice is posted in at least three public places within the territory of the proposed zone.

I hereby certify that this 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: Jennifer Cruz, (925) 655-2867

ATTESTED: September 7, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: October 5, 2021

Subject: HEARING TO CONSIDER THE PROPOSED FORMATION OF ZONE 1517 IN THE COUNTY SERVICE AREA OF P-6 IN THE WALNUT CREEK AREA OF THE COUNTY (DISTRICT II)

RECOMMENDATION(S):

1. OPEN the hearing on the proposed formation of Zone 1517 within County Service Area P-6; CONSIDER all oral and written comments; and CLOSE the hearing.

2. DETERMINE whether a majority protest of the voters residing within the boundaries of proposed Zone 1517 exists pursuant to Government Code Section 25217.1(b)(1). In the event that the Board determines a majority protest exists, TERMINATE the proceedings.

3. If the Board determines a majority protest does not exist, ADOPT Resolution No. 2021/309, attached hereto, establishing Zone 1517 of County Service Area P-6 subject to voter approval of a special tax to fund police protection services within the zone.

FISCAL IMPACT:

The cost of establishing the Police Service District and the election is paid for by the developer of the subdivision.

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

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Jennifer Cruz, (925) 655-2867

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Rosa Mena

BACKGROUND:

Per the conditions of approval for Subdivision No. 9547 (County File #SD20-9547), prior to recording the final map for the subdivision, the subdivider is required to establish a special police services tax district for the subdivision in order to provide additional funding to augment police services in the area of the subdivision. The property to be placed within the special tax district consists of a 0.98-acre site located at 2424 Olympic Boulevard in the unincorporated Walnut Creek area of the County.

On September 7, 2021, the Board granted conceptual approval for a December 7, 2021, ballot measure seeking approval of a special tax to fund an increase in the level of police protection services that is provided in the unincorporated Walnut Creek area of the County.

On September 7, 2021, the Board approved Resolution No. 2021/270, as required by Government Code Section 25217, subdivision (b), as the first step in forming a new zone within County Service Area (CSA) P-6. The proposed zone would serve as the vehicle to collect special taxes within the proposed zone if a special tax measure is approved by voters on December 7, 2021.

Pursuant to Government Code Section 25217.1, subdivision (a), at the public hearing, the Board is required to hear and consider any protests to the formation of the zone. Pursuant to Government Code Section 25217.1, subdivision (b)(1), in the case of inhabited territory, if at the conclusion of the public hearing, the Board determines that more than 50 percent of the total number of voters residing within the proposed zone have filed written objections to the formation, then the Board shall determine that a majority protest exists and terminate the proceedings.

If there is no majority protest, the Board may continue the proceedings to form the zone by adopting Resolution No. 2021/309, which would establish Zone 1517 subject to voter approval of the special tax. A separate hearing is also scheduled for October 5, 2021, to consider the adoption of an ordinance authorizing the levy of the tax.

CONSEQUENCE OF NEGATIVE ACTION:

Zone 1517 would not be formed and the subdivider would be unable to comply with the conditions of approval of the project. The subdivider would be unable to record the final map for the subdivision.

ATTACHMENTS

Resolution 2021/309

Exhibit A - Legal Description

Exhibit B - Plat Map

Resolution No. 2021/270

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

Adopted this Resolution on 10/05/2021 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2021/309

IN THE MATTER OF CREATING ZONE 1517 OF COUNTY SERVICE AREA P-6 IN THE UNINCORPORATED WALNUT CREEK AREA OF THE COUNTY

WHEREAS, this Board recognizes the need for increased police protection services in the above subject zone and the difficulty of funding the current or an increased level of services; and

WHEREAS, establishing the subject zone is a necessary step for the Board of Supervisors to seek voter approval of a special tax for increased police protection services in the zone area. Government Code Sections 25217 and 25217.1 establish procedures for the formation of a zone within a county service area;

NOW, THEREFORE, BE IT BY THE BOARD RESOLVED THAT:

1. It is in the public interest to provide an increased level of police protection services in the area of proposed Zone 1517 of County Service Area P-6.
2. A majority protest against the proposed formation of Zone 1517 does not exist, pursuant to Government Code Section 25217.1, subdivision (b).
3. Subject to voter approval of Ordinance No. 2021-30 on December 7, 2021, authorizing the levy of a special tax within proposed Zone 1517, that portion of Contra Costa County Service Area P-6 described in Exhibit A attached hereto and shown in Exhibit B attached hereto is established as Zone 1517 of County Service Area P-6, effective upon this Board's adoption of a resolution declaring the results of the December 7, 2021, election ("Effective Date").
4. No affected properties located in Zone 1517 will be taxed for any existing bonded indebtedness or contractual obligations as a result of the formation of said zone.
5. On or after the Effective Date, the Clerk of this Board shall cause the filing of a statement of the creation of said zone to be made with the County Assessor and the State Board of Equalization (in Sacramento) pursuant to Government Code Sections 54900-54902. The filing shall include a map or plat indicating the boundaries of said zone.

I hereby certify that this 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: Jennifer Cruz, (925) 655-2867

ATTESTED: October 5, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Rosa Mena

EXHIBIT A

LEGAL DESCRIPTION FOR

2424 Olympic Boulevard

Unincorporated area of Walnut Creek, Contra Costa County

APN 185-220-023

The Lands of Walnut Creek Ventures, INC. as described in that certain Corporation Grant Deed Recorded March 10, 2021 in the Office of the County Recorder of Contra Costa County in Series 2021-0072747, said Lands being more particularly described as follows:

A Portion of the Rancho San Ramon, described as follows:

Commencing on the southwesterly line of Freeman Road at the most western corner of Lot 1, as shown on the Map entitled "Sun Valley Orchards, 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 30, 1946, in Volume 31 of Maps, at Page 6; thence from said **Point of Commencement**, along the southerly line of said Sun Valley Orchards, as follows: South 72°11'05" East, 45.89 feet; South 84°01'35" East, 56.61 feet; South 87°49'10" East, 82.69 feet; South 79°29'50" East, 61.74 feet; South 65°30'30" East, 79.18 feet; South 70°28'35" East, 36.66 feet; South 89°23'35" East, 28.43 feet; North 81°35'35" East, 33.44 feet; North 85°54'55" East, 82.58 feet; North 85°02' East, 106.44 feet; North 82°27'30" East, 86.70 feet to the **Actual Point of Beginning** of the Parcel of Land to be described; thence from said **Actual Point of Beginning** continuing along said southerly line as follows: North 69°36'55" East, 96.43 feet; North 47°46' East, 79.01 feet; North 53°23'20" East, 126.20 feet; North 57°28'30" East, 42.21 feet; North 64°19' East, 101.70 feet to the east line of the 240.49 acre parcel described in the Deed from Benjamin Hodges to Ralph W. Kinney, dated September 3, 1907, and Recorded September 10, 1907 in Volume 129 of Deeds, at Page 126; thence along the east line of said 240.49 acre parcel, South 20°30'40" East, 105.16 feet to the north line of the Sacramento Northern Railway right of way, also being the northerly Right of Way Line of Olympic Boulevard as shown on the Map of Road Number 3441, Right of Way Record Map titled "Olympic Boulevard" Reliez Station Road to Tice Valley Boulevard", dated December 1966, thence along said northerly Right of Way Line South 58°41'09" West, 135.03 feet; thence along said northerly Right of Way Line along a tangent curve to the right, concave to the northwest, having a radius of 1402.69 feet, having an included angle of 12°21'59", an arc length of 302.75 feet to the most southerly corner of said Lands of Walnut Creek Ventures, INC.; thence along the southwest line of said Lands North 20°23' West, 72.83 feet to the **Actual Point of Beginning**.



Helmut R. Korstick (PLS 7739)

AT JULY 15, 2021 Date



LOT 5 (R1)
SUN VALLEY ORCHARDS
31 MAPS 6

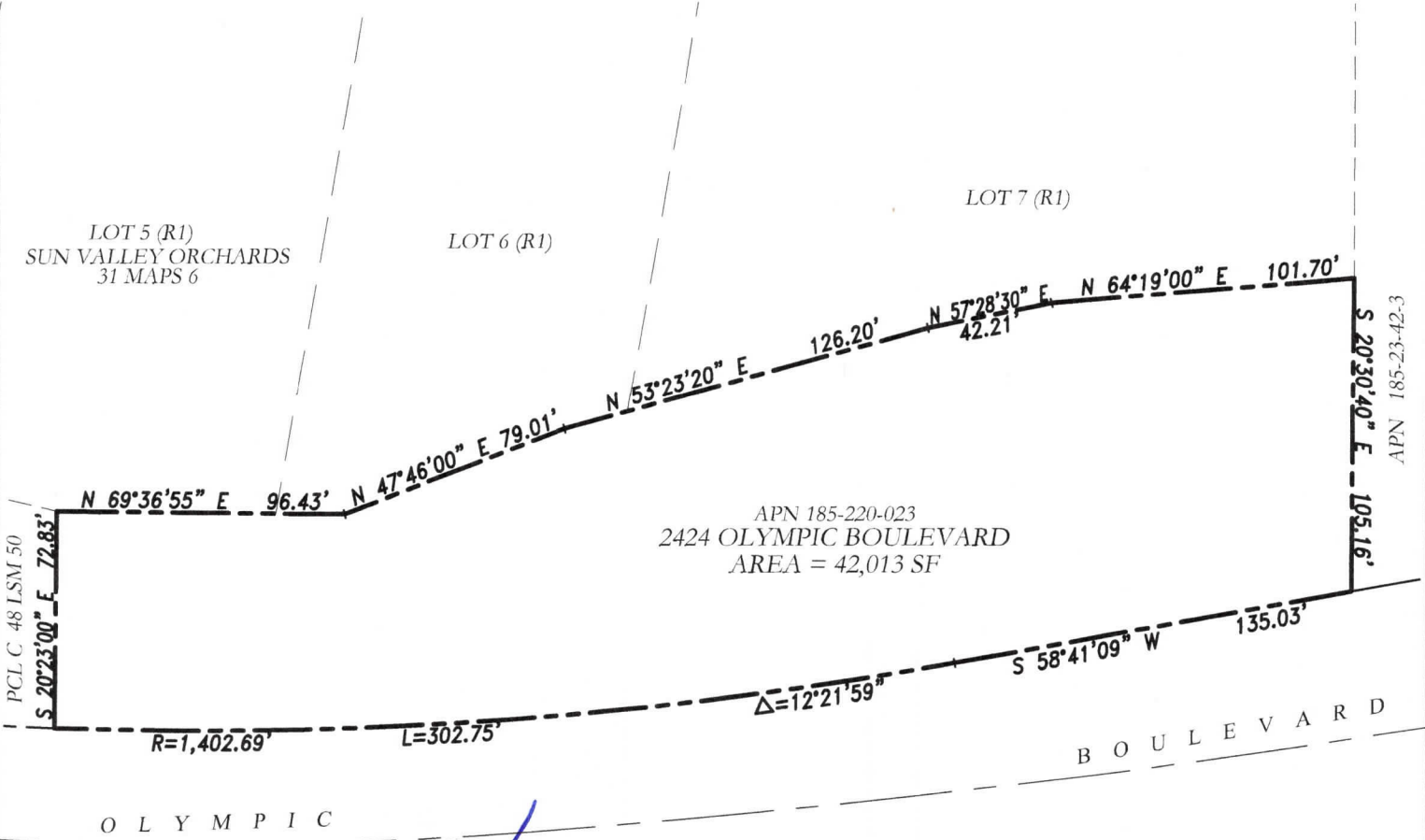
LOT 6 (R1)

LOT 7 (R1)

APN 185-220-023
2424 OLYMPIC BOULEVARD
AREA = 42,013 SF

APN 185-23-42-3

PCL C 48 LSM 50



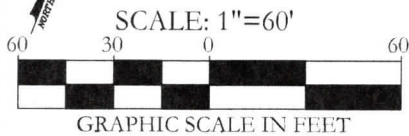
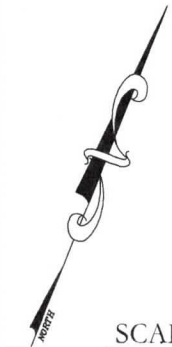
OLYMPIC

BOULEVARD



LEGEND

- DISTINCTIVE BORDER LINE/BOUNDARY
- OL-2 LINE CCC RW MAP



APN 185-220-023

EXHIBIT-A
SUBDIVISION 20-9547
2424 OLYMPIC BOULEVARD

SCALE:	1" = 60'
DATE:	JULY 14, 2021
PAGE:	2 of 2

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

Adopted this Resolution on 09/07/2021 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2021/270

RESOLUTION OF INTENTION TO FORM ZONE 1517 OF COUNTY SERVICE AREA P-6 IN THE UNINCORPORATED WALNUT CREEK AREA

The Board of Supervisors of Contra Costa County RESOLVES:

1. The Board of Supervisors of Contra Costa County proposes the formation of new zone in the Bay Point area of County Service Area (CSA) P-6, pursuant to Article 8 of Chapter 2.3 of Part 2 of Division 2 of Title 3 of the California Government Code.
2. The boundaries of the territory to be included in the zone area are described in 'Exhibit A' and shown in 'Exhibit B', both of which are attached hereto and incorporated herein by this reference.
3. The formation of Zone 1517 is proposed to provide the County of Contra Costa with a method of financing an increased level of police protection services to the area within the zone.
4. The proposed zone would provide a level of police protection services that exceeds the level of service outside the zone, and if approved by the voters, the proposed zone would generate additional revenue in the form of special taxes to fund the increase in this level of service.
5. The increase in the level of service would be financed through the levy of a voter-approved special tax on all taxable parcels within the zone.
6. The name proposed for the zone is "Zone 1517" of CSA P-6.

NOW, THEREFORE, BE IT RESOLVED THAT at 9:00 a.m. on October 5, 2021, in the Chamber of the Board of Supervisors, County Administration Building, 1025 Escobar Street, Martinez, CA 94553, this Board will conduct a public hearing upon the proposed formation of Zone 1517 of CSA P-6. The Clerk of the Board is hereby directed to give notice of the public hearing by (1) publishing a notice that complies with Government Code Section 25217, subdivision (d)(1), pursuant to Government Code Section 6061; (2) mailing the notice to all owners of property within the proposed zone; (3) mailing the notice to each city and special district that contains, or whose sphere of influence contains the proposed zone; and (4) verifying that the notice is posted in at least three public places within the territory of the proposed zone.

I hereby certify that this 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: Jennifer Cruz, (925) 655-2867

ATTESTED: September 7, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: October 5, 2021

Subject: HEARING TO CONSIDER ADOPTION OF PROPOSED SPECIAL TAX ORDINANCE AND AUTHORIZE ELECTION TO OBTAIN VOTER APPROVAL (DISTRICT II)

RECOMMENDATION(S):

1. OPEN hearing to consider adopting Ordinance No. 2021-30, authorizing the levy of a special tax for police protection services in Zone 1517 of County Service area P-6 in the unincorporated Walnut Creek area of the County; CONSIDER oral and written comments received; and CLOSE the public hearing.
2. ADOPT Ordinance No. 2021-30, attached hereto.
3. ADOPT Resolution No. 2021/310, attached hereto, authorizing an election in Zone 1517 of County Service Area P-6 to consider approval of Ordinance No. 2021-30.
4. DIRECT the County Clerk, Elections Division, to conduct the election required by Government Code Sections 23027 and 53978. This election shall be held on December 7, 2021.

FISCAL IMPACT:

The cost of establishing the Police Service District and election is paid for by the developer of the subdivision.

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

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Jennifer Cruz, (925) 655-2867

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Rosa Mena

BACKGROUND:

Per the conditions of approval for Subdivision No. 9547 (County File #SD20-9547), prior to recording the final map for the subdivision, the subdivider is required to establish a special Police Services tax district for the purposes of providing additional funding to augment police services in the area of the subdivision. The property to be subdivided and placed within the proposed special tax district consists of a 0.98-acre site located at 2424 Olympic Boulevard in the unincorporated Walnut Creek area of the County.

On September 7, 2021, the Board approved Resolution No. 2021/270, as required by Government Code Section 25217, subdivision (b), as the first step in forming a new zone within County Service Area (CSA) P-6 in the unincorporated Walnut Creek area of the County. The proposed zone would serve as the vehicle to collect special taxes within the boundaries of the zone if a special tax measure is approved by registered voters within the zone area at the December 7, 2021, election.

The Board is scheduled to conduct a separate hearing on October 5, 2021, on the formation of the proposed zone. If the Board determines there is no majority protest to the formation of this new zone, and if the Board adopts Resolution No. 2021/309, establishing CSA P-6, Zone 1517 subject to voter approval of the special tax, the next step in the process is the hearing on the adoption of a special tax ordinance, the adoption of that ordinance and adoption of a resolution submitting the tax measure to the voters.

In this action, the Board is asked to conduct the hearing on, and adopt, the special tax ordinance (Ordinance No. 2021-30), which would authorize the levy of a special tax for police protection services on all taxable parcels in the area of Zone 1517 if a special tax ballot measure is approved by a two-thirds majority of the registered voters in the zone area. Resolution No. 2021/310, the adoption of which is also recommended, sets forth appropriate ballot language, directs the County Clerk, Elections Division, to conduct the aforementioned election as part of the December 7, 2021, election, and supplies appropriate ballot language.

CONSEQUENCE OF NEGATIVE ACTION:

The project developer would be unable to comply with the conditions of approval for the project. The developer would be unable to record the final map for the subdivision.

ATTACHMENTS

Resolution 2021/310

Exhibit A - Legal Description

Exhibit B - Plat Map

Exhibit C - Ordinance No. 2021-30

Resolution No. 2021/270

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

Adopted this Resolution on 10/05/2021 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2021/310

IN THE MATTER OF AUTHORIZING A SPECIAL TAX IN PROPOSED ZONE 1517 OF COUNTY SERVICE AREA P-6

WHEREAS, this Board recognizes the need for increased police protection services in the above subject zone and the difficulty of funding the current or an increased level of services. Government Code Sections 50077 and 53978 establish procedures for voter authorization of a special tax in order to provide additional funding for police protection;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Ordinance No. 2021-30, adopted on this date, is to be presented for approval of the voters of proposed Zone 1517 of County Service Area P-6 at the election to be held on December 7, 2021, according to the following ballot proposition:

"Shall Ordinance No. 2021-30, to provide additional funding for police protection services, be approved to authorize a special tax on property located in Zone 1517 of County Service Area P-6 in the unincorporated Walnut Creek area of the County, at an initial annual amount of \$200 per parcel for single-family, residential parcels, with higher and lower amounts for properties in other use categories identified in the ordinance, commencing with the tax year beginning July 1, 2022?"

2. The Contra Costa County Registrar of Voters is designated as the Election Official for this election, and the County Clerk, Elections Division, is hereby authorized and directed to provide all notices and take all other actions necessary to hold the election described in this resolution including, but not limited to, providing notices of times within which arguments for and against are to be submitted.

3. The County Administrator, or designee, shall serve as the Eligible Filer for purposes of filing necessary documents with the Elections Official to facilitate listing of the above ballot proposition.

I hereby certify that this 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: Jennifer Cruz, (925) 655-2867

ATTESTED: October 5, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Rosa Mena

EXHIBIT A

LEGAL DESCRIPTION FOR

2424 Olympic Boulevard

Unincorporated area of Walnut Creek, Contra Costa County

APN 185-220-023

The Lands of Walnut Creek Ventures, INC. as described in that certain Corporation Grant Deed Recorded March 10, 2021 in the Office of the County Recorder of Contra Costa County in Series 2021-0072747, said Lands being more particularly described as follows:

A Portion of the Rancho San Ramon, described as follows:

Commencing on the southwesterly line of Freeman Road at the most western corner of Lot 1, as shown on the Map entitled "Sun Valley Orchards, 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 30, 1946, in Volume 31 of Maps, at Page 6; thence from said **Point of Commencement**, along the southerly line of said Sun Valley Orchards, as follows: South 72°11'05" East, 45.89 feet; South 84°01'35" East, 56.61 feet; South 87°49'10" East, 82.69 feet; South 79°29'50" East, 61.74 feet; South 65°30'30" East, 79.18 feet; South 70°28'35" East, 36.66 feet; South 89°23'35" East, 28.43 feet; North 81°35'35" East, 33.44 feet; North 85°54'55" East, 82.58 feet; North 85°02' East, 106.44 feet; North 82°27'30" East, 86.70 feet to the **Actual Point of Beginning** of the Parcel of Land to be described; thence from said **Actual Point of Beginning** continuing along said southerly line as follows: North 69°36'55" East, 96.43 feet; North 47°46' East, 79.01 feet; North 53°23'20" East, 126.20 feet; North 57°28'30" East, 42.21 feet; North 64°19' East, 101.70 feet to the east line of the 240.49 acre parcel described in the Deed from Benjamin Hodges to Ralph W. Kinney, dated September 3, 1907, and Recorded September 10, 1907 in Volume 129 of Deeds, at Page 126; thence along the east line of said 240.49 acre parcel, South 20°30'40" East, 105.16 feet to the north line of the Sacramento Northern Railway right of way, also being the northerly Right of Way Line of Olympic Boulevard as shown on the Map of Road Number 3441, Right of Way Record Map titled "Olympic Boulevard" Reliez Station Road to Tice Valley Boulevard", dated December 1966, thence along said northerly Right of Way Line South 58°41'09" West, 135.03 feet; thence along said northerly Right of Way Line along a tangent curve to the right, concave to the northwest, having a radius of 1402.69 feet, having an included angle of 12°21'59", an arc length of 302.75 feet to the most southerly corner of said Lands of Walnut Creek Ventures, INC.; thence along the southwest line of said Lands North 20°23' West, 72.83 feet to the **Actual Point of Beginning**.



Helmut R. Korstick (PLS 7739)

AT JULY 15, 2021 Date



LOT 5 (R1)
SUN VALLEY ORCHARDS
31 MAPS 6

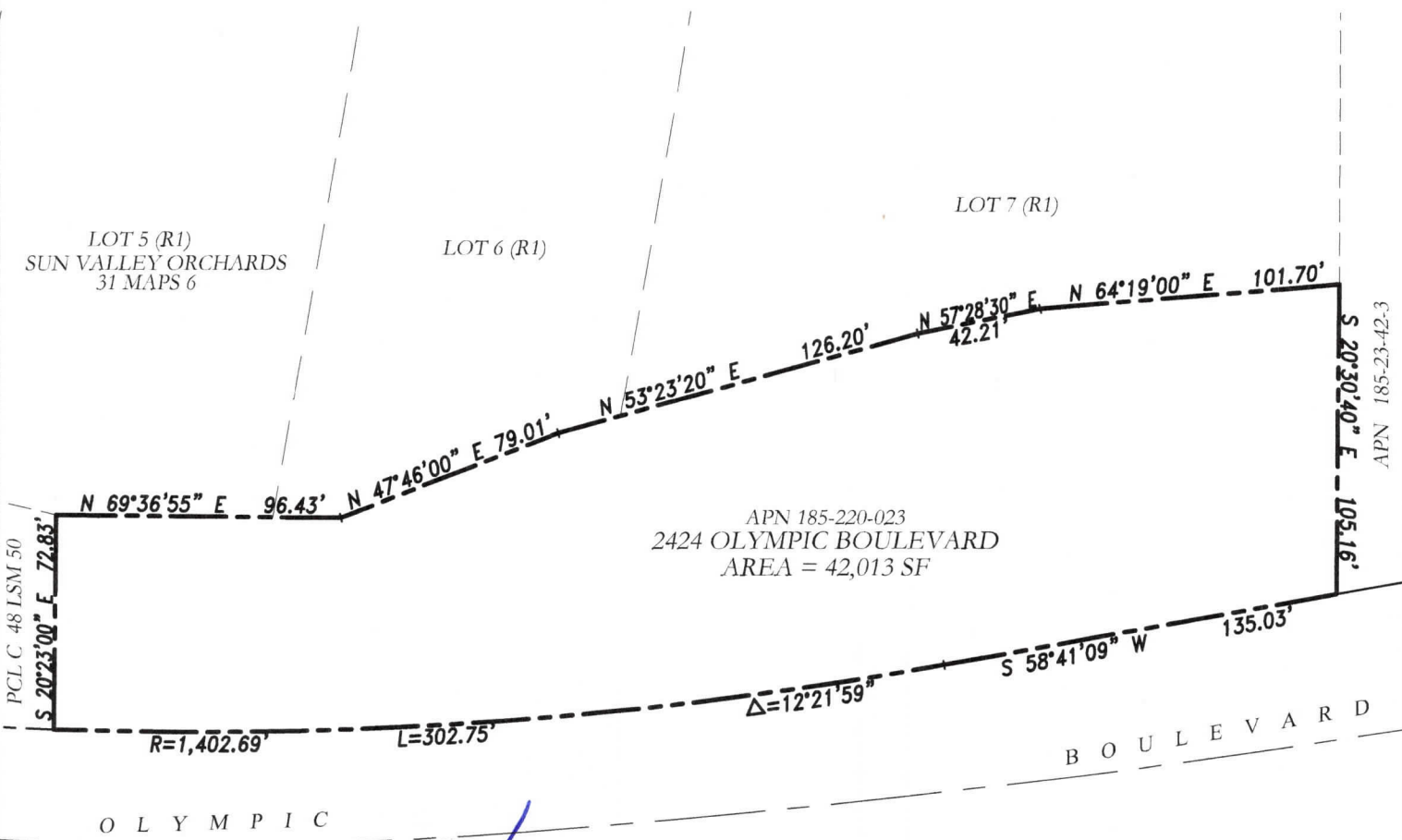
LOT 6 (R1)

LOT 7 (R1)

APN 185-220-023
2424 OLYMPIC BOULEVARD
AREA = 42,013 SF

APN 185-23-42-3

PCL C 48 LSM 50



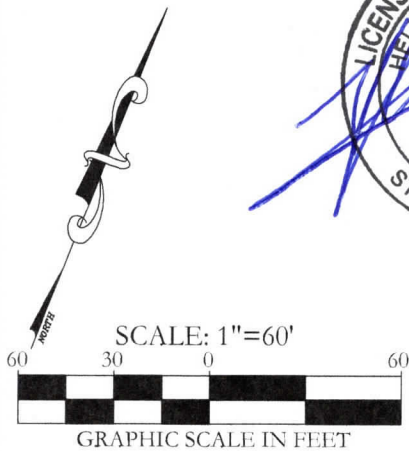
O L Y M P I C

B O U L E V A R D



LEGEND

- DISTINCTIVE BORDER LINE/BOUNDARY
- OL-2 LINE CCC RW MAP



APN 185-220-023

EXHIBIT-A
SUBDIVISION 20-9547
2424 OLYMPIC BOULEVARD

SCALE:	1" = 60'
DATE:	JULY 14, 2021
PAGE:	2 of 2

ORDINANCE NO. 2021-30
(Uncodified)

(An Ordinance of the Board of Supervisors of Contra Costa County)
Authorizing a Special Tax for Police Protection Services in Zone 1517
of County Service Area P-6

The Contra Costa County Board of Supervisors ORDAINS as follows:

ARTICLE I. PURPOSE AND INTENT. It is the purpose and intent of this Ordinance to authorize the levy of a tax on parcels of real property on the secured property tax roll of Contra Costa County that are within Zone 1517 of Contra Costa County Service Area No. P-6 in order to augment funding for police protection services.

This tax is a special tax within the meaning of Section 4 of Article XIII A of the California Constitution. Because the burden of this tax falls upon property, this tax also is a property tax, but this tax is not determined according to nor in any manner based upon the value of property; this tax is levied on a parcel and use of property basis. Insofar as not inconsistent with this Ordinance or with legislation authorizing special taxes and insofar as applicable to a property tax that is not based on value, such provisions of the California Revenue and Taxation Code and of Article XIII of the California Constitution as relate to *ad valorem* property taxes are intended to apply to the collection and administration of this tax (Article IV of this Ordinance), as authorized by law.

The revenues raised by this tax are to be used solely for the purposes of obtaining, furnishing, operating, and maintaining police protection equipment or apparatus, for paying the salaries and benefits of police protection personnel, and for such other police protection service expenses as are deemed necessary.

ARTICLE II. DEFINITIONS. The following definitions shall apply throughout the Ordinance:

1. "Parcel" means the land and any improvements thereon, designated by an assessor's parcel map and parcel number and carried on the secured property tax roll of Contra Costa County. For the purposes of the Ordinance, "parcel" does not include any land or improvements outside the boundaries of Zone 1517 of County Service Area P-6 nor any land or improvements owned by any governmental entity.

2. "Fiscal year" means the period of July 1 through the following June 30.

3. Contra Costa County Service Area P-6 Zone 1517 (hereinafter called "Zone") means that portion of unincorporated area of Contra Costa County located within the Zone's boundaries described and shown in Exhibits A and B attached hereto.

4. "Use Code" means the code number assigned by the Assessor of Contra Costa County in order to classify parcels according to use for *ad valorem* property tax purposes. A copy

of the Assessor’s use code classifications chart is attached hereto as Exhibit C and incorporated herein.

5. “Consumer Price Index” means the Consumer Price Index for all Urban Consumers (CPI-U) for the San Francisco-Oakland-San Jose Area (1982-84=100) as published by the U.S. Department of Labor, Bureau of Labor Statistics. If the Consumer Price Index is discontinued or revised, such other government index or computation with which it is replaced shall be used in order to obtain substantially the same result as would be obtained if the Consumer Price Index had not been discontinued of revised.

6. “Constant first year dollars” shall mean an actual dollar amount which, in years subsequent to the first fiscal year the tax is levied, shall have the same purchasing power as the base amount in first fiscal year dollars as measured by the Consumer Price Index. The base amount shall be the amount of tax per parcel as specified in Article III 1A herein. The adjustment from actual to constant dollars shall be made by use of the Consumer Price Index, as specified in Section III 1B herein.

ARTICLE III. AMOUNT AND LEVEL OF TAXES

1. The tax per year on each parcel in the Zone shall not exceed the amount applicable to the parcel as specified below.

A. For First Fiscal Year:

The tax per year for the first fiscal year (July 1, 2022 through June 30, 2023) shall be the Amount of Tax per Parcel for the Property Use Code Category as set forth in Exhibit D incorporated herein.

B. For Subsequent Fiscal Years:

In order to keep the tax on each parcel in constant first year dollars for each fiscal year subsequent to the first fiscal year, the tax per year shall by adjusted as set forth below to reflect any increase in the Consumer Price Index beyond the first fiscal year a tax is levied.

In July, the Board of Supervisors of Contra Costa County shall determine the amount of taxes to be levied upon the parcels in the Zone for the then current fiscal year as set forth below.

For each Property Use Category on Exhibit C, the tax per year on each parcel for each fiscal year subsequent to the first fiscal year shall be an amount determined as follows:

Tax Per Parcel For Then Current Fiscal Year	=	Tax Per Parcel For Previous Fiscal Year	X	(Consumer Price Index for April of Immediately <u>Preceding Fiscal Year</u>) (Consumer Price Index For the first Fiscal Year Of Levy)
---	---	---	---	---

In no event shall the tax per parcel for any fiscal year be less than the amount established for the first fiscal year.

2. The taxes levied on each parcel pursuant to this Article shall be a charge upon the parcel and shall be due and collectible as set forth in Article IV, below. A complete listing of the amount of taxes on each Zone shall be maintained by the Sheriff-Coroner of the County of Contra Costa at Martinez, California, and be available for public inspection during the remainder of the fiscal year for which such taxes are levied.

ARTICLE IV. COLLECTION AND ADMINISTRATION.

1. Taxes as Liens Against the Property.

The amount of taxes for each parcel each year shall constitute a lien on such property, in accordance with Revenue and Taxation Code section 2187, and shall have the same effect as an *ad valorem* real property tax lien until fully paid.

2. Collection.

The taxes on each parcel shall be billed on the secured roll tax bills for *ad valorem* property taxes and shall be due the County of Contra Costa. Insofar as feasible and insofar as not inconsistent with this Ordinance, the taxes are to be collected in the same manner in which the County collects secured roll *ad valorem* property taxes. Insofar as feasible and insofar as not inconsistent with the Ordinance, the times and procedure regarding exemptions, due dates, installment payments, corrections, cancellations, refunds, late payments, penalties, liens, and collection for secured roll *ad valorem* property taxes shall be applicable to the collection of this tax. Notwithstanding anything to the contrary in the foregoing, as to this tax: 1) the secured roll tax bills shall be the only notices required for this tax, and 2) the homeowner and veterans exemptions shall not be applicable because such exemptions are determined by dollar amount value.

3. Costs of Administration by the County.

The reasonable costs incurred by the County officers collecting and administering this tax shall be deducted from the collected taxes.

ARTICLE V. ACCOUNTABILITY MEASURES.

1. Account.

Upon the levy and collection of the tax authorized by this ordinance, an account shall be created into which the proceeds of the tax will be deposited. The proceeds of the tax authorized by this Ordinance shall be applied only to the specific purposes identified in this Ordinance.

2. Annual Report.

An annual report that complies with the requirements of Government Code section 50075.3 shall be filed with the Board of Supervisors of Contra Costa County no later than January 1 of each fiscal year in which the tax is levied.

ARTICLE V. SEVERABILITY CLAUSE

If any article, section, subsection, sentence, phrase of clause of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The voters of the Zone hereby declare that they would have adopted the remainder of the Ordinance, including each article, section, subsection, sentence phrase or clause, irrespective of the invalidity of any other article, section, subsection, sentence, phrase or clause.

ARTICLE VI. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its confirmation by two-thirds of the voters voting within Zone 1517 in an election to be held on December 7, 2021, so that taxes shall first be collected hereunder for the tax year beginning July 1, 2022. Within 15 days of passage, this Ordinance shall be published once, with the names of the Supervisors voting for and against it, in the Contra Costa Times, a newspaper of general circulation published in this County.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors, County of Contra Costa, State of California, on October 5, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: MONICA NINO, Clerk of the Board of Supervisors and County Administrator

By: _____
Deputy

Chair of the Board of Supervisors

[SEAL]

EXHIBIT A

LEGAL DESCRIPTION FOR

2424 Olympic Boulevard

Unincorporated area of Walnut Creek, Contra Costa County

APN 185-220-023

The Lands of Walnut Creek Ventures, INC. as described in that certain Corporation Grant Deed Recorded March 10, 2021 in the Office of the County Recorder of Contra Costa County in Series 2021-0072747, said Lands being more particularly described as follows:

A Portion of the Rancho San Ramon, described as follows:

Commencing on the southwesterly line of Freeman Road at the most western corner of Lot 1, as shown on the Map entitled "Sun Valley Orchards, 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 30, 1946, in Volume 31 of Maps, at Page 6; thence from said **Point of Commencement**, along the southerly line of said Sun Valley Orchards, as follows: South 72°11'05" East, 45.89 feet; South 84°01'35" East, 56.61 feet; South 87°49'10" East, 82.69 feet; South 79°29'50" East, 61.74 feet; South 65°30'30" East, 79.18 feet; South 70°28'35" East, 36.66 feet; South 89°23'35" East, 28.43 feet; North 81°35'35" East, 33.44 feet; North 85°54'55" East, 82.58 feet; North 85°02' East, 106.44 feet; North 82°27'30" East, 86.70 feet to the **Actual Point of Beginning** of the Parcel of Land to be described; thence from said **Actual Point of Beginning** continuing along said southerly line as follows: North 69°36'55" East, 96.43 feet; North 47°46' East, 79.01 feet; North 53°23'20" East, 126.20 feet; North 57°28'30" East, 42.21 feet; North 64°19' East, 101.70 feet to the east line of the 240.49 acre parcel described in the Deed from Benjamin Hodges to Ralph W. Kinney, dated September 3, 1907, and Recorded September 10, 1907 in Volume 129 of Deeds, at Page 126; thence along the east line of said 240.49 acre parcel, South 20°30'40" East, 105.16 feet to the north line of the Sacramento Northern Railway right of way, also being the northerly Right of Way Line of Olympic Boulevard as shown on the Map of Road Number 3441, Right of Way Record Map titled "Olympic Boulevard" Reliez Station Road to Tice Valley Boulevard", dated December 1966, thence along said northerly Right of Way Line South 58°41'09" West, 135.03 feet; thence along said northerly Right of Way Line along a tangent curve to the right, concave to the northwest, having a radius of 1402.69 feet, having an included angle of 12°21'59", an arc length of 302.75 feet to the most southerly corner of said Lands of Walnut Creek Ventures, INC.; thence along the southwest line of said Lands North 20°23' West, 72.83 feet to the **Actual Point of Beginning**.



Helmut R. Korstick (PLS 7739)

AT JULY 15, 2021 Date



LOT 5 (R1)
SUN VALLEY ORCHARDS
31 MAPS 6

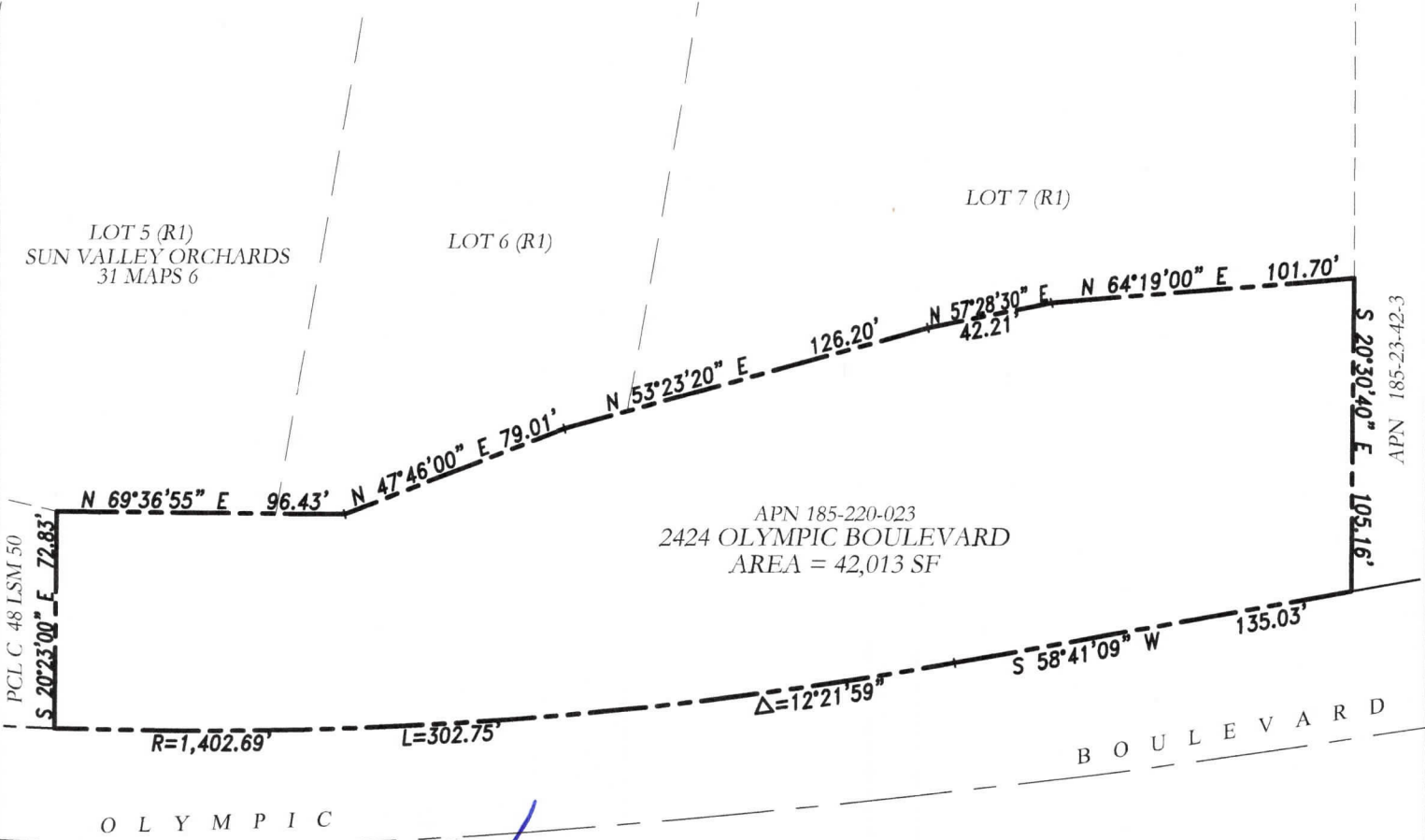
LOT 6 (R1)

LOT 7 (R1)

APN 185-220-023
2424 OLYMPIC BOULEVARD
AREA = 42,013 SF

APN 185-23-42-3

PCL C 48 LSM 50



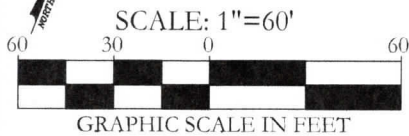
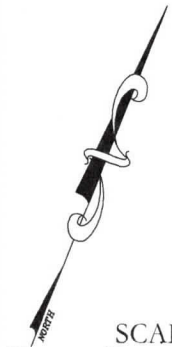
O L Y M P I C

B O U L E V A R D



LEGEND

- DISTINCTIVE BORDER LINE/BOUNDARY
- OL-2 LINE CCC RW MAP



APN 185-220-023

EXHIBIT-A
SUBDIVISION 20-9547
2424 OLYMPIC BOULEVARD

SCALE:	1" = 60'
DATE:	JULY 14, 2021
PAGE:	2 of 2

Exhibit C

Zone 1517

REJECT AND CONFIRMATION CODES	USE CODES								RESPONSIBILITY CODES
	RESIDENTIAL	MULTIPLE	COMMERCIAL	COMMERCIAL	INDUSTRIAL	LAND	INSTITUTIONAL	MISCELLANEOUS	
REJECT CODES 0 Normal Sale 1 Sold Part of a Split 3 Sales With Other Parcels 4 Hidden Stamps 5 Investigate Sale 7 Restricted Sale 8 Assumption 9 No Exemption Change U Unrecorded Documents NOTE: Reject Codes 0 & 1 "identify" sales. They do not reject them. Such sales (when confirmed) are used in statistics. Sales with other codes ARE rejected & do not enter into statistics.	10	20	30	40	50	60	70	80	1 Residential 2 Multiple Residential 3 Commercial/Industrial 4 Commercial/Industrial 5 Commercial/Industrial 6 Land 7 Commercial/Industrial 8 Residential (Unparcelized Condos) (88-8 = Floating Homes) 9 Unassigned
	Vacant, Unbuildable	Vacant	Vacant Land	Boat Harbors (-4)	Vacant Land	Unassigned	Intermediate Care Facil. (Rehab, Skilled Nursing) (-7)	Mineral Rights (productive/non-productive)	
	11	21	31	41	51	61	71	81	
	Single Family 1 Res on 1 Site & Duets without Common Areas	Duplex	Commercial Stores (not Supermarkets)	Supermarkets (not in shopping centers)	Industrial Park (with structures)	Rural, Residential Improved 1A up to 10A	Churches	Private Roads	
	12	22	32	42	52	62	72	82	
	Single Family 1 Res on 2 or More Sites	Triplex	Small Grocery Stores (7-11, Mom & Pop, Quick-Stop)	Shopping Centers (all pcls incl vac for future shopping center)	Research and Development, with or without structures; flexible use	Rural, with or without Misc. Structures 1A up to 10A	Schools & Colleges (public or private, with or without improvements)	Pipelines and Canals	
	13	23	33	43	53	63	73	83	
	Single Family 2 or More Res on 1 or More Sites	Fourplex	Office Buildings	Financial Bldgs. (Ins. & Title Companies, Banks, S & L)	Light Industrial	Urban Acreage 10A up to 40A	Acute Care Hospitals, with or withoutimps	State Board Assessed Parcels	
	14	24	34	44	54	64	74	84	
	Single Family On other than Single Family Land	Combinations; e.g., Single and a Double, etc.	Medical; Dental	Motels, Hotels (-4) & Mobile Home Parks (-7)	Heavy Industrial (-5) Alpha	Urban Acreage 40A and over	Cemeteries (-7) & Mortuaries (-3)	Utilities, with or without bldgs (not assessed by SBE)	
15	25	35	45	55	65	75	85		
Miscellaneous Improvements, 1 Site	Apartments, 5-12 units, inclusive	Service Stations; Car Washes; Bulk Plants, Mini Lube	Theaters	Mini-Warehouse (Public Storage)	Orchards, Vineyards, Row Crops, Irrig. Past. 10A up to 40A	Fraternal and Service Organizations; Group Homes, Shelters	Public and Private Parking		
16	26	36	46	56	66	76	86		
Misc. Imps. On 2 or More Sites; includes trees & vines	Apartments, 13-24 units, inclusive	Auto Repair	Drive-In Restaurants (Hamburger, Taco, etc)	Misc. Imps. including T&V on Light or Heavy Industrial	Orchards, Vineyards, Row Crops, Irrig. Past. 40A & over	Residential Care Facil. (Congregate Housing, Assisted Living) (-7)	Taxable Municipally-Owned Property (Section 11)		
17	27	37	47	57	67	77	87		
Vacant, 1 Site (includes PUD sites)	Apartments, 25-59 units, inclusive	Community Facilities; Recreational; Swim Pool Assn.	Restaurants (not drive-in; inside service only)	Unassigned	Dry Farming, Farming, Grazing & Pasturing 10A up to 40A	Cultural Uses (Libraries, Museums)	Common Area pcls in PUD's (Open Spaces, Rec. Facilities)		
18	28	38	48	58	68	78	88		
Vacant, 2 or More Sites	Apartments, 60 units or more	Golf Courses	Multiple and Commercial; Miscellaneously Improved	Unassigned	Dry Farming, Farming, Grazing & Pasturing 40A & over	Parks and Playgrounds	Manufactured Hsng. (-4) Accessories, (-7) MH on local property tax Floating Homes (-8)		
19	29	39	49	59	69	79	89		
Single Family Res. Detached, w/Common Area (normal subdiv. type PUD); Duets w/Common Area	Attached PUD's, Cluster Homes, Co-ops, Condos, Townhouses, etc. (-1,-2) Single Fam.	Bowling Alleys	Auto Agencies	Pipeline Rights-Of-Way	Agricultural Preserves	Government-owned, with or without bldgs (Fed, State, County, City, SFBART, EBRPD)	Other; Split parcels in different tax code areas		
						90	Awaiting Assignment		

ORDINANCE NO. 2021-30 ZONE 1517

FOR FISCAL YEAR JULY 1, 2022, THROUGH JUNE 30, 2023

EXHIBIT D

<u>PROPERTY USE CODE CATEGORY</u>	<u>EXPLANATION</u>	<u>ANNUAL TAX PER PARCEL</u>
11	Single Family Residence – 1 residence, 1 site	\$200
12	Single Family Residence- 1 residence, 2 or more sites	\$200
13	Single Family Residence- 2 residences on 1 or more sites	\$200
14	Single Family Residence – other than single family land	\$200
15	Misc. Improvements – 1 site	\$200
16	Misc. Improvements – 2 or more sites	\$200
17	Vacant – 1 site	\$100
18	Vacant – 2 or more sites	\$100
19	Single Family Residence - Det. w/common area	\$200
20	Vacant – Multiple	\$100
21	Duplex	\$200
22	Triplex	\$200
23	Fourplex	\$200
24	Combination	\$200
25	Apartments (5-12 units)	\$400
26	Apartments (13-24 units)	\$400
27	Apartments (25-59 units)	\$600

28	Apartments (60+ units)	\$800
29	Attached PUDs: Cluster Homes, Condos, Etc.	\$200
30	Vacant – Commercial	\$100
31	Commercial Stores – Not Supermarkets	\$600
32	Small Grocery Stores (7-11, etc.)	\$600
33	Office Buildings	\$400
34	Medical, Dental	\$400
35	Service Stations, Car Wash	\$400
36	Garages	\$400
37	Community Facilities (recreational, etc.)	\$800
38	Golf Courses	\$400
39	Bowling Alleys	\$400
40	Boat Harbors	\$400
41	Supermarkets (not shopping centers)	\$600
42	Shopping Centers	\$800
43	Financial Buildings (Ins., Title, Banks, S&L)	\$400
44	Motels, Hotels & Mobile Home Parks	\$600
45	Theaters	\$600
46	Drive-In Theaters	\$400
47	Restaurants (not drive-in)	\$400
48	Multiple & Commercial	\$400

49	New Car Agencies	\$400
50	Vacant Land (not part of Ind. Park or P. & D.)	\$100
51	Industrial Park	\$800
52	Research & Development	\$400
53	Light Industrial	\$400
54	Heavy Industrial	\$400
55	Mini Warehouses (public storage)	\$600
56	Misc. Improvements	\$400
61	Rural, Res. Improvement 1A-10A	\$200
62	Rural, W/or w/o Structure 1A-10A	\$200
70	Convalescent Hospitals/Rest Homes	\$400
73	Hospitals	\$400
74	Cemeteries/Mortuaries	\$400
75	Fraternal & Service Organizations	\$400
76	Retirement Housing Complex	\$600
78	Parks & Playgrounds	\$800
85	Public & Private Parking	\$400
87	Common Area	\$400
88	Mobile Homes	\$200
89	Other (split parcels in different tax code areas)	\$200
99	Awaiting Assignment	\$200

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

Adopted this Resolution on 09/07/2021 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2021/270

RESOLUTION OF INTENTION TO FORM ZONE 1517 OF COUNTY SERVICE AREA P-6 IN THE UNINCORPORATED WALNUT CREEK AREA

The Board of Supervisors of Contra Costa County RESOLVES:

1. The Board of Supervisors of Contra Costa County proposes the formation of new zone in the Bay Point area of County Service Area (CSA) P-6, pursuant to Article 8 of Chapter 2.3 of Part 2 of Division 2 of Title 3 of the California Government Code.
2. The boundaries of the territory to be included in the zone area are described in 'Exhibit A' and shown in 'Exhibit B', both of which are attached hereto and incorporated herein by this reference.
3. The formation of Zone 1517 is proposed to provide the County of Contra Costa with a method of financing an increased level of police protection services to the area within the zone.
4. The proposed zone would provide a level of police protection services that exceeds the level of service outside the zone, and if approved by the voters, the proposed zone would generate additional revenue in the form of special taxes to fund the increase in this level of service.
5. The increase in the level of service would be financed through the levy of a voter-approved special tax on all taxable parcels within the zone.
6. The name proposed for the zone is "Zone 1517" of CSA P-6.

NOW, THEREFORE, BE IT RESOLVED THAT at 9:00 a.m. on October 5, 2021, in the Chamber of the Board of Supervisors, County Administration Building, 1025 Escobar Street, Martinez, CA 94553, this Board will conduct a public hearing upon the proposed formation of Zone 1517 of CSA P-6. The Clerk of the Board is hereby directed to give notice of the public hearing by (1) publishing a notice that complies with Government Code Section 25217, subdivision (d)(1), pursuant to Government Code Section 6061; (2) mailing the notice to all owners of property within the proposed zone; (3) mailing the notice to each city and special district that contains, or whose sphere of influence contains the proposed zone; and (4) verifying that the notice is posted in at least three public places within the territory of the proposed zone.

I hereby certify that this 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: Jennifer Cruz, (925) 655-2867

ATTESTED: September 7, 2021

Monica Nino, 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: October 5, 2021

Subject: Approve & Authorize lane closures on Sunday, November 28, 2021, between 4:30 PM and 6:30 PM, for the Annual Alamo Tree Lighting Festival, Alamo area.

RECOMMENDATION(S):

ADOPT Resolution No. 2021/288 approving and authorizing the Public Works Director, or designee, to fully close the northbound lanes of Danville Boulevard between Orchard Lane and Jackson Way, Jackson Way at the intersection with Danville Boulevard, on Sunday, November 28, 2021, from 4:30 p.m. through 6:30 p.m., for the purpose of Annual Alamo Tree Lighting Festival, Alamo area. (District II)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

Applicant shall follow guidelines set forth by the Public Works Department. The closures are required for the safety of pedestrian ingress and egress while attending the Annual Alamo Tree Lighting Festival, sponsored by County Service Area R-7 (CSA R-7), at the Andrew H. Young Park, Alamo area. The Alamo Tree Lighting Festival is a collaborative effort by the Community Foundation of Alamo and the Alamo Rotary Club. CSA R-7 contributes the use of Andrew H. Young Park and provides funding to decorate the park with holiday lights.

CONSEQUENCE OF NEGATIVE ACTION:

Applicant will be unable to close the road for planned activities.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Bob Hendry (925)
374-2136

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Larry Gossett- Engineering Services, Randolph Sanders- Engineering Services, Bob Hendry -Engineering Services, CHP, Sheriff - Patrol Division Commander, Carl Roner- Special Districts, Rochelle Johnson - Special Districts

ATTACHMENTS

Resolution No.

2021/288

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

Adopted this Resolution on 10/05/2021 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2021/288

IN THE MATTER OF: Approving and Authorizing the Public Works Director, or designee, to fully close the northbound lanes of Danville Boulevard between Orchard Lane and Jackson Way, and to fully close Jackson Way at the intersection with Danville Boulevard, on Sunday, November 28, 2021, from 4:30 p.m. through 6:30 p.m., for the purpose of the Annual Alamo Tree Lighting Festival, Alamo area. (District II)

RC21-20

Now, Therefore, Be It Resolved that permission is granted to Rotary Club of Alamo to fully close the northbound lanes of Danville Boulevard between Orchard Lane and Jackson Way, and to fully close Jackson Way at the intersection with Danville Boulevard, except for emergency traffic, on Sunday, November 28, 2021, for the period of 4:30 p.m. through 6:30 p.m., subject to the following conditions:

1. Traffic will be detoured per traffic control plan reviewed by Public Works.
2. All signing to be in accordance with the California Manual on Uniform Traffic Control Devices.
3. Rotary Club of Alamo shall comply with the requirements of the Ordinance Code of Contra Costa County.
4. Rotary Club of Alamo shall provide the County with a Certificate of Insurance in the amount of \$1,000,000.00 for Comprehensive General Public Liability which names the County as an additional insured prior to permit issuance.
5. Rotary Club of Alamo shall obtain approval for the closure from the Sheriff's Department, the California Highway Patrol and the Fire District.

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

Contact: Bob Hendry (925) 374-2136

ATTESTED: October 5, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Larry Gossett- Engineering Services, Randolph Sanders- Engineering Services, Bob Hendry -Engineering Services, CHP, Sheriff - Patrol Division Commander, Carl Roner- Special Districts, Rochelle Johnson - Special Districts



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: October 5, 2021

Subject: APPROVE the Franklin Canyon Road Safety Improvements Project and take related actions under CEQA.

RECOMMENDATION(S):

APPROVE the Franklin Canyon Road Safety Improvements Project (Project) and AUTHORIZE the Public Works Director, or designee, to advertise the Project, Martinez area. [County Project No. WO#4156/Federal Project No.HSIPSL-5928(161), DCD-CP#21-30] (District V).

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

DIRECT the Director of Department of Conservation and Development to file a Notice of Exemption with the County Clerk, and

AUTHORIZE the Public Works Director or designee to arrange for payment of a \$25 fee to the Department of Conservation and Development for processing, and a \$50 fee to the County Clerk for filing the Notice of Exemption.

FISCAL IMPACT:

Estimated Project cost: \$612,400. 92% Highway Safety Improvement Program Funds, 8% Local Road Funds.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Alex Nattkemper
925-313-2364

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Alex Nattkemper, Claudia Gemberling

BACKGROUND:

The purpose of the Project is to improve roadway safety along the unincorporated segment of Franklin Canyon Road near the City of Martinez. The two-lane major collector is set in a rural area with winding curves, narrow lanes, and narrow shoulders. The Project will install 12-inch wide centerline rumble strips along the entire 3.41-mile segment of Franklin Canyon Road between Cummings Skyway and Dutra Road.

CONSEQUENCE OF NEGATIVE ACTION:

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

ATTACHMENTS

CEQA Document



CALIFORNIA ENVIRONMENTAL QUALITY ACT
Notice of Exemption

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

From: Contra Costa County
Department of Conservation and
Development
30 Muir Road
Martinez, CA 94553

[x] County Clerk, County of Contra Costa

Project Title: Franklin Canyon Road Safety Improvements, WO# 4156, and CP#21-30
Project Applicant: Contra Costa County Public Works Dept., 255 Glacier Drive, Martinez CA 94553
Contact: Alex Nattkemper (925) 313-2364
Project Location: Franklin Canyon Road between Cummings Skyway and Dutra Road, Martinez area.
Lead Agency: Department of Conservation and Development, 30 Muir Road, Martinez, CA 94553
Contact: Telma B. Moreira (925) 655-2863

Project Description: The purpose of this project is to improve roadway safety along the unincorporated segment of Franklin Canyon Road near the City of Martinez. The two-lane major collector is set in a rural area with winding curves, narrow lanes, and narrow shoulders. The roadway acts as an alternative route to Highway 4 and connects Central Contra Costa County with West Contra Costa County. The project will install 12-inch wide centerline rumble strips along the entire 3.41-mile segment of Franklin Canyon Road between Cummings Skyway and Dutra Road. The centerline striping will be reestablished with thermoplastic paint. The anticipated depth of excavation for the rumble strips is 5/16 inch. Temporary traffic control will be necessary.

Exempt Status:

- [] Ministerial Project (Sec. 21080[b][1]; 15268) [x] Categorical Exemption (Sec. 15301[c])
[] Declared Emergency (Sec. 21080[b][3]; 15269[a]) [] General Rule of Applicability (Sec. 15061[b][3])
[] Emergency Project (Sec. 21080[b][4]; 15269[b][c]) [] Other Statutory Exemption (Sec.)

Reasons why project is exempt: The project consists of minor alteration of existing public facilities, involving no expansion of existing use, pursuant to section 15301[c] of the CEQA guidelines.

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the [] Yes [] No project?

Signature: Telma B. Moreira Date 9/7/2021 Title Principal Planner

Contra Costa County Department of Conservation and Development

[x] Signed by Lead Agency [] Signed by Applicant

AFFIDAVIT OF FILING AND POSTING

I declare that on _____ I received and posted this notice as required by California Public Resources Code Section 21152(c). Said notice will remain posted for 30 days from the filing date.

Signature

Title

Applicant

Public Works Department
255 Glacier Drive
Martinez, CA 94553
Attn: Alex Nattkemper *cg*
Environmental Services Division
Phone: (925) 313-2364

Department of Fish and Wildlife Fees Due

- De Minimis Finding - \$0
- County Clerk - \$50
- Conservation and Development - \$25

Total Due: \$75

Receipt #: _____




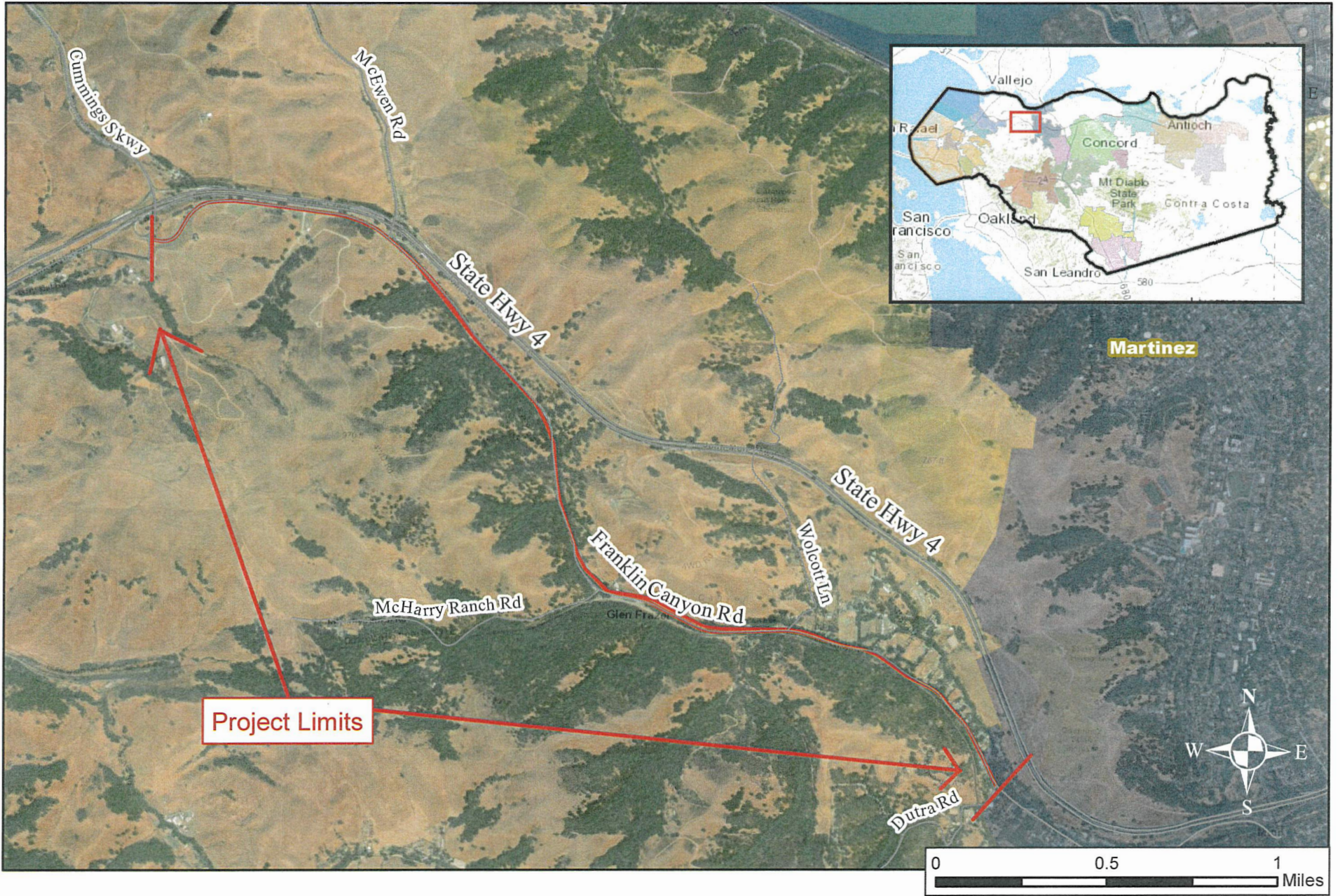
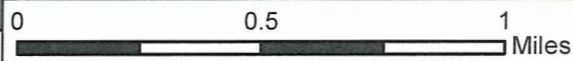
 <p>Contra Costa County Public Works Department</p> <p>255 GLACIER DRIVE MARTINEZ, CALIFORNIA 94553 PH: (925) 313-2000 FAX: (925) 313-2333</p>	<p>PROJECT LOCATION MAP - CONTRA COSTA COUNTY</p> <p>Franklin Canyon Road Safety Improvements</p>			
	FEDERAL ID NO:	DB: AZ CB: JV	DATE: OCT 2020	Page 1 of 1

Figure 1



Project Limits

Martinez



Contra Costa County
**Public Works
 Department**

255 GLACIER DRIVE MARTINEZ, CALIFORNIA 94553 PH: (925) 313-2000 FAX: (925) 313-2333

PROJECT VICINITY MAP - CONTRA COSTA COUNTY

**Franklin Canyon Road
 Safety Improvements**

FEDERAL ID NO:

DB: AZ CB: JV

DATE: JUNE 2021

Sheet 1 of 1

Figure 2



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: October 5, 2021

Subject: Assignment and Assumption Agreement and Amendment with Dewberry | Drake Haglan, Countywide.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute an amendment with Dewberry Engineers Inc. (dba Dewberry | Drake Haglan), acknowledging the Assignment and Assumption Agreement between Drake, Haglan & Associates, Inc., and Dewberry Engineers Inc., effective September 28, 2019, with no change to the original payment limit of \$250,000 and the term May 21, 2019 through May 7, 2022, for on-call civil engineering services, Countywide. (Project No. Various) (All Districts)

FISCAL IMPACT:

There is no fiscal impact with this action. Work performed under the on-call contract is funded by developer fees, local, state and federal funds for road, flood control and airport projects.

BACKGROUND:

The Public Works Department is involved in various projects in the County that require civil engineering services for road, flood control, and airport projects. After a solicitation process, the County contracted with Drake Haglan & Associates, Inc. on May 21, 2019, as one of eight firms to provide civil engineering services on an “on-call” basis. The Consultant augments Public Works staff on an as-needed basis. They are used as an extension of Public

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

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Adelina Huerta,
925.313.2305

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Works staff during busy times when extra help is needed or when in-house expertise is not available. This on-call contract is in effect for thirty-six months.

On September 28, 2019, Dewberry Engineers Inc. (dba Dewberry | Drake Haglan) was assigned the Project's agreement from Drake, Haglan & Associates, Inc., through an Assignment and Assumption Agreement. The Acknowledgement of Assignment and Assumption Agreement and Amendment provides for the acknowledgement of the assignment of the County agreement from Drake, Haglan & Associates, Inc., to Dewberry Engineers Inc. (dba Dewberry | Drake Haglan), which is necessary for the continuation of on-call civil engineering services support through the remainder of the original period the contract is in effect.

Government Code Section 31000 and 4525 authorizes the County to contract for services including the type of civil engineering that Dewberry Engineers Inc. (dba Dewberry | Drake Haglan) provides.

CONSEQUENCE OF NEGATIVE ACTION:

Without approval from the Board of Supervisors, there is possible delay in completing projects requiring civil engineering services. Executing this contract will facilitate the process of design and construction for various Public Works projects requiring civil engineering expertise.



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: October 5, 2021

Subject: ACCEPT the 2019-2021 Report of Real Estate Acquisition Acceptances dated July 1, 2019 through June 30, 2021, Countywide.

RECOMMENDATION(S):

ACCEPT the 2019-2021 Report of Real Estate Acquisition Acceptances dated July 1, 2019 through June 30, 2021, approved by the Public Works Director for the acquisitions of any interest in real property where the purchase price for the real property interest did not exceed \$100,000, in the Alamo, Antioch, Brentwood, Byron, Clayton, Concord, Martinez, Pleasant Hill, Richmond, and San Pablo areas.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

Pursuant to the Contra Costa County, Ordinance Code, Title 11, Division 1108, Chapter 1108-8.002, "The Board of Supervisors authorizes the Public Works Director, or designated deputy, to perform all acts necessary to approve and accept, for the County, the acquisition of any interest in real property where the purchase price for the real property interest does not exceed one hundred thousand dollars." The Public Works Director shall submit a semi-annual

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Scarlett Torres, 925.
957-2466

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Auditor Controller , Karen Piona, Records, Wiley Osborn, PW Information Technology

BACKGROUND: (CONT'D)

report to the Board of Supervisors on each acquisition done pursuant to this section, including the interest acquired, its price, and the necessity for the purchase, which is described in the attached Acceptance Report.

The Semi-Annual Reports for July 1, 2019 through June 30, 2021 were not submitted to the Board of Supervisors; therefore a Report covering July 1, 2019 through June 30, 2021 is being submitted at this time. The Semi-Annual Reporting will resume in January of 2022 for the period of July 2021 - December 2021.

CONSEQUENCE OF NEGATIVE ACTION:

The Board of Supervisors would not be informed of the acquisitions accepted by the Public Works Director pursuant to Contra Costa County Ordinance Code.

ATTACHMENTS

Acceptance Report

**Acceptance Report
of Real Estate Acquisition
June 2019 - June 2021**

CERT. NO.	AREA	PROJECT/PURPOSE	INTEREST	PRICE
19-07	Brentwood	Mokelumne Trail- Bicycle/Pedestrian Overcrossing	Grant of Easement	\$2,350.00
19-08	Antioch	State Route 4 Somersville Rd. to SR160	Grant of Easement	N/A
19-09	Concord	Kirker Pass Rd. North Bound Truck Lanes	TCE*	\$2,250.00
19-11	Concord	Kirker Pass Rd. North Bound Truck Lanes	TCE*	\$3,750.00
20-01	Antioch	Acquisition Care Center/City of Antioch	Grant Deed	\$1.00
20-02	Alamo	Danville Blvd. - Orchard Ct. Street Improvement Project	TCE*	\$9,500.00
20-03	Martinez	Actriz Place Project	Drainage Easement	\$3,000.00
20-04	Martinez	Actriz Place Project	Access Easement	
20-05	Richmond	Fred Jackson Way/Last Mile Connection Project	Grant Deed	\$55,000.00
20-06	Concord	Kirker Pass Rd. North Bound Truck Lanes	TCE*	\$1,800.00

**Acceptance Report
of Real Estate Acquisition
June 2019 - June 2021**

CERT. NO.	AREA	PROJECT/PURPOSE	INTEREST	PRICE
20-07	Pleasant Hill	1700 Oak Park Project	Quitclaim Deed	N/A
20-08	Pleasant Hill	1700 Oak Park Project	Grant Deed	N/A
20-09	Pleasant Hill	1700 Oak Park Project	Grant of Easement	N/A
20-10	Pleasant Hill	1700 Oak Park Project	Grant of Easement	N/A
20-11	Brentwood	Marsh Creek Bridge Replacement Project	Roadway Easement	N/A
20-12	Brentwood	Marsh Creek Bridge Replacement Project	Slope & Drainage Easement	N/A
20-13	Brentwood	Marsh Creek Bridge Replacement Project	Slope & Drainage Easement	N/A
20-14	Brentwood	Marsh Creek Bridge Replacement Project	Temp Roadway Easement (Portion of Offer of Dedication)	N/A
20-15	Clayton	Marsh Creek Bridge Replacement Project	Slope Easement (Portion of Offer of Dedication)	N/A
20-16	Clayton	Marsh Creek Bridge Replacement Project	Slope & Drainage Easement (Portion of Offer of Dedication)	N/A

**Acceptance Report
of Real Estate Acquisition
June 2019 - June 2021**

CERT. NO.	AREA	PROJECT/PURPOSE	INTEREST	PRICE
20-17	Pleasant Hill	1700 Oak Park Project	Quitclaim Deed	N/A
20-18	Clayton	Marsh Creek Bridge Replacement Project	Slope & Drainage Easement (Portion of Offer of Dedication)	N/A
20-19	Clayton	Marsh Creek Bridge Replacement Project	Roadway Easement (Portion of Offer of Dedication)	N/A
20-20	Clayton	Marsh Creek Bridge Replacement Project	Roadway Easement (Portion of Offer of Dedication)	N/A
20-21	Clayton	Marsh Creek Bridge Replacement Project	Roadway Easement (Portion of Offer of Dedication)	N/A
20-23	Clayton	Marsh Creek Bridge Replacement Project	Slope Easement (Portion of Offer of Dedication)	N/A
20-24	Byron	Byron Highway Byer Rd. Safety Improvements Project	Grant Deed/TCE*	\$9,788.00
21-01	San Pablo	I-80 San Pablo Dam Rd. Interchange Project	Grant Deed	\$500.00
21-02	Byron	Byron Highway Byer Rd. Safety Improvements Project	Roadway Easement	\$28,600.00
21-03	Byron	Byron Highway Byer Rd. Safety Improvements Project	Grant Deed/TCE*	\$1,300.00

**Acceptance Report
of Real Estate Acquisition
June 2019 - June 2021**

CERT. NO.	AREA	PROJECT/PURPOSE	INTEREST	PRICE
21-04	Byron	Byron Highway Byer Rd. Safety Improvements Project	Grant Deed/TCE*	\$32,500.00
21-05	Byron	Byron Highway Byer Rd. Safety Improvements Project	Grant Deed/TCE*	\$7,500.00
21-06	Brentwood	Marsh Creek Rd. Bridge Replacement Project	TCE*	\$500.00
21-07	Clayton	Marsh Creek Rd. Bridge Replacement Project	Roadway & Slope Easement/TCE*	\$20,000.00
21-08	Clayton	Marsh Creek Rd. Bridge Replacement Project	Roadway & Slope Easement/TCE*	\$28,000.00



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: October 5, 2021

Subject: Accepting completion of improvements for subdivision SD15-09423, North Richmond area.

RECOMMENDATION(S):

ADOPT Resolution No. 2021/294 accepting completion of improvements for subdivision SD15-09423 for a project developed by 2200 Central Street, LLC, as recommended by the Public Works Director, North Richmond area. (District I)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The developer has completed the improvements per the Subdivision Agreement, and in accordance with Title 9 of County Ordinance Code.

CONSEQUENCE OF NEGATIVE ACTION:

The completion of improvements will not be accepted.

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

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Randolph Sanders (925)
313-2111

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

ATTACHMENTS

Resolution No.

2021/294

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 10/05/2021 by the following vote:

AYE:
NO:
ABSENT:
ABSTAIN:
RECUSE:

Resolution No. 2021/294

IN THE MATTER OF accepting completion of improvements for subdivision SD15-09423 for a project developed by 2200 Central Street, LLC, as recommended by the Public Works Director, North Richmond area. (District I)

WHEREAS, the Public Works Director has notified this Board that the improvements in subdivision SD15-09423 have been completed as provided in the Subdivision Agreement with 2200 Central Street, LLC, heretofore approved by this Board in conjunction with the filing of the Subdivision Map.

WHEREAS, these improvements are approximately located near Central Street and Pittsburg Avenue.

NOW, THEREFORE, BE IT RESOLVED that the improvements have been COMPLETED as of September 5, 2021, thereby establishing the six-month terminal period for the filing of liens in case of action under said Subdivision Agreement:

DATE OF AGREEMENT: July 27, 2021

NAME OF SURETY: SureTec Insurance Company

BE IT FURTHER RESOLVED the payment (labor and materials) surety for \$403,000.00, Bond No. 4440557 issued by the above surety be RETAINED for the six month lien guarantee period until April 5, 2022, at which time the Board AUTHORIZES the release of said surety less the amount of any claims on file.

BE IT FURTHER RESOLVED that the widening of Central Street and Pittsburg Avenue are ACCEPTED and DECLARED to be County roads as shown and dedicated for public use on the map of subdivision SD15-09423 filed August 4, 2021, in Book 547 of Maps, at page 48, Official Records of Contra Costa County, State of California.

BE IT FURTHER RESOLVED that the beginning of the warranty period is hereby established, and the \$8,060.00 cash deposit (Auditor's Deposit Permit No. 825060, dated March 12, 2021) made by 2200 Central Street, LLC, and the performance/maintenance surety bond rider for \$797,940.00, Bond No. 4440557 issued by SureTec Insurance Company RETAINED pursuant to the requirements of Section 94-4.406 of the Ordinance Code until release by this Board.

I hereby certify that this 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: October 5, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Larry Gossett- Engineering Services, Randolph Sanders- Engineering Services, Ronald Lai, Engineering Services, Chris Lau - Maintenance, Cinda Tovar- Design & Construction, Renee Hutchins - Records, Karen Piona- Records, Chris Hallford -Mapping , Michael Mann- Finance, Michelle Mancuso- Watershed Program, Flood Control, 2200 Central Street, LLC, SureTec Insurance Company, T-08/05/2022



**Contra
Costa
County**

To: Board of Supervisors
 From: Brian M. Balbas, Public Works Director/Chief Engineer
 Date: October 5, 2021

Subject: APPROVE a Contract Amendment with Larry Walker Associates, Incorporated, for Stormwater Quality Services

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Chief Engineer, Contra Costa County Flood Control and Water Conservation District, or designee, to execute, on behalf of the Contra Costa Clean Water Program, a contract amendment with Larry Walker Associates, Incorporated, effective October 5, 2021, to increase the payment limit by \$615,000 to a new payment limit of \$915,000 for Countywide stormwater quality services necessary to comply with federal and state stormwater permit requirements issued under the National Pollutant Discharge Elimination System Permit, with no change to the term of January 5, 2021 through December 31, 2023, Countywide. (100% Stormwater Utility Assessment Funds)

FISCAL IMPACT:

All costs associated with this contract will not exceed \$915,000 and will be funded 100% by Stormwater Utility Assessment fees collected by the Cities/Towns and County, proportional to their respective populations.

BACKGROUND:

The Contra Costa Clean Water Program (the "CCCWP") consists of Contra Costa County, its 19 incorporated cities/towns and the Contra Costa County Flood Control and Water Conservation District (hereinafter referred to collectively as "Permittees").

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021**
 APPROVED AS RECOMMENDED
 OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Andrea Bullock,
925-313-2194

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

BACKGROUND: (CONT'D)

The CCCWP was established in 1991 through a Program Agreement in response to the 1987 amendments to the federal Clean Water Act (the “CWA”), which established a framework for regulating municipal stormwater discharges under the National Pollutant Discharge Elimination System (“NPDES”) Permit Program. The United States Environmental Protection Agency (the “USEPA”) published final rules implementing the 1987 CWA amendments in November 1990.

The rules mandate that Permittees obtain and implement stormwater permits designed to reduce and eliminate the discharge of pollutants into and from Municipal Separate Storm Sewer Systems (the “MS4s”) they own and operate. Through the CCCWP, Permittees conduct many of the mandated activities collectively (referred to as “Group Activities”), such as water quality monitoring, special studies, and public education. The roles and responsibilities of the CCCWP and Permittees are outlined in the Contra Costa Clean Water Program Agreement, which was last updated and adopted by all Permittees in June 2010. The current San Francisco Bay Region Municipal Regional Stormwater NPDES Permit No. CAS612008, Order R2-2015-0049 (“Permit”), was issued in November of 2015.

The CCCWP Permittees request to retain Larry Walker Associates, Incorporated, to plan, coordinate and administer mandated stormwater quality management activities as required by the NPDES permit. Larry Walker Associates, Incorporated, will assist the Program by negotiating permit requirements, attending various stakeholder meetings on behalf of Permittees, preparing written responses to the Regional Water Quality Control Boards and will complete other activities related to the re-issuance and implementation of the NPDES permit.

CONSEQUENCE OF NEGATIVE ACTION:

Without the approval of the Board of Supervisors, the CCCWP, 19 Cities and Towns, Contra Costa County, and the Flood Control District will be unable to meet the outreach requirements set forth by the San Francisco Bay Region Municipal Regional Stormwater NPDES Permit No. CAS612008, Order R2-2015-0049.



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: October 5, 2021

Subject: APPROVE a Contract Amendment with Geosyntec Consultants, Inc., for Stormwater Quality Services

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Chief Engineer, Contra Costa County Flood Control and Water Conservation District, or designee, to execute, on behalf of the Contra Costa Clean Water Program, a contract amendment with Geosyntec Consultants, Inc., effective October 5, 2021, to increase the payment limit by \$480,000 to a new payment limit of \$680,000 for Countywide stormwater quality services necessary to comply with federal and state stormwater permit requirements issued under the National Pollutant Discharge Elimination System Permit, with no change to the term of period February 1, 2021 through January 31, 2024 Countywide. (100% Stormwater Utility Assessment Funds)

FISCAL IMPACT:

All costs associated with this contract will not exceed \$680,000 and will be funded 100% by Stormwater Utility Assessment fees collected by the Cities/Towns and County, proportional to their respective populations.

BACKGROUND:

The Contra Costa Clean Water Program (the "CCCWP") consists of Contra Costa County, its 19 incorporated cities/towns and the Contra Costa County Flood Control and Water Conservation District (hereinafter referred to collectively as "Permittees").

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Andrea Bullock,
925-313-2194

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

BACKGROUND: (CONT'D)

The CCCWP was established in 1991 through a Program Agreement in response to the 1987 amendments to the federal Clean Water Act (the “CWA”), which established a framework for regulating municipal stormwater discharges under the National Pollutant Discharge Elimination System (“NPDES”) Permit Program. The United States Environmental Protection Agency (the “USEPA”) published final rules implementing the 1987 CWA amendments in November 1990.

The rules mandate that Permittees obtain and implement stormwater permits designed to reduce and eliminate the discharge of pollutants into and from Municipal Separate Storm Sewer Systems (the “MS4s”) they own and operate. Through the CCCWP, Permittees conduct many of the mandated activities collectively (referred to as “Group Activities”), such as water quality monitoring, special studies, and public education. The roles and responsibilities of the CCCWP and Permittees are outlined in the Contra Costa Clean Water Program Agreement, which was last updated and adopted by all Permittees in June 2010. The current San Francisco Bay Region Municipal Regional Stormwater NPDES Permit No. CAS612008, Order R2-2015-0049 (“Permit”), was issued in November of 2015.

The CCCWP Permittees request to retain Geosyntec Consultants, Inc., to plan, coordinate and administer mandated stormwater quality management activities as required by the NPDES permit. Larry Walker Associates, Inc., will assist the Program by negotiating permit requirements, attending various stakeholder meetings on behalf of Permittees, preparing written response to the Regional Water Quality Control Boards and will complete other activities related to the re-issuance and implementation of the NPDES permit.

CONSEQUENCE OF NEGATIVE ACTION:

Without the approval of the Board of Supervisors, the CCCWP, 19 Cities and Towns, Contra Costa County, and the Flood Control District will be unable to meet the outreach requirements set forth by the San Francisco Bay Region Municipal Regional Stormwater NPDES Permit No. CAS612008, Order R2-2015-0049.



Contra
Costa
County

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: October 5, 2021

Subject: Increase in Payment Limit on Contract with W.E. Lyons Construction Company

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of Airports, or designee, to execute an amendment to the May 12, 2021, Contract (Construction Agreement), under which W.E. Lyons Construction Company will construct a new Aircraft Rescue and Firefighting facility, terminal, and administrative office at Buchanan Field Airport, to increase the payment limit by \$279,705 to a new payment limit of \$13,533,040.

FISCAL IMPACT:

There is no impact on the County General Fund; the increased cost is fully funded by a combination of Federal Aviation Administration (FAA) grants and Airport Enterprise Funds (66% FAA, 34% Airport Enterprise Fund).

BACKGROUND:

During the bidding of the new Aircraft Rescue and Firefighting, terminal and administrative office building there was an option to install an emergency generator for the facility. The Airports Division is recommending that this option, at a bid price of \$279,705 be exercised.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Keith Freitas (925)
681-4200

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If approval of the increase in the payment limit is not approved, the new Aircraft Rescue and Firefighting, terminal and administrative offices will not have emergency backup power.



**Contra
Costa
County**

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: October 5, 2021

Subject: APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a hangar rental agreement with Buchanan Field Airport Hangar tenant

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Robert (“Bob”) Hawkins and Richard Finkle for a modernized, medium south-facing hangar at Buchanan Field Airport effective October 1, 2021 in the monthly amount of \$490.00, Pacheco area

FISCAL IMPACT:

The Airport Enterprise Fund will realize \$5,880.00 annually.

BACKGROUND:

On September 1, 1970, Buchanan Airport Hangar Company entered into a 30-year lease with Contra Costa County for the construction of seventy-five (75) hangars and eighteen (18) aircraft shelters/shade hangars at Buchanan Field Airport. In 1977 Buchanan Airport Hangar Company amended their lease to allow for the construction of another 30-year lease with Contra Costa County for the construction of seventeen (17) additional hangars. Buchanan Airport Hangar Company was responsible for the maintenance and property management of the property during the lease period.

On

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Beth Lee, (925)
681-4200

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

BACKGROUND: (CONT'D)

September 1, 2000, the ninety-three (93) t- and shade hangars at Buchanan Field reverted to the County ownership pursuant to the terms of the above lease.

On November 14, 2006, the Contra Costa County Board of Supervisors approved the form of the T-Hangar and Shade Hangar Rental Agreement for use with renting the County's t-hangars, shade hangars, medium hangars, and executive hangars at Buchanan Field Airport.

On February 16, 2007, the additional seventeen (17) hangars at Buchanan Field reverted back to the County pursuant to the above referenced lease. This row included six (6) large hangars which were not covered by the approved T-Hangar and Shade Hangar Rental Agreement.

On February 23, 2007, Contra Costa County Board of Supervisors approved the new Large Hangar Rental Agreement for use with the large East Ramp Hangars.

On January 16, 2009, Contra Costa County Board of Supervisors approved an amendment to the T-Hangar and Shade Hangar Rental Agreement and the Large Hangar Rental Agreement (combined "Hangar Rental Agreements") which removed the Aircraft Physical Damage Insurance requirement. The Hangar Rental Agreements are the current forms in use for rental of all the County hangars at Buchanan Field Airport.

CONSEQUENCE OF NEGATIVE ACTION:

A negative action will cause a loss of revenue to the Airport Enterprise Fund.

ATTACHMENTS

F-7 Hangar Rental Agmt

CONTRA COSTA COUNTY - BUCHANAN FIELD AIRPORT

LARGE AIRCRAFT HANGAR RENTAL AGREEMENT

1. **PARTIES:** Effective October 1, 2021 (the “**Effective Date**”), the COUNTY OF CONTRA COSTA, a political subdivision of the State of California (“**Airport**”), and **Robert (“Bob”) Hawkins and Richard Finkle** (“**Renter**”), hereby mutually agree and promise as follows:
 2. **RENTER AND AIRCRAFT INFORMATION** Simultaneous with the execution of this Large Aircraft Hangar Rental Agreement (this “**Rental Agreement**”) by Renter, Renter shall complete a Renter and Aircraft Information Form attached hereto as Exhibit A for each of the aircraft to be stored in Renter’s Large Aircraft Hangar. A completed copy of the Renter and Aircraft Information Form is attached hereto as Exhibit A and incorporated herein. Renter must also provide to Airport at that time, for inspection and copying, (1) the original current aircraft registration for each of Renter’s Aircraft or, if any of Renter’s Aircraft described in Exhibit A is under construction, the plans for and proof of ownership of such aircraft; and (2) the insurance information required by Section 16 below for each of Renter’s Aircraft.
 3. **PURPOSE:** The purpose of this Rental Agreement is to provide for the rental of a large aircraft hangar space at the Contra Costa County - Buchanan Field Airport for the storage of the aircraft described in the Renter and Aircraft Information Form attached hereto as Exhibit A (individually or collectively, as the case may be, “**Renter’s Aircraft**”).
 4. **PREMISES:** For and in consideration of the rents and faithful performance by Renter of the terms and conditions set forth herein, Airport hereby rents to Renter and Renter hereby rents from Airport that large aircraft hangar shown as #**F-7** on the Large Aircraft Hangar Site Plan, attached hereto as Exhibit B and incorporated herein (hereinafter referred to as the “**Large Aircraft Hangar**.”).
- Renter has inspected the Large Aircraft Hangar and hereby accepts the Large Aircraft Hangar in its present condition, as is, without any obligation on the part of Airport to make any alterations, improvements, or repairs in or about the Large Aircraft Hangar.
5. **USE:** The Large Aircraft Hangar shall be used exclusively by Renter for the storage of Renter’s Aircraft. In addition to the storage of Renter’s Aircraft, Renter may use the Large Aircraft Hangar for (1) the homebuilding, restoration and/or maintenance of Renter’s Aircraft, provided that such homebuilding, restoration and/or maintenance is performed by Renter only and in conformance with all applicable

statutes, ordinances, resolutions, regulations, orders, circulars (including but not limited to FAA Advisory Circular 20-27) and policies now in existence or adopted from time to time by the United States, the State of California, the County of Contra Costa and other government agencies with jurisdiction over Buchanan Field Airport; (2) the storage of and materials directly related to the storage, construction of homebuilt planes homebuilding, restoration, and/or maintenance of Renter's Aircraft; (3) the storage of one boat, or one recreational vehicle, or one motorcycle, or one automobile, provided that Renter first provides to Airport proof of Renter's ownership and original registration of any stored boat or vehicle, for inspection and copying; and/or (4) the storage of comfort items (such as a couch, small refrigerator, etc.) that the Director of Airports, in his sole discretion, determines will not impede the use of the hangar for the storage of Renter's Aircraft, and are not prohibited by applicable building and fire codes. The Large Aircraft Hangar shall not be used for any purpose not expressly set forth in this Section 5. Use.

The use of all or a portion of the Large Aircraft Hangar for the storage of aircraft not owned or leased by Renter is prohibited. (the term "aircraft not owned or leased by Renter" means any aircraft in which Renter does not have an ownership interest or which is not directly leased to Renter). Renter shall present proof of said ownership interest or lease to Airport upon request in addition to that information provided in Exhibit A.

If Renter's Aircraft is or becomes non-operational, it may be stored in the Large Aircraft Hangar only if it is being homebuilt or restored by Renter. Prior to the commencement of any such homebuilding or restoration, Renter shall provide to Airport (1) a copy of the purchase agreement or (2) a valid federal registration number. If Renter's Aircraft is not validly registered with the FAA as of the Effective Date, upon completion of construction, Renter shall register such aircraft and apply for an airworthiness certificate for Renter's Aircraft in accordance with all applicable federal statutes and regulations and provide the original registration and certification to Airport, for inspection and copying, immediately upon receipt by Renter. On or before January 1 of each year, if the homebuilding or restoration has not been completed, Renter shall provide a written annual report to the Director of Airports that details the homebuilding or restoration activity performed, work still required to be completed and an estimate of time of completion.

6. **TERM:** This Rental Agreement shall be from month to month commencing **October 1, 2021** and shall continue until terminated. This Rental Agreement may be terminated by any party upon thirty (30) days written notice to the other party.

7. **RENT**

A. **Monthly Rent and Additional Rent.** Renter shall pay \$ 490.00 in rent



**Contra
Costa
County**

To: Contra Costa County Flood Control District Board of Supervisors

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

Date: October 5, 2021

Subject: Agreement with the Contra Costa Water District for award of a California Department of Water Resources Integrated Water Management Plan Grant.

RECOMMENDATION(S):

Acting as the governing body of the Contra Costa County Flood Control and Water Conservation District (Flood Control District), APPROVE and AUTHORIZE the Chief Engineer, or designee, to execute the Local Project Sponsor Agreement (LPS Agreement) with the Contra Costa Water District (CCWD) to provide up to \$850,000 from a California Department of Water Resources (DWR) Integrated Regional Water Management Plan (IRWM) Grant for the Three Creeks Parkway Restoration Project (Project).

FISCAL IMPACT:

The LPS Agreement provides up to \$850,000 in DWR IRWM grant funds for the Project. Remaining Project costs are funded by Flood Control Drainage Area 130 funds (Fund 256200) and other local, state and federal grant funds. (Project No. 7562-6D8490)

BACKGROUND:

On September 17, 2019, the Board of Supervisors approved the Flood Control District's application to DWR for \$850,000 for the Project. The DWR grant required applicants to participate in a regional IRWM group in order to be eligible for the IRWM grant funding. The Project is included in the list of projects in the East Contra Costa IRWM Plan. The East Contra Costa

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Gus Amirzehni, (925)
313-2128

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Allison Knapp, Deputy Chief Engineer, Tim Jensen, Flood Control, Paul Detjens, Flood Control, Gus Amirzehni, Flood Control, Catherine Windham, Flood Control

BACKGROUND: (CONT'D)

IRWM group evaluated the projects in the IRWM Plan, and selected five projects, including the Flood Control District's Project, for a joint application. The CCWD acted as the lead agency in the joint grant application to DWR for IRWM grant funding.

Subsequently, DWR awarded CCWD an IRWM grant in the amount of \$2,700,000 (Grant Agreement No. 4600013833) for five projects sponsored by the Flood Control District, Bethel Island Municipal Improvement District, City of Antioch, City of Brentwood, and Diablo Water District, known as Local Project Sponsors. The award amount for the Flood Control District's Project is \$850,000. The grant period extends from June 27, 2020 until June 30, 2024.

The proposed LPS Agreement is intended to define roles and responsibilities and provide indemnity protection to CCWD for executing the DWR Grant Agreement on behalf of the Local Project Sponsors.

CONSEQUENCE OF NEGATIVE ACTION:

Without the Board of Supervisors' approval, the Flood Control District will not be able to accept the DWR IRWM Grant Program described above.

ATTACHMENTS

LPS Agreement

LOCAL PROJECT SPONSOR AGREEMENT

by and between

**CONTRA COSTA WATER DISTRICT, BETHEL ISLAND MUNICIPAL IMPROVEMENT DISTRICT,
CITY OF ANTIOCH, CITY OF BRENTWOOD, CONTRA COSTA COUNTY FLOOD CONTROL & WATER
CONSERVATION DISTRICT, AND DIABLO WATER DISTRICT**

Proposition 1 Round 1 Integrated Regional Water Management Implementation Grant Program

Through this Local Project Sponsor Agreement by and between Contra Costa Water District (CCWD), a California special district, Bethel Island Municipal Improvement District (BIMID), a California special district, City of Antioch, a California municipal corporation, City of Brentwood, a California municipal corporation, Contra Costa County Flood Control & Water Conservation District (CCCFC&WCD), a California municipal corporation, and Diablo Water District (DWD), a California special district, each a “Local Project Sponsor” or collectively referred to as “Local Project Sponsors” or “parties,” the parties hereby agree as follows:

Recitals:

- A. WHEREAS, on behalf of the Local Project Sponsors, who are member agencies of the East Contra Costa County Integrated Regional Water Management (IRWM) group in the San Joaquin River Funding Area, CCWD submitted a proposal for a Proposition 1 Round 1 IRWM grant from the State of California, Department of Water Resources (DWR) to secure funding for implementation projects in the East Contra Costa County IRWM region that meet the requirements of the Proposition 1 2019 Guidelines and Round 1 IRWM Implementation Grant Proposal Solicitation Package; and
- B. WHEREAS, DWR and CCWD entered into Agreement No. 4600013833 (Grant Agreement) awarding to CCWD a grant for Two Million Seven Hundred Thousand Dollars (\$2,700,000) in State funding (State Grant) for the Proposition 1 Round 1 IRWM Implementation Grant Program to be expended over the grant period that extends from June 27, 2020 until June 30, 2024 when the Work Plan will be completed. The Grant Agreement is attached hereto and incorporated herein as Attachment A to this Local Project Sponsor Agreement; and
- C. WHEREAS, in accordance with Exhibit I Local Project Sponsors and Project Locations of the Grant Agreement, CCWD shall assign Local Project Sponsors to act on behalf of CCWD for the purposes of individual project management, oversight, compliance, operations and maintenance, and implementation of their respective component parts of the Work Plan (generically referred to as “Local Projects”) included in the Grant Agreement; and
- D. WHEREAS, the Grant Agreement contains a Work Plan, Budget, and Schedule describing the responsibilities of each Local Project Sponsor and commitments thereof; and
- E. WHEREAS, CCWD will provide necessary financial and grant administration services associated with implementing the Grant Agreement and this Local Project Sponsor Agreement, including, but not limited to: negotiation and execution of the Grant Agreement and the Local Project Sponsor Agreement, coordination and submittal of reports and invoices as required by the Grant Agreement, coordination and submittal of Grant

Agreement amendments as necessary, and general coordination with DWR and Local Project Sponsors throughout the term of the Grant Agreement; and

- F. WHEREAS, the process by which Local Project Sponsors will submit reimbursement requests to CCWD, and how CCWD will disburse the State Grant to Local Project Sponsors, will be governed by this Local Project Sponsor Agreement; and
- G. WHEREAS, this Local Project Sponsor Agreement is intended to protect CCWD from liability for executing the Grant Agreement on behalf of the Local Project Sponsors.

NOW, THEREFORE, based on the foregoing recitals, it is hereby agreed between the parties as follows:

AGREEMENT

The recitals set forth above constitute an integral part of this Agreement and are incorporated by this reference as if fully set forth herein.

1. Term of Agreement

A. This Local Project Sponsor Agreement shall commence and be effective, as between CCWD and a Local Project Sponsor, upon the date of its execution by both CCWD and that Local Project Sponsor. This Agreement will remain in effect so long as the Grant Agreement between CCWD and DWR is in effect, or until terminated by CCWD or the Local Project Sponsor pursuant to the terms of this Local Project Sponsor Agreement, or until the Grant Agreement is terminated by DWR or CCWD pursuant to the terms of the Grant Agreement.

B. Each Local Project Sponsor shall separately execute this Local Project Sponsor Agreement which shall at that time become effective as between that Local Project Sponsor, CCWD, and any and all earlier executing Local Project Sponsors.

2. State Grant Share and Matching Funds

A. CCWD will disburse up to Two Million Seven Hundred Thousand Dollars (\$2,700,000) of the State Grant in accordance with the amounts listed in Exhibit B Budget of the Grant Agreement. To be eligible to receive State Grant funds, Local Project Sponsors will implement the Local Projects as described in Exhibit A Work Plan of the Grant Agreement.

B. In accordance with Exhibit B Budget in the Grant Agreement, Local Project Sponsors have committed to expending and documenting, as required by the terms of the Grant Agreement, the required Non-State and Other Cost Share amounts required to fulfill the funding match requirements of the Grant Agreement. Any Local Project Sponsor inability to document the required cost share amounts may result in reduced State Grant fund eligibility and dispersal until such time as compliance with cost share requirements is evidenced and accepted pursuant to the Grant Agreement.

C. Pursuant to Grant Agreement requirements as described more fully in Attachment A to this Agreement, Local Project Sponsors may invoice CCWD for grant share reimbursement for eligible costs incurred on and after June 27, 2020 in their first invoice. Subsequent invoices may include eligible costs incurred by Local Project Sponsors during the reporting quarter. If total Local Project costs exceed that provided by the State Grant and cost share commitments, any additional funding match necessary to complete the Local Project will be documented by Local Project Sponsor in the Project Completion Report (described in Paragraph 5 Reporting).

3. Obligations of Local Project Sponsors

A. Local Project Sponsors are, and at all times will continue to be, in full compliance with the terms and conditions of the Grant Agreement that are applicable to them as a sub-recipient of the State Grant. In accordance with the Grant Agreement, Local Project Sponsors shall act on behalf of CCWD in the fulfillment of CCWD's responsibilities specified in the Grant Agreement with respect to their Local Project(s) only. Local Project Sponsors understand and agree that for purposes of the foregoing, and to the greatest extent allowed by law, any requirements and responsibilities imposed upon CCWD as Grantee under the Grant Agreement are hereby passed-through to, and acknowledged and agreed to by Local Project Sponsors, as obligations of the Local Project Sponsors, excepting only CCWD's obligations as defined in Paragraph 4 of this Local Project Sponsor Agreement. Further, the Local Project Sponsors acknowledge and agree to comply with any requirements directly imposed on the Local Project Sponsors pursuant to the Grant Agreement.

B. Local Project Sponsors must maintain all financial records associated with the total project costs of their respective Local Projects for inclusion in the Project Completion Report and all other reporting provided for herein.

C. Local Project Sponsors shall not, whether by act or omission, cause CCWD to be in violation of any provision of the Grant Agreement or, whether by act or omission, fail to meet any requirement of this Local Project Sponsor Agreement or the Grant Agreement.

D. Local Project Sponsors shall comply with all applicable Federal, State, and local laws, rules, regulations, ordinances, and directives, now existing and as such may change from time-to-time. Any such laws, rules, regulations, ordinances, and directives required thereby to be included in the Grant Agreement or this Local Project Sponsor Agreement are incorporated herein by reference.

4. Obligations of Contra Costa Water District

A. CCWD shall disburse State Grant funds as required or permitted by the Grant Agreement. Notwithstanding the foregoing, CCWD is not obligated to disburse any State Grant funds to Local Project Sponsors until such funds are authorized and disbursed from DWR to CCWD in accordance with the Grant Agreement requirements.

B. CCWD will promptly notify Local Project Sponsors in writing of any notices given or actions taken by DWR if such notices or actions are likely to affect the Local Project Sponsors' performance, duties, obligations or funding under this Local Project Sponsor Agreement, including but not limited to notices

from DWR regarding alleged default by CCWD or the Local Project Sponsor under Paragraph 12 of the Grant Agreement.

C. Commencing with DWR's State Grant eligibility date of June 27, 2020 and continuing until termination of the Grant Agreement, CCWD will undertake and complete all administrative and management responsibilities under the Grant Agreement that are not related solely to Local Projects. CCWD has incurred, and will continue to incur, costs for administrative and management responsibilities under the Grant Agreement that are not related solely to Local Projects. At the time of original execution of the Grant Agreement, the State Grant allocates Eighty Thousand Dollars (\$80,000) for Grant Agreement and Local Project Sponsor Agreement administration by CCWD in accordance with the requirements of the Grant Agreement.

5. Reporting

A. In accordance with the terms of the Grant Agreement, CCWD is obligated to submit reports to DWR throughout the term of the Grant Agreement. As such, Local Project Sponsors will provide CCWD with the required data for the Local Project(s) for which each Local Project Sponsor is responsible in accordance with the reporting and submittal requirements described in this section, Paragraph 14 Submission of Reports in the Grant Agreement, and Exhibit F Report Formats and Requirements of the Grant Agreement. Notwithstanding the reporting schedule described in this section, CCWD may, at any time, request any additional information from Local Project Sponsors pursuant to any Grant Agreement modification or that may be deemed necessary by CCWD in its sole discretion to provide adequate and sufficient documentation of Local Project status for the purposes of meeting the reporting requirements in the Grant Agreement. Local Project Sponsors agree to timely provide any such additional information as requested by CCWD.

B. All documentation and reports shall meet generally accepted professional standards for technical reporting and shall be proofread for content, numerical accuracy, spelling, and grammar prior to submittal to CCWD and the State. Reports shall be presented in the formats described in the applicable portion of Exhibit F of the Grant Agreement.

- i. Quarterly Progress Reports: On a quarterly basis, CCWD will prepare a Progress Report and submit it to DWR in accordance with the terms of the Grant Agreement. On a quarterly schedule established by CCWD, Local Project Sponsors will provide CCWD with the required documentation for their respective Local Projects in electronic format using a Progress Report template developed by CCWD. Progress Reports shall provide a brief description of the work performed during the reporting period, including: Local Project Sponsor activities, estimate of percent of work complete, milestones achieved, accomplishments, concerns or problems encountered, work anticipated for the next reporting period, and updated schedule or budget inclusive of any changes that have occurred.
- ii. Project Completion Report: Pursuant to the Grant Agreement, CCWD will submit a separate Project Completion Report for each project included in Exhibit A Work Plan of the Grant Agreement within ninety (90) calendar days of Local Project completion. Local Project Sponsors will prepare this report on behalf of CCWD in accordance with the requirements described in Exhibit F Reports Formats and Requirements in the Grant Agreement. Local

Project Sponsors will submit to CCWD a draft of the Project Completion Report within sixty (60) calendar days of Local Project completion or within sixty (60) days of execution of this Local Project Sponsor Agreement by a Local Project Sponsor, whichever is later. Local Project Sponsors will be responsive to CCWD's and DWR's questions or inquiries necessary to finalize the report.

- iii. Grant Completion Report: Pursuant to the Grant Agreement, CCWD will submit a Grant Completion Report within ninety (90) days of submitting the Project Completion Report for the final project to be completed under the Grant Agreement. CCWD will prepare this report on behalf of the Local Project Sponsors in accordance with the requirements described in Exhibit F Reports Formats and Requirements in the Grant Agreement. Local Project Sponsors will be responsive to CCWD's and DWR's questions or inquiries necessary to finalize the report.
- iv. Post-Performance Reports: Pursuant to the Grant Agreement, CCWD will submit Post-Performance reports for each Local Project in the Grant Agreement. Post-Performance Reports must be submitted to the State within ninety (90) calendar days after the first performance year of a project has elapsed, and the reporting process shall be repeated annually for a total of three (3) years after the project begins operation. Local Project Sponsors will prepare this report on behalf of CCWD in accordance with the requirements described in Exhibit F Reports Formats and Requirements in the Grant Agreement. Local Project Sponsors will submit Post-Performance reports directly to DWR and provide a copy of the report and proof of submittal to CCWD until such requirements are completed.

C. Failure of an individual Local Project Sponsor to meet reporting deadlines established by CCWD, which may cause noncompliance with the requirements of the Grant Agreement, constitutes a breach of this Local Project Sponsor Agreement and is cause for termination of the noncompliant Local Project Sponsor's participation in the Local Project Sponsor Agreement and the Grant Agreement. Each Local Project Sponsor will continue to report its activities throughout the State Grant period until the Local Project is completed.

6. Method of Payment

A. Pursuant to the Grant Agreement, there are two methods of payment available to CCWD, and thereby to Local Project Sponsors, including (a) reimbursement and (b) advanced payment. Both methods require that Local Project Sponsors submit only costs that are eligible project costs as specified in the Grant Agreement. DWR will withhold a percentage of payment on each quarterly invoice ("retention") of 10% of the invoice amount. If a percentage of grant funds is withheld by DWR for any Local Project in the Grant Agreement, CCWD will withhold the same percentage from payment on Local Project Sponsors' invoices.

- i. Reimbursement – Reimbursement is the typical payment method for state grants and involves invoicing and repayment of project costs in arrears. Reimbursement will be the default payment method for State Grant funds.

Under the Reimbursement method of payment, CCWD will solicit invoices for eligible project costs at the same frequency and timing as the quarterly Progress Reports. CCWD will solicit

invoices no more than quarterly. Along with invoices submitted to CCWD, Local Project Sponsors must also submit backup documentation that sufficiently supports claimed costs. If invoice and sufficient backup documentation is not received by CCWD from the Local Project Sponsor by the timing established by CCWD corresponding to quarterly Progress Reports due dates, the individual Local Project Sponsor invoice(s) will not be included in the submittal to DWR and payment of the Local Project Sponsor costs will be delayed until a future quarter.

CCWD will remit payment of Local Project Sponsors' invoice(s) within thirty (30) business days of receipt of State Grant funds from DWR. CCWD will remit payment of withheld retention, if applicable, to Local Project Sponsor(s) within thirty (30) business days of receipt of retained State Grant funds from DWR.

Invoices submitted to CCWD, and thereafter by CCWD to DWR, for Reimbursement shall include the information specified in Paragraph 8 Method of Payment in the Grant Agreement.

- ii. Advanced Payment – All Local Project Sponsors have declined Advanced Payment. As such, this option will not be available as a payment method under this grant program.

7. Third Party Beneficiaries

If more than one Local Project Sponsor Agreement is executed between CCWD and responsible agencies identified in the Grant Agreement, Local Project Sponsors acknowledge and affirm that every other responsible agency specified in the Grant Agreement is a third party beneficiary of this Local Project Sponsor Agreement and that Local Project Sponsors of this agreement are third party beneficiaries of every other Local Project Sponsor Agreement executed for the purposes of implementing the Grant Agreement.

8. Communication

All notices or notifications under this Local Project Sponsor Agreement shall be in writing addressed to the persons set forth in this section.

All notices or notifications to CCWD shall be sent to:

Maggie Dutton
Contra Costa Water District
P.O. Box H20
Concord, CA 94524
Email: mdutton@ccwater.com

All notices or notifications to BIMID shall be sent to:

Regina Espinoza
Bethel Island Municipal Improvement District
P.O. Box 244, Bethel Island, CA 94511
Email: respinoza@bimid.com

All notices or notifications to City of Antioch shall be sent to:

Scott Buenting
City of Antioch
200 H Street, Antioch, CA 94509-1005
Email: sbuenting@antiochca.gov

All notices or notifications to City of Brentwood shall be sent to:

Meghan Laporta
City of Brentwood
150 City Park Way, Brentwood, CA 94513-1164
Email: mlaporta@brentwoodca.gov

All notices or notifications to CCCFC&WCD shall be sent to:

Gus Amirzehni
Contra Costa County Flood Control & Water Conservation District
255 Glacier Drive, Martinez, CA 94553
Email: gus.amirzehni@pw.cccounty.us

All notices or notifications to DWD shall be sent to:

Dan Muelrath
Diablo Water District
P.O. Box 127, Oakley, CA 94561-0127
Email: dmuelrath@diablowater.org

9. Flow Through of Specific Grant Requirements

Parties will comply with all applicable provisions of the Local Project Sponsor Agreement and Grant Agreement, including, but not limited to, the provisions found in Exhibit D Standard Conditions of the Grant Agreement. In the event of termination, pursuant to Section 18 of this Local Project Sponsor Agreement, a Local Project Sponsor whose Local Project Sponsor Agreement has been terminated, will comply with all applicable provisions of the Local Project Sponsor Agreement and Grant Agreement which by their terms survive termination.

10. Inspection of Records

Pursuant to the Grant Agreement, DWR is entitled to inspect and obtain copies of any records pertaining to the program. Local Project Sponsors are required to make available for such inspections accurate records of all costs, disbursements, and documentation as necessary to comply with the requirements of the Grant Agreement. Local Project Sponsors hereby expressly agree to comply with these requirements. Local Project Sponsors shall retain program and project records in accordance with the requirements of Exhibit H State Audit Document Requirements for the Grantee of the Grant Agreement.

11. Indemnification

A. CCWD shall defend, indemnify, and hold Local Project Sponsors and their respective members, elected and appointed officers, employees, and agents harmless from any and all liability, actions,

claims, costs, and expenses, including attorneys' fees, caused by the willful misconduct or sole negligence of CCWD, its officers, directors, agents, or employees in CCWD's performance under this Local Project Sponsor Agreement, except to the extent caused by the negligent acts, errors, or omissions of Local Project Sponsors, their officers, agents, or employees.

B. A Local Project Sponsor shall defend, indemnify, hold CCWD and other Local Project Sponsors and their respective members, elected and appointed officers, employees, and agents harmless from any and all liability, actions, claims, costs, and expenses, including attorneys' fees, caused by the willful misconduct or the negligent acts, errors, or omissions of that specific Local Project Sponsor, their officers, directors, agents, or employees in that specific Local Project Sponsors' performance under this Local Project Sponsor Agreement, except to the extent caused by the sole negligence or willful misconduct of CCWD, its officers, agents, or employees.

12. Breach

Noncompliance by any Local Project Sponsors with any applicable provision of this Local Project Sponsor Agreement, including but not limited to applicable reporting requirements, or the Grant Agreement, including but not limited to Section 12 Default Provisions, shall constitute a breach of this Local Project Sponsor Agreement. CCWD, in its sole discretion, may terminate any Local Project Sponsor's participation for breach of this Local Project Sponsor Agreement. The waiver by either party of a breach of any provision of this Local Project Sponsor Agreement by the other, or by the State with regard to the Grant Agreement, shall not operate or be construed as a waiver of any subsequent breach.

13. Dispute Resolution

The parties to this Local Project Sponsor Agreement shall meet promptly to address any dispute that may arise and make a good faith effort to negotiate a resolution. The use by any party of any remedy specified herein for the enforcement of this Local Project Sponsor Agreement is not exclusive and shall not deprive any party of, or limit the application of, any other remedy provided by law.

14. Governing Law

This Local Project Sponsor Agreement, its construction, and all work performed under it shall be governed by the laws of the State of California. Venue shall be proper only in the Superior Court of Contra Costa County.

15. Severability

If any provision of this Local Project Sponsor Agreement is held invalid or unenforceable by a court of final jurisdiction, all other provisions of this Local Project Sponsor Agreement shall remain valid and in force and be construed in such a manner so as to affect the original intent of the parties to the maximum extent possible.

16. Amendment

A. Any amendment to the Grant Agreement made pursuant to the Standard Condition D.3 Amendment of the Grant Agreement, including amendment to the terms, requirements, work plan, budget,

schedule, or exhibits of the Grant Agreement, will thereafter apply in full to this Local Project Sponsor Agreement. If an amendment to the Grant Agreement conflicts with the content of this Local Project Sponsor Agreement, the Local Project Sponsor Agreement shall be amended to remedy such conflicts.

B. Excepting any amendment pursuant Section 16(A) above, this Local Sponsor Agreement may be changed only by a written amendment duly signed by all parties to this Local Project Sponsor Agreement.

17. Entire Agreement

This Local Project Sponsor Agreement, together with the attachments hereto, is the complete and exclusive statement of understanding between the parties, and supersedes any and all previous understandings or agreements, whether written or oral, and all communications between the parties relating to the subject matter of this Local Project Sponsor Agreement.

18. Termination

A. Any breach of this Local Project Sponsor Agreement, as provided under Section 12, may result in termination at the sole discretion of CCWD. CCWD, in its sole discretion, may provide a period to cure any breach not to exceed thirty (30) days.

B. A Local Project Sponsor may, at any time and without cause, terminate its individual participation in this Local Project Sponsor Agreement by providing written notice to CCWD of its termination. Notwithstanding any other provision of this Local Project Sponsor Agreement, if an individual Local Project Sponsor terminates its participation in this Local Project Sponsor Agreement, it shall not under any circumstances be responsible or liable for disrupting or discontinuing the disbursement of the State Grant funds allocated to other agencies as described in the Grant Agreement.

C. Upon the effectiveness of termination of any Local Project Sponsor's participation in this Local Project Sponsor Agreement for any reason, that Local Project Sponsor's remaining allocation of the grant funds, if any, will be redistributed to the remaining parties in accordance with this Local Project Sponsor Agreement and the Grant Agreement. Any Local Project Sponsor terminating its participation in this Local Project Sponsor Agreement, or whose participation was terminated by CCWD, must continue to comply with the reporting obligations to CCWD, as described in Paragraph 5 of this Local Project Sponsor Agreement and in the Grant Agreement.

D. This Local Project Sponsor Agreement will remain in full force and effect as to the Local Project Sponsors whose participation in the Local Project Sponsor Agreement is not terminated.

E. The provisions of Paragraph 9 and Paragraph 11 in this Local Project Sponsor Agreement shall survive termination of this Local Project Sponsor Agreement and shall remain in force through the later of the termination date of the Grant Agreement or when grant closeout activities are completed.

19. Successors and Assigns

This Local Project Sponsor Agreement and all of its provisions shall apply to and bind the successors and assigns of each and every party to this Local Project Sponsor Agreement. Local Project Sponsors shall not assign their rights or delegate their duties under this Local Project Sponsor Agreement. Any attempted assignment or delegation shall be null and void, and constitute a breach of this Local Project Sponsor Agreement.

20. Priority of Documents

The provisions of the Grant Agreement shall prevail over provisions of this Local Project Sponsor Agreement.

21. Counterpart Signatures

This Local Project Sponsor Agreement may be executed in counterparts each of which shall be deemed to be an original but all of which taken together shall constitute one and the same Local Project Sponsor Agreement. Signatures may be exchanged electronically, such as through use of Portable Document Format (PDF), or through the use of DocuSign or similar technology, with the same effect as original, wet signatures.

IN WITNESS THEREOF, this Local Project Sponsor Agreement has been executed by the parties hereto:

CONTRA COSTA WATER DISTRICT

By: Jeff Quimby, Assistant General Manager

Dated: _____

Bethel Island Municipal Improvement District

By: Regina Espinoza, District Manager

Dated: _____

City of Antioch

By: Ron Bernal, City Manager

Dated: _____

City of Brentwood

By: Tim Y. Ogden, City Manager

Dated: _____

**Contra Costa County Flood Control & Water
Conservation District**

By: Brian M. Balbas, Chief Engineer

Dated: _____

Diablo Water District

By: Dan Muelrath, General Manager

Dated: _____

**Attachment A
DWR Grant Agreement**

**GRANT AGREEMENT BETWEEN THE STATE OF CALIFORNIA
(DEPARTMENT OF WATER RESOURCES) AND
CONTRA COSTA WATER DISTRICT
AGREEMENT NUMBER 4600013833
PROPOSITION 1 ROUND 1 INTEGRATED REGIONAL WATER MANAGEMENT (IRWM)
IMPLEMENTATION GRANT**

THIS GRANT AGREEMENT is entered into by and between the Department of Water Resources of the State of California, herein referred to as the "State" or "DWR," and the Contra Costa Water District, a public agency in the State of California, duly organized, existing, and acting pursuant to the laws thereof, herein referred to as the "Grantee," which parties do hereby agree as follows:

- 1) **PURPOSE.** The State shall provide funding from the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1) to the Grantee to assist in financing the projects, which are included in and implemented in an adopted Integrated Regional Water Management Plan (IRWM Plan), pursuant to Chapter 7. Regional Water Security, Climate, and Drought Preparedness (Wat. Code, § 79740 et seq.). The provision of State funds pursuant to this Agreement shall be construed or interpreted to mean that the IRWM Plan, or any components of the IRWM Plan, implemented in accordance with the Work Plan as set forth in Exhibit A, has been adopted through the IRWM Plan Review Process, and is/are consistent with Water Code section 10530 et seq.
- 2) **TERM OF GRANT AGREEMENT.** The term of this Grant Agreement begins on June 27, 2020 through final payment plus three (3) years unless otherwise terminated or amended as provided in this Grant Agreement. However, all work shall be completed by June 30, 2024, in accordance with the Schedule as set forth in Exhibit C and no funds may be requested after September 30, 2024.
- 3) **GRANT AMOUNT.** The maximum amount payable by the State under this Grant Agreement shall not exceed \$2,700,000.00.
- 4) **GRANTEE COST SHARE.** The Grantee is required to provide a Local Cost Share (non-state funds) as set forth in Exhibit B (Budget). Local Cost Share may include Eligible Project Costs directly related to Exhibit A incurred after January 1, 2015.
- 5) **BASIC CONDITIONS.**
 - A. Unless exempt as per the 2019 IRWM Implementation Grant Proposal Solicitation Package, project(s) that are subject to the California Environmental Quality Act (CEQA) including final land purchases, shall not be included in this Agreement until the CEQA process is completed and all permits necessary to begin construction are acquired. Projects providing at least 75% of benefits to a disadvantaged community (DAC), economically distressed area (EDA), and/or Tribe (based on population or geography), or projects implemented by Tribes will be exempt from this requirement.
 - i. Such projects will be included in the Agreement as a placeholder. Placeholder projects are not eligible for grant reimbursement and may not submit invoices to DWR until such time as they are fully included in the Agreement.
 - ii. Placeholder projects that complete CEQA and/or acquire permits (necessary to begin construction) within eighteen (18) months of the agreement execution date will be amended into the agreement. At the end of the eighteen (18)-month term, any placeholder projects that fail to complete CEQA and/or acquire permits will be deleted from the Agreement. The total grant award will be reduced by the amount of the deleted project(s). Replacement projects will not be allowed. Reduced amount will be made available to the respective Funding Area in future funding rounds on a competitive basis. Deleted placeholder projects will not be eligible to receive any grant reimbursement under this Agreement; however, such project could be eligible under the next round of grant solicitation.
 - B. The State shall have no obligation to disburse money for the Project(s) under this Grant Agreement until the Grantee has satisfied the following conditions (if applicable):

- i. The Grantee shall demonstrate compliance with all eligibility criteria as set forth on pages 9-11, inclusive, of the 2019 IRWM Implementation Grant Program Guidelines (2019 Guidelines).
- ii. For the term of this Agreement, the Grantee shall submit Quarterly Progress Reports which must accompany an invoice and all invoice backup documentation (\$0 Invoices are acceptable). The Quarterly Progress Report shall be submitted within 60 days following the end of the calendar quarter (i.e. reports due May 30, August 29, November 29, and March 1) and all other deliverables as required by Paragraph 14, "Submission of Reports" and Exhibit A, "Work Plan".
- iii. Prior to the commencement of construction or implementation activities, if applicable, the Grantee shall submit the following to the State.
 1. Final plans and specifications certified, signed and stamped by a California Registered Civil Engineer (or equivalent registered professional as appropriate) to certify compliance for each approved project as listed in Exhibit A of this Grant Agreement.
 2. Work that is subject to the California Environmental Quality Act (CEQA) (including final land purchases) shall not proceed under this Grant Agreement until the following actions are performed:
 - a) The Grantee submits to the State all applicable environmental permits, as indicated on the Environmental Information Form to the State,
 - b) Documents that satisfy the CEQA process are received by the State,
 - c) The State has completed its CEQA process as a Responsible Agency, and
 - d) The Grantee receives written notification from the State of concurrence with the Lead Agency's CEQA documents (s) and State's notice of verification of environmental permit submittal.

The State's concurrence of Lead Agency's CEQA documents is fully discretionary and shall constitute a condition precedent to any work (i.e., construction or implementation activities) for which it is required. Once CEQA documentation has been completed, the State will consider the environmental documents and decide whether to continue to fund the project, or to require changes, alterations, or other mitigation. Proceeding with work subject to CEQA prior to the State's concurrence shall constitute a material breach of this Agreement. The Grantee or Local Project Sponsor (LPS) shall also demonstrate that it has complied with all applicable requirements of the National Environmental Policy Act (NEPA) by submitting copies of any environmental documents, including Environmental Impact Statements, Finding of No Significant Impact, mitigation monitoring programs, and environmental permits as may be required prior to beginning construction/ implementation.

- iv. A monitoring plan as required by Paragraph 16, "Monitoring Plan Requirements," if applicable.
- 6) **DISBURSEMENT OF FUNDS.** The State will disburse to the Grantee the amount approved, subject to the availability of funds through normal State processes. Notwithstanding any other provision of this Grant Agreement, no disbursement shall be required at any time or in any manner which is in violation of, or in conflict with, federal or state laws, rules, or regulations, or which may require any rebates to the federal government, or any loss of tax-free status on state bonds, pursuant to any federal statute or regulation. Any and all money disbursed to the Grantee under this Grant Agreement shall be deposited in a non-interest bearing account and shall be used solely to pay Eligible Project Costs.
 - 7) **ELIGIBLE PROJECT COST.** The Grantee shall apply State funds received only to Eligible Project Costs in accordance with applicable provisions of the law and Exhibit B, "Budget". Eligible Project Costs include the reasonable costs of studies, engineering, design, land and easement acquisition and associated legal fees, preparation of environmental documentation, environmental mitigations, monitoring, and project construction. Reimbursable administrative expenses are the necessary costs incidental but directly related

to the Project included in this Agreement. Costs incurred after June 26, 2020 may be eligible for reimbursement.

Costs that are not eligible for reimbursement include, but are not limited to, the following items:

- A. Costs, other than those noted above, incurred prior to the award date of this Grant.
 - B. Costs for preparing and filing a grant application.
 - C. Operation and maintenance costs, including post construction performance and monitoring costs.
 - D. Purchase of equipment that is not an integral part of a project.
 - E. Establishing a reserve fund.
 - F. Purchase of water supply.
 - G. Replacement of existing funding sources for ongoing programs.
 - H. Meals, food items, or refreshments.
 - I. Payment of any punitive regulatory agency requirement, federal or state taxes.
 - J. Purchase of land in excess of the minimum required acreage necessary to operate as an integral part of a project, as set forth and detailed by engineering and feasibility studies, or acquisition of land by eminent domain.
 - K. Overhead and Indirect Costs. "Indirect Costs" means those costs that are incurred for a common or joint purpose benefiting more than one cost objective and are not readily assignable to the funded project (i.e., costs that are not directly related to the funded project). Examples of Indirect Costs include, but are not limited to: central service costs; general administration of the Grantee or LPSs; non-project-specific accounting and personnel services performed within the Grantee's or LPS' organization; depreciation or use allowances on buildings and equipment; the costs of operating and maintaining non-project-specific facilities; tuition and conference fees; forums, trainings, and seminars; and, generic overhead or markup. This prohibition applies to the Grantee, LPSs, and any subcontract or sub-agreement for work on the Project that will be reimbursed pursuant to this Agreement.
 - L. Mitigation for environmental impacts not resulting from implementation of the Project funded by this program.
- 8) **METHOD OF PAYMENT.** After the disbursement requirements in Paragraph 5, "Basic Conditions" are met, the State will disburse the whole or portions of State funding to the Grantee, following receipt from the Grantee of an electronic invoice certified and transmitted via electronic/digital signature system (e.g., DocuSign) or via US mail or Express mail delivery of a "wet signature" for costs incurred, including Local Cost Share, and timely Quarterly Progress Reports as required by Paragraph 14, "Submission of Reports." Payment will be made no more frequently than quarterly, in arrears, upon receipt of an invoice bearing the Grant Agreement number. Quarterly Progress Report must accompany an invoice (\$0 Invoices are acceptable) and shall be submitted within 60 days following the end of the calendar quarter (i.e. invoices due May 30, August 29, November 29, and March 1). The State will notify the Grantee, in a timely manner, whenever, upon review of an invoice, the State determines that any portion or portions of the costs claimed are not eligible costs or is not supported by documentation or receipts acceptable to the State. The Grantee may, within thirty (30) calendar days of the date of receipt of such notice, submit additional documentation to the State to cure such deficiency(ies). If the Grantee fails to submit adequate documentation curing the deficiency(ies), the State will adjust the pending invoice by the amount of ineligible or unapproved costs.

Invoices submitted by the Grantee shall include the following information:

- A. Costs incurred for work performed in implementing the Project during the period identified in the particular invoice.
- B. Costs incurred for any interests in real property (land or easements) that have been necessarily acquired for a project during the period identified in the particular invoice for the implementation of a project.
- C. Invoices shall be submitted on forms provided by the State and shall meet the following format requirements:
 - i. Invoices shall contain the date of the invoice, either the time period covered by the invoice or the invoice date received within the time period covered, and the total amount due.
 - ii. Invoices shall be itemized based on the categories (i.e., tasks) specified in Exhibit B, "Budget." The amount claimed for salaries/wages/consultant fees shall include a calculation formula (i.e., hours or days worked times the hourly or daily rate = the total amount claimed).
 - iii. One set of sufficient evidence (i.e., receipts, copies of checks, personnel hours' summary table, time sheets) shall be provided for all costs included in the invoice.
 - iv. Each invoice shall clearly delineate those costs claimed for reimbursement from the State's funding amount, as depicted in Paragraph 3, "Grant Amount" and those costs that represent the Grantee's costs, as applicable, in Paragraph 4, "Grantee Cost Share."
 - v. Original signature and date of the Grantee's Project Representative. Submit an electronic invoice, certified and transmitted via electronic/digital signature system (e.g., DocuSign), from authorized representative to the Project Manager or the original "wet signature" copy of the invoice form to the Project Manager at the following address: P.O. Box 942836, Sacramento, CA 94236-0001.

All invoices submitted shall be accurate and signed under penalty of law. Any and all costs submitted pursuant to this Agreement shall only be for the tasks set forth herein. The Grantee shall not submit any invoice containing costs that are ineligible or have been reimbursed from other funding sources unless required and specifically noted as such (i.e., cost share). Any eligible costs for which the Grantee is seeking reimbursement shall not be reimbursed from any other source. Double or multiple billing for time, services, or any other eligible cost is illegal and constitutes fraud. Any suspected occurrences of fraud, forgery, embezzlement, theft, or any other misuse of public funds may result in suspension of disbursements of grant funds and/or termination of this Agreement requiring the repayment of all funds disbursed hereunder plus interest. Additionally, the State may request an audit pursuant to Paragraph D.5 and refer the matter to the Attorney General's Office or the appropriate district attorney's office for criminal prosecution or the imposition of civil liability. (Civ. Code, §§ 1572-1573; Pen. Code, §§ 470, 487-489.)

- 9) **ADVANCED PAYMENT.** Water Code section 10551 authorizes advanced payment by the State for projects included and implemented in an applicable Integrated Regional Water Management Plan, and when the project proponent is a nonprofit organization; a disadvantaged community (DAC); or the project benefits a DAC. If a project is awarded less than \$1,000,000 in grant funds, the project proponent may receive an advanced payment of fifty (50) percent of the grant award; the remaining fifty (50) percent of the grant award will be reimbursed in arrears after the advanced funds of a budget category have been fully expended. Within ninety (90) calendar days of execution of the Grant Agreement, the Grantee may provide the State an Advanced Payment Request. Advanced Payment Requests received ninety-one (91) calendar days after the execution of this Agreement will not be eligible to receive an advanced payment. The Advanced Payment Request shall contain the following:
 - A. Documentation demonstrating that each Local Project Sponsor (if different from the Grantee, as listed in Exhibit I) was notified about their eligibility to receive an advanced payment and a response from the Local Project Sponsor stating whether it wishes to receive the advanced payment or not.

- B. If the Grantee is requesting the advanced payment, the request(s) shall include:
- i. Descriptive information of each project with an update on project status
 - ii. The names of the entities that will receive the funding for each project, including, but not limited to, an identification as to whether the project proponent or proponents are nonprofit organizations or a DAC, or whether the project benefits a DAC
 - iii. A detailed Funding Plan which includes how the advanced payment will be expended (in terms of workplan, budget, and schedule) within the timeframe agreed upon by DWR and the Grantee. The Funding Plan must clearly identify the total budget (at Budget Category Level) for each project clearly showing the portion of advanced payment and reimbursement funds.
 - iv. Any other information that DWR may deem necessary
- C. Upon review and approval of the Advanced Payment Request, DWR will authorize payment of the fully requested amount for the qualified project(s). Based on the project's Funding Plan and other considerations, DWR may determine it is not prudent to advance the full request in a single disbursement. In such a case, DWR will develop a "Disbursement Schedule," to disburse funds in installments. This Disbursement Schedule may change based on the project's ongoing compliance with the Advanced Payment requirements and the project's cash flow needs.
- D. Once DWR authorizes the Advanced Payment Request, the Grantee shall submit Advanced Payment Invoice(s) for the initial amount based on the "Disbursement Schedule" on behalf of the LPS(s), containing the request for each qualified project, to the State with signature and date of the Grantee's Project Representative, as indicated in Paragraph 21, "Project Representative." The Grantee shall be responsible for the timely distribution of the advanced funds to the respective LPS(s). The Advanced Payment Invoice(s) shall be submitted on forms provided by the State and shall meet the following format requirements:
- i. Invoice shall contain the date of the invoice, the time period covered by the invoice, and the total amount due.
 - ii. Invoice shall be itemized based on the budget categories specified in Exhibit B, "Budget."
 - iii. The State Project Manager will notify the Grantee, in a timely manner, when, upon review of an Advance Payment Invoice, the State determines that any portion or portions of the costs claimed are not eligible costs. The Grantee may, within thirty (30) calendar days of the date of receipt of such notice, submit additional documentation to cure such deficiency(ies).
 - iv. On a quarterly basis, the Grantee will submit an Accountability Report to the State that demonstrates how actual expenditures compare with the scheduled budget. The Accountability Report shall include the following information:
 1. An itemization of how advanced funds have been spent to-date (Expenditure Report), including documentation that supports the disbursements (e.g., contractor invoices, receipts, personnel hours, etc.). Accountability Reports shall be itemized based on the budget categories (i.e., tasks) specified in Exhibit B.
 2. An updated Accountability Report including an updated Funding Plan that depicts how the remaining advanced funds will be expended and the activities and deliverables associated with the advanced funds within the timeframe agreed upon by DWR and the Grantee when the advanced payment request was approved.

3. Documentation that the funds were placed in a non-interest bearing account, including the dates of deposits and withdrawals from that account.
 4. Proof of distribution of advanced funds to LPS(s), if applicable.
 - v. The State's Project Manager will notify the Grantee, in a timely manner, when, upon review of the Accountability Report, the State determines that any portion of the expenditures claimed are not eligible costs. The Grantee may, within thirty (30) calendar days of the date of receipt of such notice, submit additional documentation to cure such deficiency(ies). If costs are not consistent with the tasks in Exhibit A, the State will reject the claim and remove them from the Accountability Report.
 - E. Once the Grantee has spent all advanced funds in a budget category, then the method of payment will revert to the reimbursement process for that budget category specified in Paragraph 8, "Method of Payment for Reimbursement."
- 10) REPAYMENT OF ADVANCES. The State may demand repayment from the Grantee of all or any portion of the advanced State funding along with interest at the California general obligation bond interest rate at the time the State notifies the Grantee, as directed by the State, and take any other action that it deems necessary to protect its interests for the following conditions:
- A. A project is not being implemented in accordance with the provisions of the Grant Agreement.
 - B. The Grantee has failed in any other respect to comply with the provisions of this Grant Agreement, and if the Grantee does not remedy any such failure to the State's satisfaction.
 - C. Failure by the Grantee to submit complete and accurate quarterly Accountability Reports by the required due dates, unless otherwise approved by DWR.
 - D. Failure to deposit funds in a non-interest-bearing account.
 - E. Use of Advance Payment funds for ineligible expenses and/or activities not consistent with this Agreement.
 - F. Inappropriate use of funds, as deemed by DWR.
 - G. Repayment amounts may also include:
 - i. Actual costs incurred which are not consistent with the activities presented in Exhibit A, not supported, or are ineligible.
 - ii. Advanced funds which are not fully expended by project completion, notwithstanding Water Code section 10551(c)(4). Unused grant funds shall be returned to DWR within sixty (60) calendar days.

Any repayment of advanced funds may consist of reducing the amount from future reimbursement invoices. The State may consider the Grantee's refusal to repay the requested advanced amount a material breach of this Agreement subject to the default provisions in Paragraph 12, "Default Provisions." If the State notifies the Grantee of its decision to demand repayment or withhold the entire funding amount from the Grantee pursuant to this Paragraph, this Grant Agreement shall terminate upon receipt of such notice by the Grantee and the State shall no longer be required to provide funds under this Agreement.

- 11) WITHHOLDING OF DISBURSEMENTS BY THE STATE. If the State determines that a project is not being implemented in accordance with the provisions of this Grant Agreement, or that the Grantee has failed in any other respect to comply with the provisions of this Grant Agreement, and if the Grantee does not remedy any such failure to the State's satisfaction, the State may withhold from the Grantee all or any portion of the State funding and take any other action that it deems necessary to protect its interests. Where a portion of the State funding has been disbursed to the Grantee and the State notifies the Grantee of its decision not to release funds that have been withheld pursuant to Paragraph 12, "Default

Provisions,” the portion that has been disbursed shall thereafter be repaid immediately with interest at the California general obligation bond interest rate at the time the State notifies the Grantee, as directed by the State. The State may consider the Grantee’s refusal to repay the requested disbursed amount a material breach subject to the default provisions in Paragraph 12, “Default Provisions.” If the State notifies the Grantee of its decision to withhold the entire funding amount from the Grantee pursuant to this Paragraph, this Grant Agreement shall terminate upon receipt of such notice by the Grantee and the State shall no longer be required to provide funds under this Grant Agreement and the Grant Agreement shall no longer be binding on either party.

12) DEFAULT PROVISIONS. The Grantee shall be in default under this Grant Agreement if any of the following occur:

- A. Substantial breaches of this Grant Agreement, or any supplement or amendment to it, or any other agreement between the Grantee and the State evidencing or securing the Grantee’s obligations;
- B. Making any false warranty, representation, or statement with respect to this Grant Agreement or the application filed to obtain this Grant Agreement;
- C. Failure to operate or maintain the Project in accordance with this Grant Agreement.
- D. Failure to make any remittance required by this Grant Agreement, including any remittance recommended as the result of an audit conducted pursuant to Paragraph D.5.
- E. Failure to submit quarterly progress reports pursuant to Paragraph 5.
- F. Failure to routinely invoice the State pursuant to Paragraph 8.
- G. Failure to meet any of the requirements set forth in Paragraph 13, “Continuing Eligibility.”

Should an event of default occur, the State shall provide a notice of default to the Grantee and shall give the Grantee at least ten (10) calendar days to cure the default from the date the notice is sent via first-class mail to the Grantee. If the Grantee fails to cure the default within the time prescribed by the State, the State may do any of the following:

- H. Declare the funding be immediately repaid, with interest, which shall be equal to State of California general obligation bond interest rate in effect at the time of the default.
- I. Terminate any obligation to make future payments to the Grantee.
- J. Terminate the Grant Agreement.
- K. Take any other action that it deems necessary to protect its interests.

In the event the State finds it necessary to enforce this provision of this Grant Agreement in the manner provided by law, the Grantee agrees to pay all costs incurred by the State including, but not limited to, reasonable attorneys’ fees, legal expenses, and costs.

13) CONTINUING ELIGIBILITY. The Grantee shall meet the following ongoing requirement(s) and all eligibility criteria outlined in the 2019 Guidelines to remain eligible to receive State funds:

- A. An urban water supplier that receives grant funds pursuant to this Agreement shall maintain compliance with the Urban Water Management Planning Act (UWMP; Wat. Code, § 10610 et seq.) and Sustainable Water Use and Demand Reduction (Wat. Code, § 10608 et seq.) as set forth on page 11 of the 2019 Guidelines and as stated on page 22 of the Proposal Solicitation Package.
- B. An agricultural water supplier receiving grant funds shall comply with Sustainable Water Use and Demand Reduction requirements outlined in Water Code section 10608, et seq. and have their Agricultural Water Management Plan (AWMP) deemed consistent by DWR. To maintain eligibility and continue funding disbursements, an agricultural water supply shall have their 2015 AWMP identified on the State’s website. For more information, visit the website listed in Appendix A in the 2019 Guidelines.

- C. A surface water diverter receiving grant funds shall maintain compliance with diversion reporting requirements as outlined in Water Code section 5100 et. seq.
 - D. If applicable, the Grantee shall demonstrate compliance with the Sustainable Groundwater Management Act (SGMA) set forth on page 10 of the 2019 Guidelines.
 - E. If the Grantee has been designated as a monitoring entity under the California Statewide Groundwater Elevation Monitoring (CASGEM) Program, the Grantee shall maintain reporting compliance, as required by Water Code section 10932 and the CASGEM Program.
 - F. The Grantee shall adhere to the protocols developed pursuant to The Open and Transparent Water Data Act (Wat. Code, § 12406, et seq.) for data sharing, transparency, documentation, and quality control.
- 14) SUBMISSION OF REPORTS. The submittal and approval of all reports is a requirement for the successful completion of this Grant Agreement. Reports shall meet generally accepted professional standards for technical reporting and shall be proofread for content, numerical accuracy, spelling, and grammar prior to submittal to the State. All reports shall be submitted to the State's Project Manager and shall be submitted via the DWR "Grant Review and Tracking System" (GRanTS). If requested, the Grantee shall promptly provide any additional information deemed necessary by the State for the approval of reports. Reports shall be presented in the formats described in the applicable portion of Exhibit F, "Report Formats and Requirements." The timely submittal of reports is a requirement for initial and continued disbursement of State funds. Submittal and subsequent approval by the State of a Project Completion Report is a requirement for the release of any funds retained for such project.
- A. Quarterly Progress Reports: The Grantee shall submit quarterly Progress Reports to meet the State's requirement for disbursement of funds. Progress Reports shall be uploaded via GRanTS, and the State's Project Manager notified of upload. Progress Reports shall, in part, provide a brief description of the work performed, the Grantee's activities, milestones achieved, any accomplishments and any problems encountered in the performance of the work under this Grant Agreement during the reporting period. The first Progress Report must accompany an invoice (\$0 Invoices are acceptable) and shall be submitted within 60 days following the end of the calendar quarter (i.e. invoices due May 30, August 29, November 29, and March 1).
 - B. Accountability Report: The Grantee shall prepare and submit to the State an Accountability Report on a quarterly basis if the Grantee received an advanced payment, consistent with the provisions in Paragraph 9, "Advanced Payment."
 - C. Project Completion Report: The Grantee shall prepare and submit to the State a separate Project Completion Report for each project included in Exhibit A. The Grantee shall submit a Project Completion Report (or a Component Completion Report, if a Project has multiple Components) within ninety (90) calendar days of Project/Component completion as outlined in Exhibit F.
 - D. Grant Completion Report: Upon completion of all the Projects included in Exhibit A, the Grantee shall submit to the State a Grant Completion Report. The Grant Completion Report shall be submitted within ninety (90) calendar days of submitting the Completion Report for the final project to be completed under this Grant Agreement, as outlined in Exhibits A, and F. Retention for any grant administration line items in the Budget of this Grant Agreement will not be disbursed until the Grant Completion Report is approved by the State.
 - E. Post-Performance Reports: The Grantee shall prepare and submit to the State Post-Performance Reports for the applicable project(s). Post-Performance Reports shall be submitted to the State within ninety (90) calendar days after the first operational year of a project has elapsed. This record keeping and reporting process shall be repeated annually for a total of three (3) years after the project begins operation.

- 15) OPERATION AND MAINTENANCE OF PROJECT. For the useful life of construction and implementation projects and in consideration of the funding made by the State, the Grantee agrees to ensure or cause to be performed the commencement and continued operation of the project, and shall ensure or cause the project to be operated in an efficient and economical manner; shall ensure all repairs, renewals, and replacements necessary to the efficient operation of the same are provided; and shall ensure or cause the same to be maintained in as good and efficient condition as upon its construction, ordinary and reasonable wear and depreciation excepted. The State shall not be liable for any cost of such maintenance, management, or operation. The Grantee or their successors may, with the written approval of the State, transfer this responsibility to use, manage, and maintain the property. For purposes of this Grant Agreement, "useful life" means period during which an asset, property, or activity is expected to be usable for the purpose it was acquired or implemented; "operation costs" include direct costs incurred for material and labor needed for operations, utilities, insurance, and similar expenses, and "maintenance costs" include ordinary repairs and replacements of a recurring nature necessary for capital assets and basic structures and the expenditure of funds necessary to replace or reconstruct capital assets or basic structures. Refusal by the Grantee to ensure operation and maintenance of the projects in accordance with this provision may, at the option of the State, be considered a breach of this Grant Agreement and may be treated as default under Paragraph 12, "Default Provisions."
- 16) MONITORING PLAN REQUIREMENTS. A Monitoring Plan shall be submitted to the State prior to disbursement of State funds for construction or monitoring activities. The Monitoring Plan should incorporate Post-Performance Monitoring Report requirements as defined and listed in Exhibit F, and follow the guidance provided in Exhibit J, "Project Monitoring Plan Guidance."
- 17) STATEWIDE MONITORING REQUIREMENTS. The Grantee shall ensure that all groundwater projects and projects that include groundwater monitoring requirements are consistent with the Groundwater Quality Monitoring Act of 2001 (Water Code § 10780 et seq.) and, where applicable, that projects that affect water quality shall include a monitoring component that allows the integration of data into statewide monitoring efforts, including where applicable, the Surface Water Ambient Monitoring Program carried out by the State Water Resources Control Board. See Exhibit G for web links and information regarding other State monitoring and data reporting requirements.
- 18) NOTIFICATION OF STATE. The Grantee shall promptly notify the State, in writing, of the following items:
- A. Events or proposed changes that could affect the scope, budget, or work performed under this Grant Agreement. The Grantee agrees that no substantial change in the scope of a project will be undertaken until written notice of the proposed change has been provided to the State and the State has given written approval for such change. Substantial changes generally include changes to the scope of work, schedule or term, and budget.
 - B. Any public or media event publicizing the accomplishments and/or results of this Grant Agreement and provide the opportunity for attendance and participation by the State's representatives. The Grantee shall make such notification at least fourteen (14) calendar days prior to the event.
 - C. Discovery of any potential archaeological or historical resource. Should a potential archaeological or historical resource be discovered during construction, the Grantee agrees that all work in the area of the find shall cease until a qualified archaeologist has evaluated the situation and made recommendations regarding preservation of the resource, and the State has determined what actions should be taken to protect and preserve the resource. The Grantee agrees to implement appropriate actions as directed by the State.
 - D. The initiation of any litigation or the threat of litigation against the Grantee or an LPS regarding the Project or which may affect the Project in any way.
 - E. Applicable to construction projects only: Final inspection of the completed work on a project by a Registered Professional (Civil Engineer, Engineering Geologist, or other State approved certified/licensed Professional), in accordance with Exhibit D. The Grantee shall notify the State's

Project Manager of the inspection date at least fourteen (14) calendar days prior to the inspection in order to provide the State the opportunity to participate in the inspection.

- 19) NOTICES. Any notice, demand, request, consent, or approval that either party desires or is required to give to the other party under this Grant Agreement shall be in writing. Notices may be transmitted by any of the following means:
 - A. By delivery in person.
 - B. By certified U.S. mail, return receipt requested, postage prepaid.
 - C. By “overnight” delivery service; provided that next-business-day delivery is requested by the sender.
 - D. By electronic means.
 - E. Notices delivered in person will be deemed effective immediately on receipt (or refusal of delivery or receipt). Notices sent by certified mail will be deemed effective given ten (10) calendar days after the date deposited with the U.S. Postal Service. Notices sent by overnight delivery service will be deemed effective one business day after the date deposited with the delivery service. Notices sent electronically will be effective on the date of transmission, which is documented in writing. Notices shall be sent to the addresses listed below. Either party may, by written notice to the other, designate a different address that shall be substituted for the one below.
- 20) PERFORMANCE EVALUATION. Upon completion of this Grant Agreement, the Grantee’s performance will be evaluated by the State and a copy of the evaluation will be placed in the State file and a copy sent to the Grantee.
- 21) PROJECT REPRESENTATIVES. The Project Representatives during the term of this Grant Agreement are as follows:

Department of Water Resources

Arthur Hinojosa
 Chief, Division of Regional Assistance
 P.O. Box 942836
 Sacramento, CA 94236-0001
 Phone: (916) 653-4736
 Email: Arthur.Hinojosa@water.ca.gov

Contra Costa Water District

Stephen J. Welch
 General Manager
 P.O. Box H20
 Concord, CA 94524
 Phone: (925) 688-8000
 Email: swelch@ccwater.com

Direct all inquiries to the Project Manager:

Department of Water Resources

Desiree Ramirez
 Environmental Scientist
 P.O. Box 942836
 Sacramento, CA 94236
 Phone: (916) 653-0975
 Email: desiree.ramirez@water.ca.gov

Contra Costa Water District

Maggie Dutton
 Grants Specialist
 P.O. Box H20
 Concord, CA 94524
 Phone: (925) 688-8132
 Email: mdutton@ccwater.com

Either party may change its Project Representative or Project Manager upon written notice to the other party.

22) STANDARD PROVISIONS. This Grant Agreement is complete and is the final Agreement between the parties. The following Exhibits are attached and made a part of this Grant Agreement by this reference:

Exhibit A – Work Plan

Exhibit B – Budget

Exhibit C – Schedule

Exhibit D – Standard Conditions

Exhibit E – Authorizing Resolution

Exhibit F – Report Formats and Requirements

Exhibit G – Requirements for Data Submittal

Exhibit H – State Audit Document Requirements for the Grantee

Exhibit I – Local Project Sponsors and Project Locations

Exhibit J – Project Monitoring Plan Guidance

IN WITNESS WHEREOF, the parties hereto have executed this Grant Agreement.

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES



Arthur Hinojosa
Chief, Division of Regional Assistance

Date 6/4/2021

CONTRA COSTA WATER DISTRICT



Stephen J. Welch
General Manager

Date 6/4/2021

EXHIBIT A WORK PLAN

PROPOSITION 1 ROUND 1 EAST CONTRA COSTA COUNTY IRWM IMPLEMENTATION GRANT

Grant Administration

IMPLEMENTING AGENCY: Contra Costa Water District

DESCRIPTION: The Grantee will administer these funds and respond to DWR's reporting and compliance requirements associated with the grant administration. This office will act in a coordination role: disseminating grant compliance information to the project managers responsible for implementing the projects contained in this Agreement, obtaining and retaining evidence of compliance (e.g., CEQA/NEPA documents, reports, monitoring compliance documents, labor requirements, etc.), obtaining data for progress reports from individual project managers, assembling and submitting progress reports to the State, and coordinating all invoicing and payment of invoices.

Budget Category (a): Project Administration

Task 1: Agreement Administration

The Grantee will respond to DWR's reporting and compliance requirements associated with the grant administration and will coordinate with the project managers responsible for implementing the projects contained in this Agreement.

Task 2: Invoicing

The Grantee will be responsible for compiling invoices for submittal to DWR. This includes collecting invoice documentation from each of the Local Project Sponsors and compiling the information into a DWR Invoice Packet.

Deliverables:

- Quarterly Invoices and associated backup documentation

Task 3: Reporting

The Grantee will be responsible for compiling progress reports for submittal to DWR. The Grantee will coordinate with Local Project Sponsor staff to retain consultants as needed to prepare and submit progress reports and final project completion reports for each project, as well as the grant completion report.

Reports will meet generally accepted professional standards for technical reporting and the requirements terms of the contract with DWR outlined in Exhibit F of this Agreement.

Deliverables:

- Quarterly Progress Reports
- Grant Completion Report

PROJECT 1: West Antioch Creek Flood Conveyance Mitigation and Restoration**IMPLEMENTING AGENCY:** City of Antioch

PROJECT DESCRIPTION: This project will remove approximately 30,000 cubic yards of accumulated debris, vegetation, and sediment from the lower reaches of the West Antioch Creek, restoring it to its original design and conveyance capacity of 25-year level flood protection. The project will reduce annual flooding and associated damages to approximately 5.1 acres, significantly reducing the public health threat to an adjacent Disadvantaged Community caused by chronic flooding. Additionally, the project will provide water quality and habitat protection benefits by reducing flood-related debris and pollutant loading in the West Antioch Creek, which flows directly to New York Slough and the San Joaquin River.

Budget Category (a): Project AdministrationTask 1: Project Management

Manage Grant Agreement including compliance with grant requirements, and preparation and submission of supporting grant documents and coordination with the Grantee. Prepare invoices including relevant supporting documentation for submittal to DWR via the Grantee. This task also includes administrative responsibilities associated with the project such as coordinating with partnering agencies and managing consultants/contractors.

Deliverables:

- Invoices and associated backup documentation

Task 2: Reporting

Prepare progress reports detailing work completed during reporting period as outlined in Exhibit F of this Agreement. Submit reports to DWR.

Prepare Project Completion Report and submit to DWR no later than 90 days after project completion for DWR Project Manager's comment and review. The report shall be prepared and presented in accordance with guidance as outlined in Exhibit F.

Deliverables:

- Quarterly Project Progress Reports
- Final Project Completion Report
- Documentation (e.g., photo) of "Acknowledgment of Credit & Signage" per Standard Condition D.2

Budget Category (b): Land Purchase/EasementTask 3: Land Purchase – Not Applicable

No land purchase or easement acquisition is required for this project.

Budget Category (c): Planning/Design/Engineering/Environmental DocumentationTask 4: Feasibility Studies

A Project Feasibility Study was completed as part of the project development process. This task is outside of the grant funded project but included for technical review before construction.

Deliverables:

- Relevant Feasibility Study

Task 5: CEQA Documentation

A Notice of Determination for a Mitigated Negative Declaration was filed for this project with the Office of Planning and Research in August of 2015. Prepare letter stating no legal challenges (or addressing legal challenges).

Deliverables:

- All completed CEQA documents as required
- Legal Challenges Letter

Task 6: Permitting

Coordinate with State and Federal Agencies to ensure regulatory compliance. Obtain all necessary federal, state, and local permits. Permits may include a Clean Water Act 404 Permit from U.S. Army Corps of Engineers, a Biological Opinion – Section 7 from U.S. Fish and Wildlife Service, a Section 1600 - Streambed Alteration from California Department of Fish and Wildlife, and a 401 Water Quality Certification from the Regional Water Quality Control Board. Additional permits may be required and will be obtained as necessary.

Deliverables:

- Copy of all required permits

Task 7: Design

Complete 100% (Final) design plans and specifications. This task is funded outside of the grant but included for technical review.

Deliverables:

- 100% Design Plans and Specifications

Task 8: Project Monitoring Plan

Develop and submit a Project Monitoring Plan per Paragraph 16 for DWR's review and approval.

Deliverables:

- Project Monitoring Plan

Budget Category (d): Construction/Implementation

Task 9: Contract Services

This task must comply with the Standard Condition D.11 – Competitive Bidding and Procurements. Activities necessary (as applicable) to secure a contractor and award the contract, including: develop bid documents, prepare advertisement and contract documents for construction contract bidding, conduct pre-bid meeting, bid opening and evaluation, selection of the contractor, award of contract, and issuance of notice to proceed.

Deliverables:

- Bid Documents
- Proof of Advertisement
- Award of Contract
- Notice to Proceed

Task 10: Construction Administration

This task includes managing contractor submittal review, answering requests for information, and issuing work directives. A full-time engineering construction observer will be on site for the duration of the project. Construction observer duties include documenting of pre-construction conditions, daily construction diary, preparing change orders, addressing questions of contractors on site, reviewing/updating project schedule, reviewing contractor log submittals and pay requests, forecasting cash flow, notifying contractor if work is not acceptable. Upon completing the project, the DWR Certificate of Project Completion and record drawings will be provided to DWR.

Deliverables:

- DWR Certificate of Project Completion
- Notice of Completion
- Record Drawings

Task 11: Construction

Construction activities are outlined below. All work will be performed under the supervision of a qualified Biologist.

11(a): Mobilization and Demobilization: includes set up of construction staging area and site security.

11(b): Site preparation will include designating material storage areas; setting up traffic control; and other applicable preliminary activities.

11(c): Dredging of 3,000 linear feet of the West Antioch Creek using specialized equipment with biodegradable oil and fuel to prevent possible contamination. Includes removal of invasive cattail species. Scope will not include dewatering or grading plan and will consist only of dredging.

11(d): Onsite restoration and mitigation. Perform grading and install hydroseeding and plants to create habitat for wildlife. Specific restoration activities will be determined once permitting activities are completed.

Deliverables:

- Photographic Documentation of Progress

PROJECT 2: Bethel Island Multi-Benefit and Integrated Stormwater Project**IMPLEMENTING AGENCY:** Bethel Island Municipal Improvement District (BIMID)**PROJECT DESCRIPTION:** This project will prepare technical studies, as a part of a Feasibility Study effort, that will serve as a Decision Support Tool to assist BIMID in project alternative selection, project planning, and project development. Of the potential future alternatives identified using the Decision Support Tool, the alternative would provide up to 70-acre feet per year (AFY) of stormwater reduction benefits and increase flood protection to the DAC of Bethel Island.**Budget Category (a): Project Administration**Task 1: Project Management

Manage Grant Agreement including compliance with grant requirements, and preparation and submission of supporting grant documents and coordination with the Grantee. Prepare invoices including relevant supporting documentation for submittal to DWR via the Grantee. This task also includes administrative responsibilities associated with the project such as coordinating with partnering agencies and managing consultants/contractors.

Deliverables:

- Invoices and associated backup documentation

Task 2: Reporting

Prepare progress reports detailing work completed during reporting period as outlined in Exhibit F of this Agreement. Submit reports to DWR.

Prepare Project Completion Report and submit to DWR no later than 90 days after project completion for DWR Project Manager's comment and review. The report shall be prepared and presented in accordance with guidance as outlined in Exhibit F.

Deliverables:

- Quarterly Project Progress Reports
- Project Completion Report
- Documentation (e.g., photo) of "Acknowledgment of Credit & Signage" per Standard Condition D.2

Budget Category (b): Land Purchase/EasementTask 3: Land Purchase – Not Applicable

No land purchase or easement acquisition is required for this project.

Budget Category (c): Planning/Design/Engineering/Environmental DocumentationTask 4: Technical Studies

Several technical studies will be completed as part of the project development process, which may include hydrology and hydraulics, drainage, and a biological assessment. The technical studies will be components of a Feasibility Study that will serve as a Decision Support Tool by evaluating the island's overall stormwater management system and will evaluate potential project alternatives such as, but not limited to, pump station rehabilitation or replacement, drainage network/ditch improvement, and creation of stormwater detention basin.

Deliverables:

- Feasibility Study

Task 5: CEQA Documentation

Complete environmental review pursuant to CEQA. Prepare all necessary environmental documentation. Prepare letter stating no legal challenges (or addressing legal challenges).

Deliverables:

- All completed CEQA documents as required
- Legal Challenges Letter

Task 6: Permitting

Obtain all necessary federal, state, and local permits. Permits may include a Waste Discharge Requirement from the Regional Water Quality Control Board, Delta Stewardship Council, and County Roadway permits, if needed. Additional permits may be required and will be obtained as necessary.

Deliverables:

- Permits as required

Task 7: Design

Complete preliminary design drawings supported by the project alternative selected from the work under Task 4. This task will include development of design drawings of the preferred alternative, which may include conveyance elements, construction specifications, drainage and hydraulic calculations, or earthwork requirements. Geotechnical investigations may also be conducted if needed to support the project alternative selected with the feasibility study.

Deliverables:

- Geotechnical Investigation, if needed
- 100% Design Plans and Specifications

Budget Category (d): Construction/Implementation**Task 9: Contract Services – Not Applicable**

No contract services are required for this project.

Task 10: Construction – Not Applicable

No construction tasks are required for this project.

PROJECT 3: Advanced Metering and Leak Detection**IMPLEMENTING AGENCY:** Diablo Water District (DWD)

PROJECT DESCRIPTION: This project will install approximately 2,500 advanced water meters to complete advanced metering of individual residences and businesses in the Diablo Water District service area, procure and deploy a web-based consumer engagement portal, linked to individual meters, and procure and install transmission system leak detectors. The project will reduce customer water demand by approximately 225 AFY and will allow DWD to identify transmission leaks immediately, which is anticipated to prevent approximately 50 AFY in treated water losses.

Budget Category (a): Project AdministrationTask 1: Project Management

Manage Grant Agreement including compliance with grant requirements, and preparation and submission of supporting grant documents and coordination with the Grantee. Prepare invoices including relevant supporting documentation for submittal to DWR via the Grantee. This task also includes administrative responsibilities associated with the project such as coordinating with partnering agencies and managing consultants/contractors.

Deliverables:

- Invoices and associated backup documentation

Task 2: Reporting

Prepare progress reports detailing work completed during reporting period as outlined in Exhibit F of this Agreement. Submit reports to DWR.

Prepare Project Completion Report and submit to DWR no later than 90 days after project completion for DWR Project Manager's comment and review. The report shall be prepared and presented in accordance with guidance as outlined in Exhibit F.

Deliverables:

- Quarterly Project Progress Reports
- Project Completion Report
- Documentation (e.g., photo) of "Acknowledgment of Credit & Signage" per Standard Condition D.2

Budget Category (b): Land Purchase/EasementTask 3: Land Purchase

No land purchase or easement acquisition is required for this project.

Deliverables:

N/A

Budget Category (c): Planning/Design/Engineering/Environmental DocumentationTask 4: Feasibility Studies

Project Feasibility Studies were completed as part of the project development process.

Deliverables:

- Relevant Feasibility Studies

Task 5: CEQA Documentation

The Lead Agency has determined this project is not a project as defined by CEQA.

Deliverables:

N/A

Task 6: Permitting

No permits are required for this project. All work will be done on existing DWD water lines or replacing existing water meters.

Deliverables:

- N/A

Task 7: Design

Prepare preliminary plan for leak detection sensors and design of leak sensor deployment. Select a vendor to provide final design.

Deliverables:

- Final design documents

Task 8: Project Monitoring Plan

Develop and submit a Project Monitoring Plan per Paragraph 16 for DWR's review and approval.

Deliverables:

- Project Monitoring Plan

Budget Category (d): Construction/Implementation

Task 9: Contract Services

This task must comply with the Standard Condition D.11 – Competitive Bidding and Procurements. Activities necessary (as applicable) to secure a contractor and award the contract, including: develop bid documents, prepare advertisement and contract documents for construction contract bidding, conduct pre-bid meeting, bid opening and evaluation, selection of the contractor, award of contract, and issuance of notice to proceed.

All installation will be performed by Diablo Water District staff. A Request for Proposal (RFP) will be issued for integration services to tie together data from demand side meters (customers) and supply side meters (Diablo Water District).

Deliverables:

- Proof of Advertisement
- Award of Contract
- Notice to Proceed
- RFP Documents

Task 10: Construction Administration

This task includes managing contractor submittal review, answering requests for information, and issuing work directives. Integration Services performed under Task 9, will comply with DWD's purchasing policy for services. All work (excluding integration services) will be performed by DWD staff and will utilize management staff to perform inspections and audit records of installations.

Upon completing the project, the DWR Certificate of Project Completion and record drawings will be provided to DWR.

Deliverables:

- Screenshot of customer-facing page
- Screenshot of district-facing water balance
- DWR Certificate of Project Completion

Task 11: Construction and Implementation

Construction activities are outlined below.

11(a): Mobilization and Demobilization of all necessary equipment which includes set up of construction staging area and site security.

11(b): Removal of approximately 2,500 existing water meters and replace with advanced water meters; install up to 10 supply-side leak detectors on pipelines.

11 (c): Installation of Web-Based Software- This task includes the deployment of a consumer engagement portal for real-time viewing and alerts of water use by customers. The other component of this task is to develop the real-time water system supply and demand water balance. The consumer engagement portal will be added via the DWD financial and billing software and will require minimal code and interface work. A real-time water system balance will be created after the development of a database that includes customer meter data and all supply side production meters. After the database is complete a reports and dashboards interface will be designed.

Deliverables:

- Photographic Documentation of Progress
- Map of leak sensor locations
- Screenshot of customer-facing page
- Screenshot of district-facing water balance

PROJECT 4: Upper Reach of Three Creeks Parkway Restoration Project**IMPLEMENTING AGENCY:** Contra Costa County Flood Control and Water Conservation District

PROJECT DESCRIPTION: This project will widen approximately 1,600 linear feet of Marsh Creek in Brentwood from Dainty Avenue to its confluence with Deer Creek, part of an important ecological corridor linking Mount Diablo to the Delta shoreline. Approximately, 450 acres of developed land will be protected against a 100-year flood event. The project will reduce flood risks by excavating approximately 9,000 cubic yards (CY) of soil from the channel banks and creating a wider floodplain area. This widening will help achieve the following near-term outcomes: attenuate flood peaks and provide flood protection for a 100-year flood event and provide additional channel cross-sectional area to allow for subsequent restoration of over 3 acres of floodplain with native vegetation. Native revegetation is funded and permitted as a separate project but relies on this widening of the Upper Reach to reestablish native vegetation and functional floodplains along Marsh Creek.

Budget Category (a): Project AdministrationTask 1: Project Management

Manage Grant Agreement including compliance with grant requirements, and preparation and submission of supporting grant documents and coordination with the Grantee. Prepare invoices including relevant supporting documentation for submittal to DWR via the Grantee. This task also includes administrative responsibilities associated with the project such as coordinating with partnering agencies and managing consultants/contractors.

Deliverables:

- Invoices and associated backup documentation

Task 2: Reporting

Prepare progress reports detailing work completed during reporting period as outlined in Exhibit F of this Agreement. Submit reports to DWR.

Prepare Project Completion Report and submit to DWR no later than 90 days after project completion for DWR Project Manager's comment and review. The report shall be prepared and presented in accordance with guidance as outlined in Exhibit F.

Deliverables:

- Quarterly Project Progress Reports
- Project Completion Report
- Documentation (e.g., photo) of "Acknowledgment of Credit & Signage" per Standard Condition D.2

Budget Category (b): Land Purchase/EasementTask 3: Land Purchase – Not Applicable

No land purchase or easement acquisition is required for this project.

Budget Category (c): Planning/Design/Engineering/Environmental DocumentationTask 4: Feasibility Studies

Project Feasibility Studies were completed as part of the project development process. A Restoration Master Plan for March Creek was completed in 2002. A comprehensive watershed conditions assessment was completed in 2007.

Deliverables:

- Relevant Feasibility Studies

Task 5: CEQA Documentation

A Notice of Determination was filed with the Office of Planning and Research for a Mitigated Negative Declaration in April of 2018. Prepare letter stating no legal challenges (or addressing legal challenges).

Deliverables:

- All completed CEQA documents as required
- Legal Challenges Letter

Task 6: Permitting

Obtain all necessary federal, state, and local permits. Permits already obtained include:

- Regional Water Quality Control Board 401 Certification
- California Department of Fish and Wildlife 1600 Lake and Streambed Alteration Agreement
- Habitat Conservancy project Survey Report (PSR)
- US Army Corps of Engineers 404 Permit

Additional permits may be required and will be obtained as necessary.

Deliverables:

- Permits as required

Task 7: Design

Final project design was completed and includes the following work: geotechnical investigation, topographic survey, and hydraulics modeling. Final plans, specifications, and engineer's cost estimates were also completed.

Deliverables:

- Geotechnical Report
- Topographic Survey
- Hydraulic Report
- 100% Design Plans and Specifications

Task 8: Project Monitoring Plan

Develop and submit a Project Monitoring Plan per Paragraph 16 for DWR's review and approval.

Deliverables:

- Project Monitoring Plan

Budget Category (d): Construction/Implementation**Task 9: Contract Services**

This task must comply with the Standard Condition D.11 – Competitive Bidding and Procurements. Activities necessary (as applicable) to secure a contractor and award the contract, including: develop bid documents, prepare advertisement and contract documents for construction contract bidding, conduct pre-bid meeting, bid opening and evaluation, selection of the contractor, award of contract, and issuance of notice to proceed.

Deliverables:

- Bid Documents
- Proof of Advertisement
- Award of Contract
- Notice to Proceed

Task 10: Construction Administration

This task includes managing contractor submittal review, answering requests for information, and issuing work directives. A full-time engineering construction observer will be on site for the duration of the project. Construction observer duties include documenting of pre-construction conditions, daily construction diary, preparing change orders, addressing questions of contractors on site, reviewing/ updating project schedule, reviewing contractor log submittals and pay requests, forecasting cash flow, notifying contractor if work is not acceptable. Upon completing the project, the DWR Certificate of Project Completion and record drawings will be provided to DWR.

Deliverables:

- DWR Certificate of Project Completion
- Record Drawings

Task 11: Construction

Construction activities are outlined below.

11(a): Mobilization and Demobilization of all necessary equipment; set up construction staging area and site security, place temporary sanitary facilities.

11(b): Site preparation will include preparation of plans for implementing best management practices (BMPs) for pollution prevention and sediment management; designating material storage areas; setting up traffic control; clearing and grubbing; and other applicable preliminary activities.

11(c): Excavate an estimated 8,928 CY and 293 CY rock from channel banks; remove unsuitable material and install approximately 1,376 feet riprap trench. Install rootwads and boulders per site plans; install irrigation system and signage for recycled water irrigation; install erosion protection/hydro-seeding; install approximately 365 CY rock slope protection; install approximately 140 feet retaining wall; and install approximately 281 feet cable railing and approximately 355 feet guardrail system.

11(d): Conduct cultural monitoring, biological monitoring, and labor compliance assessment.

Deliverables:

- Photographic Documentation of Progress

PROJECT 5: Citywide Non-Potable Water Distribution System**IMPLEMENTING AGENCY:** City of Brentwood

PROJECT DESCRIPTION: This project will expand beneficial use of recycled water in the City of Brentwood (City) by converting approximately twenty-two City-owned irrigated areas from potable to non-potable water use. The project will connect laterals and meters to two new recycled-water mains, replacing potable-water irrigation infrastructure at approximately 22 sites. The project will replace existing annual usage of approximately 63 AFY of treated, potable water with already-available recycled water, reducing dependence on treated Delta water. It will also reduce the amount of surplus recycled water currently being discharged into Marsh Creek, significantly reducing the amount of chloride flowing into the Delta via Marsh Creek, at approximately 50,400 pounds per year.

Budget Category (a): Project AdministrationTask 1: Project Management

Manage Grant Agreement including compliance with grant requirements, and preparation and submission of supporting grant documents and coordination with the Grantee. Prepare invoices including relevant supporting documentation for submittal to DWR via the Grantee. This task also includes administrative responsibilities associated with the project such as coordinating with partnering agencies and managing consultants/contractors.

Deliverables:

- Invoices and associated backup documentation

Task 2: Reporting

Prepare progress reports detailing work completed during reporting period as outlined in Exhibit F of this Agreement. Submit reports to DWR.

Prepare Project Completion Report and submit to DWR no later than 90 days after project completion for DWR Project Manager's comment and review. The report shall be prepared and presented in accordance with guidance as outlined in Exhibit F.

Deliverables:

- Quarterly Project Progress Reports
- Project Completion Report
- Documentation (e.g., photo) of "Acknowledgment of Credit & Signage" per Standard Condition D.2

Budget Category (b): Land Purchase/EasementTask 3: Land Purchase – Not Applicable

No land purchase or easement acquisition is required for this project.

Budget Category (c): Planning/Design/Engineering/Environmental DocumentationTask 4: Feasibility Studies

Project Feasibility Studies were completed as part of the project development process. The City of Brentwood completed a Recycled Water Feasibility Study in 2013.

Deliverables:

- Relevant Feasibility Studies

Task 5: CEQA Documentation

A Notice of Determination was filed for a Mitigated Negative Declaration with the Office of Planning and Research in June of 2017. Prepare letter stating no legal challenges (or addressing legal challenges).

Deliverables:

- All completed CEQA documents as required
- Legal Challenges Letter

Task 6: Permitting

No permits are required for this project.

Deliverables:

- N/A

Task 7: Design

Complete preliminary design including 100% (Final) design plans and specifications.

Deliverables:

- 100% Design Plans and Specifications

Task 8: Project Monitoring Plan

Develop and submit a Project Monitoring Plan per Paragraph 16 for DWR's review and approval.

Deliverables:

- Project Monitoring Plan

Budget Category (d): Construction/Implementation

Task 9: Contract Services

This task must comply with the Standard Condition D.11 – Competitive Bidding and Procurements. Activities necessary (as applicable) to secure a contractor and award the contract.

A portion of the work to be funded under this agreement (approximately four of the twenty-two planned non-potable lateral replacements) is included as an optional "bid alternative" in the contract and bid documents for a larger contract. A change order will be issued to perform this portion of the work. The remainder of the lateral replacements will be included in a future bid package.

Deliverables:

- Bid Documents
- Proof of Advertisement
- Award of Contract
- Notice to Proceed
- Change Order including Bid Alternative

Task 10: Construction Administration

This task includes managing contractor submittal review, answering requests for information, and issuing work directives. A full-time engineering construction observer will be on site for the duration of the project. Construction observer duties include documenting of pre-construction conditions, daily construction diary,

preparing change orders, addressing questions of contractors on site, reviewing/ updating project schedule, reviewing contractor log submittals and pay requests, forecasting cash flow, notifying contractor if work is not acceptable. Upon completing the project, the DWR Certificate of Project Completion and record drawings will be provided to DWR.

Deliverables:

- DWR Certificate of Project Completion
- Record Drawings

Task 11: Construction

Construction activities are outlined below.

11(a): Mobilization and Demobilization of all necessary equipment; set up construction staging area and site security if additional is needed for the lateral/irrigation work.

11(b): Site preparation will include implementing best management practices, designating material storage areas; setting up traffic control; and other applicable preliminary activities.

11(c): Install approximately twenty-two new non-potable water laterals and valves from new non-potable water main to the existing irrigation meter. Conduct pipe testing and flushing.

11(d): Disconnect existing potable water connections to irrigation meter, connect new non-potable water connections.

11(e): Restore surface and install new non-potable signage in irrigation area.

Deliverables:

- Photographic Documentation of Progress

EXHIBIT B
BUDGET**PROPOSITION 1 ROUND 1 EAST CONTRA COSTA COUNTY IRWM IMPLEMENTATION GRANT****AGREEMENT BUDGET SUMMARY**

	Grant Amount	Required Cost Share: Non-State Fund Source	Other Cost Share	Total Cost	Percent Cost Share
Grant Administration	\$80,000	N/A	\$0	\$80,000	N/A
PROJECTS					
1 West Antioch Creek Flood Conveyance Mitigation and Restoration	\$700,000	\$0	\$263,000	\$963,000	0%
2 Bethel Island Multi-Benefit and Integrated Stormwater Project	\$320,000	\$0	\$0	\$320,000	0%
3 Advanced Metering and Leak Detection	\$500,000	\$934,000	\$0	\$1,434,000	65%
4 Upper Reach of Three Creeks Parkway Restoration Project	\$850,000	\$724,254	\$403,183	\$1,977,437	36%
5 Citywide Non-Potable Water Distribution System	\$250,000	\$347,000	\$0	\$597,000	58%
GRAND TOTAL	\$2,700,000	\$2,005,254	\$666,183	\$5,371,437	-

Grant Administration

Implementing Agency: Contra Costa Water District

BUDGET CATEGORY	Grant Amount	Required Cost Share: Non-State Fund Source	Other Cost Share	Total Cost
(a) Project Administration	\$80,000	N/A	\$0	\$80,000
TOTAL COSTS	\$80,000	N/A	\$0	\$80,000

PROJECT 1: West Antioch Creek Flood Conveyance Mitigation and Restoration

Implementing Agency: City of Antioch

Project directly serves a need of a Disadvantaged Community: Yes

BUDGET CATEGORY	Grant Amount	Required Cost Share: Non-State Fund Source*	Other Cost Share**	Total Cost
(a) Project Administration	\$20,000	\$0	\$0	\$20,000
(b) Land Purchase / Easement	N/A	N/A	N/A	N/A
(c) Planning / Design / Engineering / Environmental Documentation	\$150,000	\$0	\$3,000	\$153,000
(d) Construction / Implementation	\$530,000	\$0	\$260,000	\$790,000
TOTAL COSTS	\$700,000	\$0	\$263,000	\$963,000

NOTES:

Eligible costs for each Budget Category will only be approved for reimbursement and Cost Share for the work completed within the date ranges listed in Exhibit C.

*The project received a 100% DAC/EDA cost share waiver.

** City of Antioch National Pollution Discharge Elimination System Fund and Public Works Operating Budget will be contributing \$263,000 as Other Cost Share Funding for this project.

PROJECT 2: Bethel Island Multi-Benefit and Integrated Stormwater Project

Implementing Agency: Bethel Island Municipal Improvement District

Project directly serves a need of a Disadvantaged Community: Yes

BUDGET CATEGORY	Grant Amount	Required Cost Share: Non-State Fund Source*	Other Cost Share	Total Cost
(a) Project Administration	\$30,000	\$0	\$0	\$30,000
(b) Land Purchase / Easement	N/A	N/A	N/A	N/A
(c) Planning / Design / Engineering / Environmental Documentation	\$290,000	\$0	\$0	\$290,000
(d) Construction / Implementation	N/A	N/A	N/A	N/A
TOTAL COSTS	\$320,000	\$0	\$0	\$320,000

NOTES:

Eligible costs for each Budget Category will only be approved for reimbursement and Cost Share for the work completed within the date ranges listed in Exhibit C.

*The project received a 100% DAC/EDA cost share waiver.

PROJECT 3: Advanced Metering and Leak Detection

Implementing Agency: Diablo Water District

Project directly serves a need of a Disadvantaged Community: No

BUDGET CATEGORY	Grant Amount	Required Cost Share: Non-State Fund Source*	Other Cost Share	Total Cost
(a) Project Administration	\$0	\$5,000	\$0	\$5,000
(b) Land Purchase / Easement	N/A	N/A	N/A	N/A
(c) Planning / Design / Engineering / Environmental Documentation	\$0	\$5,000	\$0	\$5,000
(d) Construction / Implementation	\$500,000	\$924,000	\$0	\$1,424,000
TOTAL COSTS	\$500,000	\$934,000	\$0	\$1,434,000

NOTES:

Eligible costs for each Budget Category will only be approved for reimbursement and Cost Share for the work completed within the date ranges listed in Exhibit C.

*Diablo Water District customer rate funds will be contributing \$934,000 as Required Cost Share Funding for this project.

PROJECT 4: Upper Reach of Three Creeks Parkway Restoration Project

Implementing Agency: Contra Costa County Flood Control and Water Conservation District

Project directly serves a need of a Disadvantaged Community: No

BUDGET CATEGORY	Grant Amount	Required Cost Share: Non-State Fund Source*	Other Cost Share**	Total Cost
(a) Project Administration	\$0	\$42,606	\$0	\$42,606
(b) Land Purchase / Easement	N/A	N/A	N/A	N/A
(c) Planning / Design / Engineering / Environmental Documentation	\$0	\$606,829	\$0	\$606,829
(d) Construction / Implementation	\$850,000	\$74,819	\$403,183	\$1,328,002
TOTAL COSTS	\$850,000	\$724,254	\$403,183	\$1,977,437

NOTES: Eligible costs for each Budget Category will only be approved for reimbursement and Cost Share for the work completed within the date ranges listed in Exhibit C.

*Drainage Area 130 fund, a local Flood Control District fund, will be contributing \$724,254 as Required Cost Share Funding for this project.

**Grants provided by U.S. Environmental Protection Agency, Delta Conservancy, Coastal Conservancy, California Natural Resource Agency, and Pulte Home Corporation will be contributing \$403,183 as Other Cost Share Funding for this project.

PROJECT 5: Citywide Non-Potable Water Distribution System

Implementing Agency: City of Brentwood

Project directly serves a need of a Disadvantaged Community: No

BUDGET CATEGORY	Grant Amount	Required Cost Share: Non-State Fund Source*	Other Cost Share	Total Cost
(a) Project Administration	\$0	\$5,000	\$0	\$5,000
(b) Land Purchase / Easement	N/A	N/A	N/A	N/A
(c) Planning / Design / Engineering / Environmental Documentation	\$0	\$66,000	\$0	\$66,000
(d) Construction / Implementation	\$250,000	\$276,000	\$0	\$526,000
TOTAL COSTS	\$250,000	\$347,000	\$0	\$597,000

NOTES: Eligible costs for each Budget Category will only be approved for reimbursement and Cost Share for the work completed within the date ranges listed in Exhibit C.

*Wastewater Development Impact Fee, Wastewater Enterprise and Parks and Landscape and Lighting Assessment Districts Replacement Funds, as applicable, will be contributing \$347,000 as Required Cost Share Funding for this project.

EXHIBIT C
SCHEDULE**PROPOSITION 1 ROUND 1 EAST CONTRA COSTA COUNTY IRWM IMPLEMENTATION GRANT****Grant Administration**

BUDGET CATEGORY	Start Date	End Date
a Project Administration	7/1/2020	6/30/2024

PROJECT 1: West Antioch Creek Flood Conveyance Mitigation and Restoration

BUDGET CATEGORY	Start Date	End Date
a Project Administration	4/1/2020	1/31/2023
b Land Purchase / Easement	N/A	N/A
c Planning / Design / Engineering / Environmental Documentation	5/1/2019	9/30/2021*
d Construction / Implementation	7/1/2019*	10/31/2022

*There is an overlap of schedules between Category (c) and (d) to allow for special permitting for extensive dredging.

PROJECT 2: Bethel Island Multi-Benefit and Integrated Stormwater Project

BUDGET CATEGORY	Start Date	End Date
a Project Administration	7/1/2020	3/31/2024
b Land Purchase / Easement	N/A	N/A
c Planning / Design / Engineering / Environmental Documentation	1/1/2021	12/31/2023
d Construction / Implementation	N/A	N/A*

*This project is a Decision Support Tool.

PROJECT 3: Advanced Metering and Leak Detection

BUDGET CATEGORY	Start Date	End Date
a Project Administration	9/1/2019	6/30/2021
b Land Purchase / Easement	N/A	N/A
c Planning / Design / Engineering / Environmental Documentation	9/1/2019	6/30/2020
d Construction / Implementation	7/1/2020	3/31/2021

PROJECT 4: Upper Reach of Three Creeks Parkway Restoration Project

BUDGET CATEGORY	Start Date	End Date
a Project Administration	4/15/2020	5/31/2021
b Land Purchase / Easement	N/A	N/A
c Planning / Design / Engineering / Environmental Documentation	1/1/2015	10/31/2019*
d Construction / Implementation	10/1/2019*	12/31/2020

*There is an overlap of schedules between Category (c) and (d) to allow for contract administration and mobilization.

PROJECT 5: Citywide Non-Potable Water Distribution System

BUDGET CATEGORY	Start Date	End Date
a Project Administration	4/1/2019	3/30/2024
b Land Purchase / Easement	N/A	N/A
c Planning / Design / Engineering / Environmental Documentation	4/1/2019	1/31/2020
d Construction / Implementation	10/1/2020	12/31/2023

EXHIBIT D**STANDARD CONDITIONS**

- D.1. **ACCOUNTING AND DEPOSIT OF FUNDING DISBURSEMENT:**
- A. **Separate Accounting of Funding Disbursements:** Grantee shall account for the money disbursed pursuant to this Grant agreement separately from all other Grantee funds. Grantee shall maintain audit and accounting procedures that are in accordance with generally accepted accounting principles and practices, consistently applied. Grantee shall keep complete and accurate records of all receipts and disbursements on expenditures of such funds. Grantee shall require its contractors or subcontractors to maintain books, records, and other documents pertinent to their work in accordance with generally accepted accounting principles and practices. Records are subject to inspection by State at any and all reasonable times.
 - B. **Disposition of Money Disbursed:** All money disbursed pursuant to this Grant agreement shall be deposited in a non-interest bearing account, administered, and accounted for pursuant to the provisions of applicable law.
 - C. **Remittance of Unexpended Funds:** Grantee shall remit to State any unexpended funds that were disbursed to Grantee under this Grant agreement and were not used to pay Eligible Project Costs within a period of sixty (60) calendar days from the final disbursement from State to Grantee of funds or, within thirty (30) calendar days of the expiration of the Grant agreement, whichever comes first.
- D.2. **ACKNOWLEDGEMENT OF CREDIT AND SIGNAGE:** Grantee shall include appropriate acknowledgement of credit to the State for its support when promoting the Project or using any data and/or information developed under this Grant agreement. Signage shall be posted in a prominent location at Project site(s) (if applicable) or at the Grantee's headquarters and shall include the Department of Water Resources color logo and the following disclosure statement: "Funding for this project has been provided in full or in part from the Water Quality, Supply, and Infrastructure Improvement Act of 2014 and through an agreement with the State Department of Water Resources." The Grantee shall also include in each of its contracts for work under this Agreement a provision that incorporates the requirements stated within this Paragraph.
- D.3. **AMENDMENT:** This Grant agreement may be amended at any time by mutual agreement of the Parties, except insofar as any proposed amendments are in any way contrary to applicable law. Requests by the Grantee for amendments must be in writing stating the amendment request and the reason for the request. Requests solely for a time extension must be submitted at least 90 days prior to the work completion date set forth in Paragraph 2. Any other request for an amendment must be submitted at least 180 days prior to the work completion date set forth in Paragraph 2. State shall have no obligation to agree to an amendment.
- D.4. **AMERICANS WITH DISABILITIES ACT:** By signing this Grant agreement, Grantee assures State that it complies with the Americans with Disabilities Act (ADA) of 1990, (42 U.S.C. § 12101 et seq.), which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA.
- D.5. **AUDITS:** State reserves the right to conduct an audit at any time between the execution of this Grant agreement and the completion of the Project, with the costs of such audit borne by State. After completion of the Project, State may require Grantee to conduct a final audit to State's specifications, at Grantee's expense, such audit to be conducted by and a report prepared by an independent Certified Public Accountant. Failure or refusal by Grantee to comply with this provision shall be considered a breach of this Grant agreement, and State may elect to pursue any remedies provided in Paragraph 12 or take any other action it deems necessary to protect its interests. The Grantee agrees it shall return any audit disallowances to the State.

Pursuant to Government Code section 8546.7, the Grantee shall be subject to the examination and audit by the State for a period of three (3) years after final payment under this Grant agreement with respect of all matters connected with this Grant agreement, including but not limited to, the cost of administering this Grant agreement. All records of Grantee or its contractor or subcontractors shall be preserved for this purpose for at least three (3) years after receipt of the final disbursement under this Agreement. If an audit reveals any impropriety, the Bureau of State Audits or the State Controller's Office may conduct a full audit of any or all of the Grantee's activities. (Water Code, § 79708, subd. (b).)

- D.6. BUDGET CONTINGENCY: If the Budget Act of the current year covered under this Grant agreement does not appropriate sufficient funds for this program, this Grant agreement shall be of no force and effect. This provision shall be construed as a condition precedent to the obligation of State to make any payments under this Grant agreement. In this event, State shall have no liability to pay any funds whatsoever to Grantee or to furnish any other considerations under this Grant agreement and Grantee shall not be obligated to perform any provisions of this Grant agreement. Nothing in this Grant agreement shall be construed to provide Grantee with a right of priority for payment over any other Grantee. If funding for any fiscal year after the current year covered by this Grant agreement is reduced or deleted by the Budget Act, by Executive Order, or by order of the Department of Finance, the State shall have the option to either cancel this Grant agreement with no liability occurring to State, or offer a Grant agreement amendment to Grantee to reflect the reduced amount.
- D.7. CALIFORNIA CONSERVATION CORPS: Grantee may use the services of the California Conservation Corps or other community conservation corps as defined in Public Resources Code section 14507.5.
- D.8. CEQA: Activities funded under this Grant agreement, regardless of funding source, must be in compliance with the California Environmental Quality Act (CEQA). (Pub. Resources Code, § 21000 et seq.) Any work that is subject to CEQA and funded under this Agreement shall not proceed until documents that satisfy the CEQA process are received by the State's Project Manager and the State has completed its CEQA compliance. Work funded under this Agreement that is subject to a CEQA document shall not proceed until and unless approved by the Department of Water Resources. Such approval is fully discretionary and shall constitute a condition precedent to any work for which it is required. If CEQA compliance by the Grantee is not complete at the time the State signs this Agreement, once State has considered the environmental documents, it may decide to require changes, alterations, or other mitigation to the Project; or to not fund the Project. Should the State decide to not fund the Project, this Agreement shall be terminated in accordance with Paragraph 12, "Default Provisions."
- D.9. CHILD SUPPORT COMPLIANCE ACT: The Grantee acknowledges in accordance with Public Contract Code section 7110, that:
- A. The Grantee recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Family Code section 5200 et seq.; and
 - B. The Grantee, to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the California Employment Development Department.
- D.10. CLAIMS DISPUTE: Any claim that the Grantee may have regarding performance of this Agreement including, but not limited to, claims for additional compensation or extension of time, shall be submitted to the DWR Project Representative, within thirty (30) days of the Grantee's knowledge of the claim. State and Grantee shall then attempt to negotiate a resolution of such claim and process an amendment to this Agreement to implement the terms of any such resolution.

- D.11. **COMPETITIVE BIDDING AND PROCUREMENTS:** Grantee's contracts with other entities for the acquisition of goods and services and construction of public works with funds provided by State under this Grant agreement must be in writing and shall comply with all applicable laws and regulations regarding the securing of competitive bids and undertaking competitive negotiations. If the Grantee does not have a written policy to award contracts through a competitive bidding or sole source process, the Department of General Services' *State Contracting Manual* rules must be followed and are available at: <https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/State-Contracting>.
- D.12. **COMPUTER SOFTWARE:** Grantee certifies that it has appropriate systems and controls in place to ensure that state funds will not be used in the performance of this Grant agreement for the acquisition, operation, or maintenance of computer software in violation of copyright laws.
- D.13. **CONFLICT OF INTEREST:** All participants are subject to State and Federal conflict of interest laws. Failure to comply with these laws, including business and financial disclosure provisions, will result in the application being rejected and any subsequent contract being declared void. Other legal action may also be taken. Applicable statutes include, but are not limited to, Government Code section 1090 and Public Contract Code sections 10410 and 10411, for State conflict of interest requirements.
- A. **Current State Employees:** No State officer or employee shall engage in any employment, activity, or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any State agency, unless the employment, activity, or enterprise is required as a condition of regular State employment. No State officer or employee shall contract on his or her own behalf as an independent contractor with any State agency to provide goods or services.
 - B. **Former State Employees:** For the two-year period from the date he or she left State employment, no former State officer or employee may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements, or any part of the decision-making process relevant to the contract while employed in any capacity by any State agency. For the twelve-month period from the date he or she left State employment, no former State officer or employee may enter into a contract with any State agency if he or she was employed by that State agency in a policy-making position in the same general subject area as the proposed contract within the twelve-month period prior to his or her leaving State service.
 - C. **Employees of the Grantee:** Employees of the Grantee shall comply with all applicable provisions of law pertaining to conflicts of interest, including but not limited to any applicable conflict of interest provisions of the California Political Reform Act. (Gov. Code, § 87100 et seq.)
 - D. **Employees and Consultants to the Grantee:** Individuals working on behalf of a Grantee may be required by the Department to file a Statement of Economic Interests (Fair Political Practices Commission Form 700) if it is determined that an individual is a consultant for Political Reform Act purposes.
- D.14. **DELIVERY OF INFORMATION, REPORTS, AND DATA:** Grantee agrees to expeditiously provide throughout the term of this Grant agreement, such reports, data, information, and certifications as may be reasonably required by State.
- D.15. **DISPOSITION OF EQUIPMENT:** Grantee shall provide to State, not less than thirty (30) calendar days prior to submission of the final invoice, an itemized inventory of equipment purchased with funds provided by State. The inventory shall include all items with a current estimated fair market value of more than \$5,000.00 per item. Within sixty (60) calendar days of receipt of such inventory State shall provide Grantee with a list of the items on the inventory that State will take title to. All other items shall become the property of Grantee. State shall arrange for delivery from Grantee of items that it takes title to. Cost of transportation, if any, shall be borne by State.
- D.16. **DRUG-FREE WORKPLACE CERTIFICATION:** Certification of Compliance: By signing this Grant agreement, Grantee, its contractors or subcontractors hereby certify, under penalty of perjury under

the laws of State of California, compliance with the requirements of the Drug-Free Workplace Act of 1990 (Gov. Code, § 8350 et seq.) and have or will provide a drug-free workplace by taking the following actions:

- A. Publish a statement notifying employees, contractors, and subcontractors that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees, contractors, or subcontractors for violations, as required by Government Code section 8355.
 - B. Establish a Drug-Free Awareness Program, as required by Government Code section 8355 to inform employees, contractors, or subcontractors about all of the following:
 - i. The dangers of drug abuse in the workplace,
 - ii. Grantee's policy of maintaining a drug-free workplace,
 - iii. Any available counseling, rehabilitation, and employee assistance programs, and
 - iv. Penalties that may be imposed upon employees, contractors, and subcontractors for drug abuse violations.
 - C. Provide, as required by Government Code section 8355, that every employee, contractor, and/or subcontractor who works under this Grant agreement:
 - i. Will receive a copy of Grantee's drug-free policy statement, and
 - ii. Will agree to abide by terms of Grantee's condition of employment, contract or subcontract.
- D.17. EASEMENTS: Where the Grantee acquires property in fee title or funds improvements to real property already owned in fee by the Grantee using State funds provided through this Grant agreement, an appropriate easement or other title restriction providing for floodplain preservation and agricultural and/or wildlife habitat conservation for the subject property in perpetuity, approved by the State, shall be conveyed to a regulatory or trustee agency or conservation group acceptable to the State. The easement or other title restriction must be in first position ahead of any recorded mortgage or lien on the property unless this requirement is waived by the State.
Where the Grantee acquires an easement under this Agreement, the Grantee agrees to monitor and enforce the terms of the easement, unless the easement is subsequently transferred to another land management or conservation organization or entity with State permission, at which time monitoring and enforcement responsibilities will transfer to the new easement owner.
Failure to provide an easement acceptable to the State may result in termination of this Agreement.
- D.18. FINAL INSPECTIONS AND CERTIFICATION OF REGISTERED PROFESSIONAL: Upon completion of the Project, Grantee shall provide for a final inspection and certification by a California Registered Professional (i.e., Professional Civil Engineer, Engineering Geologist), that the Project has been completed in accordance with submitted final plans and specifications and any modifications thereto and in accordance with this Grant agreement.
- D.19. GRANTEE'S RESPONSIBILITIES: Grantee and its representatives shall:
- A. Faithfully and expeditiously perform or cause to be performed all project work as described in Exhibit A and in accordance with Exhibits B and C.
 - B. Accept and agree to comply with all terms, provisions, conditions, and written commitments of this Grant agreement, including all incorporated documents, and to fulfill all assurances, declarations, representations, and statements made by Grantee in the application, documents, amendments, and communications filed in support of its request for funding.
 - C. Comply with all applicable California, federal, and local laws and regulations.
 - D. Implement the Project in accordance with applicable provisions of the law.
 - E. Fulfill its obligations under the Grant agreement and be responsible for the performance of the Project.
 - F. Obtain any and all permits, licenses, and approvals required for performing any work under this Grant agreement, including those necessary to perform design, construction, or operation and maintenance of the Project. Grantee shall provide copies of permits and approvals to State.

- G. Be solely responsible for design, construction, and operation and maintenance of projects within the work plan. Review or approval of plans, specifications, bid documents, or other construction documents by State is solely for the purpose of proper administration of funds by State and shall not be deemed to relieve or restrict responsibilities of Grantee under this Agreement.
- H. Be solely responsible for all work and for persons or entities engaged in work performed pursuant to this Agreement, including, but not limited to, contractors, subcontractors, suppliers, and providers of services. The Grantee shall be responsible for any and all disputes arising out of its contracts for work on the Project, including but not limited to payment disputes with contractors and subcontractors. The State will not mediate disputes between the Grantee and any other entity concerning responsibility for performance of work.
- D.20. **GOVERNING LAW:** This Grant agreement is governed by and shall be interpreted in accordance with the laws of the State of California.
- D.21. **INCOME RESTRICTIONS:** The Grantee agrees that any refunds, rebates, credits, or other amounts (including any interest thereon) accruing to or received by the Grantee under this Agreement shall be paid by the Grantee to the State, to the extent that they are properly allocable to costs for which the Grantee has been reimbursed by the State under this Agreement. The Grantee shall also include in each of its contracts for work under this Agreement a provision that incorporates the requirements stated within this Paragraph.
- D.22. **INDEMNIFICATION:** Grantee shall indemnify and hold and save the State, its officers, agents, and employees, free and harmless from any and all liabilities for any claims and damages (including inverse condemnation) that may arise out of the Project and this Agreement, including, but not limited to any claims or damages arising from planning, design, construction, maintenance and/or operation of levee rehabilitation measures for this Project and any breach of this Agreement. Grantee shall require its contractors or subcontractors to name the State, its officers, agents and employees as additional insureds on their liability insurance for activities undertaken pursuant to this Agreement.
- D.23. **INDEPENDENT CAPACITY:** Grantee, and the agents and employees of Grantees, in the performance of the Grant agreement, shall act in an independent capacity and not as officers, employees, or agents of the State.
- D.24. **INSPECTION OF BOOKS, RECORDS, AND REPORTS:** During regular office hours, each of the parties hereto and their duly authorized representatives shall have the right to inspect and to make copies of any books, records, or reports of either party pertaining to this Grant agreement or matters related hereto. Each of the parties hereto shall maintain and shall make available at all times for such inspection accurate records of all its costs, disbursements, and receipts with respect to its activities under this Grant agreement. Failure or refusal by Grantee to comply with this provision shall be considered a breach of this Grant agreement, and State may withhold disbursements to Grantee or take any other action it deems necessary to protect its interests.
- D.25. **INSPECTIONS OF PROJECT BY STATE:** State shall have the right to inspect the work being performed at any and all reasonable times during the term of the Grant agreement. This right shall extend to any subcontracts, and Grantee shall include provisions ensuring such access in all its contracts or subcontracts entered into pursuant to its Grant agreement with State.
- D.26. **LABOR CODE COMPLIANCE:** The Grantee agrees to be bound by all the provisions of the Labor Code regarding prevailing wages and shall monitor all contracts subject to reimbursement from this Agreement to assure that the prevailing wage provisions of the Labor Code are being met. Current Department of Industrial Relations (DIR) requirements may be found at: <http://www.dir.ca.gov/lcp.asp>. For more information, please refer to DIR's *Public Works Manual* at: <https://www.dir.ca.gov/dlse/PWManualCombined.pdf>. The Grantee affirms that it is aware of the provisions of section 3700 of the Labor Code, which requires every employer to be insured against liability for workers'

compensation or to undertake self-insurance, and the Grantee affirms that it will comply with such provisions before commencing the performance of the work under this Agreement and will make its contractors and subcontractors aware of this provision.

- D.27. **MODIFICATION OF OVERALL WORK PLAN:** At the request of the Grantee, the State may at its sole discretion approve non-material changes to the portions of Exhibits A, B, and C which concern the budget and schedule without formally amending this Grant agreement. Non-material changes with respect to the budget are changes that only result in reallocation of the budget and will not result in an increase in the amount of the State Grant agreement. Non-material changes with respect to the Project schedule are changes that will not extend the term of this Grant agreement. Requests for non-material changes to the budget and schedule must be submitted by the Grantee to the State in writing and are not effective unless and until specifically approved by the State's Program Manager in writing.
- D.28. **NONDISCRIMINATION:** During the performance of this Grant agreement, Grantee and its contractors or subcontractors shall not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex (gender), sexual orientation, race, color, ancestry, religion, creed, national origin (including language use restriction), pregnancy, physical disability (including HIV and AIDS), mental disability, medical condition (cancer/genetic characteristics), age (over 40), marital status, and denial of medical and family care leave or pregnancy disability leave. Grantee and its contractors or subcontractors shall ensure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Grantee and its contractors or subcontractors shall comply with the provisions of the California Fair Employment and Housing Act (Gov. Code, § 12990.) and the applicable regulations promulgated there under (Cal. Code Regs., tit. 2, § 11000 et seq.). The applicable regulations of the Fair Employment and Housing are incorporated into this Agreement by reference. Grantee and its contractors or subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement. Grantee shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the Grant agreement.
- D.29. **OPINIONS AND DETERMINATIONS:** Where the terms of this Grant agreement provide for action to be based upon, judgment, approval, review, or determination of either party hereto, such terms are not intended to be and shall never be construed as permitting such opinion, judgment, approval, review, or determination to be arbitrary, capricious, or unreasonable.
- D.30. **PERFORMANCE BOND:** Where contractors are used, the Grantee shall not authorize construction to begin until each contractor has furnished a performance bond in favor of the Grantee in the following amounts: faithful performance (100%) of contract value, and labor and materials (100%) of contract value. This requirement shall not apply to any contract for less than \$25,000.00. Any bond issued pursuant to this paragraph must be issued by a California-admitted surety. (Pub. Contract Code, § 7103; Code Civ. Proc., § 995.311.)
- D.31. **PRIORITY HIRING CONSIDERATIONS:** If this Grant agreement includes services in excess of \$200,000, the Grantee shall give priority consideration in filling vacancies in positions funded by the Grant agreement to qualified recipients of aid under Welfare and Institutions Code section 11200 in accordance with Public Contract Code section 10353.
- D.32. **PROHIBITION AGAINST DISPOSAL OF PROJECT WITHOUT STATE PERMISSION:** The Grantee shall not sell, abandon, lease, transfer, exchange, mortgage, hypothecate, or encumber in any manner whatsoever all or any portion of any real or other property necessarily connected or used in conjunction with the Project, or with Grantee's service of water, without prior permission of State. Grantee shall not take any action, including but not limited to actions relating to user fees, charges, and assessments that could adversely affect the ability of Grantee meet its obligations under this Grant agreement, without prior written permission of State. State may require that the proceeds from

the disposition of any real or personal property be remitted to State.

- D.33. PROJECT ACCESS: The Grantee shall ensure that the State, the Governor of the State, or any authorized representative of the foregoing, will have safe and suitable access to the Project site at all reasonable times during Project construction and thereafter for the term of this Agreement.
- D.34. REMAINING BALANCE: In the event the Grantee does not submit invoices requesting all of the funds encumbered under this Grant Agreement, any remaining funds revert to the State. The State will notify the Grantee stating that the Project file is closed and any remaining balance will be disencumbered and unavailable for further use under this Grant Agreement.
- D.35. REMEDIES NOT EXCLUSIVE: The use by either party of any remedy specified herein for the enforcement of this Grant agreement is not exclusive and shall not deprive the party using such remedy of, or limit the application of, any other remedy provided by law.
- D.36. RETENTION: The State shall withhold ten percent (10%) of the funds, for each project, until the project is complete, and a Final Project Report is approved and accepted by DWR. If a project has multiple Components (within a project), at the State's discretion and upon a written request by the Grantee, any retained amount attributable to a single component may be released when that component is complete and the Final Component Completion Report is approved. Upon approval of the Final Project Report and/or Final Component Completion Report, any retained amounts due to the Grantee will be promptly disbursed to the Grantee, without interest.
- D.37. RIGHTS IN DATA: Grantee agrees that all data, plans, drawings, specifications, reports, computer programs, operating manuals, notes and other written or graphic work produced in the performance of this Grant agreement shall be made available to the State and shall be in the public domain to the extent to which release of such materials is required under the California Public Records Act. (Gov. Code, § 6250 et seq.) Grantee may disclose, disseminate and use in whole or in part, any final form data and information received, collected and developed under this Grant agreement, subject to appropriate acknowledgement of credit to State for financial support. Grantee shall not utilize the materials for any profit-making venture or sell or grant rights to a third party who intends to do so. The State shall have the right to use any data described in this paragraph for any public purpose.
- D.38. SEVERABILITY: Should any portion of this Grant agreement be determined to be void or unenforceable, such shall be severed from the whole and the Grant agreement shall continue as modified.
- D.39. SUSPENSION OF PAYMENTS: This Grant agreement may be subject to suspension of payments or termination, or both if the State determines that:
- A. Grantee, its contractors, or subcontractors have made a false certification, or
 - B. Grantee, its contractors, or subcontractors violates the certification by failing to carry out the requirements noted in this Grant agreement.
- D.40. SUCCESSORS AND ASSIGNS: This Grant agreement and all of its provisions shall apply to and bind the successors and assigns of the parties. No assignment or transfer of this Grant agreement or any part thereof, rights hereunder, or interest herein by the Grantee shall be valid unless and until it is approved by State and made subject to such reasonable terms and conditions as State may impose.
- D.41. TERMINATION BY GRANTEE: Subject to State approval which may be reasonably withheld, Grantee may terminate this Agreement and be relieved of contractual obligations. In doing so, Grantee must provide a reason(s) for termination. Grantee must submit all progress reports summarizing accomplishments up until termination date.

- D.42. TERMINATION FOR CAUSE: Subject to the right to cure under Paragraph 12, "Default Provisions," the State may terminate this Grant agreement and be relieved of any payments should Grantee fail to perform the requirements of this Grant agreement at the time and in the manner herein, provided including but not limited to reasons of default under Paragraph 12, "Default Provisions."
- D.43. TERMINATION WITHOUT CAUSE: The State may terminate this Agreement without cause on 30 days' advance written notice. The Grantee shall be reimbursed for all reasonable expenses incurred up to the date of termination.
- D.44. THIRD PARTY BENEFICIARIES: The parties to this Agreement do not intend to create rights in, or grant remedies to, any third party as a beneficiary of this Agreement, or any duty, covenant, obligation or understanding established herein.
- D.45. TIMELINESS: Time is of the essence in this Grant agreement.
- D.46. TRAVEL – DAC, EDA, TRIBES PROJECT: Travel is only an eligible reimbursable expense for projects providing at least 75% of benefits to DACs, EDAs, and/or Tribes (based on population or geographic area). Only ground transportation and lodging are eligible for grant reimbursement. Per diem costs will not be eligible for grant reimbursement. Any reimbursement for necessary travel shall be at rates not to exceed those set by the California Department of Human Resources. These rates may be found at: <http://www.calhr.ca.gov/employees/Pages/travel-reimbursements.aspx>. Reimbursement will be at the State travel amounts that are current as of the date costs are incurred. No travel outside of the IRWM region shall be reimbursed unless prior written authorization is obtained from the State.
- D.47. UNION ORGANIZING: Grantee, by signing this Grant agreement, hereby acknowledges the applicability of Government Code sections 16645 through 16649 to this Grant agreement. Furthermore, Grantee, by signing this Grant agreement, hereby certifies that:
- A. No State funds disbursed by this Grant agreement will be used to assist, promote, or deter union organizing.
 - B. Grantee shall account for State funds disbursed for a specific expenditure by this Grant agreement to show those funds were allocated to that expenditure.
 - C. Grantee shall, where State funds are not designated as described in (b) above, allocate, on a pro rata basis, all disbursements that support the program.
 - D. If Grantee makes expenditures to assist, promote, or deter union organizing, Grantee will maintain records sufficient to show that no State funds were used for those expenditures and that Grantee shall provide those records to the Attorney General upon request.
- D.48. VENUE: The State and the Grantee hereby agree that any action arising out of this Agreement shall be filed and maintained in the Superior Court in and for the County of Sacramento, California, or in the United States District Court in and for the Eastern District of California. The Grantee hereby waives any existing sovereign immunity for the purposes of this Agreement.
- D.49. WAIVER OF RIGHTS: None of the provisions of this Grant agreement shall be deemed waived unless expressly waived in writing. It is the intention of the parties here to that from time to time either party may waive any of its rights under this Grant agreement unless contrary to law. Any waiver by either party of rights arising in connection with the Grant agreement shall not be deemed to be a waiver with respect to any other rights or matters, and such provisions shall continue in full force and effect.

EXHIBIT E
AUTHORIZING RESOLUTION

RESOLUTION NO. 19-017

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CONTRA COSTA WATER DISTRICT
AUTHORIZING A PROPOSAL FOR A PROPOSITION 1 ROUND 1 INTEGRATED REGIONAL WATER
MANAGEMENT IMPLEMENTATION GRANT AND EXECUTION OF AN AGREEMENT WITH THE
CALIFORNIA DEPARTMENT OF WATER RESOURCES, CONDITIONED UPON GRANT AWARD**

WHEREAS, in November 2014, Proposition 1: the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Water Code Section 79700 *et seq.*) was passed by the vote of the people of California; and

WHEREAS, Proposition 1 authorized \$7.545 billion in general obligation bonds to fund ecosystems and watershed protection and restoration, water supply infrastructure projects, including surface and groundwater storage, and drinking water protection; and

WHEREAS, approximately \$222 million in grant funding administered by the California Department of Water Resources (DWR) is available on a competitive basis statewide for implementation projects through DWR's Integrated Regional Water Management (IRWM) Implementation Grant Program; and

WHEREAS, the intent of the IRWM Implementation Grant Program is to provide funding for implementation projects that meet regionally-developed objectives and support integrated planning and management of water resources; and

WHEREAS, the East Contra Costa County IRWM region, of which Contra Costa Water District (District) is an active participant, intends to submit a proposal to the Proposition 1 Round 1 IRWM Implementation Grant Program; and

WHEREAS, DWR requires that proposals identify a single entity to serve as the grant applicant on behalf of an IRWM region; and

WHEREAS, as administrator of the East Contra Costa County IRWM region, the District has historically served in the role of grant applicant on behalf of the region; and

Resolution No. 19-017
November 6, 2019
Page 2

WHEREAS, grant applicants must provide a copy of a resolution adopted by the applicant's governing body authorizing submittal of a proposal and execution of a grant agreement to receive an IRWM implementation grant.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Contra Costa Water District that the General Manager, or designee, is hereby authorized to prepare the necessary data, conduct investigations, and execute and submit all documents, applications, and proposals that may be necessary to obtain an IRWM implementation grant.

BE IT FURTHER RESOLVED, by the Board of Directors of the Contra Costa Water District that the General Manager, or designee, is hereby authorized to execute any and all agreements and amendments thereto, in a form to be approved by legal counsel, and payment requests that may be necessary to receive an IRWM implementation grant, and for the initiation and completion of the project.

The foregoing Resolution was duly and regularly adopted at a meeting held on the 6th day of November 2019, by the Board of Directors of the Contra Costa Water District by the following vote:

AYES: Boatmun, Holdaway, Avila, Borba, Burgh

NOES:

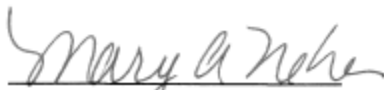
ABSTAIN:

ABSENT:



Lisa Borba, President

ATTEST:



Mary A. Neher
District Secretary

EXHIBIT F

REPORT FORMATS AND REQUIREMENTS

The following reporting formats should be utilized. Please obtain State approval prior to submitting a report in an alternative format.

PROGRESS REPORTS

Progress reports shall generally use the following format. This format may be modified as necessary to effectively communicate information. For each project, discuss the following at the task level, as organized in Exhibit A:

- Percent complete (by work)
- Discussion of work accomplished during the reporting period.
- Milestones or deliverables completed/submitted during the reporting period.
- Meetings held or attended.
- Scheduling concerns and issues encountered that may delay completion of the task.
- Budget projections for grant share for the next two quarters

For each project, discuss the following at the project level, as organized in Exhibit A:

- Work anticipated for the next reporting period.
- Photo documentation, as appropriate.
- Any schedule or budget modifications approved by DWR during the reporting period.

PROJECT COMPLETION REPORT

The Project Completion Report (or a Component Completion Report, if a Project has multiple Components) shall generally use the following format provided below for each project after completion.

Executive Summary

The Executive Summary should include a brief summary of project information and include the following items:

- Brief description of work proposed to be done in the original Grant application.
- List any official amendments to this Grant Agreement, with a short description of the amendment.

Reports and/or Products

The following items should be provided, unless already submitted as a deliverable:

- A copy of any final technical report or study, produced for or utilized in this Project as described in the Exhibit A
- Electronic copies of any data collected, not previously submitted
- Discussion of problems that occurred during the work and how those problems were resolved
- Final project schedule showing actual progress versus planned progress as shown in Exhibit C

Additional information that may be applicable for implementation projects includes the following:

- Record drawings
- Final geodetic survey information
- Project photos

Cost & Disposition of Funds

A list showing:

- Summary of Project costs including the following items:
 - Accounting of the cost of project expenditure;
 - Include all internal and external costs not previously disclosed (i.e., additional cost share); and
 - A discussion of factors that positively or negatively affected the project cost and any deviation from the original Project cost estimate.

Additional Information

- Benefits derived from the Project, with quantification of such benefits provided.
- If applicable, Certification from a California Registered Professional (Civil Engineer or Geologist, as appropriate), consistent with Exhibit D, that the project was conducted in accordance with the approved Work Plan in Exhibit A and any approved amendments thereto.
- Submittal schedule for the Post-Performance Report.

GRANT COMPLETION REPORT

The Grant Completion Report shall generally use the following format. This format may be modified as necessary to effectively communicate information on the various projects funded by this Grant Agreement, and includes the following:

- Executive Summary: consisting of a maximum of ten (10) pages summarizing information for the grant as well as the individual projects.
- Brief discussion of: each project completed and how they achieved IRWM Plan objectives and/or Regional goals and whether the level, type, or magnitude of benefits of the project are comparable to the original project proposal; any remaining work to be completed and mechanism for their implementation; the benefits to DAC and/or EDA as part of this Grant Agreement if a DAC or EDA Cost Share Waiver was approved for a project; and a summary of final funds disbursement for each project.

Additional Information: Summary of the submittal schedule for the Post-Performance Reports applicable for the projects in this Grant Agreement.

POST-PERFORMANCE REPORT

The Post-Performance Report (PPR) should be concise and focus on how each project is performing compared to its expected performance; whether the project is being operated and maintained and providing intended benefits as proposed. A PPR template may be provided by the assigned DWR Grant Manager upon request. The PPR should follow the general format of the template and provide requested information as applicable. The following information, at a minimum, shall be provided:

Reports and/or products

- Header including the following:
 - Grantee Name
 - Implementing Agency (if different from Grantee)
 - Grant Agreement Number
 - Project Name
 - Funding grant source (i.e., 2019 Proposition 1 IRWM Implementation Grant)
 - Report number

- Post-Performance Report schedule
- Time period of the annual report (e.g., January 2018 through December 2018)
- Project Description Summary
- Discussion of the project benefits
- An assessment of any differences between the expected versus actual project benefits as stated in the original application. Where applicable, the reporting should include quantitative metrics (e.g., new acre-feet of water produced that year, etc.).
- Summary of any additional costs and/or benefits deriving from the project since its completion, if applicable.
- Any additional information relevant to or generated by the continued operation of the project.

EXHIBIT G

REQUIREMENTS FOR DATA SUBMITTAL

Surface and Groundwater Quality Data:

Groundwater quality and ambient surface water quality monitoring data that include chemical, physical, or biological data shall be submitted to the State as described below, with a narrative description of data submittal activities included in project reports.

Surface water quality monitoring data shall be prepared for submission to the California Environmental Data Exchange Network (CEDEN). The CEDEN data templates are available on the CEDEN website. Inclusion of additional data elements described on the data templates is desirable. Data ready for submission should be uploaded to your CEDEN Regional Data Center via the CEDEN website. CEDEN website: <http://www.ceden.org>.

If a project's Work Plan contains a groundwater ambient monitoring element, groundwater quality monitoring data shall be submitted to the State for inclusion in the State Water Resources Control Board's Groundwater Ambient Monitoring and Assessment (GAMA) Program. Information on the GAMA Program can be obtained at: https://www.waterboards.ca.gov/water_issues/programs/gama/. If further information is required, the Grantee can contact the State Water Resources Control Board (SWRCB) GAMA Program. A listing of SWRCB staff involved in the GAMA program can be found at: https://www.waterboards.ca.gov/water_issues/programs/gama/contact.shtml.

Groundwater Level Data

For each project that collects groundwater level data, the Grantee will need to submit this data to DWR's Water Data Library (WDL), with a narrative description of data submittal activities included in project reports, as described in Exhibit F, "Report Formats and Requirements." Information regarding the WDL and in what format to submit data in can be found at: <http://www.water.ca.gov/waterdatalibrary/>.

EXHIBIT H**STATE AUDIT DOCUMENT REQUIREMENTS FOR THE GRANTEE**

The following provides a list of documents typically required by State Auditors and general guidelines for the Grantee. List of documents pertains to both State funding and the Grantee's Local Cost Share and details the documents/records that State Auditors would need to review in the event of this Grant Agreement is audited. The Grantee should ensure that such records are maintained for each funded project.

State Audit Document RequirementsInternal Controls

1. Organization chart (e.g., Agency's overall organization chart and organization chart for the State funded Program/Project).
2. Written internal procedures and flowcharts for the following:
 - a) Receipts and deposits
 - b) Disbursements
 - c) State reimbursement requests
 - d) Expenditure tracking of State funds
 - e) Guidelines, policy, and procedures on State funded Program/Project
3. Audit reports of the Agency internal control structure and/or financial statements within the last two years.
4. Prior audit reports on the State funded Program/Project.

State Funding:

1. Original Grant Agreement, any amendment(s) and budget modification documents.
2. A listing of all bond-funded grants, loans, or subventions received from the State.
3. A listing of all other funding sources for each Program/Project.

Contracts:

1. All subcontractor and consultant contracts and related or partners' documents, if applicable.
2. Contracts between the Agency and member agencies as related to the State funded Program/Project.

Invoices:

1. Invoices from vendors and subcontractors for expenditures submitted to the State for payments under the Grant Agreement.
2. Documentation linking subcontractor invoices to State reimbursement, requests and related Grant Agreement budget line items.
3. Reimbursement requests submitted to the State for the Grant Agreement.

Cash Documents:

1. Receipts (copies of warrants) showing payments received from the State.
2. Deposit slips (or bank statements) showing deposit of the payments received from the State.
3. Cancelled checks or disbursement documents showing payments made to vendors, subcontractors, consultants, and/or agents under the grants or loans.
4. Bank statements showing the deposit of the receipts.

Accounting Records:

1. Ledgers showing entries for funding receipts and cash disbursements.
2. Ledgers showing receipts and cash disbursement entries of other funding sources.
3. Bridging documents that tie the general ledger to requests for Grant Agreement reimbursement.

Administration Costs:

1. Supporting documents showing the calculation of administration costs.

Personnel:

1. List of all contractors and Agency staff that worked on the State funded Program/Project.
2. Payroll records including timesheets for contractor staff and the Agency personnel who provided services charged to the program

Project Files:

1. All supporting documentation maintained in the project files.
2. All Grant Agreement related correspondence.

EXHIBIT I

LOCAL PROJECT SPONSORS AND PROJECT LOCATIONS

The Grantee has assigned, for each project, a Local Project Sponsor (LPS) according to the roles of the participating agencies identified in the IRWM Plan. LPSs may act on behalf of the Grantee for the purposes of individual project management, oversight, compliance, and operations and maintenance. LPSs are identified for each sponsored Project below:

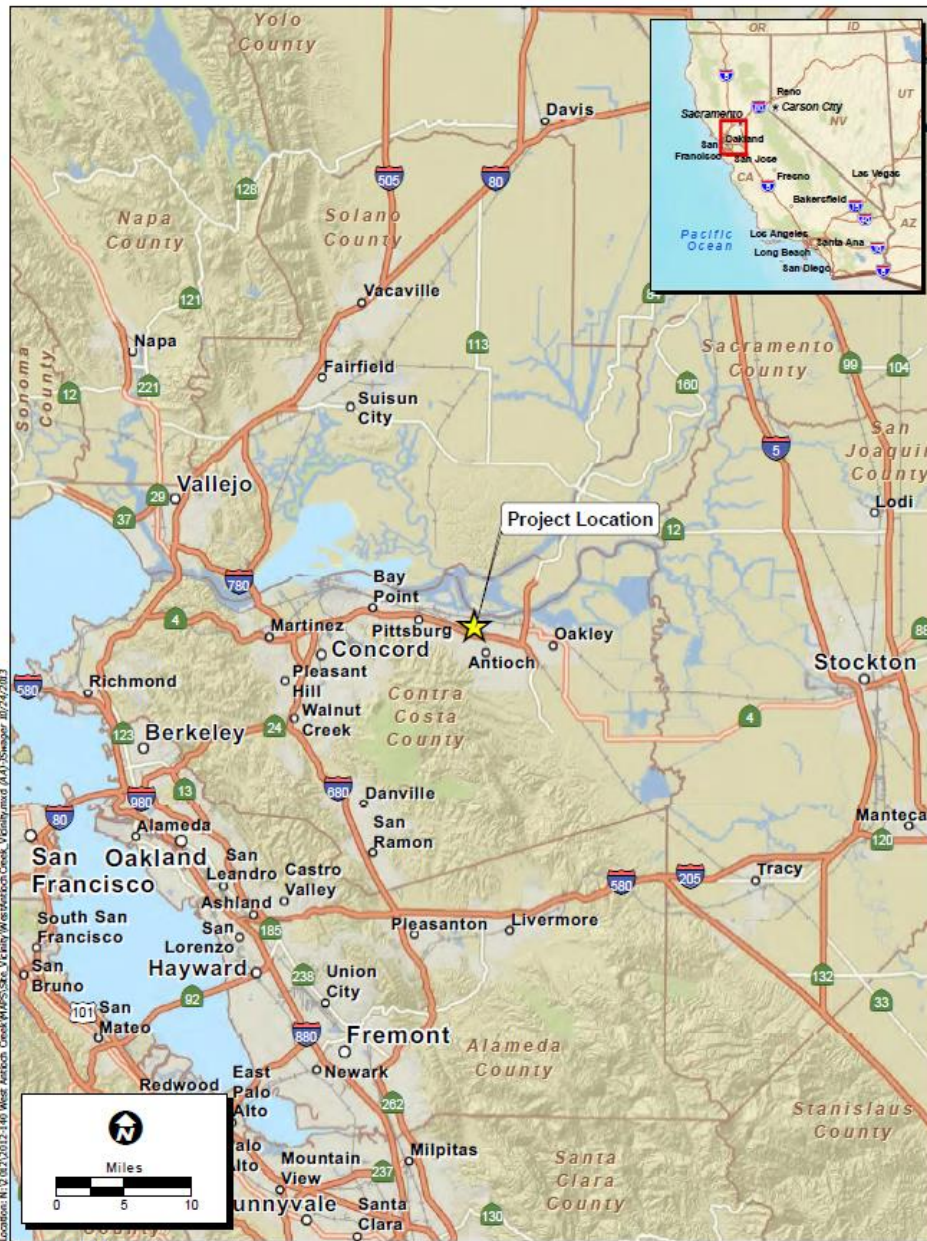
Local Project Sponsor Agency Designation

Sponsored Project: Project 1: West Antioch Creek Flood Conveyance Mitigation and Restoration

Sponsor Agency: City of Antioch

Agency Address: 200 H St, Antioch, CA 94509-1285

Project Location: Antioch, California (38.009055, -121.820271)



Map Dates: 10/24/2013
Service Layer Credits: Sources: USGS, ESRI, TANA, AND

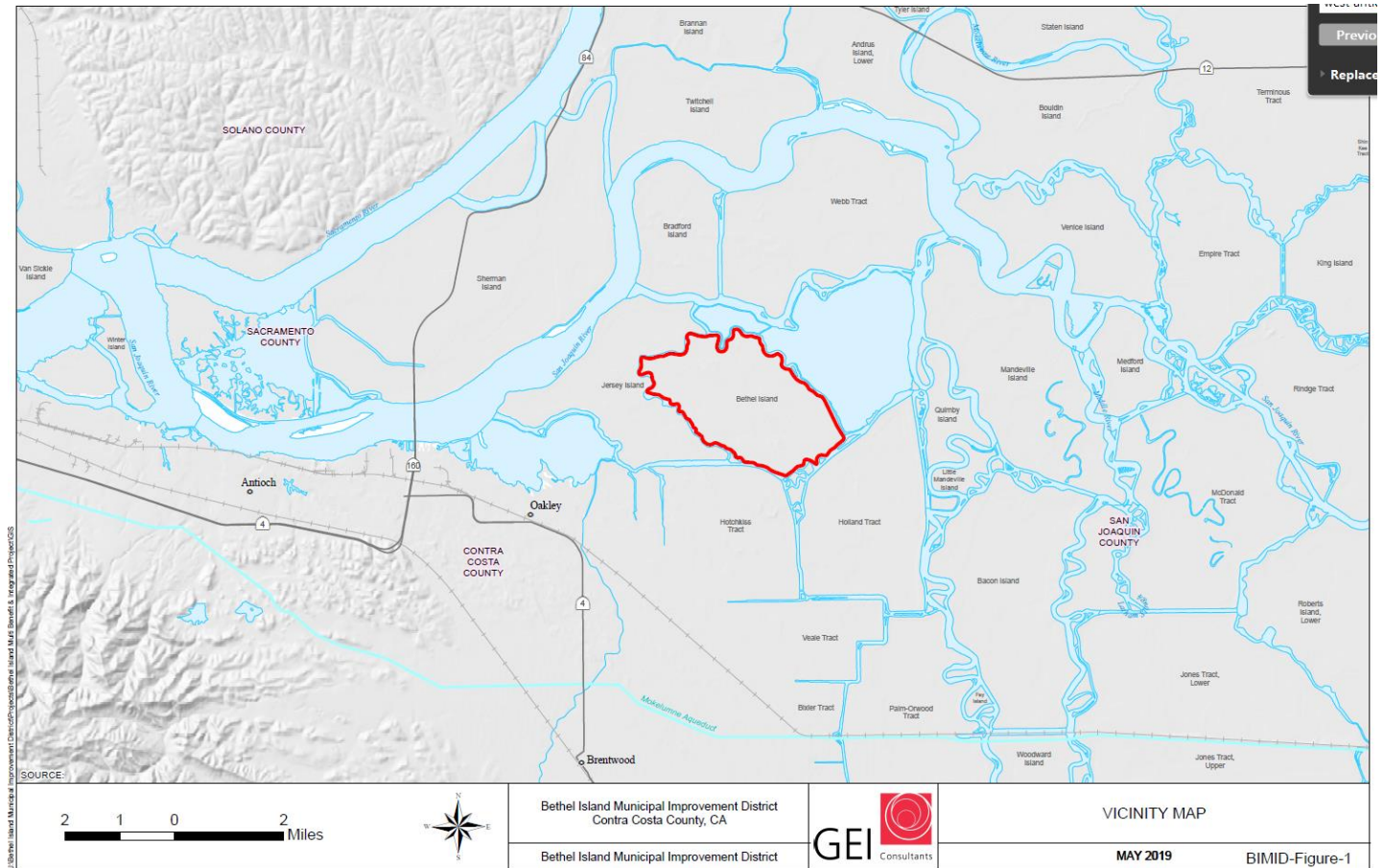
Local Project Sponsor Agency Designation

Sponsored Project: Project 2: Bethel Island Multi-Benefit and Integrated Stormwater Project

Sponsor Agency: Bethel Island Municipal Improvement District

Agency Address: 3085 Stone Rd, Bethel Island, CA 94511

Project Location: Bethel Island, California (38.035556, -121.630556)



Local Project Sponsor Agency Designation

Sponsored Project: Project 3: Advanced Metering and Leak Detection

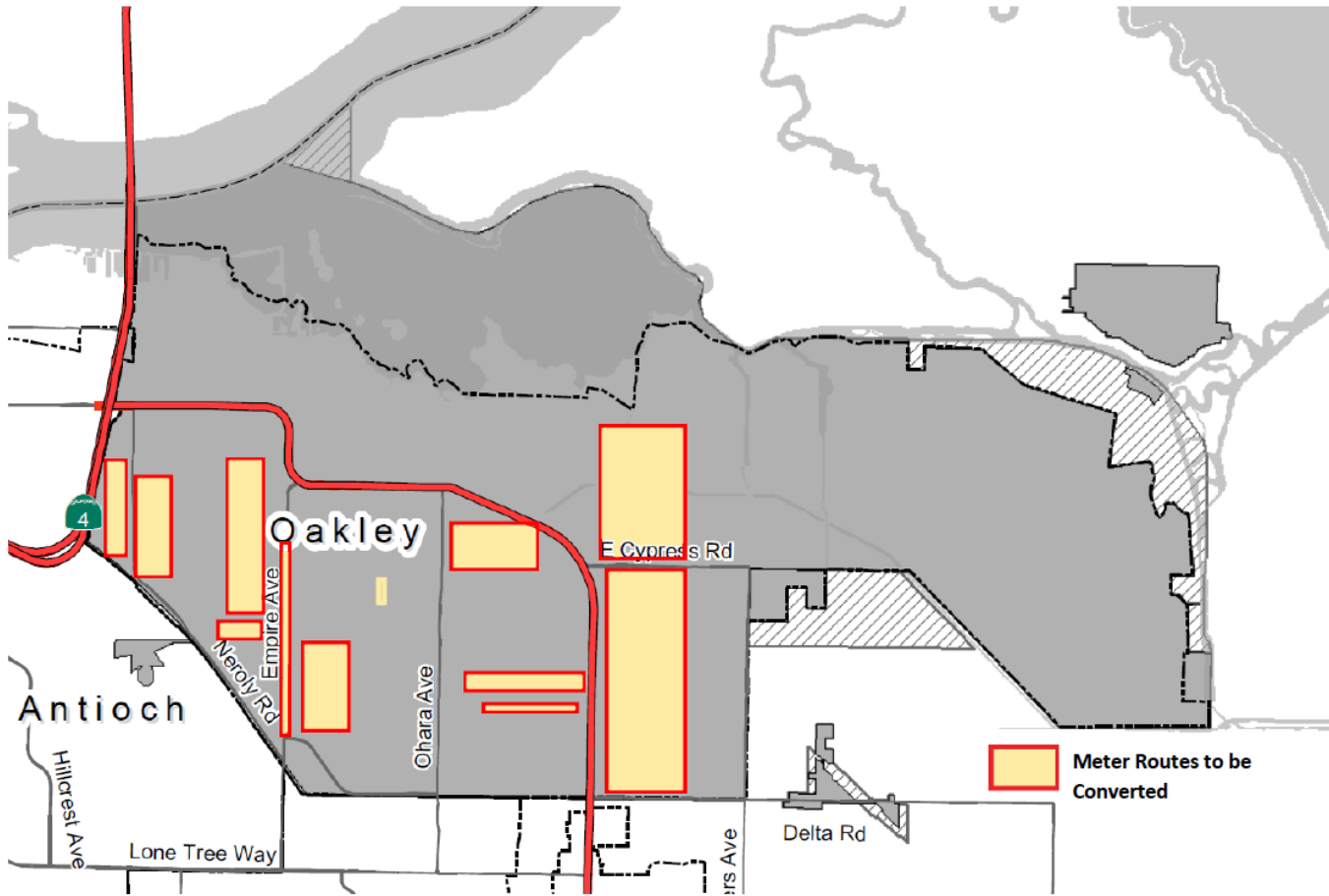
Sponsor Agency: Diablo Water District

Agency Address: 87 Carol Ln, Oakley, CA 94561

Project Location: Oakley, California (37.996389, -121.711944)

Diablo Water District Project Map

Water Meter Upgrade Locations



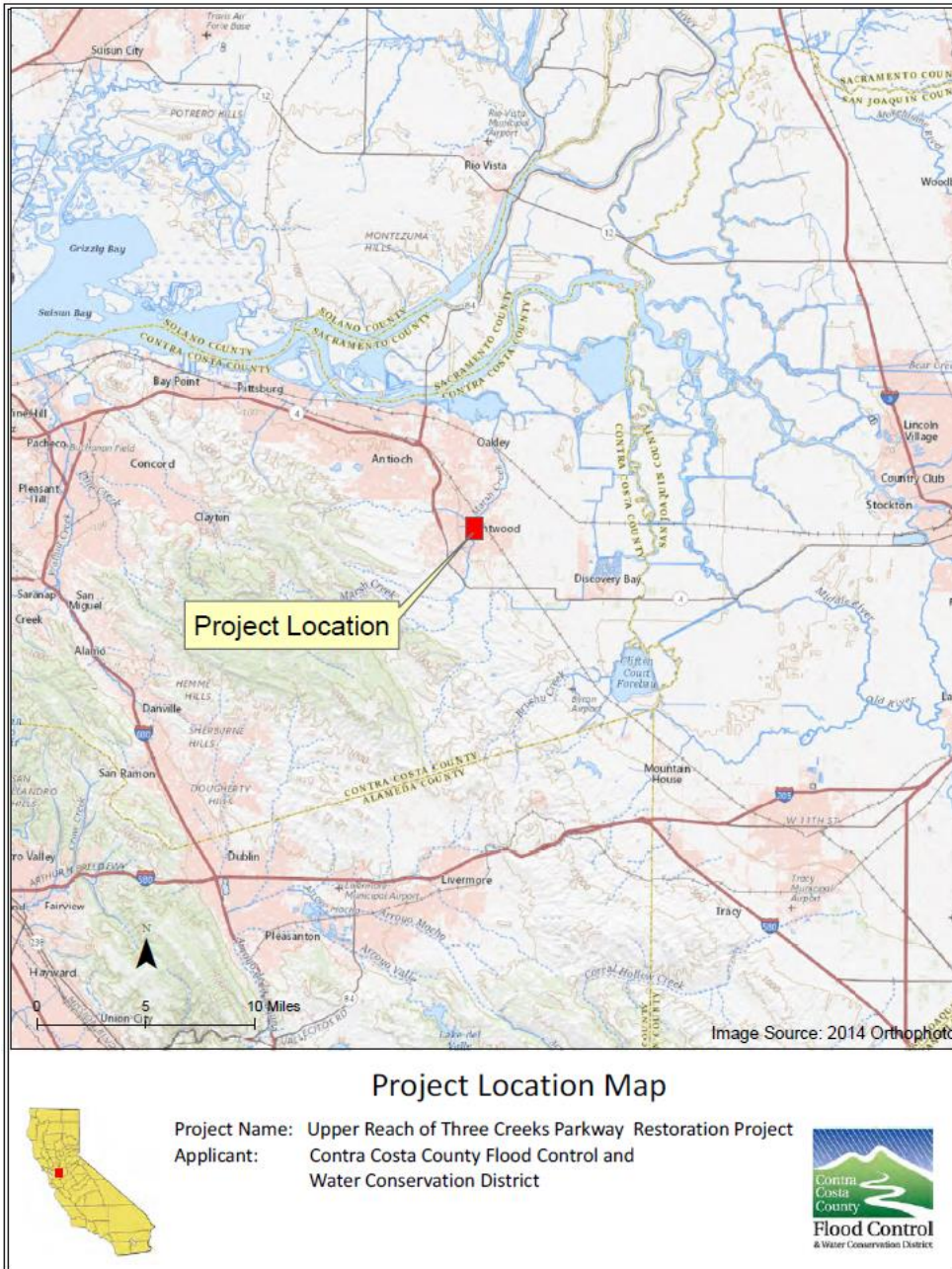
Local Project Sponsor Agency Designation

Sponsored Project: Project 4: Upper Reach of Three Creeks Parkway Restoration Project

Sponsor Agency: Contra Costa County Flood Control and Water Conservation District

Agency Address: 255 Glacier Dr, Martinez, CA 94553

Project Location: Brentwood, California (37.9325, -121.711111)



Local Project Sponsor Agency Designation

Sponsored Project: Project 5: Citywide Non-Potable Water Distribution System

Sponsor Agency: City of Brentwood

Agency Address: 150 City Park Way, Brentwood, CA 94513

Project Location: Brentwood, California (37.943889, -121.723333)

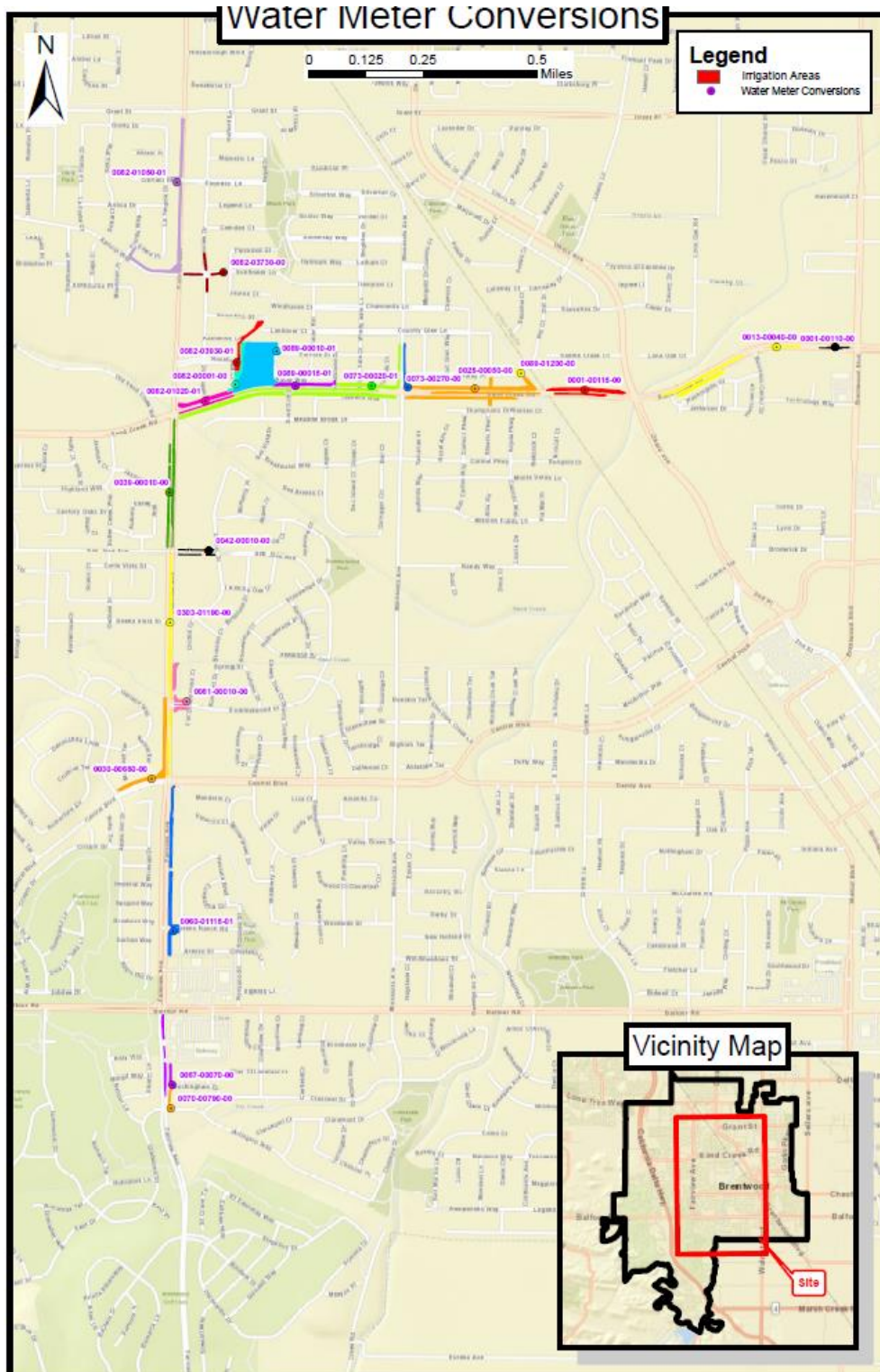


EXHIBIT J

Project Monitoring Plan Guidance

Introduction

For each project contained in Exhibit A, please include a brief description of the project (maximum ~150 words) including project location, implementation elements, need for the project (what problem will the project address) and responds to the requirements listed below.

Project Monitoring Plan Requirements

The Project Monitoring Plan shall contain responses to the following questions:

- What are the anticipated project physical benefits?
- What are the corresponding numeric targets for each project benefit?
- How will proposed numeric targets be measured?
- What are baseline conditions?
- When will the targets be met (e.g., upon project completion, five years after completion)?
- How often will monitoring be undertaken (e.g., monthly, yearly).
- Where are monitoring point locations (e.g., meter located at..., at stream mile...)? Include relevant maps.
- How will the project be maintained (e.g., irrigation, pest management, weed abatement)?
- What will be the frequency and duration of maintenance proposed activities?
- Are there any special environmental considerations (e.g., resource agency requirements, permit requirements, CEQA/NEPA mitigation measures)?
- Who is responsible for collecting the samples (i.e., who is conducting monitoring and/or maintenance)?
- How, and to whom, will monitoring results be reported (e.g., paper reports, online databases, public meetings)?
- What adaptive management strategies will be employed if problems are encountered during routine monitoring or maintenance?
- What is the anticipated life of the project?



**Contra
Costa
County**

To: Contra Costa County Flood Control District Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: October 5, 2021

Subject: Creek and Channel Safety Awareness Month and its Associated Program, Countywide. Project No. 7520-6B8311

RECOMMENDATION(S):

ADOPT Resolution No. 2021/312 declaring October 2021 as Creek and Channel Safety Awareness Month; and

ACCEPT the following status report from the Public Works Department and the Contra Costa County Flood Control and Water Conservation District (FC District) on the Creek and Channel Safety Awareness Program (CCSAP); and

DIRECT the Public Works Department and the FC District to continue with implementation and the annual campaign of a Countywide sustainable CCSAP, including a follow-up report to this Board in one year.

FISCAL IMPACT:

Annual notices, outreach, and maintenance of safety features for this year is estimated to cost \$70,000 and will be funded by Flood Control Zone 3B.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Michelle Cordis, (925) 313-2381

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Allison Knapp, Deputy Chief Engineer, Carrie Ricci, Deputy Public Works Director, Kelly Kalfsbeek, Administrative Services, Tim Jensen, Flood Control, Michelle Cordis, Flood Control, Catherine Windham, Flood Control

BACKGROUND:

On March 1, 2011, the Board of Supervisors directed the FC District to develop a sustainable and impactful outreach program to promote creek and channel safety throughout the County, after the drowning of two high school students in the Walnut Creek channel. In response, the FC District formed a CCSAP team that developed a strategy to achieve this goal.

On October 4, 2011, the Board declared October 2011 as the first Creek and Channel Safety Awareness Month, accepted the status report from the FC District on the CCSAP, approved the implementation plan, and directed the FC District to continue with implementation and initiation of an annual campaign of a sustainable CCSAP, including a follow-up report to the Board in one year.

Since then, the Board of Supervisors received and approved a status report on the Annual CCSAP and declared October as Creek and Channel Safety Awareness Month in the years 2012 through 2020. The Board of Supervisors also directed the FC District to continue with implementation and the annual campaign of a Countywide sustainable CCSAP, including a follow-up report to the Board in one year.

This past year, we refreshed the warning stencils and signs in our facilities, ensured gates and fences were secured, completed the annual outreach to schools in September, and worked with Walnut Creek Intermediate School to continue sharing our CCSAP virtually, due to the ongoing COVID-19 pandemic and remote learning environment. During this sixth year of annual collaboration, the FC District prepared a new web-based StoryMap presentation that the student leadership class shared with the entire student body. The presentation included an overview of the Walnut Creek watershed, key photos and video contrasting calm and stormy images showing hazards in the channels, past students' best art posters, and overall message to "Stay Out, Stay Alive!"

The Chief Engineer, FC District, recommends that the Board declare October 2021 as Creek and Channel Safety Awareness Month, accept the above report, and direct the Public Works Department and FC District to continue with implementation and the annual campaign of a Countywide sustainable CCSAP, including a follow-up report to this Board in one year.

CONSEQUENCE OF NEGATIVE ACTION:

If this Resolution is not adopted, members of the public may not receive important information about creek and channel safety.

CHILDREN'S IMPACT STATEMENT:

The FC District will continue to work with the schools and youth-based groups within the County to educate children about safety regarding creeks and flood control channels.

ATTACHMENTS

Resolution No. 2021/312

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

Adopted this Resolution on 10/05/2021 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2021/312

In The Matter Of: Declaring October 2021 as Creek and Channel Safety Awareness Month, Countywide.

WHEREAS, various regional flood control channels were constructed in Contra Costa County to efficiently drain stormwater and runoff from within the cities and towns; and

WHEREAS, in April 2010, a family lost a husband and son in the rain-swollen Walnut Creek Channel; and

WHEREAS, in February 2011, two young men drowned in the same channel; and

WHEREAS, on March 1, 2011, the Board of Supervisors directed the County Public Works Department and Contra Costa County Flood Control and Water Conservation District to pursue a sustainable outreach program to educate the public on the benefits and dangers of creeks and channels; and

WHEREAS, continued education of the public about creeks and channels has been determined as the best way to keep citizens safe and avoid future tragedies; and

WHEREAS, the Creek and Channel Safety Awareness Program (Program) is now being implemented Countywide with an annual declaration of October as Creek and Channel Safety Awareness Month to remind the public of the Program.

NOW, THEREFORE, BE IT RESOLVED that the Contra Costa County Board of Supervisors hereby declares October 2021 as Creek and Channel Safety Awareness Month encouraging the public to be informed about the benefits and dangers of creeks and channels throughout Contra Costa County.

I hereby certify that this 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: Michelle Cordis, (925) 313-2381

ATTESTED: October 5, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Allison Knapp, Deputy Chief Engineer, Carrie Ricci, Deputy Public Works Director, Kelly Kalfsbeek, Administrative Services, Tim Jensen, Flood Control, Michelle Cordis, Flood Control, Catherine Windham, Flood Control



**Contra
Costa
County**

To: Board of Supervisors
From: Monica Nino, County Administrator
Date: October 5, 2021

Subject: Claims

RECOMMENDATION(S):

DENY claims filed by Farmers Insurance Exchange, Maguaya Flemings, Linda Mayfield, Gary and Gabrielle Schneider and State Farm, THC-Orange County, LLC (dba Kindred Hospital-San Francisco Bay Area), and Travelers Insurance.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

Farmers Insurance Exchange: Subrogation claim for damage to building in an approximate amount of \$400,000.

Maguaya Flemings: Property claim for damage to vehicle in undisclosed amount.

Linda Mayfield: Property claim for missing earrings and necklace in the amount of \$140.

Gary & Gabrielle Schneider & State Farm Insurance: Property claim for damage to vehicle in the amount of \$996.72

THC-Orange County, LLC d/b/a Kindred Hospital-S.F. Bay Area: Breach of contract claim for unreimbursed medical treatment in the amount of \$330,200.

Travelers Insurance: Personal injury claim for bicycle accident in an amount in excess of \$20,000.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

**VOTE OF
SUPERVISORS**

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

ATTESTED: October 5, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Risk
Management

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Not acting on the claims could extend the claimants' time limits to file actions against the County.



Contra
Costa
County

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: October 5, 2021

Subject: Proclaiming October 2021 as Head Start Awareness Month

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Shirley Sears -
8-4802

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

ATTACHMENTS

Resolution
2021/319

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

In the matter of:

Resolution No. 2021/319

Proclaiming the month of October 2021 as Head Start Awareness Month

WHEREAS, Head Start began in 1965 as one of the programs in the War Against Poverty legislation with the goal of increasing social competence for vulnerable children so that they could perform at the same level as their higher income peers;

WHEREAS, Head Start is distinguished from other early childhood programs by providing comprehensive services (medical, dental, mental health, nutrition, disabilities and social services) to children and families and establishing parent engagement as the cornerstone of the program;

WHEREAS, because of Head Start's success and demand in Contra Costa County, more than 4,000 children are on waiting lists for services at one of 51 Head Start and Early Head Start childcare sites, partner sites, and family care homes;

WHEREAS, the County currently has the capacity to serve 1904 children in Head Start and Early Head Start;

WHEREAS, brain development research shows the most formative years are from birth to three and Contra Costa acquired additional funding to reach more pregnant mothers and children 0-3 years of age to promote healthy early development;

WHEREAS, the award winning Contra Costa County Head Start Program run by the Community Services Bureau of the Employment & Human Services Department has been serving children for more than 55 years; its staff has received numerous individual recognitions while the program as a whole has been recognized for excellence by the National Head Start Association, California department of Education, and Contra Costa Health Services;

WHEREAS, currently 100 employees of Contra Costa Community Services Bureau staff are past or current Head Start parents who continue this tradition of excellence in early childhood education and comprehensive services;

WHEREAS, during the COVID-19 pandemic when populations served by Head Start are even more vulnerable, Head Start staff continues to provide early education and comprehensive services to families in centers and through distance learning;

WHEREAS, October is National Head Start Awareness Month;

in recognition of the numerous contributions that Contra Costa County's Head Start Program makes, we proclaim the month of October 2021 as Head Start Awareness Month.

DIANE BURGIS

Chair, District III Supervisor

JOHN GIOIA
District I Supervisor

CANDACE ANDERSEN
District II 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: October 5, 2021

Monica Nino, County Administrator

By: _____, Deputy



Contra
Costa
County

To: Board of Supervisors
From: Candace Andersen, District II Supervisor
Date: October 5, 2021

Subject: APPOINTMENT TO THE ALAMO MUNICIPAL ADVISORY COUNCIL

RECOMMENDATION(S):

APPOINT the following individual to the Alternate Seat of the Alamo Municipal Advisory Council for a four-year term with an expiration date of December 31, 2024, as recommended by Supervisor Candace Andersen:

Joaquin Lopez
Alamo, CA 94507

FISCAL IMPACT:

NONE.

BACKGROUND:

The Alamo MAC may advise the Board of Supervisors on services that are or may be provided to the Alamo community by Contra Costa County or other local government agencies. Such services include, but are not limited to, parks and recreation, lighting and landscaping, public health, safety, welfare, public works, code enforcement, land use and planning, transportation and other infrastructure. The Council may also provide input and reports to the District Supervisor,

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Jill Ray,
925-957-8860

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: District 2 Supervisor, Maddy Book, Alamo MAC, Appointee

BACKGROUND: (CONT'D)

Board of Supervisors, County staff or any County hearing body on issues of concern to the community. The Council may represent the Alamo community before the Board of Supervisors, County Planning Commission and the Zoning Administrator. The Council may also represent the Alamo community before the Local Agency Formation Commission on proposed boundary changes effecting the community. The Council may advocate on parks and recreation issues to the Town of Danville and the San Ramon Valley Unified School District.

CONSEQUENCE OF NEGATIVE ACTION:

The seat will remain vacant.

CHILDREN'S IMPACT STATEMENT:

NONE.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Medical Staff Appointments and Reappointments – August 16, 2021

RECOMMENDATION(S):

APPROVE the medical staff appointments and reappointments, additional privileges, advancements, and voluntary resignations as recommend by the Medical Staff Executive Committee, at their August 16, 2021 meeting, and by the Health Services Director.

FISCAL IMPACT:

There is no fiscal impact for this action.

BACKGROUND:

The Joint Commission on Accreditation of Healthcare Organizations has requested that evidence of Board of Supervisors approval for each Medical Staff member will be placed in his or her Credentials File. The attached recommendations for appointment/reappointment were reviewed by the Credentials Committee and approved by the Medical Executive Committee.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Contra Costa Regional Medical and Contra Costa Health Centers' medical staff would not be appropriately credentialed and not be in compliance with The Joint Commission on Accreditation of Healthcare Organizations.

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

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Jaspreet Benepal,
925-370-5101

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Linda Barnum, Marcy Wilhelm

ATTACHMENTS

August List

Anna M. Roth, R.N., M.S., M.P.H.
Health Services Director

Samir B. Shah, M.D., F.A.C.S.
Chief Executive Officer
Contra Costa Regional Medical Center
and Health Centers
& Chief Medical Officer
Contra Costa Health Services



Contra Costa Regional
Medical Center
& Health Centers
2500 Alhambra Avenue
Martinez, California 94553-3156
Ph 925-370-5000

A. New Medical Staff Members

Ajuria, Michael, MD	Internal Medicine
Bhela, Serena, MD	Internal Medicine
Carter, Rebecca, MD	Pediatrics
Cho, Samuel	Internal Medicine
Gunda, Sateesh, MD	Psychiatry/Psychology
Hill, Alexandra, MD	Emergency Medicine
Im, Jennifer, MD	Internal Medicine/Pulmonary
Milne-Price, Ryann	Emergency Medicine
Rust, Megan MD	Pathology
Scott, Paris, MD	OB/GYN
Tafoya, Chelesa, MD	Emergency Medicine
Tafoya, Matthew, MD	Emergency Medicine
Tran, Duy Vu, MD	Psychiatry/Psychology
Tu, Mark, MD	Diagnostic Imaging
Yeon, Sangjun, FNP	DFAM-Detention
Zaman, Warda, DO	Internal Medicine

B. Applications: Lifelong Residents (Family Medicine)

Dragonovich, Hannah, DO

C. Requests for Department Change

Kuruvilla, Pramita, MD	Hospital Medicine
Suchow, David, MD	Emergency Medicine

D. Biennial Reappointments

Beach, Courtney, MD	Hospital Medicine	A
Brody, David, MD	Hospital Medicine	A
Buckley, Robert, MD	Surgery	A
Chou, Cinnie, MD	DFAM	A
Cremin, Daniel, MD	DFAM	A
Ding, Ningyuan, MD	Hospital Medicine	A
Dooley, Diane, MD	Pediatrics	C
Garcia, Darleen, DDS	Dental	A
Hans, Nitu, PHD	Psychiatry/Psychology	C
Hofstadler, Guenter, MD	Pediatrics	A
Holsenbeck, Linton, MD	Psychiatry/Psychology	C
Hyer, Bryan, MD	Psychiatry/Psychology	A
Kishan, Sunil, MD	Psychiatry/Psychology	C
Kuruvilla, Pramita, MD	Hospital Medicine	A
Levin, Sara, MD	DFAM	A
Liebig, Robert, MD	Diagnostic Imaging	A
Nguyen, Michael, MD	DFAM	A
Pandurangi, Maya, DO	DFAM	A
Perloth, Joshua, MD	Internal Medicine	C

Ponder, Kathryn, MD	Pediatrics	C
Rael, James, MD	Internal Medicine	A
Rice, Abraham, MD	Pediatrics	A
Rostkowski, John, MD	Psychiatry/Psychology	A
Sorokin, Jeffrey, MD	DFAM	A
Stanziale, Jennifer, MD	Hospital Medicine	A
Sullivan, Gabriela, MD	Internal Medicine	A
Tzvieli, Ori, MD	DFAM	A
Ubhayakar, Kiran, MD	Internal Medicine	C
Watkins, Melanie, MD	Psychiatry/Psychology	A
Wondolowski, Lauren, MD	DFAM	A
Young, Howard, MD	Diagnostic Imaging	C

E Biennial Renewal of Privileges

Groode, Tamra, NP	Pediatrics	AFF
Peterson, Wendy, NP	Internal Medicine	AFF

F. Biennial Reappointment for Teleradiologist (vRad)

Hecht, Adam, MD	Diagnostic Imaging
Staib, Neil, MD	Diagnostic Imaging

G Voluntary Resignations

Ahmad, Samir, MD	DFAM
Hartung, Claire, MD	DFAM
McIlroy, Richard, MD	DFAM
Piccinati, David, MD	Emergency Medicine
Plambeck, Katherine, Psy.D	Psychiatry/Psychology
Romero-Duran, Adolfo, MD	DFAM
Selvin, Jessica, Psy.D	Psychiatry/Psychology
Sethi, Parminder, MD	Surgery
Shah, Naman, MD	Emergency Medicine
Streett, Robert, MD	Psychiatry/Psychology
Gandhi, Shailesh	Psychiatry/Psychology



**Contra
Costa
County**

To: Board of Supervisors
From: Monica Nino, County Administrator
Date: October 5, 2021

Subject: Reclamation District 2122 (Winter Island) Board of Trustees Appointment

RECOMMENDATION(S):

APPOINT, in lieu of election, Emma Mendonsa and Katie Wadsworth to the Board of Trustees of Reclamation District 2122 (Winter Island) for terms of four years.

FISCAL IMPACT:

None.

BACKGROUND:

The Board of Supervisors received correspondence from Gallery & Barton, a law corporation representing Reclamation District 2122 (Winter Island). On behalf of the Reclamation District, Gallery & Barton has requested the Board of Supervisors to make appointments to fill two seats on the District's Board of Trustees in lieu of election. The District did not receive any nominations for the positions, other than from the incumbents. Pursuant to Water Code section 50741, the District will publish notice that the election has been canceled. The District has not received any petitions from landowners requesting an election be held. Therefore, the District requests that the incumbents be appointed, pursuant to Water Code sections 50740 - 50742.

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

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Lauren Hull, (925) 655-2007

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

The proposed nominees to the Board of Trustees for Reclamation District 2122 would not be approved, and the District's Board of Trustees would have difficulty conducting business.

ATTACHMENTS

Reclamation District 2122 Letter

DANIEL F. GALLERY
(RETIRED/INACTIVE)

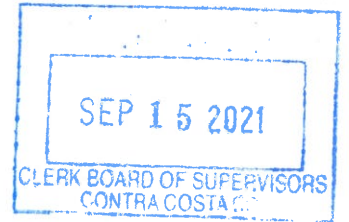
JESSE W. BARTON

GALLERY & BARTON
A PROFESSIONAL LAW CORPORATION
1112 I STREET, SUITE 240
SACRAMENTO, CA 95814-2865

P: (916) 444-2880
F: (916) 444-6915
WWW.GALLERYBARTONLAW.COM

WRITER'S E-MAIL: jbarton@gallerybartonlaw.com

September 10, 2021



Clerk to the Board of Supervisors
651 Pine Street,
1st Floor, Room 106
Martinez, CA 94553

Dear Clerk to the Board:

This office represents Reclamation District 2122 (Winter Island) (the "District"). The terms of two trustees of Reclamation District 2122 expire this year. The District published notice calling for nomination petitions on July 19, 2021. The District has received no nominations for the positions, other than from the incumbents.

In addition, the District has received no petition of landowners requesting that an election be held. Therefore, in accordance with Water Code section 50740, no election will be held, and in accordance with Water Code section 50741, the District will publish notice that the District general election for this year has been canceled.

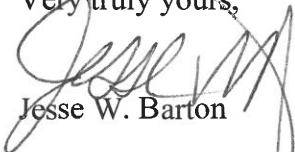
This is to request that in accordance with Water Code sections 50741 and 50742, the Board of Supervisors appoint the incumbents to additional four-year terms as Trustees for Reclamation District 2122.

The names and mailing addresses of the incumbents to be appointed are:

Emma Mendonsa (4-year term) Department of Water Resources 3500 Industrial Blvd. West Sacramento, CA 95691	Katie Wadsworth (4-year term) Department of Water Resources 3500 Industrial Blvd. West Sacramento, CA 95691
--	--

Upon appointment, if you could notify me, I would greatly appreciate the gesture. Thank you for your assistance in this matter. If additional information is needed, please contact me at 916-444-2880.

Very truly yours,



Jesse W. Barton

cc. Sharon L. Anderson
Contra Costa County Counsel
651 Pine Street, 9th Floor
Martinez, CA 94553



**Contra
Costa
County**

To: Board of Supervisors
From: Monica Nino, County Administrator
Date: October 5, 2021

Subject: Declare Vacancy on the Arts and Culture Commission

RECOMMENDATION(S):

ACCEPT resignation from Ben Miyaji from the Arts and Culture Commission; DECLARE the At Large Seat #2 vacant for a term ending June 30, 2023, and DIRECT the Clerk of the Board to post the vacancy, as recommended by the County Administrator's Office.

FISCAL IMPACT:

None.

BACKGROUND:

The Arts and Culture Commission advises the Board of Supervisors in matters and issues relevant to arts and culture to: advance the arts in a way that promotes communication, education, appreciation and collaboration throughout Contra Costa County; to preserve, celebrate and share the arts and culture of the many diverse ethnic groups who live in Contra Costa County; to create partnerships with business and government; and to increase communications and understanding between all citizens through art. Most importantly, the Commission promotes arts and culture as a vital element of the quality of life for all of the citizens of Contra Costa County. Commissioner Ben Miyaji was appointed to the Arts and Culture Commission by the Board of Supervisors on December 8, 2020. Commissioner Miyaji submitted his letter of resignation on September 27, 2021.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Dennis Bozanich,
925-655-2050

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the vacancy will not be posted and will remain unfilled.



Contra
Costa
County

To: Board of Supervisors
From: FAMILY & HUMAN SERVICES COMMITTEE
Date: October 5, 2021

Subject: Appointments to Local Child Care Planning Council

RECOMMENDATION(S):

APPOINT Laura Rodriguez to the Discretionary Representative 4 West County seat, Hannah Michaelson to the Community Representative 3 Central/South County seat, and John Moon to the Public Agency Representative 3 Central/South County seat on the Local Child Care Planning Council, for terms ending April 30, 2022, April 30, 2024, and April 30, 2022, respectively, as recommended by the Family and Human Services Committee.

FISCAL IMPACT:

NA

BACKGROUND:

The Family and Human Services Committee reviewed these appointments and recommended their appointment to the Board of Supervisors at their September 27, 2021 meeting.

The Local Planning and Advisory Council for Early Care and Education (LPC) coordinates programs and services affecting early child care and education, including recommendations for the allocation of federal funds to local early child care and education programs.

The LPC consists of 20 members: 4 consumer representatives - a parent or person who receives or has received

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Dennis Bozanich;
925-655-2050

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

BACKGROUND: (CONT'D)

child care services in the past 36 months; 4 child care providers - a person who provides child care services or represents persons who provide child care services; 4 public agency representatives - a person who represents a city, county, city and county, or local education agency; 4 community representatives - a person who represents an agency or business that provides private funding for child care services or who advocates for child care services through participation in civic or community based organizations; and 4 discretionary appointees - a person appointed from any of the above four categories or outside of those categories at the discretion of the appointing agencies.

Terms of appointment are 3 years.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to appoint members is likely to reduce public participation in advising policy development.

CHILDREN'S IMPACT STATEMENT:

NA

ATTACHMENTS

Appointment Memo - LPC

Applications - Rodriguez, Michaelson and Moon

MEMORANDUM

DATE: August 2, 2021

TO: Contra Costa County Board of Supervisors
Family and Human Services Committee
Supervisor Candace Andersen, District II, Chair
Supervisor Diane Burgis, District III, Vice Chair

Contra Costa County Office of Education
Lynn Mackey, Contra Costa County Superintendent of Schools

FROM: Denise Clarke, LPC Coordinator/Manager, Educational Services

SUBJECT: LPC APPOINTMENTS
Contra Costa County Local Planning and Advisory Council for Early Care and Education (LPC)

RECOMMENDATION(S):

1) **APPOINT** the following new members to the Contra Costa Local Planning and Advisory Council for Early Care and Education, as recommended by the LPC:

Name	Seat	Area
Laura Rodriguez	Discretionary Representative 1	West County
Hannah Michaelson	Community Representative 3	Central/South County
John Moon	Public Agency Representative 3	Central/South County

REASON/S FOR RECOMMENDATION:

The Contra Costa County Local Planning Council for Child Care and Development (LPC) was established in April 1998. Required by AB 1542, which was passed in 1993, thirty members of the LPC were appointed by the County Board of Supervisors and the County Superintendent of Schools. Childcare consumers and providers, public agency representatives, and community representatives each comprise 20% of the LPC. The remaining 20% are discretionary appointees. Membership is for a three-year term. On January 7, 2003, membership was decreased from 30 to 25 members, due to the difficulty being experienced in filling all of the seats.

On September 19, 2012 membership was decreased from 25 to 20, due to continued difficulty to fill vacant seats. Official reduction of appointed seats provides flexibility to ensure quorum is met in order to conduct Council business.

Membership consists of the following:

- Four consumer representatives - a parent or person who receives or has received child care services in the past 36 months;

- Four child care providers - a person who provides child care services or represents persons who provide child care services;
- Four public agency representatives - a person who represents a city, county, city and county, or local education agency;
- Four community representatives - a person who represents an agency or business that provides private funding for child care services or who advocates for child care services through participation in civic or community based organizations;
- Four discretionary appointees - a person appointed from any of the above four categories or outside of those categories at the discretion of the appointing agencies.

Appointments to the Contra Costa County Local Planning and Advisory Council for Early Care and Education (LPC) are subject to the approval of the Board of Supervisors and County Superintendent of Schools, Lynn Mackey. The Board of Supervisors designated the Family and Human Services Committee to review and recommend appointments on their behalf.



Contra Costa County

Please return completed applications to: Clerk of the Board of Supervisors 1025 Escobar Street, 1st Floor Martinez, CA 94553 or email to: ClerkofTheBoard@cob.cccounty.us

BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

First Name: Laura, Last Name: Rodriguez, Home Address - Street, City, Zip Code, Phone (best number to reach you), Email, Resident of Supervisorial District: yes

EDUCATION Check appropriate box if you possess one of the following: [X] High School Diploma, [] CA High School Proficiency Certificate, [] G.E.D. Certificate

Table with 3 columns: Colleges or Universities Attended, Course of Study/Major, Degree Awarded. Rows include Cal State University, East Bay (Ethnic Studies) and San Jose State University (Master of Library and Information Sciences).

Other Training Completed: Child development

Board, Committee or Commission Name: Local Planning and Advisory Council for Early Care and Education, Seat Name

Have you ever attended a meeting of the advisory board for which you are applying? [] No, [X] Yes, If yes, how many? 1

Please explain why you would like to serve on this particular board, committee, or commission. I work to serve the families of young children in the county by providing resources and professional development to childcare providers and early childhood educators...

Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application) I have been working with childcare providers in Contra Costa for several years. I am knowledgeable about Contra Costa's young children and the ecosystems that make up their care...

I am including my resume with this application: Please check one: [X] Yes, [] No

I would like to be considered for appointment to other advisory bodies for which I may be qualified. Please check one: [X] 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.

n/a

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: Laura Rodriguez Date: 7/12/21

Submit this application to: ClerkofTheBoard@cob.cccounty.us OR Clerk of the Board of Supervisors
1025 Escobar Street, 1st Floor
Martinez, CA 94553

Questions about this application? Contact the Clerk of the Board at (925) 655-2000 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.



Contra Costa County

Please return completed applications to:

Clerk of the Board of Supervisors

1025 Escobar Street, 1st Floor

Martinez, CA 94553

or email to: ClerkofTheBoard@cob.cccounty.us

BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

First Name: Hannah; Last Name: Michaelson

Home Address - Street, City, Zip Code

Phone (best number to reach you), Email

Resident of Supervisorial District: 3

EDUCATION: Check appropriate box if you possess one of the following: High School Diploma, CA High School Proficiency Certificate, G.E.D. Certificate

Table with 3 columns: Colleges or Universities Attended, Course of Study/Major, Degree Awarded. Includes entries for Brigham Young University and Master of Public Administration.

Other Training Completed:

Board, Committee or Commission Name: Local Planning & Advisory Council for ECE; Seat Name: Community Rep or Discretionary Appointment

Have you ever attended a meeting of the advisory board for which you are applying? No

Please explain why you would like to serve on this particular board, committee, or commission. A representative from the agency, Care Parent Network, has long participated on this commission...

Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application) I am the program Director of Care Parent Network, serving families of children with special needs...

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.

Parent Mentor, Care Parent Network
Interagency Coordination Council
Self-Determination Advisory Committee RCEB

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:

Care receives the FACT grant

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:

[Redacted Signature]

Date:

7/12/21

Submit this application to: ClerkofTheBoard@cob.cccounty.us OR Clerk of the Board of Supervisors
1025 Escobar Street, 1st Floor
Martinez, CA 94553

Questions about this application? Contact the Clerk of the Board at (925) 655-2000 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.



Contra Costa County

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Clerk of the Board of Supervisors
1025 Escobar Street, 1st Floor
Martinez, CA 94553
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BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

First Name: John, Last Name: Moon, Home Address - Street, City, Zip Code, Phone, 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 [x] G.E.D. Certificate

Table with 3 columns: Colleges or Universities Attended, Course of Study/Major, Degree Awarded. Rows include Frostburg State University, Johns Hopkins University, and George Mason University.

Other Training Completed: California Preschool Instructional Network Certified Instructor

Board, Committee or Commission Name: Local Planning and Advisory Council for Early Care and Education, Seat Name: Public Agency

Have you ever attended a meeting of the advisory board for which you are applying? [x] No [] Yes If yes, how many? []

Please explain why you would like to serve on this particular board, committee, or commission.
I am the current coordinator for the California Preschool Instructional Network (CPIN) at the CCCOE located in Central Contra Costa County. I would like to serve on the Local Contra Costa County Local Planning and Advisory Council for Early Care and Education so that I can be an engaged community member that will help me: Provide insight on how I can best meet the needs of the early learning community within Contra Costa County; Improve community partnerships with CPIN and Contra Costa County; Glean knowledge about the particular needs of the early learning communities within Contra Costa County and be an advocate and support system for the broader early learning network within Contra Costa County.

Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application)
As the current coordinator for CPIN, I bring a unique skill set and early learning knowledge to the LPC. Not only am I an experienced, credentialed early childhood teacher and administrator, I have served the early learning field for 25 years. In my current role as the Bay Region 4 CPIN Coordinator, I serve as a direct arm of the California Department of Education disseminating high quality developmentally appropriate training using CDE early learning documents and related materials to preschool teachers across the 7 Bay Area Counties of: Contra Costa, Alameda, Napa, Solano, Marin, San Mateo and San Francisco.

I am including my resume with this application: Please check one: [] Yes [x] No

I would like to be considered for appointment to other advisory bodies for which I may be qualified. Please check one: [] Yes [x] 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.

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: John M. Moon Date: July 30, 2021

Submit this application to: ClerkofTheBoard@cob.cccounty.us OR Clerk of the Board of Supervisors
1025 Escobar Street, 1st Floor
Martinez, CA 94553

Questions about this application? Contact the Clerk of the Board at (925) 655-2000 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.



Contra
Costa
County

To: Board of Supervisors
From: FAMILY & HUMAN SERVICES COMMITTEE
Date: October 5, 2021

Subject: Appointments to FACT

RECOMMENDATION(S):

APPOINT Audra Carrion to At-Large Seat 1 for a term ending on September 30, 2022, REAPPOINT Carol Carrillo to Sector Seat 4 - Child Abuse Prevention Council for a term ending on September 30, 2023, REAPPOINT Dr. Allyson Mayo to Sector Seat 5 - Mental Health seat for a term ending on September 30, 2023 and REAPPOINT Jenny Tsang to At-Large Seat 3 for a term ending on September 30, 2023 on the Family and Children's Trust Committee, as recommended by the Family and Human Services Committee.

FISCAL IMPACT:

NA

BACKGROUND:

The Family and Human Services Committee reviewed these appointments and recommended their appointment to the Board of Supervisors at their September 27, 2021 meeting.

At-Large Seat 1 was declared vacant on July 27, 2021 upon transition of a FACT Committee member to the vacant District III Seat. The FACT Committee voted on April 5, 2021 to recommend appointment of Audra Carrion to At-Large Seat 1.

On January 7, 2020, the Board of Supervisors

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

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Dennis Bozanich;
925-655-2050

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

BACKGROUND: (CONT'D)

adopted Resolution No. 2020/1 adopting policy governing appointments to boards, committees, and commissions that are advisory to the Board of Supervisors. Included in this resolution was the requirement that applications for at-large/countywide seats be reviewed by a Board of Supervisors sub-committee.

The Family and Children's Trust Committee (FACT), was established in 1982 by the Contra Costa County Board of Supervisors to make funding recommendations on the allocation of a variety of funds for prevention and intervention services to reduce child abuse and neglect, provide supportive services to families and children, and promote a more coordinated, seamless system of services for families. Funding for FACT supported projects is derived from federal and state program legislation, and donations to the County's Family and Children's Trust Fund. Every two years, the members of the FACT establish a series of County priorities for the use of these funds through review of existing data and reports and by holding Public Hearings in various areas of the county. The Committee then develops a competitive bidding process to select non-profit, community-based agencies that can best provide the services determined to be most important. Program recommendations are made to the Board of Supervisors which makes the final funding decisions.

The Committee continues to evaluate these funded programs to ensure continued provision of quality service and achievement of stated goals. Programs currently being supported include countywide parenting classes, therapeutic day care for emotionally disturbed children, treatment for families, young children and teens with both substance abuse and child abuse issues, services for homeless families, and projects to support children whose mothers have been victims of domestic violence and sexual assault.

The FACT Committee has up to fifteen members who are appointed by the Board and include citizens with expertise in children's issues, education, law, non-profit agency management, public health, and program research/evaluation. In addition, the Director of the Child Abuse Prevention Council sits as ex-officio member of the Committee and participates in all matters except actually voting on funding recommendations. Terms for all Commission seats are two years. At-Large and non-District appointed seat vacancies on the FACT have been assigned for Family and Human Services Committee (F&HS) review since 2003.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to appoint members is likely to reduce public participation in advising policy development.

CHILDREN'S IMPACT STATEMENT:

NA

ATTACHMENTS

Request memo & Application - Carrion

Application - Carrillo

Application - Mayo

Application - J Tsang

FACT Roster - September 2021



EMPLOYMENT & HUMAN SERVICES

MEMORANDUM

Kathy Gallagher, Director

40 Douglas Drive, Martinez, CA 94553 • (925) 608-5000 • Fax (925) 313-9748 • www.ehsd.org

To: Family and Human Services Committee Date: September 8, 2021
Supervisor Candace Andersen, District II, Chair
Supervisor Diane Burgis, District III, Vice Chair
cc:
From: Kathy Gallagher, EHSD Director
Laura Malone, FACT Staff
Subject: Family and Children's Trust (FACT) Committee Seat Membership Recommendation

The Employment and Human Services Department Director, Kathy Gallagher, respectfully requests that the Family and Human Services Committee accept the following recommendation to appoint the following applicant to the FACT Committee:

Table with 3 columns: Name, Seat, Area. Row 1: Audra Carrion, At-Large Seat 1, Central County

At-Large Seat 1 was declared vacant on July 27, 2021 upon transition of a FACT Committee member to the vacant District III Seat. The FACT Committee voted on April 5, 2021 to recommend appointment of Audra Carrion to At-Large Seat 1.

Candidates for appointment to the FACT Committee typically serve a two-year term. The At-Large Seat 1 currently has a term expiration of September 30, 2022.

PURPOSE OF COMMITTEE

The purpose of this committee is to establish priorities and make funding recommendations to the Board of Supervisors on the allocation of specific funds for the prevention/amelioration of child abuse and neglect, and the promotion of positive family functioning. These funds include: Child Abuse Prevention, Intervention, and Treatment funds (CAPIT) funds, (AB 1733), Birth Certificate revenue to the County Children's Trust (AB2994), the Ann Adler Children's Trust funds, Community-Based Child Abuse Prevention funds (CBCAP) and other funds as may be subsequently directed by the Board of Supervisors.

Application Form

Profile

Audra Carrion
 First Name Middle Initial Last Name

Home Address Suite or Apt
 San Ramon CA 94583
 City State Postal Code

Home: [Redacted]
 Primary Phone

[Redacted]
 Email Address

Which supervisorial district do you live in?

District 2

Education

Select the option that applies to your high school education *

High School Diploma

College/ University A

Name of College Attended

Arizona State University

Degree Type / Course of Study / Major

Organizational Leadership

Degree Awarded?

Yes No

College/ University B

Name of College Attended

Diablo Valley College

Please explain why you would like to serve on this particular board, committee, or commission.

I have a love for our community and a specific interest in fire, women and families. Currently I am mostly concerned with women struggling to work and maintain a lifestyle during this Pandemic and the daughters that watch as many mothers take a back seat to their career to take care of schooling and the children that can not learn in person. I see a need for guidance and assistance in women and children in particular in our county right now. I am also a firewife. Although we reside in San Ramon, and are blessed to have San Ramon Valley Fire District serve our city, I care deeply about Contra Costa County and the surrounding departments that do not have the financial strength and backing like SRVFPD has. We see the cities inside Contra Costa County struggling to maintain fire stations and the looming threat of closures within the districts.

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.

Past PTA president, co-chair for the health and safety committee in San Ramon Valley Unified School District. Attend many City Council meetings and Fire protection board meetings. Current volunteer for Helping One Woman- Danville chapter. Current volunteer for San Ramons- free marketing program for struggling small businesses in San Ramon and Tri Valley areas. Girl Scouts past leader Youth sports coach

Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application)

My true qualification for these positions is my passion for helping others and keeping the public informed. Resume attached.

[Audra Carrion Resume .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

Audra Carrion

San Ramon, CA 94583

CA Insurance License #

EXPERIENCE

Carrion Insurance Services

Independent Broker/Agent/Account Manager - current

- Producer/Agent/Broker for multiple carriers
- Account Management

HIPPO Direct Sales - remote

Independent Broker/Agent/Account Manager- current

- Homeowners insurance sales
- Account Management

Rogers Insurance Services, Inc. - remote

Independent Broker/Agent/Account Manager January 2018-
July 2019

- Develop positive working relationships with clients
- Approach clients via cold calling, warm calling, email and direct mail
- Quote and issue new business, rewrites, and reinstatements as necessary
- Assist with obtaining underwriting approval
- Respond to clients' questions and complaints
- Participate in continuing education programs in both insurance and sales
- Maintain sales goals
- Maintain CRM system and update daily

Mac Donald Insurance/ Steven Hom Insurance Services - Danville, CA

Personal Lines Account Manager September 2015- August
2017

- Client Liaison for all personal lines customers
- Quote and Issue new business on personal lines products with multiple carriers
- Interact with all Territory Managers in a consistent and professional manner
- Process applications for, changes to, reinstatement of, and cancellation of insurance policies. Review insurance applications to ensure that all questions have been answered
- Determine adequate coverage for client needs
- Obtain underwriting approval by accurately completing applications
- Maintain positive relationships with clients by tracking renewals, cancellations, endorsements
- Facilitate and help expedite claims processing with carriers

Alameda County Schools Insurance Group-

Claims Assistant/ Workers Compensation 2002-2007

Farmers Insurance-

District Training Assistant/District Administrator 2000-2002

SKILLS

Office 365, Outlook, Excel, RedTail, EZLYNK, Hawksoft, QQ, RING Central, Multi Insurance Carrier sites, P&C license, Life license, Google Drive, One Note, Social Media

EDUCATION

Arizona State University-
Organizational Leadership

Application Form

Profile

Carol Carrillo
First Name Middle Initial Last Name

Home Address Suite or Apt
 Benicia CA 94510
City State Postal Code

Primary Phone

[Redacted] [Redacted]
Email Address

Which supervisorial district do you live in?

None Selected

Education

Select the option that applies to your high school education *

High School Diploma

College/ University A

Name of College Attended

Carol Carrillo

Degree Type / Course of Study / Major

MSW

Degree Awarded?

Yes No

College/ University B

Name of College Attended

Washington University in St. Louis

Degree Type / Course of Study / Major

Social Work with a emphasis on child welfare

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?

Family & Children's Trust Committee: Submitted

Seat Name

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.

My position as an advisor to the Family and Children Trust Fund committee will expire September 2021. I would like to continue to serve in an advisory capacity on the committee.

Carol Carrillo

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.

Family and Children's Trust Fund.

Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application)

I am the Executive Director of the Child Abuse Prevention Council of Contra Costa County.

[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 understand 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

Application Form

Profile

Allyson

First Name

J

Middle Initial

Mayo

Last Name

Home Address

Walnut Creek

City

Suite or Apt

CA

State

94598

Postal Code

Mobile: (

Primary Phone

Email Address

Which supervisorial district do you live in?

District 4

Education

Select the option that applies to your high school education *

High School Diploma

College/ University A

Name of College Attended

Arizona State University

Degree Type / Course of Study / Major

Doctor of Behavioral Health

Degree Awarded?

Yes No

College/ University B

Name of College Attended

University of San Francisco

Degree Type / Course of Study / Major

MS Behavioral Health

Degree Awarded?

Yes No

College/ University C

Name of College Attended

University of San Francisco

Degree Type / Course of Study / Major

B Business Administration

Degree Awarded?

Yes No

Other schools / training completed:

Course Studied

Alcohol and Other Drugs

Hours Completed

2000

Certificate Awarded?

Yes No

Board and Interest

Which Boards would you like to apply for?

Family & Children's Trust Committee: Submitted

Seat Name

Mental Health

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?

20

Please explain why you would like to serve on this particular board, committee, or commission.

Currently on this board and seeking to re-apply

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.

FACT Seat for Mental Health

Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application)

Deep and dynamic working knowledge of Adverse Childhood Experiences, Trauma Informed Practice/Care, and Addiction Medicine. Well positioned to provide collaboration efforts for the FACT mission and vision.

[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

Allyson J Mayo

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 understand 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

Application Form

Profile

Jenny _____ Tsang _____
First Name Middle Initial Last Name

Home Address _____ Suite or Apt _____
Concord _____ CA _____ 94521 _____
City State Postal Code

Primary Phone _____

_____ _____
Email Address

Which supervisorial district do you live in?

District 4

Education

Select the option that applies to your high school education *

High School Diploma

College/ University A

Name of College Attended

UCLA

Degree Type / Course of Study / Major

B.S. Physiological Science

Degree Awarded?

Yes No

College/ University B

Name of College Attended

Golden Gate University School of Law

Degree Type / Course of Study / Major

J. D.

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?

Family & Children's Trust Committee: Submitted

Seat Name

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've always had a special interest in helping at risk kids. I have experience helping parents with their CPS cases.

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 worked in Solano County helping parents with their CPS cases.

Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application)

I have experience helping parents with their CPS cases.

[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 understand 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

FACT ROSTER August 2021 - DRAFT

Committee Seats (5)	At-Large Members (5)	District Seats (5)
<p>1. First 5 Commission Exp. 09/30/2022 Lisa R. Johnson ████████████████████ Concord, CA 94520 ████████████████████</p> <p>2. School Representative Exp. 09/30/2022 Karin Kauzer ████████████████████ Walnut Creek, CA 94595 ████████████████████</p> <p>3. Child Development Early Childhood Education/Local Planning Council Exp. 09/30/2022 Micaela Mota ████████████████████ Richmond, CA 94804 ████████████████████</p> <p>4. Child Abuse Prevention Council Exp. 09/30/2021 Pending Re-Appointment Carol Carrillo, MSW ████████████████████ Concord, CA 94520 ████████████████████ ████████████████████</p> <p>████████████████████ Health Exp. 09/30/2021 Pending Re-Appointment Dr. Allyson Mayo ████████████████████</p>	<p>1. Vacant - Pending Appointment - Carrion Exp. 09/30/2022 Address City, CA Zip Phone:</p> <p>2. Katie Callahan Cisco Exp. 09/30/2022 ████████████████████ Concord, CA 94521 ████████████████████</p> <p>2. Jenny Tsang Pending Extension Exp. 09/30/2021 ████████████████████ Lafayette, CA 94549 ████████████████████</p> <p>4. Joseph DeLuca Pending Vacancy Exp. 09/30/2021 ████████████████████ Lafayette, CA 94549 ████████████████████</p> <p>5. Jennifer Early Exp. 09/30/2022 ████████████████████ Richmond, CA 94804 ████████████████████</p> <hr/> <p align="center">Staff to FACT (2)</p> <hr/> <p>Elaine Burres 40 Douglas Drive Martinez, CA 94553 O: (925) 608-4960 eburres@ehsd.cccounty.us</p> <p>Laura Malone (temp) 40 Douglas Drive Martinez, CA 94553 O: (925) 608-4943 malonl@ehsd.cccounty.us</p> <p align="center">Reception: (925) 608-5000</p>	<p>District I Exp. 09/30/2021 Supervisor John Gioia Pending Re-Appointment Richard Bell ████████████████████ El Cerrito, CA 94530 ████████████████████</p> <p>District II Exp. 09/30/2021 Supervisor Candace Andersen Pending Re-Appointment Mary Flott ████████████████████ Alamo, CA 94507 ████████████████████</p> <p>District III Exp. 09/30/2022 Supervisor Diane Burgis Pa'tanisha Davis ████████████████████ Brentwood, CA 94513 ████████████████████</p> <p>District IV Exp. 09/30/2023 Supervisor Karen Mitchoff David Leimsieder Exp. 09/30/2021 ████████████████████ Walnut Creek, CA 94596 ████████████████████</p> <p>District V Exp. 09/30/2023 Supervisor Federal Glover Ani Pereira-Sekhon ████████████████████ Lafayette, CA 94549 ████████████████████</p>



Contra
Costa
County

To: Board of Supervisors
From: FAMILY & HUMAN SERVICES COMMITTEE
Date: October 5, 2021

Subject: Appointment to Alcohol and Other Drugs Advisory Board

RECOMMENDATION(S):

APPOINT Victor Ortiz to Member-at-Large Seat 2 on the Alcohol and Other Drugs Advisory Board for a term ending June 30, 2024, as recommended by the Family and Human Services Committee.

FISCAL IMPACT:

NA

BACKGROUND:

The Family and Human Services Committee reviewed this appointment and recommended their appointment to the Board of Supervisors at their September 27, 2021 meeting.

The Alcohol and Other Drugs Advisory Board’s Executive Committee met and recommended the reinstatement of Victor Ortiz. Mr. Ortiz's previous term expired on June 30, 2021. Because the term expired, the seat is vacant but Mr. Victor Ortiz, who was the Vice Chair of the Board at the end of his term in June 2021, has expressed his interest to continue on the Advisory Board.

On January 7, 2020 the Board of Supervisors adopted Resolution No. 2020/1 adopting policy governing appointments to boards, committees, and commissions that are advisory to the Board of

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Dennis Bozanich;
925-655-2050

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Supervisors. Included in this resolution was a requirement that applications for at large/countywide seats be reviewed by a Board of Supervisors committee. At Large seats on the Alcohol and Other Drugs Advisory Board are assigned to FHS for review and recommendation to the Board of Supervisors.

The Alcohol and Other Drugs Advisory Board provides input and recommendations to the Board of Supervisors and the Health Services Department concerning family and community needs regarding prevention and treatment of alcohol and drug related problems. The mission of the Contra Costa County Alcohol and Other Drugs Advisory Board is to assess family and community needs regarding treatment and prevention of alcohol and drug abuse problems. The board reports their findings and recommendations to the Contra Costa Health Services Department, the Board of Supervisors and the communities they serve. The Alcohol and Other Drugs Advisory Board works in collaboration with the Alcohol and Other Drugs Services of Contra Costa Health Services. The board provides input and recommendations as they pertain to alcohol and other drugs prevention, intervention, and treatment services.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to appoint members is likely to reduce public participation in advising policy development.

CHILDREN'S IMPACT STATEMENT:

NA

ATTACHMENTS

Appointment Memo - AODAB

AODAB - Roster - September 2021



Contra Costa County Alcohol and Other Drugs Advisory Board
1220 Morello Avenue, Suite 101
Martinez, CA 94553
(925) 335-3307; fax (925) 335-3318

“The mission of the Contra Costa County Alcohol and Other Drugs Advisory Board is to assess family and community needs regarding prevention and treatment of alcohol and other drug-related problems. Resultant findings and recommendations are forwarded to the Health Services Department and the Board of Supervisors. The Board also serves as an advocate for these findings and recommendations to the communities that we serve.”

Date: September 8, 2021

To: Family and Human Services Committee, Contra Costa Board of Supervisors

From: Fatima Matal Sol, Staff contact for the Alcohol and Other Drugs Advisory Board

RE: **Alcohol and Other Drugs Advisory Board – At Large Member Reinstatement**

District 1
Antwon Clويد

District 2
Guita Bahramipour

District 3
Vacant

District 4
Vacant

District 5
Logan Campbell

At- Large Member
Jonathan Ciampi
Vacant
Talia Moore
Rhiannon Shires
Evelyn Howard
Dylan Johnston

At- Large Alternate
Ashley Ganem
Robert Frey
Candace Cowing

The Alcohol and Other Drugs Advisory Board (AODAB), in its continued efforts to maintain full membership that represents the diversity in our community and county, hereby makes the following recommendation to reinstate a Board member whose seat expired on June 30, 2021. Because the term expired the seat is vacant but Mr. Victor Ortiz who is also the Vice Chair of the Board has expressed his interest to continue on the Board.

NOMINEE	SEAT	TERM EXPIRATION
Victor Ortiz	Member-at-Large Seat 2	6/30/2024 Three years

Mr. Ortiz has been serving on the AODAB for over two years, since his appointment he has contributed with his leadership and facilitation skills. As indicated above, he is currently the Vice-Chair and would like to be considered for reinstatement. He is a resident of the City of Walnut Creek. Should you have any questions, please contact me at:

Phone: 925-335-3307
 Email: Fatima.MatalSol@hsd.cccounty.us

Thank you in advance for your kind consideration in this matter.

CCCAODS will provide reasonable accommodations for persons with disabilities planning to attend the meetings who should contact staff at least 24 hours before the meeting at (925) 335-3307.

The Contra Costa County Alcohol and Other Drugs Advisory Board welcomes and encourages public participation at each meeting. Public comments on the agenda or any item of interest within the jurisdiction of the Contra Costa County Alcohol and Other Drugs Advisory Board are restricted to a maximum of three minutes per speaker. Topics not posted on the agenda may be addressed by the general public, however, California Law prohibits a Board or Commission from taking action on matters which are not on the agenda, unless in specific instances as stated under the Brown Act. Any person wishing to address this Board on matters not posted on the agenda should bring their request to the attention of the Chair, Vice Chair or Staff of the Board. Thank you. For more information, contact Fatima Matal Sol (925) 335-3307.

Contra Costa County Alcohol and Other Drugs Advisory Board
1220 Morello Avenue, Suite 101
Martinez, CA 94553
925-335-3307

	<u>Phone Number</u>	<u>Email Address</u>	<u>Appt</u>	<u>Expires</u>
<u>DISTRICT I – MEMBERS John Gioia, Supervisor 11780 San Pablo Ave. #D, El Cerrito 94530 W: (510) 374-3231 F: (510)374-3429</u>				
Antwon Cloird	██████████	████████████████████	2012	6-30-22
<u>DISTRICT II – MEMBERS Candace Andersen, Supervisor 309 Diablo Road, Danville, 94526 W: (925) 957-8860 F: (925) 820-3787</u>				
Guita Bahrampour	██████████	████████████████████	2011	6-30-23
<u>DISTRICT III – MEMBERS Diane Burgis, Supervisor 3361 Walnut Boulevard Suite 140, Brentwood, CA, 94513 W: (925) 252-4500 F: (925) 240-7261</u>				
Vacant				
<u>DISTRICT IV – MEMBERS Karen Mitchoff, Supervisor 2151 Salvio Street, Suite R, Concord, CA 94520 W: (925) 521-7100 F: (925) 646-5202</u>				
Vacant				
<u>DISTRICT V – MEMBERS Federal Glover, Supervisor 315-E. Leland Ave., Pittsburg 94565 W: (925) 427-8138 F: (925) 427-8142</u>				
Logan Campbell	██████████	████████████████████	2019	6-30-22
<u>AT LARGE MEMBERS (Internal Operations Committee)</u>				
Jonathan Ciampi (I)	██████████	████████████████████	2018	6-30-23
Talia Moore (III)	██████████	████████████████████	2018	6-30-22
Rhiannon Shires, Psy.D (IV)	██████████	████████████████████	2021	6-30-23
Evelyn Howard (V)	██████████	████████████████████	2020	6-30-23
Dylan Johnston (VI)	██████████	████████████████████	2021	6-30-24
<u>AT LARGE ALTERNATE MEMBERS (Internal Operations Committee)</u>				
Ashley Ganem (R)	██████████	████████████████████	2021	6-30-24
Candace Cowing	██████████	████████████████████	2021	6-30-24
Robert Frey		████████████████████	2021	6-30-24
<u>ALCOHOL AND OTHER DRUGS SERVICES ADMINISTRATIVE STAFF</u>				
Fatima Matal Sol	W: 925-335-3307	Fatima.MatalSol@cchealth.org		
Jayne Shipe	W: 925-335-3306	Jayme.Shipe@cchealth.org		



Contra
Costa
County

To: Board of Supervisors
From: FAMILY & HUMAN SERVICES COMMITTEE
Date: October 5, 2021

Subject: Appointments to Advisory Council on Aging

RECOMMENDATION(S):

REAPPOINT Rhonda Butler to At-Large Seat #3, Gerald Richards to At-Large Seat #9, Jagit Bhambra to At-Large Seat #11, Dennis Yee to At-Large Seat #14, Brian O'Toole to At-Large Seat #16 and Jill Kleiner to At-Large Seat #19 on the Contra Costa Advisory Council on Aging for terms ending September 30, 2023, as recommended by the Family and Human Services Committee.

FISCAL IMPACT:

NA

BACKGROUND:

The Family and Human Services Committee reviewed these appointments and recommended their appointment to the Board of Supervisors at their September 27, 2021 meeting.

On January 7, 2020 the Board of Supervisors adopted Resolution No. 2020/1 adopting policy governing appointments to boards, committees, and commissions that are advisory to the Board of Supervisors. Included in this resolution was a requirement that applications for at-large/countywide seats be reviewed by a Board of Supervisors committee.

The Advisory Council on Aging

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Dennis Bozanich;
925-655-2050

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

BACKGROUND: (CONT'D)

provides a means for county-wide planning, cooperation and coordination for individuals and groups interested in improving and developing services and opportunities for the older residents of this County. The Council provides leadership and advocacy on behalf of older persons and serves as a channel of communication and information on aging.

The Advisory Council on Aging (ACOA) consists of 40 members serving 2 year staggered terms, each ending on September 30. The Council consists of representatives of the target population and the general public, including older low-income and military persons; at least one-half of the membership must be made up of actual consumers of services under the Area Plan. The Council includes: 19 representatives recommended from each Local Committee on Aging, 1 representative from the Nutrition Project Council, 1 Retired Senior Volunteer Program, and 19 Members at-Large.

The Area Agency on Aging, the ACOA Membership Committee and the Clerk of the Board, using CCTV, recruit for these seats. The Contra Costa County EHSD website contains dedicated web content where interested members of the public are encouraged to apply. The website provides access to the Board of Supervisors official application with instructions on whom to contact for ACOA related inquiries, including application procedure.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to appoint members is likely to reduce public participation in advising policy development.

CHILDREN'S IMPACT STATEMENT:

NA

ATTACHMENTS

Application - Butler

Application - Richards

Application - Bhambra

Application - Yee

Application - O'Toole

Application - Kleiner

ACOA Roster - September 2021

Application Form

Profile

Rhoda

First Name

Butler

Last Name

Middle Initial

[REDACTED]

Home Address

Suite or Apt

Antioch

City

CA

State

94509

Postal Code

Mobile: [REDACTED]

Primary Phone

[REDACTED]

Email Address

Which supervisorial district do you live in?

District 5

Education

Select the option that applies to your high school education *

High School Diploma

College/ University A

Name of College Attended

Capella University

Degree Type / Course of Study / Major

Masters/Industrial organization psychology

Degree Awarded?

Yes No

College/ University B

Name of College Attended

Capella University

Rhoda Butler

Degree Type / Course of Study / Major

Masters of Psychology specializing in leadership coaching

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

Mental health theory and counseling

Hours Completed

40

Certificate Awarded?

Yes No

Board and Interest

Which Boards would you like to apply for?

Advisory Council on Aging: Submitted

Seat Name

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.

Serving on the committee will allow me to give back to my community by being a change agent for my community in order to make it a better place to live.

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 have experience in implementing change within an organization.

Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application)

I have served on many committees while working for the State California for 30 years implementing change.

[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:

Rhoda Butler

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 understand 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



Contra Costa County

Print Form

Please return completed applications to: Clerk of the Board of Supervisors 1025 Escobar Street, 1st Floor Martinez, CA 94553 or email to: ClerkofTheBoard@cob.cccounty.us

BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

First Name: fGerald, Last Name: Richards, Home Address - Street: [redacted], City: Hercules, Zip Code: 94547, Phone: [redacted], Email: [redacted], Resident of Supervisorial District: 5

EDUCATION Check appropriate box if you possess one of the following: [checked] High School Diploma, [] CA High School Proficiency Certificate, [checked] G.E.D. Certificate

Table with 3 columns: Colleges or Universities Attended, Course of Study/Major, Degree Awarded. Rows include Lafayette College, Purdue University, and Golden Gate University.

Other Training Completed: Applied Sci, UC Davis, Armor Officer Training, Counter Insurgency Warfare

Board, Committee or Commission Name: Advisory Council on Aging, Seat Name: MAL #9

Have you ever attended a meeting of the advisory board for which you are applying? [] No, [checked] Yes, If yes, how many? About 17 years' worth

Please explain why you would like to serve on this particular board, committee, or commission. I spent about 18 years providing legal consultation at Senior Centers as a volunteer. Before that I served as a board member and president of the Valley Volunteer Center, Pleasanton, CA where I learned the deficiencies in the government services that were supposed to serve the poor, disabled, and older adults. I have recreated the Housing Workgroup of the Advisory Council in 2016 and I want to continue leading it.

Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application) I suppose that now I am qualified from having successfully served on the Council since 2005 except for one year. I served as president of the Council four separate one year terms as well as Vice President an equal number of terms. I presently serve as a member of the Elder Abuse Workgroup in addition to Chairing the Housing Workgroup. Over the years, I have also been a member of the Membership and Executive Committees as well a member of the Health and Legislative Workgroups.

I am including my resume with this application: Please check one: [] Yes, [checked] No

I would like to be considered for appointment to other advisory bodies for which I may be qualified. Please check one: [] Yes, [checked] 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.

Volunteer Attorney with Contra Costa Senior Legal Services, member of the Antioch Board of Administrative Appeals, Housing Authority Commissioner for Livermore CA, Covia (now Front Porch) call in program called Ask the Attorney

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:

[Redacted Signature]

Date:

7 Sept 2021

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1025 Escobar Street, 1st Floor
Martinez, CA 94553

Questions about this application? Contact the Clerk of the Board at (925) 655-2000 or by email at ClerkofTheBoard@cob.cccounty.us

Important Information

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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.



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BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

First Name JAGJIT **Last Name** BHAMBRA

Home Address - Street [Redacted] **City** HERCULES **Zip Code** 94547

Phone (best number to reach you) [Redacted] **Email** [Redacted]

Resident of Supervisorial District: [Redacted]

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	
DELHI UNIVERSITY, INDIA	BS., Physics, Chemistry, Mathematics	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
NATIONAL UNIVERSITY, SAN DIEGO, CA	MASTER OF PUBLIC ADMINISTRATION	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No

Other Training Completed: Leadership Contra Costa, RCFE Administrator, CA Real Estate Broker

Board, Committee or Commission Name Advisory Council on Aging **Seat Name** MAL#11

Have you ever attended a meeting of the advisory board for which you are applying?

No Yes If yes, how many? Last 4 Years

Please explain why you would like to serve on this particular board, committee, or commission.

As an advocate for Seniors, act as part of the advisory body to the Contra Costa County Board of Supervisors in developing and implementing County's Aging Policy in coordination with Aging & Adult Services Bureau of Employment & Human Services.

Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application)

*An active Senior Citizen of Contra Costa County
 *RCFE Administrator
 *Current at-large member of ACOA
 *Senior Citizen member of Contra Costa Community College District Citizen's Bond Oversight Committee

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.

*City Of Hercules - Community Service Commission
*Contra Costa Community College District Citizen's Bond Oversight Committee
*Contra Costa County Advisory Council on Aging

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: 09/01/2021

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1025 Escobar Street, 1st Floor
Martinez, CA 94553

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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.



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Clerk of the Board of Super
1025 Escobar Street, 1st
Martinez, CA 9
or email to: ClerkofTheBoard@cob.cccount

BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

First Name: DENNIS
 Last Name: YEE
 Home Address - Street: [REDACTED]
 City: PLEASANT HILL
 Zip Code: 94523
 Phone (best number to reach you): [REDACTED]
 Email: [REDACTED]
 Resident of Supervisorial District: [REDACTED]

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	BIOLOGY	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
SAN FRANCISCO STATE	BUSINESS MGMT	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No

Other Training Completed: [REDACTED]

Board, Committee or Commission Name: ACOA
 Seat Name: MEMBER AT LARGE
 Have you ever attended a meeting of the advisory board for which you are applying?
 No Yes If yes, how many? MONTHLY

Please explain why you would like to serve on this particular board, committee, or commission.
 TO BE INFORMED OF THE ISSUES FACING ONE OF THE MOST NEGLECTED AND VULNERABLE SEGMENTS OF OUR COMMUNITY

Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application)
 I HAVE SERVED FOUR YEARS AS A MEMBER AT LARGE OF THE ACOA PREVIOUS TO THIS RENEWAL.

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.

CURRENTLY A MEMBER AT LARGE OF ACOA

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:

[Redacted Signature]

Date:

9/8/21

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THIS FORM IS A PUBLIC DOCUMENT



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BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

First Name

BRIAN

Last Name

O'TOOLE

Home Address - Street

[Redacted]

City

WALNUT CREEK

Zip Code

94598

Phone (best number to reach you)

[Redacted]

Email

[Redacted]

Resident of Supervisorial District:

MITCHOFF

EDUCATION

Check appropriate box if you possess one of the following:

[X] High School Diploma

[] CA High School Proficiency Certificate

[] G.E.D. Certificate

Table with 3 columns: Colleges or Universities Attended, Course of Study/Major, Degree Awarded. Rows include UC DAVIS (GENETICS AND PHILOSOPHY) and UC HASTINGS (LAW).

Other Training Completed:

[Redacted]

Board, Committee or Commission Name

AREA COUNCIL ON AGING

Seat Name

MEMBER AT LARGE

Have you ever attended a meeting of the advisory board for which you are applying?

[] No

[X] Yes If yes, how many?

25

Please explain why you would like to serve on this particular board, committee, or commission.

I am an elder law attorney and like to keep abreast of the issues the county faces as it relates to caring for elders at home and at assisted living facilities.

Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application)

I am a licensed attorney and focus on elder law, estate planning, and Medi-Cal for nursing home residents.

I am including my resume with this application:

Please check one: [] Yes [X] No

I would like to be considered for appointment to other advisory bodies for which I may be qualified.

Please check one: [] Yes [X] 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 serve on the ACOA.

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: BRIAN O'TOOLE Date: 8/24/2021

Submit this application to: ClerkofTheBoard@cob.cccounty.us OR Clerk of the Board of Supervisors
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Martinez, CA 94553

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BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

First Name: Jil
 Last Name: Kleiner
 Home Address - Street: [Redacted]
 City: Moraga
 Zip Code: 94556
 Phone (best number to reach you): [Redacted]
 Email: [Redacted]
 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, Berkeley	Statistics	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No

Other Training Completed: [Redacted]

Board, Committee or Commission Name: Advisory Council on Aging
 Seat Name: Member at Large

Have you ever attended a meeting of the advisory board for which you are applying?
 No Yes If yes, how many? Monthly meetings since June 2018

Please explain why you would like to serve on this particular board, committee, or commission.
 Having become a member at large of the ACOA in December 2018, I look forward to renewing my membership. I'm currently very involved by being a part of the Technology work group, Elder Abuse work group, Planning Committee and recently took over Membership Chair and am VP for ACOA.

Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application)
 In January 2018, I retired from a 30+ year career as a Retirement Plan consultant at Willis Towers Watson advising Fortune 500 companies as well as volunteering for 20+ years for the Western Pension and Benefits Council, including being president of their governing board of 11 chapters.

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.

Contra Costa County Advisory Council on Aging

Western Pension & Benefits Council - San Francisco Chapter and Governing Board

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?

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Signed:

[Redacted Signature]

Date: 09/04/21

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Advisory Board	Seat Title	Term Expiration
Advisory Council on Aging	Nutrition Project Council	9/30/2022
Advisory Council on Aging	At-Large 1	9/30/2022
Advisory Council on Aging	At-Large 2	9/30/2022
Advisory Council on Aging	At-Large 3	9/30/2021
Advisory Council on Aging	At-Large 4	9/30/2022
Advisory Council on Aging	At-Large 5	9/30/2022
Advisory Council on Aging	At-Large 6	9/30/2022
Advisory Council on Aging	At-Large 7	9/30/2022
Advisory Council on Aging	At-Large 8	9/30/2022
Advisory Council on Aging	At-Large 9	9/30/2021
Advisory Council on Aging	At-Large 10	9/30/2022
Advisory Council on Aging	At-Large 11	9/30/2021
Advisory Council on Aging	At-Large 12	9/30/2022
Advisory Council on Aging	At-Large 13	9/30/2022
Advisory Council on Aging	At-Large 14	9/30/2021
Advisory Council on Aging	At-Large 15	9/30/2022
Advisory Council on Aging	At-Large 16	9/30/2021
Advisory Council on Aging	At-Large 17	9/30/2022
Advisory Council on Aging	At-Large 18	9/30/2022
Advisory Council on Aging	At-Large 19	9/30/2021
Advisory Council on Aging	At-Large 20	9/30/2021
Advisory Council on Aging	Local Committee Lafayette	9/30/2021
Advisory Council on Aging	Local Committee Orinda	9/30/2021
Advisory Council on Aging	Local Committee Antioch	9/30/2022
Advisory Council on Aging	Local Committee Pleasant Hill	9/30/2021
Advisory Council on Aging	Local Committee Pinole	9/30/2022
Advisory Council on Aging	Local Committee Concord	9/30/2022
Advisory Council on Aging	Local Committee Richmond	9/30/2022
Advisory Council on Aging	Local Committee El Cerrito	9/30/2022
Advisory Council on Aging	Local Committee Hercules	9/30/2022
Advisory Council on Aging	Local Committee Pittsburg	9/30/2021
Advisory Council on Aging	Local Committee San Ramon	9/30/2022
Advisory Council on Aging	Local Committee Clayton	9/30/2021
Advisory Council on Aging	Local Committee Alamo-Danville	9/30/2021
Advisory Council on Aging	Local Committee Walnut Creek	9/30/2021
Advisory Council on Aging	Local Committee Moraga	9/30/2021
Advisory Council on Aging	Local Committee San Pablo	9/30/2022
Advisory Council on Aging	Local Committee Martinez	9/30/2022
Advisory Council on Aging	Local Committee Brentwood	9/30/2021
Advisory Council on Aging	Local Committee Oakley	9/30/2021

Term length: 24 months

Current Incumbent	Incumbent Supervisor District	BoS Appointment Date	Number Meetings Attended Since Appointment Date	Total Number of Meetings Held Since Appointment
Garrett, Gail	I	10/25/2020	40	44
Reed, Penny	I	12/8/2020	8	9
Krohn, Shirley	IV	10/25/2020	39	41
Butler, Rhoda	III	7/13/2021	1	2
Shafiabady, Sara	V	9/15/2020	9	11
Card, Deborah	V	10/9/2020	39	41
Lipson, Steve	I	12/11/2020	22	23
Selleck, Summer	IV	10/9/2020	20	32
Leasure, Nancy	II	6/23/2020	13	13
Richards, Gerald	V	10/22/2019	16	16
Tobey, Terri	II	10/25/2020	20	20
Bhambra, Jagjit	V	11/7/2019	28	31
Neemuchwalla, Nuru	IV	10/25/2020	37	41
Hernandez, Michelle	IV	2/2/2021	5	7
Yee, Dennis	IV	10/9/2019	23	24
Bruns, Mary	IV	10/25/2020	30	33
O'Toole, Brian	IV	10/9/2019	21	25
Donovan, Kevin D.	II	10/25/2020	23	25
Meltzer, Sue	IV	10/25/2020	4	5
Kleiner, Jill	II	12/11/2019	22	24
	I			
Partridge, Erin	II	2/11/2020	12	14
Evans, Candace	II	3/23/2021	5	5
Fernandez, Rudy	III	10/25/2020	36	40
Van Ackeren, Lorna	IV	10/17/2019	25	29
Smith, Frances	I	10/25/2020	16	21
Kim-Selby, Joanna	I	10/25/2020	30	43
Doran, Jennifer	V	10/25/2020	36	37
Carterelliott, Kacey	V	8/10/2021	1	2
Sakai-Miller, Sharon	II	9/15/2020	11	11
Berman, Michelle	IV	6/8/2021	3	3
Donnelly, James	II	10/17/2017	30	32
Freitag, Eric	IV	8/10/2021	1	2
Aufhauser, Martin	II	6/16/2020	13	13
Kee, Arthur	III	10/17/2017	30	33
Casey, Megan	III	9/8/2020	9	11

Advisory Board	Seat Title	Term Expiration Date
Advisory Council on Aging	Nutrition Project Council	9/30/2022
Advisory Council on Aging	At-Large 1	9/30/2022
Advisory Council on Aging	At-Large 2	9/30/2022
Advisory Council on Aging	At-Large 3	9/30/2021
Advisory Council on Aging	At-Large 4	9/30/2022
Advisory Council on Aging	At-Large 5	9/30/2022
Advisory Council on Aging	At-Large 6	9/30/2022
Advisory Council on Aging	At-Large 7	9/30/2022
Advisory Council on Aging	At-Large 8	9/30/2021
Advisory Council on Aging	At-Large 9	9/30/2021
Advisory Council on Aging	At-Large 10	9/30/2022
Advisory Council on Aging	At-Large 11	9/30/2021
Advisory Council on Aging	At-Large 12	9/30/2022
Advisory Council on Aging	At-Large 13	9/30/2022
Advisory Council on Aging	At-Large 14	9/30/2021
Advisory Council on Aging	At-Large 15	9/30/2021
Advisory Council on Aging	At-Large 16	9/30/2021
Advisory Council on Aging	At-Large 17	9/30/2022
Advisory Council on Aging	At-Large 18	9/30/2022
Advisory Council on Aging	At-Large 19	9/30/2021
Advisory Council on Aging	At-Large 20	9/30/2021
Advisory Council on Aging	Local Committee Lafayette	9/30/2021
Advisory Council on Aging	Local Committee Orinda	9/30/2021
Advisory Council on Aging	Local Committee Antioch	9/30/2022
Advisory Council on Aging	Local Committee Pleasant Hill	9/30/2021
Advisory Council on Aging	Local Committee Pinole	9/30/2022
Advisory Council on Aging	Local Committee Concord	9/30/2022
Advisory Council on Aging	Local Committee Richmond	9/30/2022
Advisory Council on Aging	Local Committee El Cerrito	9/30/2022
Advisory Council on Aging	Local Committee Hercules	9/30/2022
Advisory Council on Aging	Local Committee Pittsburg	9/30/2021
Advisory Council on Aging	Local Committee San Ramon	9/30/2021
Advisory Council on Aging	Local Committee Clayton	9/30/2021
Advisory Council on Aging	Local Committee Alamo-Danville	9/30/2021
Advisory Council on Aging	Local Committee Walnut Creek	9/30/2021
Advisory Council on Aging	Local Committee Moraga	9/30/2021
Advisory Council on Aging	Local Committee San Pablo	9/30/2022
Advisory Council on Aging	Local Committee Martinez	9/30/2022
Advisory Council on Aging	Local Committee Brentwood	9/30/2021
Advisory Council on Aging	Local Committee Oakley	9/30/2022

Current Incumbent	Incumbent	
	Supervisor District	BoS Appointment Date
Garrett, Gail	I	10/25/2020
Reed, Penny	I	12/8/2020
Krohn, Shirley	IV	10/25/2020
VACANT		
Shafiabady, Sara	IV	9/15/2020
Card, Deborah	V	10/9/2020
Lipson, Steve	I	12/11/2020
Selleck, Summer	IV	10/9/2020
Leasure, Nancy	II	6/23/2020
Richards, Gerald	V	10/22/2019
Tobey, Terri	II	10/25/2020
Bhambra, Jagjit	V	11/7/2019
Neemuchwalla, Nuru	IV	10/25/2020
Hernandez, Michelle	IV	2/2/2021
Yee, Dennis	IV	10/9/2019
Bruns, Mary	IV	10/25/2020
O'Toole, Brian	IV	10/9/2019
Donovan, Kevin D.	II	10/25/2020
Meltzer, Sue	I	10/25/2020
Kleiner, Jill	II	12/11/2019
Frederick, Susan	IV	3/30/2021
Partridge, Erin	II	2/11/2020
Evans, Candace	II	3/23/2021
Fernandez, Rudy	III	10/25/2020
Van Ackeren, Lorna	IV	10/17/2019
Vacant		
Vacant		
Smith, Frances	I	10/25/2020
Kim-Selby, Joanna	I	10/25/2020
Doran, Jennifer	V	10/25/2020
Vacant		
Sakai-Miller, Sharon	II	9/15/2020
Berman, Michelle	IV	6/8/2021
Donnelly, James	II	10/17/2019
Vacant	IV	3/19/2019
Aufhauser, Martin	II	6/16/2020
Vacant		
Vacant		
Kee, Arthur	III	10/17/2019
Casey, Megan	III	9/8/2020



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services
Date: October 5, 2021

Subject: Add Two Mental Health Specialist II Positions in the Health Services Department

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 25811 to add two (2) permanent full-time Mental Health Specialist II (VQVA) positions at salary plan and grade TC2-1284 (\$59,730 - \$84,398) in the Health Services Department. (Represented)

FISCAL IMPACT:

Upon approval, this action will result in a cost increase of approximately \$292,470 including \$113,420 in pension costs. Funded by 20% Federal SAMHSA Mental Health Block Grant First Episode Psychosis Set-Aside (MHBG FEP set-aside) and 80% MHSA dollars.

BACKGROUND:

Behavioral Health's First Hope Program is an early intervention program that offers intensive family-centered services to adolescents and young adults showing early signs of psychosis or have experienced a recent psychotic episode. Due to an increased demand within Contra Costa County, adding two (2) Mental Health Specialist II positions will help the County succeed in providing case management services to clients in the evaluation of their psychological, economic, vocational, educational, physical health, living arrangement, and socialization needs.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Lauren Jimenez,
925-957-5262

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, there will not be adequate staffing and Behavioral Health's First Hope Program may not be able to provide quality services to adolescents and young adults showing early signs of psychosis.

ATTACHMENTS

P300 No. 25811 HSD

POSITION ADJUSTMENT REQUEST

NO. 25811
DATE 9/22/2021

Department Health Services Department Department No./
Budget Unit No. 0467 Org No. 5727 Agency No. A18
Action Requested: Add Two (2) Permanent Full-Time Mental Health Specialist II (VQVA) Positions in the Health Services
Department (Represented)

Proposed Effective Date: 10/6/2021

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 \$292,469.62 Net County Cost \$0.00
Total this FY \$63,299.00 N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 80% MHSA Dollars, 20% Federal SAMHSA MH Block Grant

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

Lauren Jimenez

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Kaitlyn Jeffus for

9/28/2021

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE _____

Exempt from Human Resources review under delegated authority

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

Effective: Day following Board Action.
 _____(Date)

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

9/30/2021

- Approve Recommendation of Director of Human Resources
- Disapprove Recommendation of Director of Human Resources
- Other: Approve as recommended by the department.

Enid Mendoza

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED DISAPPROVED

Monica Nino, Clerk of the Board of Supervisors
and County Administrator

DATE _____

BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:

REQUEST FOR PROJECT POSITIONS

Department _____

Date _____

No. _____

1. Project Positions Requested:

2. Explain Specific Duties of Position(s)

3. Name / Purpose of Project and Funding Source (do not use acronyms i.e. SB40 Project or SDSS Funds)

4. Duration of the Project: Start Date _____ End Date _____
Is funding for a specified period of time (i.e. 2 years) or on a year-to-year basis? Please explain.

5. Project Annual Cost
 - a. Salary & Benefits Costs: _____
 - b. Support Costs: _____
(services, supplies, equipment, etc.)
 - c. Less revenue or expenditure: _____
 - d. Net cost to General or other fund: _____

6. Briefly explain the consequences of not filling the project position(s) in terms of:
 - a. potential future costs
 - b. legal implications
 - c. financial implications
 - d. political implications
 - e. organizational implications

7. Briefly describe the alternative approaches to delivering the services which you have considered. Indicate why these alternatives were not chosen.

8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted

9. How will the project position(s) be filled?
 - a. Competitive examination(s)
 - b. Existing employment list(s) Which one(s)? _____
 - c. Direct appointment of:
 1. Merit System employee who will be placed on leave from current job
 2. Non-County employee

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

USE ADDITIONAL PAPER IF NECESSARY



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services
Date: October 5, 2021

Subject: Cancel Two Clinical Psychologist Positions and Add Two Mental Health Clinical Specialist Positions in the Health Services Department

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 25809 to cancel two (2) vacant Clinical Psychologist (VQTB) Positions #8118 and #12840 at salary plan and grade TC2-1483 (\$72,739 - \$102,778) and add two (2) permanent full-time Mental Health Clinical Specialist (VQSB) positions at salary plan and grade TC2-1384 (\$65,947 - \$97,899) in the Health Services Department. (All represented)

FISCAL IMPACT:

Upon approval, this action will result in annual cost savings of approximately \$14,841 including \$5,756 in pension costs. (100% Hospital Enterprise Fund I)

BACKGROUND:

The Contra Costa Regional Medical Center (CCRMC) Hospital & Health Centers currently have no staffing for mental health services at the Brentwood Health Center and inadequate staffing at the West County Health Center. The Clinical Psychologist recruitment eligible list has been exhausted and due to time constraints, the division must hire Mental Health Clinical Specialists to prevent a reduction of available services to the public as patients at the health centers need mental health services.

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

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Lauren Jimenez,
925-957-5262

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, there will not be adequate staffing which will result in a reduction of available services to the public as patients at the hospital and health centers need mental health services.

ATTACHMENTS

P300 No. 25809 HSD

POSITION ADJUSTMENT REQUEST

NO. 25809
DATE 09/22/21

Department Health Services Department Department No./
Budget Unit No. 0450 Org No. 6417 Agency No. A18

Action Requested: Cancel two (2) Clinical Psychologist (VQTB) positions #8118 and #12840 and add two (2) Mental Health Clinical Specialist (VQSB) positions in the Health Services Department. (Represented)

Proposed Effective Date: 10/6/2021

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 \$14,841.00 Net County Cost \$0.00
Total this FY \$11,131.00 N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% Hospital Enterprise Fund I cost savings

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

Lauren Jimenez

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Kaitlyn Jeffus for

9/28/2021

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE _____

Exempt from Human Resources review under delegated authority

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

Effective: Day following Board Action.
 _____(Date)

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

9/30/2021

- Approve Recommendation of Director of Human Resources
- Disapprove Recommendation of Director of Human Resources
- Other: Approve as recommended by the department.

Enid Mendoza

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED DISAPPROVED

Monica Nino, Clerk of the Board of Supervisors
and County Administrator

DATE _____

BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:

REQUEST FOR PROJECT POSITIONS

Department _____

Date _____

No. _____

1. Project Positions Requested:

2. Explain Specific Duties of Position(s)

3. Name / Purpose of Project and Funding Source (do not use acronyms i.e. SB40 Project or SDSS Funds)

4. Duration of the Project: Start Date _____ End Date _____
Is funding for a specified period of time (i.e. 2 years) or on a year-to-year basis? Please explain.

5. Project Annual Cost
 - a. Salary & Benefits Costs: _____
 - b. Support Costs: _____
(services, supplies, equipment, etc.)
 - c. Less revenue or expenditure: _____
 - d. Net cost to General or other fund: _____

6. Briefly explain the consequences of not filling the project position(s) in terms of:
 - a. potential future costs
 - b. legal implications
 - c. financial implications
 - d. political implications
 - e. organizational implications

7. Briefly describe the alternative approaches to delivering the services which you have considered. Indicate why these alternatives were not chosen.

8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted

9. How will the project position(s) be filled?
 - a. Competitive examination(s)
 - b. Existing employment list(s) Which one(s)? _____
 - c. Direct appointment of:
 1. Merit System employee who will be placed on leave from current job
 2. Non-County employee

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

USE ADDITIONAL PAPER IF NECESSARY



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services
Date: October 5, 2021

Subject: Cancel Two Community Health Worker I Positions and Add Two Substance Abuse Counselor Positions in the Health Services Department

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 25810 to cancel two (2) Community Health Worker I (VKWC) positions #17659 and #17760 at salary plan and grade TC5-0993 (\$40,956 - \$45,154) and add two (2) permanent full-time Substance Abuse Counselor (VHVC) positions at salary plan and grade TC5-1436 (\$67,393 - \$81,917) in the Health Services Department. (All represented)

FISCAL IMPACT:

Upon approval, this action will result in an annual cost increase of approximately \$111,818 including \$43,363 in pension costs. This will be 100% funded by the Residential Substance Abuse Treatment (RSAT) grant through the Bureau of Justice Assistance (BJA) and the California Board of Corrections.

BACKGROUND:

The Alcohol and Other Drugs Services (AODS) must cancel two (2) vacant Community Health Worker I (VKWC) positions #17659 and #17660 and add two (2) Substance Abuse Counselor (VHVC) positions, one of which will be flagged for Spanish speaking incumbents to continue to meet Division goals of increasing penetration rates in County threshold languages. A Residential Substance

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Lauren Jimenez,
925-957-5262

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Abuse Treatment (RSAT) grant was awarded to Alcohol and Other Drugs Services (AODS) for the provision of substance use counseling in the West County Detention Facility located in Richmond. It is imperative that Substance Abuse Counselors work at this location to screen and counsel inside the facility, perform case management duties, coordinate care with outside substance use agencies upon release, and work closely with the Contra Costa Behavioral Health Access Line. The Substance Abuse Counselor positions are needed in order to function efficiently and help the population within Alcohol and Other Drugs Services (AODS).

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, there will not be adequate staffing at the West County Detention Facility located in Richmond and Alcohol and Other Drugs Services (AODS) may lose its Residential Substance Abuse Treatment (RSAT) grant that was awarded to their program.

ATTACHMENTS

P300 No. 25810 HSD

POSITION ADJUSTMENT REQUEST

NO. 25810
DATE 09/22/21

Department Health Services Department Department No./
Budget Unit No. 0466 Org No. 5916 Agency No. A18

Action Requested: Cancel two (2) Community Health Worker I (VKWC) positions #17659 (40/40) and #17660 (40/40) and add two (2) Permanent Full-Time Substance Abuse Counselor (VHVC) positions in the Health Services Department. (Represented)

Proposed Effective Date: 10/6/2021

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 \$111,818.00 Net County Cost \$0.00
Total this FY \$83,864.00 N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% funded by Residential Substance Abuse Treatment Grant

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

Lauren Jimenez

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Kaitlyn Jeffus for

9/28/2021

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE _____

Exempt from Human Resources review under delegated authority

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

Effective: Day following Board Action.
 _____(Date)

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

9/30/2021

- Approve Recommendation of Director of Human Resources
- Disapprove Recommendation of Director of Human Resources
- Other: Approve as recommended by the department.

Enid Mendoza

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED DISAPPROVED

Monica Nino, Clerk of the Board of Supervisors
and County Administrator

DATE _____

BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:

REQUEST FOR PROJECT POSITIONS

Department _____

Date _____

No. _____

1. Project Positions Requested:

2. Explain Specific Duties of Position(s)

3. Name / Purpose of Project and Funding Source (do not use acronyms i.e. SB40 Project or SDSS Funds)

4. Duration of the Project: Start Date _____ End Date _____
Is funding for a specified period of time (i.e. 2 years) or on a year-to-year basis? Please explain.

5. Project Annual Cost
 - a. Salary & Benefits Costs: _____
 - b. Support Costs: _____
(services, supplies, equipment, etc.)
 - c. Less revenue or expenditure: _____
 - d. Net cost to General or other fund: _____

6. Briefly explain the consequences of not filling the project position(s) in terms of:
 - a. potential future costs
 - b. legal implications
 - c. financial implications
 - d. political implications
 - e. organizational implications

7. Briefly describe the alternative approaches to delivering the services which you have considered. Indicate why these alternatives were not chosen.

8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted

9. How will the project position(s) be filled?
 - a. Competitive examination(s)
 - b. Existing employment list(s) Which one(s)? _____
 - c. Direct appointment of:
 1. Merit System employee who will be placed on leave from current job
 2. Non-County employee

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

USE ADDITIONAL PAPER IF NECESSARY



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Agreement #29-818-4 with Public Health Foundation Enterprises, Inc. (DBA Heluna Health)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Grant Agreement #29-818-4 containing mutual indemnification with Public Health Foundation Enterprises, Inc. (DBA Heluna Health), a non-profit corporation, to pay the County an amount not to exceed \$23,639 for participation in the FoodNet Expanded Case Exposure Ascertainment (eCEA) Project, for the period from August 1, 2021 through July 31, 2022.

FISCAL IMPACT:

This agreement will result in revenues of up to \$23,639 from the Public Health Foundation Enterprises. (No County match)

BACKGROUND:

The Health Services Department's Public Health Division receives hundreds of reports of Salmonellosis and Shigellosis cases annually. There are likely many cases that do not get reported because community members do not see their doctor or confirmatory testing is not performed. These infections can result in serious illness and hospitalization across the age spectrum. Administering the expanded case report and the eCEA questionnaire will allow health officials to gather additional information that could result in enhanced disease prevention and control activities.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Ori Tzvieli, M.D.,
925-608-5267

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Marcy Wilhelm

BACKGROUND: (CONT'D)

On March 9, 2021, the Board of Supervisors approved Grant Agreement #29-818-3 with Public Health Foundation Enterprises, Inc. (DBA Heluna Health) to receive funds in the amount of \$24,889 for participation in the eCEA, to study foodborne bacteria, for the period from August 1, 2020 through July 31, 2021.

Approval of Agreement #29-818-4 will allow the County to continue to receive funds to support the eCEA Project, through July 31, 2022. This agreement includes mutual indemnification.

CONSEQUENCE OF NEGATIVE ACTION:

If this agreement is not approved, the County will not receive funding to provide services for the eCEA Project.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Grant Award #28-978 with the U.S. Department of Health and Human Services

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to accept Grant Award #28-978 with the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA), to pay the County up to \$499,896, for the Contra Costa Health Service's Opioid Multiagency Response Initiative, for the period from September 30, 2021 through September 29, 2022.

FISCAL IMPACT:

Acceptance of the grant award will result in payment to the County up to \$499,896 in funding from the U.S. Department of Health and Human Services SAMHSA. No County match is required.

BACKGROUND:

The goal of this grant is to expand and enhance the Opioid Multiagency Response Initiative, which is the first of its kind in the State of California. Through this innovative three Divisions of Contra Costa Health Services: Emergency Medical Services, Public Health and Contra Costa Regional Medical Center will collaborate with American Medical Response (AMR), the County's primary contracted transport 911 provider, to provide resources, training, and support to

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Ori Tzvieli, M.D.,
925-608-5267

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Marcy Wilhelm

BACKGROUND: (CONT'D)

paramedics distributing leave-behind naloxone kits and administering buprenorphine and naloxone in the field and establish a seamless referral pathway to connect individuals with opioid use disorder to outpatient medical-assisted treatment and other resources for recovery.

Approval of new Grant Award #28-978 will allow the County's Health Services Department's Opioid Multiagency Response Initiative to take place through September 29, 2022.

CONSEQUENCE OF NEGATIVE ACTION:

If this grant is not approved, the County will not receive funds to expand and enhance the Opioid Multiagency Response Initiative.



Contra
Costa
County

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: October 5, 2021

Subject: 2020 CARES Act Program Revenue Contract for Low Income Home Energy Assistance Program Amendment 2

RECOMMENDATION(S):

ADOPT Resolution No. 2100/474 to approve and authorize the Employment and Human Services Director, or designee, to execute a Revenue Contract Amendment with the California Department of Community Services and Development to change term the end date from September 30, 2021 to December 31, 2021 with no change to the payment limit of \$1,115,537.

FISCAL IMPACT:

No change in the revenue Contract amount of \$1,115,537.
No fiscal impact.
State Agreement No. 20U-2554-2
County Contract No. 39-949-2
CFDA # 93.568. (100% Federal)

BACKGROUND:

On July 8, 2020, the County received funding from the State Department of Community Services and Development to provide energy bill assistance payments and weatherization services to County residents who are financially

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: CSB (925)
608-6389

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Theodore Trinh, Nelly Ige (Escobar), Michael Morris

BACKGROUND: (CONT'D)

impacted by the COVID-19 pandemic through the CARES Act Program Contract under the Low Income Home Energy Assistance Program (LIHEAP) and the Energy Crisis Intervention Program (ECIP). Energy saving measures may provide homes with hot water heaters, furnaces, refrigerators, microwaves, doors, windows, energy-saving light bulbs, weather stripping, ceiling fans, and attic insulation. Homes with gas appliances receive a combustion appliance safety test that checks for carbon monoxide gas leakage and are provided with a carbon monoxide alarm. Residents can also qualify for the Home Energy Assistance Program, which provides a credit on their energy bills. First priorities are for income eligible households that have suffered an employment impact in meeting their home energy needs, particularly those that pay a high proportion of household income for home energy and whose household includes a member of the Vulnerable Populations defined as elderly individuals, disabled individuals or children five years and under. Second priority are to those households which have the lowest incomes and the highest energy costs or needs in relation to income. The funding is to help prevent, prepare for, or respond to the COVID-19 pandemic.

The Board approved the original agreement on September 22, 2020 (C.29). The Board approved the first amendment to extend term end date from April 30, 2021 to September 30, 2021 on March 23, 2021 (C.44). This board order is to extend the term end date from September 30, 2021 to December 31, 2021 with no change in Contract amount.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, the County may not be able to continue the operations of the CARES Act Program Contract for LIHEAP.

CHILDREN'S IMPACT STATEMENT:

The LIHEAP funding supports one of the community outcomes established in the Children's Report Card, #4 "Families that are Safe, Stable and Nurturing" by the provision of home energy assistance to keep households warm in winter and to increase household energy efficiency.

ATTACHMENTS

Resolution 2100/474

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

Adopted this Resolution on 10/05/2021 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2100/474

In the Matter Of: 2020 Coronavirus Aid, Relief, and Economic Security (CARES) Act Program Revenue Contract for Low Income Home Energy Assistance Program (LIHEAP) Amendment 2

WHEREAS: On July 8, 2020, the County received funding from the State Department of Community Services and Development for Low Income Home Energy Assistance Program services; and **WHEREAS,** County will provide energy saving assistance payments and weatherization services to County residents who are financially impacted by COVID-19 pandemic; and **WHEREAS,** energy saving assistance measures and services may include providing homes with hot water heaters, furnaces, refrigerators, microwaves, doors, windows, light bulbs, weather stripping, ceiling fans, attic insulation, and checks for carbon monoxide gas leakage and alarms; and **WHEREAS,** the first priority are income eligible households that have suffered an employment impact in meeting home energy needs, particularly those that pay a high proportion of household income for home energy and whose household includes a member of vulnerable populations defined as elderly individuals, disabled individuals, or children five years and under; and **WHEREAS,** the CARES funding is to help prevent, prepare for, or respond to the COVID-19 pandemic.

Now, Therefore, Be It Resolved: the Contra Costa County Board of Supervisors to approve and authorize the Employment and Human Services Director, or designee, to execute a revenue Contract with the California Department of Community Services and Development to change term end date from September 30, 2021 to December 31, 2021 with no change to the payment limit of \$1,115,537.

I hereby certify that this 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: CSB (925) 608-6389

ATTESTED: October 5, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Theodore Trinh, Nelly Ige (Escobar), Michael Morris



Contra
Costa
County

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: October 5, 2021

Subject: 2021-22 Quality Matters Grant

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to accept funding in the amount of \$102,400 and execute an agreement with Contra Costa County Office of Education for Quality Matters programs for the period October 1, 2021 through June 30, 2022.

FISCAL IMPACT:

This agreement is entirely funded by Contra Costa County Office of Education.
No County Match.

BACKGROUND:

The Department's Community Services Bureau (CSB) submitted a grant application to Contra Costa County Office of Education to receive funding to implement a Quality Matters program through stipends for the following childcare centers: Balboa, George Miller, Bayo Vista, Crescent Park, GM III, Lavonia Allen, Los Arboles, Los Nogales and Riverview. Stipends will be used to fund professional growth training for staff implementing the program.

The stipends are awarded to

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

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: CSB (925)
681-6389

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Theodore Trinh, Isabel Renggenathen, Komal Dayal

BACKGROUND: (CONT'D)

childcare centers to improve the quality of services through enhanced professional development for staff and updated, improved site materials. The stipends will be given out on a per classroom basis. The site supervisors, under the direction of Community Services Bureau Assistant Directors, will determine what specific site materials, such as play equipment or educational toys, will be purchased.

Professional development stipends will be distributed to selected classrooms, not to individuals, to fund site-based training for classroom staff.

Selection of site award is determined by which sites have National Association of Education of Young Children (NAEYC) and/or Preschool Makes a Difference (PMD) designations. The CSB Director will make final decisions regarding stipend allocations. Allocation will be based on site designation, size of center population, and professional learning needs as determined through assessment. The agreement includes a clause to indemnify the County Office of Education.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, the Department will not receive funding to implement Quality Rating System components.

CHILDREN'S IMPACT STATEMENT:

The Community Services Bureau of the Employment & Human Services Department's Early Head Start program supports three of Contra Costa County's community outcomes - Outcome 1: "Children Ready for and Succeeding in School," Outcome 3: "Families that are Economically Self-sufficient," and, Outcome 4: "Families that are Safe, Stable, and Nurturing." These outcomes are achieved by offering comprehensive services, including high quality early childhood education, nutrition, and health services to low-income children throughout Contra Costa County.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Interagency Agreement #28-331-6 with Antioch Unified School District

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Interagency Agreement #28-331-6 with Antioch Unified School District (AUSD), an educational institution, to pay the County an amount up to \$330,000, to provide mental health services to students referred to the District’s HOPE program, for the period from July 1, 2021 through June 30, 2022.

FISCAL IMPACT:

Approval of this interagency agreement will result in revenues to the County of up to \$330,000 in FY 2021-2022. No County match is required.

BACKGROUND:

This agreement will allow the Antioch Unified School District to provide funding for the County to provide mental health services to special education students who are residing in local and out-of-state residential facilities and students who receive outpatient services in the schools and County-operated clinics, through Community Based Organizations that have contracts with the County for professional mental health services.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Suzanne Tavano, Ph.D.,
925-957-5169

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Alaina Floyd, marcy.wilham

BACKGROUND: (CONT'D)

On September 15, 2020, the Board of Supervisors approved Interagency Agreement #28-331-5 (as corrected by September 22, 2020 Board Order Item #C.18), with Antioch Unified School District to pay the County in an amount not to exceed \$300,000, for the provision of mental health and crisis intervention services to students referred to the Antioch Unified School District's HOPE program, for the period July 1, 2020 through June 30, 2021.

Approval of Interagency Agreement #28-331-6 will allow the Agency to continue to pay the County to provide mental health services to students referred to the District's HOPE program through June 30, 2022.

CONSEQUENCE OF NEGATIVE ACTION:

If this agreement is not approved, AUSD will not pay the County for providing mental health services to students referred to the District's HOPE program.

CHILDREN'S IMPACT STATEMENT:

This program supports the following Board of Supervisors' community outcomes: "Children Ready For and Succeeding in School"; "Families that are Safe, Stable, and Nurturing"; and "Communities that are Safe and Provide a High Quality of Life for Children and Families". Expected program outcomes include an increase in positive social and emotional development as measured by the Child and Adolescent Functional Assessment Scale (CAFAS).



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Grant Amendment Agreement #28-929-1 with the Bay Area Air Quality Management District

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Grant Amendment Agreement #28-929-1 with the Bay Area Air Quality Management District, to extend the termination date from December 31, 2021 to June 30, 2022 with no change in payment to the County not to exceed \$100,000 for the Green and Healthy Homes Program which will monitor retrofit improvements in the homes of high-risk Contra Costa Health Plan (CCHP) members with asthma across Contra Costa County, improving indoor air quality and removing underlying asthma triggers.

FISCAL IMPACT:

Approval of this grant amendment agreement will have no fiscal impact as the original amount payable to the County will remain at up to \$100,000. (No County match)

BACKGROUND:

This grant allows Contra Costa Health Services, and the Contra Costa Department of Conservation and Development, with its partner, Marin Clean Energy (MCE), and the Association for Energy Affordability (AEA) to implement the Green and Healthy Homes Program and monitor retrofit

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

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Ori Tzvieli, M.D.,
925-608-5267

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Marcy Wilhelm

BACKGROUND: (CONT'D)

improvements in the homes of high-risk CCHP members with asthma across Contra Costa County, improving indoor air quality and removing underlying asthma triggers. This grant agreement will also allow the partners to align project interests and outcomes to Assembly Bill 617 which aims to establish a new community-scale emissions abatement program to reduce the impact of air pollution.

On August 11, 2020, the Board of Supervisors approved Grant Agreement #28-929 to allow the County to receive \$100,000 for the implementation of the Green and Healthy Homes Program through December 31, 2021.

Approval of Grant Amendment Agreement #28-929-1 will allow the County to continue the Green and Healthy Homes Program, though June 30, 2022. This agreement includes mutual indemnification to hold harmless both parties for any claims arising out of the performance of this contract.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the County will be unable to continue the Green and Healthy Homes Program.



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: October 5, 2021

Subject: California Health Advocates - Senior Medicare Patrol Program Funding

RECOMMENDATION(S):

ADOPT Resolution No. 2021/303 to approve and authorize the Employment and Human Services Director, or designee, to accept funding in an amount not to exceed \$6,500 from the California Health Advocates (CHA) to provide Senior Medicare Patrol (SMP) program for the period June 1, 2021 through May 31, 2022.

FISCAL IMPACT:

County to receive \$6,500 in Federal SMP funds through CHA
100% Federal
No County Match

BACKGROUND:

California Health Advocates will provide funding to Employment and Human Services, Aging and Adult Services Bureau, Health Insurance Counseling and Advocacy Program (HICAP) for the Senior Medicare Patrol volunteer liaison who will focus on outreach and education to support the prevention of Medicare fraud and abuse. The funding will be used to support the liaison's activities, which may include data collection, monitoring and reporting customer inquiries, volunteer recruitment, training and support, community education, and fraud prevention activities.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Tracy Murray (925)
608-4805

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Ana Bagtas

CONSEQUENCE OF NEGATIVE ACTION:

Without funding, Medicare fraud liaison activities would not be supported through HICAP.

ATTACHMENTS

Resolution 2021/303

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

Adopted this Resolution on 10/05/2021 by the following vote:

AYE:
NO:
ABSENT:
ABSTAIN:
RECUSE:



Resolution No. 2021/303

In The Matter Of: California Health Advocates, Senior Medicare Patrol Program Funding

WHEREAS: The national Senior Medicare Patrol (SMP) Resource Center estimates conservatively that \$60 billion annually is lost to Medicare fraud, and **WHEREAS,** the SMP program aims to empower and assist Medicare beneficiaries, their families, and caregivers prevent, detect, and report healthcare fraud and abuse, and **WHEREAS,** the Employment and Human Services Department, Area Agency on Aging, is a direct service provider of the Health Insurance Counseling and Advocacy Program (HICAP), which helps Contra Costa older adults and persons with disabilities navigate Medicare and other health insurance benefits, and **WHEREAS,** funding from the California Health Advocates is to support the implementation of the SMP program in Contra Costa County and enables HICAP to secure an SMP Liaison who will conduct outreach, education, and counseling to Medicare beneficiaries, their families, and caregivers, and **WHEREAS,** preventing Medicare fraud and abuse ensures that beneficiaries are the proper recipient of resources and benefits, so that they get the care, support, and services they need when they need them.

Now, Therefore, Be It Resolved: the Contra Costa County Board of Supervisors approve and authorize the Employment and Human Services Director, or designee, to accept funding in an amount not to exceed \$6,500 from the California Health Advocates to provide Senior Medicare Patrol program services for the period June 1, 2021 through May 31, 2022.

I hereby certify that this 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: Tracy Murray (925) 608-4805

ATTESTED: October 5, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Ana Bagtas



**Contra
Costa
County**

To: Board of Supervisors
From: David O. Livingston, Sheriff-Coroner
Date: October 5, 2021

Subject: California Department of Parks and Recreation, Division of Boating and Waterways Financial Aid Program Agreement

RECOMMENDATION(S):

ADOPT Resolution No. 2021/305 approving and authorizing the Sheriff-Coroner or designee, to apply for and accept the California Department of Parks and Recreation, Division of Boating and Waterways Financial Aid Program Agreement in the amount of \$738,249 for marine patrol and boating regulation enforcement for the period July 1, 2022 through the end of available funding.

FISCAL IMPACT:

An initial amount of \$738,249 has been granted by the state. The Office of the Sheriff receives annual funding from the California Department of Parks and Recreation, Division of Boating and Waterways that is incorporated in the baseline budget. No County match.

BACKGROUND:

California Department of Parks and Recreation, Division of Boating and Waterways (DBW) provides funding to maintain the service level of the Office of the Sheriff's Marine Patrol Unit on the Delta Waterways. Marine patrol operations cost roughly \$2.4 million per year of which DBW has awarded \$738,249 for each of the past five years. DBW funding provides the ability for more vigilant enforcement of boating regulations.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Chrystine Robbins,
925-655-0008

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Failure to secure State funding will result in a further reduction in Marine Patrol Services.

ATTACHMENTS

Resolution 2021/305

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

Adopted this Resolution on 10/05/2021 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2021/305

IN THE MATTER OF: Applying for and Accepting the FY 2022/2023 California Department of Parks and Recreation, Division of Boating and Waterways Financial Aid Program Agreement.

WHEREAS, the County of Contra Costa is seeking funds available through the California Department of Parks and Recreation, Division of Boating and Waterways Financial Aid Program Agreement; County of Contra Costa shall not allocate funds to any county or a public agency within a county unless County of Contra Costa receives a resolution adopted annually by the board of supervisors authorizing the county to participate in the program and certifying that the county will expend for boating safety programs during that year not less than an amount equal to 100 percent of the amount received by the county from personal property taxes on vessels. The money allocated to a county pursuant to subdivision (a) shall be used only for boating safety and enforcement programs, as specified in subdivision (b), that are conducted in that county.

(1) In the case of a local government agency within a county, a certified copy of the resolution or minute order shall accompany the application for financial aid from that local government entity, as well as a certified copy of the resolution or minute order from its county board of supervisors, authorizing the agency to participate in the program. (2) The resolution or minute order shall: (A) Authorize the chairperson, or designated representative, to sign the application and contract. (B) Authorize the chairperson, or designated agency representative, to sign the department's form for each reimbursement claim. (C) Authorize the county auditor to certify the amount of prior year vessel taxes received by the county.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors: Authorizes the Sheriff-Coroner, Undersheriff or Commander Management Services, to sign the application, contract and County of Contra Costa form for each reimbursement claim; authorizes the County Auditor Controller to certify the amount of prior year vessel taxes received by County of Contra Costa. And on behalf of the County of Contra Costa, a public entity established under the laws of the State of California, any action necessary for the purpose of obtaining financial assistance including Agreement modifications and extensions provided by California Department of Parks and Recreation, Division of Boating and Waterways Financial Aid Program Agreement.

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

ATTESTED: October 5, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Chrystine Robbins, 925-655-0008

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Grant Agreement #28-967-1 with Public Health Foundation Enterprises, Inc., dba Heluna Health

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Grant Agreement #28-967-1, including indemnification with Public Health Foundation Enterprises, Inc., dba Heluna Health, a corporation to pay the County in an amount not to exceed \$250,000 to provide COVID-19 and respiratory viral panel testing for the Community Sentinel Surveillance Project, for the period from August 1, 2021 through July 31, 2022.

FISCAL IMPACT:

Approval of this agreement will result in an amount payable to the County of up to \$250,000 for COVID-19 related activities. No County match is required.

BACKGROUND:

Since the emergence of COVID-19 in California in January 2020, the California Department of Public Health (CHPH) and local public health partners have been tracking and monitoring COVID-19 cases in California and have implemented containment and mitigation efforts. COVID-19 surveillance is essential to estimate disease prevalence over time, throughout the state, and amount key groups at high risk for infection in order to improve containment, mitigation and prevention

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Ori Tzvielli, M.D.,
925-608-5267

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Marcy Wilhelm

BACKGROUND: (CONT'D)

measures, which may vary depending on regional COVID-19 epidemiology.

Therefore, CDPH and several California local health jurisdictions, including Contra Costa County, are working with the United States Centers for Disease Control and Prevention to initiate sentinel community surveillance for COVID-19. Public Health Foundation Enterprises, Inc. has been designated by the CHDP to administer this funding and to provide consulting and technical assistance that will be needed to perform the required activities.

On July 13, 2021, the Board of Supervisors approved Grant Agreement #28-967 with Public Health Foundation Enterprises, Inc. dba Heluna Health for Contra Costa County to participate in the State Community Sentinel Surveillance Project which allows Contra Costa County Health Services Department patients who are experiencing COVID-19 like symptoms to be tested for both COVID-19 and other respiratory viruses, through July 31, 2021.

Approval of Grant Agreement #28-967-1 will allow the County to continue to participate in the State Community Sentinel Surveillance Project, through July 31, 2022. The County is agreeing to indemnify and hold harmless the Grantor for claims arising out of the County's performance under this contract.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the County will not be able to participate in the State Community Sentinel Surveillance Project.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Contract #27-192-13 with Suresh K. Sachdeva, M.D., Professional Corporation

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute, on behalf of the County Contract #27-192-13, with Suresh K. Sachdeva, M.D., Professional Corporation, in an amount not to exceed \$360,000, to provide pediatric primary care services to Contra Costa Health Plan (CCHP) members and County recipients for the period October 1, 2021 through September 30, 2024.

FISCAL IMPACT:

This contract will result in contractual service expenditures of up to \$360,000 over a 3-year period and will be funded 100% by CCHP Enterprise Fund II revenues. (No rate increase)

BACKGROUND:

CCHP has an obligation to provide certain specialized health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County. This contractor has been a part of the CCHP Provider Network since February of 1997, providing pediatric primary care services.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Sharron Mackey,
925-313-6104

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Noel Garcia, Marcy Wilhelm

BACKGROUND: (CONT'D)

On September 10, 2019, the Board of Supervisors approved Contract #27-192-12 with Suresh K. Sachdeva, M.D., Professional Corporation, in an amount not to exceed \$425,000 to provide pediatric primary care services to CCHP members and County recipients, for the period October 1, 2019 through September 30, 2021.

Approval of Contract #27-192-13 will allow the contractor to continue to provide pediatric primary care services through September 30, 2024.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialized health care services for CCHP members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided.



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Contract Amendment #23-697-3 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 Agreement #23-697-3 with Public Health Foundation Enterprises, Inc., a non-profit corporation, to amend Contract #23-697 (as amended by Extension Agreement #23-697-1 and Amendment Agreement #23-697-2), effective October 1, 2021, to increase the payment limit by \$272,502, from \$873,740 to a new payment limit of \$1,146,242 and extend the termination date from October 31, 2021 to January 31, 2022.

FISCAL IMPACT:

Approval of this contract will result in additional expenditures of up to \$272,502 and will be funded 100% by American Rescue Plan Act funding. (No rate increase)

BACKGROUND:

On March 10, 2020, the Board of Supervisors requested that the Governor proclaim a State of Emergency in Contra Costa County (Gov. Code Section 8625) due to COVID-19. The Health Department must use all available preventative measures to combat the spread of COVID-19 which includes testing and vaccine administration. The Department must enter into contracts for these

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Anna Roth,
925-957-2670

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: L Walker, M Wilhelm

BACKGROUND: (CONT'D)

services and competitive bidding requirements are suspended to the extent necessary to address the effects of COVID-19. COVID-19 Adult Ambassador Program promotes testing and community best practices for safety, primarily in areas that are underserved or experiencing a surge in cases. The Program assists the County in meeting State requirements in outreach and testing.

On December 15, 2020, the Board of Supervisors approved Contract #23-697 with Public Health Foundation Enterprises, Inc., in an amount of \$774,212 for the provision of COVID-19 Adult Ambassador Program for the period December 1, 2020 through June 30, 2021.

On April 20, 2021, the Board of Supervisors approved Extension Agreement #23-697-1 to extend the termination date from June 30, 2021 to October 31, 2021 with no change in the payment limit of \$774,212.

On September 7, 2021 the Board of Supervisors approved Amendment Agreement #23-697-2 to increase the payment limit by \$99,528 to a new payment limit of \$873,740 with no change in the term through October 31, 2021.

Approval of Amendment Agreement #23-697-3 will allow the COVID-19 Adult Ambassador Program to continue to promote testing and community best practices through January 31, 2022.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, contractor will not be able to continue to provide COVID-19 Adult Ambassador Program services.

CHILDREN'S IMPACT STATEMENT:

The recommendation supports the following children's outcome(s): Families that are Safe, Stable and Nurturing; and Communities that are Safe and Provide a High Quality of Life for Children and Families.



Contra
Costa
County

To: Board of Supervisors
From: Matt Slattengren, Ag Commissioner/Weights & Measures Director
Date: October 5, 2021

Subject: Phytophthora Ramorum - Quarantine (Sudden Oak Death) Agreement

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute an agreement with the California Department of Food and Agriculture to reimburse the County in an amount not to exceed \$67,223 for regulatory compliance and enforcement activities related to the Sudden Oak Death Program for the period July 1, 2021 through June 30, 2022.

FISCAL IMPACT:

This agreement will reimburse the County in the amount not to exceed \$67,223 for conducting regulatory compliance activities related to Sudden Oak Death on behalf of the California Department of Food and Agriculture. The agreement is fully funded by CDFA. There is no County match of funds.

BACKGROUND:

The California Department of Food and Agriculture (CDFA) is the lead agency for the multi-agency task force, known as the California Oak Mortality Task Force (COMTF), that was formed to develop a coordinated effort to address Phytophthora Ramorum (Sudden Oak Death). Due to CDFA's responsibility under the COMTF and its statutory authority to establish quarantines, CDFA must enter into cooperative agreements with impacted counties. The role of the Agricultural Department

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Stephanna
608-6600

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

BACKGROUND: (CONT'D)

is to issue compliance agreements, and do related work that assures compliance by affected businesses, including plant nurseries, firewood dealers, tree services, green waste and compost facilities, to stop the spread of SOD to non-infested areas of the State and County and to foreign countries.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to accept the agreement will result in the Agriculture Department not being reimbursed by CDFR for regulatory enforcement activities related to the Sudden Oak Death Program.

ATTACHMENTS



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Contract #27-814-8 with Credentials Services, Inc. (dba VerifPoint)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #27-814-8, which contains mutual indemnification, with Credentials Services, Inc. (dba VerifPoint), a corporation, in an amount not to exceed \$120,000, to provide credentialing services for healthcare providers at Contra Costa Health Plan (CCHP), for the period from October 1, 2021 through September 30, 2024.

FISCAL IMPACT:

This contract will result in contractual service expenditures of up to \$120,000 over a three-year period and will be funded 100% by CCHP Enterprise Fund II revenues. (No rate increase)

BACKGROUND:

Credentials Services, Inc. (dba VerifPoint) has been providing credentialing services for the County since October 2010. This contractor will continue to provide credentialing services for healthcare providers contracted in CCHP's provider network.

On September 10, 2019, the Board

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Sharron Mackey,
925-313-6104

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: L Walker, M Wilhelm

BACKGROUND: (CONT'D)

of Supervisors approved Contract #27-814-7 with Credentials Services, Inc. (dba VerifPoint) in an amount not to exceed \$100,000 to provide credentialing and re-credentialing services for CCHP healthcare providers, for the period October 1, 2019 through September 30, 2021.

Approval of Contract #27-814-8 will allow this contractor to continue providing credentialing services for healthcare providers in CCHP's provider network, including mutual indemnification to hold harmless both parties for any claims arising out of the performance of this contract, through September 30, 2024.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the County would not receive credentialing and re-credentialing services by this contractor and put CCHP at-risk for non-compliance with Federal, State, and contractual requirements.



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Purchase Order with Kovarus, Inc. to renew Citrix licenses and support

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a Purchase Order with Kovarus, Inc., in an amount not to exceed \$373,313 to renew Citrix licenses and support and maintenance services, for the period from October 31, 2021 through October 30, 2022.

FISCAL IMPACT:

Approval of this purchase will result in annual expenditures of up to \$373,313 and will be funded 100% by Hospital Enterprise Fund I revenues.

BACKGROUND:

The Epic Electronic Health Record (EHR) system requires the use of Citrix Terminal Services. Citrix software allows Health Services Department (HSD) staff access to Epic EHR system using publish application, virtual desktop for telehealth. Citrix improves remote access to Epic EHR. HSD is renewing the annual subscription for Virtual Apps and Desktop Premium Edition, and Citrix ADC hardware appliance maintenance services to comply with Epic requirements.

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

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Patrick Wilson,
925-335-8700

By: , Deputy

cc: Alan Ly, Marcy Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

Without ongoing maintenance, support and technical assistance from Citrix, HSD's critical infrastructure would not be covered in the event of a hardware, software, or technical issue. This will result in EHR accessibility issues and potential connectivity failures.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Contract #77-280-1 with Aspen Surgery Center, LLC

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute, on behalf of the County Contract #77-280-1 with Aspen Surgery Center, LLC, a limited liability company, in an amount not to exceed \$1,600,000, to provide ambulatory surgery services to Contra Costa Health Plan (CCHP) members, for the period October 1, 2021 through September 30, 2022.

FISCAL IMPACT:

This contract will result in contractual service expenditures of up to \$1,600,000 and will be funded 100% by CCHP Enterprise Fund II. (No rate increase)

BACKGROUND:

CCHP has an obligation to provide certain specialized health care services, including ambulatory surgery services for its members under the terms of their Individual and Group Health Plan membership contracts with the County. This contractor has been a part of the CCHP Provider Network since October 1, 2020.

On January 14, 2020, the Board of Supervisors approved Contract #77-280 with Aspen Surgery Center, LLC., in an amount not to exceed \$1,600,000, to provide ambulatory surgery services to CCHP members, for the period from October 1, 2020 through September 30, 2021.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Sharron Mackey,
925-313-6104

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: E Suisala , M Wilhelm

BACKGROUND: (CONT'D)

Approval of Contract #77-280-1 will allow the contractor to continue to provide ambulatory surgery services for CCHP members through September 30, 2022.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialty health care services for CCHP members will not be provided.



**Contra
Costa
County**

To: Board of Supervisors
From: Mary Ann Mason, County Counsel
Date: October 5, 2021

Subject: Legal Services Contract with Wendel Rosen, LLP

RECOMMENDATION(S):

APPROVE and AUTHORIZE the County Counsel, or designee, to execute, on behalf of Contra Costa County, a contract for specialized legal services with Wendel Rosen, LLP, effective September 21, 2021, as recommended by the County Counsel.

FISCAL IMPACT:

Eminent domain and real property matters will be charged to pertinent project accounts. Under the contract, Wendel Rosen, LLP, will charge hourly for legal services. The firm will be entitled to reimbursement for certain out of pocket expenses.

BACKGROUND:

From time to time, the County requires specialized outside counsel legal services for eminent domain and inverse condemnation matters. Wendel Rosen, LLP, has expertise in these areas. Under this contract, Wendel Rosen, LLP, will represent the County in eminent domain and inverse condemnation litigation when the County Counsel, or designee, determines that representation by outside counsel is necessary. Due to the specialized nature of the services the firm provides, the County Counsel recommends approving this contract.

CONSEQUENCE OF NEGATIVE ACTION:

The County would not retain this firm for these legal services.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Stephen M. Siptroth, Deputy County Counsel, (925) 655-2200

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Stephen M. Siptroth, Deputy County Counsel



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Amendment Agreement #27-583-8 with Contra Costa Eye Medical Center, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #27-583-8 with Contra Costa Eye Medical Center, Inc., a corporation, effective October 1, 2021, to amend Contract #27-583-7, to modify the rates for Contra Costa Health Plan (CCHP) Commercial members from Medi-Cal rates to Medicare rates, with no change to the payment limit of \$300,000 and no change in the original term of April 1, 2021 through March 31, 2024.

FISCAL IMPACT:

Approval of this amendment will result in modified rates, but will not impact the previously approved contractual service expenditures of up to \$300,000 over a three-year period, which is funded 100% by CCHP Enterprise Fund II revenues.

BACKGROUND:

CCHP has an obligation to provide certain specialized health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County. This contractor has been a part of the CCHP Provider Network providing ophthalmology services since 2004.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Sharron Mackey,
925-313-6104

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Noel Garcia, Marcy Wilhelm

BACKGROUND: (CONT'D)

On April 20, 2021, the Board of Supervisors approved Contract #27-583-7 with Contra Costa Eye Medical Center, Inc., in the amount of \$300,000 to provide ophthalmology services for CCHP members and County recipients, for the period from April 1, 2021 through March 31, 2024.

Approval of Contract Amendment Agreement #27-583-8 will allow the contractor to continue providing ophthalmology services with modified rates for CCHP Commercial members from Medi-Cal rates to Medicare rates, helping the provider meet the Department of Health Care Services network adequacy standards through March 31, 2024.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, certain specialized health care services for CCHP members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Purchase Order with Clear Labs, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a Purchase Order with Clear Labs, Inc., in the amount not to exceed \$2,000,000 for the purchase of testing reagents and kits for SARS-CoV-2 and other pandemic virus whole genome sequencing at the Contra Costa County Public Health Laboratory, for the period from September 1, 2021 through August 30, 2022.

FISCAL IMPACT:

Approval of this purchase order will result in annual expenditures of up to \$2,000,000 and funded by the United States Center for Disease Control Epidemiology and Laboratory Capacity (ELC) awarded grant, COVID-19 ELC Enhancing Detection Expansion (Strategy 2: Strengthen Laboratory Testing).

BACKGROUND:

This purchase order will consolidate previous purchase orders created throughout the year for Clear Labs, Inc. various laboratory supplies (collection kits, reagents, plastic consumables) required by the Contra Costa County Public Health Laboratory.

Whole genome sequencing of the SARS-CoV-2

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Ori Tzvieli, M.D.,
925-608-5267

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Marcy Wilhelm, Stephanie Trammell

BACKGROUND: (CONT'D)

virus in patient specimens permits determination of circulating variants within Contra Costa County. Identifying variants allows Health Services and the Public Health Department to evaluate whether certain variants are associated with increased transmission or particular patient morbidity outcomes.

CONSEQUENCE OF NEGATIVE ACTION:

If this purchase order is not approved, the Contra Costa Public Health Laboratory will not be able to maintain continuous and uninterrupted ordering of much needed laboratory supplies for genome sequencing.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Contract #27-168-17 with Planned Parenthood: Shasta Diablo, Inc. (dba Planned Parenthood Northern California)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #27-168-17 with Planned Parenthood Shasta: Diablo, Inc. (dba Planned Parenthood Northern California), a non-profit corporation, in an amount not to exceed \$4,000,000, to provide obstetrics/gynecology (OB/GYN), family planning and mental health services for Contra Costa Health Plan (CCHP) members, for the period October 1, 2021 through September 30, 2022.

FISCAL IMPACT:

This contract will result in contractual service expenditures of up to \$4,000,000 and will be funded 100% by CCHP Enterprise Fund II. (No rate increase)

BACKGROUND:

CCHP has an obligation to provide certain specialized health care services, including OB/GYN, family planning and mental health services for its members under the terms of their Individual and Group Health Plan membership contracts with the County. This contractor has been a part of the CCHP Provider Network since November 1, 2007.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021**
 APPROVED AS RECOMMENDED
 OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Sharron Mackey,
925-313-6104

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: E Suisala , M Wilhelm

BACKGROUND: (CONT'D)

On August 11, 2020, the Board of Supervisors approved Contract #27-168-16 with Planned Parenthood Shasta-Diablo, Inc. (dba Planned Parenthood Northern California), in an amount not to exceed \$4,000,000, to provide OB/GYN, family planning and mental health services for CCHP members, for the period October 1, 2020 through September 30, 2021.

Approval of Contract #27-168-17 will allow the contractor to continue providing OB/GYN, family planning and mental health services for CCHP members through September 30, 2022.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialized health care services will not be provided.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Contract #77-129-2 with Selena Ellis, M.D.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #77-129-2 with Selena Ellis, M.D., an individual, in an amount not to exceed \$240,000, to provide neurology electromyography (EMG) services for Contra Costa Health Plan (CCHP) members, for the period from October 1, 2021 through September 30, 2024.

FISCAL IMPACT:

This contract will result in contractual service expenditures of up to \$240,000 over a three-year period and will be funded 100% by CCHP Enterprise Fund II. (No rate increase)

BACKGROUND:

CCHP has an obligation to provide certain specialized health care services, including EMG services for its members under the terms of their Individual and Group Health Plan membership contracts with the County. This contractor has been a part of the CCHP Provider Network since October 1, 2017.

In September 2019, the County Administrator approved and the Purchasing Services Manager executed Contract #77-129-1 with Selena Ellis, MD, in an amount not to exceed \$200,000 to provide EMG services to CCHP members, for the period from October 1, 2019 through September 30, 2021.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Sharron Mackey,
925-313-6004

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: E Suisala , M Wilhelm

BACKGROUND: (CONT'D)

Approval of Contract #77-129-2 will allow the contractor to continue to provide EMG services to CCHP members through September 30, 2024.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, CCHP members will not receive the benefits of EMG services from this contractor.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Contract #26-672-10 with Siri Sunderi Cheng, M.D.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #26-672-10 with Siri Sunderi Cheng, M.D., an individual, in an amount not to exceed \$500,000 to provide otolaryngology services for Contra Costa Regional Medical Center (CCRMC) and Health Center patients, for the period October 1, 2021 through September 30, 2022.

FISCAL IMPACT:

Approval of this contract will result in budgeted expenditures of up to \$500,000 and will be funded 100% by Hospital Enterprise Fund I revenues. (No rate increase)

BACKGROUND:

CCRMC has been contracting with Siri Sunderi Cheng, M.D., since September 2010 to provide otolaryngology services, including, but not limited to clinical coverage, consultation, training, on-call and administrative services for CCRMC and Health Center patients.

On September 8, 2020, the Board of Supervisors approved Contract #26-672-9 with Siri Sunderi Cheng, M.D., in an amount not to exceed \$430,000

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
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Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Samir Shah, M.D.,
925-370-5525

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: E Suisala , M Wilhelm

BACKGROUND: (CONT'D)

to provide otolaryngology services, including, but not limited to clinical coverage, consultation, training, on-call and administrative services for CCRMC and Health Center patients, for the period October 1, 2020 through September 30, 2021.

Approval of Contract #26-672-10 will allow the contractor to continue to provide otolaryngology services to CCRMC and Contra Costa Health Center patients through September 30, 2022.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring otolaryngology services at CCRMC and Health Centers will not have access to this contractor's services.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Amendment #24-979-43 with Addiction Research and Treatment, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #24-979-43 with Addiction Research and Treatment, Inc., a corporation, effective July 1, 2021, to amend Contract #24-979-42 to increase the payment limit by \$186,441, from \$5,919,828 to a new payment limit of \$6,106,269, with no change in the term of July 1, 2021 through June 30, 2022.

FISCAL IMPACT:

Approval of this amendment will result in an increase in budgeted expenditures of up to \$186,441 for FY 2021-2022 and will be funded by 50% Federal Medi-Cal and 50% Mental Health Realignment Funds revenues. (Rate increase)

BACKGROUND:

The Behavioral Health Services Department has been contracting with Addiction Research and Treatment, Inc., since October 1998 to provide methadone treatment services through its Methadone Maintenance Clinics Program in East and West Contra Costa County.

On July 13, 2021, the Board of Supervisors approved Contract #24-979-42 with Addiction Research and Treatment, Inc., in the amount of \$5,919,828,

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021**
 APPROVED AS RECOMMENDED
 OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Suzanne Tavano Ph.D,
925-957-5212

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: E Suisala , M Wilhelm

BACKGROUND: (CONT'D)

to provide methadone treatment services through its Methadone Maintenance Clinics Program (Medi-Cal Drug Abuse Treatment Services) in East and West Contra Costa County, for the period July 1, 2021 through June 30, 2022.

Approval of Amendment #24-979-43 will allow the contractor to increase the rates under the Drug Medi-Cal Organized Delivery Service (DMC-ODS) waiver. The Department of Health Care Services (DHCS) approved the rate increase to be retroactive to July 1, 2021 and will allow the contractor to provide additional services through June 30, 2022.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, County patients will not receive additional drug abuse prevention and treatment services from the contractor's facility.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Amendment #74-623-2 with Harmonic Solutions, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #74-623-2 with Harmonic Solutions, Inc., a non-profit corporation, effective July 1, 2021, to amend Contract #74-623-1 to increase the payment limit by \$27,148, from \$1,190,143 to a new payment limit of \$1,217,291, with no change in the term of July 1, 2021 through June 30, 2022.

FISCAL IMPACT:

Approval of this amendment will result in additional budgeted expenditures of up to \$27,148 and will be funded by 50% Federal Medi-Cal and 50% Drug Medi-Cal Realignment revenues. (Rate increase)

BACKGROUND:

The Behavioral Health Services Department has been contracting with Harmonic Solutions, LLC., since January 2021. This contract meets the social needs of the County's population by providing specialized substance abuse treatment and prevention programs to help clients to achieve and maintain sobriety and to experience the associated benefits of self-sufficiency, family reunification, cessation of criminal activity and productive engagement in the community.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Suzanne Tavano, Ph.D.,
925-957-5212

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: E Suisala , M Wilhelm

BACKGROUND: (CONT'D)

On July 13, 2021, the Board of Supervisors approved Contract #74-623-1 with Harmonic Solutions, LLC., in an amount not to exceed \$1,190,143 to provide methadone treatment services through its Methadone Maintenance Clinics Program (Medi-Cal Drug Abuse Treatment Services) for the period from July 1, 2021 through June 30, 2022.

Approval of Amendment #74-623-2 will allow the contractor to increase the rates under the Drug Medi-Cal Organized Delivery Service (DMC-ODS) waiver. The Department of Health Care Services (DHCS) approved the rate increase to be retroactive to July 1, 2021 and will allow the contractor to provide additional services through June 30, 2022.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, Contra Costa County residents will not receive additional methadone maintenance treatment services needed to provide them an opportunity to achieve sobriety and recover from the effects of alcohol and other drug use, become self-sufficient, and return to their families as productive individuals.

CHILDREN'S IMPACT STATEMENT:

This Alcohol and Drug Abuse program supports the Board of Supervisors' "Families that are Safe, Stable, and Nurturing" community outcome by providing parenting education, stability, and safety for mothers (and their children) and pregnant women who are alcohol and drug dependent, while they are in substance abuse treatment. Expected outcomes include delivery of drug-free babies, decreased use of alcohol, tobacco and other drugs, reduction in the number of relapses, and creation of a sober social network.



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Contract #26-445-19 with Aaron K. Hayashi, M.D., Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #26-445-19 with Aaron K. Hayashi, M.D., Inc., a professional corporation, in an amount not to exceed \$2,115,000, for the provision of radiology services for patients at Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers, for the period from October 1, 2021 through September 30, 2024.

FISCAL IMPACT:

This contract will result in contractual service expenditures of up to \$2,115,000 over a 3 year period and will be funded 100% by Hospital Enterprise Fund I revenues. (Rate increase)

BACKGROUND:

Due to the limited number of specialty providers available within the community, Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers relies on contracts to provide necessary specialty health services to its patients. CCRMC has contracted with Dr. Hayashi for radiology services including consultation, on-call coverage and interpretation of Computed Tomography (CT) Scans, Magnetic Resonance Images (MRIs), Ultrasounds, invasive procedures and plain films since 2007.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Samir Shah, M.D.,
925-370-5525

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Marcy Wilhelm

BACKGROUND: (CONT'D)

On September 25, 2018, the Board of Supervisors approved Contract #26-445-16 with Aaron K. Hayashi, M.D., Inc., in an amount not to exceed \$1,835,000 for the provision of radiology services for CCRMC and Contra Costa Health Centers, for the period from October 1, 2018 through September 30, 2021.

On July 23, 2019, the Board of Supervisors approved Contract Amendment Agreement #26-445-17 to increase the payment limit by \$101,000 from \$1,835,000 to a new payment limit of \$1,936,000 with no change in the term of October 1, 2018 through September 30, 2021.

On November 3, 2020, the Board of Supervisors approved Contract Amendment Agreement #26-445-18 with Aaron K. Hayashi to increase the payment limit by \$49,000 from \$1,936,000 to a new payment limit of \$1,985,000 with no change in the term of October 1, 2018 through September 30, 2021.

Approval of Contract #26-445-19 will allow the contractor to continue to provide radiology services at CCRMC and Contra Costa Health Centers, through September 30, 2024.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring radiology services at CCRMC and Contra Costa Health Centers will not have access to this contractor's services.



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Contract #72-028-18 with Contra Costa Interfaith Transitional Housing, Inc. (dba Hope Solutions)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #72-028-18 with Contra Costa Interfaith Transitional Housing Inc. (dba Hope Solutions), a non-profit corporation, in an amount not to exceed \$218,000, to provide housing advocacy services for people with HIV, for the period from July 1, 2021 through June 30, 2022.

FISCAL IMPACT:

Approval of this contract will result in annual expenditures of up to \$218,000 and will be funded as budgeted by the department in FY 2021-22, by 100% Housing Opportunities for Persons With AIDS (HOPWA). (No rate increase)

BACKGROUND:

This contract meets the social needs of the County’s population by providing housing advocacy services for people with HIV. This contractor shall provide HIV support services in accordance with the County’s Community Development Contract with the City of Oakland pursuant to Resolution #85847- CMS of the Oakland City Council and Resolution Number 85582- CMS of the Oakland City Council and 24 CFR Part 574, the AIDS Housing Opportunity Act as amended by the

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

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Ori Tzvieli, M.D.,
925-608-5267

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Alaina Floyd, marcy.wilham

BACKGROUND: (CONT'D)

Housing and Community Development Act of 1992, the Federal Health Resources and Services Administration (HRSA) Ryan White “Program and Fiscal Monitoring Standards of 2010”.

The Public Health Department has been contracting with Contra Costa Interfaith Transitional Housing, Inc. (dba Hope Solutions) since March 1, 2012, to provide housing advocacy services for people with HIV.

On August 28, 2020, the County Administrator approved and the Purchasing Services Manager executed Contract #72-028-16, (as amended by Contract Amendment Agreement #72-028-17) with Contra Costa Interfaith Transitional Housing Inc. (dba Hope Solutions), in an amount not to exceed \$160,000, to provide housing advocacy services for people with HIV for the period from July 1, 2020 through June 30, 2021.

In March 2021, the County Administrator approved and the Purchasing Services Manager executed Contract Amendment Agreement #72-028-17, with Contra Costa Interfaith Transitional Housing Inc. (dba Hope Solutions), to increase the payment limit by \$37,800 from \$160,000 to a new payment limit of \$197,800, to allow the contractor to provide additional housing advocacy services for persons with HIV disease through June 30, 2021.

This contract renewal is late due to a delay in receiving the new work plan and budget from the contractor.

Approval of Contract #72-028-18 allows the contractor to continue providing housing advocacy services through June 30, 2022.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, clients will not receive services from this contractor.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Amendment #77-340-1 with Behavior Treatment & Analysis, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #77-340-1, effective October 1, 2021, with Behavior Treatment & Analysis, Inc., a corporation, to amend Contract #77-340, to increase the payment limit by \$1,000,000, from \$2,000,000 to a new payment limit of \$3,000,000, to provide additional applied behavioral analysis (ABA) services for Contra Costa Health Plan (CCHP) members, with no change in the original term of July 1, 2021 through June 30, 2023.

FISCAL IMPACT:

This amendment will result in additional contractual service expenditures of up to \$1,000,000 for a two-year period and will be funded 100% by CCHP Enterprise Fund II. (No rate increase)

BACKGROUND:

CCHP has an obligation to provide certain specialized ABA services including, but not limited to treatment plans to improve the functioning of CCHP members with pervasive developmental disorders or autism under the terms of their Individual and Group Health Plan membership contracts with the County. This contractor has been providing ABA services to CCHP members for several years, formerly under a Memorandum of Understanding (MOU) and was required to convert to a County contract.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: October 5, 2021

Contact: Sharron Mackey,
925-313-6104

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: K Cyr, M Wilhelm

BACKGROUND: (CONT'D)

On July 27, 2021, the Board of Supervisors approved Contract #77-340 with Behavior Treatment & Analysis, Inc., in an amount not to exceed \$2,000,000 for the provision of applied behavioral analysis services for CCHP members, for the period July 1, 2021 through June 30, 2023.

The contractor's utilization is higher than anticipated, therefore, the Division requested the contract payment limit be increased from \$2,000,000 to a new contract payment limit of \$3,000,000 to meet the increased utilization of services for CCHP members.

Approval of Contract Amendment Agreement #77-340-1 will allow the contractor to provide additional ABA services for CCHP members through June 30, 2023.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialized ABA services for CCHP members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided.



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: October 5, 2021

Subject: APPROVE and AUTHORIZE Amendment No. 2 to the Contract with Gigi Walker d/b/a Walker's Auto Body & Fleet Repair

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment with Gigi Walker d/b/a Walker's Auto Body & Fleet Repair, effective October 5, 2021, to increase the payment limit of \$400,000 by \$200,000 to a new payment limit of \$600,000 to provide on-call collision and auto body repair services to County vehicles, Countywide.

FISCAL IMPACT:

This cost is to be funded through Public Works Fleet Internal Service Fund and user departments. (100% Fleet Internal Service Fund)

BACKGROUND:

Public Works Fleet Services maintains all county vehicles. Part of this maintenance is vehicle collision damage repair and painting. Various reasons exist for vehicle body repair and painting, from damage caused by collisions to deterioration. As the vehicles are becoming more complex, the costs for damage repair have risen. Gigi Walker d/b/a Walker's Auto Body & Fleet Repair can do auto collision repairs, paint and mechanical repairs.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Carlos Velasquez, (925)
313-7072

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

BACKGROUND: (CONT'D)

The contract with Gigi Walker d/b/a Walker's Auto Body & Fleet Repair is due to expire May 31, 2022. The Public Works Department is requesting to increase the existing contract payment limit by \$200,000 to a new payment limit of \$600,000, to ensure the County has access to the contractor's services through the term of the contract.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, auto body and repair services with Gigi Walker d/b/a Walker's Auto Body & Fleet Repair will be discontinued.



**Contra
Costa
County**

To: Board of Supervisors
From: Deborah R. Cooper, Clerk-Recorder
Date: October 5, 2021

Subject: Contract with Admiral Security Services, Inc. to Provide Security at Elections Division Locations

RECOMMENDATION(S):

APPROVE and AUTHORIZE the County Clerk-Recorder, or designee, to execute a contract with Admiral Security Services, Inc., in an amount not to exceed \$25,000 to provide election-related security services.

FISCAL IMPACT:

The full cost of the Elections Division's conduct of the 2021 Statewide Gubernatorial Recall Election is reimbursable by the State.

BACKGROUND:

Two Elections Division sites, the warehouse on Marina Vista and the Elections Division's satellite Vote by Mail extraction site at NorCal Courts, will have election materials transported in and out of the locations. Dedicated security will provide increased access monitoring at these two locations from September 7 to September 17, 2021.

The contract contains a provision that requires the County to notify Contractor of any claim for indemnification promptly but in no event later than thirty (30) days after receipt of notice of the injury, damage, demand, or claim or suit, in writing. Otherwise, the Contractor is not required to indemnify and hold County harmless for any such claim, demand, cost, judgment, or liability.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Sara Brady,
925-335-7807

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Dedicated security services will not be assigned to Elections Division locations.



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Contract #74-509-4 with County of San Mateo

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #74-509-4 with County of San Mateo, a government agency, in an amount not to exceed \$293,585, to provide after-hours call coverage for the Behavioral Health Access Line, for the period from July 1, 2021 through June 30, 2022.

FISCAL IMPACT:

Approval of this contract will result in an annual expenditure of up to \$293,585 for FY 2021-2022 and will be funded 100% by current County General Fund allocations.

BACKGROUND:

The Behavioral Health Division Health Access Line after-hour calls are transferred to the Psychiatric Emergency Services (PES) Unit. The PES Unit logs in the call and distributes to the Behavioral Health Access Line the following morning. Routing the calls to the PES Unit has been an inefficient use of resources and the call drop rate has been an issue in State Audits. Allowing San Mateo County to administer the call answering services for the Behavioral Health Access Line will free up resources at the PES Unit, minimize the call drop rate,

APPROVE
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 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Suzanne Tavano, Ph.D.,
925-957-5212

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: L Walker, M Wilhelm

BACKGROUND: (CONT'D)

and provide better coverage and coordination of care.

In June 2020, the County Administrator approved and the Purchasing Services Manager executed Contract #74-509-3 with County of San Mateo in an amount not to exceed \$155,440 to provide after-hours call coverage for the Behavioral Health Access Line, for the period July 1, 2020 through June 30, 2021.

The County did not receive the agreement from the County of San Mateo until September 8, 2021, which delayed processing the agreement in a timely manner.

Approval of Contract #74-509-4 will allow the contractor to continue to provide after-hours call coverage for the Behavioral Health Access Line, through June 30, 2022.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the Health Access Line calls will continue to be routed to the Psychiatric Emergency Services Unit and Department will not meet the expectations of the State with regard to the call drop rate.

ATTACHMENTS



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Amendment #76-580-9 with James Pak, M.D. Incorporated

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #76-580-9 with James Pak, M.D., Incorporated, effective October 1, 2021, to amend Contract #76-580-8 to increase the payment limit by \$90,000, from \$150,000, to a new payment limit of \$240,000 with no change in the term March 1, 2021 through February 28, 2022 to provide additional hours of anesthesiology services at Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers.

FISCAL IMPACT:

Approval of this amendment will result in an additional \$90,000 and will be funded 100% by Hospital Enterprise Fund I. (No rate increase)

BACKGROUND:

Due to the limited number of specialty providers available within the community, CCRMC and Contra Costa Health Centers rely on contracts to provide necessary specialty health services to their patients. CCRMC has contracted with James Pak, M.D. Incorporated, for anesthesiology services, including clinic coverage, consultation, training, medical procedures, and on-call coverage since May 1, 2017.

In December

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

ATTESTED: October 5, 2021

Contact: Samir Shah, M.D.,
925-370-5525

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: L Walker

BACKGROUND: (CONT'D)

2020, the County Administrator approved and the Purchasing Services Manager executed Contract #76-580-8 with James Pak, M.D., Incorporated, in an amount not to exceed \$150,000 for the provision of anesthesia services at CCRMC for the period from March 1, 2021 through February 28, 2022.

This contractor's utilization is higher than anticipated due to anesthesiology back-fill services, therefore, the Division requested the contract payment limit be increased.

Approval of Amendment Agreement #76-580-9 will allow the contractor to provide additional anesthesiology services at CCRMC through February 28, 2022.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, patients requiring anesthesiology services will not have access to this contractor's services.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Amendment #27-277-23 with Kaiser Foundation Health Plan, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #27-277-23 with Kaiser Foundation Health Plan, Inc., a non-profit corporation, effective September 30, 2021, to amend Contract #27-277-20 (as amended by Amendment Agreement #27-277-21 and Amendment Extension Agreement #27-277-22) to add data exchange requirements for the provision of additional Medi-Cal services for Contra Costa Health Plan (CCHP) members enrolled in the Kaiser Foundation Health Plan, with no change in the payment limit of \$600,000,000.

FISCAL IMPACT:

This amendment will result in no additional contractual expenditures.

BACKGROUND:

CCHP has an obligation to provide certain specialized health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County. This contractor has been a part of the CCHP Provider Network since October 1, 2004, providing health care services for CCHP Medi-Cal recipients.

APPROVE
 OTHER
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 OTHER

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ATTESTED: October 5, 2021

Contact: Sharron Mackey,
925-313-6104

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: K Cyr, M Wilhelm

BACKGROUND: (CONT'D)

On September 27, 2016, the Board of Supervisors approved Contract #27-277-20 with Kaiser Foundation Health Plan, Inc., in an amount not to exceed \$600,000,000 to provide health care services for Medi-Cal recipients enrolled in the Kaiser Health Plan, for the period from October 1, 2016 through September 30, 2019.

On July 10, 2018, the Board of Supervisors approved Contract Amendment Agreement #27-277-21, to add Exhibit 8 (Delegation Agreement) with no change in the payment limit of \$600,000,000 or term of October 1, 2016 through September 30, 2019.

On September 9, 2019, the Board of Supervisors approved Contract Amendment/Extension Agreement #27-277-22, to extend the term from September 30, 2019 to September 30, 2021, with no change in the payment limit of \$600,000,000, to allow the contractor to continue to provide Medi-Cal services to Medi-Cal members enrolled in the Kaiser Health Plan through September 30, 2021.

On September 21, 2021, Board of Supervisors approved a Board Order action clarifying incorrect term language previously approved by the Board on September 27, 2016, July 18, 2018 and September 10, 2019 to correct the term to match the agreement so it will automatically be renewed for two successive years periods, until such time it is terminated by either party.

Approval of Contract Amendment #27-277-23 will add data exchange requirements for the provision of additional Medi-Cal services for Contra Costa Health Plan members enrolled in the Kaiser Health Plan.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, certain specialized health care services for Medi-Cal members may not be provided.



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Contract #27-918-4 with Etwaru Eye Center

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute, on behalf of the County Contract #27-918-4, with Etwaru Eye Center, a corporation, in an amount not to exceed \$750,000, to provide ophthalmology services to Contra Costa Health Plan (CCHP) members and County recipients, for the period October 1, 2021 through September 30, 2024.

FISCAL IMPACT:

This contract will result in contractual service expenditures of up to \$750,000 over a 3-year period and will be funded 100% by CCHP Enterprise Fund II revenues. (No rate increase)

BACKGROUND:

CCHP has an obligation to provide certain specialized health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County. This contractor has been a part of the CCHP Provider Network since October of 2013, providing ophthalmology services.

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- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
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ATTESTED: October 5, 2021

Contact: Sharron Mackey,
925-313-6104

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Noel Garcia, Marcy Wilhelm

BACKGROUND: (CONT'D)

On September 10, 2019, the Board of Supervisors approved Contract #27-918-3 with Etwaru Eye Center, in an amount not to exceed \$500,000 to provide ophthalmology services to CCHP members and County recipients, for the period October 1, 2019 through September 30, 2021.

Approval of Contract #27-918-4 will allow contractor to continue to provide ophthalmology services through September 30, 2024.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialized health care services for CCHP members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided.



**Contra
Costa
County**

To: Board of Supervisors
From: Esa Ehmen-Krause, County Probation Officer
Date: October 5, 2021

Subject: Interagency Agreement with the Contra Costa County Office of Education

RECOMMENDATION(S):

APPROVE and AUTHORIZE the County Probation Officer, or designee, to execute an Interagency Agreement with the Contra Costa County Office of Education, in an amount not to exceed \$456,377 to provide student educational programs for youth enrolled in the Briones Youth Academy that graduated from Mt. McKinley High School for the period July 1, 2021 through June 30, 2022.

FISCAL IMPACT:

100% Juvenile Justice Realignment Block Grant.

BACKGROUND:

Under the orders of Governor Gavin Newsom, California will phase out the California Division of Juvenile Justice (DJJ) beginning in 2021. Starting in July, the state will cease all transfers of youth to the state's three remaining youth prisons. This will halt the transfer of youth to DJJ and require youth to remain under the supervision of individual Counties. Probation has created a new program called the Briones Youth Academy to serve these youth. Under this contract, Contra Costa County Office of Education will provide additional educational staffing to serve the students who have already received a High School diploma who are enrolled in the Briones Youth Academy for the 2021-2022 school year.

APPROVE
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VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Danielle Fokkema,
925-313-4195

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Without this contract, the educational programs will not be available to the youth enrolled in the Briones Youth Academy.

CHILDREN'S IMPACT STATEMENT:

This action supports four of the five community outcomes set forth in the Children's Report Card. They are: Children Ready for and Succeeding in School; Children and Youth Healthy and Preparing for a Productive Adulthood; Families that are Safe, Stable and Nurturing; and Communities that are Safe and Provide a High Quality of Life.



Contra
Costa
County

To: Board of Supervisors
From: Esa Ehmen-Krause, County Probation Officer
Date: October 5, 2021

Subject: Inter-County Placement Agreement County of Sonoma

RECOMMENDATION(S):

APPROVE and AUTHORIZE the County Probation Officer, or designee, to execute a contract with the County of Sonoma, for the placement of wards in their facility at the rate of \$300 per ward per day for the period October 1, 2021 through September 30, 2023.

FISCAL IMPACT:

100% Juvenile Justice Realignment Block Grant.

BACKGROUND:

Under the orders of Governor Gavin Newsom, California will phase out the California Division of Juvenile Justice (DJJ) beginning in 2021, transferring the responsibility for managing all youthful offenders from the State to local jurisdictions. DJJ was one of the few facilities in the State that offered Sex Offender Treatment to juveniles. Local jurisdictions have worked together to develop a regional model for Juvenile Sex Offender Treatment. Sonoma County will be one of the regional locations to provide this type of treatment program.

CONSEQUENCE OF NEGATIVE ACTION:

Probation will be unable to provide treatment to juvenile sex offenders.

APPROVE
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VOTE OF SUPERVISORS

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ATTESTED: October 5, 2021

Contact: Danielle Fokkema,
925-313-4195

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

CHILDREN'S IMPACT STATEMENT:

This action supports three of the five community outcomes set forth in the Children's Report Card. They are: Children and Youth Healthy and Preparing for a Productive Adulthood; Families that are Safe, Stable and Nurturing; and Communities that are Safe and Provide a High Quality of Life.



Contra
Costa
County

To: Board of Supervisors
From: Esa Ehmen-Krause, County Probation Officer
Date: October 5, 2021

Subject: Contract with Construction Trades Workforce Initiative

RECOMMENDATION(S):

APPROVE and AUTHORIZE the County Probation Officer, or designee, to execute a contract with the Construction Trades Workforce Initiative, in an amount not to exceed \$230,000 to provide pathways to career success of the Briones Youth Academy students in the union construction trades and to establish a comprehensive Multi-Craft Core Curriculum (MC3) Pre-Apprenticeship Program for the period of November 15, 2021 through November 14, 2024.

FISCAL IMPACT:

100% Juvenile Justice Realignment Block Grant.

BACKGROUND:

Under the orders of Governor Gavin Newsom, California will phase out the California Division of Juvenile Justice (DJJ) beginning in 2021. Starting in July, the state will cease all transfers of youth to the state's three remaining youth detention facilities. This will halt the County's ability to transfer of youth to DJJ and will require youth to remain under the supervision of individual counties. Probation has created a new program called the Briones Youth Academy to serve these youth. While enrolled in the Briones Youth Academy they will have time to complete the Multi-Craft Core Curriculum Pre-Apprenticeship Program while detained and have a basic understanding of union construction trades upon their release and reentry.

APPROVE
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ATTESTED: October 5, 2021

Contact: Danielle Fokkema,
925-313-4195

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

This resource will expand the Probation Department's program options for the youth enrolled in the Briones Youth Academy. Failure to approve this contract will result in less training opportunities for the youth at the Briones Youth Academy.

CHILDREN'S IMPACT STATEMENT:

This action supports four of the five community outcomes set forth in the Children's Report Card. They are: Children Ready for and Succeeding in School; Children and Youth Healthy and Preparing for a Productive Adulthood; Families that are Safe, Stable and Nurturing; and Communities that are Safe and Provide a High Quality of Life.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Contract #77-323 with John Muir Magnetic Imaging Center

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #77-323 with John Muir Magnetic Imaging Center, a general partnership, in an amount not to exceed \$1,121,000 to provide diagnostic imaging services for Contra Costa Health Plan (CCHP) members, for the period September 1, 2021 through August 31, 2023.

FISCAL IMPACT:

This contract will result in contractual service expenditures of up to \$1,121,000 over a two-year period and will be funded 100% by CCHP Enterprise Fund II.

BACKGROUND:

CCHP has an obligation to provide certain specialized diagnostic imaging health care services, including, but not limited to: magnetic resonance imaging (MRI) and computerized tomography (CT) services for its members under the terms of their Individual and Group Health Plan membership contracts with the County. This contractor has been a part of the CCHP Provider Network for several years, formerly under a memorandum of understanding (MOU) with CCHP, and was required to convert to a County contract.

APPROVE
 OTHER
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ATTESTED: October 5, 2021

Contact: Sharron Mackey,
925-313-6104

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: K Cyr, M Wilhelm

BACKGROUND: (CONT'D)

Contract processing was delayed due to ongoing revisions requested by the contractor, which required additional Counsel review as to legal form.

Under Contract #77-323, this contractor will provide diagnostic imaging services for CCHP members for the period September 1, 2021 through August 31, 2023.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialized diagnostic imaging health care services for CCHP members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Contract #77-097-2 with Genomic Health, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #77-097-2 with Genomic Health, Inc., a corporation, in an amount not to exceed \$400,000, to provide outside laboratory testing services for Contra Costa Health Plan (CCHP) members, for the period from September 1, 2021 through August 31, 2023.

FISCAL IMPACT:

This contract will result in contractual service expenditures of up to \$400,000 over a two-year period and will be funded 100% by CCHP Enterprise Fund II revenue.

BACKGROUND:

CCHP has an obligation to provide certain specialized laboratory services for its members under the terms of their Individual and Group Health Plan membership contracts with the County, therefore, the County contracts with outside laboratory testing services in order to provide testing services not available at County facilities, to ensure patient care is provided as required.

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

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

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ATTESTED: October 5, 2021

Contact: Sharron Mackey,
925-313-6104

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: K Cyr, M Wilhelm

BACKGROUND: (CONT'D)

Under Contract #77-097-2, the contractor will provide specialized outside laboratory testing services for CCHP members for the period September 1, 2021 through August 31, 2023.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialized laboratory testing services for CCHP members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Contract #23-704 with Agfa Healthcare Corporation

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #23-704 with Agfa Healthcare Corporation, a corporation, in an amount not to exceed \$4,282,363, to provide imaging technology services to the Contra Costa Health Services Department (HSD), for the period from October 5, 2021 through October 4, 2026.

FISCAL IMPACT:

Approval of this contract will result in expenditures of up to \$4,282,363 over a five-year period and will be funded by 100% Hospital Enterprise Fund I revenues.

BACKGROUND:

This contract meets the needs of the County's patient population by providing a radiology imaging system. Contra Costa Health Services (CCHS) Radiology Department provides, reads, interprets, and maintains radiology exams for its patients. To deliver this care, CCHS's Radiology Department has been using the Agfa IMPAX radiology imaging system since 2006 and upgraded the system in 2012. The system reached its end of useful life in December 2016 and needs replacing.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Patrick Wilson,
925-335-8777

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: F Carroll, M Wilhelm

BACKGROUND: (CONT'D)

In 2017, and 2018 CCHS conducted a search and evaluation of potential replacements for the outdated system.

In addition to considering upgrading Agfa's IMPAX radiology imaging system to the latest version, CCHS also evaluated Fujifilm and Philips, Picture Archiving and Communications Systems (PACS). Of these solutions, considered top tier, CCHS Radiologists chose Agfa's Enterprise Imaging Software system to replace the existing radiology imaging system. Agfa Healthcare Corporation's Enterprise Imaging Software services, including Agfa Patching and Endpoint Managed Services, will be used to assist CCHS in delivering services such as radiology exams and breast imaging exams. Agfa's Radiology PACS will benefit physicians, radiologists, and HSD clinics in the course of patient care. Under this contract, the Radiology PACS replacement system will be implemented and includes Enterprise Imaging production software, test licenses, third-party software, data migration, and hardware.

Under Contract #23-704, this contractor will provide radiology imaging technology services for the period October 5, 2021 through October 4, 2026.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, CCHS's radiology imaging system will continue to be at its end of useful life and will not receive the needed upgrades and patches necessary to deliver efficient patient care.



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Contract #23-625-3 with 3M Health Information Systems, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #23-625-3 containing mutual indemnification with 3M Health Information Systems, Inc. a corporation, in an amount not to exceed \$296,277, to provide a hosted site for County data, including patients Protected Health Information, for Grouper Plus Content Services software license and support services, for Contra Costa Health Services (CCHS) for the period from October 5, 2021 through October 4, 2024.

FISCAL IMPACT:

Approval of this contract will result in expenditures of up to \$296,277 over a three-year period and is funded by 100% Hospital Enterprise Fund I.

BACKGROUND:

This contract meets the needs of the County's patient population by providing a health information system that includes annuity software for performing claims reviews and provider comparisons. CCHS will use 3M's Grouper Plus Content Services (GPCS), a classification system, including GPCS All Patient Refined – Diagnosis Related Groups (APR DRG) Grouper & Reimbursement California (CA) Medicaid to assist the Contra Costa Health Plan in assigning patients into meaningful groups necessary for claims reimbursement.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Patrick Wilson,
925-335-8777

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: F Carroll, M Wilhelm

BACKGROUND: (CONT'D)

3M APR DRGs classify patients based on clinical similarities and their use of hospital resources. 3M's Grouper Plus Content Services provides access to comprehensive grouping, editing, and reimbursement content, utilizing a modern cloud-based service that leverages web services and cloud technology to provide this content securely. The standardized implementation of this system allows for a solution for an increasingly complex and dynamic regulatory and payment environment. 3M Health Information Systems, Inc., was given a sole-source contract for these services.

Under contract #23-625-3, the contractor will implement the new system and provide software license and support services for the period October 5, 2021 through October 4, 2024. This contract includes mutual indemnification.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the Health Services Department Information Technology unit will not implement this much needed health information system that allows for the timely access of business-critical financial compliance and content needed for an efficient medical billing and reimbursement process.



Contra
Costa
County

To: Board of Supervisors
From: Karen Caoile, Director of Risk Management
Date: October 5, 2021

Subject: Mobile-Med Health Solutions, Inc for COVID-19 Testing and related services

RECOMMENDATION(S):

APPROVE AND AUTHORIZE the Director of Risk Management to execute a contract with Mobile-Med Health Solutions, Inc., "Mobile-Med" for COVID-19 testing and related services for the period August 27, 2021 to August 27, 2022 in an amount not to exceed \$2,000,000.

FISCAL IMPACT:

100% General Fund. The County will pursue expenditure reimbursement through FEMA Public Assistance program.

BACKGROUND:

This contract is in response to the COVID-19 pandemic and the County's responsibilities under the various local, state and federal health orders, to conduct outbreak testing, major outbreak testing, and testing requirements of employees from California Department of Public Health. This contract will also respond to testing requirements under the County's Mandated Vaccination Policy.

Mobile-Med possess the specialized technical skills and resources to provide testing services, including on-site testing, self- testng, expedient, test results, and accessible and timely result reporting to employees, departments and public health as may be required by law.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Sharon Brown, (925)
335-1453

, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Departments will have limited resources available to timely comply with the requirements of the County's Mandated Vaccination Policy.



Contra
Costa
County

To: Board of Supervisors
From: David O. Livingston, Sheriff-Coroner
Date: October 5, 2021

Subject: Renewal of Cardroom License

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to renew Cardroom License Number 6, known as "California Grand Casino" currently located at 5988 Pacheco Blvd., Pacheco, California, for the period of November 26, 2021 through November 25, 2022.

FISCAL IMPACT:

There is no fiscal impact to County funds. Applicant submitted \$10,500 which includes \$1,000 in application fees, plus \$500 per table for licensing of nineteen (19) card tables.

BACKGROUND:

In accordance with County Ordinance No. 82-44, Chapter 52-3, Article 52-3.3, Section 52-3.321, an application has been submitted by Mr. Lamar V. Wilkinson and Ms. Elizabeth Wilkinson for the renewal of Cardroom License Number 6, known as "California Grand Casino". The Office of the Sheriff conducted a background investigation of the applicants. The investigation produced no adverse information, which would preclude approval of this application. This Cardroom License will be issued to Mr. Lamar V. Wilkinson and Ms. Elizabeth Wilkinson, owners of the cardroom establishment.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Chrystine Robbins,
925-655-0008

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Negative action will result in Cardroom License Number 6 not being renewed and expiring on November 25, 2021. Once expired, the Cardroom will no longer be able to operated until such time that a new license has been approved.



Contra
Costa
County

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: October 5, 2021

Subject: Resolution to Extend Abandoned Vehicle Abatement Fee and Authorize Ballot Measure

RECOMMENDATION(S):

1) ADOPT Resolution No. 2021/290 extending the Contra Costa County Abandoned Vehicle Abatement Program and Fee for 10 years to April 30, 2032 and authorizing the Contra Costa County Abandoned Vehicle Abatement Service Authority to take all actions necessary to place a tax measure on the June 7, 2022 election ballot to extend the fee.

2) DIRECT the Department of Conservation and Development to conduct outreach to the Mayors Conference regarding this issue.

FISCAL IMPACT:

There is no cost to the County associated with approving the recommended actions. The estimated cost of placing the tax measure on the June 7, 2022 election ballot is approximately \$500,000. This cost will be paid for from the annual revenues of the Abandoned Vehicle Abatement Service Authority.

BACKGROUND:

In 1991, Contra Costa County and the cities within the County created the Contra Costa County Abandoned Vehicle Abatement Service Authority (Authority). The purpose of creating the Authority was to collect revenue from the State to remove abandoned vehicles from the community. All cities within the County participate in the Authority and are represented by city staff. The County is represented by the County Department of Conservation and Development, which also provides administrative support to the Authority.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Jason Crapo,
925-655-2800

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

BACKGROUND: (CONT'D)

For the past 30 years, this partnership between the County and the cities has generated millions of dollars in revenue to remove abandoned vehicles from communities in Contra Costa County. In the fiscal year ending June 30, 2021, the Authority received approximately \$1.1M and facilitated the removal of 1,472 abandoned vehicles within Contra Costa County.

Revenue received by the Authority from the State comes from a \$1 fee (Fee) collected for each vehicle, and an additional \$2 collected for certain commercial vehicles, registered in the county. State law requires the Fee be reauthorized at the local level every ten (10) years. Reauthorization requires approval by the County Board of Supervisors by a two-thirds vote, and approval by a majority of the cities having a majority of the incorporated population within the county. The Fee is set to expire on April 30, 2022. This resolution would authorize the extension of the Fee until April 30, 2032.

The Fee also needs to be reauthorized by the voters of Contra Costa County. In 2010, the voters of California approved Proposition 26, which amended the definition of a "tax." The Fee collected to fund the Authority's activities is a special tax under Prop. 26, and the extension of the Fee requires an election and approval by two-thirds of county voters. Therefore, this resolution would authorize the Authority to submit a ballot measure to the County for inclusion on the June 7, 2022 election ballot, which is the next available election date. The cost of the election will be paid for from the revenues of the Authority.

To date, at least seven (7) other counties have proposed similar tax measures for abandoned vehicle abatement programs. Five measures have passed (Amador, Butte, Calaveras, Humboldt, Mendocino), and two measures have failed (Fresno and San Benito) resulting in program termination. At least five counties have voluntarily terminated their programs (Orange, Napa, San Diego, San Mateo, Shasta). Several more counties are considering ballot measures during the current 10-year reauthorization period. In the event a local measure to extend the Fee is not passed on the June 7, 2022 ballot, the Authority will cease to operate and will be discontinued.

CONSEQUENCE OF NEGATIVE ACTION:

If the recommended actions are not approved, the Abandoned Vehicle Abatement Program will discontinue and the County and the cities within the County will no longer receive over \$1 million per year from the State to abate abandoned vehicles.

ATTACHMENTS

Resolution 2021/290

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

Adopted this Resolution on 10/05/2021 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2021/290

RESOLUTION OF THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY EXTENDING THE ABANDONED VEHICLE ABATEMENT PROGRAM AND ASSOCIATED FEE SUBJECT TO VOTER APPROVAL

WHEREAS, California Vehicle Code Sections 22710 and 9250.7 authorized the establishment of the Contra Costa County Abandoned Vehicle Abatement Service Authority ("Authority"), which was formed in 1991, and authorized the imposition of a fee on vehicles registered in Contra Costa County ("AVA Fee"); and

WHEREAS, collected AVA Fees are used exclusively in the Contra Costy County Abandoned Vehicle Abatement Program ("Program"), to abate, remove, and dispose of any abandoned, wrecked, dismantled, or inoperative vehicles or vehicle parts as public nuisances, whether on public or private property, and to combat neighborhood blight and decay; and

WHEREAS, California Vehicle Code Sections 22710 and 9250.7 allow an extension of the AVA Fee in increments of up to two years; and

WHEREAS, California Vehicle Code Sections 22710 and 9250.7 require a county's board of supervisors, by a two-thirds vote, and a majority of the cities having a majority of the incorporated population within the county, to adopt resolutions approving the extension of the AVA Fee; and

WHEREAS, Proposition 26 adopted by the voters of California in 2010, defined "tax" in a manner resulting in the classification of the AVA Fee as a special tax subject to voter approval; and

WHEREAS, the current AVA Fee sunsets on April 30, 2022, and without an extension of the AVA Fee, the County and cities within the County will be unable to recover a significant portion of the costs of abating nuisance vehicles;

NOW THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Contra Costa County, the following:

1. The Board of Supervisors, by at least a two-thirds vote, hereby extends the AVA Fee, and extends the authorization for the Authority to collect the AVA Fee, for a period of 10 years, subject to approval by the electors of the County.
2. The Board hereby authorizes the Authority to order an election for Tuesday, June 7, 2022, and submit to the electors of Contra Costa County the question of whether the Program and AVA Fee, as authorized by Vehicle Code sections 9250.7 and 22710, shall be renewed for 10 years, as set forth more fully the the ballot measure below.
 - Measure __. Extension of the Abandoned Vehicle Abatement Program. Shall the measure extending the Contra Costa County Abandoned Vehicle Abatement Program and associated annual fee, at a rate of one dollar per vehicle registered in Contra Costa County and an additional two dollars for certain commercial vehicles registered in Contra Costa County, which is estimated to generate \$1,100,000 annually for removing and disposing of abandoned and wrecked vehicles, until April 30, 2032, be adopted?
3. Upon approval of the above measure by at lease two-thirds of the registered voters voting on the measure, the Authority will be authorized to impose the AVA Fee.
4. The Board hereby authorizes the Authority to take all administrative actions necessary in furtherance of ordering an election for the purpose of extending the Abandoned Vehicle Abatement Program and the AVA Fee.

I hereby certify that this 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: Jason Crapo, 925-655-2800

ATTESTED: October 5, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: Diane Burgis, District III Supervisor
Date: October 5, 2021

Subject: LIVERMORE VALLEY WINE HERITAGE DISTRICT

RECOMMENDATION(S):

ADOPT Resolution No. 2021/292 consenting to including certain unincorporated territory of Contra Costa County in the Livermore Valley Wine Heritage District formed by the City of Livermore.

FISCAL IMPACT:

None immediately. Because the LVWHD programs are intended to increase winery sales revenue for Livermore Valley wineries within the LVWHD, there may be an increase in sales tax collections.

BACKGROUND:

The City of Livermore is working with the Livermore Valley Wine Association and local winery businesses to form the LVWHD pursuant to the Property and Business Improvement District Law of 1994 (94 Law). The City of Livermore (City) has requested by resolution (Attachment 1) the inclusion of the County of Contra Costa in the LVWHD. The LVWHD Management District Plan (Plan) sets forth the assessment rate.

The annual assessment rate is two percent (2%) of gross direct to consumer sales revenue on winery sales. Based on the benefit received, assessments will not be collected on purchases made outside of the state of California. In order to form the LVWHD, a majority of the businesses paying the assessment must petition the City for LVWHD formation (by amount paid).

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Alicia Nuchols,
925-252-4500

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

The 94 Law allows for the formation of multi-jurisdictional Business Improvement Districts (BIDs), with consent of the included jurisdictions being granted to one “lead” jurisdiction. The City of Livermore has requested consent to act as the lead jurisdiction in the formation of the LVWHD, as shown in the Plan (Attachment 2). Adopting this resolution will give the City of Livermore authority to include areas of the County of Contra Costa in the proposed LVWHD. To form the LVWHD, the City of Livermore will follow the formation proceedings specified in the 94 Law, including accepting petitions, adopting a resolution declaring its intention to form the LVWHD, holding a public meeting and public hearing to allow for comments, and adopting a resolution establishing the LVWHD.

BACKGROUND: (CONT'D)

WINE HERITAGE DISTRICTS

Wine Heritage Districts (WHDs) are an evolution of the traditional Business Improvement District (BID). BIDs allow business owners to organize their efforts to increase sales and promotional efforts. Business owners within the district fund a BID, and those funds are used to provide services that the businesses desire and benefit the businesses within the district.

BID benefits:

- Funds cannot be diverted for other government programs;
- They are customized to fit the needs of each destination;
- They allow for a wide range of services; including: marketing programs, business promotion activities, and infrastructure improvements;
- They are designed, created and governed by those who will pay the assessment; and
- They provide a stable funding source for business promotion.

In California, BIDs are primarily formed pursuant to the Property and Business Improvement District Law of 1994 (94 Law). This law allows for the creation of a special benefit assessment districts to raise funds within a specific geographic area. The key difference between BIDs and other special benefit assessment districts is that funds raised are returned to the private non-profit corporation governing the BID.

MANAGEMENT DISTRICT PLAN

The Management District Plan (Attachment 1) includes the proposed boundary of the LVWHD, a service plan and budget and a proposed means of governance. The LVWHD includes wineries located within the boundaries of the Counties of Alameda and Contra Costa, and the cities of Danville, Livermore, Dublin, and Sunol, as shown on the map in Attachment 2.

The established LVWHD will have a five (5) year term, beginning July 1, 2021 and ending on June 30, 2026. The assessment will be implemented beginning July 1, 2021. Once per year beginning on the anniversary of LVWHD establishment there is a thirty (30) day period in which winery owners paying fifty percent (50%) or more of the assessment may protest and begin proceedings to terminate the LVWHD.

The annual assessment rate is two percent (2%) of gross sales revenue on winery sales.

Based on the benefit received, assessments will not be collected on purchases made outside of the state of California. If formed, the LVWHD would generate approximately \$693,000 on an annual basis for marketing & brand awareness, community & industry advocacy, quality enhancement & education, and professional development & education efforts will promote assessed wineries in the LVWHD to increase winery sales revenue.

The City of Livermore (City) or a third-party collection agency shall be responsible for collecting the assessment on a quarterly basis (including any delinquencies, penalties and interest) from each winery located in the boundaries of the LVWHD. The City or the third-party collection agency shall take all reasonable efforts to collect the assessments from each winery.

LVWHD ESTABLISHMENT PROCESS

September 13, 2021- RESOLUTION OF INTENTION HEARING

Upon the submission of a written petition, signed by the winery owners in the established district who will pay more than fifty percent (50%) of the assessments proposed to be levied, the Livermore City Council (Council) may initiate proceedings to establish a district by the adoption of a resolution expressing its intention to establish a district.

Petition Status: Petitions in favor of LVWHD establishment were submitted by 24 wineries, which represent greater than 50% of the total LVWHD assessment. This majority petition allows the Council to initiate proceedings for LVWHD establishment at the September 13, 2021 meeting.

September 2021- RESOLUTION REQUESTING CONSENT

Upon adoption of the Resolution of Intention, the City Council must request consent from the Counties of Alameda and Contra Costa (counties), and the cities of Danville and Dublin (cities) to be included in the proposed LVWHD. Consent must be received from the counties and the cities prior to the final public hearing for their jurisdiction to be included in the established LVWHD.

September 2021- NOTICE

The 94 Law requires the City to mail written notice to the owners of all wineries proposed to be within the LVWHD. Mailing the notice begins a mandatory forty-five (45) day period in which owners may protest LVWHD establishment.

October 11, 2021- PUBLIC MEETING

Allow public testimony on the establishment of the LVWHD and levy of assessments. No Council action required.

November 8, 2021- FINAL PUBLIC HEARING

If written protests are received from the owners of wineries in the established LVWHD which will pay more than fifty percent (50%) of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than fifty percent (50%), no further proceedings to levy the proposed assessment against such wineries shall be taken for a period of one (1) year from the date of the finding of a majority protest by the Council.

At the conclusion of the public hearing to establish the LVWHD, the Council may adopt, revise, change, reduce, or modify the proposed assessment or the type or types of improvements and activities to be funded with the revenues from the assessments. Proposed assessments may only be revised by reducing any or all of them.

If the Council, following the public hearing, decides to establish the LVWHD, the Council shall adopt a resolution of formation.

The recommended action to adopt of the attached resolution granting consent to the City of Livermore to form the Livermore Valley Wine Heritage District (LVWHD) and include the County of Contra Costa in the LVWHD will enable the City of Livermore and the Livermore Valley Winegrowers Association (LVWA) to move forward with the LVWHD formation process. Upon successful formation, the LVWHD will be governed by the City of Livermore and the Livermore Valley Winegrowers Association.

CONSEQUENCE OF NEGATIVE ACTION:

The Board of Supervisors could choose not to adopt the resolution, which would result in the County not participating in the LVWHD. District III does not recommend this option.

ATTACHMENTS

Resolution 2021/292

Attachment 1: Management District Plan

Attachment 2: Proposed District Map

Attachment 3: City of Livermore Resolution No. 2021-159

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

Adopted this Resolution on 10/05/2021 by the following vote:

AYE:
NO:
ABSENT:
ABSTAIN:
RECUSE:



Resolution No. 2021/292

IN THE MATTER OF THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, GRANTING CONSENT TO THE CITY OF LIVERMORE TO FORM THE LIVERMORE VALLEY WINE HERITAGE DISTRICT (LVWHD)

WHEREAS, the City of Livermore is beginning the process to form the Livermore Valley Wine Heritage District (LVWHD) pursuant to the Property and Business Improvement District Law of 1994, Streets and Highways Code section 36600 et seq., to provide specific benefits to assessed winery businesses in Livermore Valley Wine Country; and

WHEREAS, the Livermore Valley American Viticultural Area includes territory located in unincorporated Contra Costa County; and

WHEREAS, the City Council of the City of Livermore has requested consent to form the LVWHD in the County of Contra Costa with adoption of Livermore City Council Resolution No. 2021-159, dated September 13, 2021 (Attachment 3); and

WHEREAS, Streets and Highways Code section 36620.5 authorizes a city to form a Property and Business Improvement District partially within the unincorporated territory of a county with the consent of the Board of Supervisors of that county.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Contra Costa, that:

Section 1: The above recitals are true and correct.

Section 2: The Board of Supervisors consents to including certain unincorporated territory of Contra Costa County in the proposed LVWHD formed by the City of Livermore. The unincorporated territory of Contra Costa County that is authorized to be included in the LVWHD is shown on the map that is attached and incorporated into this resolution.

Section 3: The Clerk of the Board of Supervisors is hereby directed to transmit a certified copy of this Resolution to the City Clerk of the City of Livermore City Council.

Section 4: This Resolution is effective upon its adoption.

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

ATTESTED: October 5, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Alicia Nuchols, 925-252-4500

By: , Deputy

cc:

2021-2026



LIVERMORE VALLEY WINE HERITAGE DISTRICT MANAGEMENT DISTRICT PLAN

*Prepared pursuant to the Property and Business Improvement District Law of
1994, Streets and Highways Code Section 36600 et seq.*

March 17, 2021

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Prepared by
Civitas



I. OVERVIEW

Developed by Livermore Valley Winegrowers Association (LVWA), a non-profit organization, the Livermore Valley Tourism Wine Heritage District (LVWHD) is an assessment district proposed to provide specific benefits to payors, by funding marketing and sales promotion and protection efforts with the goal to advance assessed businesses in the Livermore Valley Wine Country. This approach has been used successfully in other destination areas throughout the country to provide the benefit of driving increased business sales directly to payors.

Location: The LVWHD includes wineries located within the boundaries of the Counties of Alameda, and Contra Costa, and the cities of Danville, Livermore, Dublin, and Sunol, as shown on the map in Section III.

Services: The LVWHD is designed to provide specific benefits directly to payors by increasing winery sales and revenue therefrom. Marketing & brand awareness, community & industry advocacy, quality enhancement & education, and professional development & education efforts will promote assessed wineries in the LVWHD to increase winery sales revenue.

Budget: The total LVWHD annual assessment budget for the initial year of its five (5) year operation is anticipated to be approximately \$693,000. This amount may fluctuate as businesses open and close and winery sales change. A similar budget is expected to apply to subsequent years, but this budget is expected to fluctuate as sales do.

Cost: The annual assessment rate is two percent (2%) of gross direct to consumer sales revenue on winery sales. Based on the benefit received, assessments will not be collected on purchases made outside of the state of California.

Collection: The City of Livermore (City) or a third-party collection agency shall be responsible for collecting the assessment on a quarterly basis (including any delinquencies, penalties and interest) from each winery located in the boundaries of the LVWHD. The City or the third-party collection agency shall take all reasonable efforts to collect the assessments from each winery.

Duration: The LVWHD will have a five (5) year life, beginning July 1, 2021 and ending on June 30, 2026. Once per year, beginning on the anniversary of LVWHD formation, there is a thirty (30) day period in which owners paying fifty percent (50%) or more of the assessment may protest and initiate a City Council hearing on LVWHD termination.

Management: The Livermore Valley Winegrowers Association will serve as the Owners' Association to provide improvements and activities for the LVWHD. The Association must provide an annual report on activities and expenditures to the City, which is also available to business owners.

II. BACKGROUND

Wine Heritage Districts (WHDs) are an evolution of the traditional Business Improvement District (BID). BIDs utilize the efficiencies of private sector operation in the market-based promotion of business districts. BIDs allow business owners to organize their efforts to increase sales and promotional efforts. Business owners within the district fund a BID, and those funds are used to provide services that the businesses desire and benefit the businesses within the district.

Business Improvement District services may include, but are not limited to:

- Marketing of the District
- Business Promotion Activities
- Infrastructure Improvements

In California, BIDs are formed pursuant to the Property and Business Improvement District Law of 1994 (94 Law). This law allows for the creation of special benefit assessment districts to raise funds within a specific geographic area. *The key difference between BIDs and other special benefit assessment districts is that funds raised are managed by the private non-profit corporation governing the district.*

There are many benefits to Business Improvement Districts:

- Funds cannot be diverted for other government programs;
- Services are customized to fit the needs of each district;
- They allow for a wide range of services, including those listed above;
- Business Improvement Districts are ***designed, created and governed by those who will pay*** the assessment; and
- They provide a stable funding source for business promotion.

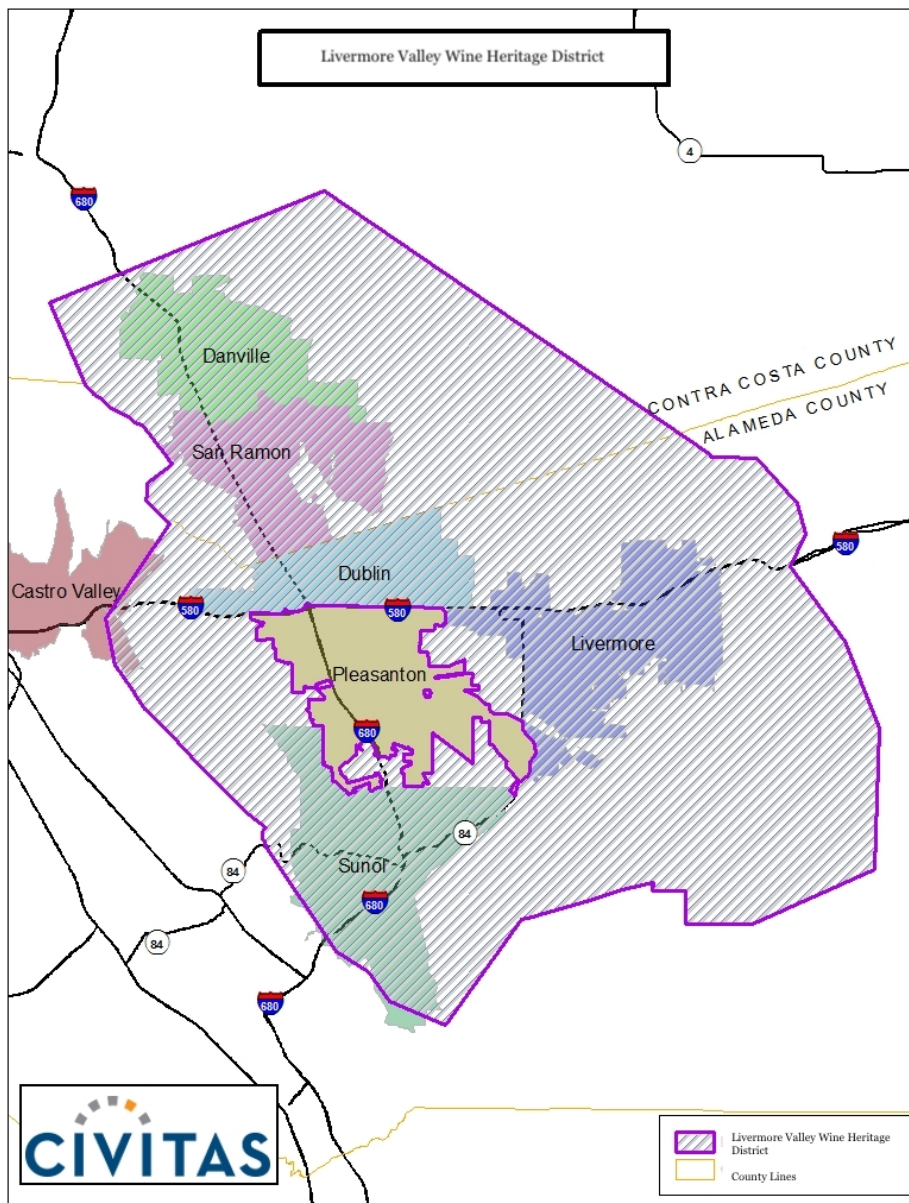
The 94 Law is provided in Appendix 1 of this document.

III. BOUNDARY

The LVWHD will include all wineries existing and in the future, within the boundaries of the portions of the Counties of Alameda, and Contra Costa, and the cities of Danville, Livermore, Dublin, and Sunol, as shown on the map below.

The term “winery” as used herein means: A business that is commercial growing and/or processing of wine grapes; and/or must have a valid state license and/or federal permit to process or sell wine at retail locations within the boundaries of the LVWHD.

The boundary, as shown in the map below, currently includes fifty-six (56) wineries. A complete listing of wineries within the LVWHD can be found in Appendix 2.

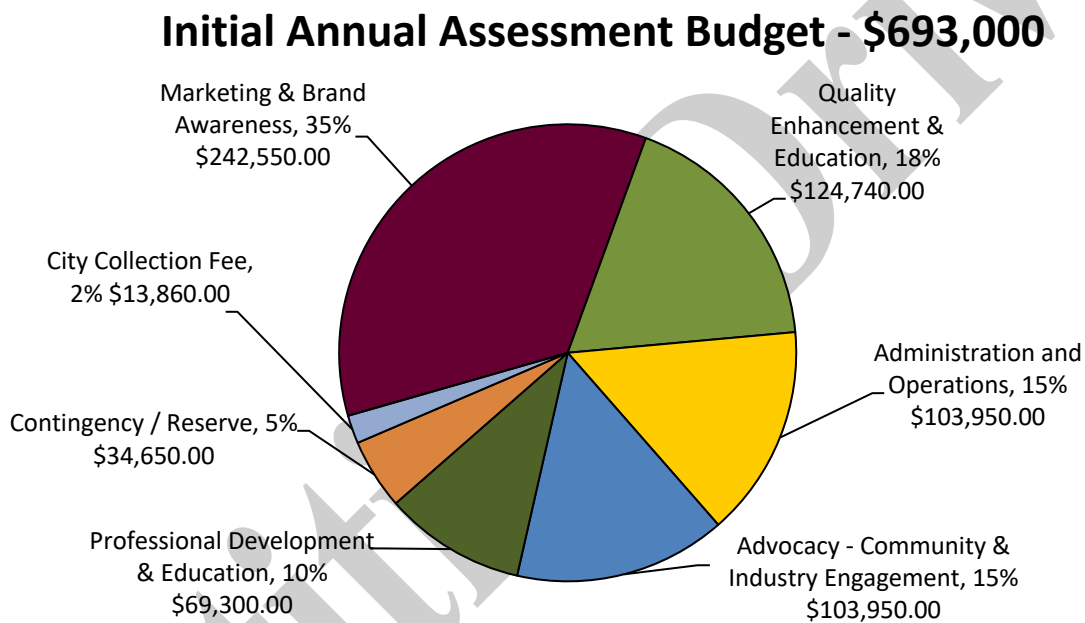


IV. ASSESSMENT BUDGET AND SERVICES

A. Annual Service Plan

Assessment funds will be spent to provide specific benefits conferred or privileges granted directly to the payors that are not provided to those not charged, and which do not exceed the reasonable cost to the City of conferring the benefits or granting the privileges. The privileges and services provided with the LVWHD funds are marketing & brand awareness, advocacy, and quality enhancement & education programs available only to assessed businesses.

A service plan budget has been developed to deliver services that benefit the assessed businesses. A detailed annual budget will be developed and approved by LVWA. The table below illustrates the initial annual budget allocations. The total initial assessment budget is \$693,000.



Although actual revenues will fluctuate due to market conditions, the proportional allocations of the assessment budget shall remain the same. However, the City and the LVWA board shall have the authority to adjust budget allocations between the categories by no more than twenty percent (20%) of the total budget per year. A description of the proposed improvements and activities for the initial year of operation is below. The same activities are proposed for subsequent years. In the event of a legal challenge against the LVWHD, any and all assessment funds may be used for the costs of defending the LVWHD. The costs of creating the LVWHD may be repaid to LVWA reserves by deducting repayment funds proportionally from budget categories.

Each budget category includes all costs related to providing that service. For example, the sales and marketing budget includes the cost of staff time dedicated to overseeing and implementing the sales and marketing program. Staff time dedicated purely to administrative tasks is allocated to the administrative portion of the budget. The costs of an individual staff member may be allocated to multiple budget categories. The staffing levels necessary to provide the services below will be determined by the Association on an as-needed basis.

Marketing & Brand Awareness

A brand awareness marketing program will promote the Livermore Valley Wine Heritage District (“LVWHD”) as a premium winegrowing region and as a leader in the global wine community. The brand awareness marketing program will have a central theme of promoting the LVWHD as a desirable place to experience Livermore Valley wineries, and as a desirable area to purchase wines and other estate produced products. The program has the goal of increasing demand for visitation to the winegrowing region, retail sales, affinity for LVWHD grapes and wines, and recognition at and for assessed businesses, and may include but is not limited to the following activities:

- **Advertising** across any and all media channels to promote assessed winery tasting rooms on a local, regional or national level, including but not limited to: digital, print, television, radio and strategic brand partnerships;
- **Media Relations** – Promoting assessed winery tasting rooms through development of media relations strategies, including but not limited to: media familiarization tours, proactive media pitching and/or influencer relations;
- **Digital Marketing** – Utilizing paid, earned and owned social media to increase awareness of and engagement with assessed businesses;
- **Events** – Developing and executing winery focused special events to attract customers to assessed businesses;
- **Trade & Industry Engagement** – Ensuring representatives are provided the opportunity to attend trade shows, meetings, industry conferences, road shows, and events to promote assessed businesses; Create programs that engage key trade and industry influencers with the Livermore Valley;
- **Print Collateral** – Preparing and producing collateral, promotional materials such as brochures, flyers and maps for assessed winery tasting rooms;
- **Brand Enhancement** – Engage with third party brand development agency to develop brand platform and materials to assist with marketing assessed winery hospitality facilities;
- **Consumer Analytics** – Identify and leverage consumer demographic, geographic and psychographic data to target messaging that markets Livermore Valley as a premier, unique wine destination to attract customers to assessed winery hospitality facilities; and
- **Signage Program** – Ensure coordinated local signage for the Livermore Valley wine region.

Advocacy – Community & Industry Engagement

Advocacy programs will utilize dedicated time to provide unified attention, communication, and responsiveness throughout the LVWHD. The advocacy program will also include efforts to form relationships and collaborate with local government agencies, as well as community and regional organizations and entities, to provide a unified voice to represent assessed wine tasting facilities’ best interests on topics related to economic development, regulations, and planning decisions that impact LVWHD wine tasting facilities, with the goal to advance, promote and protect the Livermore Valley Wine Country. Additionally, advocacy programs will engage and demonstrate leadership in key state and national trade and industry programs and organizations.

Quality Enhancement & Education

Educational programs and quality enhancement initiatives will be developed for assessed wine tasting facilities designed to emphasize and enhance excellence and leadership in the industry, with the ultimate goal of increasing visitation, sales, and brand value for local wineries. Such programs are intended to bring increased exposure and prominence to Livermore Valley Wine Country as a world-class winery destination through continued education to amplify exceptional practices of the growing

of wine grapes and vinification of wine. The program shall include initiatives to enhance wine quality and secure industry recognition for Livermore Valley Wine Country as a premier winemaking and grape-growing region.

Professional Development & Education

Programs and training for assessed winery facilities related to winemaking, wine grape growing, sales, hospitality, direct to consumer, marketing, media interviews, business operations and best practices.

Administration and Operations

The administration and operations portion of the budget shall be utilized for administrative staffing costs, office costs, advocacy, and other general administrative costs such as insurance, legal, and accounting fees.

A certified public accountant may complete an agreed-upon procedures of the Owners' Association's allocation of LVWHD funds and usage in accordance with the terms and condition of the plan, at the City's discretion. The audit may be performed by the City, or the City may hire an independent audit firm at their expense.

City Collection Fee

The City of Livermore shall be paid a fee equal to two percent (2%) of the amount of assessment collected to cover its costs of collection and administration.

Contingency / Reserve

The budget includes a contingency line item to account for lower than anticipated assessments. If there are contingency funds collected, they may be held in a reserve fund or utilized for other program, administration or renewal costs at the discretion of the Owners' Association. Policies relating to contributions to the reserve fund, the target amount of the reserve fund, and expenditure of monies from the reserve fund shall be set by the Owners' Association. Contingency/reserve funds may be spent on District programs or administrative and renewal costs in such proportions as determined by the Owners' Association. The reserve fund may be used for the costs of renewing the LVWHD.

B. Annual Budget

The total five (5) year improvement and service plan budget is projected at approximately \$693,000 annually, or \$3,465,000 through 2026. This amount may fluctuate as businesses open and close and winery sales change.

C. California Constitutional Compliance

The LVWHD assessment is not a property-based assessment subject to the requirements of Proposition 218. Courts have found Proposition 218 limited the term 'assessments' to levies on real property.¹ Rather, the LVWHD assessment is a business-based assessment, and is subject to Proposition 26. Pursuant to Proposition 26 all levies are a tax unless they fit one of seven exceptions. Two of these exceptions apply to the LVWHD, a "specific benefit" and a "specific government service." Both require that the costs of benefits or services do not exceed the reasonable costs to the City of conferring the benefits or providing the services.

1. Specific Benefit

¹ *Jarvis v. the City of San Diego* 72 Cal App. 4th 230

Proposition 26 requires that assessment funds be expended on, “a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege.”² The services in this Plan are designed to provide targeted benefits directly to assessed businesses, and are intended only to provide benefits and services directly to those businesses paying the assessment. These services are tailored not to serve the general public, businesses in general, or parcels of land, but rather to serve the specific businesses within the LVWHD. The activities described in this Plan are specifically targeted to increase sales for assessed wineries within the boundaries of the LVWHD, and are narrowly tailored. LVWHD funds will be used exclusively to provide the specific benefit of increased sales revenue directly to the assessees. Assessment funds shall not be used to feature non-assessed wineries in LVWHD programs, or to directly generate sales for non-assessed wineries. The activities paid for from assessment revenues are business services constituting and providing specific benefits to the assessed wineries.

The assessment imposed by this LVWHD is for a specific benefit conferred directly to the payors that is not provided to those not charged. The specific benefit conferred directly to the payors is an increase in winery sales revenue. The specific benefit of an increase in sales revenue for assessed wineries will be provided only to wineries paying the district assessment, with marketing & brand awareness, advocacy, and quality enhancement & education efforts promoting wineries paying the LVWHD assessment. The marketing & brand awareness, advocacy, and quality enhancement & education efforts programs will be designed to increase sales revenue at each assessed winery. Because they are necessary to provide the marketing & brand awareness, advocacy, and quality enhancement & education efforts programs that specifically benefit the assessed wineries, the administration and contingency services also provide the specific benefit of increased sales revenue to the wineries.

Although the LVWHD, in providing specific benefits to payors, may produce incidental benefits to non-paying businesses, the incidental benefit does not preclude the services from being considered a specific benefit. The legislature has found that, “A specific benefit is not excluded from classification as a ‘specific benefit’ merely because an indirect benefit to a nonpayor occurs incidentally and without cost to the payor as a consequence of providing the specific benefit to the payor.”³

2. Specific Government Service

The assessment may also be utilized to provide, “a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the service or product.”⁴ The legislature has recognized that marketing and promotions services like those to be provided by the LVWHD are government services within the meaning of Proposition 26⁵. Further, the legislature has determined that “a specific government service is not excluded from classification as a ‘specific government service’ merely because an indirect benefit to a nonpayor occurs incidentally and without cost to the payor as a consequence of providing the specific government service to the payor.”⁶

3. Reasonable Cost

LVWHD services will be implemented carefully to ensure they do not exceed the reasonable cost of such services. The full amount assessed will be used to provide the services described herein. Funds

² Cal. Const. art XIII C § 1(e)(1)

³ Government Code § 53758(a)

⁴ Cal. Const. art XIII C § 1(e)(2)

⁵ Government Code § 53758(b)

⁶ Government Code § 53758(b)

will be managed by the LVWA, and reports submitted on an annual basis to the City. Only assessed wineries will be featured in marketing materials, receive sales leads generated from LVWHD-funded activities, be featured in advertising campaigns, and benefit from other LVWHD-funded services. Non-assessed wineries will not receive these, nor any other, LVWHD-funded services and benefits.

The LVWHD-funded programs are all targeted directly at and feature only assessed businesses. It is, however, possible that there will be a spill over benefit to non-assessed businesses. If non-assessed wineries receive incremental sales revenue, that portion of the promotion or program generating that sales revenue shall be paid with non-LVWHD funds. LVWHD funds shall only be spent to benefit the assessed businesses, and shall not be spent on that portion of any program which directly generates incidental sales revenue for non-assessed businesses.

D. Assessment

The annual assessment rate is two percent (2%) of gross direct to consumer sales revenue of assessed wineries. Based on the benefit received, assessments will not be collected on purchases made outside of the state of California.

The term “gross sales revenue” as used herein means: the consideration charged by wineries, for all direct to consumer sales of wine, wine club shipments (whether shipped or picked up), ticket sales, tasting fees, tours and private and public special events, merchandise, prepared and packaged foods for on-premise or off-premise consumption (whether sold in a tasting room or a stand-alone restaurant on- premise), orders placed via telemarketing, telephone, online, email, whether carried out at the time of purchase, shipped or picked up at a later date (pre-sales). Gross sales revenue shall not include any federal, state or local taxes collected, including but not limited to sales and use taxes.

The assessment is levied upon and a direct obligation of the assessed winery. However, the assessed winery may, at its discretion, pass the assessment on to customers. The amount of assessment, if passed on to each customer, shall be disclosed in advance and separately stated from the amount of rent charged and any other applicable taxes, and each customer shall receive a receipt for payment from the business. If the LVWHD assessment is identified separately it shall be disclosed as the “LVWHD Assessment.” The assessment is imposed solely upon, and is the sole obligation of the assessed winery even if it is passed on to customers. The assessment shall not be considered revenue for any purpose, including calculation of sales taxes.

Bonds shall not be issued.

E. Penalties and Interest

The LVWHD shall reimburse the City of Livermore (City) for any costs associated with collecting unpaid assessments. If sums in excess of the delinquent LVWHD assessment are sought to be recovered in the same collection action by the City, the LVWHD shall bear its pro rata share of such collection costs. Assessed businesses which are delinquent in paying the assessment shall be responsible for paying:

1. *Original Delinquency*

Any winery that fails to remit any assessment imposed by this section within the time required shall pay a penalty of ten percent (10%) of the amount of the assessment in addition to the assessment.

2. *Continued Delinquency*

Any winery that fails to remit any delinquent remittance on or before a period of thirty (30) days following the date on which the remittance first became delinquent shall pay a second

delinquency penalty of ten percent (10%) of the assessment in addition to the assessment and the ten percent (10%) penalty first imposed.

3. *Fraud*

If the City or third-party collection agency determines that the nonpayment of any remittance due under this article is due to fraud, a penalty of twenty-five percent (25%) of the amount of the assessment shall be added thereto in addition to the penalties stated in paragraph one (1) and two (2) above of this section.

4. *Interest*

In addition to the penalties imposed, any winery who fails to remit any assessment imposed by this section shall pay interest at the rate of one-half of one percent (0.5%) per month or fraction thereof on the amount of the assessment, exclusive of penalties, from the date on which the remittance first became delinquent until paid.

F. Time and Manner for Collecting Assessments

The LVWHD assessment will be implemented beginning July 1, 2021 and continuing for five (5) years to end on June 30, 2026. The City of Livermore or a third-party collection agency will be responsible for collecting the assessment on a quarterly basis (including any delinquencies, penalties and interest) from each winery located in each jurisdiction within the LVWHD. The City or a third-party collection agency shall take all reasonable efforts to collect the assessments from each winery. The City or a third-party collection agency shall forward the assessments collected to the Owners' Association.

V. GOVERNANCE

A. Owners' Association

The City Council of the City of Livermore, through adoption of this Management District Plan, has the right, pursuant to Streets and Highways Code §36651, to identify the body that shall implement the proposed program, which shall be the Owners' Association of the LVWHD as defined in Streets and Highways Code §36612. The City Council has determined that Livermore Valley Winegrowers Association (LVWA) will serve as the Owners' Association for the LVWHD.

B. Brown Act and California Public Records Act Compliance

An Owners' Association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. The Owners' Association is, however, subject to government regulations relating to transparency, namely the Ralph M. Brown Act and the California Public Records Act. These regulations are designed to promote public accountability. The Owners' Association acts as a legislative body under the Ralph M. Brown Act (Government Code §54950 et seq.). Thus, meetings of the LVWA board and certain committees must be held in compliance with the public notice and other requirements of the Brown Act. The Owners' Association is also subject to the record keeping and disclosure requirements of the California Public Records Act. Accordingly, the Owners' Association shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

C. Annual Report

The LVWA shall present an annual report at the end of each year of operation to the City Council pursuant to Streets and Highways Code §36650 (see Appendix 1). The annual report shall include:

- Any proposed changes in the boundaries of the improvement district or in any benefit zones or classification of businesses within the district.
- The improvements and activities to be provided for that fiscal year.
- An estimate of the cost of providing the improvements and the activities for that fiscal year.
- The method and basis of levying the assessment in sufficient detail to allow each business owner to estimate the amount of the assessment to be levied against his or her business for that fiscal year.
- The estimated amount of any surplus or deficit revenues to be carried over from a previous fiscal year.
- The estimated amount of any contributions to be made from sources other than assessments levied pursuant to this part.

APPENDIX 1 – LAW

*** THIS DOCUMENT IS CURRENT THROUGH THE 2020 SUPPLEMENT ***
(ALL 2019 LEGISLATION)

STREETS AND HIGHWAYS CODE DIVISION 18. PARKING PART 7. PROPERTY AND BUSINESS IMPROVEMENT DISTRICT LAW OF 1994

CHAPTER 1. General Provisions

ARTICLE 1. Declarations

36600. Citation of part

This part shall be known and may be cited as the “Property and Business Improvement District Law of 1994.”

36601. Legislative findings and declarations; Legislative guidance

The Legislature finds and declares all of the following:

- (a) Businesses located and operating within business districts in some of this state’s communities are economically disadvantaged, are underutilized, and are unable to attract customers due to inadequate facilities, services, and activities in the business districts.
- (b) It is in the public interest to promote the economic revitalization and physical maintenance of business districts in order to create jobs, attract new businesses, and prevent the erosion of the business districts.
- (c) It is of particular local benefit to allow business districts to fund business related improvements, maintenance, and activities through the levy of assessments upon the businesses or real property that receive benefits from those improvements.
- (d) Assessments levied for the purpose of conferring special benefit upon the real property or a specific benefit upon the businesses in a business district are not taxes for the general benefit of a city, even if property, businesses, or persons not assessed receive incidental or collateral effects that benefit them.
- (e) Property and business improvement districts formed throughout this state have conferred special benefits upon properties and businesses within their districts and have made those properties and businesses more useful by providing the following benefits:
 - (1) Crime reduction. A study by the Rand Corporation has confirmed a 12-percent reduction in the incidence of robbery and an 8-percent reduction in the total incidence of violent crimes within the 30 districts studied.
 - (2) Job creation.
 - (3) Business attraction.
 - (4) Business retention.
 - (5) Economic growth.
 - (6) New investments.
- (f) With the dissolution of redevelopment agencies throughout the state, property and business improvement districts have become even more important tools with which communities can combat blight, promote economic opportunities, and create a clean and safe environment.
- (g) Since the enactment of this act, the people of California have adopted Proposition 218, which added Article XIII D to the Constitution in order to place certain requirements and restrictions on the formation of, and activities, expenditures, and assessments by property-based districts. Article XIII D of the Constitution provides that property-based districts may only levy assessments for special benefits.
- (h) The act amending this section is intended to provide the Legislature’s guidance with regard to this act, its interaction with the provisions of Article XIII D of the Constitution, and the determination of special benefits in property-based districts.
 - (1) The lack of legislative guidance has resulted in uncertainty and inconsistent application of this act, which discourages the use of assessments to fund needed improvements, maintenance, and activities in property-based districts, contributing to blight and other underutilization of property.
 - (2) Activities undertaken for the purpose of conferring special benefits upon property to be assessed inherently produce incidental or collateral effects that benefit property or persons not assessed. Therefore, for special benefits to exist as a separate and distinct category from general benefits, the

incidental or collateral effects of those special benefits are inherently part of those special benefits. The mere fact that special benefits produce incidental or collateral effects that benefit property or persons not assessed does not convert any portion of those special benefits or their incidental or collateral effects into general benefits.

(3) It is of the utmost importance that property-based districts created under this act have clarity regarding restrictions on assessments they may levy and the proper determination of special benefits. Legislative clarity with regard to this act will provide districts with clear instructions and courts with legislative intent regarding restrictions on property-based assessments, and the manner in which special benefits should be determined.

36602. Purpose of part

The purpose of this part is to supplement previously enacted provisions of law that authorize cities to levy assessments within property and business improvement districts, to ensure that those assessments conform to all constitutional requirements and are determined and assessed in accordance with the guidance set forth in this act. This part does not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes.

36603. Preemption of authority or charter city to adopt ordinances levying assessments

Nothing in this part is intended to preempt the authority of a charter city to adopt ordinances providing for a different method of levying assessments for similar or additional purposes from those set forth in this part. A property and business improvement district created pursuant to this part is expressly exempt from the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 (Division 4 (commencing with Section 2800)).

36603.5. Part prevails over conflicting provisions

Any provision of this part that conflicts with any other provision of law shall prevail over the other provision of law, as to districts created under this part.

36604. Severability

This part is intended to be construed liberally and, if any provision is held invalid, the remaining provisions shall remain in full force and effect. Assessments levied under this part are not special taxes.

ARTICLE 2. Definitions

36606. “Activities”

“Activities” means, but is not limited to, all of the following that benefit businesses or real property in the district:

- (a) Promotion of public events.
- (b) Furnishing of music in any public place.
- (c) Promotion of tourism within the district.
- (d) Marketing and economic development, including retail retention and recruitment.
- (e) Providing security, sanitation, graffiti removal, street and sidewalk cleaning, and other municipal services supplemental to those normally provided by the municipality.
- (f) Other services provided for the purpose of conferring special benefit upon assessed real property or specific benefits upon assessed businesses located in the district.

36606.5. “Assessment”

“Assessment” means a levy for the purpose of acquiring, constructing, installing, or maintaining improvements and providing activities that will provide certain benefits to properties or businesses located within a property and business improvement district.

36607. “Business”

“Business” means all types of businesses and includes financial institutions and professions.

36608. “City”

“City” means a city, county, city and county, or an agency or entity created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, the public member agencies of which includes only cities, counties, or a city and county, or the State of California.

36609. “City council”

“City council” means the city council of a city or the board of supervisors of a county, or the agency, commission, or board created pursuant to a joint powers agreement and which is a city within the meaning of this part.

36609.4. “Clerk”

“Clerk” means the clerk of the legislative body.

36609.5. “General benefit”

“General benefit” means, for purposes of a property-based district, any benefit that is not a “special benefit” as defined in Section 36615.5.

36610. “Improvement”

“Improvement” means the acquisition, construction, installation, or maintenance of any tangible property with an estimated useful life of five years or more including, but not limited to, the following:

- (a) Parking facilities.
- (b) Benches, booths, kiosks, display cases, pedestrian shelters and signs.
- (c) Trash receptacles and public restrooms.
- (d) Lighting and heating facilities.
- (e) Decorations.
- (f) Parks.
- (g) Fountains.
- (h) Planting areas.
- (i) Closing, opening, widening, or narrowing of existing streets.
- (j) Facilities or equipment, or both, to enhance security of persons and property within the district.
- (k) Ramps, sidewalks, plazas, and pedestrian malls.
- (l) Rehabilitation or removal of existing structures.

36611. “Management district plan”; “Plan”

“Management district plan” or “plan” means a proposal as defined in Section 36622.

36612. “Owners’ association”

“Owners’ association” means a private nonprofit entity that is under contract with a city to administer or implement improvements, maintenance, and activities specified in the management district plan. An owners’ association may be an existing nonprofit entity or a newly formed nonprofit entity. An owners’ association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. Notwithstanding this section, an owners’ association shall comply with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code), at all times when matters within the subject matter of the district are heard, discussed, or deliberated, and with the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code), for all records relating to activities of the district.

36614. “Property”

“Property” means real property situated within a district.

36614.5. “Property and business improvement district”; “District”

“Property and business improvement district,” or “district,” means a property and business improvement district established pursuant to this part.

36614.6. “Property-based assessment”

“Property-based assessment” means any assessment made pursuant to this part upon real property.

36614.7. “Property-based district”

“Property-based district” means any district in which a city levies a property-based assessment.

36615. “Property owner”; “Business owner”; “Owner”

“Property owner” means any person shown as the owner of land on the last equalized assessment roll or otherwise known to be the owner of land by the city council. “Business owner” means any person recognized by the city as the owner of the business. “Owner” means either a business owner or a property owner. The city council has no obligation to obtain other information as to the ownership of land or businesses, and its determination of ownership shall be final and conclusive for the purposes of this part. Wherever this part requires the signature of the property owner, the signature of the authorized agent of the property owner shall be sufficient. Wherever this part requires the signature of the business owner, the signature of the authorized agent of the business owner shall be sufficient.

36615.5. “Special benefit”

“Special benefit” means, for purposes of a property-based district, a particular and distinct benefit over and above general benefits conferred on real property located in a district or to the public at large. Special benefit includes incidental or collateral effects that arise from the improvements, maintenance, or activities of property-based districts even if those incidental or collateral effects benefit property or persons not assessed. Special benefit excludes general enhancement of property value.

36616. “Tenant”

“Tenant” means an occupant pursuant to a lease of commercial space or a dwelling unit, other than an owner.

ARTICLE 3. Prior Law

36617. Alternate method of financing certain improvements and activities; Effect on other provisions

This part provides an alternative method of financing certain improvements and activities. The provisions of this part shall not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes. Every improvement area established pursuant to the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500) of this division) is valid and effective and is unaffected by this part.

CHAPTER 2. Establishment

36620. Establishment of property and business improvement district

A property and business improvement district may be established as provided in this chapter.

36620.5. Requirement of consent of city council

A county may not form a district within the territorial jurisdiction of a city without the consent of the city council of that city. A city may not form a district within the unincorporated territory of a county without the consent of the board

of supervisors of that county. A city may not form a district within the territorial jurisdiction of another city without the consent of the city council of the other city.

36621. Initiation of proceedings; Petition of property or business owners in proposed district

- (a) Upon the submission of a written petition, signed by the property or business owners in the proposed district who will pay more than 50 percent of the assessments proposed to be levied, the city council may initiate proceedings to form a district by the adoption of a resolution expressing its intention to form a district. The amount of assessment attributable to property or a business owned by the same property or business owner that is in excess of 40 percent of the amount of all assessments proposed to be levied, shall not be included in determining whether the petition is signed by property or business owners who will pay more than 50 percent of the total amount of assessments proposed to be levied.
- (b) The petition of property or business owners required under subdivision (a) shall include a summary of the management district plan. That summary shall include all of the following:
 - (1) A map showing the boundaries of the district.
 - (2) Information specifying where the complete management district plan can be obtained.
 - (3) Information specifying that the complete management district plan shall be furnished upon request.
- (c) The resolution of intention described in subdivision (a) shall contain all of the following:
 - (1) A brief description of the proposed improvements, maintenance, and activities, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property or businesses within the district, a statement as to whether bonds will be issued, and a description of the exterior boundaries of the proposed district, which may be made by reference to any plan or map that is on file with the clerk. The descriptions and statements do not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements, maintenance, and activities, and the location and extent of the proposed district.
 - (2) A time and place for a public hearing on the establishment of the property and business improvement district and the levy of assessments, which shall be consistent with the requirements of Section 36623.

36622. Contents of management district plan

The management district plan shall include, but is not limited to, all of the following:

- (a) If the assessment will be levied on property, a map of the district in sufficient detail to locate each parcel of property and, if businesses are to be assessed, each business within the district. If the assessment will be levied on businesses, a map that identifies the district boundaries in sufficient detail to allow a business owner to reasonably determine whether a business is located within the district boundaries. If the assessment will be levied on property and businesses, a map of the district in sufficient detail to locate each parcel of property and to allow a business owner to reasonably determine whether a business is located within the district boundaries.
- (b) The name of the proposed district.
- (c) A description of the boundaries of the district, including the boundaries of benefit zones, proposed for establishment or extension in a manner sufficient to identify the affected property and businesses included, which may be made by reference to any plan or map that is on file with the clerk. The boundaries of a proposed property assessment district shall not overlap with the boundaries of another existing property assessment district created pursuant to this part. This part does not prohibit the boundaries of a district created pursuant to this part to overlap with other assessment districts established pursuant to other provisions of law, including, but not limited to, the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500)). This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with another business assessment district created pursuant to this part. This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with a property assessment district created pursuant to this part.
- (d) The improvements, maintenance, and activities proposed for each year of operation of the district and the maximum cost thereof. If the improvements, maintenance, and activities proposed for each year of operation are the same, a description of the first year's proposed improvements, maintenance, and activities and a statement that the same improvements, maintenance, and activities are proposed for subsequent years shall satisfy the requirements of this subdivision.

- (e) The total annual amount proposed to be expended for improvements, maintenance, or activities, and debt service in each year of operation of the district. If the assessment is levied on businesses, this amount may be estimated based upon the assessment rate. If the total annual amount proposed to be expended in each year of operation of the district is not significantly different, the amount proposed to be expended in the initial year and a statement that a similar amount applies to subsequent years shall satisfy the requirements of this subdivision.
- (f) The proposed source or sources of financing, including the proposed method and basis of levying the assessment in sufficient detail to allow each property or business owner to calculate the amount of the assessment to be levied against his or her property or business. The plan also shall state whether bonds will be issued to finance improvements.
- (g) The time and manner of collecting the assessments.
- (h) The specific number of years in which assessments will be levied. In a new district, the maximum number of years shall be five. Upon renewal, a district shall have a term not to exceed 10 years. Notwithstanding these limitations, a district created pursuant to this part to finance capital improvements with bonds may levy assessments until the maximum maturity of the bonds. The management district plan may set forth specific increases in assessments for each year of operation of the district.
- (i) The proposed time for implementation and completion of the management district plan.
- (j) Any proposed rules and regulations to be applicable to the district.
- (k)
 - (1) A list of the properties or businesses to be assessed, including the assessor's parcel numbers for properties to be assessed, and a statement of the method or methods by which the expenses of a district will be imposed upon benefited real property or businesses, in proportion to the benefit received by the property or business, to defray the cost thereof.
 - (2) In a property-based district, the proportionate special benefit derived by each identified parcel shall be determined exclusively in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the activities. An assessment shall not be imposed on any parcel that exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable, and a property-based district shall separate the general benefits, if any, from the special benefits conferred on a parcel. Parcels within a property-based district that are owned or used by any city, public agency, the State of California, or the United States shall not be exempt from assessment unless the governmental entity can demonstrate by clear and convincing evidence that those publicly owned parcels in fact receive no special benefit. The value of any incidental, secondary, or collateral effects that arise from the improvements, maintenance, or activities of a property-based district and that benefit property or persons not assessed shall not be deducted from the entirety of the cost of any special benefit or affect the proportionate special benefit derived by each identified parcel.
- (l) In a property-based district, the total amount of all special benefits to be conferred upon the properties located within the property-based district.
- (m) In a property-based district, the total amount of general benefits, if any.
- (n) In a property-based district, a detailed engineer's report prepared by a registered professional engineer certified by the State of California supporting all assessments contemplated by the management district plan.
- (o) Any other item or matter required to be incorporated therein by the city council.

36623. Procedure to levy assessment

- (a) If a city council proposes to levy a new or increased property assessment, the notice and protest and hearing procedure shall comply with Section 53753 of the Government Code.
- (b) If a city council proposes to levy a new or increased business assessment, the notice and protest and hearing procedure shall comply with Section 54954.6 of the Government Code, except that notice shall be mailed to the owners of the businesses proposed to be assessed. A protest may be made orally or in writing by any interested person. Every written protest shall be filed with the clerk at or before the time fixed for the public hearing. The city council may waive any irregularity in the form or content of any written protest. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing. Each written protest shall contain a description of the business in which the person subscribing the protest is interested sufficient to identify the business and, if a person subscribing is not shown on the official records of the city as the owner of the business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the business or the authorized representative. A written protest that does not comply with this section shall not be counted in determining a majority protest. If written protests are received from the owners or authorized representatives of businesses in the proposed district that will pay

50 percent or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than 50 percent, no further proceedings to levy the proposed assessment against such businesses, as contained in the resolution of intention, shall be taken for a period of one year from the date of the finding of a majority protest by the city council.

(c) If a city council proposes to conduct a single proceeding to levy both a new or increased property assessment and a new or increased business assessment, the notice and protest and hearing procedure for the property assessment shall comply with subdivision (a), and the notice and protest and hearing procedure for the business assessment shall comply with subdivision (b). If a majority protest is received from either the property or business owners, that respective portion of the assessment shall not be levied. The remaining portion of the assessment may be levied unless the improvement or other special benefit was proposed to be funded by assessing both property and business owners.

36624. Changes to proposed assessments

At the conclusion of the public hearing to establish the district, the city council may adopt, revise, change, reduce, or modify the proposed assessment or the type or types of improvements, maintenance, and activities to be funded with the revenues from the assessments. Proposed assessments may only be revised by reducing any or all of them. At the public hearing, the city council may only make changes in, to, or from the boundaries of the proposed property and business improvement district that will exclude territory that will not benefit from the proposed improvements, maintenance, and activities. Any modifications, revisions, reductions, or changes to the proposed assessment district shall be reflected in the notice and map recorded pursuant to Section 36627.

36625. Resolution of formation

(a) If the city council, following the public hearing, decides to establish a proposed property and business improvement district, the city council shall adopt a resolution of formation that shall include, but is not limited to, all of the following:

(1) A brief description of the proposed improvements, maintenance, and activities, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property, businesses, or both within the district, a statement on whether bonds will be issued, and a description of the exterior boundaries of the proposed district, which may be made by reference to any plan or map that is on file with the clerk. The descriptions and statements need not be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements, maintenance, and activities and the location and extent of the proposed district.

(2) The number, date of adoption, and title of the resolution of intention.

(3) The time and place where the public hearing was held concerning the establishment of the district.

(4) A determination regarding any protests received. The city shall not establish the district or levy assessments if a majority protest was received.

(5) A statement that the properties, businesses, or properties and businesses in the district established by the resolution shall be subject to any amendments to this part.

(6) A statement that the improvements, maintenance, and activities to be conferred on businesses and properties in the district will be funded by the levy of the assessments. The revenue from the levy of assessments within a district shall not be used to provide improvements, maintenance, or activities outside the district or for any purpose other than the purposes specified in the resolution of intention, as modified by the city council at the hearing concerning establishment of the district. Notwithstanding the foregoing, improvements and activities that must be provided outside the district boundaries to create a special or specific benefit to the assessed parcels or businesses may be provided, but shall be limited to marketing or signage pointing to the district.

(7) A finding that the property or businesses within the area of the property and business improvement district will be benefited by the improvements, maintenance, and activities funded by the proposed assessments, and, for a property-based district, that property within the district will receive a special benefit.

(8) In a property-based district, the total amount of all special benefits to be conferred on the properties within the property-based district.

(b) The adoption of the resolution of formation and, if required, recordation of the notice and map pursuant to Section 36627 shall constitute the levy of an assessment in each of the fiscal years referred to in the management district plan.

36627. Notice and assessment diagram

Following adoption of the resolution establishing district assessments on properties pursuant to Section 36625, the clerk shall record a notice and an assessment diagram pursuant to Section 3114. No other provision of Division 4.5 (commencing with Section 3100) applies to an assessment district created pursuant to this part.

36628. Establishment of separate benefit zones within district; Categories of businesses

The city council may establish one or more separate benefit zones within the district based upon the degree of benefit derived from the improvements or activities to be provided within the benefit zone and may impose a different assessment within each benefit zone. If the assessment is to be levied on businesses, the city council may also define categories of businesses based upon the degree of benefit that each will derive from the improvements or activities to be provided within the district and may impose a different assessment or rate of assessment on each category of business, or on each category of business within each zone.

36628.5. Assessments on businesses or property owners

The city council may levy assessments on businesses or on property owners, or a combination of the two, pursuant to this part. The city council shall structure the assessments in whatever manner it determines corresponds with the distribution of benefits from the proposed improvements, maintenance, and activities, provided that any property-based assessment conforms with the requirements set forth in paragraph (2) of subdivision (k) of Section 36622.

36629. Provisions and procedures applicable to benefit zones and business categories

All provisions of this part applicable to the establishment, modification, or disestablishment of a property and business improvement district apply to the establishment, modification, or disestablishment of benefit zones or categories of business. The city council shall, to establish, modify, or disestablish a benefit zone or category of business, follow the procedure to establish, modify, or disestablish a property and business improvement district.

36630. Expiration of district; Creation of new district

If a property and business improvement district expires due to the time limit set pursuant to subdivision (h) of Section 36622, a new management district plan may be created and the district may be renewed pursuant to this part.

CHAPTER 3. Assessments

36631. Time and manner of collection of assessments; Delinquent payments

The collection of the assessments levied pursuant to this part shall be made at the time and in the manner set forth by the city council in the resolution levying the assessment. Assessments levied on real property may be collected at the same time and in the same manner as for the ad valorem property tax, and may provide for the same lien priority and penalties for delinquent payment. All delinquent payments for assessments levied pursuant to this part may be charged interest and penalties.

36632. Assessments to be based on estimated benefit; Classification of real property and businesses; Exclusion of residential and agricultural property

- (a) The assessments levied on real property pursuant to this part shall be levied on the basis of the estimated benefit to the real property within the property and business improvement district. The city council may classify properties for purposes of determining the benefit to property of the improvements and activities provided pursuant to this part.
- (b) Assessments levied on businesses pursuant to this part shall be levied on the basis of the estimated benefit to the businesses within the property and business improvement district. The city council may classify businesses for purposes of determining the benefit to the businesses of the improvements and activities provided pursuant to this part.

(c) Properties zoned solely for residential use, or that are zoned for agricultural use, are conclusively presumed not to benefit from the improvements and service funded through these assessments, and shall not be subject to any assessment pursuant to this part.

36633. Time for contesting validity of assessment

The validity of an assessment levied under this part shall not be contested in an action or proceeding unless the action or proceeding is commenced within 30 days after the resolution levying the assessment is adopted pursuant to Section 36626. An appeal from a final judgment in an action or proceeding shall be perfected within 30 days after the entry of judgment.

36634. Service contracts authorized to establish levels of city services

The city council may execute baseline service contracts that would establish levels of city services that would continue after a property and business improvement district has been formed.

36635. Request to modify management district plan

The owners' association may, at any time, request that the city council modify the management district plan. Any modification of the management district plan shall be made pursuant to this chapter.

36636. Modification of plan by resolution after public hearing; Adoption of resolution of intention

(a) Upon the written request of the owners' association, the city council may modify the management district plan after conducting one public hearing on the proposed modifications. The city council may modify the improvements and activities to be funded with the revenue derived from the levy of the assessments by adopting a resolution determining to make the modifications after holding a public hearing on the proposed modifications. If the modification includes the levy of a new or increased assessment, the city council shall comply with Section 36623. Notice of all other public hearings pursuant to this section shall comply with both of the following:

(1) The resolution of intention shall be published in a newspaper of general circulation in the city once at least seven days before the public hearing.

(2) A complete copy of the resolution of intention shall be mailed by first class mail, at least 10 days before the public hearing, to each business owner or property owner affected by the proposed modification.

(b) The city council shall adopt a resolution of intention which states the proposed modification prior to the public hearing required by this section. The public hearing shall be held not more than 90 days after the adoption of the resolution of intention.

36637. Reflection of modification in notices recorded and maps

Any subsequent modification of the resolution shall be reflected in subsequent notices and maps recorded pursuant to Division 4.5 (commencing with Section 3100), in a manner consistent with the provisions of Section 36627.

CHAPTER 3.5. Financing

36640. Bonds authorized; Procedure; Restriction on reduction or termination of assessments

(a) The city council may, by resolution, determine and declare that bonds shall be issued to finance the estimated cost of some or all of the proposed improvements described in the resolution of formation adopted pursuant to Section 36625, if the resolution of formation adopted pursuant to that section provides for the issuance of bonds, under the Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500)) or in conjunction with Marks-Roos Local Bond Pooling Act of 1985 (Article 4 (commencing with Section 6584) of Chapter 5 of Division 7 of Title 1 of the Government Code). Either act, as the case may be, shall govern the proceedings relating to the issuance of bonds, although proceedings under the Bond Act of 1915 may be modified by the city council as necessary to accommodate assessments levied upon business pursuant to this part.

(b) The resolution adopted pursuant to subdivision (a) shall generally describe the proposed improvements specified in the resolution of formation adopted pursuant to Section 36625, set forth the estimated cost of those improvements, specify the number of annual installments and the fiscal years during which they are to be collected. The amount of debt service to retire the bonds shall not exceed the amount of revenue estimated to be raised from assessments over 30 years.

(c) Notwithstanding any other provision of this part, assessments levied to pay the principal and interest on any bond issued pursuant to this section shall not be reduced or terminated if doing so would interfere with the timely retirement of the debt.

CHAPTER 4. Governance

36650. Report by owners' association; Approval or modification by city council

(a) The owners' association shall cause to be prepared a report for each fiscal year, except the first year, for which assessments are to be levied and collected to pay the costs of the improvements, maintenance, and activities described in the report. The owners' association's first report shall be due after the first year of operation of the district. The report may propose changes, including, but not limited to, the boundaries of the property and business improvement district or any benefit zones within the district, the basis and method of levying the assessments, and any changes in the classification of property, including any categories of business, if a classification is used.

(b) The report shall be filed with the clerk and shall refer to the property and business improvement district by name, specify the fiscal year to which the report applies, and, with respect to that fiscal year, shall contain all of the following information:

(1) Any proposed changes in the boundaries of the property and business improvement district or in any benefit zones or classification of property or businesses within the district.

(2) The improvements, maintenance, and activities to be provided for that fiscal year.

(3) An estimate of the cost of providing the improvements, maintenance, and activities for that fiscal year.

(4) The method and basis of levying the assessment in sufficient detail to allow each real property or business owner, as appropriate, to estimate the amount of the assessment to be levied against his or her property or business for that fiscal year.

(5) The estimated amount of any surplus or deficit revenues to be carried over from a previous fiscal year.

(6) The estimated amount of any contributions to be made from sources other than assessments levied pursuant to this part.

(c) The city council may approve the report as filed by the owners' association or may modify any particular contained in the report and approve it as modified. Any modification shall be made pursuant to Sections 36635 and 36636.

The city council shall not approve a change in the basis and method of levying assessments that would impair an authorized or executed contract to be paid from the revenues derived from the levy of assessments, including any commitment to pay principal and interest on any bonds issued on behalf of the district.

36651. Designation of owners' association to provide improvements, maintenance, and activities

The management district plan may, but is not required to, state that an owners' association will provide the improvements, maintenance, and activities described in the management district plan. If the management district plan designates an owners' association, the city shall contract with the designated nonprofit corporation to provide services.

CHAPTER 5. Renewal

36660. Renewal of district; Transfer or refund of remaining revenues; District term limit

(a) Any district previously established whose term has expired, or will expire, may be renewed by following the procedures for establishment as provided in this chapter.

(b) Upon renewal, any remaining revenues derived from the levy of assessments, or any revenues derived from the sale of assets acquired with the revenues, shall be transferred to the renewed district. If the renewed district includes additional parcels or businesses not included in the prior district, the remaining revenues

shall be spent to benefit only the parcels or businesses in the prior district. If the renewed district does not include parcels or businesses included in the prior district, the remaining revenues attributable to these parcels shall be refunded to the owners of these parcels or businesses.

(c) Upon renewal, a district shall have a term not to exceed 10 years, or, if the district is authorized to issue bonds, until the maximum maturity of those bonds. There is no requirement that the boundaries, assessments, improvements, or activities of a renewed district be the same as the original or prior district.

CHAPTER 6. Disestablishment

36670. Circumstances permitting disestablishment of district; Procedure

(a) Any district established or extended pursuant to the provisions of this part, where there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the district, may be disestablished by resolution by the city council in either of the following circumstances:

(1) If the city council finds there has been misappropriation of funds, malfeasance, or a violation of law in connection with the management of the district, it shall notice a hearing on disestablishment.

(2) During the operation of the district, there shall be a 30-day period each year in which assesseses may request disestablishment of the district. The first such period shall begin one year after the date of establishment of the district and shall continue for 30 days. The next such 30-day period shall begin two years after the date of the establishment of the district. Each successive year of operation of the district shall have such a 30-day period. Upon the written petition of the owners or authorized representatives of real property or the owners or authorized representatives of businesses in the district who pay 50 percent or more of the assessments levied, the city council shall pass a resolution of intention to disestablish the district. The city council shall notice a hearing on disestablishment.

(b) The city council shall adopt a resolution of intention to disestablish the district prior to the public hearing required by this section. The resolution shall state the reason for the disestablishment, shall state the time and place of the public hearing, and shall contain a proposal to dispose of any assets acquired with the revenues of the assessments levied within the property and business improvement district. The notice of the hearing on disestablishment required by this section shall be given by mail to the property owner of each parcel or to the owner of each business subject to assessment in the district, as appropriate. The city shall conduct the public hearing not less than 30 days after mailing the notice to the property or business owners. The public hearing shall be held not more than 60 days after the adoption of the resolution of intention.

36671. Refund of remaining revenues upon disestablishment or expiration without renewal of district; Calculation of refund; Use of outstanding revenue collected after disestablishment of district

(a) Upon the disestablishment or expiration without renewal of a district, any remaining revenues, after all outstanding debts are paid, derived from the levy of assessments, or derived from the sale of assets acquired with the revenues, or from bond reserve or construction funds, shall be refunded to the owners of the property or businesses then located and operating within the district in which assessments were levied by applying the same method and basis that was used to calculate the assessments levied in the fiscal year in which the district is disestablished or expires. All outstanding assessment revenue collected after disestablishment shall be spent on improvements and activities specified in the management district plan.

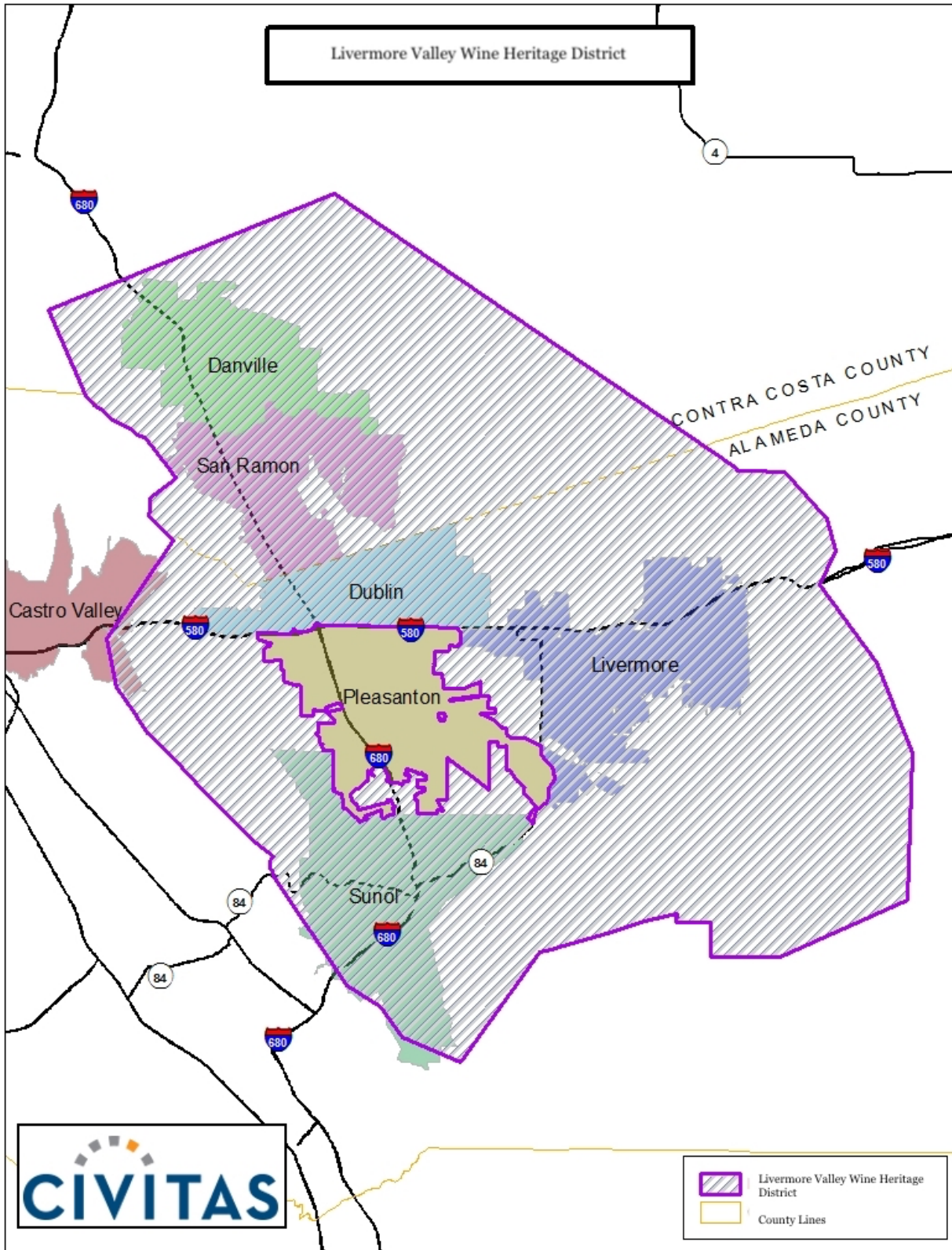
(b) If the disestablishment occurs before an assessment is levied for the fiscal year, the method and basis that was used to calculate the assessments levied in the immediate prior fiscal year shall be used to calculate the amount of any refund.

APPENDIX 2 – ASSESSED BUSINESSES

3 Steves Winery	Jackson Cellars / Mitchell Katz
Arroyo Cellars	Las Positas Vineyards
Beck Family Vineyards	Leisure Street Winery
Bent Creek Winery	Longevity Wines
Big White House, LLC	Madison Vineyards
BoaVentura de Caires Winery	McGrail Vineyards and Winery
Bodegas Aguirre	Murrietas Well
Caddis Winery	Nella Terra Cellars
Cedar Mountain Winery	Nottingham Cellars
Charles R Vineyards	Occasio Winery
Chateau Bellevue	Odiesa Wine Company
Chouinard Vineyards	Omega Road Winery
Concannon Vineyards	Page Mill Winery
Crooked Vine/Stoney Ridge	Pat Paulsen Vineyards
Cuda Ridge Wines	Retzlaff Vineyards
Dante Robere Vineyards	Ricigliano LLC
Darcie Kent Vineyards LLC	Rios-Lovell Winery
Del Sole Winery, LLC	Rodrigue Molyneaux Winery
Del Valle Winery	Rosa Fierro Cellars
Eagle Ridge Vineyard	
Ehrenberg Cellars	Steven Kent Winery
Elliston	Tenuta Vineyard
Enoteca Five	Tesla Vinters
Favalora Vineyards	The Lineage Collection
Fenestra Winery	Vintagio Wines
Garre' Vineyard and Winery	Wente Family Estates
	Westover Vineyards
Iron Palm Winery	Wood Family Vineyards

* The list was developed with the most reliable information provided; however, the list may contain discrepancies. This list shall include any future to-be opened businesses. Any business that may have been missed in this list, but is still within the boundaries of the LVWHD, shall also be subject to assessment.

Boundary Map



IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA
A RESOLUTION REQUESTING CONSENT OF THE COUNTIES OF
ALAMEDA AND CONTRA COSTA, AND THE CITIES OF DANVILLE
AND DUBLIN TO FORM THE LIVERMORE VALLEY WINE HERITAGE
DISTRICT

The City Council of the City of Livermore (the "Council") desires to begin proceedings to form the Livermore Valley Wine Heritage District ("LVWHD") as requested by certain business owners.

A portion of the territory proposed to be included in the proposed LVWHD lies within the boundaries of the Counties of Alameda and Contra Costa (the "counties"), and the cities of Livermore and Dublin (the "cities"), and the Town of Danville ("Town") as shown on the map attached hereto as Exhibit A and incorporated herein by such attachment.

The area of the counties, cities and Town which lies within the boundaries of the proposed formed LVWHD will, in the opinion of the Council, be benefited by the improvements and activities, and the purpose sought to be accomplished by the work can best be accomplished by a single comprehensive scheme of work.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore, that:

Section 1: The above recitals are true and correct.

Section 2: Consent of the counties, cities and Town, through their Boards of Supervisors and their City or Town Councils, is hereby requested to create the LVWHD, and to grant to the Council jurisdiction for all the purposes in connection with creation, operation and future renewals of the proposed LVWHD.

Section 3: The Clerk of the Council is hereby directed to transmit a certified copy of this Resolution to the clerks of the Counties of Alameda and Contra Costa, the City of Danville, and the Town of Dublin.

On motion of Vice Mayor Munro, seconded by Council Member Bonanno, the foregoing resolution was passed and adopted on September 13, 2021, by the following vote:

AYES: Council Members Bonanno, Carling, Kiick, Vice Mayor Munro, and Mayor Woerner
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:

DocuSigned by:
Marie Weber
803704826BC44BB...

Marie Weber
City Clerk
9/17/2021 | 5:10 PM PDT

APPROVED AS TO FORM:

DocuSigned by:
Kelly Trujillo
DEECE789448249E...

Kelly J. Trujillo
Assistant City Attorney



**Contra
Costa
County**

To: Board of Supervisors
From: Monica Nino, County Administrator
Date: October 5, 2021

Subject: Clear outstanding cash balances and inactivate Office of Revenue Collection funds

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Auditor-Controller to transfer a cash balance of \$599.88 in fund 831200, Office of Revenue Collection Trust, and a cash balance of \$77,100.37 in fund 832700, Office of Revenue Parking Collection, to fund 100300/0005, County General Fund-General Purpose Revenue, and to inactivate funds 831200 and 832700.

FISCAL IMPACT:

The combined balance of \$77,700.25 will be transferred to the County General Fund-General Purpose Revenue (fund 100300/0005)

BACKGROUND:

The Contra Costa Office of Revenue Collection (ORC) ceased operating on July 1, 2010. Monies in the amount of \$77,700.25 that it had collected for various departments remain in its accounts. No reliable records have been located that would identify the department(s) to which the monies belong. Both of the ORC accounts that have a cash balance, the Office of Revenue Collection Trust Fund (831200) and the Office of Revenue Parking Collection Fund (832700), have had

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Laura Strobel (925)
655-2058

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

BACKGROUND: (CONT'D)

no activity since fiscal year 2010-2011.

As part of the County project of implementing a new finance system, the Office of the Auditor-Controller is analyzing the accounts in the current finance system. If this item is approved, the Auditor-Controller's Office will transfer the cash balances in ORC funds 831200 and 832700 to the County General Fund-General Purpose Revenue (fund 100300/0005) and will then inactivate these accounts.

CONSEQUENCE OF NEGATIVE ACTION:

The cash balances will not be transferred, and the funds will not be inactivated.



Contra
Costa
County

To: Board of Supervisors
From: Robert Campbell, Auditor-Controller
Date: October 5, 2021

Subject: Annual Report on Revolving and Cash Difference Funds, Overage Fund, and Shortages for fiscal year 2020-2021

RECOMMENDATION(S):

ACCEPT the Annual Report on Revolving and Cash Difference Funds, Overage Fund, and Shortages for fiscal year 2020-2021 from the County Auditor-Controller.

FISCAL IMPACT:

None.

BACKGROUND:

Provisions of Government Code Sections 29321.1 and 29370.1 and Contra Costa County Board of Supervisors Resolution No. 92/525 authorize the County Auditor-Controller to establish, increase, reduce, or discontinue Revolving Funds and Cash Difference Funds. Provisions of Government Code Sections 29380.1 and 29390.1 and Contra Costa County Board of Supervisors Resolution No. 83/1062 authorize the County Auditor-Controller to replenish the Cash Difference Funds and to transfer money in the Overage Fund to the General Fund. With respect to those authorities and to conform with Government Code Sections 29321.1, 29370.1, 29380.1, and 29390.1, the County Auditor-Controller submits this report showing the officers and details of the balances of the Revolving and Cash Difference Funds, Overage Fund, and Shortages for fiscal year 2020-2021.

CONSEQUENCE OF NEGATIVE ACTION:

The County Auditor-Controller would not comply with Government Code Sections 29321.1, 29370.1, 29380.1, and 29390.1.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Joanne Bohren,
925-335-8610

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

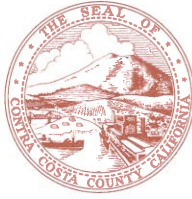
cc:

ATTACHMENTS

Annual
Report_2021

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

October 5, 2021

TO: Honorable Board of Supervisors

FROM: Robert R. Campbell, Auditor-Controller

A handwritten signature in blue ink, appearing to be "R. Campbell", written over the printed name.

SUBJECT: Annual Report on Revolving and Cash Difference Funds, Overage Fund, and Shortages

Provisions of Government Code Sections 29321.1 and 29370.1 and the Contra Costa County Board of Supervisor's Resolution No. 92/525 authorize the County Auditor-Controller to establish, increase, reduce or discontinue Revolving Funds and Cash Difference Funds.

Provisions of Government Code Sections 29380.1 and 29390.1 and the Contra Costa County Board of Supervisor's Resolution No. 83/1062 authorize the County Auditor-Controller to replenish the Cash Difference Funds and to transfer money in the Overage Fund to the General Fund.

With respect to those authorities and to conform to Government Code Sections 29321.1, 29370.1, 29380.1, and 29390.1, this report is submitted to show the details of the following balances as of and for the year ended June 30, 2021.

Revolving and Cash Difference Funds within General Fund 100300	\$ 301,980.00
Other Revolving Funds	34,113.02
Overage	3,016.99
Shortages	82,942.47

Balances of Revolving Funds and Cash Difference Funds Within General Fund 100300

Account #	Title	Officer	Amount
0020-0004	Building Inspection	John Kopchik, Director	\$ 1,600.00
0020-0005	Probation	Esa Ehmen-Krause, Probation Officer	4,050.00
0020-0008	Sheriff-Coroner	David O. Livingston, Sheriff-Coroner	16,000.00
0020-0009	Social Services	Kathy Gallagher, Director	12,000.00
0020-0011	In Home Support Services	Kathy Gallagher, Director	500.00
0020-0012	Public Works Petty Cash	Brian Balbas, Director	3,640.00
0020-0013	Personnel Petty Cash	Ann Elliott, Director	700.00
0020-0014	Agriculture Petty Cash	Matthew Slattengren, Commissioner-Director	450.00
0020-0016	Treasurer-Tax Collector	Russell V. Watts, Treasurer-Tax Collector	895.00
0020-0017	County Counsel	Mary Ann McNett Mason, County Counsel	50.00
0020-0019	County Administrator	Monica Nino, County Administrator	100.00
0020-0023	County Clerk-Recorder	Deborah Cooper, Clerk-Recorder	2,620.00
0020-0027	Health Services	Anna Roth, RN, MS, MPH, Director	640.00
0020-0032	Auditor-Controller	Robert R. Campbell, Auditor-Controller	200.00
0020-0035	Community Services	Kathy Gallagher, Director	3,700.00
0020-0037	District Attorney	Diana Becton, District Attorney	50,000.00
0020-0039	Public Defender	Robin Lipetzky, Public Defender	1,000.00
0020-0041	Office of Emergency Services	David O. Livingston, Sheriff-Coroner	100.00
0020-0043	Animal Services	Beth Ward, Director	1,350.00
0020-0045	Veterans' Resources Center	Nathan D. Johnson, Veteran's Services Officer	50.00
0020-0046	Assessor	Gus S. Kramer, Assessor	160.00
0020-0049	EHS Immediate Need Imprest	Kathy Gallagher, Director	200,000.00
0020-0051	Public Administrator	Anna Roth, RN, MS, MPH, Director	2,000.00
0020-0053	MAC Bay Point	Federal D. Glover, Supervisor, District V	100.00
0020-0058	Risk Management	Karen Caoile, County Risk Manager	75.00
		Total	<u>\$ 301,980.00</u>

Balances of Revolving Funds and Cash Difference Funds Other Than General Fund

Fund & Account #	Title	Officer	Amount
113100-0020	DA Forfeiture-Fed DOJ	Diana Becton, District Attorney	\$ 3,500.00
113400-0020	CCC Dept. Child Spprt Svcs	Melinda Self, Director	600.00
120600-0020	County Library	Alison McKee, County Librarian	2,710.00
131100-0010	Treasurer-Tax Collector	Russell V. Watts, Treasurer-Tax Collector	(23,746.98)
140100-0020	Airport Enterprise	Brian Balbas, Director	400.00
145000-0020	Hospital Enterprise	Anna Roth, RN, MS, MPH, Director	37,000.00
202000-0020	CCC Fire Protection	Chief Lewis Broschard	500.00
248900-0020	County Service Area M-17	Brian Balbas, Director	5,000.00
275800-0020	County Service Area R-7	Brian Balbas, Director	5,000.00
276000-0020	County Service Area R-10	Brian Balbas, Director	3,000.00
816100-0020-0048	Law Library Trust	Carey Rowan, Director	<u>150.00</u>
		Total	<u>\$ 34,113.02</u>

Overages

Overage Fund 810900

Account #	Title	Amount
OF 5000016	Assessor's Office	\$ 0.09
OF 5000355	Recorder's Office	2,962.77
OF 5001500	Risk Management	1.13
OF 5004500	Public Works	<u>53.00</u>
	Grand Total	<u>\$ 3,016.99</u>

Overages were transferred to General Fund Revenue on July 31, 2021, as permitted by Government Code Section 29380.1.

Shortages

Fund and Account #	Title	Amount
100300-0015	Treasurer-Tax Collector	2,825.30
100300-0025	Management Information System	4,801.85
100300-0242	District Attorney*	74,441.53
100300-0300	Sheriff	626.42
100300-0308	Probation	147.37
100300-0355	Clerk-Recorder	42.00
100300-0501	Employment & Human Services	35.00
145000-0504	Health Services	<u>23.00</u>
	Total	<u>\$ 82,942.47</u>

Shortages were replenished during fiscal year 2020-2021 in accordance with Government Code Section 29390.1.

*Reimbursement for the shortage was received on July 27, 2021.



**Contra
Costa
County**

To: Board of Supervisors
From: Mary Ann Mason, County Counsel
Date: October 5, 2021

Subject: Conflict of Interest Code for the Learner-Centered School, Inc.

RECOMMENDATION(S):

APPROVE amended Conflict of Interest Code for the Learner-Centered School, Inc.

FISCAL IMPACT:

None.

BACKGROUND:

The Learner-Centered School, Inc. ("Charter School") has amended its Conflict of Interest Code and submitted the revised code, attached as Exhibit A, to the Board for approval pursuant to Government Code sections 87306 and 87306.5.

The revisions to the Conflict of Interest Code for the Charter School include updates to the assigned disclosure categories for the list of positions designated to file a statement of economic interest. A strike-out version of the Conflict of Interest Code is included as Exhibit B. These changes will ensure that the Conflict of Interest Code accurately reflects the required disclosures for the designated positions of the Charter School.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Kurtis C. Keller, Deputy County Counsel, (925) 655-2200

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Kurtis C. Keller, Deputy County Counsel, Monica Nino, Clerk of the Board of Supervisors, Sheri Thompson, Operations Manager, The Learner-Centered School, Inc.

ATTACHMENTS

Exhibit A - Conflict of Interest Code for The Learner-Centered School, Inc.

Exhibit B - Conflict of Interest Code for The Learner-Centered School, Inc. -
STRIKE-OUT

THE LEARNER-CENTERED SCHOOL, INC.

CONFLICT OF INTEREST CODE

I. ADOPTION

In compliance with the Political Reform Act of 1974, California Government Code Section 87100, et seq., The Learner-Centered School, Inc. hereby adopts this Conflict of Interest Code (“Code”), which shall apply to all governing board members and all other designated employees of The Learner-Centered School, Inc. (“Charter School”), as specifically required by California Government Code Section 87300.

II. DEFINITION OF TERMS

As applicable to a California public charter school, the definitions contained in the Political Reform Act of 1974, the regulations of the Fair Political Practices Commission, specifically California Code of Regulations Section 18730, and any amendments or modifications to the Act and regulations are incorporated by reference to this Code.

III. DESIGNATED EMPLOYEES

Employees of this Charter School, including governing board members, who hold positions that involve the making or participation in the making, of decisions that may foreseeably have a material effect on any financial interest, shall be “designated employees.” The designated positions are listed in “Exhibit A” attached to this policy and incorporated by reference herein.

IV. STATEMENT OF ECONOMIC INTERESTS: FILING

Each designated employee, including governing board members, shall file a Statement of Economic Interest (“Statement”) at the time and manner prescribed by California Code of Regulations, title 2, section 18730, disclosing reportable investments, interests in real property, business positions, and income required to be reported under the category or categories to which the employee’s position is assigned in “Exhibit A.”

An investment, interest in real property or income shall be reportable, if the business entity in which the investment is held, the interest in real property, the business position, or source of income may foreseeably be affected materially by a decision made or participated in by the designated employee by virtue of his or her position. The specific disclosure responsibilities assigned to each position are set forth in “Exhibit B.”

Statements Filed With the Charter School. All Statements shall be supplied by the Charter School. All Statements shall be filed with the Charter School. The Charter School’s filing official shall make and retain a copy of the Statement and forward the original to the County Board of Supervisors.

V. DISQUALIFICATION

No designated employee shall make, participate in making, or try to use his/her official position to influence any Charter School decision which he/she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family.

VI. MANNER OF DISQUALIFICATION

A. Non-Governing Board Member Designated Employees

When a non-Governing Board member designated employee determines that he/she should not make a decision because of a disqualifying interest, he/she should submit a written disclosure of the disqualifying interest to his/her immediate supervisor. The supervisor shall immediately reassign the matter to another employee and shall forward the disclosure notice to a Co-Administrator, who shall record the employee's disqualification. In the case of a designated employee who is head of an agency, this determination and disclosure shall be made in writing to his/her appointing authority.

B. Governing Board Member Designated Employees

The Corporation shall not enter into a contract or transaction in which a director directly or indirectly has a material financial interest (nor any other corporation, firm, association, or other entity in which one or more of the Corporation's directors are directors and have a material financial interest).

EXHIBIT A

Designated Positions

<u>Designated Position</u>	<u>Assigned Disclosure Category</u>
Members of the Governing Board	1, 2, 3
CEO/President	1, 2, 3
Chairman of the Board	1, 2, 3
CFO/Treasurer	1, 2, 3
Secretary	1, 2, 3
Co-Administrators of Charter School	1, 2, 3
Chief Business Officer	1, 2, 3
Financial Director	1, 2, 3
Operations Manager	1, 2, 3
Office Manager	1, 2, 3
Information Systems Technician	2, 3
Consultants/New Positions	*

*Consultants/New Positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation:

A Co-Administrator may determine in writing that a particular consultant or new position, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant’s or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. A Co-Administrator’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code (Government Code § 81008).

EXHIBIT B

Disclosure Categories

Category 1

Designated positions assigned to this category must report:

- a) Interests in real property that are located in whole or in part within a two-mile radius:
 - of any school district that has authorized a charter school operated by The Learner-Centered School, Inc., or
 - of any facility utilized by The Learner-Centered School, Inc.'s charter schools, or
 - of a proposed site for The Learner-Centered School, Inc. facility.

- b) Investments and business positions in business entities, and sources of income (including gifts, loans, and travel payments) of the type that engage in the purchase or sale of real property or are engaged in building construction or design.

Category 2

Designated positions assigned to this category must report:

- a. Investments and business positions in business entities and sources of income (including receipt of gifts, loans, and travel payments) that are contractors engaged in the performance of work or services, or sources that manufacture, sell, repair, rent or distribute school supplies, books, materials, school furnishings or equipment of the type to be utilized by The Learner-Centered School, Inc.

Category 3

Designated positions assigned to this category must report:

- a. Investments and business positions in business entities and sources of income (including receipt of gifts, loans, and travel payments) that are contractors engaged in the performance of work or services, or sources that manufacture, sell, repair, rent or distribute school supplies, books, materials, school furnishings or equipment of the type to be utilized by the designated position's department.

THE LEARNER-CENTERED SCHOOL, INC.

CONFLICT OF INTEREST CODE

I. ADOPTION

In compliance with the Political Reform Act of 1974, California Government Code Section 87100, et seq., The Learner-Centered School, Inc. hereby adopts this Conflict of Interest Code ("Code"), which shall apply to all governing board members and all other designated employees of The Learner-Centered School, Inc. ("Charter School"), as specifically required by California Government Code Section 87300.

II. DEFINITION OF TERMS

As applicable to a California public charter school, the definitions contained in the Political Reform Act of 1974, the regulations of the Fair Political Practices Commission, specifically California Code of Regulations Section 18730, and any amendments or modifications to the Act and regulations are incorporated by reference to this Code.

III. DESIGNATED EMPLOYEES

Employees of this Charter School, including governing board members, who hold positions that involve the making or participation in the making, of decisions that may foreseeably have a material effect on any financial interest, shall be "designated employees." The designated positions are listed in "Exhibit A" attached to this policy and incorporated by reference herein.

IV. STATEMENT OF ECONOMIC INTERESTS: FILING

Each designated employee, including governing board members, shall file a Statement of Economic Interest ("Statement") at the time and manner prescribed by California Code of Regulations, title 2, section 18730, disclosing reportable investments, interests in real property, business positions, and income required to be reported under the category or categories to which the employee's position is assigned in "Exhibit A."

An investment, interest in real property or income shall be reportable, if the business entity in which the investment is held, the interest in real property, the business position, or source of income may foreseeably be affected materially by a decision made or participated in by the designated employee by virtue of his or her position. The specific disclosure responsibilities assigned to each position are set forth in "Exhibit B."

Statements Filed With the Charter School. All Statements shall be supplied by the Charter School. All Statements shall be filed with the Charter School. The Charter School's filing official shall make and retain a copy of the Statement and forward the original to the County Board of Supervisors.

V. DISQUALIFICATION

No designated employee shall make, participate in making, or try to use his/her official position to influence any Charter School decision which he/she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family.

VI. MANNER OF DISQUALIFICATION

A. Non-Governing Board Member Designated Employees

When a non-Governing Board member designated employee determines that he/she should not make a decision because of a disqualifying interest, he/she should submit a written disclosure of the disqualifying interest to his/her immediate supervisor. The supervisor shall immediately reassign the matter to another employee and shall forward the disclosure notice to a Co-Administrator, who shall record the employee's disqualification. In the case of a designated employee who is head of an agency, this determination and disclosure shall be made in writing to his/her appointing authority.

B. Governing Board Member Designated Employees

The Corporation shall not enter into a contract or transaction in which a director directly or indirectly has a material financial interest (nor any other corporation, firm, association, or other entity in which one or more of the Corporation's directors are directors and have a material financial interest).

EXHIBIT A

Designated Positions

<u>Designated Position</u>	<u>Assigned Disclosure Category</u>
Members of the Governing Board	1, 2, 3
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CFO/Treasurer	1, 2, 3
Secretary	1, 2, 3
Co-Administrators of Charter School	1, 2, 3
Chief Business Officer	1, 2, 3
Financial Director	1, 2, 3
Operations Manager	1, 2, 3
Office Manager	1, 2, 3
Information Systems Technician	2, 3
Consultants/New Positions	*

*Consultants/New Positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation:

A Co-Administrator may determine in writing that a particular consultant or new position, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant’s or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. A Co-Administrator’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code (Government Code § 81008).

EXHIBIT B

Disclosure Categories

Category 1

Designated positions assigned to this category must report:

- a) Interests in real property that are located in whole or in part within a two-mile radius:
 - of any school district that has authorized a charter school operated by The Learner-Centered School, Inc., or
 - of any facility utilized by The Learner-Centered School, Inc.'s charter schools, or
 - of a proposed site for The Learner-Centered School, Inc. facility.

- b) Investments and business positions in business entities, and sources of income (including gifts, loans, and travel payments) of the type that engage in the purchase or sale of real property or are engaged in building construction or design.

Category 2

Designated positions assigned to this category must report:

- a. Investments and business positions in business entities and sources of income (including receipt of gifts, loans, and travel payments) that are contractors engaged in the performance of work or services, or sources that manufacture, sell, repair, rent or distribute school supplies, books, materials, school furnishings or equipment of the type to be utilized by The Learner-Centered School, Inc.

Category 3

Designated positions assigned to this category must report:

- a. Investments and business positions in business entities and sources of income (including receipt of gifts, loans, and travel payments) that are contractors engaged in the performance of work or services, or sources that manufacture, sell, repair, rent or distribute school supplies, books, materials, school furnishings or equipment of the type to be utilized by the designated position's department.



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Payment for Services Provided by Steris Corporation

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Auditor-Controller, or designee, to pay an amount not to exceed \$8,914 to Steris Corporation, a corporation, for repair and maintenance services on infection prevention equipment at Contra Costa Regional Medical Center (CCRMC) and Health Centers provided in good faith for the period March 1, 2021 through May 31, 2021.

FISCAL IMPACT:

This one-time payment in an amount not to exceed \$8,914 for the period March 1, 2021 through May 31, 2021 is funded 100% by Hospital Enterprise Fund I revenue.

BACKGROUND:

CCRMC has been contracting with Steris Corporation, since June 2019 to provide repair and maintenance services on infection prevention equipment at CCRMC and Health Centers.

On June 18, 2019, the Board of Supervisors approved Contract #76-644 with Steris Corporation, in an amount not to exceed \$262,212 to provide repair and maintenance services on infection prevention equipment at CCRMC and Health Centers for the period June 1, 2019 through May 31, 2021.

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

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Jaspreet Benepal,
925-370-5101

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

BACKGROUND: (CONT'D)

On April 14, 2020, the Board of Supervisors approved Amendment Agreement #76-644-1, to increase the payment limit from \$262,212 to a new payment limit of \$305,309, with no change in the original term of June 1, 2019 through May 31, 2021.

As the infection prevention equipment have gotten older, they require additional replacement parts that they didn't need in previous years. An amendment to increase the payment limit was delayed, and the contract expired before the amendment was processed. Steris Corporation continued to provide repair and maintenance services in good faith for the period March 1, 2021 through May 31, 2021, which exceeded the payment limit by \$8,913.30.

Therefore, the County has determined that Steris Corporation, is entitled to payment for the reasonable value of their services under the equitable 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, Steris Corporation will not be paid for repair and maintenance services provided at CCRMC and Health Centers outside of the contract payment limit rendered in good faith.

ATTACHMENTS



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Payments for Services Provided by Amador Institute, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Auditor-Controller, or designee, to pay \$31,683 to Amador Institute, Inc., a non-profit corporation, for mental health services provided to recipients of the CalWORK's Program, for the period January 1, 2021 through March 31, 2021.

FISCAL IMPACT:

Approval of this payment will result in a one-time payment of \$31,683 for services rendered between January 1, 2021 and March 31, 2021 and will be funded by 100% CalWORKS revenues.

BACKGROUND:

The Health Services Department has been contracting with Amador Institute, Inc., since July 1, 2018 to provide mental health services to recipients of the CalWORK's Program and their families.

In August 2020, the County Administrator approved and the Purchasing Services Manager executed Contract #74-565-3 (as amended by Contact Amendment Agreement #74-565-4) with Amador Institute, Inc. in an amount of \$73,708 to provide mental health services to recipients of the CalWORKs Program and their children,

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Suzanne Tavano, Ph.D.,
925-957-5169

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Alaina Floyd, marcy.wilham

BACKGROUND: (CONT'D)

including individual, group and family collateral counseling, case management, and medication management services, to reduce barriers to employment for the period from July 1, 2020 through June 30, 2021.

In September 2021, the County Administrator approved and the Purchasing Services Manager executed Contract Amendment Agreement #74-565-4 with Amador Institute, Inc. to increase the payment limit by \$50,000 from \$73,708 to a new payment limit of \$123,708 to provide additional mental health services to recipients of the CalWORKs Program and their children, including individual, group and family collateral counseling, case management, and medication management services, to reduce barriers to employment for the period from July 1, 2020 through June 30, 2021.

The contractor was required to provide additional staffing necessary to serve County referred clients, however, the contract was not amended to increase the payment limit prior to the expiration of the contract. The contractor is entitled to payment for the reasonable value of its services under the equitable relief theory of quantum meruit. That theory provides that where a contractor has been asked to provide services without a valid contract, and the contractor does so to the benefit of the County, the contractor is entitled to recover the reasonable value of those services. The contractor has provided services at the request of the County after the original contract payment limit had been reached. The Department cannot pay the contractor for services rendered that exceed the contract limits. As such, the Department recommends that the Board authorize the Auditor-Controller to issue a one-time payment not to exceed \$31,683 to Amador Institute, Inc.

CONSEQUENCE OF NEGATIVE ACTION:

If this request is not approved, the contractor will not be paid for services requested by County staff and provided by the contractor in good faith.

ATTACHMENTS



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Unpaid Student Training Agreement #74-635 with Contra Costa Medical Career College, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Unpaid Student Training Agreement #74-635 with Contra Costa Medical Career College, Inc., a corporation, to provide supervised field instruction at Contra Costa Behavioral Health program sites for clerical/administrative externship students, for the period from October 1, 2021 through September 30, 2025.

FISCAL IMPACT:

There is no fiscal impact, this is a nonfinancial agreement.

BACKGROUND:

The purpose of this agreement is to provide Contra Costa Medical Career College, Inc. students with the opportunity to integrate academic knowledge with applied skills at progressively higher levels of performance and responsibility. Supervised fieldwork experience for students is considered to be an integral part of both educational and professional preparation. The Health Services Department can provide the requisite field education, while at the same time, benefitting from the students' services to patients.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Suzanne Tavano, Ph.D.
925-957-5212

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Alaina Floyd, marcy.wilham

BACKGROUND: (CONT'D)

Approval of Unpaid Student Training Agreement #74-635 with Contra Costa Medical Career College, Inc. will allow students to receive supervised fieldwork instruction experience at Contra Costa Behavioral Health program sites through September 30, 2025.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the students will not receive supervised fieldwork instruction experience at Contra Costa Behavioral Health program sites.



Contra
Costa
County

To: Board of Supervisors
From: Mary Ann Mason, County Counsel
Date: October 5, 2021

Subject: Conflict of Interest Code for the Acalanes Union High School District

RECOMMENDATION(S):

APPROVE amendments to the Conflict of Interest Code for the Acalanes Union High School District ("District"), including the list of designated positions.

FISCAL IMPACT:

None.

BACKGROUND:

The District amended its list of designated positions in the Appendix to its Conflict of Interest Code and submitted the revised Appendix to the Board for approval pursuant to Government Code sections 87306 and 87306.5. The Appendix has been revised to delete one position and revise the title of one position. A final version of the Appendix is attached hereto as Exhibit A.

These changes will ensure that the Conflict of Interest Code accurately reflects the current positions and organizational structure in use by the District. A strike-out version of the Appendix is attached as Exhibit B.

CONSEQUENCE OF NEGATIVE ACTION:

None.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Kurtis C. Keller, Deputy County Counsel, (925) 655-2200

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Monica Nino, Clerk of the Board of Supervisors, Kurtis C. Keller, Deputy County Counsel, Christopher Severson, President, AUHSD

ATTACHMENTS

Exhibit A - Appendix to the Conflict of Interest Code of the Acalanes Union High School District

Exhibit B - Appendix to the Conflict of Interest Code of the Acalanes Union High School District -
STRIKEOUT

**Acalanes Union High School District
Conflict of Interest
Resolution No. 21-22-07**

APPENDIX

Disclosure Categories

1. Category 1: A person designated Category 1 shall disclose:
 - a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.
 - b. Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the district, are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or manufacture or sell supplies, books, machinery, or equipment of the type used by the district.
2. Category 2: A person designated Category 2 shall disclose:
 - a. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.
 - b. Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.
3. Full Disclosure: Because it has been determined that the district's Board members and/or Superintendent "manage public investments," they and other persons designated for "full disclosure" shall disclose, in accordance with Government Code 87200:
 - a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.
 - b. Investments, business positions, and sources of income, including gifts, loans, and travel payments.

**Acalanes Union High School District
 Conflict of Interest
 Resolution No. 21-22-07**

APPENDIX

Designated Position and Disclosure Category

Designated Position	Category
Governing Board Members	1
Superintendent of Schools	1
Associate Superintendent, Administrative Services	1
Chief Business Official	1
Purchasing Specialist	1
Director of Special Education and Auxiliary Services	2
Director of Educational Services	2
Director of Del Valle Education Center	2
Director of Fiscal Services	2
Principal	2
Associate Principal	2
Director of Facilities	2
Director of Custodial, Facility Use & Aquatics	2
Coordinator of Food Services & Safety Program	2
Coordinator of Alternative Education	2
Network Manager	2

Disclosures for Consultants

Consultants are designated employees who must disclose financial interests as determined on a case-by-case basis by the Superintendent or designee. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the district, makes a governmental decision whether to: (2 CCR 18701)

1. Approve a rate, rule, or regulation
2. Adopt or enforce a law
3. Issue, deny, suspend, or revoke a permit, license, application, certificate, approval, order, or similar authorization or entitlement
4. Authorize the district to enter into, modify, or renew a contract that requires district approval

**Acalanes Union High School District
Conflict of Interest
Resolution No. 21-22-07**

APPENDIX

5. Grant district approval to a contract that requires district approval and in which the district is a party, or to the specifications for such a contract
6. Grant district approval to a plan, design, report, study, or similar item
7. Adopt or grant district approval of district policies, standards, or guidelines

A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participates in making a governmental decision as defined in 2 CCR 18702.2 or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's conflict of interest code. (2 CCR 18701)

**Acalanes Union High School District
Conflict of Interest
Resolution No. 21-22-07**

APPENDIX

Designated Position and Disclosure Category

Designated Position	Category
Governing Board Members	1
Superintendent of Schools	1
Associate Superintendent, Educational Services	1
Associate Superintendent, Administrative Services	1
Chief Business Official	1
Purchasing Specialist	1
Director of Special Education and Auxiliary Services	2
Director of Educational Services Curricular Innovation and Educational Technology	2
Director of Del Valle Education Center	2
Director of Fiscal Services	2
Principal	2
Associate Principal	2
Director of Facilities	2
Director of Custodial, Facility Use & Aquatics	2
Coordinator of Food Services & Safety Program	2
Coordinator of Alternative Education	2
Network Manager	2

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Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 5, 2021

Subject: Amendment to Memorandum of Agreement #28-940-3 with City of San Pablo

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Service Director, or designee to execute Amendment Memorandum of Agreement #28-940-3 with City of San Pablo, to allow the County to modify the hours of operations and extend the term from September 30, 2021 to December 31, 2021 for the use of the City's Davis Park Multi-Purpose Room for COVID-19 vaccination and testing services.

FISCAL IMPACT:

There is no cost to the County associated with signing this MOA.

BACKGROUND:

On November 10, 2020, the Board of Supervisors approved Memorandum of Agreement #28-940 with the City of San Pablo to allow the County to provide COVID-19 testing services at its Davis Park Multi-Purpose Room located at 1667 Folsom Avenue, San Pablo, California, for the period from November 16, 2020 through June 30, 2021. This MOA includes mutual indemnification.

On November 17, 2020, Amendment Agreement #28-940-1 modified the MOU to change the language regarding hours of operations with no change in the term. In March 2021, Amendment Agreement #28-940-2 modified the MOU to extend the term of the Agreement from June 30, 2021 to September 30, 2021.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/05/2021** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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

ATTESTED: October 5, 2021

Contact: Anna Roth,
925-957-2670

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Marcy Wilhelm

BACKGROUND: (CONT'D)

Approval of Amendment Memorandum of Agreement #28-940-3 will allow the County to modify the hours of operations and extend the term from September 30, 2021 to December 31, 2021.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved the hours of operations would not be able to be modified as needed.