

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**

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

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

**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](http://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](mailto: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. Your patience is appreciated. A Spanish language interpreter is available to assist Spanish-speaking callers.

A lunch break or closed session may be called at the discretion of the Board Chair.

Staff reports related to open session items on the agenda are also accessible online at [www.contracosta.ca.gov](http://www.contracosta.ca.gov).

**SUPPLEMENTAL AGENDA**  
**March 7, 2023**

**CONSENT ITEMS**

**Geologic Hazard Abatement Districts**

- C. 60** Acting as the Board of Directors for the Blackhawk Geologic Hazard Abatement District (GHAD), ADOPT Blackhawk GHAD Resolution No. 2023/01 approving and authorizing the Blackhawk GHAD General Manager and GHAD Legal Counsel, or designee, to file applications with the California Office of Emergency Services to obtain federal disaster grant funding to address damage from natural disasters, as recommended by the Blackhawk GHAD General Manager.

**Attachments**

Blackhawk GHAD Resolution No. 2023/01

Exhibit A to Blackhawk GHAD Resolution 2023/01: Designation of Applicant's Agent Resolution for Non-State Agencies

**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 before 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](mailto: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.

Subscribe to receive to the weekly Board Agenda by calling the Office of the Clerk of the Board, (925) 655-2000 or using the County's on line subscription feature at the County's Internet Web Page, where agendas and supporting information may also be viewed:

[www.contracosta.ca.gov](http://www.contracosta.ca.gov)

### **DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

Pursuant to Government Code section 84308, members of the Board of Supervisors are disqualified and not able to participate in any agenda item involving contracts (other than competitively bid, labor, or personal employment contracts), franchises, discretionary land use permits and other entitlements if the Board member received, since January 1, 2023, more than \$250 in campaign contributions from the applicant or contractor, an agent of the applicant or contractor, or any financially interested participant who actively supports or opposes the County's decision on the agenda item. Members of the Board of Supervisors who have received, and applicants, contractors or their agents who have made, campaign contributions totaling more than \$250 to a Board member since January 1, 2023, are required to disclose that fact for the official record of the subject proceeding. Disclosures must include the amount of the campaign contribution and identify the recipient Board member, and may be made either in writing to the Clerk of the Board of Supervisors before the subject hearing or by verbal disclosure at the time of the hearing.

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

### **Glossary of Acronyms, Abbreviations, and other Terms**

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. For a complete list of commonly used language that may appear in oral presentations and written materials associated with Board meetings, please visit <https://www.contracosta.ca.gov/8464/Glossary-of-Agenda-Acronyms>.



Contra  
Costa  
County

To: Blackhawk GHAD Board of Directors  
From: Patricia E. Curtin, GHAD Attorney and General Manager  
Date: March 7, 2023

**Subject:** RESOLUTION AUTHORIZING APPLICATION TO THE STATE OFFICE OF EMERGENCY SERVICES TO OBTAIN FEDERAL DISASTER MITIGATION FUNDING

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**RECOMMENDATION(S):**

ADOPT Blackhawk GHAD Resolution No. 2023/01 authorizing the GHAD General Manager and GHAD Legal Counsel to work with the California Governor’s Office of Emergency Services (Cal OES) for purposes of obtaining federal financial assistance for the performance of disaster services.

**FISCAL IMPACT:**

The GHAD is funded 100% through an *ad valorem* property tax shares with CSA M-23 and collected on properties within the GHAD.

**BACKGROUND:**

On April 22, 1986, the Contra Costa County Board of Supervisors adopted Resolution 86/210 approving the formation of the GHAD and appointed itself to serve as the GHAD Board of Directors.

As a public entity under the GHAD Laws (Pub Res Code Sect 26500 et seq.), the GHAD desires to seek federal financial assistance through Cal OES for the performance of services as a result of disasters that has and will occur. Presently, the GHAD is performing such services as a result of the 2022/2023 winter storms. The GHAD is responsible and required to perform emergency and disaster services (in addition to other services) as required under the GHAD’s Plan of Control. The GHAD has been working diligently to respond to the 2022/2023 winter storm disaster by addressing damages from geologic hazards caused by the storms including landslide and mud flows that pose a threat to public health and safety.

In order to seek federal assistance, the GHAD Board is required to authorize certain GHAD Officers to work with Cal OES to seek assistance. Attached to Resolution No, 2023/01 as Exhibit A is the Designation of Applicant’s Agent Resolution for Non-State Agencies (Designation Resolution) authorizing the GHAD General Manager and the GHAD Legal Counsel to seek federal assistance. GHAD Resolution No, 2023/01 authorizes the GHAD Clerk to execute the Designation Resolution on behalf of the GHAD Board.

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **03/07/2023**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

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

ATTESTED: March 7, 2023

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

Contact: Julie DiMaggio Enea (925)  
655-2056

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

The GHAD's existing budget does not contemplate the severity of the damage for unforeseen disasters and the use of the funds in the budget will jeopardize the extent of services that can be performed by the GHAD.

ATTACHMENTS

Blackhawk GHAD Resolution No. 2023/01

Exhibit A to Blackhawk GHAD Resolution 2023/01: Designation of Applicant's Agent Resolution for Non-State Agencies

**THE BOARD OF DIRECTORS OF BLACKHAWK  
GEOLOGIC HAZARD ABATEMENT DISTRICT**

Adopted this Resolution on March 7, 2023, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**RESOLUTION NO. 2023/01 (BLACKHAWK GHAD)**

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**SUBJECT:** Adopting Resolution No. 2023/01 authorizing the GHAD General Manager and GHAD Legal Counsel to work with the California Governor’s Office of Emergency Services (Cal OES) for purposes of obtaining federal financial assistance for the performance of disaster services.

**WHEREAS**, on April 22, 1986, the Contra Costa County Board of Supervisors adopted Resolution 86/210 approving the formation of the Blackhawk Geologic Hazard Abatement District (“GHAD”) and appointed itself to serve as the GHAD Board of Directors.

**WHEREAS**, on June 7, 2022, the GHAD Board of Directors adopted the budget for the fiscal year 2022/2023 prepared by the GHAD General Manager, Sands Construction Company, Inc. pursuant to Resolution No. 2022/02; this budget did not fully contemplate the cost of services that would be associated with damages caused by the 2022/2023 winter storms.

**WHEREAS**, in the winter of 2022/2023 severe storms occurred through California and greatly impacted the GHAD resulting in geologic hazards that threaten public health and safety; President Joseph R. Biden, Jr and Governor Gavin Newsom declared emergencies in response to these storms.

**WHEREAS**, as required by the GHAD’s Plan of Control, the GHAD Manager performed emergency services required by the storms and these services will continue to be performed until the damage is mitigated, resolved and/or addressed.

**WHEREAS**, the GHAD’s existing budget does not contemplate the severity of the damage for unforeseen disasters and the use of the funds in the fiscal year 2022/2023 budget will jeopardize the extent of services that can be performed by the GHAD.

**WHEREAS**, as a public entity under the GHAD Laws (Pub Res Code Sect 26500 et seq.), the GHAD desires to seek federal financial assistance through Cal OES for the performance of services as a result of disasters that has and will occur and presently. the winter 2022/2023 storms.

**WHEREAS**, in order to seek federal assistance, the GHAD Board is required to authorize certain GHAD Officers to work with Cal OES to seek assistance; attached to Resolution No, 2023/01 as Exhibit A is the Designation of Applicant's Agent Resolution for Non-State Agencies (Designation Resolution) authorizing the GHAD General Manager and the GHAD Legal Counsel to seek federal assistance.

**WHEREAS**, the GHAD General Manager and GHAD Attorney recommend the GHAD Board adopt GHAD Resolution No. 2023/01 authorizing the GHAD Clerk to execute the Designation Resolution on behalf of the GHAD Board so that federal assistance can be sought for disasters that have and will occur.

**The Board of Directors of the GHAD HEREBY RESOLVES THAT:**

1. The GHAD Board hereby adopts Resolution No. 2023/01 authorizing the GHAD General Manager and GHAD Legal Counsel to work with the California Governor's Office of Emergency Services (Cal OES) for purposes of obtaining federal financial assistance for the performance of disaster services that pose a threat to the public health and safety.

2. The GHAD Board directs the GHAD Clerk to immediately execute the Designation Resolution on behalf of the GHAD Board and file it with Cal OES in order to seek financial assistance.

3. The recitals are incorporated herein by this reference.

This Resolution shall become effective immediately upon its passage and adoption.

Exhibit A - Designation of Applicant's Agent Resolution for Non-State Agencies

Exhibit A



Cal OES ID No: \_\_\_\_\_

DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-STATE AGENCIES

BE IT RESOLVED BY THE Board of Directors OF THE Blackhawk Geologic Hazard Abatement District ("GHAD")
(Governing Body) (Name of Applicant)

THAT Michael D. Sands, GHAD General Manager, OR
(Title of Authorized Agent)

Patricia Curtin, GHAD Legal Counsel, OR
(Title of Authorized Agent)

Amara Morrison, GHAD Legal Counsel
(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the Blackhawk Geologic Hazard Abatement District ("GHAD")
(Name of Applicant)

a public entity established under the laws of the State of California, this application
and to file it with the California Governor's Office of Emergency Services for the
purpose of obtaining federal financial assistance for any existing or future grant
program, including, but not limited to any of the following:

- Federally declared Disaster (DR), Fire Mitigation Assistance Grant (FMAG),
California State Only Disaster (CDAA), Immediate Services Program (ISP), Hazard
Mitigation Grant Program (HMGP), Building Resilient Infrastructure and
Communities (BRIC), Legislative Pre-Disaster Mitigation Program (LPDM), under
- Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and
Emergency Assistance Act of 1988, and/or state financial assistance under the
California Disaster Assistance Act.
- Flood Mitigation Assistance Program (FMA), under Section 1366 of the National
Flood Insurance Act of 1968.
- National Earthquake Hazards Reduction Program (NEHRP) 42 U.S. Code 7704 (b)
((2) (A) (ix) and 42 U.S. Code 7704 (b) (2) (B) National Earthquake Hazards
Reduction Program, and also The Consolidated Appropriations Act, 2018, Div. F,
Department of Homeland Security Appropriations Act, 2018, Pub. L. No. 115-141
- California Early Earthquake Warning (CEEW) under CA Gov Code – Gov, Title 2,
Div. 1, Chapter 7, Article 5, Sections 8587.8, 8587.11, 8587.12

That the Blackhawk Geologic Hazard Abatement District ("GHAD")
(Name of Applicant)

laws of the State of California, hereby authorizes its agent(s) to provide to the
Governor's Office of Emergency Services for all matters pertaining to such state
disaster assistance the assurances and agreements required.



**Please check the appropriate box below**

- This is a universal resolution and is effective for all open and future disasters/grants declared up to three (3) years following the date of approval.
- This is a disaster/grant specific resolution and is effective for only disaster/grant number(s): \_\_\_\_\_

Passed and approved this \_\_\_ day of \_\_\_\_\_, 20 23

**John Gioia, GHAD Chair**

(Name and Title of Governing Body Representative)

**Candace Andersen, GHAD Board Member**

(Name and Title of Governing Body Representative)

**Diane Burgis, GHAD Board Member**

(Name and Title of Governing Body Representative)

**CERTIFICATION**

I, **Patricia Curtin**, duly appointed and **Blackhawk GHAD Clerk** of  
 \_\_\_\_\_  
 (Name) (Title)

**Blackhawk Geologic Hazard Abatement District ("GHAD")**, do hereby certify that the above is a true and  
 \_\_\_\_\_  
 (Name of Applicant)

correct copy of a resolution passed and approved by the **Board of Directors**  
 \_\_\_\_\_  
 (Governing Body)

of the **Blackhawk Geologic Hazard Abatement District ("GHAD")** on the \_\_\_\_\_ day of \_\_\_\_\_, 20 23.  
 \_\_\_\_\_  
 (Name of Applicant)

**Blackhawk GHAD Clerk**

\_\_\_\_\_  
 (Signature)

\_\_\_\_\_  
 (Title)





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### Cal OES Form 130 Instructions

**A Designation of Applicant's Agent Resolution for Non-State Agencies is required of all Applicants to be eligible to receive funding. A new resolution must be submitted if a previously submitted resolution is older than three (3) years from the last date of approval, is invalid, or has not been submitted.**

When completing the Cal OES Form 130, Applicants should fill in the blanks on pages 1 and 2. The blanks are to be filled in as follows:

#### Resolution Section:

**Governing Body:** This is the group responsible for appointing and approving the Authorized Agents.

Examples include: Board of Directors, City Council, Board of Supervisors, Board of Education, etc.

**Name of Applicant:** The public entity established under the laws of the State of California.

Examples include: School District, Office of Education, City, County or Non-profit agency that has applied for the grant, such as: City of San Diego, Sacramento County, Burbank Unified School District, Napa County Office of Education, University Southern California.

**Authorized Agent:** These are the individuals that are authorized by the Governing Body to engage with the Federal Emergency Management Agency and the California Governor's Office of Emergency Services regarding grants for which they have applied. There are two ways of completing this section:

1. **Titles Only:** The titles of the Authorized Agents should be entered here, not their names. This allows the document to remain valid if an Authorized Agent leaves the position and is replaced by another individual. If "Titles Only" is the chosen method, this document must be accompanied by either a cover letter naming the Authorized Agents by name and title, or the Cal OES AA Names document. The supporting document can be completed by any authorized person within the Agency (e.g., administrative assistant, the Authorized Agent, secretary to the Director). It does not require the Governing Body's signature.
2. **Names and Titles:** If the Governing Body so chooses, the names **and** titles of the Authorized Agents would be listed. A new Cal OES Form 130 will be required if any of the Authorized Agents are replaced, leave the position listed on the document, or their title changes.



**Checking Universal or Disaster-Specific Box:** A Universal resolution is effective for all past disasters and for those declared up to three (3) years following the date of approval. Upon expiration it is no longer effective for new disasters, but it remains in effect for disasters declared prior to expiration. It remains effective until the disaster goes through closeout unless it is superseded by a newer resolution.

**Governing Body Representative:** These are the names and titles of the approving Board Members.

Examples include: Chairman of the Board, Director, Superintendent, etc. The names and titles **cannot** be one of the designated Authorized Agents. A minimum of three (3) approving board members must be listed. If less than three are present, meeting minutes must be attached in order to verify a quorum was met.

**Certification Section:**

**Name and Title:** This is the individual in attendance who recorded the creation and approval of this resolution.

Examples include: City Clerk, Secretary to the Board of Directors, County Clerk, etc. This person **cannot** be one of the designated Authorized Agents or Approving Board Member. If a person holds two positions (such as City Manager and Secretary to the Board) and the City Manager is to be listed as an Authorized Agent, then that person could sign the document as Secretary to the Board (not City Manager) to eliminate "Self-Certification."