

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**

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

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

As permitted by Government Code section 54953 (e), and in accordance with the County Public Health Officer's recommendations for virtual meetings and social distancing, Board members may participate in the meeting remotely. The Board meeting will be accessible in-person, via television, and via live-streaming to all members of the public. 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 on the agenda may comment in person or may call in during the meeting by dialing **888-278-0254** followed by the access code **843298#**. A caller should indicate they wish to speak on an agenda item, by pushing "#2" on their phone. Access via Zoom is also available using the following link: <https://ccccounty-us.zoom.us/j/87344719204>. Those participating via Zoom should indicate they wish to speak on an agenda item by using the "raise your hand" feature in the Zoom app. To provide contact information, please contact Clerk of the Board at clerkoftheboard@cob.cccounty.us or call 925-655-2000.

Meetings of the Board are closed-captioned in real time. Public comment generally will be limited to two minutes. The Board Chair may adjust the amount of time allotted per speaker at the beginning of each item or public comment period depending on the number of speakers and the business of the day. Your patience is appreciated. A Spanish language interpreter is available to assist Spanish-speaking commenters.

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 18, 2022

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

Closed Session

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

1. Agency Negotiators: Monica Nino.

Employee Organizations: Public Employees Union, Local 1; AFSCME Locals 512 and 2700; California Nurses Assn.; SEIU Locals 1021 and 2015; District Attorney Investigators' Assn.; Deputy Sheriffs Assn.; United Prof. Firefighters I.A.F.F., Local 1230; Physicians' & Dentists' Org. of Contra Costa; Western Council of Engineers; United Chief Officers Assn.; Contra Costa County Defenders Assn.; Contra Costa County Deputy District Attorneys' Assn.; Prof. & Tech. Engineers IFPTE, Local 21; and Teamsters Local 856.

2. Agency Negotiators: Monica Nino.

Unrepresented Employees: All unrepresented employees.

B. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

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

Inspirational Thought- *"You can't reach for anything new if your hands are full of yesterday's junk."* ~Louise Smith, race car driver

CONSIDER CONSENT ITEMS (Items listed as C.1 through C.54 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 from the Family Justice Center about their new TeleCare and Trauma Recovery Center Programs. (Supervisor Mitchoff)

DISCUSSION ITEMS

- D.1** CONSIDER waiving the 180-day "sit-out" period for Flordeliza Eaton, Senior Clinical Laboratory Scientist (VHNA), in the Health Services Department, FIND that the appointment of Flordeliza Eaton is necessary to fill a critically needed position, and APPROVE and AUTHORIZE the hiring of retiree Flordeliza Eaton as a temporary, County employee for the period of October 17, 2022 through October 17, 2023. (Anna Roth, Health Services Director)
- D.2** HEARING to consider the proposed adoption of Resolution No. 2022/358 to form Zone 2609 within County Service Area P-6 (Police Services) for Subdivision No. 9573 in the unincorporated Martinez area of the County for County File #CDS21-09573. (Jennifer Cruz, Department of Conservation and Development)
- D.3** HEARING to consider adopting Resolution No. 2022/359 and Ordinance No. 2022-31, authorizing the levy of a special tax for police protection services in Zone 2609 of County Service Area P-6 for Subdivision No. 9573 (County File #SD21-09573) in the unincorporated Martinez area of the County, and fixing an election on December 20, 2022, to obtain voter approval. (Jennifer Cruz,

Department of Conservation and Development).

- D.4** RECEIVE update on the activities and oversight of the County's Head Start Programs and CONSIDER APPROVING Head Start Agency Governance Policy No. 22-60. (Marla Stuart, Employment and Human Services Director)
- D.5** ACCEPT report on general liability cost allocation for County departments and associated with contracts between the County and certain cities for the provision of city police services by the Office of the Sheriff (Adam Nguyen, County Finance Director)
- D.6** RECEIVE report on the proposed policies, guidelines, and procedures to implement the one-time Measure X-funded Innovation Fund to be administered by the County Administrator's Office and CONSIDER recommendation of the Finance Committee to modify the eligibility for the Innovation Fund to exclude County departments, cities and other governmental agencies and include only nonprofit Contra Costa community-based organizations. (Supervisor Gioia)

D. 7 CONSIDER Consent Items previously removed.

D. 8 PUBLIC COMMENT (2 Minutes/Speaker)

D. 9 CONSIDER reports of Board members.

Closed Session

ADJOURN

CONSENT ITEMS

Road and Transportation

- C. 1** ADOPT Resolution No. 2022/353 approving and authorizing the Public Works Director, or designee, to fully close all of Maple Lane, on November 5, 2022 from 11:00 a.m. through 6:00 p.m., for the purpose of a neighborhood social event, Walnut Creek area. (No fiscal impact)
- C. 2** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with the City of Walnut Creek to reimburse the City in an amount not to exceed \$100,000 for the labor, materials and equipment charges related to the roadway surface treatment of Las Lomas Way, Walnut Creek area. (100% Local Road Funds)

- C. 3 APPROVE and AUTHORIZE the Public Works Director, or designee, to execute an amendment to a right of entry permit with the State of California, Department of Parks and Recreation, to pay the State \$500 for the County's continued use of state-owned property within Assessor's Parcel Number 007-380-011 for an additional 19 months, through December 14, 2024, in connection with the County's Marsh Creek Road Bridges Replacement Project, Brentwood area. (89% Federal Highway Bridge Program Funds, 11% Local Road Funds)

Engineering Services

- C. 4 ADOPT Resolution No. 2022/354 accepting completion of the warranty period for the Subdivision Agreement and release of cash deposit for subdivision SD14-09389, for a project developed by Laurel Ranch III, LLC, as recommended by the Public Works Director, Concord area. (100% Developer Fees)

Special Districts & County Airports

- C. 5 Acting as the governing body of the Contra Costa County Flood Control and Water Conservation District, APPROVE and AUTHORIZE the conveyance of an approximately 0.626-acre pipeline easement to SFPP, L.P., a Delaware limited partnership, in connection with the Kinder Morgan Pipeline Remediation Project, as recommended by the Chief Engineer, Martinez area. (100% Permit Applicant Fees).
- C. 6 APPROVE and AUTHORIZE the Public Works Director, or designee, to publish a Notice of Intention to convey a storm drain easement to the City of Oakley in connection with Subdivision 9507, The Vines at Oakley, Oakley Area. (100% Develop Funds)

Claims, Collections & Litigation

- C. 7 RECEIVE report concerning the final settlement of Maria Villasenor vs. Contra Costa County; and AUTHORIZE payment from the Workers' Compensation Internal Service Fund in an amount not to exceed \$132,500 as recommended by the Director of Risk Management. (100% Workers' Compensation Internal Service Fund)
- C. 8 DENY claims filed by Robert and Anita Moncada and Roy Allen Spaulding.

- C. 9** APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to enter into a tolling agreement amendment with Discovery Builders, Inc., and affiliated entities, and Pacific West Communities extending the term from October 28, 2022 to January 28, 2023, to toll the limitations period for potential litigation related to the May 24, 2022 approval of development agreements between the County and Pacific West Communities for the development of Ambrose Village/Orbisonia Heights, as recommended by the Conservation and Development Director. (No fiscal impact)

Honors & Proclamations

- C. 10** ADOPT Resolution No. 2022/346 proclaiming the week of October 22-29, 2022 as “California Flood Preparedness Week” in Contra Costa County, as recommended by the Public Works Director, Countywide. (No fiscal impact)
- C. 11** ADOPT Resolution No. 2022/364 proclaiming October 13, 2022 as Metastatic Breast Cancer Awareness Day and October 2022 as Breast Cancer Awareness month, as recommended by the Health Services Director.
- C. 12** ADOPT Resolution No. 2022/370 recognizing Vince Dell'Aquila as the 2022 Orinda Citizen of the Year, as recommended by Supervisor Andersen.

Ordinances

- C. 13** INTRODUCE Ordinance No. 2022-35, adopting the 2022 California Building Standards Codes with changes, additions, and deletions, WAIVE reading, and FIX November 8, 2022 for a public hearing to consider adoption as recommended by the Conservation and Development Director. (No fiscal impact)
- C. 14** Acting in its capacity as the Contra Costa County Board of Supervisors and as the Board of Directors of the Contra Costa County Fire Protection District and the Crockett-Carquinez Fire Protection District, INTRODUCE Ordinance No. 2022-34, adopting the 2022 California Fire Code, with local amendments, as the fire code within Contra Costa County, the Contra Costa County Fire Protection District, and the Crockett-Carquinez Fire Protection District; WAIVE reading; and FIX November 8, 2022, at the Contra Costa County Fire Protection District Board of Directors meeting, at 1:00 p.m., as the hearing date for the proposed adoption of the ordinance. (Cost neutral)

Appointments & Resignations

- C. 15** REAPPOINT Noe Gudino to the Low Income Seat No. 2 on the Economic Opportunity Council for a term ending June 30, 2024, as recommended by the Employment and Human Services Director.

- C. 16 APPOINT Emil Geddes to the Trustee 2 seat on the Byron-Brentwood-Knightsen Union Cemetery District for term ending December 31, 2026, as recommended by Supervisor Burgis.
- C. 17 APPOINT Michelle Parkinson to the Alternate Seat on the Alamo Municipal Advisory Council for a term ending December 31, 2024, as recommended by Supervisor Andersen.

Appropriation Adjustments

- C. 18 Employment and Human Services (0501) / Probation (0308) / Plant Acquisition (0111): APPROVE Appropriation Adjustment No. 5010 authorizing the transfer of current year appropriations in the amount of \$215,000 from the Employment and Human Services Department and the Probation Department to the Public Works Department for two capital projects, as recommended by the Employment and Human Services Director.
- C. 19 Fleet Internal Service Fund (0064)/Health Services Department - Public Health (0450): APPROVE Appropriation and Revenue Adjustment No. 005000 authorizing the transfer of appropriations in the amount of \$107,880 from the Public Health's COVID-19 Response Unit to Fleet Internal Service Fund (0064) for the purchase of two (2) Chevy Bolts and one (1) Ford Transit van to support Public Health's COVID-19 Response Unit services. (100% California Department of Public Health's Enhancing Lab Capacity Grant)
- C. 20 Office of the Sheriff (0300): APPROVE Appropriations and Revenue Adjustment No. 005009 authorizing new revenue in the amount of \$400,000 from the State Criminal Alien Assistance Program (SCAAP) and appropriating it to the Custody Services Bureau (0300) for various equipment and projects in the West County Detention Facility (2580) and Marsh Creek Detention Facility (2585). (100% Federal)
- C. 21 Employment and Human Services Department Aging and Adult Services (0503): APPROVE Appropriation and Revenue Adjustment No. 5008 in the amount of \$2,967,539 to increase current year appropriations and revenue for the following new grants and rebalanced grants in the Area Agency on Aging unit: American Rescue Plan, Older Adults Recovery and Resilience, Home and Community Based Services, Access To Technology, California Health Advocates Senior Medicare Patrol, and Supplemental Nutrition Assistance Program- Education, as recommended by the Employment and Human Services Director.

Personnel Actions

- C. 22** ADOPT Position Adjustment Resolution No. 25942 to reclassify two Telecommunications Specialist II (represented) positions and incumbents to Telecommunications Infrastructure Specialist (represented) positions in the Department of Information Technology. (100% User Department)
- C. 23** ADOPT Position Adjustment Resolution No. 26054 to add one Mental Health Program Manager and one Community Health Worker II positions and cancel one Substance Abuse Counselor and one Clerk-Senior Level positions in the Health Services Department. (All represented, 100% County General Fund)
- C. 24** ADOPT Position Adjustment Resolution No. 26047 to increase the hours of one part time Librarian II (represented) position to full time in the Library Department. (100% Library Fund)
- C. 25** ADOPT Position Adjustment Resolution No. 26053 to reassign four vacant Family Nurse Practitioner (represented) positions from the Contra Costa Regional Medical Center and Health Centers and Public Health divisions to the Behavioral Health Division in the Health Services Department. (100% Mental Health Realignment)

Leases

- C. 26** APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a sub-sublease with Concord Jet Service Incorporated, in an amount not to exceed \$275,000 to provide aircraft hangar and office space for the period May 1, 2022 through April 30, 2027.(100% General Fund)
- C. 27** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute on behalf of the County a license agreement with East Bay Regional Park District, to authorize the District to use at no charge a portion of a County-owned communications tower, identified as the Carquinez Radio Tower, located at 1001 Arabian Heights, Martinez, for a term beginning after construction is complete through September 20, 2046, as requested by the Department of Information and Technology. (No fiscal impact)
- C. 28** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a lease amendment with Lauritzen Yacht Harbor, to extend the term through December 31, 2024 for an approximately 1,725 square foot station house for the Sheriff-Coroner Department, Marine Patrol Unit at 70 Lauritzen Lane in Oakley, at an initial annual rent of \$27,720 for the first year with two 2-year renewal terms. (100% General Fund)

Grants & Contracts

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

- C. 29** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with the City of Walnut Creek, to pay the County an amount not to exceed \$250,368 for the Coordinated Outreach, Referral and Engagement Program for the period July 1, 2022 through June 30, 2023. (No County match)
- C. 30** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a revenue agreement with the State of California Department of Social Services, for a payment limit of \$3,567,014 for California Work Opportunity and Responsibility to Kids Stage 2 childcare program, for the period July 1, 2022 through June 30, 2023. (62.3% State; 37.7% Federal)
- C. 31** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, on behalf of the Workforce Development Board, to apply for and accept the State Apprenticeship Expansion, Equity and Innovation Grant from the California Department of Industrial Relations Division of Apprenticeship Standards, in the amount of \$240,000, to develop and implement an EMT/Paramedic Apprenticeship Program for under-served communities of color, for the term July 1, 2022 through June 30, 2025. (100% State)
- C. 32** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with the State of California, Department of Health Care Services, to extend the term through December 31, 2023 with no change in the original payment limit for the provision of medical services to Medi-Cal recipients under the Contra Costa Health Plan. (No County match)
- C. 33** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to apply for and accept grant funding from the California Governor's Office of Emergency Services, Underserved Victims Unit for the Elder Abuse Program, in an amount not to exceed \$217,444, for the period January 1, 2023 through December 31, 2023. (100% Federal)
- C. 34** APPROVE and AUTHORIZE the Health Services Director, or designee, to accept on behalf of the County, grant award from the California Department of Public Health, to pay the County per each health assessment and for administrative costs for patients in the Refugee Health Assessment Program for the period October 1, 2022 through September 30, 2023. (No County match)
- C. 35** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with the City of Pleasant Hill, to increase the amount payable to the County by \$124,582 to a new total of \$576,863 and to extend the term through June 30, 2023 for the Coordinated Outreach, Referral and Engagement Program. (No County match)

- C. 36** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with the City of Walnut Creek, to pay the County an amount not to exceed \$15,000 for the Coordinated Outreach, Referral and Engagement Program for the period July 1, 2022 through June 30, 2023. (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. 37** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Rubicon Programs Incorporated, in an amount not to exceed \$509,366 to provide outpatient mental health services to reduce barriers to employment for CalWORKs recipients for the period July 1, 2022 through June 30, 2023. (100% CalWORKs)
- C. 38** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Per Diem Staffing Systems, Inc., in the amount of \$1,500,000 to provide temporary medical staffing services at Contra Costa Regional Medical Center and Health Centers for the period July 1, 2022 through June 30, 2023. (100% Hospital Enterprise Fund I)
- C. 39** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a novation contract with Alternative Family Services, Inc., in an amount not to exceed \$1,401,844 to provide wrap-around community-based mental health services to seriously emotionally disturbed children and their families for the period July 1, 2022 through June 30, 2023, including a six-month automatic extension through December 31, 2023 in an amount not to exceed \$700,922. (50% Federal Financial Participation, 45% Realignment, 5% Measure X)
- C. 40** APPROVE and AUTHORIZE the Conservation and Development Director to execute a memorandum of understanding with the Contra Costa Transportation Authority in an amount not to exceed \$1,400,000 to implement the Accessible Transportation Strategic Plan for the period April 1, 2022 through June 30, 2023. (100% Measure X funds)
- C. 41** APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a contract with Diablo Crime Scene Cleaners, in the amount of \$1,000,000 for the period of September 1, 2022 through August 30, 2023, to provide standard crime scene and biological cleaning services, and specialized cleaning services to combat the spread of respiratory and bloodborne illnesses. (100% General Fund)
- C. 42** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with 3 Prong (dba 3 Prong Health), effective October 1, 2022 to increase the payment limit by \$600,000 to a new payment limit of \$1,200,000 for additional in-person behavioral health services for Contra Costa Health Plan members with no change in the term through May 31, 2025. (100% Contra Costa Health Plan Enterprise Fund II)

- C. 43** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a novation contract with EMBRACE, in an amount not to exceed \$2,206,408 to provide mental health services, multisystemic therapy and functional family therapy for seriously emotionally disturbed adolescents and their families for the period July 1, 2022 through June 30, 2023, including a six-month automatic extension through December 31, 2023 in an amount not to exceed \$1,103,204. (40% Mental Health Services Act, 34% Federal Medi-Cal, 13% Probation Youthful Offender Block Grant, 12% Mental Health Realignment, 1% Measure X)
- C. 44** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Acclaim Mobility LLC, in an amount not to exceed \$300,000 to provide non-emergency medical transportation services for Contra Costa Health Plan members and county recipients for the period September 1, 2022 through August 31, 2025. (100% Contra Costa Health Plan Enterprise Fund II)
- C. 45** APPROVE and AUTHORIZE the County Probation Officer, or designee, to execute a contract with Fresh Lifelines for Youth, in an amount not to exceed \$1,043,045 to operate the STAY FLY Program for Contra Costa County's Transition Aged Youth (ages 18-25 years old) to prevent further justice system involvement for the period September 1, 2022 through October 30, 2025. (100% State)
- C. 46** APPROVE and AUTHORIZE the Chief Probation Officer, or designee, to execute a contract with International Business Information Technologies, Inc dba LEFTA Systems, in an amount not to exceed \$16,335 to provide a subscription and user licenses to Shield Suite software for the term October 4, 2022, through October 3, 2023. (100% General Fund)
- C. 47** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a novation contract with Youth Homes Incorporated, in an amount not to exceed \$4,851,636 to provide residential treatment and therapeutic behavioral services for County-referred seriously emotionally disturbed children for the period July 1, 2022 through June 30, 2023, including a six-month automatic extension through December 31, 2023 in an amount not to exceed \$2,425,818. (50% Federal Medi-Cal; 45% Mental Health Realignment; 5% Measure X)
- C. 48** APPROVE and AUTHORIZE the Director of Risk Management, or designee, to execute a contract with TCS Risk Management Services in an amount not to exceed \$220,800 to administer County-wide ergonomic programs for the period of July 1, 2022 through June 30, 2023. (100% Workers' Compensation Internal Service Fund)

- C. 49** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Virtual Radiologic Professionals of California, P.A., in an amount not to exceed \$1,200,000 to provide teleradiology services for Contra Costa Regional Medical Center and Health Centers for the period December 1, 2022 through November 30, 2025. (100% Hospital Enterprise Fund I)
- C. 50** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a novation contract with RYSE, Inc., a California Nonprofit Corporation, in an amount not to exceed \$533,652 to provide Mental Health Services Act prevention and early intervention services to at-risk youth in West Contra Costa County for the period July 1, 2022 through June 30, 2023, including a six-month automatic extension through December 31, 2023 in an amount not to exceed \$266,826. (100% Mental Health Services Act)

Other Actions

- C. 51** APPROVE and AUTHORIZE the Auditor-Controller, to pay an amount not to exceed \$126,848 to American Medical Response West, for overdose prevention and education to patients, family members and bystanders involved in 9-1-1 overdose emergency calls and administration of Narcan and Buprenorphine for the period January 1, 2022 through September 30, 2022. (100% State funds)
- C. 52** ACCEPT a status report on the Independent Living Skills Program activities, as recommended by the Family and Human Services Committee. (No fiscal impact)
- C. 53** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with San Jose State University to provide supervised field instruction in the County's Public Health Division to non-clinical public health students for the period October 1, 2022 through August 31, 2025. (No fiscal impact)
- C. 54** AUTHORIZE the Auditor-Controller to issue a refund of overpayment of documentary transfer taxes totaling \$3,173.50 to eRecording Partners Network, Minneapolis, MN, as recommended by the Clerk-Recorder. (100% County General Fund)

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 or to clerkoftheboard@cob.cccounty.us.

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.

Anyone desiring to submit an inspirational thought nomination for inclusion on the Board Agenda may contact the Office of the County Administrator or Office of the Clerk of the Board, 1025 Escobar Street, Martinez, California.

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www.contracosta.ca.gov

STANDING COMMITTEES

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

The **Family and Human Services Committee** (Supervisors Diane Burgis and Candace Andersen) 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 John Gioia and Karen Mitchoff) 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 John Gioia and Federal D. Glover) 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 Diane Burgis and Candace Andersen) 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 Federal D. Glover and Candace Andersen) 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 Federal D. Glover and John Gioia) 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 Diane Burgis and Candace Andersen) 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 14, 2022	11:00 a.m.	See above
Family & Human Services Committee	October 24, 2022	9:00 a.m.	See above
Finance Committee	November 7, 2022	9:00 a.m.	See above
Hiring Outreach Oversight Committee	December 5, 2022	10:30 a.m.	See above
Internal Operations Committee	November 14, 2022	10:30 a.m.	See above
Legislation Committee	November 14, 2022	1:00 p.m.	See above
Public Protection Committee	October 24, 2022	10:30 a.m.	See above
Sustainability Committee	Special Meeting October 24, 2022	1:00 p.m.	See above
Transportation, Water & Infrastructure Committee	November 14, 2022	9:00 a.m.	See above

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

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

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

associated with Board meetings:

AB Assembly Bill

ABAG Association of Bay Area Governments

ACA Assembly Constitutional Amendment

ADA Americans with Disabilities Act of 1990

AFSCME American Federation of State County and Municipal Employees

AICP American Institute of Certified Planners

AIDS Acquired Immunodeficiency Deficiency Syndrome

ALUC Airport Land Use Commission

AOD Alcohol and Other Drugs

ARRA American Recovery & Reinvestment Act of 2009

BAAQMD Bay Area Air Quality Management District

BART Bay Area Rapid Transit District

BayRICS Bay Area Regional Interoperable Communications System

BCDC Bay Conservation & Development Commission

BGO Better Government Ordinance

BOS Board of Supervisors

CALTRANS California Department of Transportation

CalWIN California Works Information Network

CalWORKS California Work Opportunity and Responsibility to Kids

CAER Community Awareness Emergency Response

CAO County Administrative Officer or Office

CCE Community Choice Energy

CCCFPD (ConFire) Contra Costa County Fire Protection District

CCHP Contra Costa Health Plan

CCTA Contra Costa Transportation Authority

CCRMC Contra Costa Regional Medical Center

CCWD Contra Costa Water District

CDBG Community Development Block Grant

CFDA Catalog of Federal Domestic Assistance

CEQA California Environmental Quality Act

CIO Chief Information Officer

COLA Cost of living adjustment

ConFire (CCCFPD) Contra Costa County Fire Protection District

CPA Certified Public Accountant

CPI Consumer Price Index

CSA County Service Area

CSAC California State Association of Counties

CTC California Transportation Commission

dba doing business as

DSRIP Delivery System Reform Incentive Program

EBMUD East Bay Municipal Utility District

ECCFPD East Contra Costa Fire Protection District

EIR Environmental Impact Report

EIS Environmental Impact Statement

EMCC Emergency Medical Care Committee

EMS Emergency Medical Services

EPSDT Early State Periodic Screening, Diagnosis and Treatment Program (Mental Health)
et al. et alii (and others)
FAA Federal Aviation Administration
FEMA Federal Emergency Management Agency
F&HS Family and Human Services Committee
First 5 First Five Children and Families Commission (Proposition 10)
FTE Full Time Equivalent
FY Fiscal Year
GHAD Geologic Hazard Abatement District
GIS Geographic Information System
HCD (State Dept of) Housing & Community Development
HHS (State Dept of) Health and Human Services
HIPAA Health Insurance Portability and Accountability Act
HIV Human Immunodeficiency Virus
HOME Federal block grant to State and local governments designed exclusively to create affordable housing for low-income households
HOPWA Housing Opportunities for Persons with AIDS Program
HOV High Occupancy Vehicle
HR Human Resources
HUD United States Department of Housing and Urban Development
IHSS In-Home Supportive Services
Inc. Incorporated
IOC Internal Operations Committee
ISO Industrial Safety Ordinance
JPA Joint (exercise of) Powers Authority or Agreement
Lamorinda Lafayette-Moraga-Orinda Area
LAFCo Local Agency Formation Commission
LLC Limited Liability Company
LLP Limited Liability Partnership
Local 1 Public Employees Union Local 1
LVN Licensed Vocational Nurse
MAC Municipal Advisory Council
MBE Minority Business Enterprise
M.D. Medical Doctor
M.F.T. Marriage and Family Therapist
MIS Management Information System
MOE Maintenance of Effort
MOU Memorandum of Understanding
MTC Metropolitan Transportation Commission
NACo National Association of Counties
NEPA National Environmental Policy Act
OB-GYN Obstetrics and Gynecology
O.D. Doctor of Optometry
OES-EOC Office of Emergency Services-Emergency Operations Center
OPEB Other Post Employment Benefits
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: Anna Roth, Health Services Director
Date: October 18, 2022

Subject: Temporary Hire of County Retiree-Waiver of 180-Day Sit-out Period

RECOMMENDATION(S):

1. WAIVE the 180-day "sit-out" period for Flordeliza Eaton, Senior Clinical Laboratory Scientist (VHNA), in the Health Services Department
2. FIND that the appointment of Flordeliza Eaton is necessary to fill a critically needed position
3. APPROVE and AUTHORIZE the hiring of retiree Flordeliza Eaton as a temporary, County employee for the period of October 17, 2022 through October 17, 2023

FISCAL IMPACT:

Upon approval, this action has an annual cost of approximately \$61,560. No impact to the General Fund. Salary costs are included within the Department's operating budget. Contra Costa Health Services - Hospital Enterprise Fund I will fund this position.

BACKGROUND:

Flordeliza Eaton has been in the Senior Clinical Laboratory Scientist (VHNA) classification since 8/17/2011 and is managing the Microbiology section of the lab. There are eight other incumbents in this classification; however, they have their own section in the lab to manage and lack the experience and knowledge to troubleshoot any issues in the Microbiology sub-unit.

Microbiology identifies the disease-causing organisms and determines the appropriate treatment. The steps involved are hands-on and require years of experience to make the appropriate decision. A wrong decision can lead to a misidentification of the disease-causing organism leading to inappropriate treatment, a financial impact on the County due to patients having prolonged hospital stays and delayed treatment, and will impact the pharmacy formularies since the Microbiology sub-unit works with Infection Control and Pharmacy to determine antibiotic resistance.

Management requests the 180-day "sit-out period" to be waived so she can help and train the next incumbent that will take over this great responsibility in the Microbiology sub-unit. Her special knowledge must be retained in the lab. Without this knowledge and skills, the department may fail to provide a correct diagnosis impacting patient care.

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

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Lauren Jimenez, (925) 957-5262

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the department may fail to provide a correct diagnosis impacting patient care.

ATTACHMENTS

Cost Sheet

Temporary Hire of County Retiree Florc

Proposed - Temporary Hire as Senior Clinical
Laboratory Scientist

Salary- Top Hourly Rate	\$68.40
Employer Paid Benefits*	\$35.62
Average Cost of OT	\$2.06
Health/Dental	\$16,083.00
One Time Costs	\$0.00
<hr/>	
Total Cost (Top Hourly Rate * 900 Hours)	\$61,560.00
Deferred comp Benefit	\$1,800
ANNUAL TOTAL COST	\$61,560.00

*Includes:

	0.55%
	3.49%
	7.85%
	1.31%
	0.10%
	38.78%
	52.08%

Total Overall Cost	\$61,560.00
Pension	\$23,872.97

Position Adjustment Request Cost Breakdown

Meliza Eaton as Senior Clinical Laboratory Scientist (VHNA) and Wai

	52.08%	
	3.01%	
Updated – weighted average	CNA is higher	\$22,400.64

\$1,800

- | | |
|---|---|
| Vacation/Sick Leave Accruals | Use PY actuals budget is low |
| Retiree Health Insurance | |
| FICA (no change) | |
| Workers Compensation (updated) | |
| Unemployment (updated) | Use PY actuals budget is low |
| OPEB Pre-Pay | Use PY actuals budget is low |
| Pension (updated) | |

ver of 180-day Sit-out Period

Two Rates for this group (one vacancy rate for all):

PEU 1, Local 21, AFSCME 512, AFSCME 2700, DDAA, DSA-Probation, PD, PDOCC, TEAMSTERS, WCE, Unrep

1. Subsidy Based on CCHP Plan A Premium	2020 County Actual Rate	2021 County Projected Rate	FY 2020-21 Budgeted Rate	FY 2021 Budgeted Rate
Employee	\$669.14	\$756.39	\$712.76	\$1,820
Employee +1 Dependent	\$1,338.26	\$1,512.76	\$1,425.51	\$1,710
Employee +2 Dependent	\$2,047.55	\$2,269.17	\$2,158.36	\$3,970
				\$7,510
Weighted average vacancy rate				\$

2. Teamsters Kaiser Plan	2020 County Actual Rate	2021 County Projected Rate	FY 2020-21 Budgeted Rate	FY 2021 Budgeted Rate
Employee	\$625.80	\$659.50	\$642.65	\$
Employee +1 Dependent	\$1,298.76	\$1,362.83	\$1,330.80	\$
Employee +2 Dependent	\$1,868.36	\$1,957.70	\$1,913.03	\$

2018 CONTRA COSTA COUNTY
MONTHLY MEDICAL AND DENTAL PLAN PREMIUMS
CALIFORNIA NURSES

Assume 8%

PLAN/COVERAGE DESCRIPTION	2020 TOTAL MONTHLY PREMIUM	2020 COUNTY SUBSIDY	2021 Projected MONTHLY PREMIUM	2021 PROJECTED COUNTY SHARE	FY 2020-21 Budgeted Rate	Number of individuals Enrolled for 2019	FY 2021 Budget Vacancy
CONTRA COSTA HEALTH PLAN - BASIC PLAN A							
Employee	\$962.77	\$943.51	\$1,039.79	\$1,019.00	\$981.25	47	\$46,000
Employee & 1 or more dependents	\$2,293.83	\$2,247.96	\$2,477.34	\$2,427.79	\$2,337.87	164	\$383,000
CONTRA COSTA HEALTH PLAN - BASIC PLAN B							
Employee	\$1,067.24	\$1,045.90	\$1,152.62	\$1,129.57	\$1,087.73	31	\$33,000
Employee & 1 or more dependents	\$2,535.93	\$2,485.22	\$2,738.81	\$2,684.03	\$2,584.62	92	\$237,000
KAISER PERMANENTE - BASIC PLAN A							
Employee	\$960.76	\$768.61	\$1,037.62	\$830.10	\$799.35	83	\$66,000
Employee & 1 or more dependents	\$2,238.57	\$1,790.86	\$2,417.66	\$1,934.12	\$1,862.49	174	\$324,000
KAISER PERMANENTE - BASIC PLAN B							
Employee	\$783.35	\$626.68	\$846.02	\$676.81	\$651.75	6	\$3,000
Employee & 1 or more dependents	\$1,825.21	\$1,460.17	\$1,971.23	\$1,576.98	\$1,518.57	5	\$7,000
HEALTH NET HMO PLAN - BASIC PLAN A							
Employee	\$1,885.66	\$1,508.53	\$2,036.51	\$1,629.21	\$1,568.87	17	\$26,000
Employee & 1 or more dependents	\$4,619.87	\$3,695.90	\$4,989.46	\$3,991.57	\$3,843.73	11	\$42,000
HEALTH NET HMO PLAN - BASIC PLAN B							
Employee	\$1,311.25	\$1,049.00	\$1,416.15	\$1,132.92	\$1,090.96	3	\$3,000
Employee & 1 or more dependents	\$3,212.56	\$2,570.05	\$3,469.56	\$2,775.65	\$2,672.85	8	\$21,000
Weighted Average - Vacancy Rate						641	\$1,000,000

Presented

0-21
Vacancy
e

28,236.07

14,887.60

75,702.54

18,826.21

\$1,340.25

0-21
ted
Rate

118.96

411.36

719.70

785.40

346.24

073.30

910.48

592.87

670.78

281.05

272.88

382.80

866.72

18 Summary	2016-17 Actuals		2017-18 Actuals		2018-19 Actuals	
E1000 - Salaries And Benefits	521,916,037		578,560,220		613,911,310	
Base wages for benefits	300,094,372		330,675,581		351,109,541	
1011 - Permanent Salaries	249,325,811		279,117,712		298,595,454	
1013 - Temporary Salaries	27,041,478		29,630,908		33,672,215	
1014 - Permanent Overtime	8,695,566	2.90%	11,596,603	3.51%	10,836,811	3.09%
1015 - Deferred Comp	1,411,904	0.47%	1,915,183	0.58%	2,301,968	0.66%
1016 - Hrly Physician Salaries	2,350,565	0.78%	2,568,658	0.78%	1,912,806	0.54%
1017 - Perm Physicians Salaries	47,894,292	15.96%	48,448,232	14.65%	49,761,247	14.17%
1018 - Perm Phys Addnl Duty Pay	2,874,268	0.96%	3,109,638	0.94%	2,752,840	0.78%
1019 - Comp & SDI Recoveries	-854,438	-0.28%	-614,104	-0.19%	-621,386	-0.18%
1025 - Vacation/Sick Leave Accrual	2,189,433	0.73%	1,834,279	0.55%	1,369,032	0.39%
1042 - FICA/Medicare	23,237,387	7.74%	25,808,233	7.80%	27,445,797	7.82%
1043 - Ret Exp-Pre 97 Retirees	1,018,645	0.34%	1,048,682	0.32%	1,056,733	0.30%
1044 - Retirement Expense	89,969,065	29.98%	100,991,579	30.54%	105,064,938	29.92%
1046 - Excess Retirement	117,586	0.04%	125,549	0.04%	133,959	0.04%
1060 - Employee Group Insurance	40,317,114	13.43%	45,527,105	13.77%	50,572,678	14.40%
1061 - Retiree Health Insurance	12,008,090	4.00%	12,247,951	3.70%	12,476,431	3.55%
1062 - OPEB Pre-Pay	4,576,757	1.53%	4,576,757	1.38%	5,260,194	1.50%
1063 - Unemployment Insurance	901,415	0.30%	827,070	0.25%	149,656	0.04%
1070 - Workers Comp Insurance	8,963,004	2.99%	9,918,885	3.00%	11,291,843	3.22%
1081 - Labor Received/Provided	-121,905	-0.04%	-118,701	-0.04%	-121,905	-0.03%
FTE - Allocated Positions (FTE)	3,778				3,917	
	10,671				12,911	

2019-20		2020-21	
Budget		Baseline	
780,612,121		780,612,121	
483,396,036		483,396,036	
427,302,042		427,302,042	
33,196,047		33,196,047	
12,205,931	2.53%	12,205,931	2.53%
3,316,602	0.69%	3,316,602	0.69%
1,777,193	0.37%	1,777,193	0.37%
52,697,129	10.90%	52,697,129	10.90%
3,396,865	0.70%	3,396,865	0.70%
-747,535	-0.15%	-747,535	-0.15%
0	0.00%	0	0.00%
29,475,569	6.10%	29,475,569	6.10%
1,054,413	0.22%	1,054,413	0.22%
126,501,663	26.17%	126,501,663	26.17%
315,332	0.07%	315,332	0.07%
66,331,932	13.72%	66,331,932	13.72%
12,669,784	2.62%	12,669,784	2.62%
5,287,907	1.09%	5,287,907	1.09%
422,209	0.09%	422,209	0.09%
5,530,944	1.14%	5,530,944	1.14%
-121,905	-0.03%	-121,905	-0.03%
3,977		3,977	
16,680		16,679	



Contra
Costa
County

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: October 18, 2022

Subject: HEARING TO CONSIDER THE PROPOSED FORMATION OF ZONE 2609 IN THE COUNTY SERVICE AREA OF P-6 IN THE MARTINEZ AREA OF THE COUNTY (DISTRICT V)

RECOMMENDATION(S):

1. OPEN the hearing on the proposed formation of Zone 2609 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 2609 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. 2022/358 attached hereto, establishing Zone 2609 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.

BACKGROUND:

Per the conditions of approval for Subdivision No. #9573 (County File #CDS21-09573), prior to recording the final map for the 7-lot 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 1.98-acre site located at 180 Midhill Road in the unincorporated Martinez area of the County.

On September 13, 2022, the Board granted conceptual approval for a December 20, 2022, 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 Martinez area of the County.

On September 13, 2022, the Board approved Resolution No. 2022/309, 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 20, 2022.

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

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Jennifer Cruz, 925-655-2867

By: , Deputy

BACKGROUND: (CONT'D)

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. 2022/358, which would establish Zone 2609 subject to voter approval of the special tax. A separate hearing is also scheduled for October 18, 2022, to consider the adoption of an ordinance authorizing the levy of the tax.

CONSEQUENCE OF NEGATIVE ACTION:

Zone 2609 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 2022/358

Exhibit A - Legal Description

Exhibit B - Plat Map

Archived Resolution No. 2022/309

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

Adopted this Resolution on 10/18/2022 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2022/358

IN THE MATTER OF CREATING ZONE 2609 OF COUNTY SERVICE AREA P-6 IN THE UNINCORPORATED MARTINEZ 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.

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 2609 of County Service Area P-6.
2. A majority protest against the proposed formation of Zone 2609 does not exist, pursuant to Government Code Section 25217.1, subdivision (b).
3. Subject to voter approval of Ordinance No. 2022-15 on December 20, 2022, authorizing the levy of a special tax within proposed Zone 2608, 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 2609 of County Service Area P-6, effective upon this Board's adoption of a resolution declaring the results of the December 20, 2022, election ("Effective Date").
4. No affected properties located in Zone 2609 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.

ATTESTED: October 18, 2022

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

Contact: Jennifer Cruz, 925-655-2867

By: , Deputy

cc: Rosa Mena

EXHIBIT "A"

PROPERTY BOUNDARY

LEGAL DESCRIPTION

REAL PROPERTY SITUATE IN THE UNINCORPORATED AREA OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

PARCEL B AND PARCEL C, AS DESIGNATED ON THE PARCEL MAP OF MINOR SUBDIVISION M.S. 16-65, FILED IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA, ON JULY,3 1968 IN BOOK 4 OF PARCEL MAPS, AT PAGE 15 (4 PM 15), FURTHER DESCRIBED AS FOLLOWS:


BEGINNING AT THE NORTHWEST CORNER OF PARCEL C AS SHOWN ON SAID MAP (4 PM 15). SAID POINT BEING ON THE WEST RIGHT OF WAY LINE OF MIDHILL ROAD AND LYING 20.00 FEET WEST (PERPENDICULAR MEASUREMENT) OF THE MONUMENT LINE OF SAID ROAD; THENCE ALONG THE BOUNDARY OF SAID PARCEL C THE FOLLOWING FIVE COURSES:

- 1) SOUTH 00° 29' 52" EAST, 86.60 FEET;
- 2) NORTH 89° 46' 26" WEST, 545.51 FEET;
- 3) NORTH 06° 17' 04" EAST, 207.75 FEET;
- 4) SOUTH 89° 46' 26" EAST, 324.56 FEET;
- 5) SOUTH 00° 31' 34" EAST, 110.00 FEET TO THE NORTHWEST CORNER OF SAID PARCEL B (4 PM 15); THENCE LEAVING THE BOUNDARY OF SAID PARCEL C, ALONG THE BOUNDARY OF SAID PARCEL B, SOUTH 89° 46' 26" EAST, 58.00 FEET; THENCE SOUTH 44° 46' 26" EAST, 14.14 FEET TO THE NORTH BOUNDARY OF SAID PARCEL C; THENCE LEAVING THE BOUNDARY OF SAID PARCEL B, ALONG THE BOUNDARY OF SAID PARCEL C, SOUTH 89° 46' 26" EAST, 132.00 FEET TO THE **POINT OF BEGINNING**.

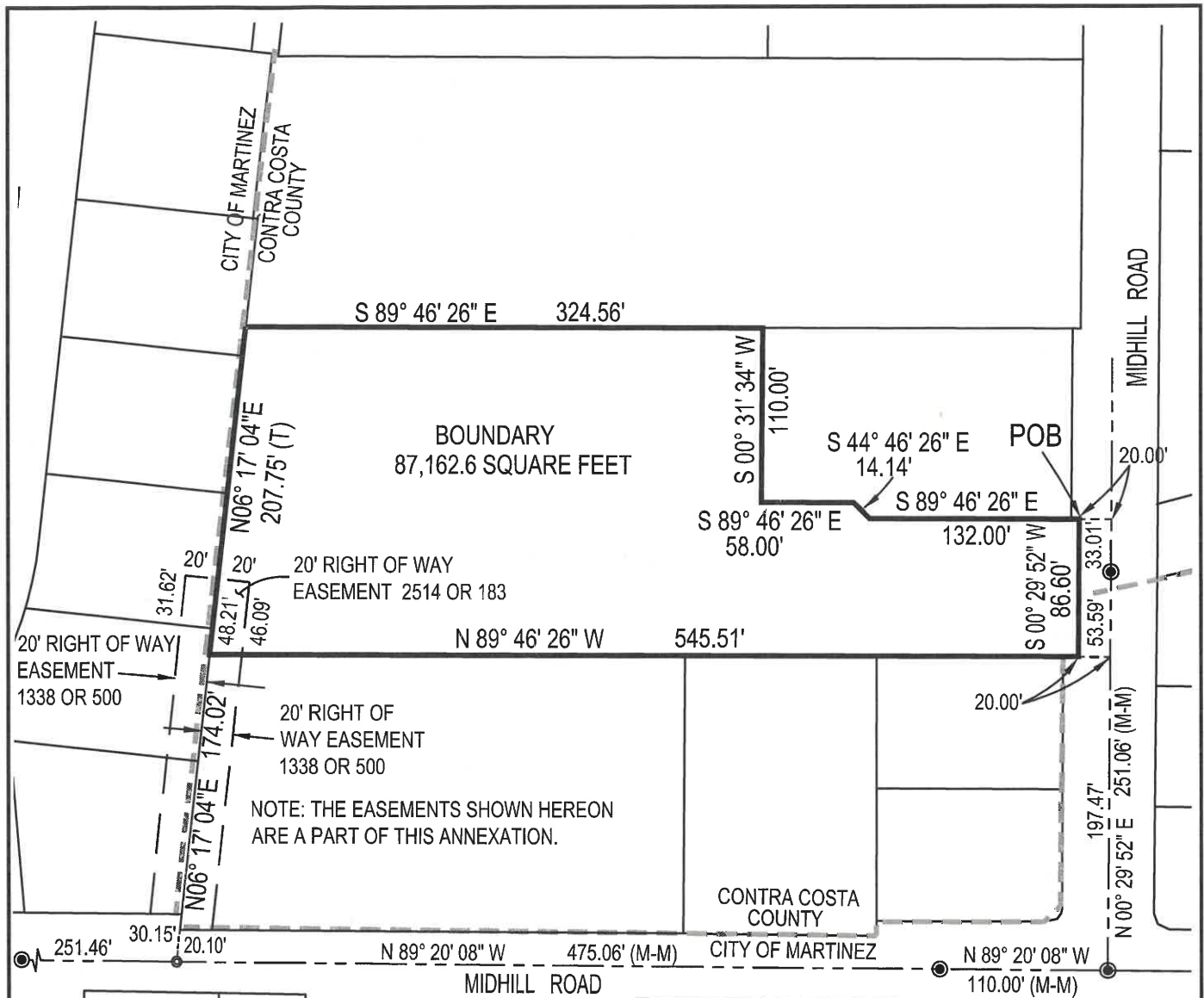
THE AREA DESCRIBED CONTAINS 87,162 SQUARE FEET OF LAND, MORE OR LESS.

TOGETHER WITH: THE 20 FOOT WIDE RIGHT OF WAY EASEMENTS APPURTENANT TO THE SOUTHWEST PORTION OF THE PROPERTY, AS SHOWN ON THE ACCOMPANYING PLAT MAP AND RECORDED IN THE OFFICIAL RECORDS OF CONTRA COSTA COUNTY AS DOCUMENTS 1338 OR 500, AND 2514 OR 183

END OF DESCRIPTION


MERIDIAN ASSOCIATES, INC.
VIRGIL D. CHAVEZ
L.S. 6323





NOTE: THE EASEMENTS SHOWN HEREON ARE A PART OF THIS ANNEXATION.



SCALE: 1"=200'



LEGEND & ABBREVIATIONS:

- M-M MONUMENT TO MONUMENT
- POB POINT OF BEGINNING
- SF SQUARE FEET
- (T) TOTAL
- STREET MONUMENT
- BOUNDARY LINE
- - - EASEMENT LINE
- - - MONUMENT LINE
- - - CITY LIMIT LINE



EXHIBIT "B"

PLAT TO ACCOMPANY LEGAL DESCRIPTION
POLICE SERVICE DISTRICT

UNINCORPORATED (MARTINEZ) - CONTRA COSTA COUNTY - CALIFORNIA

MERIDIAN ASSOCIATES, INC.
 CIVIL ENGINEERS • SURVEYORS
 1300A WILLOW PASS COURT
 CONCORD, CA 94520 925-691-7300

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

Adopted this Resolution on 09/13/2022 by the following vote:

John Gioia
Candace Andersen
AYE: **5** **Diane Burgis**
Karen Mitchoff
Federal D. Glover

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2022/309

RESOLUTION OF INTENTION TO FORM ZONE 2609 OF COUNTY SERVICE AREA P-6 IN THE UNINCORPORATED MARTINEZ 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 unincorporated Martinez 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 2609 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 2609" of CSA P-6.

NOW, THEREFORE, BE IT RESOLVED THAT at 9:00 a.m. on October 18, 2022, 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 2609 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.

ATTESTED: September 13, 2022

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

Contact: Jennifer Cruz, 925-655-2867

By: June McHuen, Deputy

cc: Rosa Mena



Contra
Costa
County

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: October 18, 2022

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. 2022-31, authorizing the levy of a special tax for police protection services in Zone 2609 of County Service area P-6 in the unincorporated Martinez area of the County; CONSIDER oral and written comments received; and CLOSE the public hearing.
2. ADOPT Ordinance No. 2022-31, attached hereto.
3. ADOPT Resolution No. 2022/359, attached hereto, authorizing an election in Zone 2609 of County Service Area P-6 to consider approval of Ordinance No. 2022-31.
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 20, 2022.

FISCAL IMPACT:

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

BACKGROUND:

Per the conditions of approval for Subdivision No. 9573 (County File #CDS21-09573), prior to recording the final map for the 7-lot 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. The property to be subdivided and placed within the proposed special tax district consists of a 1.98-acre site located at 180 Midhill Road in the unincorporated Martinez area of the County.

On September 13, 2022, the Board approved Resolution No. 2022/309, 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 Martinez 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 20, 2022, election.

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

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Jennifer Cruz, 925-655-2867

By: , Deputy

BACKGROUND: (CONT'D)

The Board is scheduled to conduct a separate hearing on October 18, 2022, 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. 2022/358, establishing CSA P-6, Zone 2609 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. 2022-31), which would authorize the levy of a special tax for police protection services on all taxable parcels in the area of Zone 2609 if a special tax ballot measure is approved by a two-thirds majority of the registered voters in the zone area. Resolution No. 2022/359, 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 20, 2022, 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 2022/359

Exhibit A - Legal Description

Exhibit B - Plat Map

Exhibit C - Ordinance No. 2022-31

Archived Resolution No. 2022/309

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

Adopted this Resolution on 10/18/2022 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2022/359

IN THE MATTER OF AUTHORIZING A SPECIAL TAX IN PROPOSED ZONE 2609 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. 2022-31, adopted on this date, is to be presented for approval of the voters of proposed Zone 2609 of County Service Area P-6 at the election to be held on December 20, 2022, according to the following ballot proposition:

"Shall Ordinance No. 2022-31, to provide additional funding for police protection services, be approved to authorize a special tax on property located in Zone 2609 of County Service Area P-6 in the unincorporated Martinez 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, 2023?"

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 his 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 18, 2022

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

Contact: Jennifer Cruz, 925-655-2867

By: , Deputy

cc: Rosa Mena

EXHIBIT "A"

PROPERTY BOUNDARY

LEGAL DESCRIPTION

REAL PROPERTY SITUATE IN THE UNINCORPORATED AREA OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

PARCEL B AND PARCEL C, AS DESIGNATED ON THE PARCEL MAP OF MINOR SUBDIVISION M.S. 16-65, FILED IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA, ON JULY,3 1968 IN BOOK 4 OF PARCEL MAPS, AT PAGE 15 (4 PM 15), FURTHER DESCRIBED AS FOLLOWS:


BEGINNING AT THE NORTHWEST CORNER OF PARCEL C AS SHOWN ON SAID MAP (4 PM 15). SAID POINT BEING ON THE WEST RIGHT OF WAY LINE OF MIDHILL ROAD AND LYING 20.00 FEET WEST (PERPENDICULAR MEASUREMENT) OF THE MONUMENT LINE OF SAID ROAD; THENCE ALONG THE BOUNDARY OF SAID PARCEL C THE FOLLOWING FIVE COURSES:

- 1) SOUTH 00° 29' 52" EAST, 86.60 FEET;
- 2) NORTH 89° 46' 26" WEST, 545.51 FEET;
- 3) NORTH 06° 17' 04" EAST, 207.75 FEET;
- 4) SOUTH 89° 46' 26" EAST, 324.56 FEET;
- 5) SOUTH 00° 31' 34" EAST, 110.00 FEET TO THE NORTHWEST CORNER OF SAID PARCEL B (4 PM 15); THENCE LEAVING THE BOUNDARY OF SAID PARCEL C, ALONG THE BOUNDARY OF SAID PARCEL B, SOUTH 89° 46' 26" EAST, 58.00 FEET; THENCE SOUTH 44° 46' 26" EAST, 14.14 FEET TO THE NORTH BOUNDARY OF SAID PARCEL C; THENCE LEAVING THE BOUNDARY OF SAID PARCEL B, ALONG THE BOUNDARY OF SAID PARCEL C, SOUTH 89° 46' 26" EAST, 132.00 FEET TO THE **POINT OF BEGINNING**.

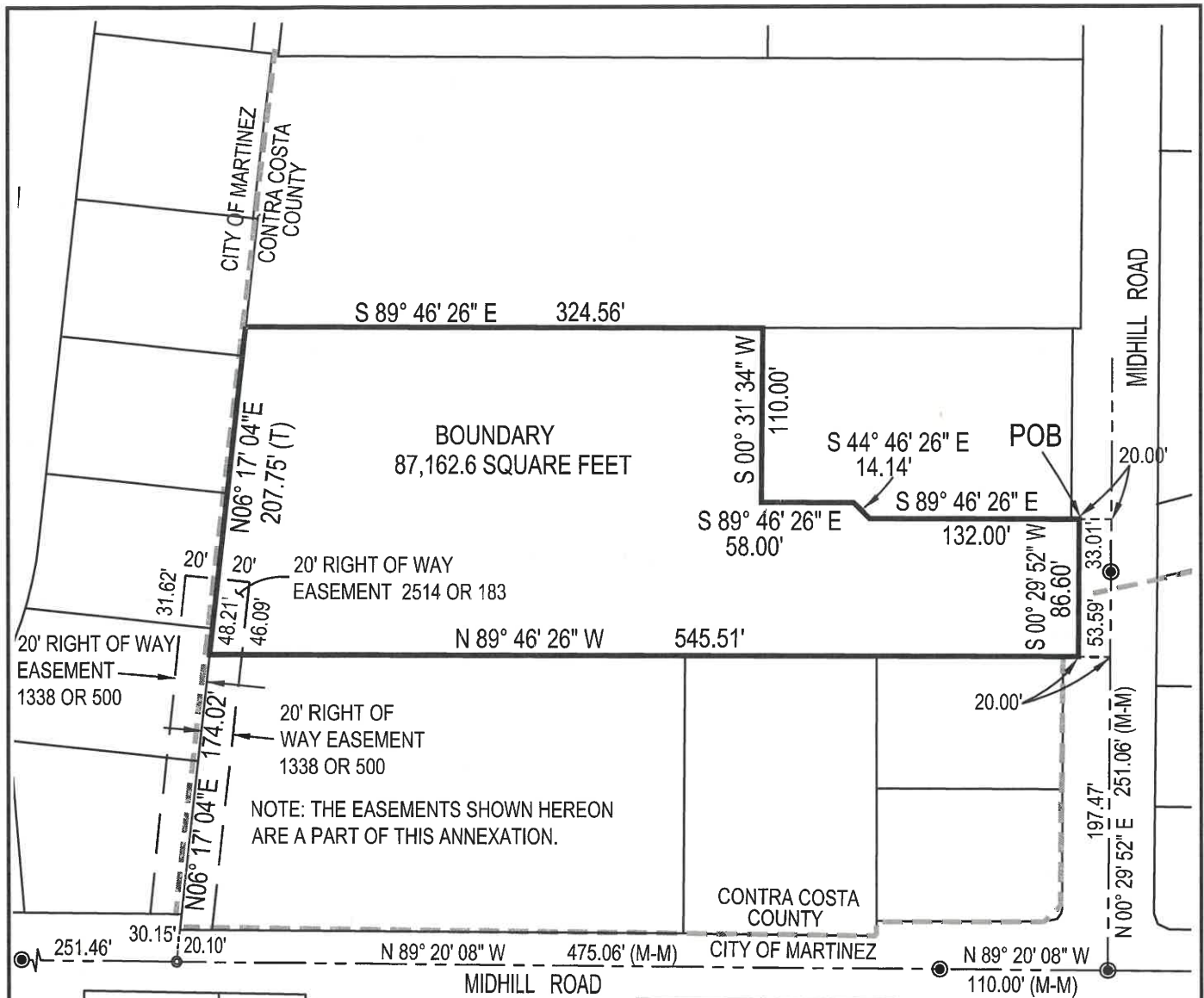
THE AREA DESCRIBED CONTAINS 87,162 SQUARE FEET OF LAND, MORE OR LESS.

TOGETHER WITH: THE 20 FOOT WIDE RIGHT OF WAY EASEMENTS APPURTENANT TO THE SOUTHWEST PORTION OF THE PROPERTY, AS SHOWN ON THE ACCOMPANYING PLAT MAP AND RECORDED IN THE OFFICIAL RECORDS OF CONTRA COSTA COUNTY AS DOCUMENTS 1338 OR 500, AND 2514 OR 183

END OF DESCRIPTION


MERIDIAN ASSOCIATES, INC.
VIRGIL D. CHAVEZ
L.S. 6323





NOTE: THE EASEMENTS SHOWN HEREON ARE A PART OF THIS ANNEXATION.



SCALE: 1"=200'



LEGEND & ABBREVIATIONS:

- M-M MONUMENT TO MONUMENT
- POB POINT OF BEGINNING
- SF SQUARE FEET
- (T) TOTAL
- STREET MONUMENT
- BOUNDARY LINE
- - - EASEMENT LINE
- - - MONUMENT LINE
- - - CITY LIMIT LINE



EXHIBIT "B"

PLAT TO ACCOMPANY LEGAL DESCRIPTION
POLICE SERVICE DISTRICT

UNINCORPORATED (MARTINEZ) - CONTRA COSTA COUNTY - CALIFORNIA

MERIDIAN ASSOCIATES, INC.
 CIVIL ENGINEERS • SURVEYORS
 1300A WILLOW PASS COURT
 CONCORD, CA 94520 925-691-7300

ORDINANCE NO. 2022-31
(Uncodified)

(An Ordinance of the Board of Supervisors of Contra Costa County)
Authorizing a Special Tax for Police Protection Services in Zone 2609
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 2609 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 2609 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 2609 (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 or 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, 2023 through June 30, 2024) 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 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 2609 in an election to be held on December 20, 2022, so that taxes shall first be collected hereunder for the tax year beginning July 1, 2023. 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 18, 2022, 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]

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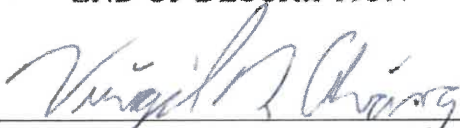
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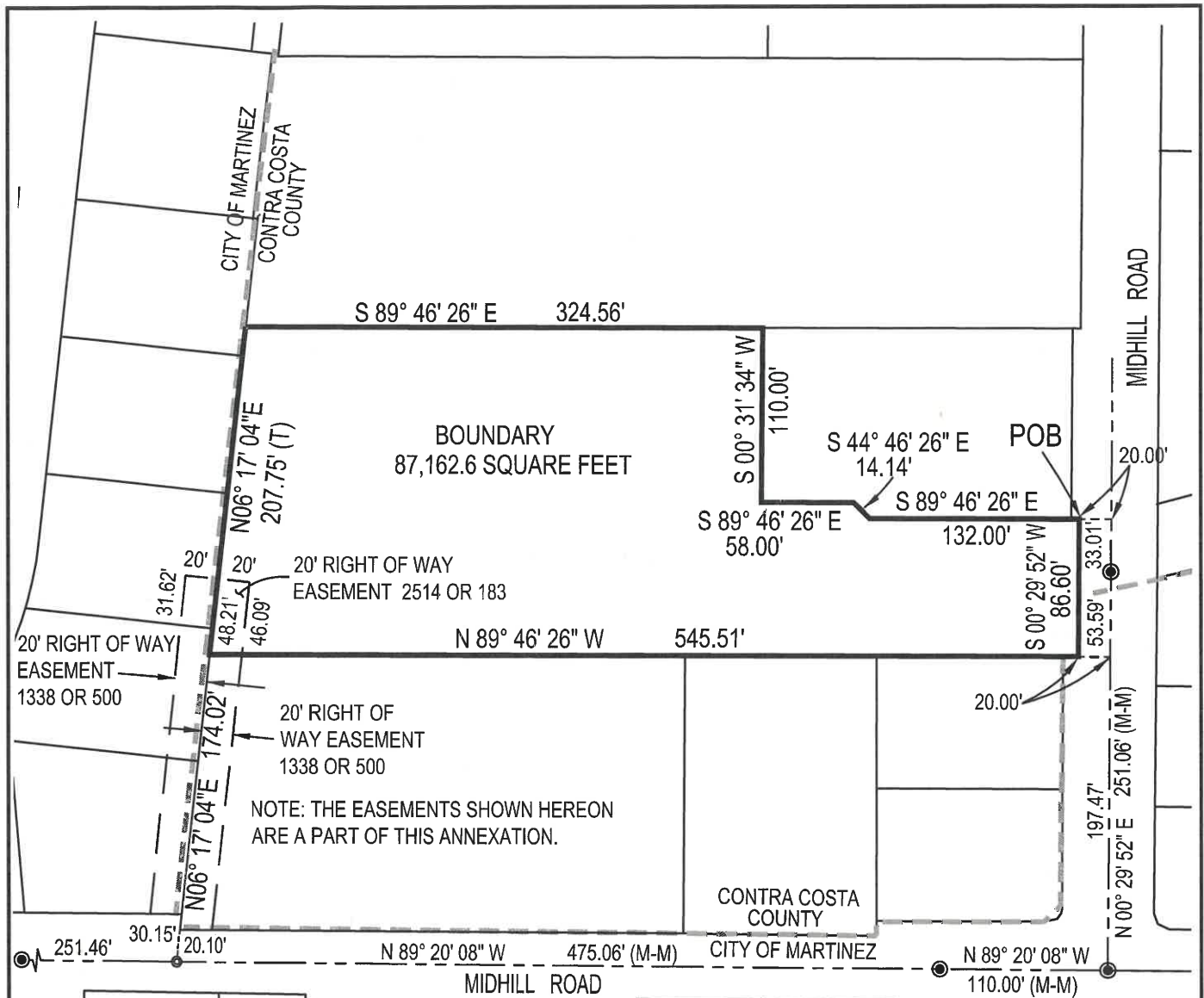
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TOGETHER WITH: THE 20 FOOT WIDE RIGHT OF WAY EASEMENTS APPURTENANT TO THE SOUTHWEST PORTION OF THE PROPERTY, AS SHOWN ON THE ACCOMPANYING PLAT MAP AND RECORDED IN THE OFFICIAL RECORDS OF CONTRA COSTA COUNTY AS DOCUMENTS 1338 OR 500, AND 2514 OR 183

END OF DESCRIPTION


MERIDIAN ASSOCIATES, INC.
VIRGIL D. CHAVEZ
L.S. 6323





NOTE: THE EASEMENTS SHOWN HEREON ARE A PART OF THIS ANNEXATION.



SCALE: 1"=200'



LEGEND & ABBREVIATIONS:

- M-M MONUMENT TO MONUMENT
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EXHIBIT "B"

PLAT TO ACCOMPANY LEGAL DESCRIPTION
POLICE SERVICE DISTRICT

UNINCORPORATED (MARTINEZ) - CONTRA COSTA COUNTY - CALIFORNIA

MERIDIAN ASSOCIATES, INC.
 CIVIL ENGINEERS • SURVEYORS
 1300A WILLOW PASS COURT
 CONCORD, CA 94520 925-691-7300

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	Duplex	Commercial Stores (not Supermarkets)	Supermarkets (not in shopping centers)	Industrial Park (with structures)	Rural, Residential Improved 1A up to 10A	Churches	Private Roads	
	1 Res on 1 Site & Duets without Common Areas								
	12	22	32	42	52	62	72	82	
	Single Family	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	
	1 Res on 2 or More Sites								
	13	23	33	43	53	63	73	83	
	Single Family	Fourplex	Office Buildings	Financial Bldgs. (Ins. & Title Companies, Banks, S & L)	Light Industrial	Urban Acreage 10A up to 40A	Acute Care Hospitals, with or without imp	State Board Assessed Parcels	
	2 or More Res on 1 or More Sites								
	14	24	34	44	54	64	74	84	
	Single Family	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)	
	On other than Single Family Land								
	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)		
CONFIRMATION CODES	18	28	38	48	58	68	78	88	
Q = PCOR Received C = SQ Received A = ADJ R = SQ Requested X = SVP (Sales Verification Program)	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	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		
Res, Detached, w/Common Area (normal subdiv. type PUD); Duets w/Common Area							90 Awaiting Assignment		

ORDINANCE NO. 2022-31 ZONE 2609

FOR FISCAL YEAR JULY 1, 2023, THROUGH JUNE 30, 2024

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 09/13/2022 by the following vote:

John Gioia
Candace Andersen
AYE: **Diane Burgis**
 Karen Mitchoff
 Federal D. Glover

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2022/309

RESOLUTION OF INTENTION TO FORM ZONE 2609 OF COUNTY SERVICE AREA P-6 IN THE UNINCORPORATED MARTINEZ 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 unincorporated Martinez 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 2609 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 2609" of CSA P-6.

NOW, THEREFORE, BE IT RESOLVED THAT at 9:00 a.m. on October 18, 2022, 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 2609 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.

ATTESTED: September 13, 2022

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

Contact: Jennifer Cruz, 925-655-2867

By: June McHuen, Deputy

cc: Rosa Mena



Contra
Costa
County

To: Board of Supervisors
From: Marla Stuart, Employment and Human Services Director
Date: October 18, 2022

Subject: Update on Head Start Programs and Oversight

RECOMMENDATION(S):

RECEIVE update on the activities and oversight of the County's Head Start Programs; CONSIDER APPROVING Head Start Agency Governance Policy No.22-60; and Determine that to the extent that the provisions of Head Start Agency Policy No.22-60 conflict with the provisions of prior Head Start governance policies and procedures, the provisions of Head Start Agency Policy No. 22-60 will prevail and be given full effect.

FISCAL IMPACT:

There is no fiscal impact.

BACKGROUND:

On September 26, 2022 the Employment and Human Services Department (EHSD) made a presentation to the Family and Human and Services (FHS) Committee providing an update on then the Community Services Bureau's Head Start programs including the recent Quality Improvement Plan. During that presentation, EHSD made three recommendations to change to the Head Start Governance. The recommendations were to 1) identify the EHSD Director as the Head Start Executive Director, 2) delegate the EHSD Director to hire the Head Start Management Team, and 3) accept monthly updates at the Family and Human Services Committee. FHS approved the report, including to forward it

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Danielle Fokkema, 925-655-2047

By: , Deputy

cc:

BACKGROUND: (CONT'D)

to the Board of Supervisors for discussion. Subsequent to the FHS meeting, the Administration for Children and Families has indicated that monthly reports to the FHS is insufficient to meet the governing body responsibilities as outlined in the Head Start Act. Therefore, the policy recommended here recommends monthly report to the full Board of Supervisors.

CONSEQUENCE OF NEGATIVE ACTION:

EHSD will not be able to make necessary changes to Head Start governance, which may jeopardize the success of the Quality Improvement Plan.

ATTACHMENTS

Head Start Update

CCC Head Start Governance Policy



Head Start Update

Contra Costa County Board of Supervisors
October 18, 2022



Marla Stuart, MSW, PhD
Director, Employment & Human Services

Order of Presentation

1. Quality Improvement Plan Update
2. Governance
- ★ 3. Budget
- ★ 4. Services
- ★ 5. Monitoring
- ★ 6. Region IX Communications
7. Future



Quality Improvement Plan



Quality Improvement Plan (QIP)

5 Deficiencies | (1 Area of Non-Compliance)

1. Ongoing Monitoring & Continuous Improvement
- (2. Program Governance)
3. Safety Practices – Monitoring & maintaining healthy & safe environments
4. Safety Practices – Supervising children
5. Safety Practices – Keeping children safe
6. Ongoing Fiscal Capacity – Fiscal management

Due

November 16

November 16

November 16

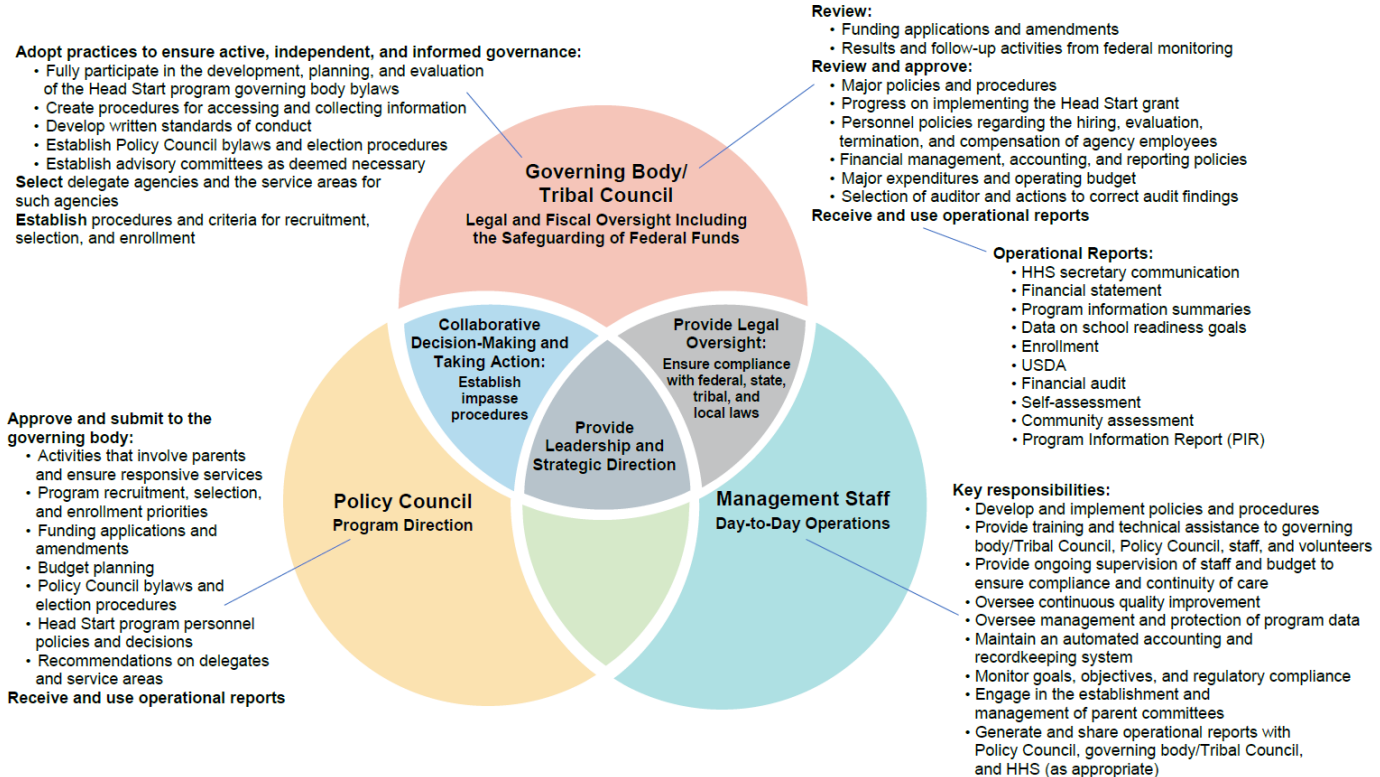
October 17

October 17

November 16

Governance

Governance Structure





Governance Recommendations

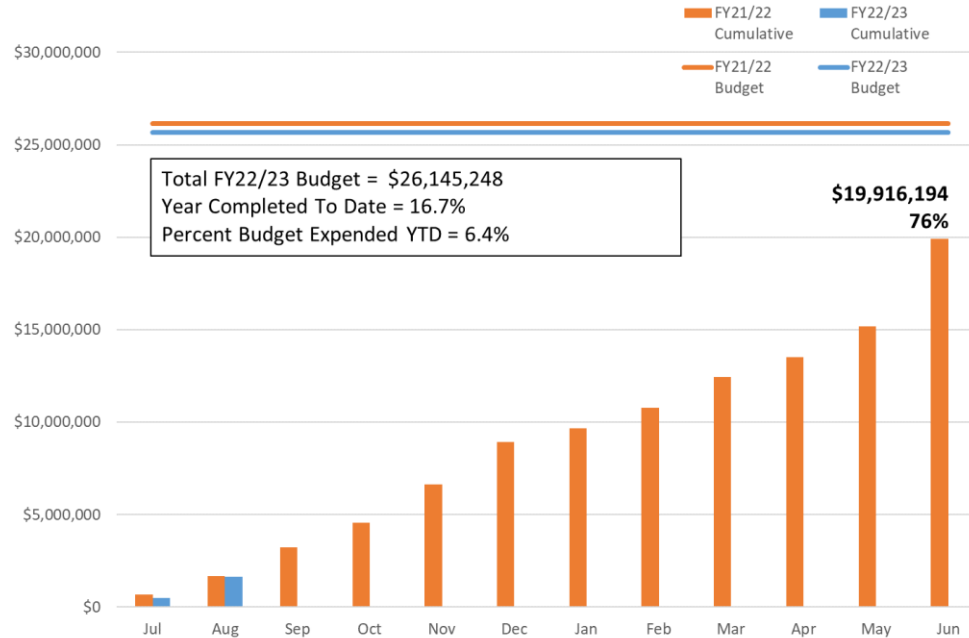
Approve new Head Start Governance Policy that includes:

- Identifying Employment & Human Services (EHSD) Director as the Head Start Executive Director
- Delegating EHSD Director to hire Head Start Management Team (existing FTE)
 - Director
 - Chief Fiscal Officer
 - Personnel Officer
- Accepting monthly Head Start updates

Budget



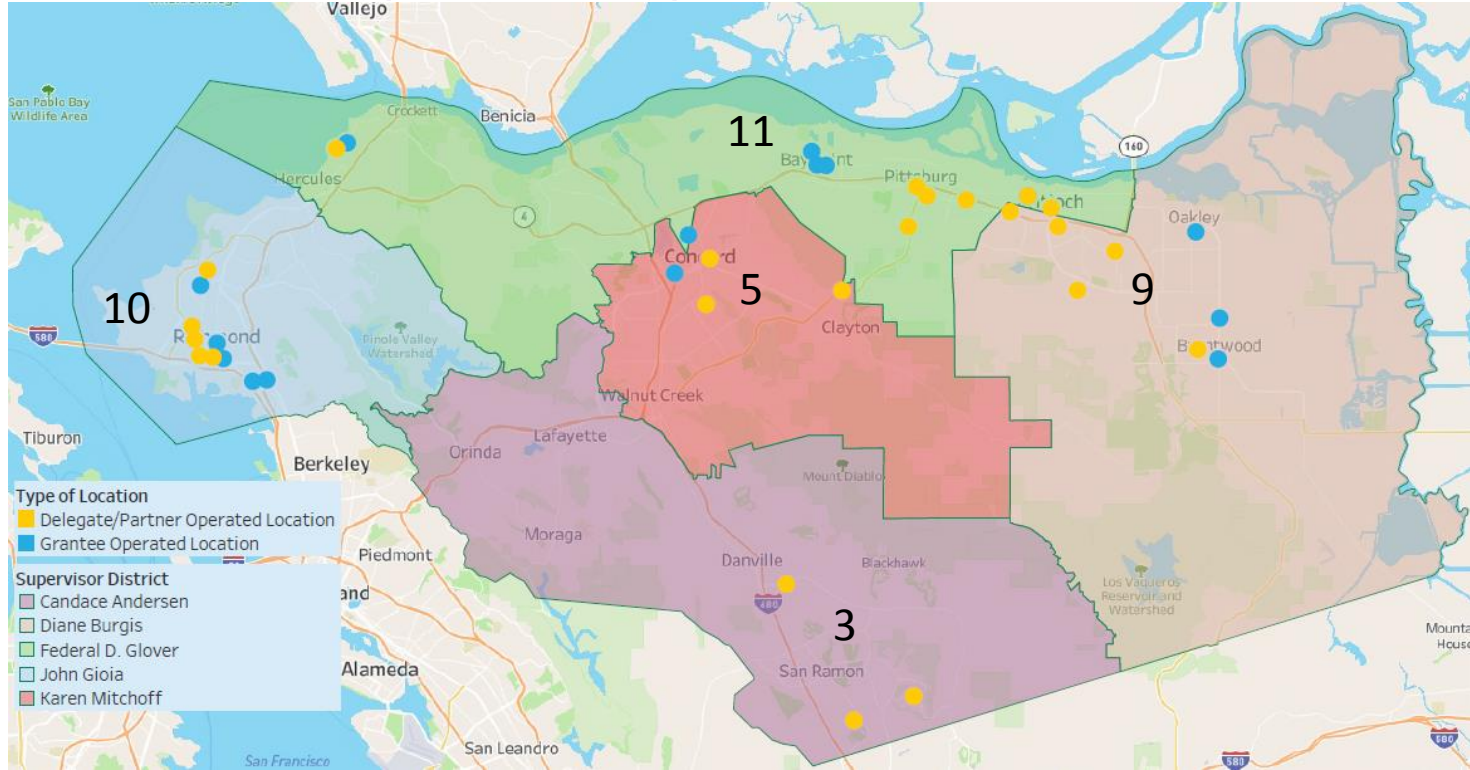
FY21/22 Budget Summary



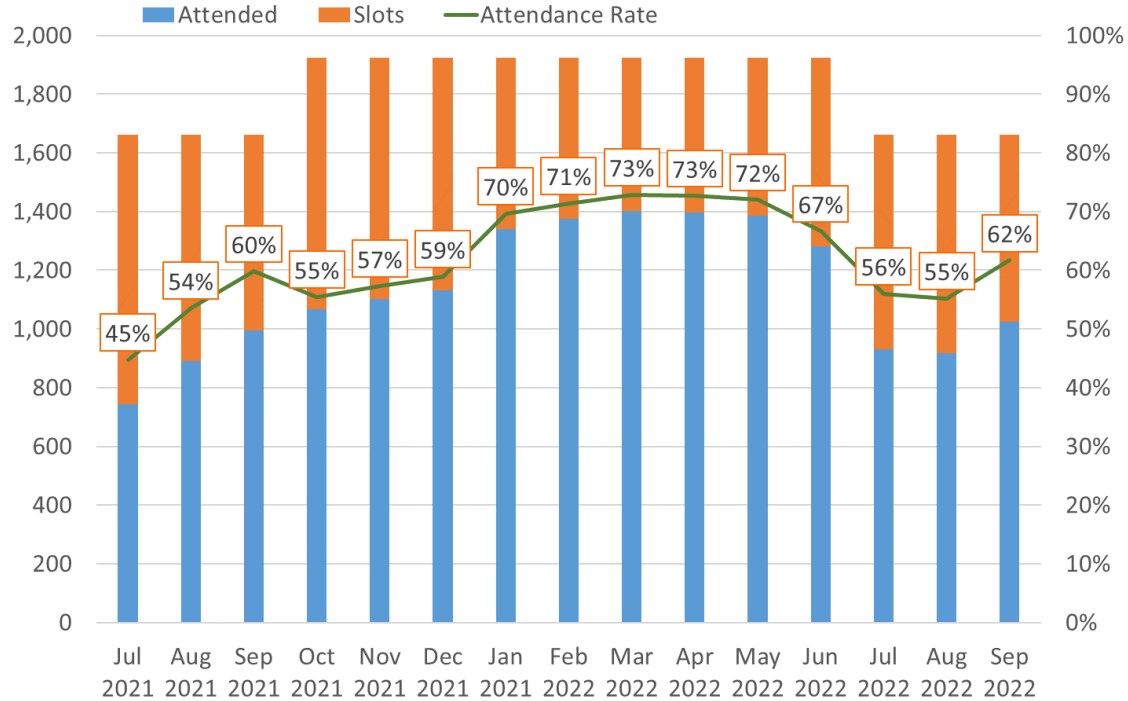
Services



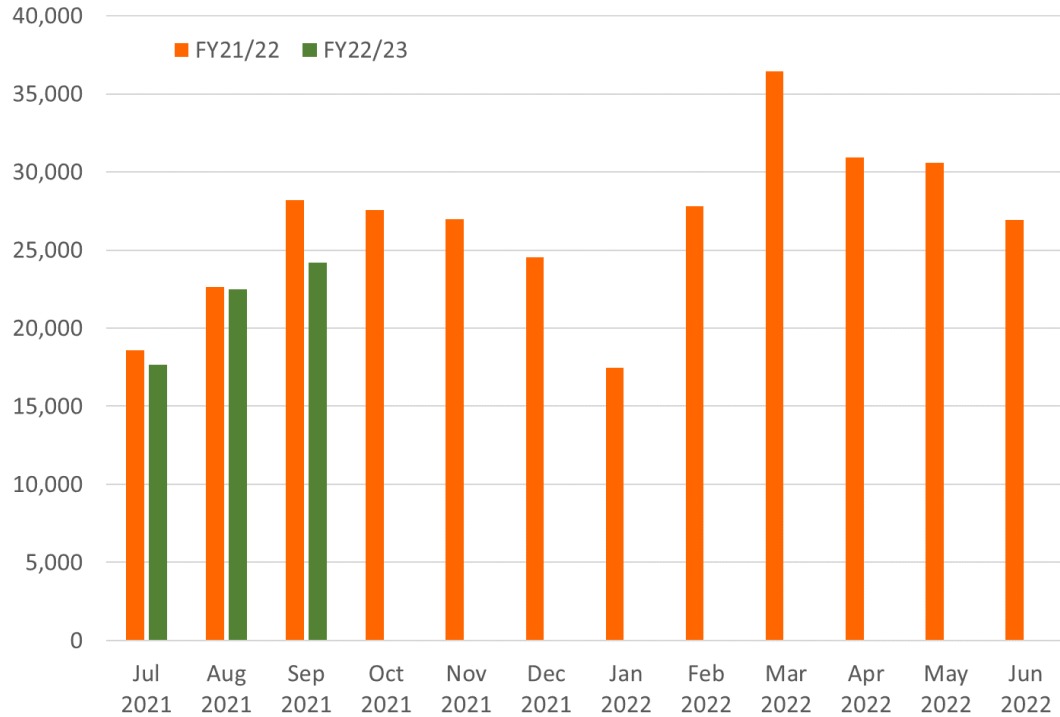
Centers per Supervisorial District



FY21/22 Attendance



Meals and Snacks Served



Current Slots and Waiting List

SLOTS	Part-Day	Full-Day	Home Visiting	TOTAL
Head Start	356	995	0	1351
Early Head Start	0	424	149	573
TOTAL	356	1419	149	1924

WAITING LIST = 4,187 (218% OF SLOTS)



Classroom Closures

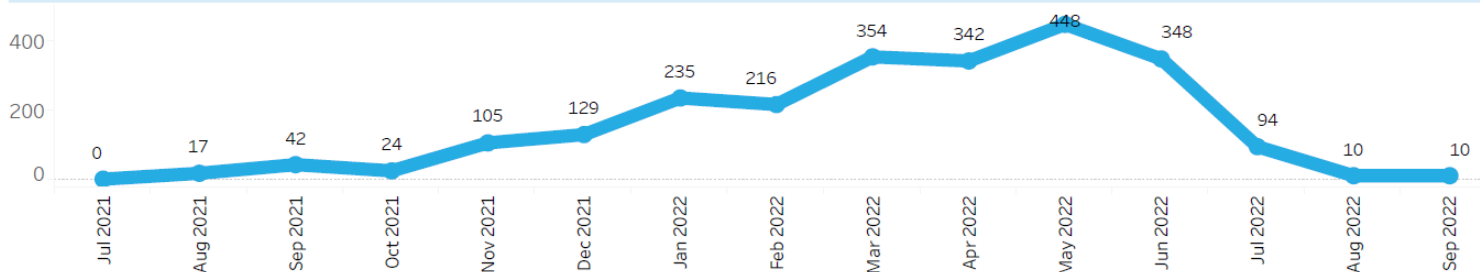
Number of Classroom Closures by Location, July 2021 to September 2022

	Ambrose	Balboa	Bayo Vista	CCC	Crescent Park	GM III	GMC	GMIII	Lavonia Allen	Los Arboles	Los Nogales	Marsh Creek	Riverview	Verde	Grand Total
July 2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
August 2021	0	0	0	0	0	0	0	0	0	0	2	0	0	0	2
September 2021	0	1	0	1	0	2	0	0	0	2	0	0	2	0	8
October 2021	0	1	0	0	0	0	0	1	0	2	1	0	0	0	5
November 2021	0	0	0	1	0	0	1	1	0	4	2	0	2	0	11
December 2021	1	0	0	0	0	0	3	0	0	3	1	0	3	0	11
January 2022	1	3	3	2	0	0	9	0	0	1	0	0	0	0	19
February 2022	0	4	0	0	0	0	9	0	1	1	0	0	5	0	20
March 2022	3	4	1	1	0	0	11	2	1	0	1	0	9	2	35
April 2022	1	4	2	0	2	0	6	2	3	0	6	0	1	0	27
May 2022	5	1	8	0	0	0	7	0	3	4	0	2	10	2	42
June 2022	1	1	8	0	1	0	4	0	2	1	1	0	9	1	29
July 2022	2	0	1	0	0	0	0	1	9	0	0	0	1	0	14
August 2022	1	0	0	0	0	0	0	0	5	0	0	0	0	0	6
September 2022	1	0	0	0	0	0	2	0	0	0	0	0	0	0	3

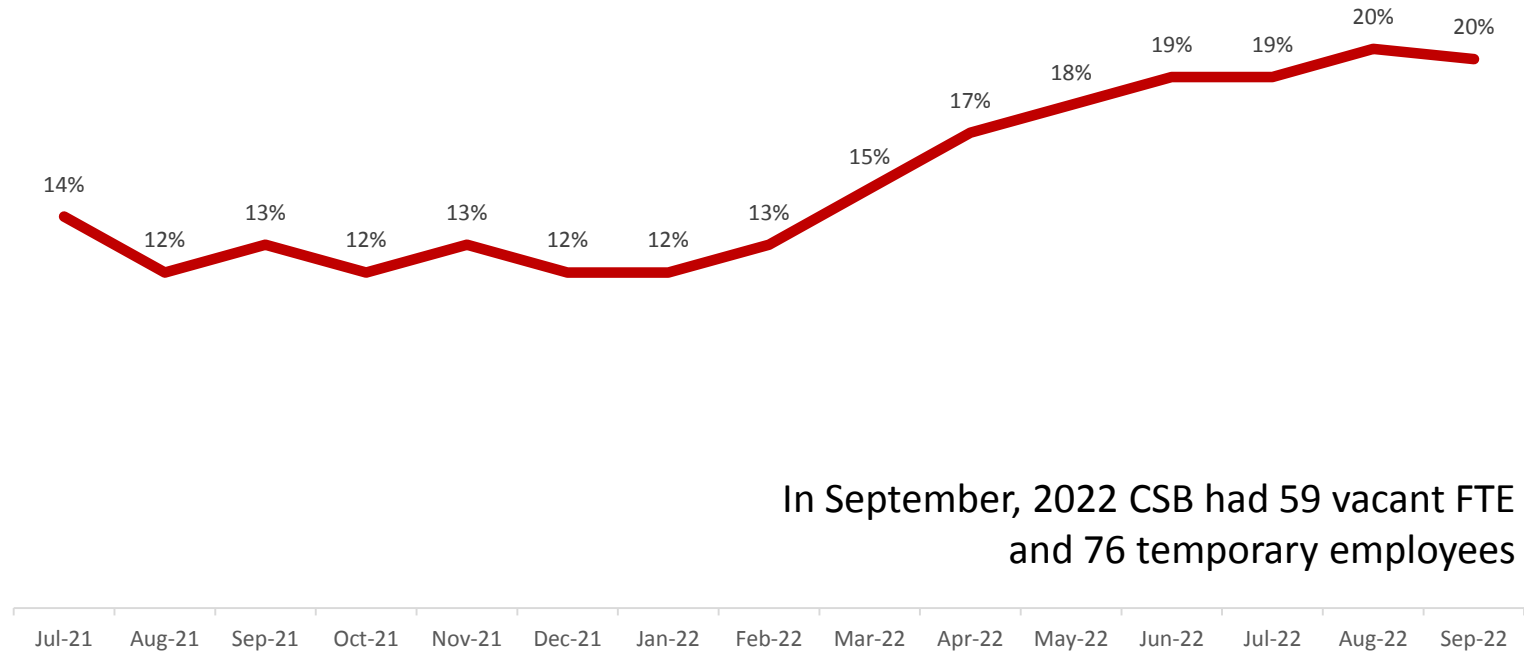
of Classroom Closures



Number of Children Impacted by Month, July 2021 to September 2022



CSB Position Vacancies



In September, 2022 CSB had 59 vacant FTE
and 76 temporary employees



Monitoring

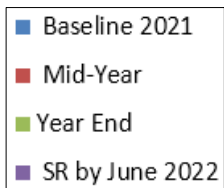


Unusual Incidents

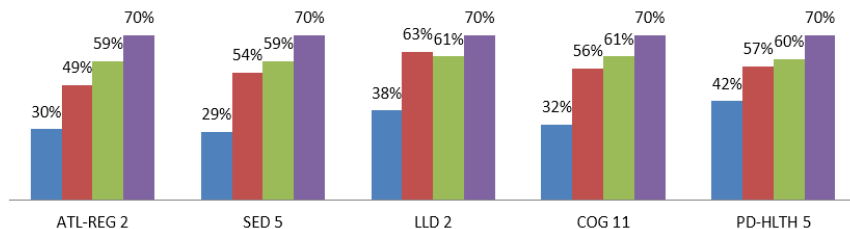
Category	FY 21/22	FY 22/23 Year to date Jul-Sep (3 months)
Child Minor Injury	1	1
Child Major Injury	2	0
Child Minor Safety	1	0
Child Major Safety	1	1
Parent Complaint	5	1
COVID Related	8	7
Other	2	2
TOTAL	20	12
Average per Month	1.7	4

FY21/22 School Readiness

Current & Expected Outcomes by June 2022



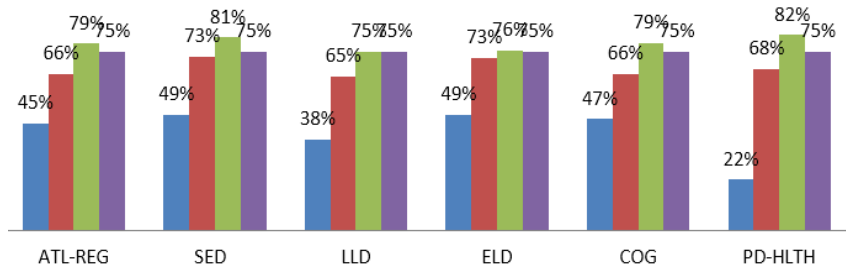
Infants and Toddlers



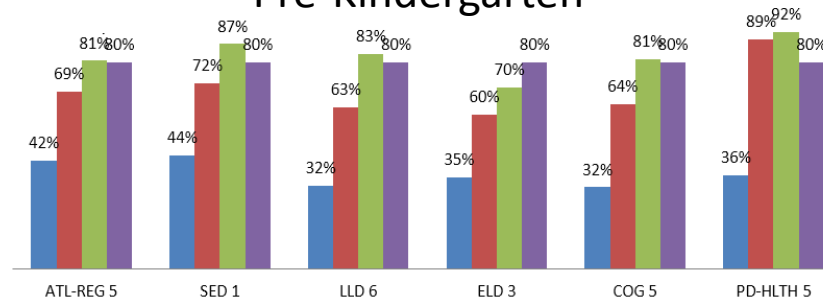
Measurement Domains

ATL-REG = Approaches to Learning Self-Regulation
 SED = Social and Emotional Development
 LLD = Language and Literacy Development
 COG = Cognition Including Math and Science
 PD-HLTH = Physical Development Health

Preschool



Pre-Kindergarten



Region IX Communications





FY21/22 Communications

July 2021	<ol style="list-style-type: none"> 1. Fiscal Year (FY) 2022 Monitoring Process for Head Start 2. Early Head Start Grantees and Technology Changes
September 2021	<ol style="list-style-type: none"> 3. Supporting the Wellness of All Staff in the Head Start Workforce
January 2022	<ol style="list-style-type: none"> 4. Final Rule on Flexibility for Head Start Designation Renewals in Certain Emergencies
February 2022	<ol style="list-style-type: none"> 5. Documenting Services to Enrolled Pregnant Women 6. Head Start Transportation Services and Vehicles During the COVID-19 Pandemic
April 2022	<ol style="list-style-type: none"> 7. Head Start Categorical Eligibility for Families Eligible for the Supplemental Nutrition Assistance Program) 8. FY 2022 Head Start Funding Increase 9. SNAP (CalFresh) recipients as eligible for Head Start/Early Head Start
May 2022	<ol style="list-style-type: none"> 10. A Letter from the Director About OHS Leadership Transitions
June 2022	<ol style="list-style-type: none"> 11. Competitive Bonuses for the Head Start Workforce
July 2022	<ol style="list-style-type: none"> 12. Letter from the Office of Head Start Acting Director on Investing in Early Childhood Education Workforce
August 2022	<ol style="list-style-type: none"> 13. Office of Head Start Guidance for Use of Funds Appropriated in the American Rescue Plan Act of 2021 (ARP) 14. Letter from the Office of Head Start Acting Director on Masks and Vaccines in Head Start Programs*
September 2022	<ol style="list-style-type: none"> 15. Strategies to Stabilize the Head Start Workforce 16. Reporting Child Health and Safety Incidents 17. Office of Head Start Mask Announcement

Communications = Office of Head Start Information Memoranda



Future

Future

- Entering Year 5 of 2019-2023
- Competitive process for 2024-28

2024 Goals

- 1 Ensure a **culture of safety** that includes standardized practices for safe environments, safe transitions, Children's Personal Rights, standards of conduct, child supervision, and classroom monitoring.
Outcome -- A reduction in unusual incidents compared to 2022.
- 2 **Increase enrollment and attendance** levels for grantee operated and delegate/partner operated centers as we continue to emerge from the impacts of the pandemic.
Outcome -- Reach and maintain the ACF required enrollment rate.
Outcome -- Improve attendances rates compared to 2022.
- 3 Adapt to the **shift in community need** for infant and toddler services and in light of the California implementation of Transitional Kindergarten.
Outcome -- Monthly reduction in the number of families with children ages 0-3 on waiting lists compared to 2022.
- 4 Implement **innovative approaches to hiring, developing, and retaining** a robust teaching, support and management staff for grantee operated and delegate/partner operated sites.
Outcome -- A reduction in vacancy rates, especially for teaching staff, compared to 2022.
Outcome -- A reduction in number of classrooms closed due to insufficient staffing, compared to 2022.
- 5 Continue to execute, and then monitor the effectiveness of, the **integration of administrative functions** into the Employment & Human Services Department which was started with the 2022 Quality Improvement Plan.
Outcome -- A reduction in the number of internal control grantee and delegate/partners compared to 2022.





Motion Requested

Accept report and approve new
Governance Policy.

I. GENERAL

- A. This policy describes the formal structure of program governance for the Contra Costa County Head Start program including the oversight of quality services for children and families and for making decisions related to program design and implementation. To the extent that the provisions of this policy conflict with the provisions of the 2019-2021 Community Services Bureau Policies & Procedures Manual approved by the Board of Supervisors on 7/30/2019, the provisions of this Head Start Agency Governance Policy No. 22-60 will prevail and be given full effect.

II. REFERENCE

- A. Head Start Program Performance Standards (45 CFR chapter xiii)
- B. Head Start Act (42 U.S.C. 9837)
- C. Contra Costa County Administrative Bulletins 100 (General), 200 (Budget & Fiscal), 300 600 (Payroll & Timekeeping), 400 (Personnel), 500 (Property & Equipment), 600 (Purchasing)
- D. Employment & Human Services Department Manual, Memoranda, and other requirements

III. POLICY

- A. Governing Body. The five members of the Contra Costa County Board of Supervisors, serve as the governing body (“Board”) of the County’s Head Start program (“Program”). The Board has general legal and fiscal responsibility for the Program, including the safeguarding of federal funds and ensuring Program compliance with state, federal, and local laws and regulations.
1. Responsibilities. The Board is responsible for carrying out the following duties, including but not limited to:
- a. Selection of delegate agencies and their service areas;
 - b. Establishing procedures and criteria for recruitment, selection, and enrollment of children;
 - c. Reviewing all applications for funding, including amendments to applications;
 - d. Reviewing and approving the annual self-assessment and financial audit;

DMCL #22-60

- e. Reviewing and approving the programmatic and fiscal obligations contained in the Program's Head Start grant application;
 - f. Reviewing and approving the implementation of corrective actions;
 - g. Reviewing and approving personnel policies regarding the hiring, evaluation, termination, and compensation of County employees assigned to work on the Program;
 - h. Developing procedures for selecting members of the Head Start Policy Council;
 - i. Financial Approvals.
 - (i) Ensuring compliance with county financial management, accounting, and reporting policies;
 - (ii) Approving contracts and other major financial expenditures, consistent with County policies and procedures, and all major financial expenditures of the Program;
 - (iii) Annually approving the Program's operating budget;
 - (iv) Selecting, except as otherwise provided by law, independent financial auditors;
 - (iv) Monitoring actions to correct audit findings and to comply with laws and regulations governing financial statement and accounting practices;
 - j. Reviewing results from monitoring of Program partners and delegate agencies, including corrective actions;
 - k. Establishing, adopting, and updating written conflict of interest policies and procedures, and procedures for resolving complaints and conducting investigations; and
 - l. Appointing the Head Start Executive Director.
2. Monthly Report. A monthly report addressing, but not limited to, the topics specified below will be sent to all members of the Board and will be received and discussed at a public meeting:
- a. Program financial statements including credit card expenditures;
 - b. Program information summaries;
 - c. Program enrollment reports including attendance reports for children whose care is partially subsidized by another public entity;
 - d. Meals and snacks provided through programs of the Department of Agriculture;
 - e. Community needs assessment;
 - f. Communication and guidance from the Head Start Secretary; and
 - g. Program information reports.

3. Conflict of Interest. Members of the Board must not have a financial conflict of interest with the Program, including with the delegate agency Board members must report to the Program all their immediate family members who are employed by the County or by the delegate agency, and the County will report such information to the Head Start Secretary.
 4. Training. The Board will receive annual training, including, at a minimum, governance training.
- B. Head Start Executive Director. The Board designates the Employment & Human Services Department Director as the Head Start Executive Director (“Executive Director”). No Head Start funds will be utilized to pay any part of the incumbent’s salary.
1. The Board delegates to the Executive Director the following authority:
 - a. To take all actions needed to carry out and implement the programmatic and fiscal obligations of the Head Start grant;
 - b. To establish procedures and guidelines for accessing and collecting information necessary for the Monthly Report (see above);
 - c. To hire, evaluate, and terminate Program employees in accordance with the applicable Memoranda of Understanding, the Personnel Management Regulations, and the Salary Regulations, all of which were adopted by the Contra Costa County Board of Supervisors;
 - d. To develop procedures, consistent with this policy and the Head Start Act, on how members of the Policy Council are selected at each site by multiplying the total number of Head Start and Early Head Start slots at each site by 1/60 (one representative for each 60 slots).
 - e. To develop, subject to Board approval, actions to correct audit findings pertaining to financial statement and accounting practices and to monitor Program operations to cure the audit findings and
 - f. To ensure compliance with all other Head Start Act and Program Performance Standards requirements not otherwise explicitly identified in this policy.
- B. Policy Council. The Policy Council is elected by the parents of the children currently

enrolled in the Program and is comprised of parents of children currently enrolled in the Program, including the delegate agency, and members at large of the community served by the Program, including parents of children formerly enrolled in the Program. The majority of the Policy Council membership must be comprised of parents of children currently enrolled in the Program. The Policy Council is responsible for the direction of the Program, including its design and operation, and the short-term planning goals and objectives, taking into account the annual communitywide strategic planning and needs assessment and self-assessment.

1. Responsibilities. The Policy Council will approve and submit to the Board decisions about the following:
 - a. Activities to support the active involvement of parents in supporting program operations, including policies to ensure that the County is responsive to community and parent needs;
 - b. Program recruitment, selection, and enrollment priorities;
 - c. Applications for funding and amendments to applications for funding for programs, prior to the submission of the funding applications;
 - d. Budget planning for program expenditures, including policies for reimbursement and participation in Policy Council activities;
 - e. Policy Council bylaws;
 - f. Program personnel policies and decisions regarding the employment of program staff, consistent with Head Start paragraph 642(c)(1)(E)(iv)(iX), including standards of conduct for program staff, contractors, and volunteers and criteria for the employment and dismissal of program staff.
 - g. Developing procedures for how Policy Council members are elected and
 - h. Recommendations on the selection of delegate agencies and the service areas for such agencies.
2. Conflict of Interest. Members of the Policy Council must not have a conflict of interest with the County, including any delegate agency and must not receive compensation for serving on the Policy Council or for providing services to the County.



Contra
Costa
County

To: Board of Supervisors
From: Monica Nino, County Administrator
Date: October 18, 2022

Subject: General Liability Cost Allocation and Expenses Associated With Provision of Police Services to Cities

RECOMMENDATION(S):

1. ACCEPT report on general liability cost allocation for County departments and associated with contracts between the County and certain cities for the provision of city police services by the Office of the Sheriff;
2. CONSIDER providing direction to staff regarding recovery of general liability expenses for contract cities.

FISCAL IMPACT:

Acceptance of the report has no fiscal impact.

BACKGROUND:

At the June 21, 2022 meeting of the Board of Supervisors, staff reported on the liability expenses incurred by the County associated with contracts between the County and certain cities for the provision of city police services by the Office of the Sheriff. For follow-up from the discussion, the Board requested additional information on the County’s broader general liability insurance program, including more detail on the cost recovery of insurance and litigation expenses for police services contracts. This report summarizes the major findings from the June 21 discussion and provides the requested overview of the general liability program, including the methodology for cost allocation and estimated FY23-24 impact on cities contracting for police services.

The Office of the Sheriff currently contracts with the Town of Danville, the Cities of Lafayette and Orinda, and other entities to provide police services. Last fiscal year, the County settled two lawsuits concerning the shooting deaths of Laudemer Arboleda and Tyrell Wilson by Officer Hall, a Contra Costa Sheriff’s Deputy working as an officer with the Danville Police Department pursuant to a police services contract. The lawsuit concerning Laudemer Arboleda settled for \$4.9 million in November 2021, and the lawsuit regarding Tyrell Wilson settled for \$4.5 million in March 2022. For each case, the County was reimbursed by its excess insurer, Public Risk Innovation, Solutions, and Management (“PRISM”), for all expenses exceeding the County’s \$1 million self-insured retention (SIR), similar to an insurance deductible.

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

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Adam Nguyen, County Finance Director (925) 655-2048

By: , Deputy

cc:

BACKGROUND: (CONT'D)

General Liability Self-Insurance Program Cost Allocation

Contra Costa County uses a combination of self-insurance, pooled coverage, and purchased insurance for protection against adverse losses. The County procures excess coverage for the self-insured general liability program through Public Risk Innovation Solutions and Management (PRISM), a California Joint Powers Authority (JPA).

The funding of the County’s self-insured General Liability cost requires actuarial analysis of claims and loss history to predict likely liabilities, expenditures, and required reserves each year for disclosure in the County’s audited financial statements. Since claims incurred in one fiscal year are typically paid over several succeeding fiscal years, funds must be set aside in the current year to pay expenses in future fiscal years. The State Controller requires that self-insured insurance programs hold assets in a trust fund or internal service fund to cover the cost of these future payments. The latest actuarially-determined, expected value reserve requirement cited in a March 8, 2022 report for the County is \$11.7M, and is currently met within the County’s Public Liability Trust Fund as of October 2022.

The State Controller provides further guidance on internal cost allocation methodologies for general liability expenses in its “Handbook of Cost Plans for California Counties.” Following the State Controller’s guidelines and industry best practices, Contra Costa County weights exposure to claims by 20% for exposure to potential losses and actual loss experience by 80%. Exposure to potential losses is complex; the County follows the common industry practice of using total payroll to determine risk exposure. The general logic is that larger organizations with more employees typically carry more risk. For loss experience, the County previously based cost recovery on a rolling average of five years of actual paid losses, but moving forward will calculate rates based on ten years of total incurred losses, in line with the State’s recommended practice of using longer periods of loss data when it is available.

Historically, County departments were informed of their annual General Liability cost allocation through a memo from the Risk Management Department. General Fund supported departments, however, weren’t actually charged; instead, those budgeted costs were allocated and charged to the County General Fund account. Self-supporting, “Revenue Departments”—including Child Support Services, Conservation and Development, Employment and Human Services, Fire Districts, First 5, Health Services, Library, and Public Works – were allocated costs and billed. Moving forward, Risk Management will meet with all County departments annually to review their budgeted risk management charges for general liability and other insurance coverage, and discuss potential risk management mitigation strategies. Combined with the 10-year loss history weighting, this cost allocation methodology should better smooth insurance charges to departments and align incentives to mitigate risks and implement safety and loss prevention programs, reducing overall long-term costs to the County.

FY23-24 Anticipated General Liability charges

In recent fiscal years, the premiums for the County’s total general liability insurance have been steadily increasing. They increased 26% for FY 20-21, 21% for FY 21-22, and 26% for FY 22-23. Similar or higher insurance premium rate increases are likely to occur in future years. Past premium increases reflected market conditions in the general liability insurance industry for public entities statewide and nationally, rather than only the County’s individual loss history. The insurance market, particularly for police services, is currently characterized as being a very “hard market,” driven by a significant increase in the frequency and severity of losses; simply put, there are more lawsuits and bigger payouts than ever.

Table 1: Total General Liability Insurance Program Premium by Fiscal Year

<u>Fiscal Year</u>	<u>Premium Amount</u>	<u>Percentage Change</u>
2019-2020	\$6,563,791	29%
2020-2021	\$8,291,263	26%
2021-2022	\$10,093,308	22%
2022-2023	\$12,689,147	26%

Table 2: General Liability Insurance Cost Allocations for Self-Supporting Departments, by Fiscal Year

<u>Department</u>	<u>Estimated FY23-24 GL Charge</u>	<u>FY22-23 GL Charge</u>	<u>Amount Change</u>	<u>Percentage Change</u>
Child Support Services	\$64,932	\$55,374	\$9,558	17%
Conservation & Development	\$167,062	\$125,847	\$41,215	33%
Employment & Human Services	\$971,536	\$552,436	\$419,100	76%
Fire Districts	\$560,088	\$355,671	\$204,418	57%
First 5	\$16,617	\$14,280	\$2,337	16%
Health Services	\$2,279,324	\$3,167,797	(\$888,473)	-28%
Library	\$76,735	\$60,100	\$16,635	28%
Public Works	\$6,697,013	\$6,956,530	(\$259,517)	-4%
Sheriff Non-Detention	\$6,200,161	\$4,472,573	\$1,727,588	39%

Sheriff Detention \$1,929,482 \$1,863,254 \$66,228 4%

Contract cities contribute towards the cost of general liability coverage. In the past, Risk Management would order an annual analysis specifically for liability expenses related to police services for contract cities, and use the report findings to inform the calculation of insurance charges per sworn officer for the fiscal year. The last analysis was completed in May 2021, and the cities currently make monthly general liability coverage payments of \$215.83 per full-time equivalent (FTE) sworn officer. The current annual contracted Sheriff's FTE cost in FY 2022-23 is approximately \$2,580. Those charges are deposited into the Risk Management Liability Trust Fund.

For FY23-24 and moving forward, the general liability rates for entities that contract with the County for police services charges will continue to be based on a charge per full-time equivalent (FTE) sworn officer. As with the rest of the county, the rate from the Office of the Sheriff will be proportionally based on loss history (80%) and exposure (20%). To more accurately determine a per Sheriff's employee rate, the insurance cost for the Sheriff's department will be further stratified between Detention and non-Detention. The calculated insurance cost per non-Detention FTE will be applied to each contracted Sheriff's FTE. For FY23-24, the initial estimated annual contracted Sheriff's FTE cost will be approximately \$9,118, an increase of 253% over the prior year's rate, reflecting the large loss experience in recent years.

Table 3: FY2023-24 Estimated General Liability Cost Allocation for Contracted Police Services

Sheriff FTE (non-detention)	680
FY23-24 Annual Charge per FTE - Estimate	\$9,118
FY22-23 Annual Charge per FTE	\$2,580 <i>(based on \$215 monthly)</i>

Agency	Assigned FTE	FY23-24 Charge (est.)	FY22-23 Charge
Town of Danville	30	\$273,537	\$77,400
Lafayette Police Department	18	\$164,122	\$46,440
Orinda Police Department	14	\$127,650	\$36,120
AC Transit	11	\$100,297	\$28,380
Crockett Community Services District	1	\$9,118	\$2,580
Diablo Community Services District	1	\$9,118	\$2,580
Crockett Cogen	1	\$9,118	\$2,580
P-2 Zone A Blackhawk	4	\$36,472	\$10,320
P-5 Round Hill	2	\$18,236	\$5,160
P-2 Zone B Alamo	1	\$9,118	\$2,580
	83	\$756,784	\$214,140

CONSEQUENCE OF NEGATIVE ACTION:

Staff would not receive direction on how to proceed.

ATTACHMENTS

Presentation - General Liability Cost Allocation

General Liability Insurance Cost Allocation

Adam Nguyen
County Administrator's Office

October 18, 2022





Agenda

1. Overview of the County's General Liability coverage
2. Cost allocation methodology to departments
3. FY23-24 estimated charges to self-supporting departments and contracted entities for police services
4. Discussion



General Liability overview

1. Coverage for claims due to negligence, covering: bodily injury, personal injury, property damage, public officials Errors and Omissions, employment practices liability, automobile liability
2. County self-insures for losses for each incident up to its self-insurance retention (i.e. deductible) of \$1M
3. Excess general liability coverage provided by Public Risk Innovation, Solutions, and Management Company (PRISM)
 - a. Created in 1979 when 29 California counties formed the California State Association of Counties (CSAC) Excess Insurance Authority (EIA), a Joint Powers Authority (JPA)
 - b. Membership has since expanded to include 95% of counties, 70% of cities, as well as educational organizations, special districts, housing authorities, fire districts, and 27 other Joint Powers Authorities



Insurance renewal cycle

1. Actuarial analysis of claims and loss history required to predict likely liabilities, expenditures, and required reserves each year for disclosure in the County's audited financial statements
2. Latest analysis as of March 8, 2022 required an expected value of \$11.7M for insurance reserve, which the County's Public Liability Trust Fund currently meets
3. Initial insurance premium estimates are typically provided in October, and updated in December/January, and March
4. Early estimates are used to inform the County's budget development and cost allocation for general liability
5. Premiums are due on July 1 of each year



State Controller guidance on cost allocation

1. Best practices for cost allocation provided in the State's Handbook of Cost Plans for California Counties
2. Section 4230: Reserve Development – Requires annual actuarial analysis of loss history to determine reserves needed to meet likely liabilities
3. 4270: Rate Development
 - a. Develop premium based on risk management administrative costs, excess insurance premiums, and reserve requirements
 - b. Rates should be developed to charge the user departments for their share of the “premium.”
 - c. For counties that have at least 10 years of loss history, approximately 80% of the annual premium charge should be based on the average loss history, with 20% of the annual premium distributed on the exposure to potential losses.



County General Liability cost allocation methodology

Past practice

1. Weighted by risk exposure 20% and loss experience 80%
2. Modeled on 5 years paid loss experience
3. Informed departments of annual general liability costs, but only directly budgeted and charged to self-supporting departments. General Fund departments were charged to the County general fund.

Moving forward

1. Weights risk exposure 20% and loss experience 80%
2. Models on 10 years total incurred losses
3. All departments will be directly budgeted and charged for general liability coverage, better aligning each department's incentives to manage risk



General Liability Insurance Premium History

The insurance market, particularly for police services, is currently characterized as being a very “hard market,” driven by a significant increase in the frequency and severity of losses.

Fiscal Year	Premium Amount	Percentage Change
2019-2020	\$6,563,791	29%
2020-2021	\$8,291,263	26%
2021-2022	\$10,093,308	22%
2022-2023	\$12,689,147	26%



County General Liability cost allocation FY22-24

Department	Estimated FY23-24 Charge	FY22-23 Charge	Change Amount	Change Percentage
Child Support Services	\$64,932	\$55,374	\$9,558	17%
Conservation & Development	\$167,062	\$125,847	\$41,215	33%
Employment & Human Services	\$971,536	\$552,436	\$419,100	76%
Fire Districts	\$560,088	\$355,671	\$204,418	57%
First 5	\$16,617	\$14,280	\$2,337	16%
Health Services	\$2,279,324	\$3,167,797	(\$888,473)	-28%
Library	\$76,735	\$60,100	\$16,635	28%
Public Works	\$6,697,013	\$6,956,530	(\$259,517)	-4%
Sheriff Non-Detention	\$6,200,161	\$4,472,573	\$1,727,588	39%
Sheriff Detention	\$1,929,482	\$1,863,254	\$66,228	4%



FY23-24 Estimated General Liability cost allocation for Contracted Police Services

Sheriff GL Charge (non-detention)	\$6,200,161
Sheriff FTE (non-detention)	680
FY23-24 Annual Charge per FTE - Estimated	\$9,118
FY22-23 Annual Charge per FTE	\$2,580 <i>(based on \$215 monthly)</i>

Agency	Assigned FTE	FY23-24 Charge (est)	FY22-23 Charge
Town of Danville	30	\$273,537	\$77,400
Lafayette Police Department	18	\$164,122	\$46,440
Orinda Police Department	14	\$127,650	\$36,120
AC Transit	11	\$100,297	\$28,380
Crockett Community Services District	1	\$9,118	\$2,580
Diablo Community Services District	1	\$9,118	\$2,580
Crockett Cogen	1	\$9,118	\$2,580
P-2 Zone A Blackhawk	4	\$36,472	\$10,320
P-5 Round Hill	2	\$18,236	\$5,160
P-2 Zone B Alamo	1	\$9,118	\$2,580
	83	\$756,784	\$214,140



Contra
Costa
County

To: Board of Supervisors
From: FINANCE COMMITTEE
Date: October 18, 2022

Subject: PROPOSED MODIFICATIONS TO THE MEASURE X INNOVATION FUND

RECOMMENDATION(S):

1. RECEIVE report on the proposed policies, guidelines, and procedures to implement the one-time Measure X-funded Innovation Fund to be administered by the County Administrator's Office.
2. MODIFY the eligibility for the Innovation Fund to exclude County departments, cities and other governmental agencies and include only nonprofit Contra Costa community-based organizations.

FISCAL IMPACT:

No additional fiscal impact. \$2 million allocated on a one-time basis for the Innovation Fund from Measure X sales tax proceeds. Administrative and web portal costs will be borne by the County Administrator's Office.

BACKGROUND:

On November 3, 2020, voters in Contra Costa County approved Measure X, a countywide, 20-year, half-cent sales tax. The ballot measure language stated the intent of Measure X as "to keep Contra Costa's regional hospital open and staffed; fund community health centers, emergency response; support crucial safety-net services; invest in early childhood services; protect vulnerable populations; and for other essential county services."

The Measure X Community Advisory Board (MxCAB) was established on February 2, 2021, to advise the Board of Supervisors on the use of Measure X funds. On November 16, 2021, the MxCAB presented a report and funding recommendations to the Board of Supervisors. Among the many recommendations for funding approved by the Board of Supervisors that day was a one-time allocation of \$2 million to establish an Innovation Fund to seed pilot programs and innovative projects. It was recommended that the funding be made available to "County departments, cities, and community-based organizations in response to local service needs."

The MxCAB suggested that Innovation Funds be prioritized for community-embraced and community-based programs and services and, minimally, to support the Measure X funding goal of Equity in Action (Goal #2): "We strive to be a community that prioritizes equity and removes structural barriers that cause inequities and poverty, so that all residents can thrive."

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Julie Enea (925) 655-2056

By: , Deputy

cc:

BACKGROUND: (CONT'D)

The recommendation included allocating these funds to the County Administrator's Office for development of Innovation Fund guidelines for review by the Board's Finance Committee prior to issuing a request for proposals. It is anticipated that recommendations for allocation of funds will also be reviewed by the Finance Committee prior to submittal to the Board of Supervisors for approval.

On October 3, 2022, the Finance Committee considered the County Administrator's proposed framework of policies, guidelines, and procedures to implement the Innovation Fund, received public input from the MxCAB Chair and several members of the public in attendance, and made changes to the proposed framework, which are reflected in the attached presentation (see **Attachment 1: Recommended Innovation Fund Framework**) and which covers:

- Guiding principles distinguishing innovation projects from general application of best practices
- Quality standards for Innovation Fund proposals
- Program categories (see Attachment 1 for examples of innovation in each category from other jurisdictions)
- Eligibility requirements
- Phase process and suggested implementation schedule

Also attached are thought-provoking examples of innovative programs attempted in other jurisdictions in each of the program categories identified within the framework (see **Attachment 2: Examples of Innovation Projects from Other Jurisdictions Fund**).

The County Administrator's Office proposes a bid process modeled on similar County competitive programs such as the Keller Mitigation Fund Program and the Commercial Cannabis land use permit selection process. These programs utilized an internal review committee assembled at the discretion of a County lead department to solicit and evaluate proposals and make funding recommendations to the Board of Supervisors at a regular public meeting. Such a review committee would be assembled by the County Administrator and would likely be composed of selected County staff and could include representatives of County MACs, the Office of Education, local industry, and a local farm bureau, depending upon the final guiding principles determined for the Fund and the subject matter and target population associated with each of the proposals.

Upon review and discussion of the implementation framework at its October 3 meeting, the Finance Committee recommends narrowing the eligibility for the Innovation Fund from the original proposal of "County departments, cities and community-based organizations" to only "nonprofit community-based organizations," subject to additional eligibility requirements recommended by the County Administrator.

Upon the Board's final approval of the eligibility criteria for the Innovation Fund, the County Administrator intends to initiate Phase I of the process on or about November 1, by inviting submittal of Concept Papers. The process from concepts to final contract awards is expected to take about five months to complete, with final project recommendations to be submitted for Board consideration following review by the Board's Finance Committee.

ATTACHMENTS

Attachment 1: Recommended Innovation Fund Framework

Attachment 2: Examples of Innovation Projects from Other Jurisdictions Fund

TRANSFORM CONTRA COSTA



Measure X Innovation Fund

\$2 Million of one-time funding available to County departments, cities, and community-based organizations for community-embraced and community-based programs and services.



As referred to the County Administrator from the Board of Supervisors

“The concept of an innovation fund available for funding pilot programs and innovative projects was brought to the attention of the Measure X Community Advisory Board and supported by Board of Supervisor members. Guidelines/policies for the fund have not been developed. It is anticipated that the funding would be available to County departments, cities, and community-based organizations in response to local service needs.

The funding would be prioritized to community-embraced and community-based programs and services. Minimally the funds would be used to support the Measure X funding goal of Equity in Action (Goal #2).

As with all the Measure X funded programs, in future years the success of the pilots and projects will be evaluated. Should the model produce positive measurable outcomes, additional funding will be recommended.

The recommendation includes allocating these funds to the County Administrator’s Office for development of funding guidelines and allocations. It is recommended that the Innovation Fund guidelines be reviewed in a future Finance Committee meeting prior to issuing requests for proposals.”



Innovation Fund

- Board one-time designation of \$2,000,000 from Measure X Sales Tax revenue
- Grants to be administered by the County Administrator on behalf of the Board
- Awards to be made after Review Committee recommendation, Finance Committee review, and Board approval



Mx Community Advisory Board Goal 2: Equity in Action

Prioritizing equity and removing structural barriers that cause inequities and poverty, so that all residents can thrive. Strategies include:

- County Office of Racial Equity and Social Justice
- East County community-based equity center (based on the Contra Costa County Racial Justice Coalition presentation)
- Removal defense and case management for immigrant residents, via Stand Together Contra Costa: including legal representation across court systems and social service workers to provide holistic, language accessible, culturally-responsive social services and navigation.
- Community-based and schools-based arts programs
- Immigration-based legal services via Contra Costa Immigrant Rights Alliance
- Arts & Culture Commission programs
- **Innovation fund (to facilitate community-based responses to service needs)**
- Community-based asylum support for LGBTQ+ individuals and immigrants



Proposed Innovation Fund Guiding Principles

- The first question is not ‘Is this going to work?’ but rather, ‘If it works, would it matter?’
- Unlike traditional grantmaking, intentionally seek to trade off probability of success in return for greater potential impact.
- Invest in approaches that may have a higher risk of failure, but the potential to be lasting and truly game changing if they succeed.
- Seek out ideas with transformative potential, take risks on less proven approaches, and recognize that innovation requires flexibility, iteration and, yes, even failure.
- Strive to balance rigorous analysis with intuition about a project’s potential for transformative change.
- The impact from one or two big, transformational successes in a portfolio can justify the opportunity cost of many failures.
- Recognize that money given away for social purposes is effectively gone, regardless of outcomes.



Proposed Innovation Fund Priorities

- ✓ Projects that improve equitable access to public services
- ✓ Projects that remove structural barriers that cause inequities and poverty
- ✓ Projects that have the potential to provide the greatest impact for every dollar spent
- ✓ Projects that have potential for transformative change rather than simply replicate safe, established programs



Proposed Ineligible Projects

Projects that...

- Are not new or innovative to Contra Costa County
- Are designed to only supplement operations or revenue lost
- Do not align with Contra Costa County's Innovation Fund priorities (see prior slide)
- Will not be executed in 2023-2024



Proposed Funding Categories (if needed for guidance)

- 1. Safe & Engaged Communities** – Improving health, wellness, and public safety outcomes through community outreach/awareness, education and engagement.
- 2. Agriculture and Food Systems** – Improving environmental health, economic profitability, and social and economic equity.
- 3. Economic Vitality** – Providing education, job training, decent jobs and viable businesses to reduce the number of people at a poverty level.
- 4. Clean & Sustainable (Clean and Green) Environment** – Safe food and water, proper waste disposal, clean air, pest control; preventing waste.
- 5. Reliable & Accessible Infrastructure** - Modernization, technology, or equity in digital access, cybersecurity and resilience.



Funding Categories

1. Safe & Engaged Communities -

Ideas that will help:

- Increase public access to technology that connects individuals to needed public services
- Individuals take more control over their own personal health and fitness and have better access to supportive tools and services
- Individuals take more control over their own personal safety at home, work or at leisure, and in preparation for natural or manmade disasters



Funding Categories

2. Agriculture and Food Systems – Innovations that:

- Increase access to and consumption of local agricultural and value-added products at local or export markets
- Improve the quality, productivity and safety of agricultural producers, systems and products through research, development and education
- Preserve agricultural lands through improvements to soil and water conservation programs, permitting policies, and landscape level innovations
- Support expansion of agricultural industries and methodologies with farmer training programs
- Facilitate the development of affordable farm worker housing by developing recommended reform and deploying strategies with existing government support programs
- Support the effective integration of the food systems network into local agricultural networks, production systems and value chains



Funding Categories

3. Economic Vitality

Innovations that:

- Connect businesses and skilled workers
- Serve local workforce needs, such as childcare, transportation issues, training or career counseling and development, and advancing education
- Mitigate Contra Costa's workforce challenges caused by COVID-19



Funding Categories

4. Clean & Sustainable (Clean and Green) Environment -

For projects designed to deliver energy-related social and environmental benefits to County residents and propose to identify or develop local renewable energy, energy efficiency or fuel switching in Contra Costa County that increases community access to or ownership of clean energy:

- Implement a demonstration project that has the potential to reduce the cost of living for county residents
- Address the disproportionate health, environmental, economic and climate impacts on disadvantaged communities
- Advance innovative, low-cost, efficient transportation systems like transportation network, autonomous vehicles, and bicycle/scooter sharing
- Advance renewable energy resilience projects for Contra Costa County
- Identify and implement energy efficiency projects to reduce energy expenses
- Plan and Implement renewable energy projects for Contra Costa County with significant return on investment
- Expand the use of alternative fuel vehicles
- Expand the network of zero emission vehicle fueling and charging stations



Funding Categories

5. Reliable & Accessible Infrastructure - Modernization, Technology, or Equity in Digital Access

Innovations that:

- Increase access to technology within disadvantaged communities that connects individuals to needed public services
- Close the equity gap surrounding technology (digital divide)
- Improve existing business processes and workforce efficiency
- Enhance citizen experience through the launch new services or business models



Proposed Eligibility Requirements Part I

- ✓ Tax Exempt Organization IRS designation under section 501(c)(3) of the Internal Revenue Code (most nonprofits) - automated with EIN search
 - IRS designation under section 501(c)(6) of the Internal Revenue Code (chambers of commerce) - automated with EIN search
 - Most recent IRS Form 990, 990-EZ, 990-N (postcard) or Form 1023/1024 indicating religious or other exemption from filing - attached to electronic application
 - “Current” status with the California Secretary of State
 - California Business Portal printout (bizfileonline.sos.ca.gov)



Recommended Eligibility Requirements Part II

Organization must:

- ✓ Operate in Contra Costa County or provide documented services for residents of Contra Costa County
- ✓ Meet County insurance requirements, including:
 - General Liability Insurance coverage of at least \$500,000
 - Indemnifying the County, and covering for any emergent liabilities
 - Workers compensation insurance is required for organizations that have employees, or if volunteers receive ANY stipends/payment
- ✓ Have bylaws or policies that describe the way business is conducted including management, fiscal policies and procedures, and policies on nepotism and the management of potential conflicts of interest.
- ✓ Have at least one year of experience with the project or in the program area being proposed.
- ✓ Have staff or authorized representatives adequately trained to administer and provide the program described.



Suggested Process: Three Phases

- 1. Concept Paper*** – Provide \$5,000 to seed each of up to ten most promising new concepts for a maximum of \$50,000. Award to be conditioned upon participation at a **Bidder's Conference**.
- 2. Full Proposal*** – Awards made to finalists to continue successful explorations through to implementation, for a maximum of \$1,950,000.
- 3. Post-Implementation Report and Evaluation*** – Finalists to submit closeout report for CAO evaluation and report to the Board of Supervisors.

** All submittals will be through a web portal provided by the County.*



Phase 1: Concept Paper

Up to 10 concepts @ \$5,000 for a total of \$50,000:

Concept Paper– three-page submittal that addresses:

- A. Idea/concept
- B. Target population, goals and outcomes
- C. Scalability
- D. Eligibility of offerer
- E. Offerer qualifications such as specialized experience and technical competence, capability to perform and complete the project, past performance of the offeror's team



Phase 2: Bidder's Conference and Full Proposal

Awards to Finalists for a total of \$1,950,000:

Full proposal that addresses:

- A. Work/implementation plan
- B. Key implementers and stakeholders
- C. Project schedule and budget
- D. Other revenue sources, if any
- E. Detailed description of outcomes and impacts
- F. Evaluation Protocol
 - How will success be measured?
 - How will the outcomes be demonstrated to the community?



Phase 3: Post-Implementation Report and Evaluation

- Timeline will be dependent on project timelines, which should not extend past 12/31/24.
- Evaluation will be based on pre-defined deliverables and expected outputs and outcomes specific to each award.



Proposed Phase I Concept Paper Schedule

- Online Concept Paper (date)
 - No printed, emailed, or faxed proposals will be accepted for consideration
 - Once the deadline has passed, attempts to submit applications via the submission portal will be automatically rejected
- Oral Presentations (date plus 10 days)
- Concept evaluation by Review Committee and notification to Finalists (date plus three weeks)

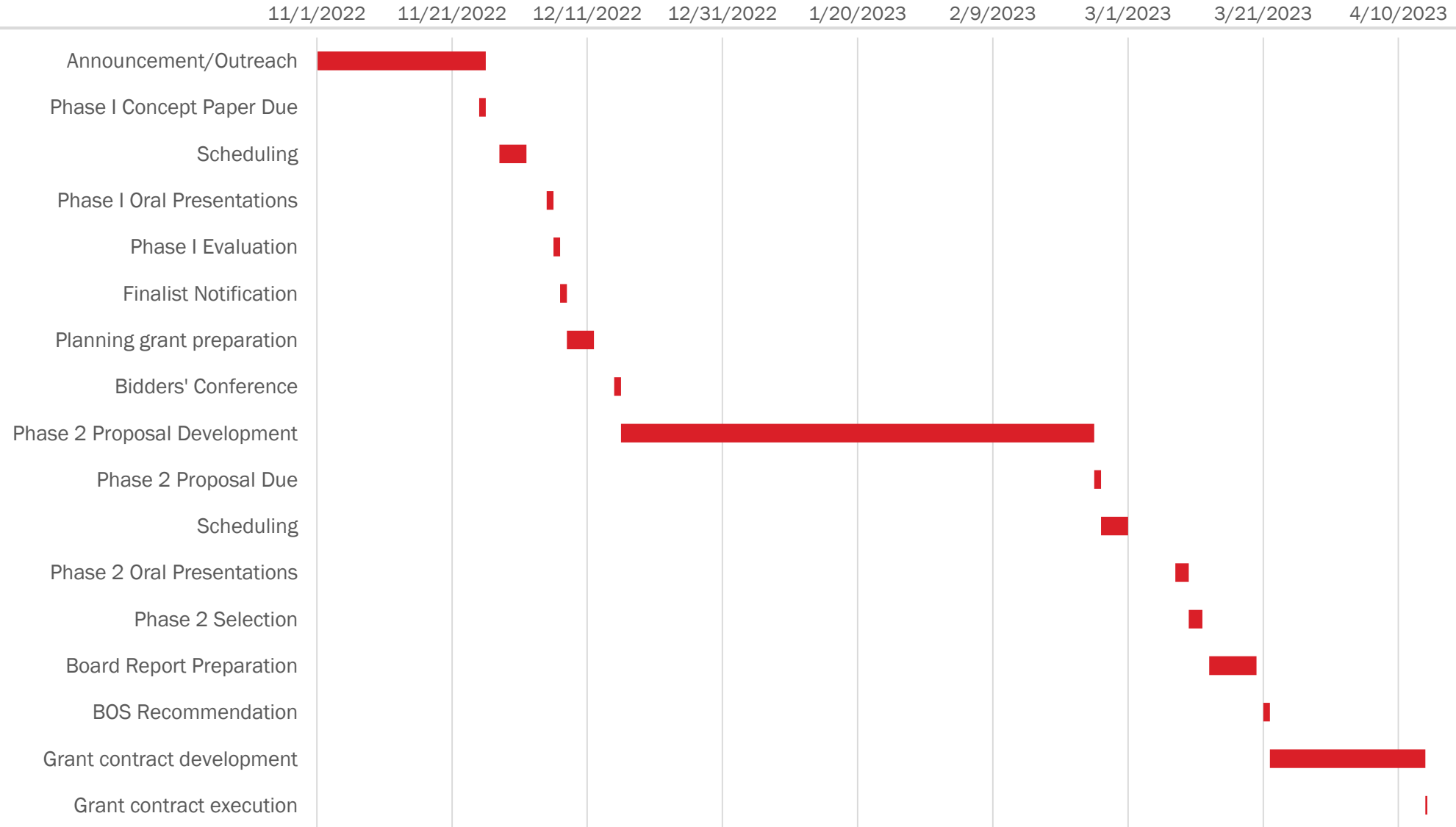


Proposed Phase II Bid Schedule

- Mandatory Bidders' Conference (Finalist notification plus two weeks)
- Online Proposal and Attachments (Finalist notification plus 12 weeks)
 - No printed, emailed, or faxed proposals will be accepted for consideration
 - Once the deadline has passed, attempts to submit applications via the submission portal will be automatically rejected
- Oral Presentations (Proposal deadline plus 2 weeks)
- Recommendations to Board of Supervisors (Proposal deadline plus 6 weeks)
- Grant contract signing (Proposal deadline plus 11 weeks)



Innovation Fund Sample Timeline



ATTACHMENT 1 TO CAO REPORT ON MEASURE X INNOVATION FUND IMPLEMENTATION

EXAMPLES OF INNOVATIVE PROGRAMS FROM OTHER JURISDICTIONS

1. **Safe & Engaged Communities** – Improving health, wellness, and public safety outcomes through community outreach/awareness, education, and engagement.
 - **Family-to-Family** focuses on helping people who are struggling within the U.S. The goal is to connect families who have enough to share with impoverished families who have profoundly less. Providing a monthly box of groceries for a family connects richer communities with some of the country’s poorest areas.
 - **Biomechanics in the Workplace.** Employing a small, wearable device to reduce common workplace injuries. If the device detects improper biomechanics – bad posture or lifting stance – it will “buzz” to alert the worker to correct his or her stance and avert common back injuries.
 - **Prescription Drug Abuse Partnership.** A Partnership comprised of multidisciplinary members who actively work to prevent prescription drug abuse and overdose deaths. Partnership members include local physicians, pharmacists, substance abuse treatment and prevention agencies, court judges, law enforcement, the Drug Enforcement Administration, public health, academia, and grassroots organizations.
 - **Post-Disaster Resilience and Recovery Initiative.** A collaboration of government, private and civil entities to respond quickly and save lives after an emergency event. This Initiative runs over 75 projects to improve a jurisdiction’s resilience before and after a catastrophic event. The program often partners with organizations not normally involved in emergency planning and response, such as major utility companies.
 - **Cell-ED** is a pilot program to provide free English-language training via mobile phones to hundreds of immigrants in New York State who may lack regular access to a classroom, a computer, or the internet. Learners will gain access to self-paced audio and text lessons through their personal cell phones.
2. **Agriculture and Food Systems** – Improving environmental health, economic profitability, and social and economic equity.
 - Planting urban landscaping with edible fruits and vegetables.
 - **Laser scarecrows** are automated robots that can be programmed to sweep lasers at random across areas ranging from 200 acres to more than 3,000 acres.
 - **Weeding robots** can accurately detect and remove weeds from the field. Thanks to the robots’ deep learning algorithms and cameras, they can differentiate between weeds and crops. This means that it only sprays herbicides and pesticides where they are needed with precisely how much they need. In addition to reducing pesticide and herbicide use, this innovative agriculture product controls and prevents herbicide-resistant weeds.
 - **Bee vectoring** technology uses commercially reared bees to deliver targeted crop controls through pollination. Bees venture from out of their hive to forage and spread trace amounts of biopesticides on their travels, to help host plants by blocking out harmful pathogens.

- **Digital tools:** Mpower can send SMS messages to alert farmers on favorable conditions for rapid disease development in their fields and when they should apply a treatment to protect their crops.
- 3. **Economic Vitality** – Providing education, job training, decent jobs, and viable businesses to reduce the number of people at a poverty level.
 - **Leadership Fayette County** provides a mechanism to encourage youth to return home after completion of their higher education. Leadership Fayette County is a year-round program and curriculum that exposes youth to opportunities, people, and agencies within the county, and provides these youth with leadership tools to enhance their college prospects, and upon completion of their higher education, access to the growing local economy and its future opportunities.
 - **Running Start for Careers** is a public-private educational pathway for high school students. Unlike traditional approaches to vocational training, Running Start is not bound by campus infrastructure or trades faculty, nor is it the domain of specialty schools or limited to specific industry types. Rather, Running Start gives students direct entry into industry-developed and taught training programs in fields with demonstrated demand, while earning college credit, and can then enter work-and-learn positions the following term. The program addresses high dropout rates and the skills gap by supporting those students who are the most likely to quit school and forfeit job opportunities.
 - **Washington Skilled Worker Awareness Program** is created to increase the state’s skilled workforce by raising awareness of, and enrollment in, accredited educational, occupational, state-approved pre-apprenticeship, apprenticeship and similar education and training programs. These programs educate and train individuals to perform skills needed in the workforce and award industry or state recognized certificate, credentials, associate degrees, professional license, or similar evidence of achievement but not including bachelor’s or higher degree.
 - **Muzology.** A learning platform that helps students learn algebra concepts with music.
- 4. **Clean & Sustainable (Clean and Green) Environment** – Safe food and water, proper waste disposal, clean air, pest control; preventing waste.
 - Public electric transportation
 - Cheap home energy storage – thermal batteries
 - LED light fixtures
 - Solar Glass is designed to capture and store solar energy and it can do so in large quantities as it can cover large parts of a building.
- 5. **Reliable & Accessible Infrastructure** - Modernization, technology, or equity in digital access, cybersecurity and resilience.
 - **The Thingstitude.** A first-of-a-kind living laboratory for internet of things (IoT) technology, providing an unparalleled testbed for start-ups, established companies, and research institutions. The Thingstitude designs and operates test beds to enhance the quality of life for local residents. In 2014, the County launched its first IoT Project, Smart Community Alert Network (SCALE), in NIST’s GCTC. SCALE was envisioned as a testbed to pilot IoT Technology that would help seniors aging in place live independently longer and have easier access to services.

- **City Net.** Santa Monica's 10 Gigabit Fiber optic network is attracting technology companies by providing affordable and advanced broadband to businesses, and the opportunity to integrate and efficiently manage data exchanges between business partnerships.
- **Robotics.** Using flexible sensor robots that can be air-deployed into hazardous areas to furnish persistent, ground-level, real-time data.



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: October 18, 2022

Subject: Approve & Authorize to fully close all of Maple Lane, on November 5, 2022 from 11:00 a.m. through 6:00 p.m., Walnut Creek area.

RECOMMENDATION(S):

ADOPT Resolution No. 2022/353 approving and authorizing the Public Works Director, or designee, to fully close all of Maple Lane, on November 5, 2022 from 11:00 a.m. through 6:00 p.m., for the purpose of a neighborhood social event, Walnut Creek area. (District II)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The Parkmead Community Association (PCA) is requesting that Maple Lane be closed on Saturday, November 5, 2022 from 11:00 a.m. through 6:00 p.m., for the purpose of an annual neighborhood "Chili Cook-Off." The event shall be conducted in accordance with all Contra Costa County Health Services guidelines. Applicant shall also follow guidelines set forth by the Public Works Department.

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: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Bob Hendry (925) 374-2136

By: , Deputy

ATTACHMENTS

Resolution No.

2022/353

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

Adopted this Resolution on 10/18/2022 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2022/353

IN THE MATTER OF: Approving and Authorizing the Public Works Director, or designee, to fully close all of Maple Lane, on November 5, 2022 from 11:00 a.m. through 6:00 p.m., for the purpose of a neighborhood social event, Walnut Creek area. (District II)

RC22-24

NOW, THEREFORE, BE IT RESOLVED that permission is granted to Parkmead Community Association to fully close Maple Lane, except for emergency traffic, local residents, US Postal Service and garbage trucks, on November 5, 2022 for the period of 11:00 a.m. through 6:00 p.m., subject to the following conditions:

1. Traffic will be detoured via roads identified in a traffic control plan, reviewed by the Public Works Department. Emergency vehicles, residents within the event area and essential services will be allowed access as required.
2. All signing to be in accordance with the California Manual on Uniform Traffic Control Devices.
3. Parkmead Community Association shall comply with the requirements of the Ordinance Code of Contra Costa County.
4. 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. 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 18, 2022

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

By: , Deputy

cc: Larry Gossett- Engineering Services, Bob Hendry -Engineering Services, Ronald Lai, Engineering Services, CHP, Sheriff - Patrol Division Commander



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: October 18, 2022

Subject: Agreement for Roadway Surface Treatment of Las Lomas Way, Walnut Creek area. (District IV)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute the Agreement for Roadway Surface Treatment of Las Lomas Way, between the City of Walnut Creek and Contra Costa County, to reimburse the City in an amount not to exceed \$100,000 for the labor, materials and equipment charges related to the roadway surface treatment of Las Lomas Way, effective October 18, 2022, Walnut Creek area. (District IV)

FISCAL IMPACT:

Contra Costa County will reimburse the City of Walnut Creek for the labor, materials and equipment charges. (100% Local Road Funds)

BACKGROUND:

The section of Las Lomas Way between the Ygnacio Canal Trail and Las Lomas Place is within the city limits of Walnut Creek and the County as shown on the attached Exhibit A.

The Agreement for Roadway Surface Treatment of Las Lomas Way between the Ygnacio Canal Trail and Las Lomas Place will allow the City and County to coordinate efforts to apply a surface treatment on respective portions of Las Lomas Way to ensure a consistent road surface. The City will apply a surface treatment and stripe the roadway using contract forces. The County will reimburse the City for labor, materials and equipment charges.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Chris Lau, (925) 313-7002

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

The Roadway Surface Treatment agreement would not be approved and the City would not be responsible for the surface treatment of the County's portion of Las Lomas Way.

ATTACHMENTS

Roadway Surface Treatment of Las Lomas Way - Agreement

Roadway Surface Treatment of Las Lomas Way - Exhibit A

AGREEMENT FOR ROADWAY SURFACE TREATMENT OF LAS LOMAS WAY

This Agreement for Roadway Surface Treatment of Las Lomas Way, dated _____, 2022 (this “Agreement”) is made by and between the City of Walnut Creek, a municipal corporation (hereinafter referred to as “City”) and the County of Contra Costa, a political subdivision of the State of California (herein referred to as “County”).

RECITALS

- A. Portions of Las Lomas Way are located in County’s jurisdiction and in City’s jurisdiction, as shown on the map attached hereto as Exhibit A and incorporated herein by reference (the “Treatment Area Map”).
- B. City is applying a surface treatment to the portion of Las Lomas Way in its jurisdiction. This work is tentatively scheduled for Summer 2023.
- C. County desires that City, at the same time as the surface treatment work in Recital B is performed, apply a surface treatment on County’s portion of Las Lomas Way as shown on the Treatment Area Map (the “Treatment Area”), and County desires to pay City therefor.
- D. City desires to apply a surface treatment on the Treatment Area, and City and County have agreed to enter into this Agreement providing therefor.

Now therefore, for good and valuable consideration, City and County mutually agree as follows.

AGREEMENT

1. Surface Treatment Work to be Performed. Notwithstanding that the Treatment Area is located within County’s jurisdiction, City shall apply a chip seal, slurry seal, microsurface seal, or other surface treatment in the Treatment Area, which is, in City’s sole discretion, appropriate to prolong the life and improve the pavement condition of the Treatment Area (the “Surface Treatment”). Except for application of a Surface Treatment, City shall not make any modifications to the Treatment Area without County’s prior written approval. After City’s application of a Surface Treatment, County shall continue to maintain the Treatment Area by providing routine maintenance work, which may include but not limited to, maintenance of the pavement (pothole repair), traffic stripings, signage, and drainage facilities as required to ensure satisfactory and safe condition of the Treatment Area.
2. Modification for Additional Work. Should either City or County determine that the Treatment Area requires work beyond the scope of the Surface Treatment set forth in Section 1 of this Agreement, the initiating party shall request in writing such modifications and, if agreed to by the parties, a separate agreement between the parties shall be documented prior to any construction of such work.
3. Payments. a. County will reimburse City one hundred percent (100%) of City’s costs of performing the Surface Treatment work in the Treatment Area pursuant to this Agreement, which include labor costs, material costs and equipment costs from an accounting of actual

charges for work in the Treatment Area ("Costs"), provided that County will not reimburse City for Costs in excess of \$100,000.00.

- b. Billing. At the completion of the Surface Treatment, City shall bill County one hundred percent (100%) for Costs incurred performing the Surface Treatment work set forth in Section 1 of this Agreement; provided that County will not reimburse City for Costs in excess of \$100,000.00. City's billings shall list all road surface treatment work performed and the costs therefor. County shall pay City within sixty (60) days after receipt of the billing from City.
4. Legal Relations and Responsibilities. Nothing in this Agreement is intended to create duties or obligations to or rights in third parties who are not parties to this Agreement or affect the legal liability of either party to this Agreement by imposing any standard of care respecting the maintenance of state highways different from the standard of care imposed by law.
5. Indemnity; Insurance.
 - a. City Indemnity. To the extent permitted by law, and pursuant to Government Code Section 895.4, City shall defend, with counsel acceptable to County, indemnify and save harmless the County and all County officers and employees from all claims, suits or actions of every name, kind and description brought for or on account of injuries to or death of any person or damage to property resulting from anything done or omitted to be done by City and its contractors under or in connection with any work, authority or jurisdiction delegated to City under this Agreement; provided, however, that City is not required to indemnify County for the proportion of liability a court determines is attributable to the sole negligence or willful misconduct of County, its officers or employees. This provision will survive the expiration or termination of this Agreement.
 - b. County Indemnity. To the extent permitted by law, and pursuant to Government Code Section 895.4, County shall defend, with counsel acceptable to City, indemnify and save harmless the City and all City officers and employees from all claims, suits or actions of every name, kind and description brought for or on account of injuries to or death of any person or damage to property resulting from anything done or omitted to be done by County and its contractors under or in connection with any work, authority or jurisdiction delegated to County under this Agreement; provided, however, that County is not required to indemnify City for the proportion of liability a court determines is attributable to the sole negligence or willful misconduct of City, its officers or employees. This provision will survive the expiration or termination of this Agreement.
 - c. City Contractors' Insurance. City will require its contractors performing any work in the Treatment Area to name County as an additional insured under the contract between City and the contractor.
6. Notices. All notices to be given under this Agreement will be in writing and sent by (a) first class mail, postage prepaid, in which case notice will be deemed delivered three (3) business days

after deposit in the United States Mail; (b) a nationally recognized overnight courier, in which case notice will be deemed delivered one (1) business day after deposit with that courier, or (c) fax, in which case notice will be deemed delivered one (1) business day after the day it was transmitted, provided that a transmission report is generated reflecting the accurate transmission of the notice. Unless communicated in writing, the place for delivery of all notices given under this Agreement will be as follows

If to City:

Heather Ballenger, Public Works Director
City of Walnut Creek
1666 N. Main Street
Walnut Creek, CA 94596

If to County:

Brian M. Balbas, Public Works Director
Contra Costa County
255 Glacier Drive
Martinez, CA 94553
Fax: (925) 313-2333

- 7. Effective Date; Termination. This Agreement is effective as of the date first set forth above. This Agreement may be terminated at any time for no or any reason by either party upon giving the other party sixty (60) days prior written notice, provided that County will pay City for all Costs incurred in performing the Surface Treatment work through the date of termination.
- 8. Integration. This Agreement contains the entire agreement between parties and supersedes all prior understandings or agreements, oral or written, regarding the subject matter of this Agreement.
- 9. Modification. This Agreement may only be modified or amended by the mutual, written agreement of both parties.
- 10. Accountability. City shall maintain and make available to County complete records of its receipts and disbursement under this Agreement.
- 11. Governing Law and Venue. This Agreement shall be construed and enforced in accordance with the laws of the State of California. Venue shall lie in the County of Contra Costa.

The parties have executed this Agreement as of the date first set forth above.

CONTRA COSTA COUNTY

CITY OF WALNUT CREEK

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

Approved as to form:

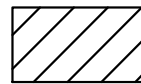
Mary Ann McNett Mason, County Counsel

XXX, City Attorney

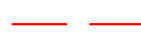
By: _____
Name: _____
Title: _____



LEGEND



Treatment Area



City/County Limits



Parcel Lines

EXHIBIT A

Las Lomas Way Treatment Area



Contra Costa County
Public Works
 Department

DB: JW

CB: CL

DATE: JUN 2022

SHEET 1 OF 1



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: October 18, 2022

Subject: Amendment to Right of Entry Permit with State Department of Parks & Recreation for the Marsh Creek Road Bridges Replacement Project, Brentwood area.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute an amendment to right of entry permit (Amendment) with the State of California, Department of Parks and Recreation (State), to pay the State \$500.00 for Contra Costa County's (County) continued use of State-owned property within Assessor's Parcel Number 007-380-011 for an additional 19 months, through December 14, 2024, for fencing, access, roadway realignment and slope purposes, in connection with the County's Marsh Creek Road Bridges #28C-0143 & #28C-0145 Replacement Project, Brentwood area. Project No.: 0662-6R4083, Federal No.: BRLS 5928(125).

APPROVE payment of \$500.00 for Amendment and AUTHORIZE the Auditor-Controller to issue a check in said amount payable to Department of State Parks and Recreation, State Parks Diablo Range District, 15751 Tesla Road, Livermore, CA 94550 to be forwarded to the Real Estate Division for delivery.

FISCAL IMPACT:

88.5% Federal Highway Bridge Program Funds and 11.5% Local Road Funds.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Mark apHugh (925) 957-2452

By: , Deputy

cc:

BACKGROUND:

Contra Costa County intends to replace two existing bridges (Bridge No. 28C-0143 and Bridge No. 28C-0145) and related roadway approaches on Marsh Creek Road, a County highway, in the Brentwood and Clayton areas of unincorporated Contra Costa County (Project). The Project includes replacing the bridge structures and reconstructing 600 to 1000 feet of road right of way on each side of each new bridge structure to reconnect the realigned bridge to the existing roadway. Project-related work will include drainage and creek work. In connection therewith, the County must acquire interests in certain real property, which consists of a Roadway Easement which is 45,036 square feet in size and a Temporary Construction Easement, which is 113,978 square feet in size.

On November 26, 2019, Caltrans approved a National Environmental Policy Act (NEPA) Categorical Exclusion, pursuant to Chapter 3 of Title 23, United States Code, Section 326. Caltrans determined that this project has no significant impacts on the environment as defined by NEPA, and that there are no unusual circumstances as described in 23 CFR 771.117(b). On August 4, 2020, this Board approved the proposed Project and adopted the Mitigated Negative Declaration and Mitigation and Monitoring and Reporting Program pertaining to this Project pursuant to the California Environmental Quality Act (CEQA). A Notice of Determination was filed by the County's Clerk Recorders Office on August 14, 2020 and posted at the State Clearinghouse on September 2, all in compliance with CEQA. SCH No.: 2020040312/DCD-CP #15-41.

On September 21, 2021, this Board approved a Right of Entry Permit authorizing Contra Costa County (County) to use of a portion of State-owned property, identified as Assessor's Parcel Number 007-380-011, which is necessary for fencing, access, roadway realignment and slope accommodation in connection with the Project.

Under the Permit, the County has an irrevocable right of possession for property rights that the County requires to construct the Project. The Permit includes a Temporary Construction Easement (Parcel 5) with a term of approximately 20 months, which terminates May 14, 2023. The Permit also requires the State to grant the County permanent easements that the County requires to maintain the Project. For these rights, the County paid the State \$4,095.00.

Due to unpredictable circumstances causing the Project's start date to be delayed, it is necessary to amend the Permit to allow the County to continue to use the Temporary Construction Easement for an additional 19 months, from May 14, 2023 through December 14, 2024. For this additional term, the County will pay the State \$500.00. Consistent with the requirements of the Permit, the Amendment requires the County to indemnify the State from liabilities that arise from the County's use of the area under the Permit. The risk to the County can be mitigated by requiring the Project construction contractor to indemnify and defend the County from liabilities that arise during construction.

Real Estate staff recommends that the Board approve execution of the Amendment so that the Project construction can proceed as planned.

CONSEQUENCE OF NEGATIVE ACTION:

Without Board approval, the County will not have sufficient land rights to allow construction of the Project in accordance with the approved plans and specifications.

ATTACHMENTS

Amendment

AMENDMENT NO. 1 TO RIGHT OF ENTRY PERMIT

Agency: Department of Parks and Recreation
Diablo Range District
Project: Marsh Creek State Park
Marsh Creek Road Bridge Replacement

This Amendment No. 1 ("Amendment") to the Right of Entry Permit is made and entered into this _____ day of _____, 2022, between the State of California, acting by and through its Director of the Department of Parks and Recreation, hereinafter called "State," and Contra Costa County, its officers, employees, agents and contractors, hereinafter called "Permittee."

RECITALS

- Whereas, the State owns, operates, and maintains the State Park unit known as Marsh Creek State Park, in the County of Contra Costa; and
- Whereas, Permittee has applied to State for permission to access Marsh Creek State Park for purposes of carrying out the Marsh Creek Road Bridge Replacement Project #28C-0143 & #28C-0145 (the Project); and
- Whereas, the State desires to accommodate Permittee's application for permission to enter Marsh Creek State Park for purposes of the Project, as and to the extent such project is ultimately described, permitted, approved and conditioned by any other regulatory agency having jurisdiction, if applicable; and
- Whereas, the parties entered into that certain Right of Entry Permit dated September 27, 2021, and the parties now desire to amend said term(s) of the Right of Entry Permit to extend the term to accommodate unanticipated delays in the completion of the Project. Now therefore, it is mutually agreed between the parties hereto as follows:

TERMS AND CONDITIONS

1. Paragraph 3 Possession and Term. The first sentence of paragraph 3 (Possession and Term) of the Right of Entry Permit is deleted and replaced with the following sentence: "As to the Temporary Construction Easement area (Parcel 5), this Permit shall only be for a period beginning upon signatures by both parties, and ending on December 14, 2024, or as may be reasonably extended by mutual written agreement of the parties." The remainder of paragraph 3 shall remain unchanged.
2. Paragraph 4, Consideration. The first sentence of paragraph 4 (Consideration) of the Right of Entry Permit is deleted and replaced with the following sentence: "Permittee agrees to pay State the sum of four thousand five hundred ninety-five and No/100 Dollars (\$4,595.00) as consideration for the Temporary Construction Easement rights granted by this Permit."
3. Payment. The State agrees and acknowledges that the County has paid the State \$4,095 for the original term of the Temporary Construction Easement rights granted by the Permit. Upon execution of this Amendment, the County shall pay the State \$500.00 for the extension of the Temporary Construction Easement rights under this Amendment.
4. Non-Discrimination. The following is added as a new term to the Permit: "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that is the subject of this contract."
5. Except as expressly amended herein, all of the terms and conditions of the said Right of Entry Permit shall remain unchanged and in full force and effect.

This Amendment No. 1 to the Right of Entry Permit has been executed by the parties on the date written below.

STATE OF CALIFORNIA
Department of Parks and Recreation

By: _____
Name: Eduardo Guaracha
Title: District Superintendent
Diablo Range District

Dated: _____

CONTRA COSTA COUNTY
Public Works Department

APPROVED:

By: _____
Name: Brian M. Balbas
Title: Public Works Director

Date of Approval: _____

RECOMMENDED FOR APPROVAL

By: Mark apHugh
Name: Mark apHugh
Title: Associate Real Property Agent

By: Jessica L. Dillingham
Name: Jessica L. Dillingham
Title: Principal Real Property Agent



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: October 18, 2022

Subject: Accepting completion of warranty period for the Subdivision Agreement for subdivision SD14-09389, Concord area.

RECOMMENDATION(S):

ADOPT Resolution No. 2022/354 accepting completion of the warranty period for the Subdivision Agreement, and release of cash deposit for faithful performance, subdivision SD14-09389, for a project developed by Laurel Ranch III, LLC, as recommended by the Public Works Director, Concord area. (District IV)

FISCAL IMPACT:

100% Developer Fees.

BACKGROUND:

The public road improvements have met the guaranteed performance standards for the warranty period following completion and acceptance of the improvements.

CONSEQUENCE OF NEGATIVE ACTION:

The developer will not receive a refund of the cash deposit, the Subdivision Agreement and performance/maintenance surety bond will not be exonerated, and the billing account will not be liquidated and closed.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Larry Gossett (925)313-2016

By: , Deputy

ATTACHMENTS

Resolution No.

2022/354

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

Adopted this Resolution on 10/18/2022 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2022/354

IN MATTER OF: Accepting completion of warranty period for the Subdivision Agreement, and release of cash deposit for faithful performance, for subdivision SD14-09389, for a project developed by Laurel Ranch III, LLC, as recommended by the Public Works Director, Concord area. (District IV)

WHEREAS, on October 25, 2022, this Board resolved that the improvements in subdivision SD14-09389 were completed as provided in the Subdivision Agreement with Laurel Ranch III, LLC and now on the recommendation of the Public Works Director;

The Board hereby FINDS that the improvements have satisfactorily met the guaranteed performance standards for the period following completion and acceptance.

NOW, THEREFORE, BE IT RESOLVED that the Public Works Director is AUTHORIZED to:

REFUND the \$8,630.00 cash deposit (Auditor's Deposit Permit No. 786426, dated May 28, 2019) plus interest to Laurel Ranch III, LLC in accordance with Government Code Section 53079, if appropriate, Ordinance Code Section 94-4.406, and the subdivision agreement.

BE IT FURTHER RESOLVED that the warranty period has been completed and the Subdivision Agreement and surety bond, Bond No. 706862S, dated May 20, 2019, issued by Developers Surety and Indemnity Company, are EXONERATED.

I hereby certify that this is 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 18, 2022

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

Contact: Larry Gossett (925)313-2016

By: , Deputy

cc: Larry Gossett- Engineering Services, Ronald Lai, Engineering Services, Chris Hallford -Mapping , Michael Mann- Finance, Ruben Hernandez - DCD, Laurel Ranch III, LLC, Developers Surety and Indemnity Company



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: October 18, 2022

Subject: Convey Grant of Easement to SFPP, L.P., in connection with the Kinder Morgan Pipeline Remediation Project.

RECOMMENDATION(S):

Acting as the governing body of the Contra Costa County Flood Control and Water Conservation District (District), APPROVE the conveyance of a Grant of Easement to SFPP, L.P. a Delaware limited partnership (Kinder Morgan), for an approximately 0.626-acre pipeline easement within the District’s Walnut Creek flood channel and AUTHORIZE the Chair, Board of Supervisors, to execute on behalf of the District, the Grant of Easement in connection with the Kinder Morgan Pipeline Remediation Project (Project), pursuant to Contra Costa County Flood Control and Water Conservation District Act, Section 31. (Project No. WL72RP FCP 619-16) [CP#16-42]

DETERMINE that the conveyance of the easement to Kinder Morgan, a pipeline utility, is in the public interest and will not substantially conflict or interfere with the District’s use of its Walnut Creek flood control channel for the purpose for which it was acquired.

DETERMINE that the activity will not have a significant effect on the environment and is not subject to the California Environmental Quality Act (CEQA) pursuant to Article 5, Section 15061 (b)(3) of the CEQA Guidelines.

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

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

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Olivia D. Reynolds-Freeman,
925.957.2462

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

DIRECT the Real Estate Division of the Public Works Department to have the above referenced Grant of Easement recorded in the Office of the County Clerk-Recorder and to deliver a copy of the recorded Grant of Easement along with a certified copy of the board order to Kinder Morgan.

FISCAL IMPACT:

100% Permit Applicant Fees

BACKGROUND:

Kinder Morgan will decommission in place an existing 8-inch pipeline known as Line Section 72 (L.S. 72) across Walnut Creek and will install a replacement 8-inch pipeline using the Horizontal Directional Drill (HDD) method to minimize environmental impacts. The first phase of construction is the installation of the replacement 8-inch pipeline and decommissioning of the existing L.S. 72 pipeline. The second phase of construction is the remediation plan for the decommissioned pipeline. The District has asked Kinder Morgan to remove the pipeline from its properties within two weeks from the installation and operation of the replacement pipeline.

The replacement 8-inch pipeline is located outside of Kinder Morgan's existing easement at Walnut Creek thus they need a new easement for the new pipeline crossing that will be located approximately 20 feet north of its current location. The new section of 8-inch pipeline will be approximately 1,000 feet in length and the overall HDD depths will be a minimum of 35 feet deep under Walnut Creek to minimize potential drilling fluids from escaping into the channel. Staging areas are included in the work areas described above and located on both the west and east side of Walnut Creek. No work is being proposed to occur within the banks, bed or wetlands association with Walnut Creek. (CP# 16-42)

Kinder Morgan is a pipeline utility. District staff have determined that the conveyance of this easement to Kinder Morgan is in the public interest and will not substantially conflict or interfere with the use of the District's property for flood control purposes. Indeed, the construction methods will not affect banks, beds, or wetlands, or the flood control capacity of the channel.

Public Works Environmental staff have determined that the conveyance of the easement is exempt from the California Environmental Quality Act for the reasons described in the attached CEQA notice of exemption.

Flood Control staff recommend that the Board approve the conveyance of this easement to Kinder Morgan.

CONSEQUENCE OF NEGATIVE ACTION:

Kinder Morgan will not have the necessary property rights to remove the existing 8-inch L.S. 72 line and place a new L.S. 72 line within the new easement area.

ATTACHMENTS

Grant of Easement

CEQA Notice of Exemption

Recorded at the request of:
Contra Costa County Flood Control
And Water Conservation District

After recording return to:

SFPP, L.P.
C/o Kinder Morgan
Attn: Land & Right of Way Department
1001 Louisiana Street, Ste 1400
Houston, TX 77002

Ptn. Of Assessor's Parcel No.: 159-13C-012

GRANT OF EASEMENT

For good and valuable consideration, including but not limited to the agreements contained herein, the receipt and sufficiency of which are hereby acknowledged, CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a flood control district, organized under the laws of the State of California, (hereinafter "DISTRICT"), hereby grants to SFPP, L.P, a Delaware limited partnership (hereinafter "GRANTEE"), a nonexclusive perpetual easement and right of way (hereinafter "Easement ") for installing, constructing, reconstructing, removing, replacing, repairing, upgrading, maintaining, operating and using an 8-inch steel pipeline that will transport refined petroleum products, and appurtenances thereto, and for no other purposes whatsoever, along, in and under all of the hereinafter described parcel of land (the "Easement Area") situated in the County of Contra Costa, State of California, described as follows:

FOR DESCRIPTION AND PLAT MAP, SEE ATTACHED EXHIBITS "A' AND "B"

The foregoing grant is made subject to the following terms and conditions:

1. **PRIMARY USE OF THE PROPERTY** The primary use of the Property subject to this easement (hereinafter the "Property") is for flood control conveyance of storm water and flood protection purposes, including, but not limited to, the right of channeling, impounding and otherwise controlling the flow of drainage waters, as well as performing any other activities, and construction or maintaining any facilities that the DISTRICT may be required to perform, construct or maintain by other agencies at Federal, State, Regional, or Local levels, including but not limited to, water quality and quantity control activities (such activities and those ancillary there to being hereinafter referred to as "Flood Control").

GRANTEE acknowledges and agrees that the use just described constitutes the primary use of the Property and that any and all rights granted or implied by this Grant of Easement are secondary and subordinate to the primary use of the Property by the DISTRICT, its successors and assigns. GRANTEE shall not, at any time, use or permit the public to use the Easement Area in any manner that will interfere with or impair the DISTRICT's primary use of the Property. GRANTEE shall not fence the Easement Area

without the prior written approval of the DISTRICT and shall remove any fencing when requested by DISTRICT to do so. GRANTEE shall not otherwise obstruct the Easement Area.

2. **U. S. ARMY CORPS OF ENGINEER'S PROJECT:** The Property is part of the U. S. Army Corps of Engineers, (hereinafter "Corps"), "Walnut Creek Project". The Corps Project provides flood protection to the surrounding communities. Approval by the Flood Protection and Navigation Section of the Sacramento District, U.S. Army Corps of Engineers is required under 33 USC (United States Code) 408 (Section 408) for any modification to "Corps Project".
3. **DISTRICT TITLE:** GRANTEE hereby acknowledges DISTRICT's title to the Property and agrees never to assail or resist said title.
4. **CONSTRUCTION AND MAINTENANCE ACTIVITIES:**
 - (a) Prior to any construction, reconstruction, remodeling, excavation, installation, or plantings within the Easement Area, GRANTEE shall submit specific plans and specifications to the DISTRICT for review and approval. Such approval, together with any additional DISTRICT requirements, will be in the form of a written permit issued by DISTRICT to GRANTEE.
 - (b) Normal maintenance by GRANTEE of its facilities within the Easement Area, including inspection and cleaning of the existing pipeline, shall not require prior notice to the DISTRICT. GRANTEE shall perform maintenance of its facilities so as to prevent damage to the Property.
 - (c) GRANTEE shall disclose to the DISTRICT the volume, pressure and type of substances being transported by Grantee's pipeline; the size, date of construction and material specifications of the pipeline; maximum pipeline pressure ratings; the date of the most recent pipeline inspection required by law; a copy of the most recent pipeline certifications from all applicable regulatory agencies; a detailed description of materials transported, maximum daily volumes, and certifications from all agencies responsible for permitting and operation of the pipeline , as applicable; and any other information as may be requested by the DISTRICT and the Corps.
 - (d) GRANTEE shall comply with the requirements of the DISTRICT for submittal of information about the pipeline, including but not limited to reports for pipeline integrity assessment. Such compliance shall be at the GRANTEE's expense and the submittal shall be made within 30 days of the date of the written request from the DISTRICT.
 - (e) GRANTEE shall be responsible, at its sole expense, for all repair and maintenance directly caused by GRANTEE's use of the Easement Area. Except in the case of an emergency, the GRANTEE shall not make alterations to the Easement Area, including the installation of additional improvements or utilities or performance of any construction, reconstruction, remodeling, alteration, removal, landscaping, tree planting, major maintenance work, or other work, without obtaining the prior written consent of DISTRICT's Chief Engineer, or his or her designee, which shall be in the form of an "Encroachment Permit for Use of DISTRICT's Right of Way" ("Encroachment Permit"). The GRANTEE shall make every effort to report emergency work in the Easement Area

to the DISTRICT within one (1) Business-day after commencing such activities. Only after DISTRICT obtains approval for all proposed encroachments or revisions from the Corps, then GRANTEE shall obtain from DISTRICT the written consent for GRANTEE's alterations to the Easement Area in the form of an Encroachment Permit, which permission may be revoked at any time if necessary for or in furtherance of the DISTRICT'S uses of the Easement Area. Upon revocation or denial of consent, GRANTEE shall immediately remove any of such alterations. District may require GRANTEE to alter or remove any emergency work done by GRANTEE, at GRANTEE's sole cost and expense, if the emergency work interferes with DISTRICTS's use of the Easement Area or if such work is not permitted by the Corps, GRANTEE shall reimburse DISTRICT for all costs to process, issue, and inspect GRANTEE encroachments.

(f) GRANTEE shall test all pipelines as required by the State Fire Marshal or other state or federal agency with jurisdiction over the pipeline or by any applicable law and must make available for inspection by the DISTRICT the results of all pipeline inspections and pipeline tests that are required by the State Fire Marshal and by all applicable laws within sixty (60) days after the GRANTEE'S receipt of those results.

(g) GRANTEE shall file, and thereafter annually keep on file with the DISTRICT, a pipeline emergency plan as may be required by 49 C.F.R. section 195.402, 49 C.F.R. section 192.615, the California Pipeline Safety Act of 1981 (Government Code sections 51010 et seq.), and all other applicable laws, regulations, and ordinances. GRANTEE shall update its pipeline emergency plan whenever it acquires, constructs, lays, removes, or abandons any facilities in the Easement Area, and shall file the plan with the DISTRICT within thirty (30) days after any update.

5. **MODIFICATION, RELOCATION, AND REMOVAL OF GRANTEE'S FACILITIES:**

DISTRICT reserves the right to require GRANTEE to modify its facilities, to relocate said facilities within the Easement Area or, at DISTRICT's sole discretion, to remove its facilities from the Easement Area to another site selected by DISTRICT, all at GRANTEE's sole expense. If DISTRICT directs GRANTEE to remove its facilities from the Easement Area to a site outside the Easement Area, DISTRICT shall provide the GRANTEE with a similar easement for the new site. GRANTEE shall be responsible for all costs of relocating its facilities but shall not be required to pay for the relocated Easement Area. In the event that GRANTEE fails to commence the required modification, relocation or removal work within ninety days after being directed to do so by DISTRICT, or such reasonable extension as DISTRICT may agree to, or if GRANTEE fails to complete the required modification, relocation, or removal work within a reasonable time thereafter, as determined by the DISTRICT, the DISTRICT may perform or complete the work at the expense of GRANTEE, which expense GRANTEE agrees to pay to DISTRICT promptly upon demand, including but not limited to, engineering costs and any legal expenses incurred to collect such costs. If GRANTEE's facilities are removed from the current Easement Area to a new easement area, GRANTEE shall promptly quitclaim to DISTRICT its interest in the current Easement Area.

6. **DAMAGE TO DISTRICT PROPERTY:** Any and all DISTRICT property, facilities, landscaping, or other improvements removed or damaged as a result of the use of the Easement Area by GRANTEE, or any other person or entity acting under GRANTEE's

direction or control, shall, at DISTRICT's discretion and direction, either (a) shall be repaired or replaced by DISTRICT, and GRANTEE shall reimburse DISTRICT for all of DISTRICT'S repairs or replacement costs with all of DISTRICT'S costs and expenses to be paid by GRANTEE (including but not limited to engineering costs and legal costs of collecting any unpaid expenses), or (b) shall be repaired or replaced by GRANTEE, at the sole cost and expense of GRANTEE, equivalent to or better than their existing condition. In the event that GRANTEE fails to commence the required work within ninety days after being directed to do so by DISTRICT, or such reasonable extension as DISTRICT may agree to in writing, or fails to complete the required work within a reasonable time thereafter, as determined by the DISTRICT, the DISTRICT may perform or complete the work at the expense of GRANTEE, which expense GRANTEE agrees to pay to DISTRICT promptly upon demand, including but not limited to engineering costs and any legal expenses incurred to collect such costs.

7. **DAMAGE TO GRANTEE'S FACILITIES:** DISTRICT shall have no responsibility for the protection, maintenance, damage to, or removal of, GRANTEE's facilities, appurtenances, or improvements caused by or resulting from DISTRICT's use of the Property or its work or operations thereon. It shall be the sole responsibility of the GRANTEE to provide and maintain adequate protection and surface markings for its own facilities.
8. **NON-EXCLUSIVE EASEMENT:** The Easement granted hereunder is non-exclusive. This Easement is subject and subordinate to all existing rights, rights of way, licenses, reservations, franchises, and easements of record, or that would be evident from a physical inspection or accurate survey of the Property, in and to the Property ("each such right being held by an "Existing User"). DISTRICT shall have the right to require GRANTEE to modify, remove, or relocate its facility within the Easement Area or to a similar easement to be granted to GRANTEE by DISTRICT at no cost, in a timely manner at GRANTEE's sole cost as reasonably necessary to accommodate the DISTRICT's, or any other Existing User's right to construct, replace, enlarge, repair, maintain and operate its facilities, in the same manner as required by Section 4 of this Easement, including the rights and remedies contained therein. GRANTEE agrees to take all precautions required to avoid damage to the facilities of any Existing Users. If GRANTEE damages the facilities or improvements of any Existing User, GRANTEE shall repair or replace such facilities at GRANTEE's sole cost and expense. Nothing contained herein shall be construed to prevent DISTRICT from granting other easements, franchises, licenses, or rights of way over said lands, provided however, that said subsequent uses do not unreasonably prevent or obstruct GRANTEE's easement rights hereunder.
9. **INDEMNIFICATION; USE AND CONDITION OF PROPERTY:**
 - (a) In the exercise of all rights under this Easement, GRANTEE shall be responsible for any and all injury to the public, to persons, and to property arising out of or connected with GRANTEE's use of the Property. GRANTEE shall indemnify, defend, save, protect, and hold harmless, DISTRICT, its officers, agents, employees, and contractors from and against any and all threatened or actual loss, damage, liability, claims, suits, demands, judgments, orders, costs, fines, penalties or expense of whatever character, including but not limited to those relating to inverse condemnation, and including attorneys' fees, (hereinafter collectively referred to as "Liabilities") to persons or property, direct, directly contributed to, or caused by , GRANTEE's operations, acts, or omissions pursuant to this

Easement, or the GRANTEE's use of the Easement Area, save and except Liabilities arising from the sole negligence or sole willful misconduct of the DISTRICT, its officers, or its employees. GRANTEE acknowledges that the Property subject to this easement is in a flood control area. GRANTEE agrees that GRANTEE shall never have, claim, or assert any right or action against DISTRICT or the County of Contra Costa in the event of damage to or disruption of GRANTEE's facilities caused or contributed to by flooding or water, and GRANTEE shall indemnify, defend, save, protect, and hold DISTRICT harmless from all Liabilities resulting from such damage or disruption.

(b) GRANTEE further agrees to defend, indemnify, save, protect, and hold harmless, DISTRICT from any and all actual or threatened claims, costs, actions or proceedings to attack, set aside, void, abrogate, or annul this grant of easement or any act or approval of DISTRICT related thereto.

(c) GRANTEE accepts the Easement Area in an "as is" physical condition, with no warranty, guarantee, representation, or liability, express or implied on the part of the DISTRICT as to any matter, including but not limited to the physical condition of the Property and/or the condition and/or possible uses of the land or any improvements thereon, the condition of the soil, or the geology of the soil, the condition of the air, surface water or groundwater, the presence of known and unknown faults, the presence of any hazardous substance, materials, or other kinds of contamination or pollutants of any kind in the air, soil, groundwater or surface water, or the suitability of the Property for the construction and use of the improvements thereon. It shall be the sole responsibility of GRANTEE, at its sole cost and expense, to investigate and determine the suitability of the soil, water, geologic, environmental, and seismic conditions of the Property for the intended use contemplated herein, and to determine and comply with all building, planning, and zoning regulations relative to the Property and the uses to which it can be put. GRANTEE relies solely on GRANTEE's own judgment, experience, and investigations as to the present and future condition of the Property or its suitability for GRANTEE's intended use and is not relying in any manner on any representation or warranty by DISTRICT. GRANTEE agrees that neither GRANTEE, its heirs, successors, or assign shall ever claim have or assert any right or action against DISTRICT for any loss, damage, or other matter arising out of, or resulting from the presence of any hazardous substance or any other condition of the Property at the commencement of the Easement, or from the release of any hazardous substance in, on, or around any part of the Property, or in the soil, water, subsurface strata, or ambient air, by any person or entity other than the DISTRICT following the commencement of this Easement. As used herein, "hazardous substance" means any substance, material, or waste which is or may become designated, classified, or regulated as being "toxic," "hazardous," or a "pollutant" under any federal, state, or local law, regulation, or ordinance. Nothing in this section is intended in any way to restrict the right of GRANTEE to seek contribution or indemnity from any person or entity other than DISTRICT whose activities are a cause of any discharge, leakage, spillage, or emission of hazardous materials on or to the Property.

(d) To the extent permitted by law, GRANTEE shall indemnify, defend, save, protect and hold the DISTRICT harmless from and against any and all Liabilities (including but not limited to the costs of any required or necessary testing, remediation, repair, removal, cleanup or detoxification of the Property and surrounding properties and from

and against the preparation of any cleanup, remediation, closure or other required plans whether such action is required or necessary prior to or following the termination of the easement), of any kind or nature, to the extent caused or contributed to by GRANTEE's operation or performance under this Easement, or GRANTEE's use, release, conveyance, transportation, or disposal of any hazardous substance, including all costs, claims, damages (including property and personal injury) caused by the uncovering, release, or excavation of hazardous materials (including petroleum) as a result of GRANTEE's construction, reconstruction, maintenance, use, replacement, or removal of its facilities, to the extent that such activities increase the costs attributable to the cleanup or remediation of such hazardous materials.

(e) **CONTAMINANTS:** Except as expressly authorized herein, GRANTEE may not allow any hazardous substances to be generated, used, stored for any period of time, released on, under, or from the Easement Area. If any potential or known release, threatened release, generation, storage, disposal, or placement of any hazardous substances occurs on, in, near, or from the Easement Area, the GRANTEE shall immediately notify appropriate emergency personnel, public agencies, and the DISTRICT.

(f) The obligations contained in this section shall survive the abandonment, expiration, or other termination of this Easement.

10. **ABANDONMENT:** In the event GRANTEE shall cease to use the Easement herein continuously for a period of one year, or in the event GRANTEE abandons its facilities or fails to use the Easement for the purpose for which it is granted, then all rights of GRANTEE in and to said lands shall thereupon cease and terminate and shall immediately revert to and vest in DISTRICT or its successors. Upon any such termination of GRANTEE's rights, GRANTEE shall, upon request by DISTRICT, and at GRANTEE's sole cost and expense, remove all of its facilities from the Easement Area and restore said Property to its original condition; or, if agreed upon in writing by the DISTRICT, the GRANTEE may abandon in place its facilities in the Easement Area by taking all necessary industry practices to inactivate and remove hydrocarbons, and make the pipeline inert by agreeable means. Upon the failure of GRANTEE to complete the removal or abandonment work required by this section, this work may be performed by DISTRICT at GRANTEE's own expense, which sole expense GRANTEE agrees to pay to DISTRICT within 30 days after request of DISTRICT's demand for payment. Upon request by district, GRANTEE shall execute any Quitclaim Deeds required by DISTRICT to relinquish GRANTEE's interest in the Easement Area following abandonment.
11. **NO ASSIGNMENT OF EASEMENT:** No rights granted hereunder shall be transferred, apportioned, or assigned without the prior written consent of DISTRICT.
12. **NO SECONDARY RIGHTS:** Nothing herein contained shall be deemed to construe that access or other secondary rights are conveyed by this Easement over any of DISTRICT's adjacent lands lying outside of the Easement Area.
13. **ENTIRE AGREEMENT:** This Grant of Easement contains the entire agreement between the parties hereto and shall not be modified in any manner except by an instrument in writing executed by the parties or their respective successors in interest.

14. **CONSTRUCTION:** This grant of easement shall not be construed as if it had been prepared by one of the parties, but rather as if both parties have prepared it. The parties to this grant of easement and their counsel have read and reviewed this grant of easement and agree that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply to the interpretation of this grant of easement.
15. **SUCCESSORS AND ASSIGNS:** This indenture and all of the covenants herein contained shall inure to the benefit of and be binding upon the heirs, successors and assigns of the respective parties hereto.
16. **NO THIRD-PARTY BENEFICIARIES:** Nothing in this Grant of Easement confers any rights on any persons or entities other than the Parties hereto.

[Remainder of Page Intentionally Left Blank]

17. **GOVERNING LAW:** This Grant of Easement shall be construed in accordance with the laws of the State of California.

IN WITNESS WHEREOF, this Grant of Easement is signed and executed this _____ day of _____ 2022.

CONTRA COSTA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

GRANTEE
SFPP, L.P.
a Delaware limited partnership
By: Kinder Morgan Operating LLC "D", its general partner a Delaware limited liability company

By _____
Karen Mitchoff
Chair, Board of Supervisors

By  _____
M. James Pagonis
Its: Attorney-in-Fact

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
COUNTY OF CONTRA COSTA)

On _____ before me, Clerk of the Board of Supervisors, Contra Costa County, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____
Deputy Clerk

ORF:dw
G:\realprop\Kinder Morgan L.S. 72 Pipeline at Walnut Creek\EA 17PA - Draft Pipeline Easement - District- Kinder Morgan - L.S. 72 pipeline - Final 6.20.22.doc

(APPROVED AS TO FORM by County Counsel 07/99)

MAIL TAX STATEMENTS TO:
Contra Costa County Flood Control & Water Conservation District, Public Works Department, Attn: Real Estate Division, 255 Glacier Drive, Martinez, CA 94553

This Notary Acknowledgement is attached to a document entitled **Grant of Easement**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF TEXAS
COUNTY OF HARRIS

On July 28, 2022 before me, Elsa Hernandez
personally appeared M. James Padgett, who proved to me
on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument
and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by
his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted,
executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Colorado that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Elsa Hernandez (Seal)

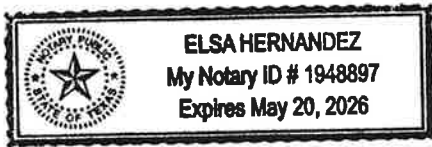


EXHIBIT "A"
LS-47 / LS-72: 8" PIPELINE – WALNUT CREEK

A strip of tide and submerged land situate in Walnut Creek and Grayson Creek/Pacheco Creek being a 33.0 foot strip lying 16.5 feet on each side of the following described centerline, located in Rancho Monte Del Diablo, and Rancho Las Juntas, Contra Costa County, California. Said Walnut Creek Channel described in the deed to CCCFC&WCD Recorded 2/17/1996 in Book 5060 of Official Records at Page 567. Said Grayson Creek/Pacheco Creek Channel described in the deed to CCCFC&WCD recorded 8/14/1962 in Book 4181 at Page 30. Both shown on Assessor's Map Book 159 Page 14 as Flood Control Channels as shown on CCCFC&WCD drawings ED-506 and ED 558. Said centerline more particularly described as follows:

FCPID 5242

COMMENCING at a Caltrans brass disk in monument well as shown on California State Highway Monument Map S-240.2, FR-PI; WHENCE a Caltrans brass disk in monument well as shown on the California State Highway Monument Map S-240.3, FR 243+30 bears N67°43'14"E a distance of 1810.58 feet (basis of bearing – assumed). This description is based on California State Plane Zone 3. All distances are grid; to obtain ground distance, multiply distance given by 1.0000616;

THENCE N04°48'59"W a distance of 2803.00 feet to the westerly line of said Walnut Creek flood control channel and the POINT OF BEGINNING;

THENCE S75°36'22"E a distance of 825.79 feet to the easterly line of said Walnut Creek flood control channel and the POINT OF TERMINATION.

Containing 27,251 square feet, (0.626 Acres), more or less.

Exhibit "B" attached drawing number FA-20,151 and by this reference made a part hereof.

 10-22-20

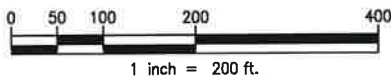
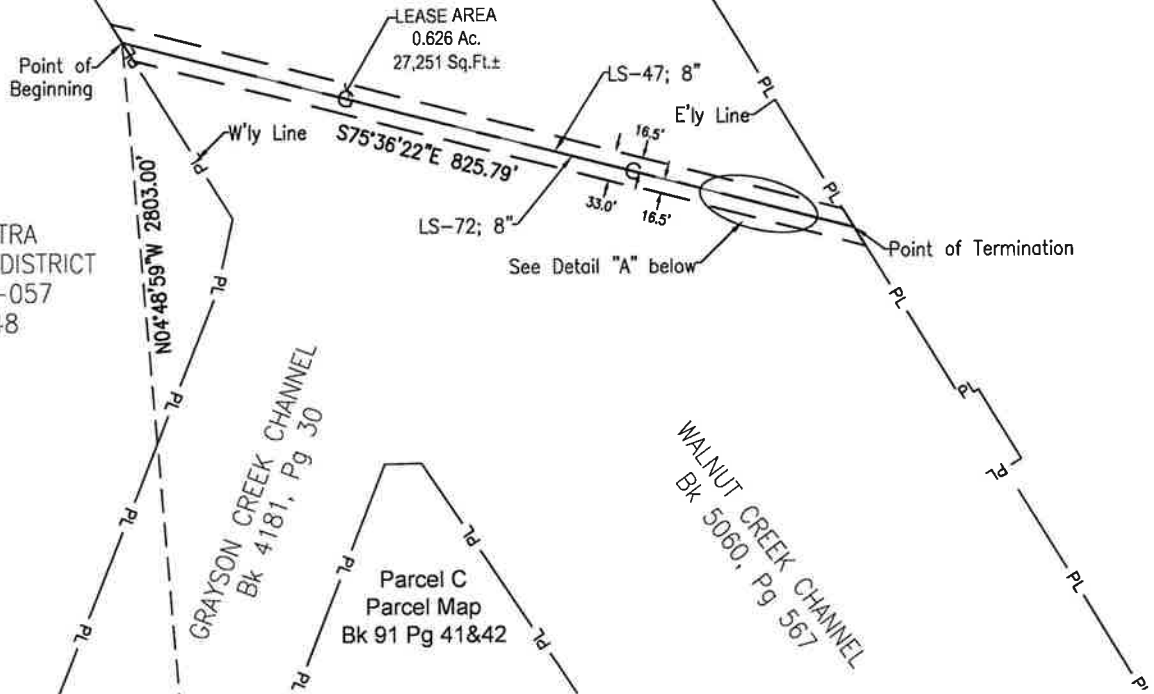


Prepared by:
Aaron D. Willis, PLS 8881
For and on behalf of Jacobs Engineering Group Inc.
2600 Michelson Drive, Suite 500
Irvine, CA 92612

EXHIBIT "B"

TESORO REFINING &
MARKETING CO.
APN 159-130-028
2013-066754

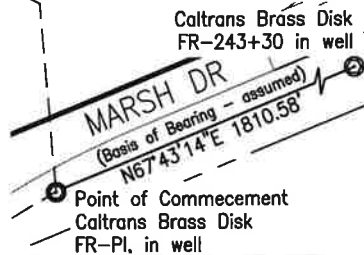
CENTRAL CONTRA
COSTA SANITARY DISTRICT
APN 159-140-057
6165 OR 448



Legend

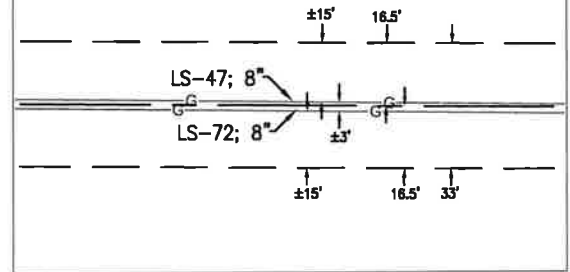
- PL — Property Line
- G — Pipeline

This exhibit does not represent a monumented survey and is intended only to depict the attached easement description.



Detail "A"

Scale: 1" = 50'



California State Plane Zone 3
All distances are grid

PARCEL
AREA = 27,251 SQ. FT.
0.626 ACRES ±

JACOBS ENG. PROJECT NO. D3260700

CLIENT PROJECT NO.

REVISION DESCRIPTION

DRAWN DAM/JSK DATE 06/23/2020 SCALE 1"=200'



2600 Michelson Drive, Suite 500 Irvine, CA 92612
(949) 224-7500

THIS MATERIAL AND ANY ASSOCIATED ELECTRONIC DATA WAS PREPARED BY JACOBS ENGINEERING GROUP FOR THE PROJECT INDICATED. ANY REUSE OR MODIFICATION WITHOUT THE WRITTEN CONSENT OF JACOBS ENGINEERING GROUP SHALL BE AT THE SOLE RISK OF THE USER

Exhibit "B"

Rancho Monte Del Diablo & Rancho Las Juntas Contra Costa County, California

TITLE: RODEO TO CONCORD WALNUT CREEK
RODEO TO CONCORD GRAYSON CREEK/PACHECO CREEK
CONCORD TO SUISUN WALNUT CREEK
CONCORD TO SUISUN GRAYSON CREEK PACHECO CREEK

REVISION: DRAWING NO. Rodeo-Concord_WalnutCreek.dwg SHEET NO. 2 of 2

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
Dept. of Conservation & Development
30 Muir Road
Martinez, CA 94553

County Clerk
County of: Contra Costa

Project Title: **Kinder Morgan Pipeline Remediation Project FCP and Grant of Easement**
Project No. WL083A (FCP 619-16), CP# 16-42

Project Applicant: **Contra Costa County Flood Control and Water Conservation District**

Project Location – **Specific:** The project is located in the unincorporated area north of Concord

Project Location: Contra Costa County

Project Location – County: **Contra Costa**

Description of Nature, Purpose and Beneficiaries of Project: The purpose of the activity is for Contra Costa County Flood Control and Water Conservation District (District) to issue a Flood Control Permit (FCP 619-16) in cooperation with Contra Costa County (County) to Kinder Morgan Energy Partners, L.P. (KMEP) to remediate an existing 8-inch Line Section (LS-72) across Grayson and Walnut Creek in unincorporated Contra Costa County. This work will also require the issuance of a grant easement to KMEP from the District.

Activities associated with the existing LS-72 pipeline include decommissioning and removal of the existing 8-inch pipeline in place and relocating LS-72 using a Horizontal Directional Drilling (HDD) construction method under Walnut Creek to minimize environmental impacts. LS-72 will be relocated approximately 20 feet north of its current location. The new section of the 8-inch pipeline will be approximately 1,000 feet in length. Overall HDD depths will be a minimum of 35 feet deep under Walnut Creek to minimize potential for frac-out. Staging areas are included in the work areas described above and located on both the west and east side of Walnut Creek. Existing access roads in the project area will also be used. No new access roads will be constructed as a result of the project. No work is being proposed to occur within the banks, bed or wetlands associated with Walnut Creek.

The proposed activities are part of the Remediation Plan submitted by KMEP. This CEQA documentation covers only the issuance of Flood Control Permit 619-16 (FCP 619-16) and right of way transaction. KMEP will be responsible for obtaining any applicable County or regulatory permits for associated activities and environmental clearances.

Real property transactions, including right-of-way acquisition may be necessary in support of this project.

Name of Public Agency Approving Project: **Contra Costa County**

Name of Person or Agency Carrying Out Project: **Contra Costa County Public Works Department**

Exempt Status:

- | | |
|---|---|
| <input type="checkbox"/> Ministerial Project (Sec. 21080(b) (1); 15268; | <input type="checkbox"/> Categorical Exemption: <u>Class _____</u> |
| <input type="checkbox"/> Declared Emergency (Sec. 21080(b)(3); 15269(a)); | <input type="checkbox"/> Other Statutory Exemption, Code No.: _____ |
| <input type="checkbox"/> Emergency Project (Sec. 21080(b)(4); 15269(b)(c)); | <input checked="" type="checkbox"/> General Rule of Applicability [Article 5, Section 15061 (b)(3)] |

Reasons why project is exempt: This activity is not subject to the California Environmental Quality Act (CEQA) pursuant to Article 5, Section 15061 (b) (3) of the CEQA Guidelines. It can be seen with certainty that there is no possibility that the activity may have a significant adverse effect on the environment.

Lead Agency Contact Person: **Hillary Heard - Public Works Dept.** Area Code/Telephone/Extension: **(925) 313-2022**

If filed by applicant:

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

Signature: _____ Date: _____ Title: _____

Signed by Lead Agency Signed by Applicant

AFFIDAVIT OF FILING AND POSTING

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

Signature

Title

Applicant:

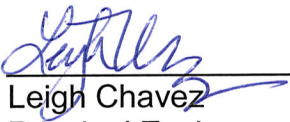
Public Works Department
255 Glacier Drive
Martinez, CA 94553
Attn: Hillary Heard
Environmental Services Division
Phone: (925) 313-2022

Department of Fish and Game Fees Due

- EIR - \$3,070.⁰⁰
- Neg. Dec. - \$2,210.²⁵
- DeMinimis Findings - \$0
- County Clerk - \$50**
- Conservation & Development - \$25**

Total Due: \$ 75.⁰⁰
Total Paid \$ _____
Receipt #: _____

**DETERMINATION THAT AN ACTIVITY
IS EXEMPT FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

REVIEWED BY:  DATE: 09/12/16
Leigh Chavez
Principal Environmental Analyst
Environmental Services
Contra Costa County Public Works Department

APPROVED BY:  DATE: 9-21-16
Department of Conservation and
Development Representative

-Or-

Deputy Zoning Administrator (for FC activities)
Dept. of Conservation and Development

**DETERMINATION THAT AN ACTIVITY
IS EXEMPT FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

ACTIVITY No.: WL083A FCP 619-16, FCP CP# 16-42

ACTIVITY NAME: Kinder Morgan Pipeline Remediation Project FCP and Grant of Easement

PREPARED BY: Hillary Heard

DATE: September 9, 2016

This activity is not subject to the California Environmental Quality Act (CEQA) pursuant to Article 5, Section 15061 (b) (3) of the CEQA Guidelines.

It can be seen with certainty that there is no possibility that the activity may have a significant adverse effect on the environment.

DESCRIPTION OF THE ACTIVITY:

The purpose of the activity is for Contra Costa County Flood Control and Water Conservation District (District) to issue a Flood Control Permit (FCP 619-16) in cooperation with Contra Costa County (County) to Kinder Morgan Energy Partners, L.P. (KMEP) to remediate an existing 8-inch Line Section (LS-72) across Grayson and Walnut Creek in unincorporated Contra Costa County. This work will also require the issuance of a grant easement to KMEP from the District.

Activities associated with the existing LS-72 pipeline include decommissioning and removal of the existing 8-inch pipeline in place and relocating LS-72 using a Horizontal Directional Drilling (HDD) construction method under Walnut Creek to minimize environmental impacts. LS-72 will be relocated approximately 20 feet north of its current location. The new section of the 8-inch pipeline will be approximately 1,000 feet in length. Overall HDD depths will be a minimum of 35 feet deep under Walnut Creek to minimize potential for frac-out. Staging areas are included in the work areas described above and located on both the west and east side of Walnut Creek. Existing access roads in the project area will also be used. No new access roads will be constructed as a result of the project. No work is being proposed to occur within the banks, bed or wetlands associated with Walnut Creek.

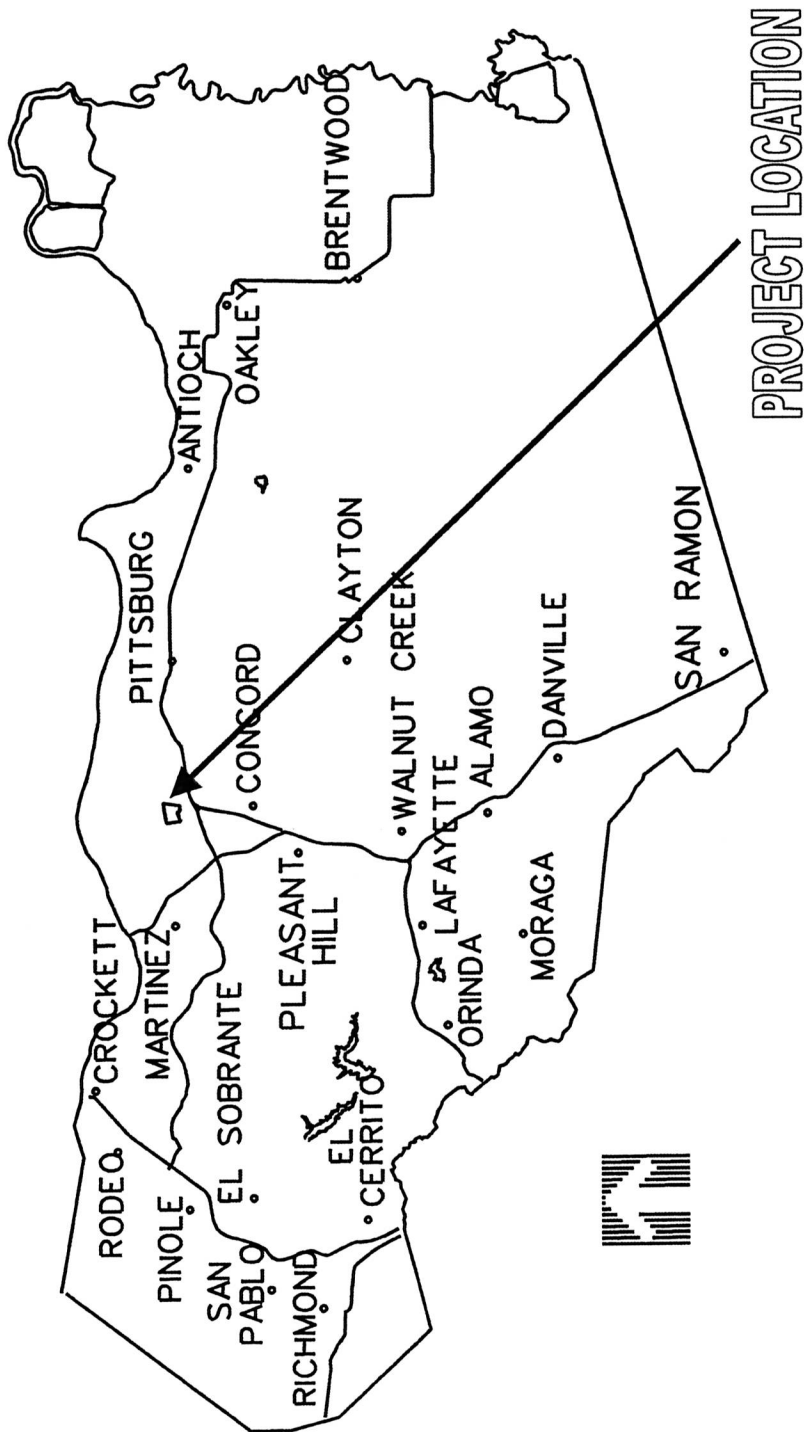
The proposed activities are part of the Remediation Plan submitted by KMEP. This CEQA documentation covers only the issuance of Flood Control Permit 619-16 (FCP 619-16) and right of way transaction. KMEP will be responsible for obtaining any applicable County or regulatory permits for associated activities and environmental clearances.

Real property transactions, including right-of-way acquisition may be necessary in support of this project.

LOCATION: The project is located in unincorporated Contra Costa County area north of Concord (*Figures 1 –2*)

FIGURE 1

CONTRA COSTA COUNTY CALIFORNIA



LOCATION MAP

FIGURE 2

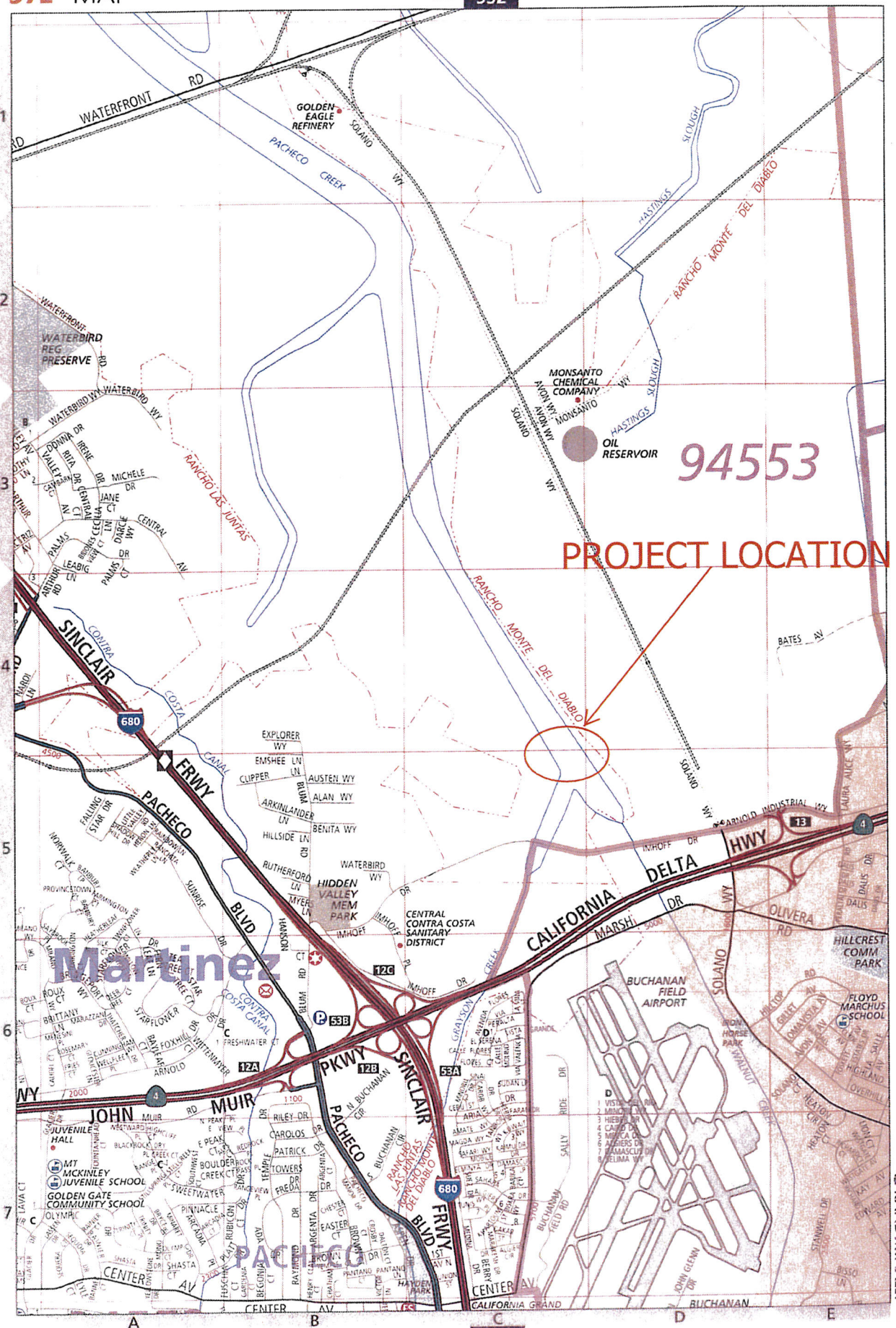
572 MAP

SEE 552 MAP

1:22,800
1 in = 1900 ft
0 0.25 0.5
miles

CONTRA COSTA

SEE 571 MAP



94553

PROJECT LOCATION

Martinez

RAND McNALLY

SEE 592 MAP



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: October 18, 2022

Subject: APPROVE Notice of Intention to assign a storm drain easement to the City of Oakley. (CP# 20-14) Project No. WL83PV FS20-00206.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to cause the attached Notice of Intention (“NOI”) to assign a storm drain easement to the City of Oakley to be published in the East Bay Times, pursuant to Government Code Sections 6061 and 25365.

DECLARE that this Board will meet on November 1, 2022, at 9:00 a.m. or thereafter, in the Board’s Chambers, County Administration Building 1025 Escobar Street, Martinez, California, to consummate the conveyance.

DIRECT the Real Estate Division of the Public Works Department to publish the attached NOI in a newspaper published in the County pursuant to Government Code Section 6061.

FISCAL IMPACT:

100% Developer Funds (FS20-00206)

BACKGROUND:

In 1993, the County was granted a 14,364 square foot easement for storm drain purposes (document 19124 OR 158 ((93-310924)) from a private property owner along a portion of APN 041-100-004 in the City of Oakley (City). Since the original granting of the easement the property

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

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Olivia D. Reynolds-Freeman,
925-957-2462

By: , Deputy

cc:

BACKGROUND: (CONT'D)

has been subdivided and developed and the easement now runs along the easterly property line of APN 041-100-035 from Oakley Road to Thomas Drive in Oakley. The easement should have been assigned to the City in 1999 upon its incorporation but was overlooked. The City assumed maintenance responsibility of the storm drain line in 2006 upon signing a Drainage Fee Collection, Right of Way, and Maintenance Agreement with the Flood Control District. The City accepted all offers of dedication, including the storm drain easement as part of the Final Map for Subdivision 9507, The Vines at Oakley in September 2021. Therefore, there is a duplicate easement upon an already existing easement. The County does not require the easement any longer.

CONSEQUENCE OF NEGATIVE ACTION:

The County will maintain an interest in an easement that is no longer necessary to them, nor the Flood Control District and they have not been required to maintain since 2006.

ATTACHMENTS

Notice of Intention

**CONTRA COSTA COUNTY
PUBLIC WORKS DEPARTMENT
255 Glacier Drive
Martinez, CA 94553**

NOTICE OF INTENTION

The Board of Supervisors of Contra Costa County declares its intention to assign to the City of Oakley (City) a storm drain easement located in the City of Oakley, California and more particularly described as a portion of Assessor's Parcel Number 041-100-004 in connection to Subdivision 9507, The Vines at Oakley. A description of the proposed easement to be assigned is available at the Contra Costa County Public Works Department, 255 Glacier Drive, Martinez, California. The Board will meet on November 1, 2022, at 9:00 a.m. or thereafter, in its Chambers, County Administration Building, 1025 Escobar Street, Martinez, California, to consummate the conveyance.

Publication Dates:



Contra
Costa
County

To: Board of Supervisors
From: Karen Caoile, Director of Risk Management
Date: October 18, 2022

Subject: Settlement of Claim, Maria Villasenor vs. Contra Costa County

RECOMMENDATION(S):

RECEIVE this report concerning the final settlement of Maria Villasenor and AUTHORIZE payment from the Workers' Compensation Internal Service Fund in an amount not to exceed \$132,500.00, less permanent disability advances.

FISCAL IMPACT:

Workers' Compensation Internal Service Fund payment of \$132,500.00, less permanent disability advances.

BACKGROUND:

Attorney Suzanne M. Aboujudom, defense counsel for the County, has advised the County Administrator that within authorization an agreement has been reached settling the workers' compensation claim of Maria Villasenor v. Contra Costa County. The Board's October 4, 2022 closed session vote was: Supervisors Gioia, Andersen, Burgis, Mitchoff and Glover - Yes. This action is taken so that the terms of this final settlement and the earlier October 4, 2022 closed session vote of this Board authorizing its negotiated settlement are known publicly.

CONSEQUENCE OF NEGATIVE ACTION:

Case will not be settled.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Karen Caoile 925-335-1400

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: Monica Nino, County Administrator
Date: October 18, 2022

Subject: Claims

RECOMMENDATION(S):

DENY claims filed by Robert and Anita Moncada and Roy Allen Spaulding.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

Robert & Anita Moncada: Property claim for damage to retaining wall in the amount of \$1,800.
Roy Allen Spaulding: Property claim for damage to windshield in the amount of \$498.83.

CONSEQUENCE OF NEGATIVE ACTION:

Not acting on the claims could extend the claimants' time limits to file actions against the County.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Risk Management

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: October 18, 2022

Subject: Tolling Agreement-Discover Builders

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to enter into a tolling agreement amendment with Discovery Builders, Inc., and affiliated entities, and with Pacific West Communities, to toll the limitations period for potential litigation related to the May 24, 2022 approval of the Master Development Agreement and the Disposition and Development Agreement between the County and Pacific West Communities for the development of Ambrose Village/Orbisonia Heights, through January 28, 2023.

FISCAL IMPACT:

None

BACKGROUND:

On May 24, 2022, the Board of Supervisors approved (i) a Master Development Agreement (MDA) between the County and Pacific West Communities, Inc., for the development of approximately seven acres of County-owned property located between State Route 4, Bailey Road, East Leland and Ambrose Park in the unincorporated area of Bay Point with 384 multi-family residential rental units, a County-owned library and approximately 11,558 sq. ft. of commercial retail space in three phases, and (ii) a Disposition Development and Loan Agreement (DDLA), between the County and Pacific West Communities, Inc. or an affiliated limited liability company (the Borrower), for the sale of approximately 3.3 acres of the Property (Site A) for the development of 150 residential rental units and an approximately 20,000 square-foot library as the first phase of the development and the loan of \$1,796,875 to the Borrower. On May 24, 2022, a California Environmental Quality Act (CEQA) notice of exemption was filed for the project.

Discovery Builders, Inc., and affiliated entities are property owners in the vicinity of the project site and have expressed concern about public safety. These parties are engaged in discussions with County staff and Pacific West Communities to try to resolve their concerns without incurring the cost and expense of litigation. The Board approved a tolling agreement on June 21, 2022 to toll (suspend), for 30 days, the statutory limitations period for filing a CEQA lawsuit against the County to July 28, 2022. On July 26, 2022, the Board approved an amendment extending the agreement through October 28, 2022. The purpose of the tolling agreement amendment is to allow the discussions among the parties to continue. The amendment would toll the statutory limitations period to January 28, 2023. Without the amending the tolling agreement, the statute of limitations for filing a CEQA lawsuit would expire on October 28, 2022.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Maureen Toms, 925-655-2895

By: , Deputy

cc:



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: October 18, 2022

Subject: PROCLAIM the week of October 22-29, 2022 as “California Flood Preparedness Week” in Contra Costa County.

RECOMMENDATION(S):

ADOPT Resolution No. 2022/346 proclaiming the week of October 22-29, 2022 as “California Flood Preparedness Week” in Contra Costa County, as recommended by the Public Works Director, Countywide.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

On October 5, 2021, the Board declared “California Flood Preparedness Week” on October 23-30, 2021. This year, the State has declared “California Flood Preparedness Week” to be on October 22-29, 2022.

The County would join federal, state, and other local agencies during Flood Preparedness week in raising awareness of flood risk in California and reminding Californians that climate change impacts, recent wildfires, and extreme weather events make it more important than ever for Californians to be flood ready. Floods after fire present greater risk to communities and homes downslope of burn areas because the ground cannot absorb the water. Instead, rain hits slick, charred hillsides and picks up ash, topsoil, and debris as it moves downhill. Flash flooding, mudflows, and debris flows happen quickly, so it is critical people and communities living downslope of a burn area are prepared.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Larry Gossett, 925.313.2016

By: , Deputy

BACKGROUND: (CONT'D)

As part of the Unincorporated County Floodplain Management Program administered by the Public Works Department, Public Works would like to provide information about the Unincorporated Contra Costa County Floodplain Program and resources on flood risk and preparedness. This information is also available through the California Department of Water Resources, specifically the Flood Preparedness website, which provides links to additional information from such agencies as the Federal Emergency Management Agency and the National Flood Insurance Program.

CONSEQUENCE OF NEGATIVE ACTION:

Contra Costa County will not declare that week as the Statewide California Flood Preparedness Week.

ATTACHMENTS

Resolution No. 2022/346

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

Adopted this Resolution on 10/18/2022 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2022/346

IN THE MATTER OF: Recognizng California Flood Preparedness Week October 22-29, 2022.

WHEREAS the County of Contra Costa recognizes the significant public safety threat flooding poses to the population, assets, and economy of our County; and

WHEREAS the floodplain management program services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS the support and understanding of an informed citizenry is vital to the efficient administration of the Unincorporated Contra Costa County Floodplain Program; and

WHEREAS the health and safety of this community greatly depend on the administration of this program; and

WHEREAS during the California Flood Preparedness Week, local, state, and federal agencies across the state work together to inform the public about the dangers of flooding, how to prepare their homes and families for a flood, and plan for recovery; and

WHEREAS climate change impacts, recent wildfires, and extreme weather events make it more important than ever for Californians to be flood ready; and

WHEREAS California Flood Preparedness Week 2022 will be held statewide during the week of October 22-29, 2022; and

WHEREAS the theme for California Flood Preparedness Week 2022 will be "Be Aware, Be Prepared, and Take Action!"

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Contra Costa County does hereby recognize October 22-29, 2022 as CALIFORNIA FLOOD PREPAREDNESS WEEK, support public awareness of flood risk, and encourages County residents to take action to understand their flood risk and prepare appropriately.

I hereby certify that this 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: Larry Gossett, 925.313.2016

ATTESTED: October 18, 2022

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

By: , Deputy

cc: Monica Nino, CAO, Susan Shui, CCTV, Carrie Ricci, PWD, Jocelyn LaRocque- Engineering Services, Larry Gossett- Engineering Services, Joshua Laranang- Engineering Services



Contra
Costa
County

To: Board of Supervisors
From: Candace Andersen, District II Supervisor
Date: October 18, 2022

Subject: METASTATIC BREAST CANCER AWARENESS DAY – OCTOBER 13, 2022 AND BREAST CANCER AWARENESS MONTH – OCTOBER 2022

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Gayle Israel - (925) 655-2300

By: , Deputy

cc:

ATTACHMENTS

Resolution
2022/364

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

In the matter of:

Resolution No. 2022/364

In the matter of proclaiming the month of October 2022 Breast Cancer Awareness and October 13, 2022 as Metastatic Breast Cancer Awareness Day

WHEREAS, Each year, 200,000 Americans are diagnosed with breast cancer. Six to ten percent of these diagnoses are metastatic, or stage 4. Another 30% progress from stages 0, 1, 2 and 3 to stage 4 – sometimes immediately or sometimes later in their life; and

WHEREAS, According to the American Cancer Society, with the exception of skin cancer, breast cancer is the most commonly diagnosed cancer among American women; and

WHEREAS, About one in eight women in the United States will develop invasive breast cancer over the course of their lifetime; and

WHEREAS, It is estimated that 287,850 new cases of invasive breast cancer will be diagnosed in women in the United States in 2022; and

WHEREAS, Breast cancer is second only to lung cancer as the leading cause of cancer-related deaths among women; and

WHEREAS, It is estimated that about 43,250 women in the United States will die from breast cancer in 2022; and

WHEREAS, The 5-year survival for breast cancer is much higher when diagnosed at an early localized stage, approaching 99%; and

WHEREAS, Individuals who are uninsured or underinsured, are older, have a lower socioeconomic status, are from communities of color, or lack a usual source of care are less likely to be regularly screened for breast cancer and, therefore, more likely to be diagnosed at a late stage when chances of survival drop significantly. African-American women at every age are more likely to die from breast cancer; and

WHEREAS, From 2015-2019, there were 4,868 cases and 694 deaths caused by breast cancer in Contra Costa County; and

WHEREAS, From 2015-2019, in Contra Costa County, Non-Hispanic White women were diagnosed with invasive breast cancer at a higher rate than the county as a whole; and

WHEREAS, The risk of getting breast cancer increases with age until the 7th decade; and

WHEREAS, Earlier detection of breast cancer through mammography increases chances of successful treatment; and

WHEREAS, Mammography is the single most effective method of detecting breast changes that may be cancer, long before physical symptoms, detectable lumps, or abnormalities can be felt; and

WHEREAS, Medical professionals are still learning why cancer metastasizes, and we don't yet have an effective treatment to arrest metastatic growth, and that almost 40,000 men and women die from a diagnosis of Stage 4 breast cancer each year; and

WHEREAS, The median survival rate of two-three years for metastatic breast cancer has not changed significantly in decades; and

WHEREAS, The organization METAvivor is fighting to change these statistics. METAvivor's research mission is two-fold: to increase awareness about the funding discrepancy that shortchanges metastatic research in the cancer world, and to directly fund research that is currently lacking. With the primary goal of extending life and ending death from metastatic breast cancer, METAvivor awards grants for research projects that have the potential to shift metastatic breast cancer from a terminal disease to a chronic condition with a decent quality of life; and

WHEREAS, October 13 is recognized as the official Metastatic Breast Cancer Awareness Day. This is done to shine a light on metastatic breast cancer, the most advanced stage of breast cancer, where the cancer has spread from the breast to other parts of the body; and

WHEREAS, The Pink ribbon is well-known for representing the fight against breast cancer but may not encapsulate the metastatic breast cancer experience. METAvivor designed a base ribbon of green and teal with a thin pink ribbon overlay. The base ribbon of green and teal represents green for the triumph of spring over winter, life over death, renewal, hope, and immortality; teal symbolizes healing and spirituality; and pink to signify the metastatic cancer originated in the breast; and

WHEREAS An estimated 41% of US adults have delayed or avoided medical care because of the pandemic, leading to a substantial decline in cancer screening. A recent UCSD study showed a decrease in people diagnosed with early- stage breast cancer and an increase in those diagnosed with advanced cases in 2020 and the first half of this year when compared to 2019, possibly due in part to patients putting off routine health screenings because of the pandemic. The American Cancer Society is mobilizing a nationwide return-to-screening effort to lessen the negative impacts the pandemic is having on opportunities for individuals to find cancer early when it might be easier to treat; and

WHEREAS, it is in the best interest of all Californians to join this continuing battle against breast cancer including metastatic breast cancer by promoting greater awareness of the need for early detection, appropriate treatment, and the importance of funding research for extending life and finding a cure, as well as a means of prevention; and

NOW, THEREFORE, BE IT RESOLVED, that the County of Contra Costa hereby proclaims October 13 as Metastatic Breast Cancer Awareness Day and October 2021 as Breast Cancer Awareness Month in the County of Contra Costa BE IT FURTHER RESOLVED, that the County of Contra Costa joins with our local hospitals and health care organizations to honor all Breast Cancer survivors for their strength, courage, and determination; and to honor and remember those who courageously fought but lost their lives to Breast Cancer; and BE IT FURTHER RESOLVED, That the County of Contra Costa applauds the hard work of METAvivor Research and Support, Inc. to fund research, raise awareness, advocate for, and provide information and support to people living with metastatic breast cancer.

KAREN MITCHOFF

Chair, District IV Supervisor

JOHN GIOIA

District I Supervisor

CANDACE ANDERSEN

District II Supervisor

DIANE BURGIS

District III 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 18, 2022

Monica Nino, County Administrator

By: _____, Deputy

Contra
Costa
County



To: Board of Supervisors
From: Candace Andersen, District II Supervisor
Date: October 18, 2022

Subject: Resolution recognizing Vince Dell'Aquila as the 2022 Orinda Citizen of the Year.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: 9256552300

By: , Deputy

cc:

ATTACHMENTS

Resolution
2022/370

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

In the matter of:
recognizing Vince Dell'Aquila as the 2022 Orinda Citizen of the Year.

Resolution No. 2022/370

Whereas, Vince Dell'Aquila, long-time Orinda resident and former Miramonte football coach, baseball coach, Athletic Director and P.E. teacher has spent most of his life volunteering and giving back to the community; and

Whereas, Vince moved to Orinda in 1989, along with his wife Kathie, two daughters and one son; and
Whereas, volunteering runs deep in his family, both daughters and his son have modeled their volunteering efforts in their fathers' footsteps; and

Whereas, Vince has always been an eternal optimist, finding the best in everyone and treating them equally, his ability to listen with empathy has served him well when resolving issues or making decisions that impact others; and

Whereas, After decades of community service, Vince continues to give back to Orinda.

Now therefore be it resolved, that the Board of Supervisors of Contra Costa County does hereby honor **Vince Dell'Aquila for his dedication to the residents of Orinda.**

KAREN MITCHOFF
Chair, District IV Supervisor

JOHN GIOIA
District I Supervisor

CANDACE ANDERSEN
District II Supervisor

DIANE BURGIS
District III 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 18, 2022

Monica Nino, County Administrator

By: _____, Deputy



**Contra
Costa
County**

To: Board of Supervisors
From: Jason Crapo, County Building Official
Date: October 18, 2022

Subject: Introduce Ordinance No. 2022-35, adopting the 2022 California Building Standard Codes

RECOMMENDATION(S):

1. INTRODUCE Ordinance No. 2022-35, adopting the 2022 California Building Code, the 2022 California Residential Code, the 2022 California Green Building Standards Code, the 2022 California Energy Code, the 2022 California Electrical Code, the 2022 California Plumbing Code, the 2022 California Mechanical Code, and the 2022 Existing Building Code, with changes, additions, and deletions, WAIVE reading and FIX November 8, 2022 at 9:30 a.m. for a public hearing to consider adoption of the ordinance and adoption of findings of local conditions to justify construction standards stricter than those imposed by Health and Safety Code section 19180 et. seq.
2. DIRECT the Clerk of the Board to publish notice of the hearing pursuant to Government Code section 6066.
3. AUTHORIZE the preparation of an ordinance summary by County Counsel and the publication of the summary in accordance with Government Code section 25124, and DIRECT the Clerk of the Board of Supervisors to post a copy of the full text of proposed ordinance in the office of the Clerk of the Board.

FISCAL IMPACT:

None

BACKGROUND:

The California Building Standards Commission has adopted the 2022 California Building Standards Code (CBSC), replacing the 2019 CBSC. The CBSC includes the California Building, Residential, Electrical, Plumbing, Mechanical, Green Building Standards, Fire, Energy, Historical Building, and Existing Building Codes. These statewide codes will be effective January 1, 2023. The Department of Conservation and Development is responsible for enforcing the CBSC within the unincorporated area of Contra Costa County.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Jason Crapo, 925-655-2800

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Although these codes apply statewide, Health and Safety Code sections 17958.5 and 18941.5 authorize a local jurisdiction to modify or change these codes and establish more restrictive building standards if the local jurisdiction finds that the changes and modifications are reasonably necessary because of local climatic, geological, topographical or environmental conditions. The attached proposed ordinance would adopt the statewide codes and amend them to address local conditions.

The proposed Ordinance No. 2022-35 amends the statewide codes due to local climatic, geographical, topographical, and environmental conditions. These conditions are described in the attached Findings. The following are the substantive changes to the 2022 California Building Standards Code:

Modifications to the 2022 California Building Code

- Require the installation of a hard-wired smoke detector in existing flat roof buildings when a pitched roof is added on top of the existing flat roof, and the solid sheathing of the flat roof is not removed. This amendment is the same as the local amendment made to the previous statewide code.
- Require more reinforcing in some building foundations to better withstand seismic forces found in this region of California. This amendment is the same as the local amendment made to the previous statewide code.

Modifications to the 2022 California Residential Code

- Prohibits the use of gypsum wallboard as seismic bracing.
- Restrict the use of Portland Cement Plaster as seismic bracing to single-story single- and two-family dwellings and accessory structures.

Modifications to the 2022 California Green Building Standards Code

- The electric vehicle charging station (EVCS) Requirements in the statewide code for new multi-family buildings now meet or exceed the local amendments made to the previous statewide code with the substantive exceptions noted below.
 - The statewide code does not require fully-functional EVCS for new multi-family dwellings, hotels, and motels when fewer than 20 dwelling units, sleeping units, or guest rooms exist. The statewide code requires that 10 percent and 25 percent of the total number of parking spaces be "EV Capable" or "EV Ready" respectively. These spaces are equipped with the electrical conduit and other associated electrical infrastructure to support the future installation of electric vehicle charging devices. The ordinance would require that in addition to the statewide requirements as noted above, an additional 5 percent of the total number of parking spaces be equipped with fully-functional electric vehicle charging equipment. This would match the statewide code requirements for multi-family dwellings with 20 or more units and aligns with the Board's prior decision not to exempt smaller multi-family dwellings from the requirement to have fully-functional charging stations. This amendment would impose a stricter standard than that included in the statewide code, and the number of fully operational electric vehicle charging stations is consistent with the current policy previously adopted by the Board.
- The electric vehicle charging station (EVCS) requirements in the statewide code for new non-residential buildings now meet or exceed the local amendments made to the previous statewide code with the substantive exceptions noted below.
 - The statewide code requires that building sites include spaces for both future "EV Capable" spaces that are equipped with the electrical conduit and other associated electrical infrastructure to support the future installation of electric vehicle charging devices and fully-functional EVCS, however the number of fully-functional EVCS spaces required by the statewide code is generally limited to 4-5 percent of the total number of parking spaces. The ordinance would amend the number of fully-functional EVCS spaces required to a minimum of 6 percent of the total number of parking spaces, which maintains requirements previously adopted by the Board. This amendment would impose a stricter standard than that included in the statewide code and the number of fully operational electric vehicle charging stations is consistent with the current policy previously adopted by the Board.
 - The statewide code does not require fully-functional EVCS where the total number of parking spaces provided is fewer than 26. The ordinance would require a proportional number of fully-functional EVCS spaces where the number of parking spaces is 10 or more, which is the threshold previously

adopted by the Board. This amendment would impose a stricter standard than that included in the statewide code, and the number of fully operational electric vehicle charging stations is consistent with the current policy previously adopted by the Board.

- More restrictive construction waste reduction, disposal, and recycling standards consistent with those presently enforced in the County, including: Apply construction waste management requirements in the statewide code to certain projects for existing residential buildings, including: Projects that increase the total combined conditioned and unconditioned building area by 5,000 square feet or more. Projects that impact 5,000 square feet or more of the total combined conditioned and unconditioned building area. Demolition projects when a demolition permit is required, except demolition projects that are necessary to abate a public nuisance. Delete the exception from construction waste management requirements for projects solely based on their isolated location from diversion facilities. Require measuring and documentation of all generated debris to ensure that at least 65% is diverted from landfills. These amendments are the same local amendments made to the previous statewide code.

Modifications to the 2022 California Energy Code

- Require that all newly constructed residential, detached accessory dwelling unit, hotel, office, and retail type buildings that do not have vested rights before June 2, 2022 be all-electric buildings. An all-electric building is defined as a building that has no natural gas or propane plumbing within the building, and that uses electricity as the sole source of energy for its space heating, water heating, cooking appliances and clothes drying appliances. This amendment would impose a stricter standard than that included in the statewide code as the statewide code has no requirement for all-electric buildings. This amendment is consistent with the current policy previously adopted by the Board.

Modifications to the 2022 California Existing Building Code

The amendment to the 2022 California Existing Building Code are not substantive in nature and are limited to the administrative provision for the use of and enforcement of this Code and to be consistent with the administrative provision of the other statewide codes as amended.

The proposed Ordinance No. 2022-35 also contains amendments to Division 718 - Miscellaneous Provisions of the Contra Costa County Ordinance code. The following are the substantive changes to the Ordinance Code:

Modifications to the Contra Costa County Ordinance Chapter 718-4 (Pools)

- Delete Chapter 71804 - SWIMMING POOLS. This chapter (originally adopted as ordinance 84-33) contains safety measures for swimming pools that have been superseded by more comprehensive safety measures now prescribed by the statewide code. Since the passage of California Health and Safety Code 115922 in 2007, the Building Inspection Division has enforced the more comprehensive California regulations. Deleting this chapter will remove conflicting provisions.

Modifications to the Contra Costa County Ordinance Chapter 718-6 (Residential Sprinklers)

- Delete Chapter 718-6 - RESIDENTIAL SPRINKLER SYSTEM OPTION. This chapter (originally passed as ordinance 87-43) requires that sellers of new one-family dwellings or duplexes provide prospective buyers the opportunity and option to have residential fire sprinkler systems installed during construction. Since 2011, the statewide code has mandated that new one-family dwellings and duplexes contain fire sprinklers, with exceptions for ADU's. The Building Inspection Division has enforced the more restrictive mandatory fire sprinkler requirements contained in the statewide code.

ATTACHMENTS

Findings

Ordinance No. 2022-35 _Adoption of 2022 Building Code

CONTRA COSTA COUNTY
FINDINGS IN SUPPORT OF CHANGES, ADDITIONS, AND DELETIONS
TO STATEWIDE BUILDING STANDARDS CODE

The California Building Standards Commission has adopted and published the 2022 Building Standards Code, which is comprised of the 2022 California Building, Residential, Green Building Standards, Energy, Electrical, Plumbing, Mechanical, and Existing Building Codes. These codes are enforced in Contra Costa County by the Building Inspection Division of the Department of Conservation and Development.

Although these codes apply statewide, Health and Safety Code sections 17958.5 and 18941.5 authorize a local jurisdiction to modify or change these codes and establish more restrictive building standards if the jurisdiction finds that the modifications and changes are reasonably necessary because of local climatic, geological, or topographical conditions. For amendments to the California Green Building Standards Code, local climatic, geological, and topographical conditions include local environmental conditions.

Ordinance No. 2022-35 adopts the statewide codes and amends them to address local conditions. Pursuant to Health and Safety Code section 17958.7, the Contra Costa County Board of Supervisors finds that the more restrictive standards contained in Ordinance No. 2022-35 are reasonably necessary because of the local climatic, geological, and topographic conditions that are described below.

I. Local Conditions

A. Geological and Topographic

1. Seismicity

(a) Conditions

Contra Costa County is located in Seismic Design Categories D and E, which designates very high risk for earthquakes. Buildings and other structures in these zones can experience major seismic damage. Contra Costa County is near numerous earthquake faults including the San Andreas Fault, and all or portions of the Hayward, Calaveras, Concord, Antioch, Mt. Diablo, and other lesser faults. A 4.1 earthquake with its epicenter in Concord occurred in 1958, and a 5.4 earthquake with its epicenter also in Concord occurred in 1955. The Concord and Antioch faults have a potential for a Richter 6 earthquake and the Hayward and Calaveras faults have the potential for a Richter 7 earthquake. Minor tremblers from seismic activity are not uncommon in the area. A study released in 2015 by the Working Group of California Earthquake Probabilities predicts that for

the San Francisco region, the 30-year likelihood of one or more earthquake of 6.7 or larger magnitude is 72%. The purpose of this Working Group is to develop statewide, time-dependent Earthquake Rupture Forecasts for California that use best available science, and are endorsed by the United States Geological Survey, the Southern California Earthquake Center, and the California Geological Survey. Scientists, therefore, believe that an earthquake of a magnitude 6.7 or larger is now slightly more than twice as likely to occur as to not occur in, approximately, the next 30 years.

Interstates 680, 80, 580 and State Route 4 run throughout Contra Costa County. These interstates and state route divide the County into west, south, north and east areas. An overpass or undercrossing collapse would significantly alter the response route and time for responding emergency equipment.

Earthquakes of the magnitude noted above could cause major damage to electrical transmission facilities and to gas and electrical lines in buildings, causing disruption and starting fires throughout the County.

(b) Impact

A major earthquake could severely restrict the response of Contra Costa County Fire Districts and their capability to control fires. When buildings not equipped with earthquake structural support move off their foundations, gas pipes may rupture. Fires may develop from line ruptures and spread from house to house, causing an extreme demand for fire protection resources. The proximity of large areas within the County to fault traces necessitates adopting stricter structural construction standards.

2. Soils

(a) Conditions

The area is replete with various soils, many of which are expansive. Many areas have landslide prone soils and some areas are potentially liquefiable during severe seismic shaking.

Throughout Contra Costa County, the topography and development growth has created a network of older, narrow roads. These roads vary from gravel to asphalt surface and vary in percent of slope, many exceeding 20%. Several of these roads extend up through the winding passageways in the hills providing access to remote, affluent housing subdivisions. The majority of these roads are private with no established maintenance program. During inclement weather, these roads are subject to rock and mudslides, as well as downed trees, obstructing all vehicle traffic. It is anticipated

that during an earthquake, several of these roads would be unpassable preventing fire protection resources from reaching fires caused by gas line ruptures or other sources.

3. Topographic

(a) Conditions

i) Vegetation

Highly combustible dry grass, weeds, and brush are common in the hilly and open space areas adjacent to built-up locations 6 to 8 months of each year. Many of these areas frequently experience wildland fires, which threaten nearby buildings, particularly those with wood roofs, or sidings. This condition can be found throughout Contra Costa County, especially in those developed and developing areas of the County. Earthquake gas fires due to gas line ruptures can ignite grasslands and stress fire district resources.

ii) Surface Features

The arrangement and location of natural and manmade surface features, including hills, creeks, canals, freeways, housing tracts, commercial development, fire stations, streets, and roads, combine to limit feasible response routes for Fire District resources in and to District areas.

iii) Buildings, Landscaping, and Terrain

Many of the newer large buildings and building complexes have building access and landscaping features and designs, which preclude or greatly limit any approach or operational access to them by Fire District vehicles. In addition, the presence of security gates and roads of inadequate width and grades that are too steep for Fire District vehicles adversely affect fire suppression efforts.

When Fire District vehicles cannot gain access to buildings involved with fire, the potential for complete loss is realized. Difficulty reaching a fire site often requires that fire personnel both in numbers and in stamina. Access problems often result in severely delaying, misdirecting or making impossible fire and smoke control efforts. In existing structures where pitched roofs have been built over an existing roof, smoke detectors should be required to warn residents of smoke and fire before the arrival of fire personnel.

(b) Impact

The above local geological and topographical conditions increase the magnitude, exposure, accessibility problems, and fire hazards presented to the County fire resources. Fire following an earthquake has the potential of causing greater loss of life

and damage than the earthquake itself. Most earthquake fires are caused by natural gas line ruptures. Hazardous materials, particularly toxic gases, could pose the greatest threat to the largest number, should a significant seismic event occur. Public safety resources would have to be prioritized to mitigate the greatest threat and may be unavailable for smaller single dwellings that affected or threatened by broken gas lines.

Other variables may intensify the situation:

1. The extent of damage to the water system
2. The extent of isolation due to bridge and/or freeway overpass collapse.
3. The extent of roadway damage and/or amount of debris blocking the roadways.
4. Climatic condition (hot, dry weather with high winds).
5. Time of day will influence the amount of traffic on roadways and could intensify the risk to life during normal business hours.
6. The availability of timely mutual aid or military assistance.
7. The large portion of dwellings with wood shake or shingle coverings (both on the roof diaphragm and sides of the dwellings) could result in conflagrations.
8. The large number of dwellings that slip off their foundations and rupture gas lines and electrical systems resulting in further conflagrations.

More restrictive electric vehicle charging standards, construction and demolition waste recovery requirements, and building electrification requirements would not impact the availability of the County's fire or public safety resources.

B. Climatic

1. Precipitation and Relative Humidity

(a) Conditions

Precipitation ranges from 15 to 24 inches per year with an average of approximately 20 inches per year. 96% of precipitation falls during the months of October through April, and 4% from May through September. May through September is a dry 5-month period each year. Additionally, the area is subject to occasional drought. Relative humidity remains in the middle range most of the time. It ranges from 45 to 65% during spring, summer, and fall, and from 60 to 90% in the winter. It occasionally falls as low as 15%.

(b) Impact

Locally experienced dry periods cause extreme dryness of untreated wood shakes and shingles on buildings and non-irrigated grass, brush and weeds, which are often near buildings with wood roofs and sidings. Such dryness causes these materials to ignite very readily and burn rapidly and intensely. Gas fires due to gas line ruptures can also spark and engulf a single-family residence during these dry periods.

Because of dryness, a rapidly burning gas fire or exterior building fire can quickly transfer to other buildings by means of radiation or flying brands, sparks or embers. A small fire can rapidly grow to a magnitude beyond the control capabilities of the Fire District resulting in an excessive fire loss.

2. Greenhouse Gas Emissions

(a) Conditions

The California Air Resources Board has collected information on emissions from air pollution sources since 1969. This information is periodically compiled by State and local air pollution control agencies to create regional and statewide greenhouse gas emissions inventories. The California greenhouse gas emissions inventory maintains information on various air pollution sources and identifies “transportation” (all on-road vehicles such as automobiles and trucks, and off-road vehicles such as trains, ships, aircraft, and farm equipment) as a primary pollution source. According to the 2019 statewide inventory, the transportation sector remains the largest source of greenhouse gas emissions, accounting for 39.7% of the total greenhouse gas emissions. Emissions from recycling and waste, comprising 2% of the total greenhouse gas emissions, have grown by 20% since 2000, and 96% of that amount is landfill emissions. California adopted land use and transportation policies and mandatory recycling laws to help reduce greenhouse gas emissions by promoting the use of renewable energy sources and reducing landfill disposal.

Contra Costa County also completed a local greenhouse gas emissions inventory as well as a community-wide Climate Action Plan. The County’s Climate Action Plan contains measures reducing greenhouse gas emissions pertaining to renewable fuel vehicles and reducing landfill disposal for the purpose of reducing greenhouse gas emissions.

(b) Impact

More restrictive electric vehicle charging standards, construction and demolition waste recovery requirements, and building electrification requirements would be consistent with the intent of State legislation and County requirements to aggressively implement energy and waste policies designed to ensure success in meeting their greenhouse gas emission reduction and reusable energy and recycling goals.

3. Temperature

(a) Conditions

Temperatures have been recorded as high as 114° F. Average summer highs are in the 75° to 90° range, with average maximums of 105° F in some areas of unincorporated Contra Costa County.

(b) Impact

High temperatures cause rapid fatigue and heat exhaustion of firefighters, thereby reducing their effectiveness and ability to control large building, wildland fires, and fires caused by gas line ruptures.

Another impact from high temperatures is that combustible building material and non-irrigated weeds, grass and brush are preheated, thus causing these materials to ignite more readily and burn more rapidly and intensely. Additionally, the resultant higher temperature of the atmosphere surrounding the materials reduces the effectiveness of the water being applied to the burning materials. This requires that more water be applied, which in turn requires more fire resources in order to control a fire on a hot day. High temperatures directly contribute to the rapid growth of fires to an intensity and magnitude beyond the control capabilities of the Fire Districts in Contra Costa County. The change of temperatures throughout the County between very low and extreme highs contributes to a voltage drop in conductors used for power pole lines. This necessitates that voltage drops be considered.

More restrictive electric vehicle charging standards, construction and demolition waste recovery requirements, and building electrification requirements would not have a negative impact on the temperature conditions within the County.

4. Winds

(a) Conditions

Prevailing winds in many parts of Contra Costa County are from the north or northwest in the afternoons. However, winds are experienced from virtually every direction at one time or another. Velocities can reach 14 mph to 23 mph ranges, gusting to 25 to 35 mph. 40 mph winds are experienced occasionally and winds up to 55 mph have been registered locally. During the winter half of the year, strong, dry, gusty winds from the north move through the area for several days creating extremely dry conditions.

(b) Impact

Winds such as those experienced locally can and do exacerbate fires, both interior and exterior, to burn, and spread rapidly. Fires involving non-irrigated weeds, grass, brush, and fires caused by gas line ruptures can grow to a magnitude and be fanned to an intensity beyond the control capabilities of the fire services very quickly even by relatively moderate winds. When such fires are not controlled; they can extend to nearby buildings, particularly those with untreated wood shakes or shingles.

Winds of the type experienced locally also reduce the effectiveness of exterior water streams used by all Contra Costa County Fire Districts on fires involving large interior areas of buildings, fires which have vented through windows and roofs due to inadequate built-in fire protection and fires involving wood shake and shingle building exteriors. Local winds will continue to be a definite factor toward causing major fire losses to buildings not provided with fire resistive roof and siding materials and buildings with inadequately separated interior areas, or lacking automatic fire protection systems, or lacking proper gas shut-off devices to shut off gas when pipes are ruptured, or lacking proper electrical systems. National statistics frequently cite wind conditions, such as those experienced locally, as a major factor where conflagrations have occurred.

More restrictive electric vehicle charging standards, construction and demolition waste recovery requirements, and building electrification requirements, would not have a negative impact on the wind conditions within the County.

II. Necessity of More Restrictive Standards

Because of the conditions described above, the Contra Costa County Board of Supervisors finds that there are building and fire hazards unique to Contra Costa County that require the more restrictive fire protection, structural and design load requirements, and energy and waste management policies set forth in Ordinance No. 2022-35.

- The ordinance amends the 2022 California Building Code by:
 - Clarifying the reference to electrical vehicle charging for new residential constructions to include both future and fully operational chargers in accordance with local amendments made to the CGBSC. (§74-4.002(b).)
 - Requiring the installation of a smoke detector in each existing flat roof building when a pitched roof is added on top of the existing flat roof, and the solid sheathing of the flat roof is not removed. (§ 74-4.002(c).)
 - Requiring most wood shakes or shingles used for exterior wall covering to be fire treated. (§ 74-4.002(d).)

- Requiring special inspections for concrete compressive strength at certain foundations to be consistent with code requirements for concrete at other locations. (§ 74-4.002(e).)
- Addressing the poor performance of plain concrete structural elements during seismic events. (§ 74-4.002(f), § 74-4.002(h), § 74-4.002(i).)
- Prohibiting placement of reinforcement while the concrete is in a semifluid condition thus increasing quality control during construction. Enhanced quality control is necessary because of seismic considerations. (§ 74-4.002(g).)
- The ordinance amends the 2022 California Residential Code by:
 - Requiring the installation of a smoke detector in each existing flat roof building when a pitched roof is added on top of the existing flat roof, and the solid sheathing of the flat roof is not removed. (§ 74-4.004(c).)
 - Prohibiting the use of gypsum wallboard as braced wall panels in single- and two-family dwellings and accessory structures, and by limiting the use of Portland Cement Plaster braced walls to only one story single- and two-family dwellings, as these materials have performed poorly during recent California seismic events. (§74-4.004(d), and §74-4.004(e).)
- The ordinance amends the 2022 California Green Building Standards Code by:
 - Imposing more restrictive electric vehicle charging standards, as follows:
 - Amending the definition of electric vehicle charging space to include both current and future installations in contrast to the statewide code that includes only future installations in the definition. (§ 74-4.006(a).)
 - For new multi-family buildings:
 - Requiring five percent of the total number of parking spaces (but not less than one space) be fully operational Electric Vehicle Charging Spaces (“EV spaces”) for all multi-family buildings irrespective of the number of units. Statewide code only requires five percent fully operational EV spaces for new multi-family developments with 20 or more units. (§ 74-4.006(d), and § 74-4.006(e).)
 - For new non-residential buildings:
 - Requiring that the number of EV spaces in new construction provide fully operational EVSE exceeding the number required by the statewide code consistent with current local amendments. (§ 74-4.006(i), and § 74-4.006(j).)
 - Imposing more restrictive construction waste reduction, disposal and recycling standards consistent with those presently enforced in the County as follows:
 - Imposing the mandatory restrictions from Chapter 4 of the 2022 CGBSC on certain projects for existing residential buildings, including:
 - Projects that increase the total combined conditioned and unconditioned building area by 5,000 square feet or more. ((§ 74-4.006(b).)
 - Projects that impact 5,000 square feet or more of the total combined conditioned and unconditioned building area. ((§ 74-4.006(b).)
 - Demolition projects when a demolition permit is required, except demolition projects that are necessary to abate a public nuisance. (§ 74-4.006(b), and § 74-

4.006(c).)

- Eliminating the exception from construction waste management requirements for projects solely based on their isolated location from diversion facilities. ((§ 74-4.006(f).)
 - Requiring measuring of all generated debris to ensure that at least 65% is diverted from landfills. (§ 74-4.006(i), and § 74-4.006(o).)
 - Requiring more comprehensive documentation for construction waste management be provided to the enforcing agency and making submittal of the same a prerequisite for scheduling final inspections. (§ 74-4.006(g), and § 74-4.006(m).)
- The amendments to the 2022 California Existing Building Code are not substantive in nature and are limited to administrative provisions for the use and enforcement of this Code, and to be consistent with the administrative provisions of the statewide codes as amended.
 - The ordinance amends the 2022 California Energy Code by:
 - Adding the definition of an all-electric building to mean a building that has no natural gas or propane plumbing within the building, and that uses electricity as its sole source of energy. (§ 74-4.010(b).)
 - Requiring that all newly constructed residential, detached accessory dwelling unit, hotel, office, and retail type buildings that do not have vested rights before June 1, 2022 be all-electric buildings. The statewide code has no mandatory building electrification requirements. (§ 74-4.010(a).)

ORDINANCE NO. 2022-35

ADOPTION OF CALIFORNIA BUILDING STANDARDS CODES

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

SECTION I. SUMMARY. This ordinance adopts the 2022 California Building Code, the 2022 California Residential Code, the 2022 California Energy Code, the 2022 California Green Building Standards Code, the 2022 California Electrical Code, the 2022 California Plumbing Code, the 2022 California Mechanical Code, and the 2022 California Existing Building Code, with changes, additions, and deletions that are necessary because of local climatic, geological, or topographical conditions. This ordinance is adopted pursuant to Health and Safety Code sections 17922, 17958, 17958.5, and 17958.7, and Government Code sections 50020 through 50022.10.

SECTION II. Section 74-2.002 (Adoption) of Division 74 (Building Code) of the County Ordinance Code is amended to read:

74-2.002 Adoption.

- (a) The building code of this county is the 2022 California Building Code (California Code of Regulations, Title 24, Part 2, Volumes 1 and 2), the 2022 California Residential Code (California Code of Regulations, Title 24, Part 2.5), the 2022 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), the 2022 California Existing Building Code (California Code of Regulations, Title 24, Part 10), and the 2022 California Energy Code (California Code of Regulations, Title 24, Part 6), as amended by the changes, additions, and deletions set forth in this division and Division 72.
- (b) The 2022 California Building Code, with the changes, additions, and deletions set forth in Chapter 74-4 and Division 72, is adopted by this reference as though fully set forth in this division.
- (c) The 2022 California Residential Code, with the changes, additions, and deletions set forth in Chapter 74-4 and Division 72, is adopted by this reference as though fully set forth in this division.
- (d) The 2022 California Green Building Standards Code, with the changes, additions, and deletions set forth in Chapter 74-4 and Division 72, is adopted by this reference as though fully set forth in this division.
- (e) The 2022 California Existing Building Code, with the changes, additions, and deletions set forth in Chapter 74-4 and Division 72, is adopted by this reference as though fully set forth in this division.

- (f) The 2022 California Energy Code, with the changes, additions, and deletions set forth in Chapter 74-4 and Division 72, is adopted by this reference as though fully set forth in this division.
- (g) At least one copy of this building code is now on file with the building inspection division, and the other requirements of Government Code section 50022.6 have been and shall be complied with.
- (h) As of the effective date of the ordinance from which this division is derived, the provisions of the building code are controlling and enforceable within the county. (Ords. 2022-35 § 2, 2022-02 § 2, 2019-31 § 2, 2016-22 § 2, 2013-24 § 2, 2011-03 § 2, 2007-54 §3, 2002-31 § 3, 99-17 § 5, 99-1, 90-100 § 5, 87-55 § 4, 80-14 § 5, 74-30.)

SECTION III. Chapter 74-4 (Modifications) of Division 74 (Building Code) of the County Ordinance Code is amended to read:

**Chapter 74-4
MODIFICATIONS**

74-4.002 Amendments to CBC. The 2022 California Building Code ("CBC") is amended by the changes, additions, and deletions set forth in this chapter and Division 72. Section numbers used below are those of the 2022 California Building Code.

- (a) CBC Chapter 1 (Scope and Administration) is amended by the provisions of Division 72 of this code and as follows:
 - (1) Sections 103 and 113 of CBC Chapter 1 are deleted.
 - (2) Section 105.2 (Work exempt from permit) of CBC Chapter 1, subsection 4 is amended to read:
 - 4. Retaining walls that are not more than 3 feet in height measured from the top of the footing to the top of the wall and that have a downward ground slope at the bottom of the retaining wall not exceeding 1(vertical):10(horizontal), unless supporting a surcharge or ground slope exceeding 1(vertical):2(horizontal) or impounding Class I, II, or III-a liquids.
 - (3) Section 107.2.1 (Information on construction documents) of CBC Chapter 1 is amended to read:

107.2.1 Information on Construction Documents. Construction documents shall include dimensions and shall be drawn to scale on suitable material. Electronic media documents may be submitted when approved in advance by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature, and extent of

the work proposed and to show in detail that it will conform to this code and all relevant laws, ordinances, rules, and regulations. The first sheet of each set of plans shall include contact information for the owner and the person or persons who prepared the plans. Plans shall include a plot plan showing all existing property lines labeled and fully dimensioned, the elevations of the top and toe of cuts and fills, and the location of the proposed building with distances to all property lines and to every existing building on the property. Instead of detailed specifications, the county building official may approve references on the plans to a specific section or part of this code or other ordinances or laws.

- (4) Section 110.1 (Inspections - General) of CBC Chapter 1 is amended by adding the following to the end of that section:

At the time of first inspection by the county building official, a California licensed Land Surveyor or Civil Engineer shall certify in writing that the structure is placed according to the approved set of plans. The written certification must include the site address and permit number. This requirement does not apply to alterations or repairs to existing structures that do not affect the exterior limits of the existing structures.

- (b) Section 420.14 [HCD] (Electric vehicle (EV) charging for new construction) of CBC Chapter 4 (Special Detailed Requirements Based on Occupancy and Use) is amended to read:

420.14 Electric vehicle (EV) charging for new construction. Newly constructed Group R-1, R-2, and R-3 buildings shall be provided with infrastructure to facilitate future installation and use of electric vehicle (EV) chargers, and, where required, newly constructed Group R-2 buildings shall be provided with electric vehicle charging spaces equipped with fully-operational EV chargers, in accordance with the California Green Building Standards Code (CALGreen), Chapter 4, Division 4.1.

- (c) Section 907.2.11.2.5.1 is added to Section 907.2.11.2.5 (Existing Group R occupancies) of CBC Chapter 9 (Fire Protection Systems), to read:

907.2.11.2.5.1 Existing flat roof buildings. In existing flat roof buildings, the installation of a smoke detector that complies with California Residential Code Section R314.6 shall be required when a pitched roof is added on top of the existing flat roof and the solid sheathing of the flat roof is not removed.

- (d) Section 1405.2 is added to Section 1405 (Combustible materials on the exterior side of exterior walls) of CBC Chapter 14 (Exterior Walls), to read:

1405.2 Wood shakes or shingles. Wood shakes or shingles used for exterior wall covering shall be fire treated unless there is a minimum of 10 feet from the

exterior wall (including shakes or shingles) to the property line or the exterior wall faces a street.

- (e) In Section 1705.3 (Concrete construction) of CBC Chapter 17 (Special Inspections and Tests), Exception 1 is amended to read:
 - 1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength of no greater than 2,500 pound per square inch (psi) (17.2 Mpa).
- (f) Section 1809.8 (Plain concrete footings) of CBC Chapter 18 (Soils and Foundations) is deleted.
- (g) Section 1810.3.9.3 (Placement of reinforcement) of CBC Chapter 18 (Soils and Foundations) is amended by deleting Exception 3.
- (h) Section 1905.1.7 (ACI 318, Section 14.1.4) of CBC Chapter 19 (Concrete) is amended to read:

1905.1.7 ACI 318, Section 14.1.4. Delete ACI 318, Section 14.1.4, and replace with the following:

14.1.4 - Plain concrete in structures assigned to Seismic Design Category C, D, E, or F.

14.1.4.1- Structures assigned to Seismic Design Category C, D, E, or F shall not have elements of structural plain concrete, except as follows:

- (a) Reserved.
- (b) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.
- (c) Plain concrete footings supporting walls are permitted, provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. A minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

- (i) Section 1906 (Footings for light-frame construction) of CBC Chapter 19 (Concrete) is deleted.
- (j) Section 1907.1 (Minimum Slab Provisions - General) of CBC Chapter 19 (Concrete) is amended by adding the following sentence to that section:

Slabs shall have a minimum reinforcement of 6-inch by 6-inch by 10-gauge wire mesh or equal at mid-height.
- (k) Appendix C and Appendix I of the CBC are incorporated into the County building code. Appendix A, Appendix B, Appendix D, Appendix E, Appendix F, Appendix G, Appendix H, Appendix J, Appendix K, Appendix L, and Appendix M of the CBC are excluded from the County building code. (Ords. 2022-35 § 3, 2019-31 § 3, 2016-22 § 3, 2013- 24 § 3, 2011-03 § 3, 2007-54 § 4, 2002-31 § 3, 99- 17 § 6, 99-1, 90-100 § 6, 87-55 § 5, 80-14 § 6, 74-30 § 1.)

74-4.004 Amendments to CRC. The 2022 California Residential Code ("CRC") is amended by the changes, additions, and deletions set forth in this chapter and Division 72. Section numbers used below are those of the 2022 California Residential Code.

- (a) Sections R103 and R112 of CRC Chapter 1 (Scope and Application) are deleted.
- (b) In Section R105.2 (Work exempt from permit) of CRC Chapter 1 (Scope and Application), subsection 3 is amended to read:
 - 3. Retaining walls that are not more than 3 feet in height measured from the top of the footing to the top of the wall and that have a downward ground slope at the bottom of the retaining wall not exceeding 1(vertical):10(horizontal), unless supporting a surcharge or ground slope exceeding 1(vertical):2(horizontal) or impounding Class I, II, or III-a liquids.
- (c) Section R314.8.1.1 is added to Section R314.8 (Existing Group R-3 occupancies) of CRC Chapter 3 (Building Planning), to read:

R314.8.1.1 Existing flat roof buildings. In existing flat roof buildings, the installation of a smoke detector that complies with Section R314.6 shall be required when a pitched roof is added on top of the existing flat roof and the solid sheathing of the flat roof is not removed.
- (d) Section R602.10.3(3) (Bracing Requirements Based on Seismic Design Category) of CRC Chapter 6 (Wall Construction) is amended as follows:
 - (1) The title of Table R602.10.3(3) is amended to read:

TABLE R602.10.3(3)ⁱ

(2) Footnote "i" is added to Table R602.10.3(3), to read:

- i. In Seismic Design Categories D0, D1, and D2, Method GB is not permitted and the use of Method PCP is limited to one-story dwellings and accessory structures.

(e) Section R602.10.4.5 is added to Section R602.10.4 (Construction methods for braced wall panels) of CRC Chapter 6 (Wall Construction), to read:

R602.10.4.5 Limits on methods GB and PCP. In Seismic Design Categories D0, D1, and D2, Method GB is not permitted, but gypsum board is permitted to be installed on the opposite side of the studs from other types of braced wall panel sheathing. In Seismic Design Categories D0, D1, and D2, the use of Method PCP is limited to one-story dwellings and accessory structures.

(f) Appendix AH and Appendix AX of the CRC is incorporated into the County building code. Appendix AA, Appendix AB, Appendix AC, Appendix AD, Appendix AE, Appendix AF, Appendix AG, Appendix AI, Appendix AJ, Appendix AK, Appendix AL, Appendix AM, Appendix AN, Appendix AO, Appendix AP, Appendix AQ, Appendix AR, Appendix AS, Appendix AT, Appendix AU, Appendix AV, Appendix AW, Appendix AY, and Appendix AZ of the CRC are excluded from the County building code. (Ords. 2022-35 § 3, 2019-31 § 3, 2016-22 § 3, 2013- 24 § 3, 2011-03 § 3.)

74-4.006 Amendments to CGBSC. The 2022 California Green Building Standards Code ("CGBSC") is amended by the changes, additions, and deletions set forth in this chapter and Division 72. Section numbers used below are those of the 2022 California Green Building Standards Code.

(a) Section 202 (Definitions) of CGBSC Chapter 2 (Definitions) is amended by replacing the definition of Electric Vehicle Charging Space (EV Space) with the following:

ELECTRIC VEHICLE CHARGING SPACE (EV SPACE). A space intended for current or future installation of EV charging equipment and charging of electric vehicles.

(b) Section 301.1.1 (Additions and alterations) of CGBSC Chapter 3 (Green Building) is amended to read:

Section 301.1.1 Additions and alterations. The mandatory provisions of Chapter 4 shall apply to additions or alterations of existing residential buildings where the addition or alteration increases the building's conditioned area, volume, or size. The requirements shall apply only to and within the specific area of the addition or alteration.

The mandatory provisions of Section 4.106.4.2 may apply to additions or alterations of existing parking facilities or the addition of new parking facilities serving existing multifamily buildings. See Section 4.106.4.3 for application.

NOTE: Repairs including, but not limited to, resurfacing, restriping, and repairing or maintaining existing lighting fixtures are not considered alterations for the purpose of this section.

The mandatory provisions of Section 4.408 shall apply to the following types of construction or demolition projects for existing residential buildings:

1. Projects that increase the total combined conditioned and unconditioned building area by 5,000 square feet or more.
2. Alterations to existing structures impacting 5,000 square feet or more of total combined conditioned and unconditioned building area.
3. Demolition projects when a demolition permit is required.

Exception: Demolition projects undertaken because the enforcing agency has determined that the demolition is necessary to abate a public nuisance or otherwise protect public health and safety.

For the purposes of determining whether a project meets the 5,000 square-foot threshold, the enforcing agency may deem all phases of a project and all related projects taking place on a single or adjoining parcel(s) as a single project.

- (c) Section 301.3.2 (Waste diversion) of CGBSC Chapter 3 (Green Building) is amended to read:

Section 301.3.2 Waste diversion. The requirements of Section 5.408 shall apply to additions, alterations, and demolition whenever a permit is required for work.

Exception: Demolition projects undertaken because the enforcing agency has determined that the demolition is necessary to abate a public nuisance or otherwise protect public health and safety.

- (d) Section 4.106.4.2.1 (Multifamily development projects with less than 20 dwelling units; and hotels and motels with less than 20 sleeping units or guest rooms) of CGBSC Chapter 4 (Residential Mandatory Measures) is amended by adding the following Item 3 to the end of the section:

3. EV Chargers. Five (5) percent of the total number of parking spaces shall be equipped with fully-operational Level 2 EVSE. Where common use parking is provided, at least one EV charger shall be located in the common use parking area

and shall be available for use by all residents or guests.

When low power Level 2 EV charging receptacles or Level 2 EVSE are installed beyond the minimum required, an automatic load management system (ALMS) may be used to reduce the maximum required electrical capacity to each space served by the ALMS. The electrical system and any on-site distribution transformers shall have sufficient capacity to deliver at least 3.3 kW simultaneously to each EV charging station (EVCS) served by the ALMS. The branch circuit shall have a minimum capacity of 40 amperes, and installed EVSE shall have a capacity of not less than 30 amperes. ALMS shall not be used to reduce the minimum required electrical capacity to the required EV capable spaces.

- (e) Section 4.106.4.2.1.1 is added to Section 4.106.4.2.1 (Multifamily development projects with less than 20 dwelling units; and hotels and motels with less than 20 sleeping units or guest rooms) of CGBSC Chapter 4 (Residential Mandatory Measures), to read:

Section 4.106.4.2.1.1 Electric vehicle charging stations (EVCS). Electric vehicle charging stations required by Section 4.106.4.2.1, Item 3, shall comply with Section 4.106.4.2.1.1.

Exception: Electric vehicle charging stations serving public accommodations, public housing, motels and hotels shall not be required to comply with this section. See California Building Code, Chapter 11B, for applicable requirements.

Section 4.106.4.2.1.1.1 Location. EVCS shall comply with at least one of the following options:

1. The charging space shall be located adjacent to an accessible parking space meeting the requirements of the California Building Code, Chapter 11A, to allow use of the EV charger from the accessible parking space.
2. The charging space shall be located on an accessible route, as defined in the California Building Code, Chapter 2, to the building.

Exception: Electric vehicle charging stations designed and constructed in compliance with the California Building Code, Chapter 11B, are not required to comply with Section 4.106.4.2.1.1.1 and Section 4.106.4.2.1.1.2, Item 3.

Section 4.106.4.2.1.1.2 Electric Vehicle Charging Stations (EVCS) Dimensions. The charging spaces shall be designed to comply with the following:

1. The minimum length of each EV space shall be 18 feet (5486 mm).
2. The minimum width of each EV space shall be 9 feet (2743 mm).
3. One in every 25 charging spaces, but not less than one, shall also have an 8-foot (2438 mm) wide minimum aisle. A 5-foot (1524 mm) wide minimum aisle shall be permitted provided the minimum width of the EV space is 12 feet (3658 mm).
 - a. Surface slope for this EV space and the aisle shall not exceed 1 unit vertical in 48 units horizontal (2.083 percent slope) in any direction.

Section 4.106.4.2.1.1.3 Accessible EV Spaces. In addition to the requirements in Sections 4.106.4.2.1.1.1 and 4.106.4.2.1.1.2, all EVSE, when installed, shall comply with the accessibility provisions for EV chargers in the California Building Code, Chapter 11B. EV ready spaces and EVCS in multifamily developments shall comply with California Building Code, Chapter 11A, Section 1109A.

- (f) Section 4.408.1 (Construction waste management) of CGBSC Chapter 4 (Residential Mandatory Measures) is amended to read:

Section 4.408.1 Construction waste management. Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 4.408.2.

Exceptions:

1. Excavated soil and land-clearing debris.
2. The enforcing agency may identify alternate waste reduction requirements if the agency determines that an owner or contractor has adequately demonstrated that diversion facilities necessary for the owner to comply with this section do not exist or are not located within a reasonable distance from the jobsite.

- (g) Section 4.408.2 (Construction waste management plan) of CGBSC Chapter 4 (Residential Mandatory Measures) is amended to read:

Section 4.408.2 Construction waste management plan. Submit a construction waste management plan for the project, signed by the owner, in conformance with Items 1 through 5 prior to issuance of building permit. The construction waste

management plan shall be updated as necessary upon approval by the enforcing agency and shall be available during construction for examination by the enforcing agency. The plan must do all of the following:

1. Identify the construction and demolition waste materials to be diverted from disposal by recycling, reuse on the project, or salvage for future use or sale.
2. Specify if construction and demolition waste materials will be sorted on-site (source-separated) or bulk mixed (single stream).
3. Identify diversion and disposal facilities where the construction and demolition waste material will be taken and identify the waste management companies, if any, that will be utilized to haul the construction and demolition waste material. A waste management company utilized to haul construction and demolition waste material must have all applicable County approvals.
4. Identify construction methods employed to reduce the amount of construction and demolition waste generated.
5. Specify that the amount of construction and demolition debris shall be calculated consistent with the enforcing agency's requirements for the weighing of debris. The owner shall ensure that all construction and demolition debris diverted or disposed are measured and recorded by weight or volume using the most accurate method of measurement available. To the extent practicable, all construction and demolition debris shall be weighed using scales. Scales shall be in compliance with all regulatory requirements for accuracy and maintenance. For construction and demolition debris for which weighing is not possible due to lack of scales or not practical due to materials being reused on-site or elsewhere or other considerations, a volumetric measurement shall be used. The owner shall convert volumetric measurements to weight using the standardized conversion factors approved by the enforcing agency for this purpose.

(h) Section 4.408.3 (Waste management company) of CGBSC Chapter 4 (Residential Mandatory Measures) is deleted.

(i) Section 4.408.5 (Documentation) of CGBSC Chapter 4 (Residential Mandatory Measures) is amended to read:

Section 4.408.5 Documentation. A construction waste management final report containing information and supporting documentation that demonstrates

compliance with Section 4.408.1, Section 4.408.2, Items 1 through 5, and, when applicable, Section 4.408.4 or Section 4.408.4.1, shall be provided to the enforcing agency before the final inspection. The required documentation shall include, but is not necessarily limited to, the following:

1. Documentation of the quantity by weight of each material type diverted or disposed, consistent with the requirements of Section 4.408.2, Item 5, and receipts or written certification from all receiving facilities utilized to divert or dispose waste generated by the project that substantiate the amounts specified on the construction waste management final report; or
2. For projects that satisfy the waste stream reduction alternative specified in Section 4.408.4 or Section 4.408.4.1, documentation of the quantity by weight of each material type disposed and the total combined weight of construction and demolition waste disposed in landfills as a result of the project, the corresponding pounds disposed per square foot of the building area, and receipts or written certification from all receiving facilities utilized to dispose waste generated by the project that substantiate the amounts specified on the construction waste management final report.

(j) Section 5.106.5.3.1 (EV capable spaces) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is amended to read:

Section 5.106.5.3.1 EV Capable Spaces. [N] EV capable spaces shall be provided in accordance with Table 5.106.5.3.1 and the following requirements:

1. Raceways complying with the California Electrical Code and no less than 1-inch (25 mm) diameter shall be provided and shall originate at a service panel or a subpanel(s) serving the area, and shall terminate in close proximity to the proposed location of the EV capable space and into a suitable listed cabinet, box, enclosure or equivalent. A common raceway may be used to serve multiple EV capable spaces.
2. A service panel or subpanel(s) shall be provided with panel space and electrical load capacity for a dedicated 208/240 volt, 40-ampere minimum branch circuit for each EV capable space, with delivery of 30-ampere minimum to an installed EVSE at each EVCS.
3. The electrical system and any on-site distribution transformers shall have sufficient capacity to supply full rated amperage at each EV capable space.

4. The service panel or subpanel circuit directory shall identify the reserved overcurrent protective device space(s) as "EV CAPABLE". The raceway termination location shall be permanently and visibly marked as "EV CAPABLE."

Note: A parking space served by electric vehicle supply equipment or designed as a future EV charging space shall count as at least one standard automobile parking space only for the purpose of complying with any applicable minimum parking space requirements established by an enforcement agency. See Vehicle Code Section 22511.2 for further details.

TABLE 5.106.5.3.1

TOTAL NUMBER OF ACTUAL PARKING SPACES	NUMBER OF REQUIRED EV CAPABLE SPACES	NUMBER OF EVCS (EV CAPABLE SPACES PROVIDED WITH EVSE) ²
1-9	0	0
10-25	4	2
26-50	8	3
51-75	13	5
76-100	17	6
101-150	25	12
151-200	35	12
201 and over	20 percent of total ¹	6 percent of total ¹

1. Calculation for spaces shall be rounded up to the nearest whole number
2. The number of required EVCS (EV capable spaces provided with EVSE) in column 3 count toward the total number of required EV capable spaces shown in column 2.

- (k) Section 5.106.5.3.2 (Electric vehicle charging stations (EVCS)) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is amended to read:

Section 5.106.5.3.2 Electric Vehicle Charging Stations (EVCS). EV capable spaces shall be provided with fully-operational EVSE to create EVCS in the number indicated in Table 5.106.5.3.1. The EVCS required by Table 5.106.5.3.1 may be provided with EVSE in any combination of Level 2 and Direct Current Fast Charging (DCFC), except that at least one Level 2 EVSE shall be provided.

One EV charger with multiple connectors capable of charging multiple EVs simultaneously shall be permitted if the electrical load capacity required by Section 5.106.5.3.1 for each EV capable space is accumulatively supplied to the EV charger.

The installation of each DCFC EVSE shall be permitted to reduce the minimum number of required EV capable spaces without EVSE by five and reduce

proportionally the required electrical load capacity to the service panel or subpanel.

- (l) Section 5.408.1 (Construction waste management) of CGBSC Chapter 5 Nonresidential Mandatory Measures) is amended to read:

Section 5.408.1 Construction waste management. Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1.

Exceptions:

1. Excavated soil and land-clearing debris.
2. The enforcing agency may identify alternate waste reduction requirements if the agency determines that an owner or contractor has adequately demonstrated that diversion facilities necessary for the owner to comply with this section do not exist or are not located within a reasonable distance from the jobsite.

- (m) Section 5.408.1.1 (Construction waste management plan) of CGBSC Chapter 5 Nonresidential Mandatory Measures) is amended to read:

Section 5.408.1.1 Construction waste management plan. Submit a construction waste management plan for the project, signed by the owner, in conformance with Items 1 through 5 prior to issuance of building permit. The construction waste management plan shall be updated as necessary upon approval by the enforcing agency and shall be available during construction for examination by the enforcing agency. The plan must do all of the following:

1. Identify the construction and demolition waste materials to be diverted from disposal by recycling, reuse on the project, or salvage for future use or sale.
2. Specify if construction and demolition waste materials will be sorted on-site (source-separated) or bulk mixed (single stream).
3. Identify diversion and disposal facilities where the construction and demolition waste material will be taken and identify the waste management companies, if any, that will be utilized to haul the construction and demolition waste material. A waste management company utilized to haul construction and demolition waste material must have all applicable County approvals.
4. Identify construction methods employed to reduce the amount of construction and demolition waste generated.

5. Specify that the amount of construction and demolition debris shall be calculated consistent with the enforcing agency's requirements for the weighing of debris. The owner shall ensure that all construction and demolition debris diverted or disposed are measured and recorded by weight or volume using the most accurate method of measurement available. To the extent practicable, all construction and demolition debris shall be weighed using scales. Scales shall be in compliance with all regulatory requirements for accuracy and maintenance. For construction and demolition debris for which weighing is not possible due to lack of scales or not practical due to material being reused on-site or elsewhere or other considerations, a volumetric measurement shall be used. The owner shall convert volumetric measurements to weight using the standardized conversion factors approved by the enforcing agency for this purpose.

(n) Section 5.408.1.2 (Waste management company) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is deleted.

(o) Section 5.408.1.4 (Documentation) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is amended to read:

Section 5.408.1.4 Documentation. A construction waste management final report containing information and supporting documentation that demonstrates compliance with Section 5.408.1, Section 5.408.1.1, Items 1 through 5, and, when applicable, Section 5.408.1.3, shall be provided to the enforcing agency before the final inspection. The required documentation shall include, but is not necessarily limited to, the following:

1. Documentation of the quantity by weight of each material type diverted or disposed, consistent with the requirements of Section 5.408.1.1, Item 5, and receipts or written certification from all receiving facilities utilized to divert or dispose waste generated by the project that substantiate the amounts specified on the construction waste management final report; or
3. For projects that satisfy the waste stream reduction alternative specified in Section 5.408.1.3, documentation of the quantity by weight of each new construction material type disposed and the total combined weight of new construction waste disposed as a result of the project, the corresponding pounds of new construction disposal per square foot of the building area, and receipts or written certification from all receiving facilities utilized to dispose

waste generated by the project that substantiate the amounts specified on the construction waste management final report.

(Ords. 2022-35 § 3, 2019-31 § 3, 2016-22 § 3, 2015-22 § 2.)

74-4.008 Amendments to CEBC. The 2022 California Existing Building Code ("CEBC") is amended by the changes, additions, and deletions set forth in this chapter and Division 72. Section numbers used below are those of the 2022 California Existing Building Code

- (a) CEBC Chapter 1 (Scope and Administration) is amended by the provisions of Division 72 of this code and as follows:
 - (1) Sections 103 and 112 of CEBC Chapter 1 are deleted.
 - (2) Section 106.1 (Construction Documents - General) of CEBC Chapter 1 is amended by deleting the exception.
 - (3) Section 106.2.1 (Construction documents) of CEBC Chapter 1 is amended to read:

106.2.1 Construction documents. Construction documents shall include dimensions and shall be drawn to scale on suitable material. Electronic media documents may be submitted when approved in advance by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed and to show in detail that it will conform to this code and all relevant laws, ordinances, rules, and regulations. The first sheet of each set of plans shall include contact information for the owner and the person or persons who prepared the plans. Plans shall include a plot plan showing all existing property lines labeled and fully dimensioned, the elevations of the top and toe of cuts and fills, and the location of the proposed building with distances to all property lines and to every existing building on the property. Instead of detailed specifications, the county building official may approve references on the plans to a specific section or part of this code or other ordinances or laws.

(Ords. 2022-35 § 3, 2019-31 § 3, 2016-22 § 3.)

74-4.010 Amendments to CEnC. The 2022 California Energy Code ("CEnC") is amended by the changes, additions, and deletions set forth in this chapter and Division 72. Section numbers used below are those of the 2022 California Energy Code.

- (a) Section 100.0(e)(2)(A) of CEnC Subchapter 1 (All Occupancies - General Provisions) is amended to read:

A. **All newly constructed buildings.**

- i. Sections 110.0 through 110.12 apply to all newly constructed buildings within the scope of Section 100.0(a). In addition, newly constructed buildings shall meet the requirements of Subsection B, C, D, or E, as applicable.
- ii. A newly constructed building that is any of the following building types shall be an all-electric building:
 - a. Residential.
 - b. Detached accessory dwelling unit.
 - c. Hotel.
 - d. Office.
 - e. Retail.

Exception to Section 100.0(e)(2)(A)(ii): Development projects that have obtained vested rights before the effective date of this subsection (ii) or June 1, 2022, whichever is later, pursuant to a development agreement in accordance with Government Code section 65866, a vesting tentative map in accordance with Government Code section 66998.1, or other applicable law, are exempt from the requirements of Section 100.0(e)(2)(A)(ii).

- (b) Section 100.1(b) (Definitions) of CEnC Subchapter 1 (All Occupancies - General Provisions) is amended by adding the following definition:

ALL-ELECTRIC BUILDING means a building that has no natural gas or propane plumbing installed within the building, and that uses electricity as the sole source of energy for its space heating (including heating of all indoor and outdoor spaces of the building), water heating (including heating of indoor and outdoor pools and spas), cooking appliances, and clothes drying appliances. An all-electric building may utilize solar thermal pool heating.

(Ords. 2022-35 § 3, 2022-02 § 3.)

SECTION IV. Section 76-2.002 (Adoption) of Division 76 (Electrical Code) of the County Ordinance Code is amended to read:

76-2.002 Adoption.

- (a) The electrical code of this county is the 2022 California Electrical Code (California Code

of Regulations, Title 24, Part 3) (“CEC”), as amended by the changes, additions, and deletions set forth in this division and Division 72.

- (b) The 2022 California Electrical Code, with the changes, additions, and deletions set forth in Chapter 76-4 and Division 72, is adopted by this reference as though fully set forth in this division.
- (c) At least one copy of this electrical code is now on file with the building inspection division, and the other requirements of Government Code section 50022.6 have been and shall be complied with.
- (d) As of the effective date of the ordinance from which this division is derived, the provisions of the electrical code are controlling and enforceable within the county. (Ords. 2022-35 § 4, 2019-31 § 4, 2016-22 § 4, 2013-24 § 4, 2011-03 § 4, 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-67, 76-24.)

SECTION V. Section 78-2.002 (Adoption) of Division 78 (Plumbing Code) of the County Ordinance Code is amended to read:

78-2.002 Adoption.

- (a) The plumbing code of this county is the 2022 California Plumbing Code (California Code of Regulations, Title 24, Part 5), as amended by the changes, additions, and deletions set forth in Division 72.
- (b) The 2022 California Plumbing Code, with the changes, additions, and deletions set forth in Division 72, is adopted by this reference as though fully set forth in this division.
- (c) At least one copy of this plumbing code is now on file with the building inspection division, and the other requirements of Government Code section 50022.6 have been and shall be complied with.
- (d) As of the effective date of the ordinance from which this division is derived, the provisions of the plumbing code are controlling and enforceable within the county. (Ords. 2022-35 § 5, 2019-31 § 5, 2016-22 § 6, 2013-24 § 5, 2011-03 § 5, 2007-54 § 6, 2002-31 § 5, 99-17 § 12, 74-29.)

SECTION VI. Section 710-2.002 (Adoption) of Division 710 (Mechanical Code) of the County Ordinance Code is amended to read:

710-2.002 Adoption.

- (a) The mechanical code of this county is the 2022 California Mechanical Code (California Code of Regulations, Title 24, Part 4), as amended by the changes, additions, and deletions set forth in Division 72.

- (b) The 2022 California Mechanical Code, with the changes, additions, and deletions set forth in Division 72, is adopted by this reference as though fully set forth in this division.
- (c) At least one copy of this mechanical code is now on file with the building inspection division, and the other requirements of Government Code section 50022.6 have been and shall be complied with.
- (d) As of the effective date of the ordinance from which this division is derived, the provisions of the mechanical code are controlling and enforceable within the county. (Ords. 2022-35 § 6, 2019-31 § 6, 2016-22 § 7, 2013-24 § 6, 2011-03 § 6, 2007-54 § 7, 2002-31 § 6, 99-17 § 13, 88-91 § 5, 74-31.)

SECTION VII. Section 72-6.212 of the County Ordinance Code is amended to read:

72-6.212 Expiration of permit.

- (a) A permit issued by the county building official becomes void if either of the following occur:
 - (1) The work authorized by the permit is not commenced within 12 months after the permit issuance date. Evidence that work has commenced consists of at least one approved inspection.
 - (2) The work authorized by the permit is suspended or abandoned for a period of 12 consecutive months after the work is commenced. Work is deemed suspended or abandoned for a period of 12 consecutive months if no approved inspection occurs during that time.
- (b) A permittee holding an unexpired permit may apply to the county building official for a permit extension. Upon written request by the permittee demonstrating justifiable cause for the delay, the county building official may extend the time of the permit for a period not exceeding 180 days. A permit may not be extended more than once.
- (c) Once a permit becomes void, a new permit must be obtained before any work is commenced or recommenced, and a new permit fee must be paid. (Ords. 2022-35 § 7, 2019-31 § 7, 2007-54 § 2, 2002-31 § 2, 99-1 § 5, 87-55 § 3, 80-14 § 3, 74-32 § 2, 71-32 § 1, 67-70 § 3; prior code § 7106; Ord. 1372 § 5H).

SECTION VIII. Chapter 718-4 (Swimming Pools) of the County Ordinance Code is deleted in its entirety.

SECTION IX. Chapter 718-6 (Residential Sprinkler System Option) of the County Ordinance Code is deleted in its entirety.

SECTION X. VALIDITY. The Contra Costa County Board of Supervisors declares that if any section, paragraph, sentence, or word of this ordinance or of the 2022 California Building Code,

Residential Code, Green Building Code, Plumbing Code, Electrical Code, Mechanical code, Existing Building Code, or Energy Code as adopted and amended herein is declared for any reason to be invalid, it is the intent of the Contra Costa County Board of Supervisors that it would have passed all other portions or provisions of this ordinance independent of the elimination herefrom any portion or provision as may be declared invalid.

SECTION XI. EFFECTIVE DATE. This ordinance becomes effective on January 1, 2023 or 30 days after passage, whichever is later. Within 15 days of passage, this ordinance shall be published once in the East Bay Times, a newspaper published in this County. This ordinance shall be published in a manner satisfying the requirements of Government Code section 25124, with the names of supervisors voting for and against it.

PASSED on _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

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

Board Chair

By: _____
Deputy

[SEAL]



Contra
Costa
County

To: Board of Supervisors
From: Lewis T. Broschard III, Chief, Contra Costa Fire Protection District
Date: October 18, 2022

Subject: Fix Public Hearing - Ordinance 2022-34 to Adopt 2022 California Code with Local Amendments

RECOMMENDATION(S):

Acting in its capacity as the Contra Costa County Board of Supervisors and as the Board of Directors of the Contra Costa County Fire Protection District and the Crockett-Carquinez Fire Protection District:

1. INTRODUCE Ordinance No. 2022-34, adopting the 2022 California Fire Code, with local amendments, as the fire code within Contra Costa County, the Contra Costa County Fire Protection District, and the Crockett-Carquinez Fire Protection District; WAIVE reading; and FIX November 8, 2022, at the Contra Costa County Fire Protection District Board of Directors meeting, at 1:00 p.m., as the hearing date for the proposed adoption of the ordinance.
2. DIRECT the Clerk of the Board to publish notice of the hearing pursuant to Government Code section 6066.
3. AUTHORIZE the preparation of an ordinance summary by County Counsel and the publication of the summary in accordance with Government Code section 25124.
4. DIRECT the Clerk of the Board of Supervisors to post at its office, and each Fire District to post at its office, a copy of the full text of Ordinance No. 2022-34.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Chris Bachman, Assistant Fire Chief / Fire Marshal (925) 941-3300 x1520

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

FISCAL IMPACT:

The fiscal impact is neutral. The adoption of this ordinance will provide the administrative authority to enforce the provisions of the California Fire Code as amended.

BACKGROUND:

The California Building Standards Commission has adopted and published the 2022 Building Standards Code, which includes the 2022 California Fire Code prepared and adopted by the State Fire Marshal. The statewide code becomes effective January 1, 2023.

Although the code applies statewide, Health and Safety Code sections 17958.5 and 18941.5 authorize a local jurisdiction to modify or change the statewide code and establish more restrictive standards if the jurisdiction finds that the modifications and changes are reasonably necessary because of local climatic, geological, or topographical conditions. Ordinance No. 2022-34 adopts the 2022 California Fire Code and amends it to address local conditions. There are no material changes to the local ordinance previously adopted by the Board in the 2019 code adoption process, and the amendments previously adopted by the Board are either now reflected in the new 2022 California Fire Code or are reflected in the proposed ordinance.

The attached ordinance amends the 2022 California Fire Code by establishing automatic sprinkler system requirements that are more restrictive than the sprinkler requirements in the statewide code. The attached ordinance requires the installation of automatic fire sprinkler systems in most commercial buildings greater than 5,000 square feet, and in private and charter schools greater than 2,000 square feet. New public schools are required to install fire sprinklers regardless of square footage. Reducing the sprinkler threshold to 2,000 square feet for private schools brings the requirement more in line with public schools. Several other occupancies were clarified to require sprinklers as well, including light hazard warehouse type occupancies. The more restrictive requirements are necessary due to Contra Costa County's climatic, geological, and topographical conditions, which impact fire prevention efforts and the frequency, spread, acceleration, intensity, and size of fire involving buildings. The automatic sprinkler system requirements are set forth in Section 903.2 of the attached ordinance. The automatic sprinkler system requirements specific to schools are set forth in Section 903.2.3 of the attached ordinance.

The attached ordinance clarifies a requirement for standby EMS personnel for large events that may tax the EMS system. The clarification is necessary because the statewide code as written does not assume that a fire agency is also an ambulance providing entity.

The attached ordinance defines the additional site security requirements that could be required if deemed necessary by the building official and fire official from arson fires or hazards occurring within the jurisdiction. And, the ordinance will provide the fire official the ability to require a risk assessment stamped by a fire protection engineer if the facility manager is unable to provide an accurate risk assessment of the facility to include all hazardous materials stored onsite.

Chapter 5 and Appendix D of the ordinance will establish requirements for fire apparatus access roads, including requirements for turnouts, parking on access roads, and maximum grades.

Notice of the public hearing will be published in accordance with Government Code section 6066. A summary of the ordinance will be prepared and published in accordance with Government Code section 25124(b).

CONSEQUENCE OF NEGATIVE ACTION:

Without the adoption of the 2022 California Fire Code (CFC) with local amendments, the Fire District will not have the legal authority to enforce any exterior hazard abatement standards or the ability to conduct fire and life safety inspections in occupancies other than high-rise buildings, schools, hotels, motels, apartments, and day care facilities. In addition, without adoption of the CFC, occupancies that conduct operations such as the production, storage, and sale of hazardous materials, places of assembly, and the review of construction documents and testing of fire protection and fire alarm systems would no longer be regulated by the Fire District.

Furthermore, adoption of the 2022 CFC is necessary to continue allowing the Fire District to collect fees to recover the costs of providing fire prevention related services. Without adoption of the CFC, as amended, the Fire District general fund revenues would be required to provide the fiscal support necessary to fund the positions currently supported by operational permit and inspection fees and new construction plan review fees. This would result in a decrease in the amount of general fund revenues available for conducting emergency response activities or critical fire prevention services and personnel would need to be reduced or eliminated.

ATTACHMENTS

Fire Code Ordinance 2022-34

Findings in support of Ordinance No. 2022-34

ORDINANCE NO. 2022-34

FIRE CODE

ORDINANCES OF THE COUNTY OF CONTRA COSTA, THE CROCKETT-CARQUINEZ FIRE PROTECTION DISTRICT, AND THE CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT ADOPTING THE 2022 CALIFORNIA FIRE CODE WITH AMENDMENTS.

The Contra Costa County Board of Supervisors, as the Board of Supervisors for Contra Costa County and as the Board of Directors of the Crockett-Carquinez Fire Protection District and the Contra Costa County Fire Protection District, ordains as follows:

SECTION 1. ADOPTION OF THE CALIFORNIA FIRE CODE.

Contra Costa County, the Crockett-Carquinez Fire Protection District, and the Contra Costa County Fire Protection District hereby adopt the 2022 California Fire Code (California Code of Regulations, Title 24, Part, 9 [based on the 2021 International Fire Code published by the International Code Council]), including Chapters 1-10 and 12-80, Appendix B, Appendix C, Appendix D, Appendix F, Appendix H, Appendix I, Appendix J, and Appendix K, as amended by the changes, additions, and deletions set forth in this ordinance. The 2022 California Fire Code, with the changes, additions, and deletions set forth in this ordinance, is adopted by this reference as though fully set forth in this ordinance. As of the effective date of this ordinance, the provisions of the fire code are controlling and enforceable within the limits of each jurisdiction.

SECTION 2. AMENDMENTS TO THE CALIFORNIA FIRE CODE.

The 2022 California Fire Code is amended by the changes, additions, and deletions set forth in this Section 2. Chapter and Section numbers used below are those of the 2022 California Fire Code.

Chapter 1. Scope and Administration.

Section 101.1 is amended to read:

101.1 Title. This code is the Fire Code of Contra Costa County, the Crockett-Carquinez Fire Protection District, and the Contra Costa County Fire Protection District, and is hereinafter referred to as “this code.”

Section 102.1 is amended to add item 5, to read:

5. Where not otherwise limited by law, the provisions of this code shall apply to vehicles, ships, and boats that are permanently affixed to a specific location within the boundaries of this jurisdiction.

Section 105.5 is amended to read:

105.5 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in Chapter 1, Sections 105.5.1 through 105.5.63.

Section 105.5.33 is amended to read:

105.5.33 Motor Fuel Dispensing Facilities. An operational permit is required for the operation of automotive, marine, and fleet motor fuel dispensing facilities, including for sites that allow mobile fueling from a service provider to the general public, fueling of motor vehicles at approved locations from a tank vehicle and limited or temporary fueling operations for special events (fueling of watercraft from shore, piers, floats, or barges).

Section 105.5.40 is amended to read:

105.5.40 Cannabis/Plant Extraction Related System(s)/Operations. An operational permit is required for any of the following cannabis/plant extraction related systems operations.

1. Cultivation
2. Plant Extraction Systems
3. Testing/Lab
4. Manufacturing
5. Distribution
6. Carbon Dioxide Systems or volatile solvent

Section 105.5 is amended to read:

105.5.52 Wood products. An operational permit is required to store chips, hogged material, wood or other combustible pallets, lumber or plywood in excess of 200 cubic feet (6 m3).

Section 105.5 is amended by adding Sections 105.5.55 through 105.5.63 to read:

105.5.55 Asbestos removal. A permit is required to conduct asbestos-removal operations regulated by Section 3319

105.5.56 Automobile Wrecking or Dismantling Yard. An operation permit is, required for all automobile wrecking yards, automobile dismantling operations, and similar operations.

105.5.57 Christmas tree sales. A permit is required to use a property for the purpose of selling cut Christmas trees

105.5.58 Firework aerial display. A permit is required to conduct a firework display regulated by California Code of Regulations, Title 19 and Chapter 56 of this code

105.5.59 Model rockets. A permit is required to sell model rocket motors or launch model rockets pursuant to California Code of Regulations, Title 19, Division 1, Article 17. Permits issued in accordance with this section are for the site, and are effective as long as site conditions have not changed.

105.5.60 Temporary Occupancy. A permit is required for any temporary occupancy.

105.5.61 Temporary water supply. A permit is required to use a temporary water supply for construction of residential projects or subdivisions pursuant to Section 3313.1.

105.5.62 Tire storage. A permit is required to store more than 1,000 cubic feet (28.3m³) of tires inside buildings pursuant to Chapter 34.

105.5.63 Indoor Growing Operation. A permit is required to operate an indoor growing operation.

Exception: Agricultural Greenhouses in an agricultural zone.

Section 105.6 is amended to read:

105.6 Required construction permits. The fire code official is authorized to issue construction permits for the operations set forth in Chapter 1, Sections 105.6.1 through 105.6.29.

Section 105.6 is amended by adding Sections 105.6.25 through 105.6.29 to read:

105.6.25 Access for fire apparatus. Plans shall be submitted and a permit is required to install, improve, modify, or remove public or private roadways, driveways, and bridges for which Fire District access is required by the Fire Code.

105.6.26 Construction, Substantial Alteration, Additions of a building for which a building permit is required. Plans shall be submitted to the fire code official for all land developments or for the construction, substantial alteration, additions or renovation of a building within the jurisdiction where a building permit is required.

Exception: Non-sprinklered Group R-3 Occupancies where work does not involve a substantial addition or substantial alteration.

105.6.27 Land Development, Subdivisions. Plans shall be submitted to the fire code official for all land developments or improvements proposed within the jurisdiction that involve the subdivision of land.

105.6.28 Water supply for fire protection. Plans shall be submitted to the fire code official for the purpose of determining whether adequate water supplies, fire hydrants, and associated systems are provided for all facilities, buildings, or portions of buildings either constructed or moved into the District pursuant to Section 507.

105.6.29 Land Development. Plans shall be submitted to the fire code official for all land developments or improvements proposed within the jurisdiction.

Section 105.7 is added, to read:

105.7 Responsibility of permittee. Construction permits shall be presumed by the Fire District, Fire Department to incorporate all of the work that the applicant or the applicant's agent, employees, or contractors shall carry out. Work performed shall be in accordance with the approved plans and with all requirements of this code and any other laws or regulations applicable thereto. No Fire District approval shall relieve or exonerate any person from the responsibility of complying with the provisions of this code nor shall any vested rights be created for any work performed in violation of this code.

Section 112.4 is amended to read:

112.4 Violation penalties. Every person who violates any provision of this fire code is guilty of an infraction or misdemeanor in accordance with Health and Safety Code Section 13871 and Government Code Section 53069.4. The imposition of one penalty for any violation shall not excuse the violation or permit to continue; and all such persons shall be required to correct or

remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense. The application of the aforesaid penalty shall not be held to prevent the enforced removal of prohibited conditions.

Chapter 2. Definitions.

Section 202 is amended by adding the following definitions to that section:

Administrator. Shall mean the Fire Chief

Aerial Pre-Plans. An overhead layout of a parcel that contains structure(s) that identifies specific first responder related items to assist in effectively managing incidents and events for the protection of occupants, responding personnel, property, and the environment. The preplan shall be developed in accordance with a format approved by the AHJ. Preplan symbols shall comply with AHJ or the latest edition of NFPA 170 (Standard for Fire Safety and Emergency Symbols), and NFPA 1620 (Standard for Pre-Incident Planning).

All-weather driving surface. A roadway with a minimum surface finish that is designed to carry the imposed weight loads of fire apparatus.

Automobile Dismantling or Wrecking Yard. The operation of dismantling or removing parts from salvaged vehicles including engines or engine parts.

Wrecking Yard. An area that stores or dismantles salvaged vehicles.

Board of Directors. The Contra Costa County Board of Supervisors as the governing body of the Crockett-Carquinez Fire Protection District and the Contra Costa County Fire Protection District.

Board of Fire Commissioners. An advisory commission appointed by the Board of Directors to act as set forth in this ordinance and by resolutions of the Board of Directors.

Combustible Material. Rubbish, litter or material of any kind other than hazardous vegetation that is combustible and endangers the public safety by creating a fire hazard as determined by the fire code official.

Defensible Space. The area adjacent to a structure or dwelling as determined by the fire code official where wildfire prevention or protection practices are implemented to provide the key point of defense from an approaching wildfire or to minimize the spread of a structure fire to wildlands or surrounding areas.

Driveway. A private roadway that provides access to no more than two (2) single-family dwellings.

Fire Apparatus Access Road. A road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term that includes, but is not limited to a fire lane, public street, private street, driveway, parking lot lane, and access roadway.

Fire Code Official. The Fire Chief or a duly authorized representative, or other person as may be designated by law, appointment or delegation and charged with the administration and enforcement of this code.

Firebreak. A continuous strip of land upon and from which all combustible material hazardous vegetation or other growth has been removed to bare mineral soil to stop or prevent the extension of fire from one area to another.

Fire Trail. A graded firebreak of sufficient width, surface, and design to provide access for personnel and equipment to suppress and to assist in preventing a surface extension of fires. Must be able to support the safe travel of a Type 3 Fire Apparatus.

Fuel Break. A strategically located block or strip, on which a cover of dense, heavy, or combustible vegetation has been changed to one of lower fuel volume or reduced combustibility, as an aid to fire control. Fuel breaks require annual and recurring maintenance.

Hazardous Vegetation. Vegetation that is combustible and endangers the public safety by creating a fire hazard including but not limited to seasonal and recurrent grasses, weeds, stubble, brush, dry leaves, dry needles, dead, dying or diseased trees and any other vegetation as determined by the

fire code official.

Key Box or Knox Box. (Underwriters Laboratory) UL "Listed" box, size and style, approved by the Fire Code Official or designee that meets the requirements and uses the same security key code adopted by the Fire Department

Ladder Fuel. Fuel that provides vertical continuity between surface fuel and canopy fuel strata, increasing the likelihood that fire will carry from surface fuel into the crowns of shrubs and trees.

Nuisance Fire Alarm. The activation of any fire protection or alarm system which results in the response of the Fire District and is caused by malfunction, improper maintenance, negligence, or misuse of the system by an owner, occupant, employee, or agent, or any other activation not caused by excessive heat, smoke, fire, or similar activating event.

Ornamental Landscaping. Decorative plants growing within a tended garden or yard which are appropriately irrigated, maintained and located to provide aesthetic decoration and functional utility, such as privacy screening, shade, weed suppression and erosion control. The use of fire-resistant plants and the removal of fire hazardous vegetation will enhance fire safety.

Person. Includes any agency of the county, city, district or other local public agency and any individual, firm, association, partnership, business trust, corporations, limited liability company, or company.

Public Nuisance. A declaration by the fire code official that the presence of combustible materials on any parcel creates a fire hazard or threat to public safety (Health and Safety Code 14875 and 14876) or any violation of this code.

Priority Hazard Zone. An area where the threat from wildfire is severe due to proximity to open space, topography, degree of space, density of homes and/or amount of vegetation (native and ornamental), and/or other conditions favorable to fast moving fires.

Response Time. The elapsed time from receipt of call to the arrival of the first unit on scene.

Rubbish. Waste matter, litter, trash, refuse, debris, and dirt on streets or private property in the jurisdiction, which is or when dry may become a fire hazard. See combustible material.

Rural Area. An area generally designated for agricultural or open space uses with parcels more than 10 acres (4.046873ha) in size.

Rural Residential Area. An area generally designated for single-family residential use with parcels between three (1.2140619ha) and 10 (4.046873ha) acres in size.

Sprinkler Alarm and Supervisory System (SASS). A Dedicated Function Fire Alarm System located at the protected premise installed specifically to monitor sprinkler water-flow alarm, valve supervisory, and general trouble conditions where a Building Fire Alarm is not required.

Streets. Includes alleys, parkways, driveways, sidewalks, and areas between sidewalks and curbs, highways, public right of ways, private road, paper street and, easements.

Substantial Addition. The addition of new gross floor area exceeds fifty percent of the existing gross floor area and the total new gross floor area is 5,000 square feet or greater.

Substantial Alteration. Where fifty percent or greater of the linear length of the wall of the building (exterior and interior) and fifty percent of the roof are removed or replaced within a one-year period.

Temporary Fire Department Access Road for Construction. An approved temporary roadway for emergency vehicle use during construction of residential subdivision projects.

Temporary Fire Department Access Road for Construction of One (1) Residential (R3) Unit. A temporary roadway for emergency vehicle use during construction of an individual residential (R3) structure where a fire department access road is required as part of the project.

Temporary Water Supply. Water stored for firefighting purposes in an approved aboveground tank during combustible construction.

Tree Litter. Any limbs, bark, branches, and/or leaves in contact with other vegetation or left to gather on the ground.

Weeds. All weeds growing upon streets or private property in the jurisdiction, including any of the following:

1. Weeds that bear seeds of a fluffy nature or are subject to flight.
2. Sagebrush, chaparral (including Chamise, Coyote Brush/Greasewood, Brooms, and Buckwheat), and any other brush or weeds that attain such large growth as to become, when dry, a fire menace to adjacent improved property.
3. Weeds that are otherwise noxious or dangerous;
4. Poison oak and poison sumac when the conditions of growth constitute a menace to public health.
5. Dry grass, brush, tree litter, litter, or other flammable materials that endanger the public safety by creating a fire hazard.

Chapter 3. General Precautions Against Fire.

Section 304.3.5 is added, to read:

304.3.5 Clothes Dryers. Clothes dryers shall be frequently cleaned to maintain the lint trap, mechanical and heating components, vent duct, and associated equipment free from accumulations of lint and combustible materials.

Section 308.1.4, Exception 1 is amended to read:

Exception 1. Residential Occupancies.

Section 324 is added to Chapter 3, to read:

SECTION 324 Exterior Fire Hazard Control.

324.1 Subsurface Fires.

324.1.1 Peat Fire. It is the duty of each person, firm, corporation, or association not to permit a peat fire or a fire involving combustible vegetable matters under the surface of the natural ground to remain upon the property. It is hereby declared that it is the duty of any person as herein defined to take all necessary precautions to extinguish any subsurface fire involving peat or vegetable material at the owner’s own cost and expense.

324.1.2 Fire Suppression Costs. If there exists upon the lands or property of any person as herein defined a subsurface fire involving the burning or combustion of peat, vegetable matter, or vegetation, and the owner or occupant thereof has not taken reasonable precautions within a reasonable time to extinguish or minimize such fire or combustion, the Fire District may, in addition to its regular duties to extinguish or minimize such fire or combustion, go upon the lands of any person as herein defined and extinguish such fire or combustion. Any costs incurred by the Fire District in fighting the fire and for the cost of providing rescue or emergency medical services shall be a charge against the property owner. The charge shall constitute a debt of the property owner and is collectable by the jurisdiction incurring those costs in the same manner as in the case of an obligation under a contract, express or implied. (See Health and Safety Code, §13009.)

Section 325 is added to Chapter 3, to read:

SECTION 325 Automobile Wrecking Yards.

325.1 General. The operation of automobile wrecking yards shall be in accordance with this section.

325.2 Definitions. The following terms are defined in Chapter 2:

**Automobile Dismantling
Automobile Wrecking Yard**

325.3 Requirements.

325.3.1 Permits. An operational fire code permit is required as in Section 105.6.53.

325.3.2 Fire Apparatus Access Roads. Fire apparatus access roads shall be constructed throughout the site in accordance with this code and shall be maintained clear of all vehicles and stored items.

325.3.3 Welding and cutting. Welding and cutting operations shall be conducted in an approved location, clear of all flammable liquids and combustible materials, including weeds, tires, and all other debris.

325.3.4 Housekeeping. Combustible rubbish accumulated on site shall be collected and stored in approved containers, rooms, or vaults of noncombustible materials. Combustible vegetation, cut or uncut, shall be removed when determined by the fire code official to be a fire hazard.

325.3.5 Fire Protection. Offices, storage buildings, and vehicles used for site operations shall each be provided with at least one portable fire extinguisher with not less than a 4-A:40-B-C rating. When required by the fire code official, additional fire extinguishers shall be provided.

325.3.6 Tire storage. Tires shall be stored in racks or in a manner as approved by the fire code official.

325.3.6.1 Distance from Water Supply. Tire storage shall be located on-site and no further than 500 feet from a fire hydrant or an approved water supply as determined by the fire code official.

325.3.7 Storage Piles. Storage piles shall be located a minimum of 20 feet from property lines and shall have an unobstructed access road on all sides of not less than 20 feet.

325.3.8 Burning operations. The burning of salvaged vehicles and salvaged or waste materials is prohibited.

325.3.9 Motor vehicle fluids. Motor vehicle fluid shall be drained from salvaged vehicles when such liquids are leaking onto the ground and prior to dismantling or removing engine/motor parts.

325.3.9.1 Mitigation of leaking fluids. Precautions shall be taken to prevent fluids from salvaged vehicles from leaking onto the ground. Supplies or equipment capable of mitigating leaks from fuel tanks, crankcases, brake systems, and transmissions shall be kept available on site. Single-use plugs, diking, and absorbent materials shall be disposed of as hazardous waste and removed from the site in a manner in accordance with federal, state, and local requirements.

325.3.10 Fuel tanks. Fuel tanks of salvaged vehicles shall be emptied of all flammable

(gasoline, diesel) fuels in an approved manner and stored in approved tanks.

325.3.10.1 Repair of vehicle fuel tanks. The repair of fuel tanks, including cutting, welding, or drilling of any kind, is prohibited.

325.3.11 Lead acid batteries. Lead acid batteries shall be removed from all salvaged vehicles and stored in an approved manner in a location approved by the fire code official.

Chapter 4. Emergency Planning and Preparedness.

Section 401.5.1 is added to read:

401.5.1 Nuisance Fire Alarm. A fee may be charged for false/ or nuisance fire alarms in accordance with a fee schedule adopted by the Board of Directors.

Section 401.10 is added to read:

401.10 Aerial Pre-Plans. For all new construction the fire official is authorized to require a fire aerial pre-plan to be prepared by an approved vendor at the cost of the developer.

Section 401.11 is added to read

401.11 Standby Personnel. Where, in the opinion of the fire code official or Fire Chief, it is essential for public safety in a place of assembly, or any other place where people congregate, because of the number of persons, or the nature of the performance, exhibition, display, contest, or activity, the owner, agent, or lessee shall provide standby personnel as required and approved by the fire code official or Fire Chief. If the activity requires fire watch, fire watch shall be provided in accordance with Sections 403.11.1.1 and 403.11.1.2. Standby personnel needed for EMS standby shall be provided in accordance with Contra Costa County EMS Protocols.

Chapter 5. Fire Service Features.

Section 503.1.4 is added to read:

503.1.4 Access to open spaces. When access to open land/space or fire trail systems maintained for public or private use is obstructed by new development of any kind, the developer shall provide alternate acceptable access into the area that is sufficient to allow access for fire personnel and apparatus. The alternate means of access requires the approval of the fire code official.

Section 503.1.5 is added to read:

503.1.5 Existing fire trail systems shall be maintained. When conditions make maintenance of existing trails impractical, alternate means of access shall be provided and requires approval by fire code official.

Section 503.2.1 is amended by adding the following exception:

Exception: A driveway with a minimum width of 16 feet is acceptable for access to one or two single-family dwellings.

Section 505.3 is added, to read:

505.3 Street names and addressing. Street names and addressing shall be submitted for review and approval to the fire code official, whose approval will not be unreasonably withheld. The purpose of the review is to verify that new street names and addressing will not duplicate existing street names and addressing.

Chapter 6. Building Services and Systems.

Section 605.3.1 is added to read:

605.3.1 Spark Arrestors. All Chimneys attached to any appliance or fireplace that burns solid fuel shall be equipped with an approved spark arrestor per CBC 2113.9.2

Chapter 9. Fire Protection Systems.

Section 901.6.3 is amended to read:

901.6.3 Records. Records of all system inspections, tests, and maintenance required by the reference standards shall be submitted to a third party electronic record keeping service as chosen by the fire district.

Section 902.1 is amended to add:

Substantial Addition. The addition of new gross floor area exceeds fifty percent of the existing gross floor area and the total new gross floor area is 5,000 square feet or greater.

Substantial Alteration. Where fifty percent or greater of the linear length of the wall of the building (exterior and interior) and fifty percent of the roof are removed or replaced within a one-year period.

Section 903.2.1.1 is amended to read:

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided throughout stories containing Group A-1 occupancies and throughout all stories from the Group A-1 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet.
2. The fire area has an occupant load of 300 or more.

3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The fire area contains a multi-theater complex.

Section 903.2.1.3 is amended to read:

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided throughout stories containing Group A-3 occupancies and throughout all stories from the Group A-3 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 10,000 square feet, contains more than one fire area containing exhibition and display rooms, and is separated into two or more buildings by firewalls of less than 4-hour fire resistance rating without openings.

Section 903.2.1.4 is amended to read:

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided throughout stories containing Group A-4 occupancies and throughout all stories from the Group A-4 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

Section 903.2.2 is amended in its entirety, to read:

903.2.2 Group B. An automatic sprinkler system shall be provided for Group B occupancies and intervening floors of the building where the fire area exceeds 5,000 square feet.

903.2.2.1 Ambulatory care facilities. An automatic sprinkler system shall be installed throughout the entire floor containing an ambulatory care facility where either of the following conditions exist at any time:

1. Four or more care recipients are incapable of self-preservation.
2. One or more care recipients that are incapable of self-preservation are located at other than the level of exit discharge serving such a facility.
3. In buildings where ambulatory care is provided on levels other than the level of exit discharge, an automatic sprinkler system shall be installed throughout the entire floor as well as all floors below where such care is provided, and all floors between the level of ambulatory care and the nearest level of exit discharge, the level of exit discharge, and all floors below the level of exit discharge.

Exception: Floors classified as an open parking garage are not required to be sprinklered.

Section 903.2.3 is amended to read:

903.2.3 Group E. An automatic sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E fire areas greater than 2,000 square feet in area.
Exception: An automatic sprinkler system is not required in any Group E Day Care Facility less than 5,000 square feet
2. The Group E fire area is located on a floor other than a level of exit discharge serving such occupancies.
Exception: In buildings where every classroom has not fewer than one exterior exit door at ground level, an automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area.
3. The Group E fire area has an occupant load of 300 or more.
4. In rooms or areas with special hazards such as laboratories, vocational shops, and other such areas where hazardous materials in quantities not exceeding the maximum allowable quantity are used or stored.
5. Throughout any Group E structure greater than 4,000 square feet in area, which contains more than one fire area, and which is separated into two or more buildings by fire walls of less than 4-hour fire resistance rating without openings.
6. For public school state-funded construction projects, see Section 903.2.19.
7. For public school campuses, Kindergarten through 12th grade, see Section 903.2.20.

Section 903.2.4 is amended to read:

903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 fire area exceeds 5,000 square feet.
2. A Group F-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.
4. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeding 2,500 square feet (232 m²).

Section 903.2.4.4 is added to read:

903.2.4.4 Group F-2. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-2 occupancy greater than 5,000 square feet.

Section 903.2.7 is amended to read

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings

containing a Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds 5,000 square feet.
2. A Group M fire area is located more than three stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.
4. A Group M occupancy (is) used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet.
5. The structure exceeds 5,000 square feet, contains more than one fire area containing a Group M occupancy, and is separated into two or more buildings by fire walls of less than 4-hour fire resistance rating without openings.

Section 903.2.8 is amended to read:

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all Group R occupancies. An automatic sprinkler system shall be installed in new manufactured homes, new mobile homes, and multifamily manufactured homes with two dwelling units, including those located in mobile home parks, in accordance with Title 25 of the California Code of Regulations.

Section 903.2.8.1.1 is added, to read:

903.2.8.1.1 Group R-3 Substantial Addition or Alteration. An automatic sprinkler system shall be provided throughout all existing Group R-3 dwellings where either of the following occurs:

1. Substantial Addition. The addition of new gross floor area exceeds fifty percent of the existing gross floor area and the total new gross floor area is 3,600 square feet.
2. Substantial Alteration. Where fifty percent or greater of the linear length of the wall of the building (exterior and interior) and fifty percent of the roof are removed or replaced within a one-year period.

Section 903.2.9 is amended to read:

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 5,000 square feet.
2. A Group S-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.
4. A Group S-1 occupancy used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet.

Section 903.2.9.1 is amended to read:

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the California Building Code, as shown:

1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 5,000 square feet.
2. Buildings not more than one story above grade plane, with a fire area containing a repair garage exceeding 5,000 square feet.
3. Buildings with repair garages servicing vehicles parked in basements.
4. A Group S-1 fire area used for the repair of commercial motor vehicles where the fire area exceeds 5,000 square feet.

Section 903.2.10.1 is amended to read:

903.2.10 Group S-2 parking garages. An automatic sprinkler system shall be provided throughout buildings classified as parking garages where any of the following conditions exists:

1. Where the fire area of the enclosed parking garage, in accordance with Section 406.6 of the California Building Code, exceeds 5,000 square feet.
2. Where the enclosed parking garage, in accordance with Section 406.6 of the California Building Code, is located beneath other groups.
Exception: Enclosed parking garages located beneath Group R-3 occupancies.
3. Where the fire area of the open parking garage, in accordance with Section 406.5 of the California Building Code, exceeds 48,000 square feet.

Section 903.2.10.3 is added to read:

903.2.10.3 Group S-2 low hazard storage. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-2 occupancy exceeding 5,000 square feet.

Exception: Open parking garages, including canopies and photovoltaic panel systems with open parking underneath, shall meet automatic sprinkler system requirements in accordance with the 2022 California Building Code and 2022 California Fire Code without local amendment.

Section 903.3.1.1.4 is added to read:

903.3.1.1.4 Undeclared Use. In buildings of undeclared use with floor to structure height greater than 14 feet, the fire sprinkler system shall be designed to conform to Extra Hazard Group I design density. In buildings of undeclared use with floor to structure height less than 14 feet, the fire sprinkler system shall be designed to conform to Ordinary Group II design density. Where a subsequent occupancy requires a system with greater capability, it shall be the responsibility of the owner and/or the occupant to upgrade the system.

Section 903.3.1.3 is amended to read:

903.3.1.3 Sprinkler Systems for One and Two family dwellings. Automatic sprinkler systems

for one- and two- family dwellings shall be permitted to be installed in accordance with section 903.3.1.3.1.

Section 903.3.1.3.1 is added to read:

903.3.1.3.1 Pipe limitations. Where CPVC pipe is installed above the insulation or is otherwise located in an unconditioned space, such as in an attic space, or a garage without conditioned living space above, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.

Section 903.3.5.3 is added to read:

903.3.5.3 Non-permissible water supply storage. Swimming pools and ponds shall not be considered water storage for the purposes of Section 903.3.5.

Section 903.3.9 is amended to read:

903.3.9. Floor control valves. Individual floor control valves and water flow detection assemblies shall be provided for each floor in multi-floor buildings at an approved location. Exception: Group R-3 and R-3.1 Occupancies.

Section 903.4.2 is amended to read:

903.4.2 Alarms. One approved audible and visual device shall be connected to every automatic sprinkler system at an approved location. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Audible and visual alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

Section 903.6.1 and 903.6.2 are added to read:

903.6.1 Substantial Addition. An automatic sprinkler system shall be provided throughout all existing R-3 Occupancy buildings where a substantial addition occurs and the total new gross floor area of the structure exceeds 3,600 square feet. Group R-3 substantial additions or alterations shall comply with Section 903.2.8.1.1.

903.6.2 Change of occupancy classification. Any existing building that undergoes a change of occupancy classification into a higher hazard category shall comply with the requirements of Section 903.2. Relative hazard categories of occupancy groups shall be established based upon the Heights and Areas Hazard Categories of Table 1011.5 of the current edition of the International Existing Building Code, as published by the International Code Council. The requirements of Section 903.2 shall not be required when a change of occupancy classification is made to an equal or lesser hazard category. Group L occupancies shall be considered a relative

hazard of 1 (highest hazard).

Section 907.4.4 is added to read:

907.4.4 Monitoring of other fire systems. In buildings equipped with a fire alarm system or sprinkler alarm and supervisory service (SASS) system, where other fire suppression or extinguishing systems are installed in the building (including, but not limited to commercial kitchen suppression systems, pre-action fire suppression systems, dry chemical systems, and clean agent systems), these other suppression systems shall be monitored by the SASS dedicated function fire alarm system and transmitted as a specific signal to the Central Station. The system shall be monitored in compliance with Section 907.6.6.

Section 907.5.2.3.1 is amended to read:

907.5.2.3.1 Public and common areas. Visible alarm notification appliances shall be provided in public use areas and common use areas, including but not limited to:

1. Sanitary facilities including restrooms, bathrooms, shower rooms, and locker rooms.
2. Corridors, hallways, and aisles with shelving and/or fixtures obstructing the required light intensity for that area.
3. Music practice rooms.
4. Band rooms.
5. Gymnasiums.
6. Multipurpose rooms.
7. Occupational shops.
8. Occupied rooms where ambient noise impairs hearing of the fire alarm.
9. Lobbies.
10. Meeting/Conference rooms.
11. Classrooms.
12. Medical exam rooms.
13. Open office areas.
14. Sales floor areas.
15. Break or lunch rooms
16. Copy or work rooms.
17. Computer server rooms exceeding 200 sq. ft.
18. File or Storage rooms exceeding 200 sq. ft.

Section 907.6.6 is amended to read:

907.6.6 Monitoring of fire alarm systems. A fire alarm system required by this chapter, or by the California Building Code, shall be monitored by a UL-listed Central Station service in accordance with NFPA 72 and this code.

Exception: Monitoring by a UL-listed central station is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.10.
2. Group 1-3 occupancies shall be monitored in accordance with Section 907.2.6.3.

3. Residential Day Care Facilities (occupancy load of 14 or less).
4. One- and two-family dwellings.
5. Residential Care Facilities licensed by the state with an occupant load of 6 or less.
6. Occupancies with local fire alarm system that will give an audible and visible signal at a constantly attended location, as approved by the Fire Code Official.

Section 907.6.7 is added to read:

907.6.7 Certification. New fire alarm systems shall be UL-Certified. A Certificate of Completion and other documentation as listed in NFPA 72 shall be provided for all new fire alarm system installations. It is the responsibility of the building owner or owner's representative to obtain and maintain a current and valid Certificate.

Section 907.6.7.1 is added to read:

907.6.7.1 Posting of Certificate. The UL Certificate shall be posted in a durable transparent cover within three feet of the fire alarm control panel within 45 days of the final acceptance test/inspection.

Chapter 10. Means of Egress.

Section 1028.5.1 is added to read:

1028.5.1 Exit discharge surface. Exterior exit pathway surfaces shall be suitable for pedestrian use in inclement weather, and shall terminate at a public way as defined in the California Building Code.

Chapter 33. Fire Safety During Construction and Demolition.

Section 3303.1.2 is added to read:

3303.1.2 Amendments. Amendments may be required to an approved site safety plan if deemed necessary by both the building official and fire official, based on previous fires or hazards that occurred on site or occurring within the jurisdiction.

Section 3303.1.3 is added to read:

3303.1.3 Site Security requirements. Site security requirements shall include the following if deemed necessary by both the building official and fire official:

1. Controlled access points
2. Site fencing, up to 12 feet in height with tamper sensors and security wires on top
3. Security guards, full-time 24/7 presence on-site, to perform fire watch and patrols
4. Detection check points located throughout the buildings for fire watch and patrol verification
5. Security camera coverage throughout the site with motion detection notifications

6. Identify measures taken to prevent tampering with security cameras and motion sensors
7. Necessary lighting throughout the project site

Section 3319 Asbestos Removal is added to read as follows:

3319.1 General. Operations involving removal of asbestos or asbestos-containing materials from buildings shall be in accordance with Section 3319.

Exception: Section 3319 does not apply to the removal of asbestos from:

1. Pumps, valves, gaskets and similar equipment.
2. Pipes, ducts, girders or beams that have a length less than 21 linear feet (6400 mm).
3. Wall or ceiling panels that have an area of less than 10 square feet (0.93 m²) or a dimension of less than 10 linear feet (3048 mm).
4. Floor tiles when their removal can be completed in less than four hours.
5. Group R-3 occupancies.

3319.2 Notification. The fire code official shall be notified 24 hours prior to the commencement and closure of asbestos-removal operations. The permit applicant shall notify the building official when asbestos abatement involves the removal of materials that were used as a feature of the building's fire resistance.

3319.3 Plastic Film. Plastic film that is installed on building elements shall be flame resistant as required for combustible decorative material, in accordance with Section 807.

3319.4 Signs. Approved signs shall be posted at the entrance, exit and exit-access door, decontamination areas and waste disposal areas for asbestos-removal operations. The signs shall state that asbestos is being removed from the area, that asbestos is a suspected carcinogen, and that proper respiratory protection is required. Signs shall have a reflective surface. Lettering shall be a minimum of 2 inches (51 mm) high.

Chapter 50. Hazardous Materials - General Provisions.

Section 5001.5.1 is amended to add item number 10 and 11 to read as follows:

10. Fire Department related safety equipment

- A. Fire alarm control panel (FACP)
- B. Sprinkler riser
- C. Fire department connection (FDC)
- D. Knox Box location
- E. Gas valve shutoff
- F. Electrical main shutoff
- G. Water shutoff
- H. Elevator equipment room

11. A Site Fire/Explosion/Hazardous Material Release Analysis Assessment. A Fire Protection Engineer (FPE) stamped risk assessment is required for each possible hazard risk associated

with fire, explosion, smoke, and toxicity associated with the possible incident at a facility that is identified as a bulk transfer/process/storage facility. Refer to NFPA 550 & 551 for references.

Section 5001.5.3 is added to read:

5001.5.3 Emergency response support information. Floor plans, material safety data sheets, Hazardous Materials Management Plans (HMMP), Hazardous Material Inventory Statements (HMIS), and other information must be stored at a readily accessible location; as determined by the fire code official. This location may be in cabinets located outside of facilities or buildings. Information may be required to be maintained in a specific electronic media format to facilitate computer aided dispatching.

Section 5003.9.1.2 is added to read:

5003.9.1.2 Documentation. Evidence of compliance with provisions of this chapter as well as with state and federal hazardous material regulations shall be maintained on site and available for inspection by fire department personnel.

Chapter 56. Explosives and Fireworks.

Section 5601.1.3 is amended to read as follows:

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited within jurisdiction of the District.

Exceptions:

1. Storage and handling of fireworks by a Public Safety Agency.
2. The use of fireworks for fireworks displays pyrotechnics before a proximate audience and pyrotechnic special effects in motion pictures, television, theatrical or group entertainment productions as allowed in Title 19, Division 1, Chapter 6 Fireworks reprinted in Section 5608 and Health and Safety Code Division 11.
3. Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices.

Section 5601.2.2 is amended to read as follows:

5601.2.2 Sale and retail display. No person shall construct a retail display or offer for sale any explosives, explosive materials, or fireworks within the jurisdiction. Exception: Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices.

Section 5601.2.4 is amended to read as follows:

5601.2.4 Financial responsibility. Before a permit is issued pursuant to Section 5601.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$2,000,000 or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the

conduct of any act authorized by the permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.

Exception: Fireworks in accordance with California Code of Regulations, Title 19, Division 1, Chapter 6. See Section 5608

Chapter 57. Flammable and Combustible Liquids.

Section 5703.3.1 is added to read:

5703.3.1 Facility site Fire/Explosion/Hazardous Material Release Analysis Assessment.

A Fire Protection Engineer (FPE) stamped risk assessment is required for each possible hazard risk associated with fire, explosion, smoke, and toxicity associated with the possible incident at a facility that is identified as a bulk transfer/process/storage facility when required by the fire official. Refer to NFPA 550 & 551 for references.

Section 5704.2.9.6.1 is amended to read as follows:

Section 5704.2.9.6.1 Locations where above-ground tanks are prohibited. The storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited in all zoning districts except districts zoned for commercial, industrial, or agricultural uses.

Exception: Protected above-ground tanks for the purpose of emergency power generator installations in areas zoned commercial, industrial, agricultural, business district, rural or rural residential, and for facilities on an individual basis consistent with the intent of this provision. Tank size shall not exceed 1,000 gallons for any class of liquids.

Section 5706.2.4.4 is amended to read:

Section 5706.2.4.4 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks is prohibited in all zoning districts except district zoned for commercial, industrial, or agricultural uses.

Exception: Protected above-ground tanks for the purpose of emergency power generator installations in areas zoned commercial, industrial, agricultural, business district, rural or rural residential, and for facilities on an individual basis consistent with the intent of this provision. Tank size shall not exceed 1,000 gallons for any class liquids.

Chapter 58. Flammable Gasses and Flammable Cryogenic Fluids

Section 5806.2 is amended to read as follows:

5806.2 Limitation. The storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited in any area which is zoned for other than industrial use.

Exception: Liquid hydrogen fuel systems in compliance with Section 5806.3 or 5806.4.

Chapter 61. Liquefied Petroleum Gases.

Section 6103.2.1.7 is amended to read:

6103.2.1.7 Use for food preparation. Individual portable L-P containers used, stored, or handled inside a building classified as a Group A, Group B, or Group M occupancy for the purposes of cooking, food display, or a similar use, shall be limited in size to one quart capacity and shall be of an approved type. The number of portable containers permitted will be at the discretion of the fire code official. LP-gas appliances used for food preparation shall be listed for such use in accordance with the California Mechanical Code and NFPA 58.

Section 6104.2 is amended to read:

6104.2 Maximum capacity within established limit. The storage of liquefied petroleum gas is prohibited in any central business district and in all zoning districts except districts zoned for commercial, industrial, rural, or agricultural uses. The aggregate capacity of any one installation used for the storage of liquefied petroleum gas shall not exceed a water capacity of 2,000 gallons (7570 L).

Chapter 80. Referenced Standards.

Chapter 80 is amended by adding the following referenced standards:

NFPA 3 (2021): Recommended Practice for Commissioning of Fire Protection and Life Safety Systems

NFPA 850 (2020): Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations

Chapter 80 is further amended by amending the NFPA 13D (2022) (Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes) standard as follows:

Section 7.7.1 is added, to read:

7.7.1 Where CPVC pipe is installed above the normal insulation in an unconditioned space, such as in an attic space, or a garage without conditioned living space above, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.

Section 8.3.5.1.2 is amended to read:

8.3.5.1.2 Where fuel-fired equipment is below or on the same level as occupied areas of the dwelling unit, at least one quick-response intermediate temperature sprinkler shall be installed

above the equipment or at the wall separating the space with the fuel-fired equipment from the occupied space. In unconditioned spaces, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type Kor L copper, or ferrous piping.

Appendix B. Fire-Flow Requirements for Buildings.

Table B105.2 is amended to read:

**TABLE B105.2
Required Fire-Flow for Buildings Other Than One-
and
Two-Family Dwellings, Group R-3 and R-4 Buildings
and Townhouses**

AUTOMATIC SPRINKLER SYSTEM (DESIGN STANDARD)	MINIMUM FIRE-FLOW (GALLONS PER MINUTE)	FLOW DURATION (HOURS)
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)
Section 903.3.1.1 of the California Fire Code	50% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the reduced flow rate
Section 903.3.1.2 of the California Fire Code	50% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the reduced flow rate

For SI: 1 gallon per minute= 3.785 Lit

a. The reduced fire-flow shall be not less than 1,500 gallons per minute.

Appendix C. Fire Hydrant Locations and Distribution.

Table C102.1 is amended as follows:

The title of Table C102.1 is amended to read: **TABLE C102.1 REQUIRED NUMBER AND SPACING OF FIRE HYDRANTS** (footnote h and J)

The heading of the fourth column of Table C102.1 is amended to read:

MAXIMUM DISTANCE FROM ANY POINT ON STREET OR ROAD FRONTAGE TO A HYDRANT (d, f, g, i)

Footnotes "i" and "j" are added to Table C102.1, to read:

- i. A fire hydrant shall be provided within 250 feet of a fire trail access point off a public or private street.
- j. For infill projects within existing single-family residential developments, Section 507.5.1 applies.

Appendix D. Fire Apparatus Access Roads.

Section D102.1 is amended to read:

D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete, or other approved all-weather driving surface capable of supporting the imposed load of fire apparatus weighing at least 74,000 pounds (34,473 kg) in accordance with Caltrans Design Standard HS- 20-44.

Exception: Driveways serving one or two single-family dwellings may be constructed of an alternate surface material, providing the imposed weight load design minimums are met and the grade does not exceed 10 percent.

Section D103.2 is amended to read:

D103.2 Grade. Fire department access roadways having a grade of between 16 percent and 20 percent shall be designed to have a finished surface of grooved concrete sufficient to hold a 44,000 pound (19 958 kg) traction load. The grooves in the concrete surface shall be ½ inch (13 mm) wide by ½ inch (13 mm) deep and 1 ½ inch (38 mm) on center and set at a 30 to 45-degree angle across the width of the roadway surface. No grade shall exceed 20 percent, nor shall the cross slope exceed 8%, unless authorized in writing by the fire code official.

Section D103.2.1 is added to read:

D103.2.1 Angles of approach and departure. The angles of approach and departure for any means of access shall not exceed 10 percent at 10 feet of the grade break.

Section D103.3 is amended to read:

D103.3 Turning radius. Based on a minimum unobstructed width of 20 feet, a fire apparatus access roadway shall be capable of providing a minimum standard turning radius of 25 feet (7620 mm) inside and 45 feet (13 716 mm) outside.

Figure D103.1 is amended to read:

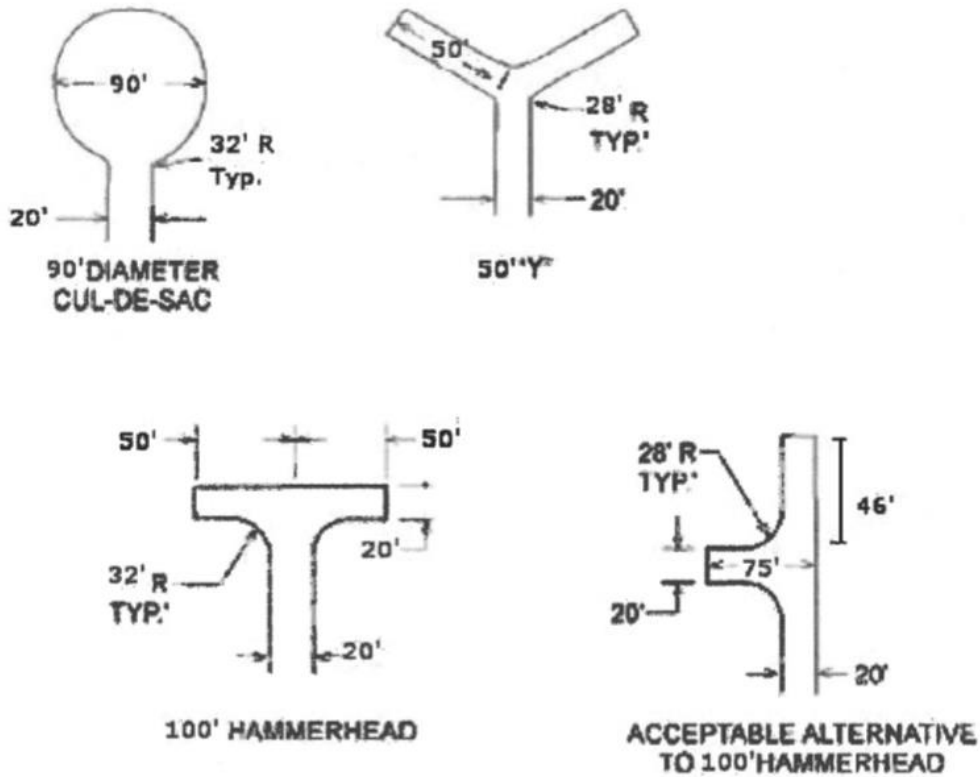


Table D103.4 is amended to read:

Table D103.4 REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS

LENGTH H (feet)	MINIMUM M WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20 ^a	None required
151 - 750	20 ^a	100-foot Hammerhead, 50-foot "Y", 75-foot Shunt or 90-foot-diameter cul-de-sac in accordance with figure D103.1
Over 750		Special approval required ^b

- a. A driveway with a minimum width of 16 feet is acceptable for access to no more than two single-family dwellings.

- b. Any fire apparatus access roadway or driveway that is approved to be less than 20 feet wide and to exceed 750 feet in length shall have outsets or turnouts every 300 feet along the length of the road or driveway, or at locations approved by the fire code official. Each outset or turnout shall be of the following dimensions: an 8-foot-wide turnout that extends at least 40 feet in length.

Section D103.5 is amended as follows:

Criteria 1 of Section D103.5 is amended to read:

- 1. The minimum clear width shall be 20 feet (6096mm).
Exception: For access to one or two single-family dwellings, 16 feet clear width is acceptable.

Criteria 9 is added to Section D103.5, to read:

- 9. All gates shall be installed and located a minimum of 30 feet off the street.

Section D103.6.1 is amended to read:

D103.6.1 Roads less than 28 feet in width. Fire apparatus access roads less than 28 feet wide shall be posted on both sides as a fire lane.

Section D103.6.2 is amended to read:

D103.6.2 Roads 28 feet in width or greater, but less than 36 feet in width. Fire apparatus access roads 28 feet wide or greater, but less than 36 feet wide, shall be posted on one side of the road as a fire lane.

Section D106.1 is amended by deleting the exception and to read:

D106.1 Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 dwelling units shall be provided with two separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.

Section D106.2 is deleted in its entirety.

SECTION 3. REPEAL OF FIRE CODE.

Ordinance No. 2019-37, adopting the 2019 California Fire Code with amendments, is hereby repealed.

SECTION 4. REFERENCES TO **PRIOR** CODE.

Unless superseded and expressly repealed, references in City forms, documents, and regulations to the chapters and sections of the Fire Code of Contra Costa County, the Crockett-Carquinez Fire Protection District, and the Contra Costa County Fire Protection District, 2019, shall be construed to apply to the corresponding provisions contained within the Fire Code of Contra Costa County, the Crockett-Carquinez Fire Protection District, and the Contra Costa County Fire Protection District, 2022. Ordinance 2019-37 and all other ordinances or parts of ordinances in conflict herewith are hereby superseded and expressly repealed.

SECTION 5. VALIDITY.

The Contra Costa County Board of Supervisors declares that if any section, paragraph, sentence, or word of this ordinance or of the 2022 California Fire Code as adopted and amended herein is declared for any reason to be invalid, it is the intent of the Contra Costa County Board of Supervisors that it would have passed all other portions or provisions of this ordinance independent of the elimination here from any portion or provision as may be declared invalid.

SECTION 6. MORE RESTRICTIVE REQUIREMENTS.

If requirements are more restrictive than those in this fire code are adopted by the city of Antioch, Bay Point, Bethel Island, Brentwood, Byron, Clayton, Concord, Discovery Bay, Knightsen, Lafayette, Martinez, Oakley, Pittsburg, Pleasant Hill, San Pablo, or Walnut Creek, or the County of Contra Costa, those requirements will apply only within the jurisdiction adopting those requirements.

SECTION 7. EFFECTIVE DATE.

This ordinance becomes effective on January 1, 2023 or 30 days after passage, whichever is later. Within 15 days of passage, this ordinance shall be published once in the East Bay Times, a newspaper published in this County. This ordinance shall be published in a manner satisfying the requirements of Government Code Section 25124, with the names of supervisors voting for and against it.

Passed on _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: Monica Nino
Clerk of the Board of Supervisors
and County Administrator

Board Chair

By: _____
Deputy

[SEAL]

CONTRA COSTA COUNTY, CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT,
AND CROCKETT-CARQUINEZ FIRE PROTECTION DISTRICT
FINDINGS IN SUPPORT OF AMENDMENTS TO THE 2022 CALIFORNIA BUILDING
STANDARDS CODE, TITLE 24, PART 9, CALIFORNIA FIRE CODE

The California Building Standards Commission has adopted and published the 2022 California Fire Code. The purpose of the code is to regulate and govern the safeguarding of life and property from fire and explosion hazards arising from the storage, handling, and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises.

Health and Safety Code section 17958.5 and 18941.5 authorize a local jurisdiction to modify or change the statewide codes and establish more restrictive building standards if the jurisdiction finds that the modifications and changes are reasonably necessary because of local climatic, geological, or topographical conditions.

Ordinance No. 2022-34 adopts the 2022 California Fire Code and amends it to address local conditions. Pursuant to Sections 17958.5 and 17958.7 of the Health and Safety Code, the Contra Costa County Board of Supervisors, in its capacity as the Board of Supervisors and the Board of Directors of the Contra Costa County Fire Protection District and the Crockett-Carquinez Fire Protection District, finds that the more restrictive standards contained in Ordinance No. 2022-34 are reasonably necessary because of certain local climatic, geological, and topographic conditions that are described below.

Local Conditions

A. Climatic

1. Precipitation and Relative Humidity

(a) Conditions

Precipitation ranges from 15 to 24 inches per year with an average of approximately 20 inches per year. 96% of precipitation falls during the months of October through April and four percent from May through September. This is a dry period of at least five months each year. Additionally, the area is subject to occasional drought. Relative humidity remains in the middle range most of the time. It ranges from 45-65% during spring, summer, fall, and from 60-90% in the winter. It occasionally falls as low as 15%.

(b) Impact

Locally experienced dry periods cause extreme dryness of untreated wood shakes and shingles on buildings and non-irrigated grass, brush, and weeds, which are often near buildings with wood roofs and sidings. Such dryness causes these materials to ignite very readily and burn rapidly and intensely.

Because of dryness, a rapidly burning grass fire or exterior building fire can quickly transfer to other buildings by means of radiation or flying brands, sparks, and embers. A small fire can rapidly grow to a magnitude beyond the control capabilities of the Fire District resulting in an excessive fire loss.

2. Temperature

(a) Conditions

Temperatures have been recorded as high as 114° F. Average summer highs are in the 90° range, with average maximums of 105° F.

(b) Impact

High temperatures cause rapid fatigue and heat exhaustion of firefighters, thereby reducing their effectiveness and ability to control large building and wildland fires.

Another impact from high temperatures is that combustible building material and non-irrigated weeds, grass, and brush are preheated, thus causing these materials to ignite more readily and burn more rapidly and intensely. Additionally, the resultant higher temperature of the atmosphere surrounding the materials reduces the effectiveness of the water being applied to the burning materials. This requires that more water be applied, which in turn requires more Fire District resources in order to control a fire on a hot day. High temperatures directly contribute to the rapid growth of fires to an intensity and magnitude beyond the control capabilities of the Fire District.

3. Winds

(a) Conditions

Prevailing winds in the area are from the south or southwest in the mornings and from the north or northwest in the afternoons. However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the 14 mph to 23 mph ranges, gusting to 25 to 35 mph. 40 mph winds are experienced occasionally and winds up to 55 mph have been registered locally. During the winter half of the year, strong, dry, gusty winds from the north move through the area for several days creating extremely dry conditions.

(b) Impact

Winds such as those experienced locally can and do cause fires, both interior and exterior, to burn and spread rapidly. Fires involving non-irrigated weeds, grass, and brush can grow to a magnitude and be fanned to intensity beyond the control capabilities of the Fire District very quickly even by relatively moderate winds. During wood shake and shingle roof fires, or exposure fires, winds can carry sparks and burning brands to other structures, thus spreading the fire and causing conflagrations. When such fires are not controlled, they can extend to nearby buildings, particularly

those with untreated wood shakes or shingles. In building fires, winds can literally force fires back into the building and can create a blow torch effect, in addition to preventing “natural” ventilation and cross-ventilation efforts.

Winds of the type experienced locally also reduce the effectiveness of exterior water streams used by the Fire District on fires involving large interior areas of buildings, fires which have vented through windows and roofs due to inadequate built-in fire protection and fires involving wood shake and shingle building exteriors. Local winds will continue to be a definite factor towards causing major fire losses to buildings not provided with fire resistive roof and siding materials and buildings with inadequately separated interior areas or lacking automatic fire protection systems. National statistics frequently cite wind conditions, such as those experienced locally, as a major factor where conflagrations have occurred.

B. Geological and Topographic

1. Seismicity

(a) Conditions

Contra Costa County is located in Seismic Risk Zone 4, which is the worst earthquake area in the United States. Buildings and other structures in Zone 4 can experience major seismic damage. Contra Costa County is in close proximity to the San Andreas Fault and contains all or portions of the Hayward, Calaveras, Concord, Antioch, Mt. Diablo, and other lesser faults. A 4.1 earthquake with its epicenter in Concord occurred in 1958, and a 5.4 earthquake with its epicenter also in Concord occurred in 1955. The Concord and Antioch faults have a potential for a Richter 6 earthquake and the Hayward and Calaveras faults have the potential for a Richter 7 earthquake. Minor tremblers from seismic activity are not uncommon in the area.

The fire environment of a community is primarily a combination of two factors: the area’s physical geologic characteristics and a historic pattern of urban-suburban development. These two factors, alone and combined, create a mixture of environments which ultimately determines the area’s fire protection needs. The Fire District has 3 distinct areas. They are: the West, which includes the City of San Pablo and the communities of North Richmond, El Sobrante, and East Richmond Heights; the Central, which includes the Cities of Lafayette, Martinez, Pleasant Hill, Concord, Walnut Creek, Clayton, and the communities of Clyde, Pacheco, Alhambra Valley, and Alamo; and the East, which includes the Cities of Antioch and Pittsburg and the community of Bay Point.

Because of the size of the Contra Costa County Fire Protection District (304 square miles), the characteristics of the fire environment changes from one location to the next. Therefore the District has not one, but a number of fire

environments, each of which has its individual fire protection needs from two major oil refineries, to heavy industrial facilities, freeways, rail lines, waterways, port facilities, wildland areas, urban and suburban town settings, and major downtown areas.

Interstates 80 and 680, State Highways 4, 24, and 242, Bay Area Rapid Transit District (BART), and major thoroughfares travel throughout the District. There are 2 major rail lines which run through the District. An overpass or underpass crossing collapse would alter the response route and time for responding emergency equipment. This is due to the limited crossings of the major highways and rail lines.

Earthquakes of the magnitude experienced locally can cause major damage to electrical transmission facilities, which, in turn, cause power failures while at the same time starting fires throughout the Fire District. The occurrence of multiple fires will quickly deplete existing fire district resources; thereby reducing and/or delaying their response to any given fire. Additionally, without electrical power, elevators, smoke management systems, lighting systems, alarm systems, and other electrical equipment urgently needed for building evacuation and fire control in large buildings without emergency generator systems would be inoperative, thereby resulting in loss of life and/or major fire losses in such buildings.

(b) Impact

A major earthquake could severely restrict the response of the Fire District and its capability to control fires involving buildings of wood frame construction, with ordinary wood shake and shingle exteriors, or with large interior areas not provided with automatic smoke and fire control systems.

2. Soils

(a) Conditions

The area is replete with various soils, which are unstable, clay loam and alluvial fans being predominant. These soil conditions are moderately to severely prone to swelling and shrinking, are plastic, and tend to liquefy.

Throughout the Fire District, the topography and development growth has created a network of older, narrow roads. These roads vary from gravel to asphalt surface and vary in percent of slope, many exceeding twenty (20) percent. Several of these roads extend up through the winding passageways in the hills providing access to remote, affluent housing subdivisions. Many of these roads are private with no established maintenance program. During inclement weather, these roads are subject to rock and mudslides, as well as down trees, obstructing all vehicle traffic. It is anticipated that during an earthquake, several of these roads would be practically impassable.

3. Topographic

(a) Conditions

(i) Vegetation

The service area of the Contra Costa County Fire Protection District has a varied topography and vegetative cover. A conglomeration of flat lands, hills, and ridges make up the terrain. Development has occurred on the flat lands in the District and in the past 15 years development has spread into the hills, valleys, and ridge lands of the District.

Highly combustible dry grass, weeds, and brush are common in the hilly and open space areas adjacent to built-up locations six to eight months of each year. Many of these areas frequently experience wildland fires, which threaten nearby buildings, particularly those with wood roofs, or sidings. This condition can be found throughout the Fire District, especially in those fully developed areas and those areas marked for future development.

(ii) Surface Features

The arrangement and location of natural and manmade surface features, including hills, creeks, canals, freeways, housing tracts, commercial development, fire stations, streets, and roads, combine to limit efficient response routes for Fire District resources into and through many areas.

(iii) Buildings, Landscaping and Terrain

Many of the “newer” large buildings and building complexes have access and landscaping features or designs which preclude, or greatly limit, efficient approach or operational access to them by Fire District vehicles. In addition, the presence of security gates, roads of inadequate width and grades which are too steep for Fire District vehicles create an adverse impact on fire suppression efforts.

When Fire District vehicles cannot gain access to buildings involved with fire, the potential for complete loss is realized. Difficulty reaching a fire site often requires additional fire personnel and resources to successfully and safely mitigate the event. Access problems often result in severely delaying, misdirecting, or making fire and smoke control efforts unsuccessful.

(b) Impact

The above local geological and topographical conditions increase the magnitude, exposure, accessibility problems, and fire hazards presented to the Contra Costa County Fire Protection District. Fire following an earthquake has the potential of causing greater loss of life and damage than

the earthquake itself. Hazardous materials, particularly toxic gases, could pose the greatest threat to the largest number, should a significant seismic event occur. Public Safety resources would have to be prioritized to mitigate the greatest threat, and may likely be unavailable for smaller single dwelling or structure fires.

Other variables may intensify the situation:

1. The extent of damage to the water system.
2. The extents of isolation due to bridge and/or freeway overpass collapse.
3. The extent of roadway damage and/or amount of debris blocking the roadways.
4. Climatic conditions (hot, dry weather with high winds).
5. Time of day will influence the amount of traffic on roadways and could intensify the risk to life during normal business hours.
6. The availability of timely mutual aid or military assistance.
7. The large portion of dwellings with wood shake or shingles coverings could result in conflagrations.

Necessity for More Restrictive Standards

Because of the conditions described above, the Contra Costa County Board of Supervisors, in its capacity as the Board of Supervisors and the Board of Directors of the Contra Costa County Fire Protection District and the Crockett-Carquinez Fire Protection District, finds that there are building and fire hazards unique to Contra Costa County that requires the increased fire protection requirements set forth in Ordinance No. 2022-34.

The ordinance amends Chapter 1 (Scope and Administration) of the statewide Fire Code by requiring a permit for certain activities and operations that pose fire hazards. The ordinance amends Chapter 2 (Definitions) to provide clarity on wildland firefighting and preparedness terminology. The ordinance amends Chapter 4 of the statewide Fire Code (Emergency Planning and Preparedness) to require standby EMS personnel for large events as well as standby fire personnel to account for the fact that the fire district is both the local fire and EMS provider. The ordinance amends the statewide Fire Code by reducing the square footage thresholds found in Chapter 9 (Fire Protection and Life Safety Systems) for installation of automatic fire sprinkler systems in most commercial buildings and in private and charter schools. The definition of Substantial Addition and Alteration is also changed to align with the other fire districts for consistency on the interpretation. The ordinance amends Chapter 5 (Fire Service Features) and Appendix D (Fire Apparatus Access Roads) of the statewide Fire Code to establish requirements for fire apparatus access roads. The ordinance amends Chapter 33 (Fire Safety During Construction and Demolition) to define the additional site security requirements that could be required if deemed necessary by the building official and fire official from arson fires or hazards occurring within the jurisdiction. The ordinance also amends Chapter 50 (Hazardous Materials) and Chapter 57 (Flammable and Combustible Liquids) provides the ability to the fire official to require a risk assessment stamped by a fire protection engineer, if the facility manager is unable to provide accurate risk assessment of the facility to include all hazardous materials stored onsite.



Contra
Costa
County

To: Board of Supervisors
From: Marla Stuart, Employment and Human Services Director
Date: October 18, 2022

Subject: Economic Opportunity Council Board Member Reappointment

RECOMMENDATION(S):

REAPPOINT Noe Gudino to the Low Income Seat No. 2 on the Economic Opportunity Council for a term ending June 30, 2024, as recommended by the Employment and Human Services Director.

FISCAL IMPACT:

There is no fiscal impact.

BACKGROUND:

This board order will accept the appointment renewal of Noe Gudino to the Low Income Seat No. 2 on the EOC with a term expiring June 30, 2024. The original appointment was approved by the EOC in a June 11, 2020 teleconference meeting. Noe Gudino was originally appointed to this seat for July 28, 2020 to June 30, 2022.

The EOC is a tripartite advisory board to the Board of Supervisors and the Community Services Bureau of the Employment and Human Services Department for administration of the Community Services Block Grant (CSBG). The duties and responsibilities of the EOC include: reviewing fiscal and programmatic reports submitted by Community Services Bureau (CSB) staff; reviewing performance of Community Services Block Grant contractors and the Weatherization

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: elaine Curres 608-4960

By: , Deputy

cc:

BACKGROUND: (CONT'D)

program services; selecting EOC officers and appointing members to committees; making recommendations to the County Board of Supervisors on all proposals and budgets related to Community Services Block Grant and Weatherization programs; and requiring and receiving budget and other reports prepared by CSB staff every other month along with an Annual Report.

CONSEQUENCE OF NEGATIVE ACTION:

The EOC may not be able to conduct routine business.



Contra
Costa
County

To: Board of Supervisors
From: Diane Burgis, District III Supervisor
Date: October 18, 2022

Subject: APPOINTMENT TO THE BYRON-BRENTWOOD-KNIGHTSEN UNION CEMETERY DISTRICT

RECOMMENDATION(S):

APPOINT Emil Geddes to the Trustee 2 seat on the Byron-Brentwood-Knightsen Union Cemetery District for term ending December 31, 2026, as recommended by Supervisor Diane Burgis.

FISCAL IMPACT:

None

BACKGROUND:

The Trustee 2 seat term was up on December 31, 2021. Applications were accepted and the recommendation to appoint the above individual was then determined.

CONSEQUENCE OF NEGATIVE ACTION:

None

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Alicia Nuchols, 925-655-2335

By: , Deputy

cc:

Contra
Costa
County



To: Board of Supervisors
From: Candace Andersen, District II Supervisor
Date: October 18, 2022

Subject: APPOINTMENT TO THE ALAMO MUNICIPAL ADVISORY COUNCIL

RECOMMENDATION(S):

APPOINT Michelle Parkinson, Alamo resident, to the Alternate Seat of the Alamo Municipal Advisory Council for a term with an expiration date of December 31, 2024, as recommended by Supervisor Candace Andersen.

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, 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

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Jill Ray, 925-655-2300

By: , Deputy

cc: District 2 Supervisor, Maddy Book, Alamo MAC, Appointee

BACKGROUND: (CONT'D)

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.

Supervisor Andersen advertised the vacancy, received three applications, met with all applicants, and has selected Ms. Parkinson to fill the Alternate Seat.

CONSEQUENCE OF NEGATIVE ACTION:

The seat will remain vacant.

CHILDREN'S IMPACT STATEMENT:

NONE



Contra
Costa
County

To: Board of Supervisors
From: Marla Stuart, Employment and Human Services Director
Date: October 18, 2022

Subject: EHSD Capital Projects FY 22/23

RECOMMENDATION(S):

APPROVE Appropriation Adjustment No. 5010 authorizing the transfer of current year appropriations in the amount of \$215,000 from the Employment and Human Services Department (EHSD) and the Probation Department to the Public Works Department for two capital projects, as recommended by the Employment and Human Services Director.

FISCAL IMPACT:

EHSD and Probation Department appropriations will be reduced by \$215,000 and transferred to Public Works for Capital Projects. This consists of 100% County budgeted funds and no additional County general fund costs will result from these adjustments.

BACKGROUND:

The Public Works Department has identified the need of upgrades and repairs for County-owned buildings including: 4545 Delta Fair in Antioch and 1305 Macdonald Dr. in Richmond. Total costs are estimated at \$215,000.

CONSEQUENCE OF NEGATIVE ACTION:

Appropriations will not be properly allocated and much needed repairs ensuring the safety of County staff and clients will not be completed.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Erik Brown, 925-608-4832

By: , Deputy

cc:

ATTACHMENTS


TC27_AP005010

CONTRA COSTA COUNTY
 APPROPRIATION ADJUSTMENT
T/C 27

AUDITOR-CONTROLLER USE ONLY
 FINAL APPROVAL NEEDED BY:
 BOARD OF SUPERVISORS
 COUNTY ADMINISTRATOR
 AUDITOR CONTROLLER

ACCOUNT CODING		DEPARTMENT : AGENCY 19 - EHSD and AGENCY 30 - PROBATION					
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE		
5220	2284	REQUESTED MAINTENANCE	36,000	00			
3000	2479	OTHER SPECIAL DPMTAL EXP	18,000	00			
4423	4333	615-CAR CAGE			54,000	00	
5101	4265	VARIOUS IMPROVEMNTS	161,000	00			
4423	4352	227-REPLACE CHILLER			161,000	00	
TOTALS			215,000	00	215,000	00	

APPROVED

AUDITOR-CONTROLLER:
 BY:  DATE 10/17/22


COUNTY ADMINISTRATOR:
 BY: _____ DATE _____

BOARD OF SUPERVISORS:
 YES:
 NO:

BY: _____ DATE _____

EXPLANATION OF REQUEST

To decrease appropriated expenditures for EHSD and Probation for FY 22/23 based on budgeted capital projects and other known program underexpenditures and to transfer to Public Works Department for identified capital projects including chiller repairs and structural repairs and enhancements.

 10/3/22

Erik Brown EHSI Interim CFO
 SIGNATURE TITLE DATE

APPROPRIATION APOO 5010
 ADJ. JOURNAL NO.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 18, 2022

Subject: Purchase Three Vehicles for Public Health COVID-19 Response Unit

RECOMMENDATION(S):

APPROVE Appropriation and Revenue Adjustment No. 005000 authorizing the transfer of appropriations in the amount of \$107,880.00 from the Public Health's COVID-19 Response Unit (0450) to General Services - Fleet Operations (0064) for the purchase of two (2) Chevy Bolts and one (1) Ford Transit van to support services for Public Health's COVID-19 Response Unit.

FISCAL IMPACT:

This action increases appropriations in the Fleet Internal Service Fund (0064) and reduces appropriations in Public Health's COVID-19 Response Unit (0450) by \$107,880.00. Allocation adjustments through a T/C 24 will facilitate the fund transfer to the proper disbursement account. The purchase of these vehicles will be 100% funded by the California Department of Public Health's Enhancing Lab Capacity grant.

BACKGROUND:

Additional capacity is required to sustain the services offered to consumers in the Public Health's COVID-19 Response Unit. Vehicles are required as part of the COVID-19 Response Unit's services to transport supplies and specimens between locations. The unit currently maintains rental vehicles for this, which is costly. Procuring three vehicles for the department would ensure ongoing transportation support for the Public Health emergency response projects. Public Health has received approval for the purchase, using grant funds, from the California Department of Public Health.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: May Park, 925-313-6720

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Vehicles are required to coordinate and provide COVID-19 testing. Without approval, Public Health would continue to rent vehicles and then potentially lose access to vehicles with reduced COVID-19 funding.

ATTACHMENTS

TC24/27 AP005000 HSD

**CONTRA COSTA COUNTY
ESTIMATED REVENUE ADJUSTMENT/
ALLOCATION ADJUSTMENT
TC/24**

AUDITOR-CONTROLLER USE ONLY:	
FINAL APPROVAL NEEDED BY:	
<input checked="" type="checkbox"/>	BOARD OF SUPERVISORS
<input checked="" type="checkbox"/>	COUNTY ADMINISTRATOR
<input checked="" type="checkbox"/>	AUDITOR-CONTROLLER

ACCOUNT CODING		DEPARTMENT: PUBLIC WORKS ISF (0064)		
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE	<DECREASE>
4284	9951	Reimbursements-Gov Fund/Gov Fund	107,880.00	
TOTALS			107,880.00	0.00

APPROVED

AUDITOR – CONTROLLER
By: [Signature] Date 7/25/22

COUNTY ADMINISTRATOR
By: [Signature] Date 10/13/22

BOARD OF SUPERVISORS

YES: _____
NO: _____

By: _____ Date _____

EXPLANATION OF REQUEST

To transfer FY 22-23 appropriation from Public Health to Fleet Services for (3) vehicles for the ELC Expansion Program.

[Signature] CFO/COO

PREPARED BY: _____
TITLE: _____
DATE: _____

REVENUE ADJ. JOURNAL NO. RAOO 5000

**CONTRA COSTA COUNTY
APPROPRIATION ADJUSTMENT/
ALLOCATION ADJUSTMENT
T/C-27**

**AUDITOR-CONTROLLER USE ONLY:
FINAL APPROVAL NEEDED BY:**
 BOARD OF SUPERVISORS
 COUNTY ADMINISTRATOR
 AUDITOR-CONTROLLER

ACCOUNT CODING		DEPARTMENT: HEALTH SERVICES PUBLIC HEALTH (0450)/PUBLIC WORKS ISF (0064)		
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>	INCREASE
4284	4953	Autos & Trucks		107,880.00
5750	2140	Med & Lab Supply	107,880.00	
5750	5011	Reimbursements-Gov Fund/Gov Fund		107,880.00
			107,880.00	215,760.00

APPROVED

AUDITOR – CONTROLLER
 By: [Signature] Date 7/25/22

COUNTY ADMINISTRATOR
 By: [Signature] Date 10/13/22

BOARD OF SUPERVISORS
 YES:
 NO:

By: _____ Date _____

EXPLANATION OF REQUEST
 To transfer FY 22-23 appropriation from Public Health to Fleet Services for (3) vehicles for the ELC Expansion Program.

[Signature] CFO/CDO

PREPARED BY: _____
 TITLE: _____
 DATE: _____

APPROPRIATION APOO **5000**
 ADJ. JOURNAL NO.



Contra
Costa
County

To: Board of Supervisors
From: David O. Livingston, Sheriff-Coroner
Date: October 18, 2022

Subject: Appropriation Adjustment - Office of the Sheriff Custody Services Projects

RECOMMENDATION(S):

APPROVE Appropriations and Revenue Adjustment No. 005009 authorizing new revenue in the amount of \$400,000 from the State Criminal Alien Assistance Program (SCAAP) and appropriating it to the Custody Services Bureau (0300) for various equipment and projects in the West County Detention Facility (2580) and Marsh Creek Detention Facility (2585).

FISCAL IMPACT:

This action increases revenues and appropriations by \$400,000. There is no impact on the County General Fund.

BACKGROUND:

The Bureau of Justice Assistance (BJA) administers the State Criminal Alien Assistance Program (SCAAP) in conjunction with the U.S. Immigration and Customs Enforcement (ICE), Department of Homeland Security (DHS). SCAAP provides federal payments to states and localities that incurred correctional officer salary costs for incarcerating undocumented criminal aliens with at least one felony or two misdemeanor convictions for violations of state or local law, and incarcerated for at least 4 consecutive days during the reporting period. The Department of Justice Reauthorization Act of 2005 (Pub. L. 109-162, Title XI) included the following requirement regarding the

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Heike Anderson, (925) 655-0023

By: , Deputy

BACKGROUND: (CONT'D)

use of SCAAP funds: "Amounts appropriated pursuant to the authorization of appropriations in paragraph (5) that are distributed to a State or political subdivision of a State, including a municipality, may be used only for correctional purposes." Beginning with FY 2007 SCAAP awards, SCAAP funds must be used for correctional purposes only.

The Office of the Sheriff will use \$250,000 to purchase body scanners, facility fencing and inmate housing unit remodel for the West County Detention Facility(2580). \$150,000 will be used for facility perimeter repairs and network upgrades for the Marsh Creek Detention Facility (2585).

CONSEQUENCE OF NEGATIVE ACTION:

Expenditure appropriations and offsetting revenue identified to fund this equipment and projects will not be reflected in the County Budget.

CHILDREN'S IMPACT STATEMENT:

No impact.

ATTACHMENTS

TC24/27 AP 5009

CONTRA COSTA COUNTY
ESTIMATED REVENUE ADJUSTMENT
T/C 24

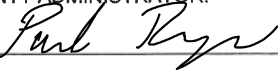
ACCOUNT CODING		BUDGET UNIT: (0300) Sheriff's Office Custody Services Bureau			
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE		<DECREASE>
2590	9814	CARE OF PRISONERS	400,000	00	
TOTALS			400,000	00	0 00

APPROVED

AUDITOR-CONTROLLER:

BY:  DATE 10/5/22

COUNTY ADMINISTRATOR:

BY:  DATE 10/13/22

BOARD OF SUPERVISORS:

YES:

NO:

BY: _____ DATE _____

EXPLANATION OF REQUEST

To appropriate new revenue to CSB (0300) for body scanners, facility fencing & inmate housing unit remodel in WCDF (2580) and facility perimeter repair and network upgrades in MCDF (2585).



SIGNATURE _____ TITLE Commander DATE 9/28/2022

REVENUE ADJ. JOURNAL NO. _____ RAOO 5009

CONTRA COSTA COUNTY
APPROPRIATION ADJUSTMENT

T/C 27

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:


BOARD OF SUPERVISORS

COUNTY ADMINISTRATOR

ACCOUNT CODING		BUDGET UNIT: Sheriff's Office Custody Services Bureau (0300)			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
2580	4952	INSTITUTIONL EQUIP & FURN			250,000 00
2585	4952	INSTITUTIONL EQUIP & FURN			150,000 00
TOTALS			0	00	400,000 00

APPROVED

AUDITOR-CONTROLLER:

BY:  DATE 10/15/22

COUNTY ADMINISTRATOR:

BY:  DATE 10/13/22

BOARD OF SUPERVISORS:

YES:

NO:

EXPLANATION OF REQUEST

To appropriate new revenue to CSB (0300) for body scanners, facility fencing & inmate housing unit remodel in WCDF (2580) and facility perimeter repair and network upgrades in MCDF (2585).



SIGNATURE _____ TITLE Commander DATE 9/28/2022

APPROPRIATION APOO 5009
ADJ. JOURNAL NO.

BY: _____ DATE _____



Contra
Costa
County

To: Board of Supervisors
From: Marla Stuart, Employment and Human Services Director
Date: October 18, 2022

Subject: Area Agency on Aging New and Rebalance Funding Appropriations

RECOMMENDATION(S):

APPROVE Appropriation and Revenue Adjustment No. 5008 in the amount of \$2,967,539 to increase current year appropriations and revenue for the following new grants and rebalanced grants in the Area Agency on Aging unit: American Rescue Plan (ARPA), Older Adults Recovery and Resilience (OARR-IF), Home and Community Based Services (HCSB-NI), Access To Technology (ATT), California Health Advocates Senior Medicare Patrol (CHA SMP), and Supplemental Nutrition Assistance Program- Education (SNAP-Ed), as recommended by the Employment and Human Services Director.

FISCAL IMPACT:

Employment and Human Services Department (EHSD) Aging and Adult Services current year appropriations and revenue will be increased by \$2,967,539 for these new and rebalanced programs in the Area Agency on Aging unit. This consists of 45% State and 55% Federal funding and no additional County general fund costs will result from these adjustments.

BACKGROUND:

EHSD has secured additional funding in the Area Agency on Aging unit for the following programs: ARPA, OARR-IF, HCSB-NI, ATT, CHA SMP, and SNAP-Ed. Total additional funding is estimated at \$2,967,539. This board order will approve appropriation and revenue adjustment to increase current year appropriations and revenue for these new grants and rebalanced grants in the Area Agency on Aging unit.

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

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Kathy Arana, 925-608-4887

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Appropriations will not be properly reflected in the budget.

ATTACHMENTS

TC24/27_AP005008

**CONTRA COSTA COUNTY
ESTIMATED REVENUE ADJUSTMENT/
ALLOCATION ADJUSTMENT
TC/24**

AUDITOR-CONTROLLER USE ONLY:

FINAL APPROVAL NEEDED BY:

BOARD OF SUPERVISORS

COUNTY ADMINISTRATOR

AUDITOR-CONTROLLER

ACCOUNT CODING		DEPARTMENT: Dept 0503, EHSD - AAS		
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE	<DECREASE>
5278	9493	ARPA- Fed	1,514,311.00	
5278	9423	OARR- IF- State	412,242.00	
5278	9423	HCSB- NI- State	561,019.00	
5278	9966	CHA SMP- Federal	6,500.00	
5278	9423	ATT- State	376,541.00	
5278	9423	SNAP-Ed- Federal	96,926.00	
TOTALS			2,967,539.00	0.00

APPROVED

AUDITOR – CONTROLLER

By:  Date 10/7/22

COUNTY ADMINISTRATOR

By: _____ Date _____

BOARD OF SUPERVISORS

YES:

NO:

By: _____ Date _____

EXPLANATION OF REQUEST

To increase FY22/23 revenue for new Area Agency on Aging grants: ARPA, OARR-IF, HCSB-NI, and ATT. To increase FY22/23 revenue for FY22/23 AAA rebalance for CHA SMP and SNAP-Ed.

 10/4/22

PREPARED BY: Kathy Arana
TITLE: Administrative Services Assistant III
DATE: 10/4/2022

REVENUE ADJ. JOURNAL NO. RAOO 5008

**CONTRA COSTA COUNTY
APPROPRIATION ADJUSTMENT/
ALLOCATION ADJUSTMENT
T/C-27**

**AUDITOR-CONTROLLER USE ONLY:
FINAL APPROVAL NEEDED BY:**
 BOARD OF SUPERVISORS
 COUNTY ADMINISTRATOR
 AUDITOR-CONTROLLER

ACCOUNT CODING		DEPARTMENT: Dept 0503, EHSD - AAS		
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>	INCREASE
5278	2310	ARPA - NON CNTY PROF SPCLZD SVCS		501,056.00
5278	2340	ARPA - OTHER INTRDPTMNTL CHARGES		1,013,255.00
5278	2310	OARR - NON CNTY PROF SPCLZD SVCS		224,716.00
5278	2340	OARR - OTHER INTRDPTMNTL CHARGES		146,302.00
5278	1013	OARR Temp Sal		41,224.00
5278	2340	HCBS- NI - other INTRDPTMNTL CHARGES		504,918.00
5278	1013	HCBS- NI - Temp Sal		56,101.00
5278	2303	CHA SMP - other travel employees		6,500.00
5278	2310	ATT - NON CNTY PROF SPCLZD SVCS		141,182
5278	2340	ATT - other INTRDPTMNTL CHARGES		200,000.00
5278	1013	ATT- Temp Sal		35,359
5278	2310	SNAP-Ed - NON CNTY PROF SPCLZD SVCS		87,234.00
5278	1013	SNAP-Ed- Temp Sal		9,692.00
			0.00	2,967,539.00

APPROVED

AUDITOR – CONTROLLER
 By:  Date 10/7/22


COUNTY ADMINISTRATOR
 By: _____ Date _____

BOARD OF SUPERVISORS
 YES:
 NO:

By: _____ Date _____

EXPLANATION OF REQUEST

To increase FY22/23 expenditures for activities in the Area Agency on Aging program funded by new funding and rebalanced budgeted. This is in direct relation to the following new/rebalanced funding: ARPA, OARR-IF, HCSB-NI, ATT, CHA SMP, and SNAP-Ed.

 10/4/22

PREPARED BY: Kathy Arana
 TITLE: Administrative Services Assistant III
 DATE: 10/4/2022

APPROPRIATION APOO 5008
 ADJ. JOURNAL NO.



Contra
Costa
County

To: Board of Supervisors
From: Marc Shorr, Chief Information Officer
Date: October 18, 2022

Subject: Reclassify two (2) Telecommunications Specialist II positions and incumbents to Telecommunications Infrastructure Specialist

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 25942 to reclassify two (2) Telecommunications Specialist II (PEVA) (represented) positions #10267 and #2006 at salary plan and grade TB5 1482 (\$6,171.69-\$7,501.73) and incumbents to Telecommunications Infrastructure Specialist (PEWK) (represented) at salary plan and grade TB5 1482 (\$6,171.69-\$7,501.73) in the Department of Information Technology.

FISCAL IMPACT:

No fiscal impact

BACKGROUND:

As a result of an organizational review of the Telecommunications division of Department of Information Technology (DoIT) position and staffing, it is recommended positions 2006 and 10267 be reclassified from Telecommunications Specialist II to Telecommunications Infrastructure Specialist. The Telecommunications Infrastructure Specialist role is critical to the continuing operation of DoIT Telecommunications.

Reclassifying the two (2) positions will allow DoIT Telecommunications to utilize the Telecommunications Infrastructure Specialist

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Sarah Bunnell, 925-608-4023

By: , Deputy

BACKGROUND: (CONT'D)

role in its full capacity, advancing County department building construction project. The incumbents have been engaged in Capital Project building design, layout, specification, and construction of County Wide Area Network (WAN) and Local Area Network (LAN). Incumbents have proficiency in fiber specification, placement, and splicing, and regularly engage with DoIT Radio, Enterprise Networking, and Telecom to perform any number of functions listed under the Infrastructure Specialist title and job description.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the incumbents will be not be performing tasks current to the job classification.

ATTACHMENTS

P300 25942

POSITION ADJUSTMENT REQUEST

NO. 25942
DATE 4/28/2022

Department Department of Information Technology Department No./
Budget Unit No. 0060 Org No. 4290 Agency No.

Action Requested: Reclassify two (2) Telecommunications Specialist II (PEVA) position number 2006 and 10267 and its incumbents to Telecommunications Infrastructure Specialist (PEWK).

Proposed Effective Date: 5/1/2022

Classification Questionnaire attached: Yes No / Cost is within Department's budget: Yes No

Total One-Time Costs (non-salary) associated with request: \$0.00

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

Total annual cost \$0.00 Net County Cost \$0.00
Total this FY \$0.00 N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT zero cost to CGF

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

Sarah Bunnell

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

L.Strobel

5/3/22

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 9/29/2022

Reclassify two (2) Telecommunications Specialist II (PEVA) (represented) positions #10267 and #2006 at salary plan and grade TB5 1482 (\$6,171.69-\$7,501.73) and incumbents to Telecommunications Infrastructure Specialist (PEWK) (represented) at salary plan and grade TB5 1482 (\$6,171.69-\$7,501.73) in the Department of Information Technology.

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

Effective: Day following Board Action.

10/1/2022(Date)

Melissa Moglie

9/29/2022

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE _____

- Approve Recommendation of Director of Human Resources
- Disapprove Recommendation of Director of Human Resources
- Other: _____

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED DISAPPROVED

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

DATE _____

BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:

REQUEST FOR PROJECT POSITIONS

Department _____

Date 9/29/2022

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 18, 2022

Subject: Add 1 Mental Health Program Manager & 1 Community Health Worker II; & Cancel 1 Substance Abuse Counselor & 1 Clerk-Senior Level in Health Services

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 26054 to add one (1) PFT Mental Health Program Manager (VQDC) position at salary plan and grade ZA5-1844 (\$8,832 - \$10,736) and one (1) PFT Community Health Worker II (VKVB) position at salary plan and grade TC5-1043 (\$3,996 - \$4,857), and cancel one (1) vacant PPT (24/40) Substance Abuse Counselor (VHVC) position (no. 18448) at salary plan and grade TC5-1436 (\$5,897 - \$7,168) and one (1) vacant PFT Clerk - Senior Level (JWXC) position (no. 7126) at salary plan and grade 3RX-1033 (\$3,946 - \$5,040) in the Detention Mental Health Division of the Health Services Department (All represented classifications)

-

FISCAL IMPACT:

Upon approval, this action will result in an annual salary and benefit cost increase of approximately \$111,446 with \$27,711 in pension cost included. This increase will be 100% funded by County General Fund allocations (Dept 0301/Org 5710).

BACKGROUND:

The Detention Mental Health division has experienced exponential growth within the last two years where most of the detainees/clients in the detention facilities require some level of mental health services. As a result of this growth and the need for more Mental Health staff at the Martinez Detention Facility (MDF) and the West County Detention Facility (WCDF), the division determined that the mental health caseloads are now identical, and the one assigned Mental Health Program Manager residing at the West County Detention Facility (WCDF) no longer has the bandwidth to travel between both facilities to manage staff and double the client caseload. Adding an additional Mental Health Program Manager position will provide continuity in the management of all mental health services, provide health and social services to the detainees/clients, coordinate services with outside agencies, and supervise subordinate staff.

There is also a need to add a Community Health Worker II position to alleviate the obstacles and pressures that the division encounters. This position will conduct educational and social service programming, participate in tracking the social histories of detainees/clients, obtain basic health and physical information from detainees/clients, prepare and maintain logs and records, and help with group facilitation. This position will help speed up the process when appointments need to be made and will help ensure mental health services are appropriately addressed and scheduled

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Lavonna Martin, 925-608-6700

By: , Deputy

cc: Lauren Jimenez, Kathi Caudel, Cheryl Shipley, Jacqueline Kidd, Lavonna Martin, Alicia Pormento

BACKGROUND: (CONT'D)

for the detainees/clients.

The cancellation of the vacant Substance Abuse Counselor and Clerk - Senior Level positions will not impact the division's staffing needs, and are therefore being used to offset a portion of the cost to add the two requested positions.

CONSEQUENCE OF NEGATIVE ACTION:

If this request is not approved, Detention Health Services will lack the operational structure it needs to provide effective mental health services to detainees/patients in the detention facilities.

ATTACHMENTS

P300 No. 26054 HSD

POSITION ADJUSTMENT REQUEST

NO. 26054
DATE 9/22/2022

Department Health Services

Department No./
Budget Unit No. 0301 Org No. 5710 Agency No. 18

Action Requested: Add one Mental Health Program Manager (VQDC) and one Community Health Worker II (VKVB) positions; and cancel vacant 24/40 Substance Abuse Counselor (VHVC) pos. #18448 and vacant Clerk – Senior Level (JWXC) position #7126 in Detention Mental Health division of the Health Services Department. (All represented)

Proposed Effective Date: 10/19/2022

Classification Questionnaire attached: Yes No / Cost is within Department's budget: Yes No

Total One-Time Costs (non-salary) associated with request: _____

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

Total annual cost increase	<u>\$111,446</u>	Net County Cost	<u>\$111,446</u>
Total this FY	<u>\$83,584</u>	N.C.C. this FY	<u>\$83,584</u>

SOURCE OF FUNDING TO OFFSET ADJUSTMENT: 100% County General Fund, Org # 5710

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

Laurén Jimenez

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Sarah Kennard for

10/7/2022

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

10/13/2022

- 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:

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

Adjustment is APPROVED DISAPPROVED

DATE _____

BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:

REQUEST FOR PROJECT POSITIONS

Department _____

Date _____

No. xxxxx

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: Alison McKee, County Librarian
Date: October 18, 2022

Subject: Increase the hours of Librarian II position from 32/40 to 40/40

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 26047 to increase the hours of one (1) vacant 32/40 Librarian II (3AVD) (represented) position number 17004 to 40/40 in the Library Department.

FISCAL IMPACT:

Upon approval, this action will result in an annual cost to the Library Fund of approximately \$18,746. No fiscal impact to the County general fund.

BACKGROUND:

The Library has been working on a reallocation of resources to create more efficient staffing at its branch locations. As part of that plan, the Library has increased or modified hours at various locations, including at the El Sobrante Library. As a result of this change, the Library has determined that the El Sobrante community would be better served with a full-time Librarian at that location.

Following the beginning of the COVID-19 pandemic, the Library worked on evaluating its staffing and scheduling plans to best meet the needs of patrons. Following this evaluation, the Library determined that its community libraries should each have at least a Tuesday through Saturday schedule. As part of that determination, the Library has been working to adjust schedules of its vacant positions to align with this new scheduling plan.

The Library has determined that the current, recently vacated part-time Librarian II position located in El Sobrante would better serve the needs of the public if it was a full-time position. This will allow for more time for more professional library services to be available in the branch and to provide needed flexibility in service to the community. Additionally, recruitment and retention for a full-time position will be easier than for a part-time position.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Samuel Treanor at 925-608-7702

By: , Deputy

CONSEQUENCE OF NEGATIVE ACTION:

If this position change is not approved, the Library will have difficulties with recruitment and retention, as well as providing services to the public.

ATTACHMENTS

P300 26047 Inc Lib II from 32-40 to 40-40 at ESL

POSITION ADJUSTMENT REQUEST

NO. 26047
DATE 9/23/2022

Department Library Department No./
Budget Unit No. 0621 Org No. 3793 Agency No. 85
Action Requested: Increase Librarian II position 17004 from 32/40 to 40/40

Proposed Effective Date: 12/1/2022

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 \$18,746.00 Net County Cost \$0.00
Total this FY \$9,373.00 N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Library Fund

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

Alison McKee

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

/s/ Julie Enea

9/27/2022

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 9/28/2022

Increase the hours of part time (32/40) Librarian II (represented) position # 17004 to full time (40/40) in the Library Department.

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

Effective: Day following Board Action.

_____(Date)

Amanda Monson

9/28/2022

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

10/6/2022

Approve Recommendation of Director of Human Resources

Disapprove Recommendation of Director of Human Resources

Other: _____

/s/ Julie Enea

(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 18, 2022

Subject: Reassign four vacant Family Nurse Practitioner positions in the Health Services Department

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 26053 to reassign four (4) vacant Family Nurse Practitioner (VWSB) positions #8752, #16816, #8550, and #16612 at salary plan and grade L35-1873 (\$13,261-\$16,561) from the Contra Costa Regional Medical Center (CCRMC) (Dept 0540) and Public Health (Dept 0450) divisions to the Mental Health Division (Dept 0467) in the Health Services Department. (Represented)

FISCAL IMPACT:

Upon approval, this action will result in an annual cost shift of \$1,280,518 with \$308,288 in pension cost already included from CCRMC and Public Health divisions to Mental Health unit of the Behavioral Health Division. These positions will be fully funded by Mental Health Realignment revenues.

BACKGROUND:

The state of California has invested in training and recruiting Psychiatric Mental Health Nurse Practitioners (PMH-NP) to assist with the national shortage of Psychiatrists and mental health provider staffing crisis. The University of California, San Francisco (UCSF), which is the primary program in California to train PMH-NPs, has an ongoing partnership with the Behavioral Health Division to train PMH-NPs through this program. PMH-NPs are more available to our local population with less reliance on tele-psych services. The reassignment of the requested Family Nurse Practitioner positions will provide medication and psychiatric level services for Specialty Mental Health beneficiaries in the Behavioral Health Clinics. This involves psychiatric assessments, follow-ups, and ongoing care for clients. Family Nurse Practitioners provide a viable and talented resource to expand Behavioral Health services and provide treatment for beneficiaries.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Behavioral Health Division risks being out of compliance with timeliness access of care and Network Adequacy Standards outlined by the Department of Health Care Services.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: 925-957-5267

By: , Deputy

cc: Jenny Nguyen, Jo-Anne Linares, Stacey Tupper, Kathi Caudel, Cheri Shipley, Faye Ny

ATTACHMENTS

P300 No. 26053 HSD

POSITION ADJUSTMENT REQUEST

NO. 26053
DATE 10/5/2022

Department Health Services Department No./ Budget Unit No. 0467 Org No. vary Agency No. A18
Action Requested: Reassign four (4) vacant Family Nurse Practitioner (VWSB) positions #8752, #16816, #8550, and #16612 from CCRMC and Public Health to Behavioral Health in the Health Services Department. (Represented)

Proposed Effective Date: 10/19/2022

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 \$1,280,518.90 Net County Cost \$0.00
Total this FY \$960,389.22 N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% Mental Health Realignment

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

Jenny Nguyen

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Sarah Kennard for

10/7/2022

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 10/13/2022

- 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:

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

Adjustment is APPROVED DISAPPROVED

DATE _____

BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:

REQUEST FOR PROJECT POSITIONS

Department _____

Date _____

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: David O. Livingston, Sheriff-Coroner
Date: October 18, 2022

Subject: Concord Jet Service, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a sub-sublease with Concord Jet Service Incorporated, in an amount not to exceed \$275,000 to provide aircraft hangar and office space for the period May 1, 2022 through April 30, 2027.

FISCAL IMPACT:

100% Sheriff Budgeted.

BACKGROUND:

The Office of the Sheriff requires additional office and hangar space to accommodate its specialized law enforcement aviation capabilities to include search and rescue and FAA-certified drone flight operation and instruction. The office and hangar space located at 1450 Sally Ride Drive in Concord provides suitable facility for the storage of department aircraft and vital specialized law enforcement training, to include FAA drone pilot certification courses. This area is the only suitable facility that has been identified that meets the needs of the Office of the Sheriff.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to approve will result in the inability of the Office of the Sheriff to adequately store law enforcement aircraft as needed and provide specialized law enforcement training to include FAA-certified drone pilot certification.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Lyn Oco, 925-655-0006

By: , Deputy

cc:

CHILDREN'S IMPACT STATEMENT:

None.



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: October 18, 2022

Subject: Carquinez Radio Tower License Agreement with East Bay Regional Park District

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute on behalf of the County, a license agreement with East Bay Regional Park District (District), to authorize the District to use, at no charge, a portion of the Carquinez Radio Tower facilities at 1001 Arabian Heights, Martinez, for a term beginning when construction of the facilities is complete and ending September 20, 2046, the last day of the term of a ground lease between the County and the District for the subject site. (WLP344)

FISCAL IMPACT:

None. There is no cost or revenue associated with this License.

BACKGROUND:

The County's former administration building at 651 Pine Street, Martinez, is in the process of being demolished. The roof of the administration building had been the site of a communication tower used for the County's emergency communications system. A new 50-foot-tall County-owned communications tower is being built on property owned by the District that is leased to the County. The ground lease between the District and the County, dated October 1, 2021, has a 25-year term, with options to renew.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Margaret Eychner, 925-957-2463

By: , Deputy

cc:

BACKGROUND: (CONT'D)

As part of the consideration given to the District for the County's use of District property for the new communications tower, the County agreed to grant a license to the District to permit the District to use a portion of the tower at no charge. The County also agreed to allow the District to continue its contractual agreement with KQED, under which KQED pays the District for the use of a communications tower. The license that is the subject of this board order fulfills the County's obligation.

The Carquinez Radio Tower Replacement Project was determined to be categorically exempt from CEQA under Section 15302 of the CEQA Guidelines (replacement or reconstruction of existing structures and facilities).

CONSEQUENCE OF NEGATIVE ACTION:

The County would not be in compliance with the October 1, 2021 ground lease between the County and the District.

ATTACHMENTS

License Agreement

LICENSE AGREEMENT

This license agreement (“Agreement”) is dated *October 18, 2022*, and is between CONTRA COSTA COUNTY, a political subdivision of the State of California (the “**County**”) and the EAST BAY REGIONAL PARK DISTRICT, a California special district (the “**District**”).

RECITALS

- A. The District is the owner of the real property located at 1001 Arabian Heights, Martinez, California, having Assessor’s Parcel Number 372-140-001 (the “**Property**”).
- B. The County is leasing approximately 3,790 square feet of space on the Property (the “**Site**”) from the District pursuant to a ground lease dated October 1, 2021 (the “**Lease**”).
- C. In accordance with the terms of the Lease, the County is constructing on the Site (i) a 50-foot high, three-legged antenna tower (the “**Tower**”), (ii) a 12’ x 30’ prefabricated concrete structure to house assorted communications equipment and a generator (the “**Vault**”), and (iii) ancillary improvements and fencing.
- D. The parties desire that the District be allowed to use a portion of the Tower and the Vault for its own use and for the use of the District’s co-user, KQED, for the limited purposes described in this Agreement. The space occupied by the District and KQED on the Tower and in the Vault is the “**Licensed Premises**.” In accordance with the terms of the Lease, KQED’s use of the Licensed Premises is governed by a license agreement between the District and KQED dated August 7, 2019 (the “**Ancillary License**”). This Agreement does not expand or alter the rights granted to KQED under the Ancillary License.
- E. The County is willing to grant the District a license to use the Licensed Premises upon the terms and conditions set forth in this Agreement.

The parties therefore agree as follows:

AGREEMENT

- 1. **Grant of License.** Subject to the terms and conditions of this Agreement, the County hereby grants to the District a nonexclusive revocable license to enter on the Site for the purposes described in Section 2 below and for no other purpose without the County’s prior written consent.
- 2. **Use of Premises.** The District, including its contractors and consultants, is permitted to (i) use the Licensed Premises for the purpose of operating a radio relay station, together with the necessary appurtenances thereto, and (ii) share the Licensed Premises with KQED in accordance with section 5(b) of the Lease, provided the Ancillary License remains in effect (collectively “Permitted Use”).

3. **No Third-Party Beneficiaries.** This Agreement is intended to benefit the District. There are no third-party beneficiaries to this Agreement. KQED is an incidental beneficiary to this Agreement to the extent any right to use the Licensed Premises is granted to KQED by the Ancillary License. Any cause of action KQED may have related to its use of the Licensed Premises may only be brought against the District to enforce the terms of the Ancillary License.
4. **Term.** The term of this Agreement begins when construction of the Facilities is complete and ends September 30, 2046, unless earlier terminated in accordance with this Agreement.
 - a. The District has the right to terminate this Agreement at any time with 30 days advance written notice.
 - b. The County may terminate this Agreement with 30 days advance written notice if the District violates any term or condition of this Agreement and fails to cure the violation after notice of said violation by County.
 - c. This Agreement automatically terminates upon the termination of the Lease.
5. **License Fee.** No license fee is payable to the County under this Agreement.
6. **Permits and Approvals.** The District is responsible for ensuring that any necessary permits and approvals are obtained. This Agreement does not constitute governmental approval of any kind by Contra Costa County.
7. **Nonexclusive Right of Use.** This Agreement is nonexclusive. The County reserves the right to issue licenses and permits to others to use the Tower and/or the Vault so long as those licenses and permits do not interfere with the District's Permitted Use.
8. **Access.**
 - a. The District may access the Licensed Premises 24 hours a day, seven days a week. If the County fails to provide the access granted by this section, the District's sole remedy will be specific performance of this Agreement.
 - b. At all times when accessing the Licensed Premises, the District shall cause its employees, agents, and KQED to conduct their activities in a manner that does not interfere with or disrupt the County's or the County's other tenants' operations at the Site.
9. **Interference.** The District shall cooperate, and shall cause KQED to cooperate, with County and any of its current and future licensees to minimize technical interference between the telecommunication activities of the District and KQED, and any other user of the Tower.

10. **Maintenance/Utilities.**
 - a. The District shall keep and maintain the Licensed Premises in good condition, reasonable wear and tear and damage from the elements excepted. The County shall maintain the Site and access to it in good condition, subject to reasonable wear and tear and damage from the elements.
 - b. The County shall provide, at its sole expense, electrical service to the Licensed Premises.
11. **Alterations to Premises.** With the prior written consent of the County, which will not be unreasonably withheld, the District may make alterations to the equipment situated at the Licensed Premises.
12. **Hold Harmless.** The District shall defend, indemnify, save, and keep harmless the County and its agents against all liabilities, judgments, costs, and expenses that may in any way accrue against the County or its agents as a result of the County granting this license to the District, save and except claims or litigation arising from the sole negligence or sole willful misconduct of the County.
13. **Insurance.**
 - a. The District shall obtain and maintain during term of this Agreement, at the District's cost, commercial general liability insurance with a minimum coverage limit of \$1,000,000 for each occurrence and \$2,000,000 aggregate for all claims or losses due to bodily injury, including death, or damage to property, including loss of use, and shall name **Contra Costa County, its officers, agents, and employees as additional insured** thereunder. The minimum coverage limit required by this provision will increase throughout the term of this Agreement at the reasonable discretion of the County. The County shall provide the District with a 60-day notice of an increase in the minimum coverage limit.
 - b. The coverage must provide for a thirty-day written notice to the County of cancellation or lapse.
 - c. The District shall provide to the County evidence of the coverage carried pursuant to this provision prior to execution of this Agreement and annually thereafter.
14. **Damage or Destruction.**
 - a. If the Tower, the Vault, or both the Tower and Vault, are damaged, destroyed, condemned or transferred in lieu of condemnation, the District may elect to terminate this Agreement as of the date of the damage, destruction, condemnation or transfer. Notwithstanding the foregoing, the County is not responsible for any acts of vandalism occurring on the Site. Should any vandalism to the Licensed Premises occur, any repairs are the sole responsibility of the District. Furthermore, in the event of damage to the Licensed Premises due to acts of God, war, strikes, fires, floods, or

power failures, the District acknowledges that the County is not responsible for any repairs necessary to the Licensed Premises.

- b. If any portion of the Site, including the Licensed Premises, the Tower and the Vault, is damaged, destroyed by the District or KQED, the District is responsible for the cost of restoring the affected area to its prior condition within 90 days after the occurrence of the damage or destruction.
- c. The requirements of this section shall survive the expiration or termination of this Agreement.

15. **Assignment.** The District may not assign its rights under this Agreement.

16. **Surrender of Possession.** Upon termination or expiration of this Agreement, the District shall peaceably and quietly leave, surrender, and yield to the County, the Licensed Premises in good order, condition, and repair. The District shall remove all equipment from the Licensed Premises within 90 days after license expiration or termination, except in the case of fire or other natural disaster, in which case removal date to be mutually agreed upon. Upon termination, a qualified representative of the County shall inspect the Licensed Premises to determine that the Licensed Premises is left in accordance with the terms of this Agreement.

17. **Notices.** Notices under this Agreement must be in writing and are effective when delivered in person or deposited as certified mail, postage prepaid, return receipt requested, or sent by a recognized overnight courier service, and directed to the other party at its address as stated below, or to such other address as the party may designate by written notice.

For District:

East Bay Regional Park District
2950 Peralta Oaks Court
Oakland, California 94605
Attention: Business Services

For County:

Contra Costa County Public Works
40 Muir Road, 2nd Floor
Martinez, California 94553
Attn: Principal Real Property Agent

With a copy to:

East Bay Regional Park District
P.O. Box 5381
Oakland, California 94605
Attn: Business Services Manager

East Bay Regional Park District
P.O. Box 5381
Oakland, California 94605

Attn: District Counsel

18. **Governing Law.** This Agreement is governed by the laws of the State of California.
19. **Entire Agreement.** This Agreement contains the entire agreement between the parties relating to the subject matter of this Agreement. No alteration or variation of this Agreement is valid or binding unless made in writing and signed by both parties.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

The parties are signing this Agreement as of the date set forth in the introductory paragraph.

CONTRA COSTA COUNTY

EAST BAY REGIONAL PARK DISTRICT

By _____
Brian M. Balbas
Public Works Director

By  _____
Sabrina Landreth (Sep 23, 2022 11:15 PDT)
Sabrina B. Landreth
General Manager

RECOMMENDED TO THE BOARD
OF SUPERVISORS FOR APPROVAL:

APPROVED AS TO FORM:

By _____
Jessica L. Dillingham
Principal Real Property Agent

By  _____
Jason Rosenberg (Sep 22, 2022 17:37 PDT)
Jason Rosenberg, Assistant District Counsel

By _____
Margaret J. Eychner
Senior Real Property Agent

APPROVED AS TO FORM:
Mary Ann McNett Mason, County Counsel

By: _____
Kathleen M. Andrus
Deputy County Counsel



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: October 18, 2022

Subject: Lease amendment with Lauritzen Yacht Harbor for a station house at 70 Lauritzen Lane in Oakley for the Sheriff-Coroner Department, Marine Patrol Unit.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a lease amendment with Lauritzen Yacht Harbor for an approximately 1,725 square foot station house for the Sheriff-Coroner Department, Marine Patrol Unit. The term of the lease amendment is 2 years. The annual rental payment for the first year is \$27,720.00 with a 3% annual increase thereafter.

FISCAL IMPACT:

The lease will obligate the County to pay rent of approximately \$56,280.00 over the 2-year term of the lease amendment. (100% General Fund)

BACKGROUND:

Sheriff-Coroner Department, Marine Patrol Unit, has been operating at this location since 2001. The Marine Patrol is staffed seven days a week and patrols over 80 square miles of waterways in Contra Costa County with the primary goal of promoting boating safety through education and enforcement. This amendment provides for the continued operation of the Marine Patrol Unit at this location, as requested by the Sheriff-Coroner.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Stacey Sinclair, (925) 957-2464

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Failure to approve the amendment for the continued operation of the Sheriff-Coroner Department, Marine Patrol Unit, at this location would result in having to relocate to another suitable location at increased rent, together with the associated expenses of moving and constructing new tenant improvements.

ATTACHMENTS

Amendment

FIRST AMENDMENT TO LEASE

SHERIFF-CORONER MARINE PATROL
70 LAURITZEN LANE
OAKLEY, CALIFORNIA

This first amendment is dated _____ and is between C.A. Lauritzen LLC, dba Lauritzen Yacht Harbor, a California limited liability company (the “**Lessor**”) and the County of Contra Costa, a political subdivision of the State of California (the “**County**”).

Recitals

A. The Lessor and the County are parties to a lease dated December 10, 2015, under which the County is leasing an approximately 1,725 square foot single-family residence commonly known as 70 Lauritzen Lane, Oakley, California (the “**Lease**”).

B. The parties desire to extend the term of the lease and revise the rent.

The parties therefore agree as follows:

Agreement

1. Section 2. Term is deleted in its entirety and replaced with the following:

Term. The “**Term**” of this lease is comprised of an Initial Term and, at County’s election, Renewal Terms, each as defined below.

a. Initial Term. The “**Initial Term**” is three years, commencing on January 1, 2016 (the “**Commencement Date**”) and ending December 31, 2018.

b. Renewal Terms. County has five options to renew this lease for a term of two years for each option (each, a “**Renewal Term**”) upon all the terms and conditions set forth herein.

i. County will provide Lessor with written notice of its election to renew the Lease thirty days prior to the end of the Term. However, if County fails to provide such notice, its right to renew the Lease will not expire until fifteen working days after County’s receipt of Lessor’s written demand that County exercise or forfeit the option to renew.

ii. Upon the commencement of a Renewal Term, all references to the Term of this lease will be deemed to mean the Term as extended pursuant to this Section.

2. Section 3. Rent is deleted in its entirety and replaced with the following:

Rent. County shall pay rent (“**Rent**”) to Lessor monthly in advance beginning on the Commencement Date. Rent is payable on the tenth day of each month during the Initial Term and, if applicable, the Renewal Terms, in the amounts set forth below:

a. Initial Term.

<u>Months</u>	<u>Monthly Rent</u>
January 1, 2016 – December 31, 2016	\$1,985
January 1, 2017 – December 31, 2017	\$2,025
January 1, 2018 – December 31, 2018	\$2,065

b. First Renewal Term.

<u>Months</u>	<u>Monthly Rent</u>
January 1, 2019 – December 31, 2019	\$2,105
January 1, 2020 – December 31, 2020	\$2,150

c. Second Renewal Term.

<u>Months</u>	<u>Monthly Rent</u>
January 1, 2021 – December 31, 2021	\$2,195
January 1, 2022 – December 31, 2022	\$2,240

d. Third Renewal Term.

<u>Months</u>	<u>Monthly Rent</u>
January 1, 2023 – December 31, 2023	\$2,310
January 1, 2024 – December 31, 2024	\$2,380

e. Fourth Renewal Term.

<u>Months</u>	<u>Monthly Rent</u>
January 1, 2025 – December 31, 2025	\$2,450
January 1, 2026 – December 31, 2026	\$2,525

f. Fifth Renewal Term.

<u>Months</u>	<u>Monthly Rent</u>
January 1, 2027 – December 31, 2027	\$2,600
January 1, 2028 – December 31, 2028	\$2,680

Rent for any fractional month will be prorated and computed on a daily basis with each day’s rent equal to one -thirtieth (1/30) of the monthly Rent. Rent is to be mailed to

Lauritzen Yacht Harbor, 115 Lauritzen Lane, Oakley, CA 94561-2946, or to any other location as may be designated in writing by Lessor.

3. All other terms of the Lease remain unchanged.

Lessor and County are causing this first amendment to be executed as of the date set forth in the introductory paragraph.

CONTRA COSTA COUNTY, a political subdivision of the State of California

C.A. Lauritzen LLC, dba Lauritzen Yacht Harbor, a California limited liability company

By: _____
Brian M. Balbas
Director of Public Works

By: _____
Christian A. Lauritzen
Member

RECOMMENDED FOR APPROVAL:

By: _____
Jessica L. Dillingham
Principal Real Property Agent

By: _____
Margaret. Lauritzen
Member

By: _____
Stacey Sinclair
Senior Real Property Agent

APPROVED AS TO FORM:
MARY ANN MCNETT MASON,
COUNTY COUNSEL

By: _____
Kathleen M. Andrus
Deputy County Counsel



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 18, 2022

Subject: Agreement #29-817-5 with the City of Walnut Creek

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Agreement #29-817-5 with the City of Walnut Creek, including agreeing to indemnify the city, to pay the County an amount not to exceed \$250,368 to provide homeless outreach services under the Coordinated Outreach, Referral and Engagement (CORE) Program, for the period from July 1, 2022 through June 30, 2023.

FISCAL IMPACT:

Approval of this agreement will allow the County to receive an amount not to exceed \$250,368 for FY 2022-2023 from the City of Walnut Creek. No County match is required.

BACKGROUND:

The CORE Program services locate and engage homeless clients throughout Contra Costa County. CORE teams serve as an entry point into the County's coordinated entry system for unsheltered persons and work to locate, engage, stabilize and house chronically homeless individuals and families. The County has been receiving funds from the City of Walnut Creek for the CORE program since July 2017.

On November 2, 2021, the Board of Supervisors approved Agreement #29-817-4 to receive funds in an amount not to exceed \$227,042 from the City of Walnut Creek for the provision of the CORE Program, for the period from July 1, 2021 through June 30, 2022.

Approval of Agreement #29-817-5 will allow county to continue to receive funds for homeless outreach services through June 30, 2023. This agreement includes agreeing to indemnify and hold harmless the city for claims arising out of county's performance under this agreement. There was a delay in requesting approval of this contract due to county not receiving the agreement from the City of Walnut Creek until August 31, 2022.

CONSEQUENCE OF NEGATIVE ACTION:

If this agreement is not approved, the County will not receive funding and the CORE program will have to operate at a reduced capacity.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Christy Saxton, 925-608-6700

By: , Deputy

ATTACHMENTS



Contra
Costa
County

To: Board of Supervisors
From: Marla Stuart, Employment and Human Services Director
Date: October 18, 2022

Subject: 2022-2023 California Department of Social Services CalWORKs Stage 2 Childcare Services Revenue Agreement

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a revenue agreement with the State of California Department of Social Services (CDSS), for a payment limit of \$3,567,014 for California Work Opportunity and Responsibility to Kids (CalWORKs) Stage 2 childcare program, for the period July 1, 2022 through June 30, 2023.

FISCAL IMPACT:

County is to receive an amount not to exceed \$3,567,014 from CDSS for the period July 1, 2022 through June 30, 2023, all of which has been budgeted in FY 2022-2023:

\$1,344,423 (37.7% Federal with AL/CFDA #93.575)

\$2,222,591 (62.3% State)

No County match is required

State Contract Number: C2AP-2009-00

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: V. Kaplan, (925) 608-5052

By: , Deputy

cc:

BACKGROUND:

The County receives funds from the California Department of Social Services (CDSS) to provide CalWORKs Stage 2 Childcare Program (C2AP) to program-eligible families for children ages 0-12 years old. Families must meet at least one of these eligibility criteria to meet program eligibility: receiving cash aid within the last 24 months, income eligible, experiencing homelessness, or recipients of protective services or at risk of being abused, neglected or exploited, and have an established need for child care. During Fiscal Year 2021-2022, the program served approximately 494 families with 768 children.

The Employment and Human Services Department (EHSD) received notification of renewal from CDSS on July 25, 2022, for Agreement Number C2AP-2009. The Board of Supervisors approved the Continued Funding Application for fiscal year 2022-2023 to continue receiving funding for Alternative Payment Childcare Services on January 18, 2022 (C.26).

This board order is to accept funds from California Department of Social Services in the amount of \$3,567,014 for the period of July 1, 2022 through June 30, 2023.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, program-eligible families and children 0-12 years of age will not receive CalWORKs Stage 2 program childcare services.

CHILDREN'S IMPACT STATEMENT:

The Employment and Human Services Department Community Services Bureau supports three (3) 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: Marla Stuart, Employment and Human Services Director
Date: October 18, 2022

Subject: Revenue Contract with California Department of Industrial Relations Division of Apprenticeship Standards

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, on behalf of the Workforce Development Board (WDB), to apply for and accept the State Apprenticeship Expansion, Equity and Innovation (SAEEI) Grant from the California Department of Industrial Relations Division of Apprenticeship Standards (DAS), in the amount of \$240,000, to develop and implement an EMT/Paramedic Apprenticeship Program for under-served communities of color, for the term July 1, 2022 through June 30, 2025.

FISCAL IMPACT:

The County to receive grant funding in the amount of \$240,000, funded 100% by California Department of Industrial Relations Division of Apprenticeship Standards (DAS). No County cost and no County match is required. County to retain 10% maximum allowable portion of the grant, totaling \$24,000 for administration. Appropriation and revenue adjustments for this new grant will be made during FY2022-2023.

BACKGROUND:

Women, justice-involved, people with disabilities and communities of color have been disproportionately impacted by the coronavirus and require additional support and resources

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

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: C. Youngblood (925) 608-4964

By: , Deputy

cc:

BACKGROUND: (CONT'D)

to secure a future in the emerging post-pandemic labor market. Therefore, this year's SAEI grant seeks to address the challenges presented by COVID-19, particularly the impact of widespread closures that have resulted in rising levels of unemployment and limited access to education, training, and reemployment opportunities. This grant will address the need for equal access to training and employment opportunities across communities, including subsidized access to the internet and other technologies for individuals in need.

WDB will develop the EMT/Paramedic Apprenticeship program and ensure under-served communities of color are prioritized for inclusion. Partners in the program include Contra Costa Community College (CCC), the Bay Area Health Workforce Partnership (BAHWP), American Medical Response (AMR) and Contra Costa Economic Partnership (CCEP).

CONSEQUENCE OF NEGATIVE ACTION:

Without approval, participants in special extraneous grant programs will not have access to classroom instruction and job trainings that lead to self-sufficiency, which would adversely impact these participants. Local businesses will have fewer qualified candidates for positions.

CHILDREN'S IMPACT STATEMENT:

The revenue and services funded under this agreement supports three of the five Contra Costa County's community outcomes: (1) Families that are Economically Self-Sufficient; (2) Families that are Safe, Stable and Nurturing; and (3) Communities that are Safe and Provide a High Quality of Life for Children and Families.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 18, 2022

Subject: Standard Agreement (Amendment) #29-772-47 with the State of California, Department of Health Care Services

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Standard Agreement (Amendment) #29-772-47 (State #04-36067, A-38) with the State of California, Department of Health Care Services (DHCS), effective December 31, 2022, to amend Agreement #29-772-13 (as amended by subsequent amendments #29-772-14 through #29-772-46), with no change in the original amount payable to the County of up to \$317,472,000 to extend the term from December 31, 2022 to December 31, 2023.

FISCAL IMPACT:

Approval of this amendment will reflect no change in the original amount payable to County of \$317,472,000 for the Medi-Cal Managed Care Local Initiative Project. No County match is required.

BACKGROUND:

The State has been contracting with the Health Services Department's Contra Costa Health Plan to provide health care services to eligible Medi-Cal recipients within the scope of Medi-Cal benefits under the Medi-Cal Local Initiative Health Plan since February 1, 1997.

On April 26, 2005, the Board of Supervisors approved Standard Agreement #29-772-13 with the State of California, DHCS, for the Medi-Cal Local Initiative Health Plan, for the period from April 1, 2005 through December 31, 2021. Subsequent amendments #29-772-14 through #29-772-46 have been issued by DHCS to amend Standard Agreement #29-772-13 to extend the term, add funds, adjust capitation rates and modify language.

Approval of this Standard Agreement (Amendment) #29-772-47 will extend the term from December 31, 2022 to December 31, 2023.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Sharron Mackey, 925-313-6004

By: , Deputy

cc: Marcy Wilhelm



Contra
Costa
County

To: Board of Supervisors
From: Marla Stuart, Employment and Human Services Director
Date: October 18, 2022

Subject: APS Elder Abuse Prevention Project – Cal OES, Underserved Victims Unit (XE)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to apply for and accept grant funding from the California Governor’s Office of Emergency Services (Cal OES), Underserved Victims Unit for the Elder Abuse (XE) Program, in an amount not to exceed \$217,444, for the period January 1, 2023 through December 31, 2023.

FISCAL IMPACT:

County to apply for and receive an amount not to exceed \$217,444 from the California Office of Emergency Services (Cal OES) to fund the Elder Abuse Prevention Project for a one-year period (January 1, 2023 through December 31, 2023). The first half of the grant (1/1/2023 – 6/30/2023) is already budgeted in FY 2022-23, and the second half (7/1/2023 – 12/31/2023) will be included in the budget for FY 2023-24. The project is supported through the Victims of Crime Act (VOCA) Victim Assistance Formula Grant Program. The VOCA Victim Assistance Formula Grant Program of \$217,444 (20VOCA =\$108,722; 21VOCA =\$108,722) requires a cash and/or in-kind match (20VOCA Match 20% =\$27,181; 21VOCA Match 20% =\$27,181) equal to 20 percent of the total project cost (Pre-match waiver of \$271,806). The Employment and Human Services Department will submit a Waiver for the Match with the application packet. If the waiver is not approved, there will be a match of \$54,362 with Adult Protective Services (APS) funds. The VOCA amount being sought out is 100% Federal. AL #16.575.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: C. Youngblood (925) 608-4964

By: , Deputy

cc:

BACKGROUND:

The goal of the Elder Abuse Prevention Project (EAPP) is to bridge the gap in services addressing Elder Abuse. XE Program funding will be used to enhance the safety of elder and dependent adult victims of crime by providing direct services to victims and bridging the gap between elder justice service providers and victim service providers. The APS program received over 5,200 reports of abuse from January 2021 through December 2021. With support from this grant, APS will be able to focus support in areas of financial abuse, case management, and prevention. This focus will increase justice for, and safety of, elder residents and dependent adults of Contra Costa County.

This grand funding will be used to:

- Fund an Elder Abuse Victim Specialist solely dedicated to serving elder and dependent adult victims.
- Provide and coordinate direct services for elder and dependent adult victims.
- Expand the communities' capacity to serve elder and dependent adult victims.
- Ensure that elder and dependent adult victims have access to the criminal justice system.
- Continue to provide outreach awareness programs for victims and mandated reporters of elder and dependent adult abuse and others who come into contact with these victims.

CONSEQUENCE OF NEGATIVE ACTION:

Without funding, the Adult Protection Services division will continue to face an increasing number of vulnerable elder and dependent adults facing financial abuse, interpersonal violence, neglect and exploitation.



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 18, 2022

Subject: Grant Award #28-767-9 from the California Department of Public Health, Refugee Health Assessment Program

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director or designee, to accept on behalf of the County Grant Award #28-767-9 (Grantor #22-07-90899-00) from the California Department of Public Health, to pay the County for providing health services for the Refugee Health Assessment Program (RHAP), for the period October 1, 2022 through September 30, 2023.

FISCAL IMPACT:

Acceptance of this Award will result in a reimbursement to the County of \$41 per Medi-Cal Non-Billable health assessment and \$229,345 for administrative costs. No County match required.

BACKGROUND:

The RHAP allows for the provision of health assessment services to refugees, asylees, entrants from Haiti and Cuba, Special visa immigrants, certified victims of human trafficking and other eligible entrants as required in the California Refugee Health Assessment form (CDPH 8418A). Based on the assessment, communicable diseases are treated on the new arrivals, as well as other Contra Costans, who are not protected from disease. In addition, this program provides highly trained and culturally appropriate medical interpreters for the County's Afghan, Russian, Vietnamese, Lao and Mien clinics (13 per week). The RHAP advocates for people with limited-English skills to achieve access and care within the Contra Costa Health Services Department. The County has been participating in this program since October 2010.

On October 19, 2021, the Board of Supervisors approved Grant Award #28-767-8 from the California Department of Public Health, Refugee Health Assessment Program to provide health services for the RHAP program for the period October 1, 2021 through September 30, 2022.

The Health Services Department recently received a notice of award from the California Department of Public Health, granting Health Services Department funding. Acceptance of the Grant Award #28-767-9 allows the County to provide RHAP services through September 30, 2023.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Anna Roth, 925-957-2670

By: , Deputy

cc: Marcy Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this grant award is not accepted, people with limited-English skills in the RHAP program will not achieve access and care within the Contra Costa Health Services Department.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 18, 2022

Subject: Amendment Agreement #29-605-5 with the City of Pleasant Hill

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Amendment Agreement #29-605-5 with the City of Pleasant Hill to amend Agreement #29-605, as amended by Amendment Agreements #29-605-1 through #29-605-4, to increase the amount payable to the County by \$124,582 from \$452,281 to a new total of \$576,863 and extend the term from June 30, 2022 to June 30, 2023, for the operation of the Coordinated Outreach, Referral and Engagement (CORE) Program.

FISCAL IMPACT:

Approval of this amendment will allow the County to receive an additional amount not to exceed \$124,582 from the City of Pleasant Hill for FY 2022/2023 to provide homeless outreach services. No County match is required.

BACKGROUND:

The CORE Program will provide homeless outreach services aimed at identifying unsheltered homeless individuals, transitioned aged youth and families living outside and in locations not meant for human habitations. The County has been receiving funds from City of Pleasant Hill for the CORE program since March 2017.

On March 21, 2017, the Board of Supervisors approved Grant Agreement #29-605 with the City of Pleasant Hill to receive funds in an amount not to exceed \$73,173 for the operation of the CORE Program from March 1, 2017 through June 30, 2018, which included agreeing to indemnify the City for claims arising out of the County's performance under the agreement.

On September 11, 2018, the Board of Supervisors approved Grant Agreement #29-605-1 to increase the amount payable to the County by \$81,197 to a new total of \$154,370 and extend the termination from June 30, 2018 to June 30, 2019 to continue the operation of the CORE program.

On September 10, 2019, the Board of Supervisors approved Grant Agreement #29-605-2 to increase the amount payable to the County by \$88,473 to a new total of \$242,843 and extend the termination from June 30, 2019 to June 30, 2020 to continue the operation of the CORE program.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Christy Saxton, 925-608-6700

By: , Deputy

BACKGROUND: (CONT'D)

On October 13, 2020, the Board of Supervisors approved Grant Agreement #29-605-3 to increase the amount payable to the County by \$88,473 to a new total of \$331,316 and extend the termination from June 30, 2020 to June 30, 2021 to continue the operation of the CORE program.

On December 7, 2021, the Board of Supervisors approved Grant Agreement #29-605-4 to increase the amount payable to the County by \$120,965 to a new total of \$452,281 and extend the termination from June 30, 2021 to June 30, 2022 to continue the operation of the CORE program.

Approval of Amendment Agreement #29-605-5 will allow the County to continue to receive funds from the City of Pleasant Hill through June 30, 2023. There was a delay in requesting approval of this contract due to the County not receiving the agreement from the City of Pleasant Hill until September 9, 2022.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, the County will not receive funding and the CORE program will have to operate at a reduced capacity.

ATTACHMENTS



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 18, 2022

Subject: Agreement #29-604-7 with the City of Walnut Creek

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Agreement #29-604-7 with the City of Walnut Creek, which includes agreeing to indemnify the city, to pay the County an amount not to exceed \$15,000 for the operation of the Coordinated Outreach, Referral and Engagement (CORE) Program to provide homeless outreach services, for the period from July 1, 2022 through June 30, 2023.

FISCAL IMPACT:

Approval of this agreement will allow the County to receive funds in an amount not to exceed \$15,000 (\$10,000 from City of Walnut Creek's Community Development Block Grant (CDBG) and \$5,000 from the City of Walnut Creek's Homeless Services Fund (HSF) for Fiscal Year 2022-2023 from the City of Walnut Creek. No County match is required.

BACKGROUND:

The CORE Program will serve as an entry point into the Coordinated Entry System and identify, engage, stabilize and house chronically homeless individuals and families. Core teams will contact a minimum of 1000 homeless individuals to provide basic needs supplies, counseling, benefits assistance, linkages to healthcare, shelter placement, and referrals and transportation to C.A.R.E. Centers. The County has been receiving funds from City of Walnut Creek for the CORE program since January 2017.

On November 2, 2021, the Board of Supervisors approved Grant Agreement #29-604-6 with the City of Walnut Creek to receive CDBG and HSF funds in an amount not to exceed \$21,415 for the operations of the CORE Program to provide homeless outreach services from July 1, 2021 through June 30, 2022.

Approval of Agreement #29-604-7 will allow County to continue to receive CDBG and HSF funds to provide outreach services through June 30, 2023. This agreement includes agreeing to indemnify and hold harmless the city for claims arising out of the County's performance under this agreement. There was a delay in requesting approval of this contract due to county not receiving the agreement from the City of Walnut Creek until August 31, 2022.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Christy Saxton, 925-608-6700

By: , Deputy

CONSEQUENCE OF NEGATIVE ACTION:

If this agreement is not approved, the County will not receive funding and the CORE program will have to operate at a reduced capacity.

ATTACHMENTS



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 18, 2022

Subject: Contract #24-958-31 with Rubicon Programs Incorporated

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #24-958-31 with Rubicon Programs Incorporated, a non-profit corporation, in an amount not to exceed \$509,366, to provide mental health services for CalWORKs clients for the period July 1, 2022 through June 30, 2023.

FISCAL IMPACT:

Approval of this contract will result in budgeted annual expenditures for Fiscal Year 2022-2023 of up to \$509,366 and will be funded 100% by CalWORKs funds.

BACKGROUND:

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. The County has been contracting with Rubicon Programs Incorporated for mental health services since August 1998.

On June 8, 2021, the Board of Supervisors approved Contract #24-958-30 with Rubicon Programs Incorporated, in an amount not to exceed \$270,000 to provide mental health services to recipients of the CalWORKs Program and their children, including outpatient treatment, individual, group and family collateral counseling, case management, and aftercare services to reduce barriers to employment, for the period July 1, 2021 through June 30, 2022.

The delay of this contract was due to a loss of another provider causing the need for the contractor expand their program to East County. Due to an administrative oversight by division staff, there was not timely follow up to ensure that the new budget and program documents were completed for timely review and processing.

Approval of Contract #24-958-31 will allow the contractor to continue to provide mental health services to CalWORKs recipients through June 30, 2023.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Suzanne Tavano, Ph.D.,
925-957-5169

By: , Deputy

cc: E Suisala , M Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, CalWORKs recipients will not have sufficient access to the mental health services they need.

ATTACHMENTS



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 18, 2022

Subject: Contract #26-306-35 with Per Diem Staffing Systems, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute Contract #26-306-35 with Per Diem Staffing Systems, Inc., a corporation, in an amount not to exceed \$1,500,000, to provide temporary, nurses and other medical staffing classifications at Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers for the period July 1, 2022 through June 30, 2023.

FISCAL IMPACT:

Approval of this contract will result in annual expenditures of up to \$1,500,000 and will be funded as budgeted by the department in FY 2022-2023 by 100% Hospital Enterprise Fund I allocations. (Rate increase)

BACKGROUND:

CCRMC and Contra Costa Health Centers have an obligation to provide medical staffing services to patients. Therefore, the county contracts with temporary help firms to ensure patient care is provided during peak loads, temporary absences, vacations and emergency situations where additional staffing is required. The county has been using the contractor's temporary staffing services since July 1, 1997.

On June 22, 2021, the Board of Supervisors approved Contract #26-306-33 with Per Diem Staffing Systems, Inc., in an amount not to exceed \$1,000,000 for the provision of temporary nurses and other medical staffing classifications to cover employee sick leaves, vacations and workers compensation leaves, at CCRMC and Contra Costa Health Centers for the period from July 1, 2021 through June 30, 2022.

On April 12, 2022, the Board of Supervisors approved Amendment Agreement #26-306-34 with Per Diem Staffing Systems, Inc., effective March 1, 2022, to increase the crisis rates for temporary nurse staffing services at CCRMC and Contra Costa Health Centers with no increase in the payment limit of \$1,000,000 or term of July 1, 2021 through June 30, 2022.

Approval of Contract #26-306-35 will allow the contractor to continue providing nurses and other medical staffing classifications at CCRMC and Contra Costa Health Centers through June 30, 2023. This contract includes services provided by represented classifications and the County has met its obligations with the respective labor partner(s).

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Jaspreet Benepal, 925-370-5501

By: , Deputy

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring medical staffing 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 18, 2022

Subject: Novation Contract #74-317-24 with Alternative Family Services, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Novation Contract #74-317-24 with Alternative Family Services, Inc., a non-profit corporation, in an amount not to exceed \$1,401,844, to provide intensive behavioral services for youth in the child welfare system and youth experiencing trauma for the period July 1, 2022 through June 30, 2023, which includes a six-month automatic extension through December 31, 2023, in an amount not to exceed \$700,922.

FISCAL IMPACT:

Approval of this contract will result in budgeted expenditures of up to \$1,401,844 and will be funded by 50% Federal Financial Participation (\$700,922), 45% Realignment Funds (\$637,138) and 5% Measure X (\$63,784) revenues. (No rate increase)

BACKGROUND:

This contract meets the social needs of the County's population by providing mental health services for preschoolers with measurable delays in interpersonal, social/emotional, language and cognitive development, and for children who are at risk for such delays, including abused, developmentally delayed, SED and environmentally deprived children who do not meet the

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Suzanne Tavano, Ph.D.,
925-957-5212

By: , Deputy

cc: Alaina Floyd, marcy.wilham

BACKGROUND: (CONT'D)

criteria for any categorical funding source for services. The County has been contracting with Alternative Family Services, Inc. since December 1, 2007.

On December 14, 2021, the Board of Supervisors approved Contract #24-317-22 with Alternative Family Services, Inc., in an amount not to exceed \$1,374,404 for the provision of Multidimensional Treatment Foster Care (MTFC) services for Seriously Emotionally Disturbed (SED) youth and their families for the period from July 1, 2021 through June 30, 2022, which included a six-month automatic extension through December 31, 2022, in an amount not to exceed 687,202.

On February 1, 2022, the Board of Supervisors approved Contract Amendment #24-317-23, effective January 1, 2022 to increase the per minute billing rates due to COVID-19, with no change in the original payment limit and term.

Approval of Novation Contract #24-317-24 will replace the automatic extension under the prior contract and allow the contractor to continue providing services through June 30, 2023.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, severely emotionally disturbed children within Contra Costa County will have reduced access to mental health services as the county solicits and engages an alternative contractor.

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: John Kopchik, Director, Conservation & Development Department
Date: October 18, 2022

Subject: MOU with CCTA for Measure X funding to support Accessible Transportation

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Conservation and Development Director to execute a memorandum of understanding with the Contra Costa Transportation Authority in an amount not to exceed \$1,400,000 to implement the Accessible Transportation Strategic Plan for the period April 1, 2022 through June 30, 2023.

FISCAL IMPACT:

The Contra Costa Transportation Authority's costs to implement the accessible transportation duties described in the proposed Memorandum of Understanding will be \$1,400,000 and will be covered by the County utilizing only the \$1,400,000 of Measure X funds approved for this purpose by the Board on November 16, 2021.

BACKGROUND:

The Accessible Transportation Strategic Plan (ATSP) defines how Contra Costa will improve transportation options for older adults, persons with disabilities, and veterans. The ATSP was conducted by the Contra Costa Transportation Authority (CCTA) with support from Contra Costa County and was collaboratively developed over several years in consultation with elected officials and staff at affected public agencies, advocates representing community-based organizations and users of the system. The Board of Supervisors and the Board of CCTA both approved the ATSP in March, 2021.

In November 2021, the Board of Supervisors approved an allocation of \$1.4 million in Measure X (2020) funding to support implementation of the following four recommendations from the ATSP:

1. Establishment of a "Coordinating Entity", responsible for short and long term implementation of accessible transportation strategies including the identification of a new, ongoing funding source to support operations.
2. Creation of One Call/One Click Operations. This effort is expected to create a countywide, centralized phone and internet resource for all modes of transportation serving target populations. To assist patrons in making travel plans based on their abilities.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: John Cunningham (925)791-1368

By: , Deputy

BACKGROUND: (CONT'D)

3. Creation of user-side Subsidies for low-income populations for whom existing fares are a barrier to access.

4. Expansion and Enhancement of One Seat Ride Pilot Program allowing passengers to travel throughout the county without having to transfer between paratransit vehicles when crossing transit agency boundaries.

In addition to the performance and reporting criteria included in the memorandum of understanding, the ATSP Task Force and the Contra Costa Transportation Authority will provide oversight of the funding and ATSP implementation activities.

CONSEQUENCE OF NEGATIVE ACTION:

If the MOU is not approved, the County will not disburse previously approved Measure X Funds intended to improve transportation for older Contra Costa residents and those with disabilities.

ATTACHMENTS

Final Measure X Funding MOU_CCC-DCD-CCTA(10-12-22)

FUNDING MEMORANDUM OF UNDERSTANDING
BETWEEN
COUNTY OF CONTRA COSTA
AND
THE CONTRA COSTA TRANSPORTATION AUTHORITY
FOR THE
IMPLEMENTATION OF THE
ACCESSIBLE TRANSPORTATION STRATEGIC PLAN

This memorandum of understanding (“MOU”) is dated as of April 1, 2022 (the “Effective Date”), and is between the COUNTY OF CONTRA COSTA (the “County”) and the CONTRA COSTA TRANSPORTATION AUTHORITY (“Recipient,” or “CCTA”). The County and CCTA may jointly be referred to as the “parties.”

RECITALS

- A. On November 3, 2020, voters in Contra Costa County approved Measure X, a Countywide, 20-year, half-cent sales tax. The ballot measure language stated the intent of Measure X as “to keep Contra Costa’s regional hospital open and staffed; fund community health centers, emergency response; support crucial safety-net services; invest in early childhood services; protect vulnerable populations; and for other essential county services.”
- B. The Measure X Community Advisory Board was established on February 2, 2021, to advise the Board of Supervisors on the use of Measure X funds. The Advisory Board consists of 17 members, comprising 10 Supervisorial District appointees (2 per Supervisorial District) and 7 At-Large members.
- C. The Measure X Community Advisory Board has identified five goals for the use of Measure X funds: Mental Well-Being (Goal #1), Equity in Action (Goal #2), Healthy Communities (Goal #3), Intergenerational Thriving (Goal #4), and Welcoming & Safe Community (Goal #5).
- D. On November 16, 2021, the Board of Supervisors considered an expenditure plan for Measure X revenue for the period April 1, 2022, through June 30, 2023 (the “Funding Period”).
- E. At the November 16, 2021, meeting, the Board of Supervisors approved an allocation of \$1,400,000 to Recipient during the Funding Period to implement the Accessible Transportation Strategic Plan (the “Project”). The Project is described in Schedule 1, attached hereto (the “Service Plan”).

The Project meets the following goal(s) identified by the Measure X Community Advisory Board: Goal #4 – Intergenerational Thriving.

AGREEMENT

1. Payment of Funds. The County shall contribute up to \$1,400,000 (the “County Contribution”) to Recipient for Recipient’s use toward the Project during the Funding Period. The County Contribution will be made in accordance with the payment schedule set forth in Schedule 2, attached hereto.
2. Use of Funds. Recipient shall use the County Contribution solely for the Project, as specified in the Service Plan.
3. Term and Termination. This MOU is effective on the Effective Date and remains in effect until June 30, 2023. The County may terminate this MOU at any time by giving 15 days’ written notice to Recipient if Recipient fails to properly perform any of its obligations under this MOU and fails to correct such performance issues within 7 days of notice from the County.
4. Progress Reports. Recipient shall submit periodic progress reports, in the time, form, and manner set forth in the Service Plan, to the Board of Supervisors through the County’s Conservation and Development Director, or his or her designee, detailing Recipient’s accomplishments in carrying out the Service Plan and the Project.
5. Records; Audit. Recipient must keep and make available for inspection and copying by authorized representatives of the County, the Recipient’s regular business records and such additional records pertaining to this MOU as may be required by the County. This provision is binding on the heirs, successors, assigns and representatives of Recipient.
 - a. Retention of Records. Recipient must retain all documents pertaining to this MOU for five years from the date of submission of the final payment to Recipient in accordance with Schedule 2, and until any audit is completed and exceptions resolved for the Funding Period. Upon request, Recipient must make these records available to authorized representatives of the County.
 - b. Access to Books and Records. Recipient must, upon written request and until the expiration of five years after furnishing services pursuant to this MOU, make available to the County or any of its authorized representatives, the books, documents, and records of Recipient necessary to certify the nature and extent of all costs and charges incurred under this MOU.

If Recipient carries out any of the duties of this MOU through a subcontract, the subcontract must contain a clause to the effect that upon written request and until the expiration of five years after furnishing services under the subcontract, the subcontractor must make available to the County or any of its authorized representatives, the books, documents and records of the subcontractor necessary to verify the nature and extent of all costs and charges incurred under the subcontract.

- c. Audit. Recipient shall make its records available for, and an audit may be required by, the County. If an audit is required, Recipient must provide the County with the audit.
6. Modification. This MOU may be modified only with the written approval of both parties.
 7. Hold Harmless. Recipient shall fully defend, hold harmless, and indemnify the County, its officers, agents and employees against any and all claims, demands, damages, costs, expenses and liability arising out of this MOU, except for liability arising out of the sole negligence or willful misconduct of the County, its officers, agents or employees. This section shall survive the termination of this MOU.
 8. Notices: All correspondence regarding this MOU, including demands and notices, is to be directed to the following persons at the following addresses and telephone numbers:
 - County: Contra Costa County
 Department of Conservation and Development
 30 Muir Road
 Martinez, California 94553
 Attention: John Cunningham, Principal Planner
 - Recipient: Contra Costa Transportation Authority
 2999 Oak Road, Suite 100
 Walnut Creek, California 94597
 Attention: Brian Kelleher, Chief Financial Officer
 9. Counterparts. The parties recognize and agree that separate counterpart signature pages may be used to execute this MOU, but that all such pages constitute one and the same MOU.
 10. No Third-Party Beneficiaries. This MOU is intended solely for the benefit of the parties hereto and no third party will have any right or interest in any provision of this MOU or as a result of any action or inaction of any party in connection with this MOU.
 11. Remedy. The sole remedy for violation of this MOU is specific performance of this MOU. The County and Recipient waive their respective rights to trial by jury of any claim or cause of action arising out of this MOU. The County and Recipient have no liability for damages to one another or to any other person or entity resulting from any violation of this MOU.
 12. Authorization. Recipient, or the representative(s) signing this MOU on behalf of Recipient, represents and warrants that it has full power and authority to enter into this MOU and to perform the obligations set forth herein.
 13. Entire MOU. This MOU contains the entire understanding of the parties relating to the subject matter of this MOU. No promise, representation, warranty or covenant not included in this MOU has been or is relied upon by any party.

The parties are signing this MOU as of the Effective Date.

CONTRA COSTA COUNTY

**CONTRA COSTA
TRANSPORTATION AUTHORITY**

By: _____
John Kopchik, Director
Dept of Conservation and Development

Chris Kelley, Chair

Attest:

Tarienne Grover, Clerk of the Board

Approved as to form:

Amara Morrison, Legal Counsel

SCHEDULE 1
TO
FUNDING MEMORANDUM OF UNDERSTANDING
DATED APRIL 1, 2022

SERVICE PLAN

Recipient: Contra Costa Transportation Authority
Project Name: Implementation of Accessible Transportation Strategic Plan

Project Description

The goal of the Accessible Transportation Strategic Plan (the “ATS Plan”) is to improve the accessibility of transportation for seniors, people with disabilities, and qualifying veterans. The Project over the current Funding Period is twofold. First, to identify and, if necessary, create, a coordinating entity that will coordinate the delivery of different types of accessible transportation services among multiple transportation providers, including transit operators, social service agencies, non-profit organizations, and cities (the “Coordinating Entity”). Second, to make investments in the following components of the ATS Plan: means-based user-side fare subsidies; expansion of the one seat ride program; and a one call/one click operations system.

Tasks to be Performed by Recipient

Using CCTA’s ATS task force, as approved by the CCTA Board:

- Task 1. Establish a means-based user side subsidy pilot program and provide the subsidies.
- Task 2. Establish a strategy to implement a one call/one click system and provide operations funding.
- Task 3. Identify and, if necessary, create, the Coordinating Entity and take all feasible steps to establish the entity’s operations. For the Coordinating Entity to be created, the task force will submit its final recommendation for approval to the County Board of Supervisors, through the County’s Conservation and Development Department, and to CCTA’s Board. Both parties shall agree on the organization type of the Coordinating Entity in order for the 20% Coordinating Entity funding to be provided per Schedule 2. The two parties shall meet as necessary to come to an agreement.
- Task 4. Take all feasible steps to establish the one-seat-ride program and require documentation of the complete costs of the one-seat-ride program from service providers. Ensure administrative and operations costs are broken out. Limit CCTA’s

contribution of Measure X funds to 50% of service providers' operations costs. Ensure administrative and operations figures will be consistent with the Federal Transit Administration's National Transit Database program definitions.

Deliverables

Deliverables are the implementation of the programs described in 1-4 above and reported per the reporting requirements described in the *Progress Reports* section below.

Progress Reports

- Quarterly reports for the periods ending December 31, 2022 and March 31, 2023. Quarterly reports are to describe milestones achieved and noteworthy activities performed during the reporting period. Quarterly reports are to include a detailed report of Measure X expenditures and describe any non-Measure X funding used during the reporting period.
- Annual report for the Funding Period ending June 30, 2023. The annual report is to describe milestones achieved and noteworthy activities performed during the Funding Period. The annual report is to be delivered by July 31, 2023. The annual report is to include a detailed report of Measure X expenditures and describe any non-Measure X funding used during the Funding Period.
- Reports are to be delivered to the County Board of Supervisors through the Transportation, Water, and Infrastructure Committee through the County's Conservation and Development Department and to CCTA's Board through CCTA's Executive Director.

SCHEDULE 2
TO
FUNDING MEMORANDUM OF UNDERSTANDING
DATED APRIL 1, 2022

PAYMENT SCHEDULE

Recipient: Contra Costa Transportation Authority
Project Name: Implementation of Accessible Transportation Strategic Plan

Payment 1: 20% of Measure X funds will be paid within 60 days of receipt of an invoice and supporting documentation establishing that the MOU has been approved by both parties.

Payment 2: 20% will be paid within 60 days of receipt of an invoice and supporting documentation establishing that the means-based user side subsidy pilot program is approved by the CCTA Board and is operational. (Task 1)

Payment 3: 20% will be paid within 60 days of receipt of an invoice and supporting documentation establishing that the One Call/One Click strategy has been approved by the CCTA Board. (Task 2)

Payment 4: 20% will be paid within 60 days of receipt of an invoice and supporting documentation establishing that the Board of Supervisors and CCTA have approved the Coordinating Entity recommendation in accordance with Schedule 1. (Task 3)

Payment 5: 20% will be paid within 60 days of receipt of an invoice and supporting documentation verifying that the one-seat-ride funding parameters in Schedule 1 can be or will have been met. (Task 4)

For payments requiring documentation of CCTA Board and/or other action, funding will be disbursed upon receipt of a letter from the CCTA Executive Director or designee requesting the release of funding, provided the letter verifies that the required action has been completed, and an invoice and any required documentation is attached.



Contra
Costa
County

To: Board of Supervisors
From: David O. Livingston, Sheriff-Coroner
Date: October 18, 2022

Subject: Diablo Crime Scene Cleaners

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a contract with Diablo Crime Scene Cleaners, in the amount of \$1,000,000 for the period of September 1, 2022 through August 30, 2023, to provide standard crime scene and biological cleaning services, and specialized cleaning services to combat the spread of respiratory and bloodborne illnesses.

FISCAL IMPACT:

100% General Fund. The FY 22/23 cost is approximately \$1,000,000, but will largely depend on the number of actual service callouts and assumes current COVID-19 precautions stay in place. This expense is not currently budgeted, but additional appropriations are not expected to be needed at this time. The Department will continue to monitor the budget and will return to the Board of Supervisors in the event additional appropriations are needed.

BACKGROUND:

The Sheriff's Office has contracted with Diablo Crime Scene Cleaners for full service crime scene and biological cleaning for the detention facilities, patrol station houses and patrol vehicles.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Lyn Oco, 925-655-0006

By: , Deputy

cc:

BACKGROUND: (CONT'D)

The cleaning of blood and bodily fluids requires extensive training and experience to avoid contamination and health risks. In addition to the standard cleaning services, Diablo Crime Scene Cleaners has also provided increased sanitation measures at the Sheriff's facilities. Due to the continued risk of respiratory and bloodborne illnesses, the Sheriff's Office deems it necessary to continue the contract with Diablo Crime Scene Cleaners for the foreseeable future.

CONSEQUENCE OF NEGATIVE ACTION:

The Sheriff's Office will be unable to acquire the appropriate level of cleaning and sanitation services.

CHILDREN'S IMPACT STATEMENT:

None.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 18, 2022

Subject: Contract Amendment Agreement #77-381-1 with 3 Prong (dba 3 Prong Health)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute, on behalf of County Contract Amendment #77-381-1 with 3 Prong (dba 3 Prong Health), a corporation, effective October 1, 2022 to increase the contract payment limit by \$600,000 to a new payment limit not to exceed \$1,200,000, to provide additional in-person behavioral health services for Contra Costa Health Plan (CCHP) members with no change in the term of June 1, 2022 through May 31, 2025.

FISCAL IMPACT:

Approval of this amendment will result in additional annual expenditures of up to \$600,000 and will be funded 100% by CCHP Enterprise Fund II. (Additional rates)

BACKGROUND:

CCHP has an obligation to provide certain specialized behavioral health services and Utilization Management (UM) services for its members under the terms of their Individual and Group Health Plan membership contracts with the County. Services for behavioral telehealth outpatient therapy, services may include, but are not limited to: electronic video and communication technologies to facilitate outpatient therapy services including diagnosis, consultation, treatment, education, and care management services for CCHP members. This contractor provides UM services for outpatient behavioral health program services for CCHP members. This contractor has been a part of the CCHP Provider Network since June 1, 2022.

On June 21, 2022, the Board of Supervisors approved Contract #77-381 with 3 Prong (dba 3 Prong Health) in the amount of \$600,000 for the provision of behavioral telehealth services and UM services for outpatient behavioral health program services to CCHP members, for the period June 1, 2022 through May 31, 2025.

Approval of Contract Amendment Agreement #77-381-1, effective October 1, 2022, will increase the contract payment limit by \$600,000 to a new payment limit not to exceed \$1,200,000, to provide additional in-person behavioral health services for Contra Costa Health Plan (CCHP) members with no change in the contract term of June 1, 2022 through May 31, 2025.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Sharron Mackey, 925-313-6104

By: , Deputy

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialized in-person behavioral 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 18, 2022

Subject: Novation Contract #74-526-14 with EMBRACE

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Novation Contract #74-526-14 with EMBRACE, a non-profit corporation, in an amount not to exceed \$2,206,408, to provide mental health services, multisystemic therapy (MST) and Functional Family Therapy for Seriously Emotionally Disturbed (SED) adolescents and their families for the period from July 1, 2022 through June 30, 2023, including a six-month automatic extension in an amount not to exceed \$1,103,204 through December 31, 2023.

FISCAL IMPACT:

Approval of this contract will result in annual expenditures of up to \$2,206,408 and will be funded as budgeted by the department in FY 2022-23, by 40% Mental Health Services Act (MHSA) (\$882,828), 34% Federal Medi-Cal (\$746,275), 13% Probation Youthful Offender Block Grant (\$296,000), 12% Mental Health Realignment Funds (\$253,688), and 1% Measure X Funds (\$27,617). (Rate increase)

BACKGROUND:

This contract meets the social needs of the County’s population by providing mental health services, including individual, group, and family counseling, assessment, case management, and rehabilitation support services to seriously and emotionally disturbed adolescents who are involved in the Juvenile Justice System. The County has been contracting with EMBRACE for FFT services since July 2016.

On December 7, 2021, the Board of Supervisors approved Novation Contract #74-526-12 with EMBRACE, in the amount of \$2,562,474, for the provision of mental health and FFT services for youth who have had serious contact with the Juvenile Justice System for the period from July 1, 2021 through June 30, 2022, which included a six-month automatic extension through December 31, 2022, in the amount of \$1,281,237.

On February 1, 2022 the Board of Supervisors approved Amendment Agreement #74-526-13, effective January 1, 2022, to increase the per minute billing rates due to COVID-19 with no change in the original payment limit and original term.

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

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Suzanne Tavano Ph.D.,
925-957-5212

By: , Deputy

BACKGROUND: (CONT'D)

Approval of Novation Contract #74-526-14 replaces the automatic extension under the prior contract and allows the contractor to continue providing mental health services through June 30, 2023.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, SED children and adolescents involved in the juvenile justice system will not have access to this contractor's mental health services and may result in a reduction of services and placement in higher levels of care.

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 18, 2022

Subject: Cancellation Agreement #77-359-1 and Contract #77-359-2 with Acclaim Mobility LLC

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, as follows: (1) Cancellation Agreement #77-359-1 with Acclaim Mobility LLC, a limited liability company, effective at the end of business on August 31, 2022; and (2) Contract #77-359-2 with Acclaim Mobility LLC, a limited liability company, in an amount not to exceed \$300,000, to provide non-emergency medical transportation services for Contra Costa Health Plan (CCHP) Members and county recipients, for the period September 1, 2022 through August 31, 2025.

FISCAL IMPACT:

This contract will result in contractual service expenditures of up to \$300,000 over a 3-year period and will be funded 100% by CCHP Enterprise Fund II revenues. (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 providing non-emergency medical transportation services including but not limited to wheelchair van services for CCHP members since July 2021.

On July 13, 2021, the Board of Supervisors approved Contract #77-359 with Acclaim Mobility LLC, in an amount not to exceed \$300,000, for the provision of non-emergency medical transportation services for CCHP members and county recipients for the period July 1, 2021 through June 30, 2024.

On October 11, 2022, the Board of Supervisors approved a rescind prior board action pertaining to contracted services with Acclaim Mobility LLC. Due to an administrative oversight, the Board Order was approved with the term July 1, 2021 through June 30, 2022. The purpose of this Board Order was to correct the term previously approved by the Board on July 13, 2021, to match the term of the Contract of July 1, 2021 through June 30, 2024.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Sharron A. Mackey,
925-313-6104

By: , Deputy

cc: Noel Garcia, Marcy Wilhelm

BACKGROUND: (CONT'D)

In consideration of the contractor's agreement to continue providing services and the departments need to increase rates to maintain an adequate network for CCHP members to meet DHCS and DMHC mandates, the department and contractor have agreed to (1) mutual cancellation of the current contract in accordance with General Conditions Paragraph 5 (Termination), of the contract (Cancellation Agreement #77-359-1) will accomplish this cancellation, and (2) establish a new contract with the correct terms and conditions for the next three years.

Under Contract #77-359-2 contractor will provide non-emergency medical transportation services for CCHP members and County recipients with the new contract term of September 1, 2022 through August 31, 2025.

CONSEQUENCE OF NEGATIVE ACTION:

If this cancellation and new contract is not approved certain specialized non-emergency medical transportation services for CCHP members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided.

ATTACHMENTS



**Contra
Costa
County**

To: Board of Supervisors
From: Esa Ehmen-Krause, County Probation Officer
Date: October 18, 2022

Subject: Contract with Fresh Lifelines for Youth (STAY FLY Program)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the County Probation Officer, or designee, to execute a contract with Fresh Lifelines for Youth, in an amount not to exceed \$1,043,045 to operate the STAY FLY Program to for Contra Costa County’s Transition Aged Youth (ages 18-25 years old) to prevent further justice system involvement for the period September 1, 2022 through October 30, 2025.

FISCAL IMPACT:

100% Community Corrections Performance Incentive funds (SB 678)

BACKGROUND:

Founded in 2000, Fresh Lifelines for Youth is a nonprofit organization that services youth in the juvenile justice system as well as those who are at risk of involvement. They educate youth about the law, they support them to become leaders among their peers, and they provide them with positive mentors and role models.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Chris De Dios, 925-313-4120

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Under this agreement, Fresh Lifelines for Youth will operate its STAY FLY Program in Contra Costa County. The STAY FLY Program is a reentry program for ages 18-25 years old that combines law related education, case management/coaching, prosocial events, and systems and community collaboration, to decrease youth's justice system involvement, increase youth's academic progress, build youth's social-emotional learning, mobilize non-traditionally engaged institutions to support youth at risk of justice system involvement, and improve effectiveness and education system practices for Transition Aged Youth.

CONSEQUENCE OF NEGATIVE ACTION:

Without this contract, Contra Costa County's Transition Aged Youth population will fail to receive adequate support service.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Esa Ehmen-Krause, County Probation Officer
Date: October 18, 2022

Subject: Lefta Shield Software

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Chief Probation Officer, or designee, to execute a contract with International Business Information Technologies, Inc dba LEFTA Systems, in an amount not to exceed \$16,335 to provide a subscription and user licenses to Shield Suite software for the term October 4, 2022, through October 3, 2023.

FISCAL IMPACT:

100% General Fund; \$16,335.

BACKGROUND:

LEFTA System's SHIELD Suite is a software application that our personnel/training staff will use to document employee Field Training, Use of Force, Employee Training Records, Field Investigation Reporting, Internal Affairs Investigations, Employee Complaints, Vehicle Incident Documentation, and other events. The system is Criminal Justice Information Services (CJIS) compliant which protects private or sensitive information gathered by local, state and federal law enforcement agencies. Under the contract, the County is obligated to indemnify LEFTA for claims arising out of County's use of the software.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Dyanne Fankhauser,
925-313-4068

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

The information is currently stored in different places and is not stored as securely as it will be in this system. Probation will also not have a method to create a cohesive report detailing all of an employee's training, any areas to be addressed, or the need for additional training.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 18, 2022

Subject: Contract #74-322-24 with Youth Homes Incorporated

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Novation Contract #74-322-24 with Youth Homes Incorporated, a non-profit corporation, in an amount not to exceed \$4,851,636, to provide residential treatment and Therapeutic Behavioral Services (TBS) to children who are Seriously Emotionally Disturbed (SED), for the period from July 1, 2022 through June 30, 2023, which includes a six-month automatic extension through December 31, 2023, in an amount not to exceed \$2,425,818.

FISCAL IMPACT:

Approval of this contract will result in annual budgeted expenditures for FY 2022-2023 of up to \$4,851,636 and will be funded by 50% Federal Medi-Cal (\$2,425,818), 45% Mental Health Realignment Funds (\$2,183,236) and 5% Measure X Funds (\$242,582). (Rate increase)

BACKGROUND:

This contract meets the social needs of the County's population by providing residential day treatment therapeutic behavioral services, including medication, support, crisis intervention and other mental health services to children who are seriously emotionally disturbed, and their families in order to keep them out of higher levels of placement. The contractor has been providing residential treatment services and TBS to SED children for the County since September 2007.

On January 18, 2022, the Board of Supervisors approved Contract #74-322-22, with Youth Homes Incorporated, in an amount not to exceed \$2,205,290, for the provision of residential treatment and TBS to SED children for the period from January 1, 2022 through June 30, 2022, including a six-month automatic extension through December 31, 2022, in an amount not to exceed \$2,205,290.

On February 1, 2022, the Board of Supervisors approved Amendment Agreement #74-322-23, effective January 1, 2022, to increase the per minute billing rates for the contract and automatic extension due to COVID-19 with no change in the original payment limit and original term.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Suzanne Tavano, Ph.D.,
925-957-5212

By: , Deputy

cc: E Suisala , M Wilhelm

BACKGROUND: (CONT'D)

Approval of Novation Contract #74-322-24 will replace the automatic extension under the prior contract and allow the contractor to continue to provide services through June 30, 2023.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, there would be fewer step-down group home options available in the County and SED children who are requiring this level of care may experience out of State placement.

CHILDREN'S IMPACT STATEMENT:

This contract 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) and placement at discharge to a lower level of care.



Contra
Costa
County

To: Board of Supervisors
From: Karen Caoile, Director of Risk Management
Date: October 18, 2022

Subject: Rescind Prior Board Action Pertaining to TCS Risk Management Services

RECOMMENDATION(S):

RESCIND Board action of September 13, 2022 (C.85), which pertained to a contract with TCS Risk Management Services; and APPROVE and AUTHORIZE the Director of Risk Management to execute Contract #48470 with TCS Risk Management Services in an amount not to exceed \$220,800 to administer County-wide ergonomic programs for the period of July 1, 2022 through June 30, 2023.

FISCAL IMPACT:

Costs for administration of County-wide ergonomic programs will be paid from the Workers' Compensation Internal Service Fund.

BACKGROUND:

TCS Risk Management Services provides the following: review and administration of ergonomic programs; employee ergonomic evaluations; installation of ergonomic equipment; discount pricing for equipment; training and coordination with departments; timely delivery of ergonomic evaluations and equipment to prevent or reduce the level of injuries sustained by employees. The results are savings in workers' compensation claims.

On September 13, 2022, the Board of Supervisors approved the Contract 48470

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Karen Caoile 925-335-1400

By: , Deputy

cc:

BACKGROUND: (CONT'D)

with TCS Risk Management Services in an amount not to exceed \$220,000 for the period of July1, 22 through June30, 223. However, an incorrect payment limit was submitted on the September 13, 2022 request.

The requested payment limit should reflect an amount not to exceed \$220,800 as stated in the Contract 48470. Approval of today's action will clarify the payment limit and allow the Department to execute the Contract with the correct payment limit that reflects the total amount needed to cover all services for the entire term of the Contract

CONSEQUENCE OF NEGATIVE ACTION:

Contractor will not receive full payment for all services that will be provided during the term of the contract.

ATTACHMENTS

TCS Rsk Mgt Contract

STANDARD CONTRACT
(Purchase of Services – Long Form)

Number: 48470
Fund/Org: Various
Account:
Other:

1. **Contract Identification.**

Department: Risk Management

Subject: Consulting/Ergo Lab

2. **Parties.** The County of Contra Costa, California (County), for its Department named above, and the following named Contractor mutually agree and promise as follows:

Contractor: TCS Risk Management Services

Capacity: Limited Liability Company

Address: P O Box 287, San Ramon CA 94583

3. **Term.** The effective date of this Contract is July 1, 2022. It terminates on June 30, 2023 unless sooner terminated as provided herein.

4. **Payment Limit.** County's total payments to Contractor under this Contract shall not exceed \$ 220,800.

5. **County's Obligations.** County shall make to the Contractor those payments described in the Payment Provisions attached hereto which are incorporated herein by reference, subject to all the terms and conditions contained or incorporated herein.

6. **Contractor's Obligations.** Contractor shall provide those services and carry out that work described in the Service Plan attached hereto which is incorporated herein by reference, subject to all the terms and conditions contained or incorporated herein.

7. **General and Special Conditions.** This Contract is subject to the General Conditions and Special Conditions (if any) attached hereto, which are incorporated herein by reference.

8. **Project.** This Contract implements in whole or in part the following described Project, the application and approval documents of which are incorporated herein by reference.

Not applicable

STANDARD CONTRACT
(Purchase of Services – Long Form)

Number: 48470
Fund/Org: Various
Account:
Other:

9. **Legal Authority.** This Contract is entered into under and subject to the following legal authorities:

Section 31000

10. **Signatures.** These signatures attest the parties' agreement hereto:

COUNTY OF CONTRA COSTA, CALIFORNIA

BOARD OF SUPERVISORS By: _____ Chair/Designee	ATTEST: Clerk of the Board of Supervisors By: _____ Deputy
---	--

CONTRACTOR

Signature A Name of business entity: TCS Risk Management Services By: _____ (Signature of individual or officer) _____ (Print name and title A, if applicable)	Signature B Name of business entity: By: _____ (Signature of individual or officer) _____ (Print name and title B, if applicable.)
---	---

Note to Contractor: For corporations (profit or nonprofit) and limited liability companies, the contract must be signed by two officers. Signature A must be that of the chairman of the board, president, or vice-president; and Signature B must be that of the secretary, any assistant secretary, chief financial officer or any assistant treasurer (Civil Code Section 1190 and Corporations Code Section 313). All signatures must be acknowledged as set forth on Form L-2.

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
)
COUNTY OF CONTRA COSTA)

On _____ (Date),

before me, _____ (Name and Title of the Officer),

personally appeared, _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS MY HAND AND OFFICIAL SEAL.

Signature of Notary Public



Place Seal Above

ACKNOWLEDGMENT (by Corporation, Partnership, or Individual)
(Civil Code §1189)

APPROVALS

RECOMMENDED BY DEPARTMENT

FORM APPROVED BY COUNTY COUNSEL

By: _____
Designee

By: _____
Deputy County Counsel

APPROVED: COUNTY ADMINISTRATOR

By: _____
Designee

PAYMENT PROVISIONS
(Fee Basis Contracts - Long and Short Form)

1. **Payment Amounts.** Subject to the Payment Limit of this Contract and subject to the following Payment Provisions, County will pay Contractor the following fee as full compensation for all services, work, expenses or costs provided or incurred by Contractor:

[Check one alternative only.]

- a. \$ monthly, or
- b. \$ per unit, as defined in the Service Plan, or
- c. \$ after completion of all obligations and conditions herein.
- d. Other: As provided in the Service Plan attached hereto.

2. **Payment Demands.** Contractor shall submit written demands for payment on County Demand Form D-15 in the manner and form prescribed by County. Contractor shall submit said demands for payment no later than 30 days from the end of the month in which the contract services upon which such demand is based were actually rendered. Upon approval of payment demands by the head of the County Department for which this Contract is made, or his designee, County will make payments as specified in Paragraph 1. (Payment Amounts) above.

3. **Penalty for Late Submission.** If County is unable to obtain reimbursement from the State of California as a result of Contractor's failure to submit to County a timely demand for payment as specified in Paragraph 2. (Payment Demands) above, County shall not pay Contractor for such services to the extent County's recovery of funding is prejudiced by the delay even though such services were fully provided.

4. **Right to Withhold.** County has the right to withhold payment to Contractor when, in the opinion of County expressed in writing to Contractor, (a) Contractor's performance, in whole or in part, either has not been carried out or is insufficiently documented, (b) Contractor has neglected, failed or refused to furnish information or to cooperate with any inspection, review or audit of its program, work or records, or (c) Contractor has failed to sufficiently itemize or document its demand(s) for payment.

5. **Audit Exceptions.** Contractor agrees to accept responsibility for receiving, replying to, and/or complying with any audit exceptions by appropriate county, state or federal audit agencies resulting from its performance of this Contract. Within 30 days of demand, Contractor shall pay County the full amount of County's obligation, if any, to the state and/or federal government resulting from any audit exceptions, to the extent such are attributable to Contractor's failure to perform properly any of its obligations under this Contract.

Initials: _____
Contractor County Dept.

The County's ergonomic program is directed to prevent ergonomic injuries, reduce the severity of repetitive motion injuries, and mitigate post-injury disabilities using ergonomic modifications.

Contractor will continue to implement on behalf of the County, an ergonomic program that is directed toward preventing ergonomic injuries, reducing the severity of repetitive motion injuries and mitigating post-injury disabilities using ergonomic modifications. In carrying out the ergonomic program, Contractor shall:

A. Ergonomic Program Support - The Contractor shall provide services to support the County's Ergonomic Program. In supporting the County's ergonomic program, Contractor will perform the following tasks:

1. Provide an individual to be employed by Contractor, to coordinate all aspects of the contractor's ergonomic program support. Duties of the "Ergonomic Coordinator" will include tracking of all aspects of evaluation referrals (Workers Comp/Preventative), equipment purchases and costs, delivery dates and completion timeliness
2. Timely evaluation referrals to certified ergonomic evaluators and immediate client notification of assignment.
3. Verify Ergo Eval Request have Dept and/or Safety Coordinator approval (workstation/chair or equipment fitting)
4. Verify County required online training is completed and WRAF forms signed by appropriate County staff
Submit reports along with online training certification information and WRAF forms to be reviewed signed for approval.
5. Refer ergo evaluations to Panel Evaluator within 24 hours of completed authorizations. Confirm evaluation date once scheduled and diary case in system for recommendations from evaluator
6. Coordinator creates WRAF forms listing equipment and worksite modification recommendations from evaluator. Trace and provide pricing information for department approval.
7. Once approvals secured from Dept contact, complete paperwork to request and schedule any worksite modifications through outside vendor or work with departments through GSD/IT/DOIT. Notify appropriate Dept of scheduled dates.
8. Coordinator process equipment orders once approved, Submit work orders necessary to GSD for modification changes (*except for HSD/EHSD Dept*) *Note: IT/DOIT are done in house through department.*
9. Coordinator to follow up with departments on completion of work orders completed in house.
10. Coordinator to send follow up emails on pending WRAF forms and training completion
11. Coordinator to send any ADA related request to new ADA coordinator
12. Coordinator to send any Lighting issues/request to Risk Management
13. Coordinator to obtain MD Notes for sit stand requests for different department
14. Coordinate delivery/installations of equipment with vendor(s) and department
15. Confirm with employee, evaluator, vendor all recommendations are completed.
16. Facilitate scheduling of follow-up evaluation and a final report.
17. Secure, process and bundle all equipment and evaluator invoices to Risk Management for submission to Auditors for payment – Comply with Auditor's requirement for verified ORG numbers and Employee ID's. Complete and submit required invoice coversheets with invoices in numerical order, track and apply credits from returns/exchanges
18. Respond to all vendor inquiries on payments and outstanding invoice

Initials: _____
Contractor

_____ County Dept.

19. Supply evaluation referrals in a timely manner to certified ergonomic evaluators and provide immediate client notification of pending assignments per regulatory compliance. (Title 8, Section 5110)
20. Review existing County ergonomic policies and procedures, observations/findings, and, as necessary, provide recommendations to meet the County's needs and satisfy current regulations
21. Closed/completed cases are sorted, bundled, and saved to Risk Management L drive for storage and back-up
22. Secure and submit Employee survey to Risk Management
23. Run status reports for Risk Management and departments as requested
24. The ergonomic coordinator will also serve as a resource to the County, its departments, and workers' compensation claims adjusting unit for the ergonomic program.

B. Maintain and manage a vendor panel of Ergonomic Evaluators to provide office ergonomic evaluations

1. Maintains a pool of qualified Ergonomic Evaluators
2. Annual Ergonomics Program Meeting with Evaluators/Vendors/Risk Management/EHSD/HSD
3. work with Risk Management to find location to host meeting
4. coordinate and schedule date and time with all parties (evaluators, vendors, some Risk Management/EHSD/HSD staff)
5. create agenda for meeting, documents, handouts
6. Contractor to provide refreshments and food
7. Contractor is delegated the authority to change equipment vendors and evaluators as required based on competitive pricing and timely delivery of services and equipment.

C. Acknowledge the varying process among different departments including but not limited to:

1. Public Defender Office – only approve OM chairs to be ordered, keep recommendations to minimum
2. Employment and Human Services Department (EHSD)- requires a medical doctor note for a sit stand recommendation, IT does not approve wireless devices only ordered on a case by case. Follow up with EHSD clerk sups on completions-submits work orders for IT/GSD/DOIT
3. Health Services Department (HSD) – Keep track of building departmental contacts that need to be included on any Ergonomic related requests. follow up with HSD on IT/GSD/DOIT request
4. Department of Child Support Services (DCSS) - requires medical doctor note to order a sit stand workstation
5. Assessor – only recommend desktop versions of a sit stand system
6. Probation- recommend only desktop versions of a sit stand system
7. Probation - find available equipment if able for repurpose/keep recommendations to minimum

D. Ergonomic Equipment

1. Support the County's Climate Action Plan and implement, maintain, promote the repurposing of Recycled/Surplus Ergo Equipment
 - a. some re-useable equipment is retrieved and stored at the ERGO LAB other items may be stored at HSD Storage PO
 - b. Coordinator will search re-use list before ordering new items, if located send/receive equipment to dept via interoffice mail
 - c. on occasion coordinator to pick up/delivery from county sites if needed
 - d. visit surplus as needed to look for equipment (1-2 year)

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2. Management of warranty including but not limited to repairs, replacements, delivery or installation services
 - a. ship out defective equipment back to manufacture via UPS/FEDEX/USPS Mail in accordance with warranty replacement terms
3. Equipment List for Pricing: CCC Equipment Report
Process: Run Equipment Report from TCS database
 - a. Send out emails to vendors (listed on our panel) providing a list of frequent purchases ordered throughout the year for review. Then Request for response by the deadline specified.
 - b. Once equipment pricing is received, compile information to spread sheet and list the price quote provided and is separated by vendor. The best priced listed will be highlighted so that it is easier to identify. Any equipment that has been discontinued will be marked and a suggested replacement will be listed as an option.
 - c. The shipping/installation costs are separated and will be noted if drop ship has surcharge. The equipment installation is outsourced to installer vendors and is quoted on per request basis (either hourly or flat rate).
 - d. The price increase percentage will vary among product lines and product category from manufacture. We try to make every effort to be the best source of quality and service

E. Description of Workers' Compensation (WC) Related Ergonomic Request

1. Claims examiner to submit Ergo Request Form for WC related Ergo requests
2. Coordinator assigns case to ergonomist to schedule evaluation.
3. Coordinator follow-up for evaluation report and submits recommendations to claims for approval and authorization to proceed. A copy of the report is also sent to the employee for reference. Employees have option to complete online training or not since this is Worker Comp Claim orders are process right away after approval.
4. Once approval is obtained, coordinate all worksite modifications, equipment purchases and deliveries/installations.
5. Invoices bundled for each case and sent to examiner for payment from the claim file
6. Evaluator Reports and follow ups are sent to claims adjuster for claim records.
7. Returns/Exchanges of Equipment
8. Coordinator works with employees to send equipment to lab for warranty replacement by manufacturer where applicable
9. Coordinator to work with vendors for return/exchange and reassignment if equipment has passed the return policy date. Coordinator to maintain personal list of surplus items to be reassigned for repurpose
10. Supply the County, its departments and workers' compensation claims unit with a roster of ergonomic equipment suppliers and vendors, with whom the Contractor has arranged discounts for County' s benefit. Contractor warrants that, except for equipment that may be furnished solely for display or demonstration purposes, no supplier or vendor of any ergonomic equipment to County has provided or will provide any financial or other incentive inuring to the benefit of Contractor

F. Program Performance

1. Provide data and analysis for annual ergo meetings.
2. Produce presentations for meetings.

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3. Update ergo program stats and results.
4. Provide regular ergonomic data and analysis for Risk Management including
 - a. Employee Feedback Surveys
 - b. Status reports for Risk Management and County Departments
 - c. Reports indicating Key Performance Indicators measuring effectiveness of program
5. Provide upon request, presentations for meetings with updated ergo program stats and results as needed.

G. Contract Cost

1. Preventative evaluations and equipment costs will be charged directly to the Departments through the Auditor's Office
2. Risk Management will pay costs relating to workers' compensation claim
3. Contractor is delegated the authority to change equipment vendors and evaluators as required based on competitive pricing and timely delivery of services and equipment

County is re-assessing the need for a dedicated Ergonomics Lab or location of the Ergonomic Lab. In the interim, at County's expense, will provide Contractor with the use of office space, office furniture, one (1) photocopier, two (2) telephone lines linked to the County telephone system, one (1) telephone, and a quantity of office supplies, all of which are to be used by Contractor solely for the benefit of County for an ergonomics laboratory and an "Ergonomic Coordinator."

County will remit a monthly fee of \$18,400 per month for a total contract payment limit not to exceed \$220,800.

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County Dept.

GENERAL CONDITIONS
(Purchase of Services - Long Form)

1. **Compliance with Law.** Contractor is subject to and must comply with all applicable federal, state, and local laws and regulations with respect to its performance under this Contract, including but not limited to, licensing, employment, and purchasing practices; and wages, hours, and conditions of employment, including nondiscrimination.
2. **Inspection.** Contractor's performance, place of business, and records pertaining to this Contract are subject to monitoring, inspection, review and audit by authorized representatives of the County, the State of California, and the United States Government.
3. **Records.** Contractor must keep and make available for inspection and copying by authorized representatives of the County, the State of California, and the United States Government, the Contractor's regular business records and such additional records pertaining to this Contract as may be required by the County.
 - a. **Retention of Records.** Contractor must retain all documents pertaining to this Contract for five years from the date of submission of Contractor's final payment demand or final Cost Report; for any further period that is required by law; and until all federal/state audits are complete and exceptions resolved for this Contract's funding period. Upon request, Contractor must make these records available to authorized representatives of the County, the State of California, and the United States Government.
 - b. **Access to Books and Records of Contractor, Subcontractor.** Pursuant to Section 1861(v)(1) of the Social Security Act, and any regulations promulgated thereunder, Contractor must, upon written request and until the expiration of five years after the furnishing of services pursuant to this Contract, make available to the County, the Secretary of Health and Human Services, or the Comptroller General, or any of their duly authorized representatives, this Contract and books, documents, and records of Contractor necessary to certify the nature and extent of all costs and charges hereunder.

Further, if Contractor carries out any of the duties of this Contract through a subcontract with a value or cost of \$10,000 or more over a twelve-month period, such subcontract must contain a clause to the effect that upon written request and until the expiration of five years after the furnishing of services pursuant to such subcontract, the subcontractor must make available to the County, the Secretary, the Comptroller General, or any of their duly authorized representatives, the subcontract and books, documents, and records of the subcontractor necessary to verify the nature and extent of all costs and charges thereunder.

This provision is in addition to any and all other terms regarding the maintenance or retention of records under this Contract and is binding on the heirs, successors, assigns and representatives of Contractor.

4. **Reporting Requirements.** Pursuant to Government Code Section 7550, Contractor must include in all documents and written reports completed and submitted to County in accordance with this Contract, a separate section listing the numbers and dollar amounts of all contracts and subcontracts relating to the preparation of each such document or written report. This section applies only if the Payment Limit of this Contract exceeds \$5,000.

GENERAL CONDITIONS
(Purchase of Services - Long Form)

5. **Termination and Cancellation.**

- a. **Written Notice.** This Contract may be terminated by either party, in its sole discretion, upon thirty-day advance written notice thereof to the other, and may be cancelled immediately by written mutual consent.
- b. **Failure to Perform.** County, upon written notice to Contractor, may immediately terminate this Contract should Contractor fail to perform properly any of its obligations hereunder. In the event of such termination, County may proceed with the work in any reasonable manner it chooses. The cost to County of completing Contractor's performance will be deducted from any sum due Contractor under this Contract, without prejudice to County's rights to recover damages.
- c. **Cessation of Funding.** Notwithstanding any contrary language in Paragraphs 5 and 11, in the event that federal, state, or other non-County funding for this Contract ceases, this Contract is terminated without notice.

6. **Entire Agreement.** This Contract contains all the terms and conditions agreed upon by the parties. Except as expressly provided herein, no other understanding, oral or otherwise, regarding the subject matter of this Contract will be deemed to exist or to bind any of the parties hereto.

7. **Further Specifications for Operating Procedures.** Detailed specifications of operating procedures and budgets required by this Contract, including but not limited to, monitoring, evaluating, auditing, billing, or regulatory changes, may be clarified in a written letter signed by Contractor and the department head, or designee, of the county department on whose behalf this Contract is made. No written clarification prepared pursuant to this Section will operate as an amendment to, or be considered to be a part of, this Contract.

8. **Modifications and Amendments.**

- a. **General Amendments.** In the event that the total Payment Limit of this Contract is less than \$100,000 and this Contract was executed by the County's Purchasing Agent, this Contract may be modified or amended by a written document executed by Contractor and the County's Purchasing Agent or the Contra Costa County Board of Supervisors, subject to any required state or federal approval. In the event that the total Payment Limit of this Contract exceeds \$100,000 or this Contract was initially approved by the Board of Supervisors, this Contract may be modified or amended only by a written document executed by Contractor and the Contra Costa County Board of Supervisors or, after Board approval, by its designee, subject to any required state or federal approval.
- b. **Minor Amendments.** The Payment Provisions and the Service Plan may be amended by a written administrative amendment executed by Contractor and the County Administrator (or designee), subject to any required state or federal approval, provided that such administrative amendment may not increase the Payment Limit of this Contract or reduce the services Contractor is obligated to provide pursuant to this Contract.

9. **Disputes.** Disagreements between County and Contractor concerning the meaning, requirements, or performance of this Contract shall be subject to final written determination by the head of the county department for which this Contract is made, or his designee, or in accordance with the applicable procedures (if any) required by the state or federal government.

Contractor

County Dept.

GENERAL CONDITIONS
(Purchase of Services - Long Form)

10. **Choice of Law and Personal Jurisdiction.**

- a. This Contract is made in Contra Costa County and is governed by, and must be construed in accordance with, the laws of the State of California.
- b. Any action relating to this Contract must be instituted and prosecuted in the courts of Contra Costa County, State of California.

11. **Conformance with Federal and State Regulations and Laws.** Should federal or state regulations or laws touching upon the subject of this Contract be adopted or revised during the term hereof, this Contract will be deemed amended to assure conformance with such federal or state requirements.

12. **No Waiver by County.** Subject to Paragraph 9. (Disputes) of these General Conditions, inspections or approvals, or statements by any officer, agent or employee of County indicating Contractor's performance or any part thereof complies with the requirements of this Contract, or acceptance of the whole or any part of said performance, or payments therefor, or any combination of these acts, do not relieve Contractor's obligation to fulfill this Contract as prescribed; nor is the County thereby prevented from bringing any action for damages or enforcement arising from any failure to comply with any of the terms and conditions of this Contract.

13. **Subcontract and Assignment.** This Contract binds the heirs, successors, assigns and representatives of Contractor. Prior written consent of the County Administrator or his designee, subject to any required state or federal approval, is required before the Contractor may enter into subcontracts for any work contemplated under this Contract, or before the Contractor may assign this Contract or monies due or to become due, by operation of law or otherwise.

14. **Independent Contractor Status.** The parties intend that Contractor, in performing the services specified herein, is acting as an independent contractor and that Contractor will control the work and the manner in which it is performed. This Contract is not to be construed to create the relationship between the parties, or between County and any Contractor employee, of agent, servant, employee, partnership, joint venture, or association. Neither Contractor, nor any of its employees, is a County employee. This Contract does not give Contractor, or any of its employees, any right to participate in any pension plan, workers' compensation plan, insurance, bonus, or similar benefits County provides to its employees. In the event that County exercises its right to terminate this Contract, Contractor expressly agrees that it will have no recourse or right of appeal under any rules, regulations, ordinances, or laws applicable to employees.

15. **Conflicts of Interest.** Contractor covenants that it presently has no interest and that it will not acquire any interest, direct or indirect, that represents a financial conflict of interest under state law or that would otherwise conflict in any manner or degree with the performance of its services hereunder. Contractor further covenants that in the performance of this Contract, no person having any such interests will be employed by Contractor. If requested to do so by County, Contractor will complete a "Statement of Economic Interest" form and file it with County and will require any other person doing work under this Contract to complete a "Statement of Economic Interest" form and file it with County. Contractor covenants that Contractor, its employees and officials, are not now employed by County and have not been so employed by County within twelve months immediately preceding this Contract; or, if so employed, did not then and do not now occupy a position that would create a conflict of interest under Government Code section 1090. In

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County Dept.

GENERAL CONDITIONS
(Purchase of Services - Long Form)

addition to any indemnity provided by Contractor in this Contract, Contractor will indemnify, defend, and hold the County harmless from any and all claims, investigations, liabilities, or damages resulting from or related to any and all alleged conflicts of interest. Contractor warrants that it has not provided, attempted to provide, or offered to provide any money, gift, gratuity, thing of value, or compensation of any kind to obtain this Contract.

16. **Confidentiality**. To the extent allowed under the California Public Records Act, Contractor agrees to comply and to require its officers, partners, associates, agents and employees to comply with all applicable state or federal statutes or regulations respecting confidentiality, including but not limited to, the identity of persons served under this Contract, their records, or services provided them, and assures that no person will publish or disclose or permit or cause to be published or disclosed, any list of persons receiving services, except as may be required in the administration of such service. Contractor agrees to inform all employees, agents and partners of the above provisions, and that any person knowingly and intentionally disclosing such information other than as authorized by law may be guilty of a misdemeanor.
17. **Nondiscriminatory Services**. Contractor agrees that all goods and services under this Contract will be available to all qualified persons regardless of age, gender, race, religion, color, national origin, ethnic background, disability, or sexual orientation, and that none will be used, in whole or in part, for religious worship.
18. **Indemnification**. Contractor will defend, indemnify, save, and hold harmless County and its officers and employees from any and all claims, demands, losses, costs, expenses, and liabilities for any damages, fines, sickness, death, or injury to person(s) or property, including any and all administrative fines, penalties or costs imposed as a result of an administrative or quasi-judicial proceeding, arising directly or indirectly from or connected with the services provided hereunder that are caused, or claimed or alleged to be caused, in whole or in part, by the negligence or willful misconduct of Contractor, its officers, employees, agents, contractors, subcontractors, or any persons under its direction or control. If requested by County, Contractor will defend any such suits at its sole cost and expense. If County elects to provide its own defense, Contractor will reimburse County for any expenditures, including reasonable attorney's fees and costs. Contractor's obligations under this section exist regardless of concurrent negligence or willful misconduct on the part of the County or any other person; provided, however, that Contractor is not required to indemnify County for the proportion of liability a court determines is attributable to the sole negligence or willful misconduct of the County, its officers and employees. This provision will survive the expiration or termination of this Contract.
19. **Insurance**. During the entire term of this Contract and any extension or modification thereof, Contractor shall keep in effect insurance policies meeting the following insurance requirements unless otherwise expressed in the Special Conditions:
 - a. **Commercial General Liability Insurance**. For all contracts where the total payment limit of the contract is \$500,000 or less, Contractor will provide commercial general liability insurance, including coverage for business losses and for owned and non-owned automobiles, with a minimum combined single limit coverage of \$500,000 for all damages, including consequential damages, due to bodily injury, sickness or disease, or death to any person or damage to or destruction of property, including the loss of use thereof, arising from each occurrence. Such insurance must be endorsed to include County and its officers and employees as additional insureds as to all services performed by Contractor under this Contract. Said policies must constitute primary insurance as to County, the state and federal governments, and their officers, agents, and employees, so that other insurance policies held by

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GENERAL CONDITIONS
(Purchase of Services - Long Form)

them or their self-insurance program(s) will not be required to contribute to any loss covered under Contractor's insurance policy or policies. Contractor must provide County with a copy of the endorsement making the County an additional insured on all commercial general liability policies as required herein no later than the effective date of this Contract. For all contracts where the total payment limit is greater than \$500,000, the aforementioned insurance coverage to be provided by Contractor must have a minimum combined single limit coverage of \$1,000,000.

- b. **Workers' Compensation.** Contractor must provide workers' compensation insurance coverage for its employees.
- c. **Certificate of Insurance.** The Contractor must provide County with (a) certificate(s) of insurance evidencing liability and worker's compensation insurance as required herein no later than the effective date of this Contract. If Contractor should renew the insurance policy(ies) or acquire either a new insurance policy(ies) or amend the coverage afforded through an endorsement to the policy at any time during the term of this Contract, then Contractor must provide (a) current certificate(s) of insurance.
- d. **Additional Insurance Provisions.** No later than five days after Contractor's receipt of: (i) a notice of cancellation, a notice of an intention to cancel, or a notice of a lapse in any of Contractor's insurance coverage required by this Contract; or (ii) a notice of a material change to Contractor's insurance coverage required by this Contract, Contractor will provide Department a copy of such notice of cancellation, notice of intention to cancel, notice of lapse of coverage, or notice of material change. Contractor's failure to provide Department the notice as required by the preceding sentence is a default under this Contract
20. **Notices.** All notices provided for by this Contract must be in writing and may be delivered by deposit in the United States mail, postage prepaid. Notices to County must be addressed to the head of the county department for which this Contract is made. Notices to Contractor must be addressed to the Contractor's address designated herein. The effective date of notice is the date of deposit in the mails or of other delivery, except that the effective date of notice to County is the date of receipt by the head of the county department for which this Contract is made.
21. **Primacy of General Conditions.** In the event of a conflict between the General Conditions and the Special Conditions, the General Conditions govern unless the Special Conditions or Service Plan expressly provide otherwise.
22. **Nonrenewal.** Contractor understands and agrees that there is no representation, implication, or understanding that the services provided by Contractor under this Contract will be purchased by County under a new contract following expiration or termination of this Contract, and Contractor waives all rights or claims to notice or hearing respecting any failure to continue purchasing all or any such services from Contractor.
23. **Possessory Interest.** If this Contract results in Contractor having possession of, claim or right to the possession of land or improvements, but does not vest ownership of the land or improvements in the same person, or if this Contract results in the placement of taxable improvements on tax exempt land (Revenue & Taxation Code Section 107), such interest or improvements may represent a possessory interest subject to property tax, and Contractor may be subject to the payment of property taxes levied on such interest. Contractor agrees that this provision complies with the notice requirements of Revenue & Taxation Code Section 107.6, and waives all rights to further notice or to damages under that or any comparable statute.

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County Dept.

GENERAL CONDITIONS
(Purchase of Services - Long Form)

24. **No Third-Party Beneficiaries.** Nothing in this Contract may be construed to create, and the parties do not intend to create, any rights in third parties.
25. **Copyrights, Rights in Data, and Works Made for Hire.** Contractor will not publish or transfer any materials produced or resulting from activities supported by this Contract without the express written consent of the County Administrator. All reports, original drawings, graphics, plans, studies and other data and documents, in whatever form or format, assembled or prepared by Contractor or Contractor's subcontractors, consultants, and other agents in connection with this Contract are "works made for hire" (as defined in the Copyright Act, 17 U.S.C. Section 101 et seq., as amended) for County, and Contractor unconditionally and irrevocably transfers and assigns to Agency all right, title, and interest, including all copyrights and other intellectual property rights, in or to the works made for hire. Unless required by law, Contractor shall not publish, transfer, discuss, or disclose any of the above-described works made for hire or any information gathered, discovered, or generated in any way through this Agreement, without County's prior express written consent. If any of the works made for hire is subject to copyright protection, County reserves the right to copyright such works and Contractor agrees not to copyright such works. If any works made for hire are copyrighted, County reserves a royalty-free, irrevocable license to reproduce, publish, and use the works made for hire, in whole or in part, without restriction or limitation, and to authorize others to do so.
26. **Endorsements.** In its capacity as a contractor with Contra Costa County, Contractor will not publicly endorse or oppose the use of any particular brand name or commercial product without the prior written approval of the Board of Supervisors. In its County-contractor capacity, Contractor will not publicly attribute qualities or lack of qualities to a particular brand name or commercial product in the absence of a well-established and widely accepted scientific basis for such claims or without the prior written approval of the Board of Supervisors. In its County-contractor capacity, Contractor will not participate or appear in any commercially produced advertisements designed to promote a particular brand name or commercial product, even if Contractor is not publicly endorsing a product, as long as the Contractor's presence in the advertisement can reasonably be interpreted as an endorsement of the product by or on behalf of Contra Costa County. Notwithstanding the foregoing, Contractor may express its views on products to other contractors, the Board of Supervisors, County officers, or others who may be authorized by the Board of Supervisors or by law to receive such views.
27. **Required Audit.**
- a. If Contractor expends \$750,000 or more in federal grant funds in any fiscal year from any source, Contractor must provide to County, at Contractor's expense, an audit conforming to the requirements set forth in the most current version of Code of Federal Regulations, Title 2, Part 200, Subpart F.
 - b. If Contractor expends less than \$750,000 in federal grant funds in any fiscal year from any source, but the grant imposes specific audit requirements, Contractor must provide County with an audit conforming to those requirements.
 - c. If Contractor expends less than \$750,000 in federal grant funds in any fiscal year from any source, Contractor is exempt from federal audit requirements for that year except as required by Code of Federal Regulations, Title 2, Part 200, Subpart F. Contractor shall make its records available for, and an audit may be required by, appropriate officials of the federal awarding agency, the General Accounting Office, the pass-through entity and/or the County. If an audit is required, Contractor must provide County with the audit.

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GENERAL CONDITIONS
(Purchase of Services - Long Form)

- d. With respect to the audits specified in sections (a), (b) and (c) above, Contractor is solely responsible for arranging for the conduct of the audit, and for its cost. County may withhold the estimated cost of the audit or 10 percent of the contract amount, whichever is greater, or the final payment, from Contractor until County receives the audit from Contractor.
28. **Authorization.** Contractor, or the representative(s) signing this Contract on behalf of Contractor, represents and warrants that it has full power and authority to enter into this Contract and to perform the obligations set forth herein.
29. **No Implied Waiver.** The waiver by County of any breach of any term or provision of this Contract will not be deemed to be a waiver of such term or provision or of any subsequent breach of the same or any other term or provision contained herein.



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 18, 2022

Subject: Cancellation Agreement #26-515-18 and Contract #26-515-19 with Virtual Radiologic Professionals of California, P.A.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County as follows: (1) Cancellation Agreement #26-515-18 with Virtual Radiologic Professionals of California, P.A., a corporation, effective at the end of business on November 30, 2022; and (2) Contract #26-515-19 with Virtual Radiologic Professionals of California, P.A., a corporation, in an amount not to exceed \$1,200,000, to provide teleradiology services at Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers, for the period from December 1, 2022 through November 30, 2025.

FISCAL IMPACT:

This contract will result in contractual service expenditures of up to \$1,200,000 over a 3-year period and will be funded 100% by Hospital Enterprise Fund I revenues.

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 been contracting with Virtual Radiologic Professionals of California, P.A. since March 2005.

On June 22, 2021, the Board of Supervisors approved Contract #26-515-17 with Virtual Radiologic Professionals of California, P.A., in an amount not to exceed \$685,000 for the provision of teleradiology services at CCRMC and Contra Costa Health Centers for the period from August 1, 2021 through July 31, 2024.

In consideration of county's difficulty in retaining qualified diagnostics radiologists for teleradiology services due to noncompetitive wages, and the agreement to continue providing services, the department and contractor have agreed to (1) mutual cancellation of the current contract in accordance with General Conditions Paragraph 5 (Termination), of the contract (Cancellation Agreement #26-515-18) will accomplish this cancellation, and (2) establish a new contract with increased rates for the next three years.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Samir Shah, M.D., 925-370-5525

By: , Deputy

BACKGROUND: (CONT'D)

Approval of Contract #26-515-19 will allow the contractor to continue to provide teleradiology services through November 30, 2025.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the contractor will not be able to provide teleradiology services at CCRMC and Contra Costa Health Centers.



**Contra
Costa
County**

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 18, 2022

Subject: Novation Contract #74-377-13 with RYSE, Inc., A California Nonprofit Corporation

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of County Novation Contract #74-377-13 with RYSE, Inc., a California Nonprofit Corporation, in an amount not to exceed \$533,652, to provide Mental Health Services Act (MHSA) Prevention and Early Intervention (PEI) services to at-risk youth in West Contra Costa County, for the period from July 1, 2022 through June 30, 2023, which includes a six-month automatic extension through December 31, 2023, in an amount not to exceed \$266,826.

FISCAL IMPACT:

Approval of this contract will result in budgeted expenditures of up to \$533,652 and will be funded 100% by Mental Health Services Act Fund. (Rate increase)

BACKGROUND:

This contract meets the social needs of the County’s population by engaging youth at risk of mental illness or severe emotional disturbance in transformative work that recognizes and addresses the histories and inequitable burden of trauma and violence experienced in West Contra Costa County, including programs aimed at greater youth acceptance of Lesbian, Gay, Bisexual, Transgender, Queer and Questioning (LGBTQQ) students in schools by providing harm reduction presentations: in schools; facilitates access and linkage to mental health treatment and improves timely access to mental health treatment utilizing strategies which are non-stigmatizing and non-discriminatory; to community organizations and public agencies; at monthly cultural events, and during monthly membership meetings. The Behavioral Health Services Department has been contracting with RYSE, Inc., A California Nonprofit Corporation since July 2009.

On December 7, 2021, the Board of Supervisors approved Novation Contract #74-377-12 with RYSE, Inc., A California Nonprofit Corporation, in an amount not to exceed \$518,109, for the provision of MHSA-PEI services for the period July 1, 2021 through June 30, 2022.

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

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Suzanne Tavano, 925-957-5212

By: , Deputy

BACKGROUND: (CONT'D)

Approval of Contract #74-377-13 replaces the automatic extension under the prior contract and allows the contractor to continue providing services through June 30, 2023.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the contractor will not provide the health and wellness program which provides youth centered assessment goal setting, support and wellness services or the trauma response and resilience system providing support and response to incidents of violence to diverse cultural communities in West Contra Costa County.

CHILDREN'S IMPACT STATEMENT:

This MHSA-PEI program supports the following Board of Supervisors' community outcomes: "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 increases in social connectedness, communication skills, parenting skills, and knowledge of the human service system in Contra Costa County.



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 18, 2022

Subject: Payments for Services Provided by American Medical Response West

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Auditor-Controller, to pay \$126,847.56 to American Medical Response West, a corporation, for overdose prevention and education services for medical emergency 9-1-1 callers participating in the Choosing Change Program for overdose prevention services provided by Contractor in good faith for the period January 1, 2022 through September 30, 2022.

FISCAL IMPACT:

Approval of this payment will result in annual expenditures of \$126,847.56 and is funded 100% by State Opioid Multiagency Response Initiative Grants.

BACKGROUND:

The contractor collaborates with Contra Costa Public Health (CCPH) to implement the Choosing Change three-year pilot program. Contractor services include providing education to patients, family members and bystanders involved in 9-1-1 overdose emergency calls on the proper administration of Narcan, distributing Narcan for future use for patients post-Narcan administration and for family members or bystanders in high-risk situations, and administration of first dose of Buprenorphine to patients in acute withdrawal.

On April 28, 2020, the Board of Supervisors approved Contract #72-147 with American Medical Response West, in an amount not to exceed \$233,816, to implement the Choosing Change Program, an overdose prevention program, which allows emergency responders to provide opioid overdose medication to patients and bystanders and education services on same for the period from January 1, 2020 through August 31, 2022.

On January 18, 2022, the Board of Supervisors approved Amendment/Extension Agreement #72-147-1, effective October 1, 2021 to decrease funds by \$116,231 to a new payment limit of \$117,585, and extend the contract term from August 31, 2022 to September 30, 2022, for contractor to continue providing overdose prevention services and education to patients, family members and bystanders involved in 9-1-1 overdose emergency calls and administration of Narcan and Buprenorphine.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is 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 18, 2022

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

Contact: Ori Tzvieli, M.D., 925-608-5267

By: , Deputy

cc: K Cyr, M Wilhelm

BACKGROUND: (CONT'D)

It came to the attention of the Division in September, 2022 the payment limit had been decreased instead of increased on the prior Amendment/Extension Agreement #72-147-1 and invoices from the Contractor exceeded the amended contract payment limit by \$126,847.56 and Contractor had not been paid for services provided from January 1, 2022 through September 30, 2022.

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 amended contract payment limit had been reached. The Department cannot pay 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 \$126,847.56 to American Medical Response West.

CONSEQUENCE OF NEGATIVE ACTION:

If this Board Order is not approved, the Contractor will not be paid for services requested by County staff and provided by Contractor.

ATTACHMENTS



Contra
Costa
County

To: Board of Supervisors
From: Marla Stuart, Employment and Human Services Director
Date: October 18, 2022

Subject: Youth Services Report - Independent Living Skills Program Update

RECOMMENDATION(S):

ACCEPT a status report on the Independent Living Skills Program activities, as recommended by the Family and Human Services Committee.

FISCAL IMPACT:

There is no fiscal impact for this action.

BACKGROUND:

An annual update of the Independent Living Schools Program administered by the Employment and Human Services Department (EHSD) was first referred to the Family and Human Services Committee (FHS) by the Board of Supervisors on October 17, 2006. On June 7, 2016, EHSD requested, and the Board approved, expanding Referral #93 – Independent Living Skills Program to include additional youth services updates and retitling the referral to “Youth Services Report”, so that the department can include reports on all youth services offered in the community through EHSD, including Workforce Investment and Opportunity Act (WIOA) and CalWORKs youth services.

Prior to the report delivered on July 25, 2022, the Family and Human Services Committee had last received an annual report on this referral on June 28, 2021. The delay getting the report to the Board of Supervisors is due to administrative

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

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ATTESTED: October 18, 2022

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

Contact: V. Kaplan, (925) 608-5052

By: , Deputy

cc:

BACKGROUND: (CONT'D)

staff oversight after the FHS approved. Committee staff are reviewing all FHS approved items to be forwarded to the Board, and has improved its tracking tool to ensure these delays do not occur in the future.

CONSEQUENCE OF NEGATIVE ACTION:

The report will not be received.

ATTACHMENTS

FHS Youth Presentation

CONTRA COSTA COUNTY

EMPLOYMENT & HUMAN SERVICES

Building Brighter Futures Together

Marla Stuart, MSW, PhD

Director, Employment and Human Services Department

mstuart@ehsd.cccounty.us

Youth Services Report

Presentation to the Family and Human Services Committee – October 18, 2022

Youth Services Overview

Youth = Age 14-24

- Independent Living Skills Program (ILSP)
- Cal-Learn
- Helping Youth Participate in Employment (HYPE) Summer Youth Program
- Workforce Innovation and Opportunity Act (WIOA) Youth Programs
- Youth Centers

Building Brighter Futures Together

Youth Served on August 30, 2022

36.5%

Approximate percent of the youth population, age 14-24 in Contra Costa County*

56,624

Number of unduplicated youth age 14-24 served

- Medi-Cal: **96.5%** (54,631)
- CalFresh: **24.4%** (13,811)
- CalWORKs: **5.7%** (3,239)
- Received supportive services such as Adoption Assistance, Independent Living Skills Program (ILSP), Foster Care, Workforce Innovation and Opportunity Act (WIOA) Youth Programs, and KinGAP: **3.5%** (1,965) **



Data Sources: CalWIN Tables MR0007E and INDV for benefits program participant list and ad-hoc ILSP, Summer Youth Program, CalLearn, and WIOA Youth participant lists

* Estimate obtained from 2020 ACS 5-Year Estimates Table S0101; added the number of age 15-19 individuals, age 20-24 individuals, and 20% of age 10-14 individuals = ~155,314

** Programs are described in subsequent slides

Youth Served in August 2022

Program	% of Contra Costa Age 14-24 Youth Served*	Investment (Estimated August 2022 expenses)	Investment per Youth Served (Estimated August 2022 expenses per youth)
Medi-Cal	35.1% (54,631)	-	-
CalFresh	8.9% (13,811)	-	-
CalWORKs	2.1% (3,239)	-	-
Independent Living Skills Program	<1% (520)	\$52,011	\$100
Cal-Learn	<1% (21)	\$44,083	\$2,099
Helping Youth Participate in Employment (HYPE) Summer Youth Program	<1% (14)	\$19,320	\$1,380
Workforce Innovation and Opportunity Act (WIOA) Youth Programs	<1% (178)	\$142,058	\$798

* ~155,314 individuals; estimate obtained from 2020 ACS 5-Year Estimates Table S0101 by adding the number of age 15-19 individuals, age 20-24 individuals, and 20% of age 10-14 individuals



Independent Living Skills Program (ILSP)

Youth Served (July 1, 2021 – June 30, 2022)

ILSP provides services to youth who are in care or recently transitioned from Foster Care.

Highlights

Education

- 39 foster youth received \$200 high school graduation stipends in partnership with the Office of Education.
- \$75,000 in scholarships awarded to 29 foster youth, 1 adopted youth, 1 reunified youth, 1 probation youth, and 1 Kin-GAP youth.
- 22 youth attended Foster Youth Success workshops provided by local Contra Costa community colleges.
- 41 youth completed Federal Student Aid applications.
- 23 foster youth received laptops from the Bridging Tech Charitable Fund.

Employment

- 15 referrals to Job Corps and Civic Corps
- 27 referrals to Workforce Innovation and Opportunity Act (WIOA) case managers for employment services
- 81 workshops by financial institutions
- 9 paid internship positions through Family Harvest Farm

Well-Being

- 43 youth attended the Healthy Relationship curriculum provided by Shores of Hope.
- 182 Transitional Independent Living Plans (TILPs) were developed.
- Average of 141 youth per month received one-on-one services.
- 59 youth with time-sensitive needs received financial support from the ILSP Fund (managed by VESTIA, Inc.). To date, \$14,670 has been spent.

Housing

- 76 youth housed

Cal-Learn

Cal-Learn helps youth, who are pregnant or parenting, age 19 or younger, and receiving CalWORKs, graduate from high school, obtain their GED, or equivalent.

Highlights

- 21** Number of youth served by Cal-Learn in August 2022
- 3** Number of teens who obtained their GED



HYPE Summer Youth Program

Helping Youth Participate in Employment (HYPE) is a pilot Summer Youth Program with Pittsburg High School to serve youth ages 14 and 15 whose parents are receiving CalWORKs.

Highlights

14 Number of youth attended Pittsburg High School's Credit Recovery Program and earn pay for attendance and progress. These youth attended various workshops, such as resume writing, money management, mock interviews, etc. They learned soft skills and obtained job readiness education.



Workforce Innovation and Opportunity Act (WIOA) Youth Program

Workforce Innovation Opportunity Act (WIOA) Youth Program

provides comprehensive career & educational planning, including paid work-experience/internships, GED or high school completion, dollars for training, work readiness, job search assistance, and post-secondary education preparation.

- **WIOA Out of School Youth Program** – Services for out-of-school youth with barriers or challenges to employment, including unhoused or disabled, and current or former foster youth.
- **WIOA In-School Youth Program** – Services to low-income youth who are in school.

Highlights

178 Number of youth served by WIOA in August 2022



Youth Centers

EHSD is administering the development and operations of at least two **Youth Centers** to be established in East and Central County.

A Request for Interest (RFI) was issued seeking qualified contractor(s) to lead the planning process.

RFI Details

- Project management and public engagement
- Steering committee formation, survey instruments, interviews, focus groups, and public engagement workshops to solicit input from local communities
- Deliver a youth-centered program design, implementation plan and proposed budget for each youth center
- The deadline to submit proposals was September 20, 2022
 - Two (2) bids received





Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: October 18, 2022

Subject: Unpaid Student Training Agreement #22-642-2 with San Jose State University

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Unpaid Student Training Agreement #22-642-2 with San Jose State University, an educational institution, to provide supervised field instruction in the County's Public Health Division to non-clinical public health students, for the period from October 1, 2022 through August 31, 2025.

FISCAL IMPACT:

This is a non-financial agreement.

BACKGROUND:

The purpose of this agreement is to provide San Jose State University, non-clinical public health 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, benefiting from the students' services to patients.

Under Unpaid Student Training Agreement #22-642-2 will allow San Jose State University non-clinical public health students to receive supervised fieldwork instruction experience, in the County's Public Health Division, through August 31, 2025.

CONSEQUENCE OF NEGATIVE ACTION:

If this agreement is not approved, the students will not receive supervised fieldwork instruction experience in the County's Public Health Division.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: October 18, 2022

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

Contact: Ori Tzvieli, M.D., 925-608-5267

By: , Deputy

ATTACHMENTS



Contra
Costa
County

To: Board of Supervisors
From: Deborah R. Cooper, Clerk-Recorder
Date: October 18, 2022

Subject: Refund Overpayment of Documentary Transfer Tax

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Auditor-Controller to issue a refund of overpayment of documentary transfer tax totaling \$3,173.50 to parties as specified below.

FISCAL IMPACT:

The recommendation will result in a reduction of \$3,173.50 to the County General Fund: \$2,018.50 is from the 2021-2022 fiscal year and \$1,155.00 is from the 2022-2023 fiscal year.

BACKGROUND:

The County Clerk-Recorder collected overpayment of documentary transfer tax that the customer erroneously stated in the amounts listed below:

eRecording Partners Network	DOC 2022-0085976
400 Second Avenue South	\$2,018.50
Minneapolis, MN 55401	
eRecording Partners Network	DOC 2022-0110378
400 Second Avenue South	\$715.00
Minneapolis, MN 55401	
eRecording Partners Network	DOC 2022-0130508
400 Second Avenue South	\$440.00
Minneapolis, MN 55401	

CONSEQUENCE OF NEGATIVE ACTION:

Failure to reimburse the parties would cause them to pay more than legally required for documentary transfer tax.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/18/2022** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: October 18, 2022

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

Contact: Joseph Barton, 925-335-7928

By: , Deputy

cc:

